#### **MINUTES**

# CULPEPER SOIL AND WATER CONSERVATION DISTRICTANGE COUNTY BOARD MEETING

## **Department of Public Works**

Orange, Virginia

DEC - 5 2013

**November 5, 2013** 

**ADMINISTRATION** 

The meeting was called to order by Chairman Robert Brame at 9:34 AM.

**DIRECTORS PRESENT:** Re

Robert Brame, Greene County Robert Bradford, Orange County Lynn Graves, Madison County

Bob Kane, Madison County

Brad Jarvis, Madison County, Virginia Cooperative Extension

Jim Byrne, Madison County Associate Director Warren Lee, Orange County Associate Director

Alyson Sappington, Orange County Monira Rifaat, Rappahannock County Robert Runkle, Greene County

**DIRECTORS ABSENT:** 

John Genho, Rappahannock County Associate Director

Dick McNear, Rappahannock County Associate Director

Tom O'Halloran, Culpeper County Andrew Campbell, Culpeper County

Laura Campbell, Culpeper County Associate Director Steve Morris, Greene County Associate Director

Evelyn Kerr, Rappahannock County

STAFF PRESENT:

Greg Wichelns, District Manager
JoAnn Neal, Administrative Secretary
Richard Jacobs, Conservation Specialist
David Massie, Conservation Specialist
Spencer Yager, Conservation Specialist
Henny Calloway, Conservation Specialist

**OTHERS PRESENT:** 

Debbie Cross, DCR, CDC Jack Kauffman, VDOF

David Bryan, Wildlife Biologist, NRCS

## 1) CALL TO ORDER, MOMENT OF SILENCE, PLEDGE OF ALLEGIANCE

R. Brame welcomed everyone to Orange County. Following a moment of silence, R. Jacobs led the Pledge of Allegiance. There were four handouts: Technical Committee Report Addendum, Financial Committee Report, NRCS Monthly Report and D. Cross, DCR, CDC Monthly Report.

## 2) DRAFT MINUTES

R. Brame called for approval of the substance of the October 1<sup>st</sup>, 2013 Board Meeting Minutes and called for any substantive corrections or additions there seeing none, the minutes were approved. (A. Sappington, B. Jarvis, unanimous)

## 3) AGENDA APPROVAL

R. Brame called for Agenda approval. R. Bradford requested the Technical Committee Report be removed from the Consent Agenda and placed as 5.1. R. Brame requested the Future of Soil &

Water Conservation Districts be placed on the Consent Agenda as 5.2. M. Rifaat requested the Finance Committee Report be added to the Consent Agenda and the two NRCS Conservation Plans be added to the Consent Agenda. R. Bradford moved to approve the Agenda. L. Graves seconded the motion. (Bradford, Graves, unanimous)

## 4) CONSENT AGENDA

Consent Agenda approved as modified.

## **COMMITTEE REPORTS**

EDUCATION OPERATIONS FINANCE

## TREASURER'S REPORT

NRCS PLANS – Campbell Fields, Orange County, Farm 1247, Tract 462, Riparian Forest Buffer, - 9.4 Acres, A LE Boi Farm LLC, Orange County, Farm 1495, Tract 3407, Riparian Forest Buffer 13.0 Acres.

# 5.1) ADDITIONS TO AGENDA – TECHNICAL COMMITTEE REPORT

1) The following 2014 Chesapeake Bay VACS BMP applicants have been approved by the Technical Committee for funding:

\*Indicates that these practices were added at the November 5, 2013 Board Meeting

<b>Practice</b>	<u>Participant</u>	County	Appro	oved C/S Amount
SL8H	Custom Harvesters	Orange	\$	5,000.00
SL8B	Custom Harvesters	Orange	\$	17,500.00
SL8H	J- Team Dairy	Orange	\$	3,750.00
SL8B	Putz Farm JV	Madison	\$	5,625.00
SL8H	John W. Tatum	Madison	\$	1,750.00
SL8B	John W. Tatum	Madison	\$	1,000.00
SL8H	Lewis A. Lamb & Sons	Madison	\$	7,500.00
SL8B	Lewis A. Lamb & Sons	Madison	\$	13,500.00
SL8H	Thomas Mountjoy	Orange	\$	2,500.00
SL8H	Madison Farms Locust Dale	Madison	\$	2,000.00
SL8B	Madison Farms Locust Dale	Madison	\$	19,000.00
SL8H	Piedmont Grain & Cattle	Madison	\$	3,750.00
SL8B	Mart Overholt	Madison	\$	6,500.00
SL8H	Glenmary Farm	Orange	\$	7,500.00
SL8B	Glenmary Farm	Orange	\$	20,000.00
SL8H	Tom Nixon	Culpeper	\$	6,250.00
SL8B	Tom Nixon	Culpeper	\$	8,500.00
SL8B	W.J. Davis	Madison	\$	2,250.00
SL8B	John Chebuske	Madison	\$	2,750.00
SL8H	Kenwood Farm	Orange	\$	3,750.00
SL8B	Kenwood Farm	Orange	\$	8,750.00
SL8B	Mike Coates	Madison	\$	7,500.00

