

THOMAS JEFFERSON SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
August 31, 2022

Remote Participants:

Directors: Mark Campbell, David Collins, Carolyn Daughters, Julie Jones, Stephen Lucas, Steven Meeks, Angus Murdoch, Thomas Pratley

Assoc. Directors: Navarre Bartz (joined at 10:16 a.m.), Lonnie Murray (joined at 10:33 a.m.), Carrie Swanson, Mark Wastler

Staff: Anne Coates, Karlyn Hiebert, Lisa Hyatt, Luke Longanecker, Amy Moyer, Tim Talley

Agencies: Dana Bayless (NRCS), Debbie Cross (DCR)

Absent:

Directors: John Easter, Enrique Hernandez, Joseph Thompson

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

CALL TO ORDER: Mr. Lucas called the meeting to order at 10:01 a.m. Mr. Lucas chaired the meeting in the absence of the chair.

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

Motion to Conduct Electronic Meeting:

MOTION: Ms. Jones moved that the Thomas Jefferson Soil and Water Conservation District Board of Directors certify that the nature of the local state of emergency caused by the COVID-19 pandemic, as declared by the City of Charlottesville, 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. Pratley seconded the motion. The motion passed 8-0 by the following roll call vote:

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

Nays: None

STAFF, PARTNERS, and GUESTS PRESENT: Staff and partners present were identified as listed above. No guests were present.

ANNOUNCEMENTS: None.

PUBLIC COMMENT: None.

ADDITIONS/CHANGES TO AGENDA: None.

ACTION ITEMS:

Directors Meeting Minutes:

MOTION: Mr. Campbell moved to approve the Directors Meeting Minutes for July 28, 2022. Ms. Daughters seconded the motion. The motion passed 8-0 by the following roll call vote:
Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murdoch, Pratley
Nays: None

Budget/Finance Committee Report:

Mr. Meeks reported that he reviewed the financial reports provided by staff. He thanked Mr. Lucas for standing in to sign checks while he was out of town.

Treasurer's Report and Financial Statements – July 2022:

MOTION: Mr. Meeks moved to approve the financial reports. Mr. Pratley seconded the motion. The motion passed 8-0 by the following roll call vote:
Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murdoch, Pratley
Nays: None

Board Secretary Appointment:

MOTION: Mr. Lucas moved to appoint Carolyn Daughters to the office of Secretary of the Board. Mr. Collins seconded the motion. Ms. Daughters stated that has not forgotten about Pat Willis and feels that she would be in favor. The motion passed 7-0, with one abstention, by the following roll call vote:
Ayes: Campbell, Collins, Jones, Lucas, Meeks, Murdoch, Pratley
Nays: None
Abstain: Daughters

Mr. Lucas congratulated Ms. Daughters on her appointment.

Director Appointment:

Mr. Lucas noted that there is not presently a candidate, confirmed by Ms. Coates, and that this part of the agenda should be skipped.

Draft Annual Report:

Ms. Coates and Ms. Hyatt gave an overview of the draft Annual Report. Any changes or edits should be submitted to Ms. Hyatt in time for final approval at the September meeting.

Mr. Pratley asked about distribution plans. Ms. Coates replied that the report will be posted on the District website, shared via the email newsletter, and printed in hard copy for distribution as needed.

Louisa Agreement for Services:

Ms. Coates related that erosion and sediment control and Lake Anna shoreline plan review services provided to Louisa County have increased dramatically. Ms. Coates, Mr. Lucas, and Ms. Daughters met with Louisa County staff to discuss the strategy moving forward. The demand on staff is taking away from agriculture program work. Louisa County has not been able to commit to the level of funding needed to hire someone specifically to cover this increased workload. The District previously had a full-

time staff person for ESC plan review, but other localities have since chosen to do this work in-house. Ms. Coates proposed that Louisa fund 0.75 FTE for ESC plan review and she could use dam funding for the balance of the position. Louisa County proposed instead that the District contract with the County to assist with dams and the County would do its own ESC plan review.

