

**THOMAS JEFFERSON SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
March 31, 2021**

Remote Participants:

Directors: Pratley (Chair), Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murdoch (joined at 11:45 a.m.), Murray, Swanson, Thompson

Assoc. Directors: Tingley

Staff: Coates, DaMitz, Gyurisin, Hyatt, Longanecker, Moyer, Talley

Agencies: Cross (DCR), Bayless (NRCS), Kirkland (NRCS)

Absent:

Directors: Easter

Assoc. Directors: Bartz, Cowger, Merle-Smith, Tweardy

The Board of Directors convened a decentralized meeting via Zoom due to the COVID-19 public health emergency.

CALL TO ORDER: Mr. Pratley called the meeting to order at 10:04 a.m.

ROLL CALL: Ms. Moyer called the roll to confirm a quorum of Directors. Attendance was confirmed as listed above.

Motion to Conduct Electronic Meeting:

MOTION: Mr. Lucas moved that the Thomas Jefferson Soil and Water Conservation District Board of Directors certify that the nature of the state of emergency caused by the COVID-19 pandemic, as declared by the Governor of Virginia, makes it impracticable or unsafe for the Board to assemble in a single physical location, and further that the purpose of the meeting, including all agenda items as reflected in the meeting's prepared agenda, is to transact or discuss business that is statutorily required or that is necessary to continue operations of the Board and the discharge of the Board's lawful purposes, duties, and responsibilities. Mr. Thompson seconded the motion. The motion passed 10-0 by the following roll call vote:

Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murray, Pratley, Swanson, Thompson

Nays: None

Absent: Murdoch

ANNOUNCEMENTS: None.

PUBLIC COMMENT: Mr. Pratley asked if any comments were received from the public. Ms. Moyer confirmed that no public comments were submitted.

ADDITIONS/CHANGES TO AGENDA: Mr. Pratley added COVID leave policy changes to the agenda.

ACTION ITEMS:

Directors Meeting Minutes:

MOTION: Mr. Thompson moved to approve the Directors Meeting Minutes for February 24, 2021, as submitted. Mr. Lucas seconded the motion. The motion passed 9-0 by the following roll call vote:

Ayes: Campbell, Collins, Daughters, Jones, Lucas, Murray, Pratley, Swanson, Thompson
Nays: None
Not Voting: Meeks
Absent: Murdoch

Budget/Finance Committee Report:

Treasurer's Report and Financial Statements – February 2021:

Mr. Meeks asked Ms. Moyer to share updates, as he was having audio difficulties. Ms. Moyer reported that everything is looking good compared to budget. Use of carryover funding is likely to be less than anticipated due to the NACD grant award and higher contract revenues.

MOTION: Ms. Daughters moved to approve the Treasurer's report and financial statements. Ms. Jones seconded the motion. The motion passed 10-0 by the following roll call vote:

Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murray, Pratley, Swanson, Thompson
Nays: None
Absent: Murdoch

Agriculture Committee Report:

Mr. Thompson reported that the Agriculture Committee discussed the project approvals and increases listed on the consent agenda. The Agriculture Committee recommended approval of additional repair costs for the Clore practice failure, to be paid from District funds.

MOTION: Mr. Lucas moved to approve additional funds (\$1,172.82) for the Clore practice failure. Mr. Murray seconded the motion. The motion passed 10-0 by the following roll call vote:

Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murray, Pratley, Swanson, Thompson
Nays: None
Absent: Murdoch

Mr. Thompson summarized the Agriculture Committee's discussion regarding increased costs for construction materials. Increased tax credits for out-of-pocket costs become available July 1. The Agriculture Committee recommended amending the District's tax credit policy to take into consideration inflated materials costs and allow tax credits for out-of-pocket costs above allowable costs.

Ms. Cross noted that the tax credit law change effective July 1 will permit credits retroactive to January 1. Mr. Longanecker said that TJSWCD's policy in the past has been to cap tax credits based on the average cost list, and they hope to change that to accommodate higher material prices and give tax credits above the average cost list. Ms. Cross recommended waiting until July 1 to do those tax credits so they can use all out-of-pocket costs.