SL8H	Mike Coates	Madison	\$ 7,500.00
SL8H	Charles Woolfery	Orange	\$ 5,625.00
SL8B	Charles Woolfery	Orange	\$ 2,500.00
SL8B	Brooke Farms	Orange	\$ 11,250.00
SL8H	Brooke Farms	Orange	\$ 7,500.00
SL8H	Paul Heatwole	Culpeper	\$ 1,875.00
SL8B	Paul Heatwole	Culpeper	\$ 2,500.00
SL8H	Lazy Creek farm	Madison	\$ 5,625.00
SL8B	Lazy Creek farm	Madison	\$ 10,000.00
SL8B	Jim Gibson	Orange	\$ 5,000.00
SL8B	Battlepark Farm	Culpeper	\$ 20,000.00
SL8H	Battlepark Farm	Culpeper	\$ 2,500.00
SL8H	John Carl Lamb Estate	Greene	\$ 3,125.00
SL8B	Wayne T. Harris	Orange	\$ 8,500.00
SL8H	Wayne T. Harris	Orange	\$ 7,500.00
SL8B	Mt. Pony Farms	Culpeper	\$ 47,617.00
SL8H	Mt. Pony Farms	Culpeper	\$ 6,744.50
SL8B	Al Caldwell	Culpeper	\$ 10,140.00
SL8H	Al Caldwell	Culpeper	\$ 1,250.00
SL8B	Ashland Farms	Culpeper	\$ 13,172.50
SL8H	Ashland Farms	Culpeper	\$ 1,571.00
SL8H	James Massie	Rappahannock	\$ 500.00
SL8B	Dennis Brown	Culpeper	\$ 8,500.00
SL8H	Dennis Brown	Culpeper	\$ 4,875.00
SL8B	David Caldwell	Culpeper	\$ 1,020.00
SL8H	DL & JB Mayhugh	Culpeper	\$ 1,386.50
SL8B	Jeffrey Herren	Culpeper	\$ 2,475.00
SL8B	Belle Meade Farm LLC	Culpeper	\$ 12,270.00
SL8B	Croftburn Angus LLC	Culpeper	\$ 1,425.00
SL8B	Dale Welch	Rappahannock	\$ 5,250.00
SL8H	Dale Welch	Rappahannock	\$ 1,250.00
SL8H	Levi Atkins	Rappahannock	\$ 250.00
SL8H	Steve Swan	Culpeper	\$ 1,250.00
SL8B	Beauregard Farm LP	Culpeper	\$ 10,980.60
SL8B	Beauregard Farm LP	Culpeper	\$ 12,978.50
SL-6B	Phyllis Poore (Tax Credit Only)	Rappahannock	\$ 2,361.25
SL-6	Grassroots Livestock	Culpeper	\$ 30,771.75
SL-6	Belle Meade Farm LLC	Culpeper	\$ 35,186.75
SL-6	John Kiyonaga	Orange	\$ 34,808.00
SL-6	Michael Sands*	Rappahannock	\$ 6,977.00
SL-6	Michael Sands*	Rappahannock	\$ 5,850.60
SL-6	Michael Sands*	Rappahannock	\$ 1,452.00
SL-6	Beauregard Farms, Inc.*	Culpeper	\$ 26,275.00
SL-9	Beauregard Farms, Inc.*	Culpeper	\$ 5,908.38