Ms. Coates noted the significant training and certifications required to provide ESC plan review services. She pointed out that Louisa County has its own PL566 dams and is familiar with the requirements. The District is on track to exceed the current ESC contract maximum of \$35,000 this year.

Mr. Campbell commented that he is in favor of discontinuing ESC services but each entity should do its own dams. Ms. Daughters agreed that the current equation is unsustainable, TJSWCD is ultimately responsible for its own dams even if Louisa provides contract services, and finding a person for this position could be a challenge. Mr. Lucas noted that there are many details to work out.

Ms. Coates outlined potential transition plans to discontinue the contract in January. Mr. Meeks expressed concern about a clean break, commenting that Louisa has been a great partner over the years. Mr. Lucas replied that they are looking at a transition, and District staff would be available as backup. Ms. Coates noted the amount of agriculture funding and programs provided, and the District may be able to help Louisa with ag-forestry districts.

Mr. Pratley agreed that it is time to discontinue ESC services. He is concerned about the liability of contracting out dam services.

Mr. Lucas stated that it has been agreed by consensus to move forward with the ESC contract transition.

Annual Plan of Work

Ms. Coates noted that requirement to adopt the Annual Plan of Work and review the plan at least once mid-year. The document follows the objectives and goals in the Strategic Plan. Ms. Coates would like to set out a process for selecting outreach events. She noted the increased workload associated with high cost-share allocations.

Mr. Pratley commented that criteria are specifically listed for ag outreach events, but outreach events may be across the board or cover other work areas. Ms. Coates stated that she wants to make sure the ag program guidelines are well documented, but the Public Relations Committee needs to have a larger discussion about events. Mr. Pratley noted new ag outreach requirements for documenting the audience and targeting disadvantaged and underserved communities. Ms. Coates replied yes, that is a DCR grant deliverable. Ms. Coates suggested having the Public Relations Committee review general outreach while committees review events relevant to their program areas, as the District receives many invitations.

Mr. Lucas noted recent staff emails regarding program demographics and the importance of this information to grantors, commenting that a committee should review and update this information. Ms. Daughters suggested combining this with the Public Relations Committee.

MOTION: Mr. Meeks moved to approve the FY23 Annual Plan of Work. Mr. Collins seconded the motion. The motion passed 8-0 by the following roll call vote:

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

Nays: None

Personnel/Operations Committee Report:

Job Description – Environmental Programs Coordinator (Residential Focus):

Ms. Coates noted that the Board approved funding for this position in the budget. This position will primarily focus on the residential program, which includes VCAP, CCAP, and ACAP. The position will also assist with the education program. The state legislature approved \$4 million for the VCAP program, and technical assistance has increased from \$500 to \$1,200 per approved project. Courtney Harlow-Humphreys is currently covering both CAP and education programs and will move to primarily education after this position is filled. Ms. Coates spoke to the need for cross-training to complete contract deliverables during absences or vacancies.

Mr. Pratley asked about the VCAP project approval process. Ms. Coates replied that the VCAP Steering Committee meets monthly to approve projects, and the District’s Water Resources Committee also approves these projects.

MOTION: Mr. Pratley moved to approve the Environmental Programs Coordinator (Residential Focus) job description. Mr. Collins seconded the motion. The motion passed 8-0 by the following roll call vote:
Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murdoch, Pratley
Nays: None

Agriculture Conservation Specialist:

Ms. Coates related that the Senior Conservation Specialist position has been filled. The new employee will start at the end of September.

Water Resources Committee Report:

Mr. Bartz reported that the Water Resources Committee had a few approvals. The Committee considered whether to approve the standard cost-share amount or recommend a variance for a large septic project, ultimately deciding on the lower amount because the project has funding from other partners.

Mr. Lucas and Ms. Daughters reported on their meeting with Louisa County residents regarding flood concerns.