Mr. Pratley asked if additional materials costs can be treated as project increases. Mr. Thompson explained that costs in some cases greatly exceed the cap. Mr. Thompson expressed concern that they may see a lot of cancelations as a result, as well as damage to the program's reputation, as producers must cover 100% of expenditures above the cap. Mr. Longanecker noted that average cost lists are set on a fiscal-year basis, and they still have projects working off a cost list from a year or two ago, which is not accurate in today's world.

Mr. Thompson related that the District will send an informational letter to producers regarding the program status, materials cost increases, and the options that will be available to allow increased costs to be recognized for tax credits. Additionally, the District will send a letter to DCR emphasizing concerns

about the impact on the program and progress towards water quality improvements in the Chesapeake Bay region.

Mr. Thompson described Mr. Merle-Smith's equine grant compost facility proposal, which would use an alternative design with interlocking concrete blocks.

MOTION: Mr. Campbell moved to approve cost-share from the equine grant for the compost facility. Mr. Murray seconded the motion. The motion passed 10-0 by the following roll call vote:
Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murray, Pratley, Swanson, Thompson
Nays: None
Absent: Murdoch

Mr. Longanecker outlined issues with poultry litter shed component costs, where construction came in roughly \$40,000 over budget due to increased lumber prices. Staff reached out to DCR on different options. The tax credit policy change is the best option for this producer, as the District cannot go back and change its FY20 average cost list.

Mr. Thompson reported on other committee meeting topics, including the 2021 events list, the site visit questionnaire, standing meeting dates, the committee working items list, and the Local Work Group meeting with NRCS. Ms. Coates noted that that while site visit questionnaires are intended for internal use only, she confirmed with OAG that responses are subject to FOIA.

Mr. Murray expressed interest creating in applicant databases for all programs. Ms. Coates noted that the residential programs already have a pre-site visit questionnaire. Mr. Gyurisin spoke to how he uses the questionnaires as a screening tool to assist in directing people to the right resources. Ms. Coates asked Mr. Gyurisin and Ms. Hyatt to share the CAP and equine site visit questionnaires by email. Mr. Murray asked that the Public Relations Committee meet to discuss database options. Mr. Pratley requested that they look at privacy policy statements as well.

Mr. Kirkland will share a copy of the Local Work Group report when complete.

MOTION: Mr. Campbell moved to adopt the Agriculture Committee report. Mr. Lucas seconded the motion. The motion passed 10-0 by the following roll call vote:
Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murray, Pratley, Swanson, Thompson
Nays: None
Absent: Murdoch

Water Resources Committee Report:

Approval of Transfer of Maintenance Responsibility Agreement from Harold Davis to Karen Davis (Contract 02-17-0290):

Ms. Hyatt related that this is a transfer of maintenance responsibility for an RB-1 pump out contract completed through the Hardware River septic program, as Mr. Davis passed away.

Approval of Transfer of Maintenance Responsibility Agreement from Jason and Pheobe Brown to Pamela and Christopher Barnard (Contract No. 02-19-014):

Mr. Gyurisin explained that the homeowner who installed the conservation landscaping practice has sold the home, and the new owner is taking responsibility for the practice.

MOTION: Mr. Thompson moved to approve the two transfer agreements. Mr. Meeks seconded the motion. The motion passed 10-0 by the following roll call vote:

Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murray, Pratley, Swanson, Thompson
Nays: None
Absent: Murdoch

Mr. Murray reported that the Water Resources Committee had to deny a late septic program application due to program guidelines. He shared that the Virginia General Assembly allocated additional funding for VCAP, bringing the program total back up to \$1 million.