SL-8B	Beauregard Farms, Inc.*	Culpeper	\$ 6,008.80
SL-8B	Pullen Farm LLC*	Culpeper	\$ 2,750.00
SL-8H	Pullen Farm LLC*	Culpeper	\$ 875.00
SL-8B	Nathan Rosenberger*	Culpeper	\$ 12,600.00
SL-8H	Nathan Rosenberger*	Culpeper	\$ 3,607.50
SL-8B	Bradley Rosenberger*	Culpeper	\$ 360.00
SL-8H	Bradley Rosenberger*	Culpeper	\$ 1,775.00
SL-6	Old Ford Farm, Vonnrobb*	Madison	\$ 19,965.00
NM-1A	Piedmont Grain and Cattle*	Madison	\$ 7,720.00
NM-1A	Blue Hills Farm*	Orange	\$ 1,600.00
SL-8H	Marshall Dairy*	Orange	\$ 6,250.00
SL-8H	Keith Marshall*	Orange	\$ 6,250.00
SL-8H	UHL LLC, Elizabeth Yowell*	Madison	\$ 1,375.00
SL-8B	UHL LLC, Elizabeth Yowell*	Madison	\$ 600.00
SL-8B	Joe Johnson, Jr. *	Madison	\$ 1,000.00
SL-8H	Glen Cove Farm Inc.*	Orange	\$ 1,500.00
SL-8H	Phil and Phillip Goodwin*	Orange	\$ 625.00
SL-6	Jean Dixon*	Madison	\$ 81,201.50

2) The following BMP participants have been approved by the Technical Committee for payment:

Practice	Fund	<u>Participant</u>	County	Amount	Tax Credit
NM-3	2013 VACS	Dennis Brown	Culpeper	\$ 1,319.68	\$ 0.00
NM-3	2013 VACS	Jeffrey Herren	Culpeper	\$ 728.40	\$ 0.00
WP-2	2013 VACS	Angelina Okuda-Jacobs	Culpeper	\$ 3,375.00	\$281.25
SL-6	2013 VACS	Mark Roberts	Orange	\$ 30,085.00	\$ 0.00
SL-6	2014 VACS	Irene Carnes**	Culpeper	\$ 14,860.00	\$ 0.00

<sup>\*\*</sup>Increase of \$431.25 due to underestimate of pipeline

3) The following Upper York River TMDL Residential applicant has been approved by the Technical Committee for funding:

<u>Practice</u>	<u>Participant</u>	County		<u>Amount</u>
RB-1	Mary Shackleford	Orange	\$	150.00

4) The following Upper York River TMDL Residential participants have been approved by the Technical Committee for payment:

<u>Practice</u>	<u>Participant</u>	County	<b>Amount</b>	
RB-4	Pio Esposito	Orange	\$ 2,800.00	
RB-4	Richard Oliver	Orange	\$ 3,250.00	
RB-1	Kenneth Shirley	Orange	\$ 150.00	
RB-1	Roland Terrell*	Orange	\$ 142.50	
RB-3	Timothy Murphy*	Orange	\$ 555.00	
RB-4P	Krystal Simmons*	Orange	\$ 4,500.00	

5) The following Upper Hazel River TMDL Residential applicants have been approved by the Technical Committee for funding:

<u>Practice</u>	<u>Participant</u>	County	<b>Amount</b>
RB-1	Wayne Weller*	Rappahannock	\$ 150.00
RB-1	Kathleen Eggers*	Rappahannock	\$ 150.00

6) The following Upper Hazel River TMDL Residential participant has been approved by the Technical Committee for payment:

<u>Practice</u>	<u>Participant</u>	<b>County</b>	Amount	
RB-3	Karen Knuepfer*	Rappahannock	\$ 625.00	

7) The Technical Committee is requesting that the following BMP participants refund the District cost share funding based on damaged or destroyed projects discovered during annual spot check inspection:

<u>Practice</u>	Contract Year	<u>Participant</u>	County	Amount	Remaining Lifespan
SL-1	2003	Edward Dej. Berry	Madison	\$ 188.70	4 Months

- 8) Greg Wichelns reported that Beautiful Run Dam #11 has been reseeded by a contractor. The seed has germinated and has been growing due to several inches of rainfall earlier in the month. The Committee will evaluate the need for spraying this dam next spring.
- 9) The Committee discussed their role in Resource Management Plans (RMP's) and has agreed to be the Technical Review Committee for RMP's that are written by private planners. The Committee also agreed to be plan writers, which offers producers an alternative to private planners. After more information is presented about RMP's and associated funding, the Committee will make official policy recommendations to the Board.
- 10) At the November 19, 2013 Technical Committee Meeting, there will be a presentation from Bob Ensore, Chesapeake Bay Foundation Grant Contractor, who will discuss plans for the nutrient trading calculator grant with the Culpeper SWCD.