MOTION: Mr. Meeks moved to accept the Water Resources Committee report. Mr. Pratley seconded the motion. The motion passed 8-0 by the following roll call vote:
Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murdoch, Pratley
Nays: None

Agriculture Committee Report:

Mr. Lucas reported that the Agriculture Committee recommended approval of VACS cost-share projects and reviewed cost-list adjustments for carryover practices. The District will hold a field day on October 5 at Bracketts Farm in conjunction with the Virginia Forage and Grassland Council.

Mr. Longanecker shared additional information on the field day topics and guest speakers.

Mr. Lucas reported that the Agriculture Committee discussed the Red Horse Farm practice failure. Mr. Longanecker related that the primary option seems to be a good fit and they are working with DCR on next steps for approval in September.

Mr. Lucas reported that the Agriculture Committee also heard updates from Mike Yager on completed spot checks and discussed a participant's request for a tax credit letter.

MOTION: Ms. Jones moved to accept the Agriculture Committee report. Mr. Murdoch seconded the motion. The motion passed 8-0 by the following roll call vote:

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

Nays: None

Electronic Meetings Guide:

Ms. Moyer shared updated guidance from the FOIA Council on FOIA changes effective September 1. FOIA will now allow certain public bodies to conduct a limited number of all-virtual meetings outside of a state of emergency.

Ms. Moyer asked if the Board is interested in providing by policy for all-virtual meetings outside of the state-of-emergency rules currently in use. Mr. Lucas replied yes, that is a needed option, particularly in times of bad weather. Mr. Campbell agreed with having the option.

Mr. Campbell asked about resuming in-person meetings. Mr. Lucas replied that Ms. Coates has been keeping up with the City of Charlottesville's status, and the District office is not conducive to having anything larger than a small committee meeting, so they will have to find external meeting space.

Ms. Coates stated that she has been following the guidance of the Board chair and the City of Charlottesville's continued state of emergency declaration. Ms. Hyatt has ordered an Owl video conferencing camera for use in hybrid meetings. Ms. Coates said she expected to return to in-person meetings in June or July but local transmission rates started to increase. Staff has compiled a list of meeting facilities.

Ms. Moyer commented that Charlottesville would be due to review its local state of emergency in September, based on the last review. Mr. Campbell encouraged the Board to resume in-person meetings.

MOTION: Ms. Daughters moved to formulate a policy developing terms for holding all-virtual meetings in accordance with FOIA. Mr. Campbell seconded the motion.

Mr. Lucas noted that they are limited to four all-virtual meetings by FOIA and would have to be prudent in using this option for emergencies.

Mr. Murdoch asked if this applies only to Board meetings or also to committee meetings. Ms. Moyer replied that the Board may choose to adopt a policy to ally to its committee meetings as well, and each committee would have a separate count for its virtual meetings. Mr. Murdoch asked if the physical quorum rule would still apply. Ms. Moyer replied that a physical quorum is required for any meeting other than an all-virtual meeting held under this policy, if adopted.

A roll call vote was then conducted. The motion passed 7-1 by the following vote:

Ayes: Campbell, Collins, Daughters, Jones, Lucas, Murdoch, Pratley

Nays: Meeks

MOU with Culpeper SWCD for DEQ York/Goldmine:

Ms. Coates explained Culpeper SWCD is applying for additional DEQ funding. Letters of support were requested from Louisa County and VDH. The proposed MOU permits TJSWCD to continue to offer septic cost-share funding to residents of the Goldmine Creek watershed in Louisa County.

MOTION: Mr. Meeks moved to approve the memorandum of understanding with Culpeper SWCD. Mr. Collins seconded the motion. The motion passed 8-0 by the following roll call vote:
Ayes: Campbell, Collins, Daughters, Jones, Lucas, Meeks, Murdoch, Pratley
Nays: None

CONSENT AGENDA

- 1. Committee Minutes:** Agriculture Committee (8/23/22); Budget/Finance Committee (7/27/22); Water Resources Committee (8/23/22)
- 2. Consent Items:** Agriculture Cost-Share, Septic Cost-Share, Urban Cost-Share (see attached list)

CONSENT AGENDA (cont'd.)