MOTION: Mr. Thompson moved to adopt the Water Resources Committee report. Mr. Meeks seconded the motion. The motion passed 10-0 by the following roll call vote:

Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murray, Pratley, Swanson, Thompson
Nays: None
Absent: Murdoch

COVID Leave Policy:

Mr. Pratley explained that federal regulations for COVID leave will change tomorrow but DOL guidance has not yet been issued. He proposed that the Board direct the District Manager and Management Analyst to update the District's COVID leave policy in line with the federal regulations.

Ms. Moyer stated that the emergency sick leave and family leave required under the Families First Coronavirus Response Act expired December 31, 2020, and the District voluntarily extended that leave through March 31, 2021. Under the American Rescue Plan Act, local governments will now be eligible for tax credits if they offer COVID leave through September 30, 2021, through a policy that complies with the tax credit requirements. If the District chooses to offer an additional 80 hours of emergency paid sick leave and 12 weeks of expanded FMLA, the District could be reimbursed through payroll tax credits for the costs of paying that leave. Any extension would be voluntary, as there is no longer a mandate to provide the leave.

Ms. Coates said that if the Board approves continuing the leave, she and Ms. Moyer would update the policy for approval by the Personnel/Operations Committee or through delegated authority, and the policy could come back to the Board at the April meeting for ratification. Mr. Pratley noted the new policy would be effective as of April 1.

MOTION: Mr. Lucas moved to move forward with updating the COVID leave policy as discussed. Mr. Thompson seconded the motion. The motion passed 10-0 by the following roll call vote:

Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murray, Pratley, Swanson, Thompson
Nays: None
Absent: Murdoch

CONSENT AGENDA

- Committee Minutes:** Agriculture Committee (2/24/2021 and 3/23/2021); Healthy Soils and Climate Committee (2/19/2021); Water Resources Committee (3/12/2021)
- Consent Items:** See attached list for Agriculture Cost Share and Tax Credits (if applicable)

CONSENT AGENDA (cont'd.)

3/31/2021

Agriculture Practices

Last Name / Business	Contract #	Instance	Practice Code	Estimated Cost Share	Potential Tax Credit	Final Tax Credit	Conservation Plan Approval
Harrison Cattle Co. LLC	02-21-0057	421477	WP-2W	-	-	\$ 33.00	-
Schultheis	02-21-0079	427213	FR-1	\$ 3,548.75	\$ 239.06	-	Yes
Schultheis	02-21-0079	427214	FR-3	\$ 5,235.00	\$ 16.25	-	Yes
Yarrington	02-21-0080	427655	SL-6W	\$ 77,284.98	\$ 980.14	-	Yes
Wormley	02-21-0081	427661	FR-1	\$ 566.15	\$ 128.13	-	Yes
Wormley	02-21-0081	427662	FR-3	\$ 1,974.64	-	-	Yes
Increases							
Durbin	02-20-0009	408509	SL-6W	\$ 2,091.57	\$ 171.75	-	-
QTIP Marital Trust	02-20-0178	388399	SL-6W	\$ 3,005.75	-	-	-
White	02-20-0184	388456	SL-6W	\$ 2,840.08	-	-	-

MOTION: Mr. Meeks moved to adopt the Consent Agenda. Ms. Jones seconded the motion. The motion passed 10-0 by the following roll call vote:

Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murray, Pratley, Swanson, Thompson

Nays: None

Absent: Murdoch

RATIFICATION AGENDA:

1. Ratification List: Water Resources Committee; Agriculture Committee; Education Committee (see attached list)

Ratification Agenda - March 31, 2021											
Item	Delegated Authority	Last Name / Business	Contract #	Instance	Practice Code	Estimated Cost Share	Potential Tax Credit	Final Tax Credit	Conservation Plan Approval	Approval Date	
Water Resources Committee											
1	Murray	Wilt	02-21-001	-	RG	\$ 549.98	-	-	Yes	3/6/21	
2	Murray	Wilt	02-21-002	-	CL-3	\$ 777.50	-	-	Yes	3/6/21	
3	Murray	Carr	02-21-003	-	CL	\$ 3,500.00	-	-	Yes	3/6/21	
4	Murray	Carr	02-21-004	-	ISR	\$ 1,500.00	-	-	Yes	3/6/21	
5	Murray	Duda	02-21-005	-	PP	\$ 2,800.00	-	-	Yes	3/6/21	
6	Murray	Gartland	02-21-001	-	CL	\$ 3,500.00	-	-	Yes	3/6/21	
7	Murray	Campbell	02-21-0074	426157	RB-1	\$ 175.00	-	-	-	3/16/21	
8	Murray	Copson	02-21-0076	426659	RB-4	\$ 6,000.00	-	-	-	3/16/21	
9	Murray	Moore	02-21-0078	426708 426711	RB-1	\$ 560.00	-	-	-	3/16/21	
10	Murray	Davis	02-21-0075	426604	RB-3M	\$ 2,942.50	-	-	-	3/16/21	
Education Committee											
11	Meeks	Youth Conservation Camp (YCC)	Adjustment to the allocation of YCC tuition award. YCC will be virtual (known as the Virginia Academy of Natural Resources, VANR) in July 2021. TJSWCD will cover the cost, \$25.00/student for up to 60 students from our localities to attend VANR in lieu of sending two students to attend YCC at \$550.00/student.							3/16/21	

Mr. Campbell indicated that he would abstain due to the inclusion of his septic application on the list.

MOTION: Mr. Meeks moved to approve the Ratification Agenda. Mr. Collins seconded the motion. The motion passed 9-0, with one abstention, by the following roll call vote:

Ayes: Collins, Daughters, Jones, Lucas, Meeks, Murray, Pratley, Swanson, Thompson

Nays: None

Abstain: Campbell
Absent: Murdoch

COOPERATING AGENCIES REPORTS:

DCR: Ms. Cross summarized information from her monthly written report (*see attached report for details*) and highlighted upcoming meetings and trainings. She also shared information about the small herd initiative.

Mr. Thompson left the meeting at 11:30 a.m.

NRCS: Mr. Kirkland thanked those who participated in the Local Work Group meeting. Comments will be organized for submission to the state office resource and program staff. Mr. Kirkland shared updates on federal programs and ranking deadlines. Matt Carroll has accepted a temporary position detail at the Hanover Service Center.

VCE: Ms. Swanson noted the well water testing clinic at the end of May. She shared updates on VCE's worker protection training for those who work in vineyards around pesticide application areas and spotted lantern fly scouting efforts.

DEQ: DEQ provided a written report.

FSA: No updates.

TJWRPF: Ms. Coates related that easement inspection packets will be shared with Foundation Directors via OneDrive.

VASWCD/NACD: Mr. Meeks reported that NACD will have an in-person summer board meeting in Chicago in July. VASWCD has not yet finalized its annual meeting plans, as the hotel is not currently accepting convention reservations.

Directors and staff discussed plans for resuming in-person meetings and meeting locations that would permit social distancing.

Mr. Campbell left the meeting at 11:52 p.m. Mr. Tingley left the meeting at 12:04 p.m. Ms. Swanson left the meeting at 12:10 p.m.

STAFF REPORTS:

Ms. Coates spoke regarding the annual plan of work and strategic plan updates. Ms. Coates will work with committees in April to gather input on their respective sections before bringing the updated plans to the May Board meeting. Ms. Coates has reached out to a graphic design firm to assist with the new conservation signs.

DIRECTOR REPORTS:

Mr. Meeks shared that the Northern Virginia SWCD received an NACD urban agricultural conservation grant.

ADJOURNMENT:

MOTION: Mr. Lucas moved to adjourn the meeting. Ms. Jones seconded the motion. The motion passed 8-0 by the following roll call vote:

Ayes: Collins, Daughters, Jones, Lucas, Meeks, Murdoch, Murray, Pratley

Nays: None

Absent: Campbell, Swanson, Thompson

There being no further business, the meeting was adjourned at 12:25 p.m.

Submitted by: _____
Recording Secretary

Approved: _____
Chair