On the Committee recommendation, the report was approved.

## 5.2) FUTURE OF SOIL & WATER CONVERVATION DISTRICTS

R. Brame expressed his concern that he perceived a lack of direction from the Virginia Soil & Water Conservation Board on the role of districts. He asked the District Manager to report on future funding. G. Wichelns stated for FY 2015 what is unclear is whether there will be a new formula allocating essential funding or the equivalent of what has been known as essential funding, and how the budget template process will interact with any formula. How the Ag Program Technical Assistance is going to be calculated also appears to be unclear. These are two big factors that are necessary when creating our yearly budget. He noted finances are stable right now and look to stay so, assuming that the new administration stays on the trajectory created by the most recent 2-3 years of policies. Also unknown is what the General Assembly will make available for funding. The Soil & Water Board did not meet in September, they will meet in December after the VASWCD Annual Meeting. A. Sappington added that after the budget template meeting tomorrow more may be known. R. Brame requested that both the Operations and Legislative Committee monitor the process during the next 6 months. M. Rifaat stated she attended the meeting on October 28th, 2013 and the subject of the role of districts was not discussed. Discussion followed. R. Brame tasked the Operations and Legislative Committees on both the legislative side and the administrative side to report back to the board with any information to discuss regarding the state agency consolidation and the role of districts. R. Brame thanked R. Bradford for representing the districts at the DCR/DEQ Area II meeting held at the Reva Fire Hall on October, 28th, 2014.

## 6) DIRECTORS REPORTS

- B. Jarvis reported that on Monday, December 16th, 2013 at Graves Mountain Lodge there will be a pesticide recertification for anyone who is seeking to be recertified in Cat 10 1A Pesticide.
- B. Kane expressed his concern with the SL-6 practices that are being approved and that we have committed all of our funds. Taking off the dollar cap and giving 100% is very poor policy.
- J. Byrne reported on his problems in the design of SL-6"s. Discussion followed. D. Massie stated that SL-6's are spot checked to see that everything is in place and working properly.
- M. Rifaat reported on the VASWCD Annual Meeting which is the week after our December Board Meeting, and emphasized the importance of Area II. Area II will defend the current VASWCD uranium mining policy. Another issue that may come up will be to change the voting rights. One vote per director to change to one vote per district. This has been rumored. DEQ was expecting a large turnout at the October 28<sup>th</sup>, 2013 meeting and they had a very large turnout. Over 100 people. M. Rifaat applauded our technical staff who continue to put large amounts of conservation on the ground.
- R. Brame commented that he thinks what is driving the no cap, 100% funding for SL-6 practices is that the EPA is leaning on Virginia to show progress on Bay TMDL's and SL-6 is quick, reportable and concrete.
- Bob Kane left meeting at 10:35.

## 7) STAFF REPORTS

- Greg reported that along with Richard and Stephanie he had applied for a Chesapeake Bay license plate grant and a Department of Forestry grant, both for the VCAP urban cost share pilot program. There has been no word on any of the grants as of yet. Seven of the watershed dams have been entered into the recertification process or will soon do that. Two are being reclassified to high hazard and will likely get conditional certificates. One of those he has asked for a re-evaluation of its proposed reclassification since it is based on 6 inches of water at the foundation of a house. G. Wichelns has asked the chairman to sign an alteration permit for one of the dams, to install a graded filter drain at the downstream tow that has wet areas to be drained out. Greg noted that one of the services from NRCS is assistance from Matt Lyons and Jerry Wright assembling all the necessary information for the permit and thanked them for their help. Greg confirmed that the funding is available to do this work.
- Richard reported the local stormwater programs for counties have less than a month to get things completed for DEQ to review.

## 8) AGENCY REPORTS

## **NRCS**

Rex Rexrode reported on the continuing resolution until mid-January of 2014. The current Farm Bill expired on September 30<sup>th</sup> of 2013. We are able to take program signups for the Environmental Quality Incentive Programs (EQIP) and the Conservation Security Program (CSP). At the present we cannot accept applications or enroll acres in the Wetland Reserve Problem (WRP), the Grassland Reserve Program (GRP), the Conservation Reserve Program (CRP or CREP) or the Chesapeake Bay Watershed Initiative CBWI).