8/31/2022

Agriculture Practices

Last Name / Business	Contract #	Instance	Practice Code	Estimated Cost Share	Potential Tax Credit	Final Tax Credit	Conservation Plan Approval
Clonmel Acres, LLC	02-22-0058	466013	WP-2W	-	-	\$ 725.15	-
Clonmel Acres, LLC	02-22-0080	469600	SL-7	-	-	\$ 705.94	-
Amos	02-21-0083	428498	SL-6W	-	-	\$ 522.13	-
Turner	02-23-0008	504887	SL-1	\$ 20,700.00	-	-	Yes
Abell Brothers	02-23-0009	505442	SL-1	\$ 800.00	-	-	Yes
Abell Brothers	02-23-0009	505499	SL-1	\$ 12,800.00	-	-	Yes
Watkins	02-23-0010	505681	SL-1	\$ 9,400.00	-	-	Yes
Watkins	02-23-0010	505779	SL-1	\$ 4,124.00	-	-	Yes
Watkins	02-23-0010	505783	SL-1	\$ 2,480.00	-	-	Yes
Bellair Produce LLC	02-23-0011	505776	FR-1	\$ 25,446.45	\$ 1,785.54	-	Yes
Bellair Produce LLC	02-23-0011	505744	SL-6W	\$ 74,593.71	-	-	Yes
Bellair Produce LLC	02-23-0011	505745	SL-7	\$ 11,774.10	\$ 981.18	-	Yes
Albemarle Edgehill Farm, LLC	02-23-0012	505979	CCI-SL-6N	\$ 1,967.75	-	-	Yes
Albemarle Edgehill Farm, LLC	02-23-0012	505980	SL-6W	\$ 78,195.91	\$ 932.17	-	Yes
Albemarle Edgehill Farm, LLC	02-23-0012	505978	WP-2N	\$ 3,976.50	\$ 662.75	-	Yes
Albemarle Edgehill Farm, LLC	02-23-0013	506189	SL-6W	\$ 123,889.57	\$ 2,689.25	-	Yes
Massie	02-23-0014	506284	SL-6W	\$ 48,809.09	-	-	Yes

Urban Practices

Last Name / Business	Contract #	Practice Code	Estimated Cost Share	Funding Source
Mills	02-23-002	RH	\$ 2,716.00	VCAP
Shrieves	02-23-003	PP	\$ 20,000.00	VCAP
Smith	02-23-004	CL-1	\$ 7,000.00	VCAP

Septic Practices

Last Name	Contract #	Instance	Practice Code	Estimated Cost Share
Williams	02-23-0007	498523	RB-4	\$ 6,000.00

MOTION: Mr. Meeks moved to approve the Consent Agenda. Mr. Pratley seconded the motion. The motion passed 8-0 by the following roll call vote:

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

Nays: None

RATIFICATION AGENDA:

1. **Ratification List:** Agriculture Committee, Budget/Finance Committee, Personnel/Operations Committee (see attached list)