Please note the changed letterhead. All agencies will now use the USDA letterhead and logo. Individual agency logos will no longer be used.

Melissa Allen joined the staff full time on September 23<sup>rd</sup>. She had been working in the Warrenton Service Center

## **DCR**

D. Cross reported practices funded with Supplemental funds must be completed and paid by December 31, 2013. SL-6 contracts must be taken regardless of cost share allocation levels. There is guaranteed funding for the applications that are received in 2014 & 2015 program year (prior to

- 6/30/15). These SL-6's may "piggy back" with NRCS which helps Districts leverage funds however please be sure to keep in mind the differences in the rules and requirements.
- D. Cross reported bid solicitation process for cost share components over \$30,000: with the advent of 100% cost share for SL-6 practices there is an increased awareness to ensure that cost estimates are realistic and in line with true market values. We have already heard from many districts that contractors seem to be increasing cost estimates and contractor cost creep appears present. In an effort to try to keep the costs from escalating in these times of 100% cost share it is important for applicants to get competitive bids and follow the Cost-Share Program Bid Procedures.
- D. Cross reported on Engineering Job Approval Authority (EJAA) status. DCR is in the process of contracting through VA Tech for an engineer to provide engineering assistance to Districts and is continuing to work with NRCS and the VASWCD on the matter.
- D. Cross reminded November 10<sup>th</sup> is the next VECI deadline. If 2013 VACS or Supplemental funds are available from "under budget" practices that were paid less than the original estimate, please use those funds to reach 75% for any 2013 practices that are in need of additional funds.
- D. Cross reported spot checks are completed. She referenced several projects out of compliance and District staff is addressing this. Disbursement letter November 7<sup>th</sup> will include the second installment of VNRCF Technical Assistance from the Cost Share and Technical Assistance Grant (50% 1<sup>st</sup> qtr., 25% 2<sup>nd</sup> qtr.; 25% 3<sup>rd</sup> qtr.) as well as cost share funds as needed including funds for 3<sup>rd</sup> year payments for outstanding 2012 NM-1 three year contracts. Important Dates:

Nov. 20-21	Cultural Resources Part II Training (required for CPC) offered by NRCS,
	Halifax
Dec. 8-10	VASWCD Annual Meeting at Kingsmill, Williamsburg, VA. Register by
	November 14 <sup>th</sup> .
Dec. 11	Virginia Soil and Water Conservation Board meets jointly with the
	VASWCD.
Dec. 19	VACS TAC Meeting – Charlottesville
Jan. 14	VASWCD Legislative Day, Richmond

#### **OUAIL**

D. Bryan reported on a good year in Orange County which has been leading the way as far as the Quail Program is concerned. There are also 80 acres in Madison and Rappahannock. Recent events: the Forestry and Wildlife Bus Tour – wildlife presentations at Rose Hill and Pleasant Hill Farm. They are trying to plan a spring event in April in Orange. Mark Puckett is working on a new Quail Plan for 5 years. D. Bryan reported they have an extension until December 2015 for current employees. Mark Puckett is the Chair on the National Wildlife Technical Committee which is a 25 state committee. Bob Duncan is Chair of the Steering Committee. There will be no fall mailing on the ag bmp's for the Quail Program.

## 9) **PUBLIC COMMENT PERIOD** – None.

# 10) PLAN FOR NOVEMBER COMMITTEE MEETINGS (in Culpeper at the Culpeper USDA Service Center).

Committees will meet on Tuesday, November 19<sup>th</sup>, 2013, Personnel 8:30, Operations 9:00, Legislative 9:30, and Technical 10:00 a.m. at the Culpeper USDA Service Center. The Education Committee meeting will be announced later in the week. **BOARD MEETING IN December TO BE HELD TUESDAY, December 3<sup>rd</sup>, 2013 IN RAPPAHANNOCK COUNTY AT THE WASHINGTON FIRE HALL.** 

## 11) ADJOURNMENT

Motion was made to adjourn the november 2013 Board meeting at 11:25 by B Jarvis.

Respectfully Submitted,

Robert Brame, Chairman

JoAnn Neal

Administrative Secretary

Director

Date Approved 12-3-2013