Ratification Agenda - August 31, 2022											
Item	Delegated Authority	Last Name / Business	Contract #	Instance	Practice Code	Estimated Cost Share	Potential Tax Credit	Final Tax Credit	Conservation Plan Approval	Approval Date	
Agriculture Committee											
1	Lucas	Bundoran Farm Community Assoc.	02-22-0109	476579	SL-7	\$ 3,078.07	-	-	-	8/18/2022	
2	Lucas	Wood	02-20-0194	388840	SL-6W	\$ 20,251.75	-	-	-	8/18/2022	
3	Lucas	Baran	02-23-0003	484501	SL-6W	\$ 71,377.50	-	-	yes	8/16/2022	
4	Lucas	Baran	02-23-0003	484570	SL-7	\$ 3,332.00	\$ 208.25	-	yes	8/16/2022	
5	Lucas	Garber	02-23-0001	484466	SL-6W	\$ 25,670.00	-	-	yes	8/16/2022	
6	Lucas	Garber	02-23-0001	486085	SL-6W	\$ 8,645.55	-	-	yes	8/16/2022	
7	Lucas	Garber	02-23-0001	487221	SL-7	\$ 12,622.60	\$ 788.91	-	yes	8/16/2022	
8	Lucas	Garber	02-23-0001	486101	CCI-SL-6W	\$ 1,500.00	-	-	-	8/16/2022	
9	Lucas	Syed	02-23-0004	487139	CCI-SL-6W	\$ 7,518.75	-	-	-	8/16/2022	
10	Lucas	Craig	02-23-0002	484468	SL-6W	\$ 19,865.59	\$ 754.07	-	yes	8/16/2022	
11	Lucas	WRF18 LLC	02-21-0027		SL-8B		-	-	yes	8/16/2022	
12	Lucas	FY2023 Cost Increases for Carryover Project List					\$355,389.27			8/18/2022	
Budget/Finance Committee											
13	Meeks	Authorize purchase of Native Plant Guides from Bailey Printing (\$8,265)									7/20/2022
Personnel/Operations Committee											
14	Thompson	Authorize Executive Director to negotiate contract terms for hiring Administrative and Office Assistant									8/1/2022
15	Thompson	Approve Louisa E&S Agreement/Contract Extension									8/4/2022
16	Thompson	Authorize Executive Director to negotiate contract terms for hiring Agriculture Conservation Specialist									8/24/2022

Mr. Pratley encouraged Directors to carefully review the items on the Ratification Agenda.

MOTION: Mr. Campbell moved to approve the Ratification Agenda. Mr. Collins seconded the motion. The motion passed 8-0 by the following roll call vote:

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

Nays: None

COOPERATING AGENCIES REPORTS:

DCR: Ms. Cross summarized information from her monthly written report, calling attention to the audit for FY21 and FY22, grant deliverables, new outreach requirements, FOIA training, CWFA nominations, end-of-lifespan verifications, and upcoming meetings. Ms. Cross reviewed the FY22 assessments, noting that TJSWCD met all grant deliverables and obligated 91 percent of its VACS cost-share allocation.

NRCS: Mr. Bayless shared federal program updates and staffing updates (see attached written report). Several partner projects are currently being implemented. NRCS staff participated in the fall field day planning meeting with District staff. A Louisa forestry and wildlife tour is in development and will be held October 28.

VCE: No updates.

DEQ: DEQ provided a written report.

FSA: No updates.

TJWRP Foundation: Ms. Coates noted the annual report due to Albemarle County later this week.

VASWCD: Mr. Meeks reported that VASWCD is working on its strategic plan and will hold a quarterly meeting on September 15. Mr. Meeks attended the first TAC meeting on behalf of VASWCD.

VSHC: No updates.

DOF: No updates.

STAFF REPORTS:

Ms. Coates shared the site visit log and staff newsletter.

Mr. Murray suggested presenting the District's annual report to the Albemarle County Planning Commission to better inform their understanding of agriculture in the county. Mr. Longanecker noted that he was contacted by the Albemarle Farm Bureau about making a similar presentation.

DIRECTOR REPORTS:

Mr. Pratley thanked Mr. Hernandez for his assistance with TJSWCD's table at the Fluvanna County Fair. Ms. Coates noted that a grab-and-go box is available for Directors to use at community events.

Mr. Lucas noted the resignation of Kim Tingley as an Associate Director and expressed appreciation for his service.

Mr. Meeks encouraged Directors to join him in volunteering at VASWCD's booth at the Virginia State Fair.

ADJOURNMENT:

There being no further business, the vice chair adjourned the meeting at 12:16 p.m.

Submitted by: _____
Recording Secretary

Approved: _____
Chair