**MINUTES**

CULPEPER SOIL AND WATER CONSERVATION DISTRICT

**BOARD MEETING**
**Madison County Fire Department**
**Madison, Virginia**
**January 6, 2014**

The meeting was called to order by Chairman Lynn Graves at 9:50 A.M.

***DIRECTORS PRESENT:*** Lynn Graves, Madison County
Robert Brame, Greene County
Tom O'Halloran, Culpeper County
Bob Kane, Madison County
Robert Bradford, Orange County
Brad Jarvis, Madison County, Virginia Cooperative Extension
Alyson Sappington, Orange County
Steve Morris, Greene County Director, At Large
Monira Rifaat, Rappahannock County
Robert Runkle, Greene County

***DIRECTORS ABSENT:*** John Genho, Rappahannock County Associate Director
Dick McNear, Rappahannock County Associate Director
Warren Lee, Orange County Associate Director
Jim Byrne, Madison County Associate Director
Laura Campbell, Culpeper County Associate Director
Andrew Campbell, Culpeper County
Evelyn Kerr, Rappahannock County

***STAFF PRESENT*:** Greg Wichelns, District Manager
JoAnn Neal, Administrative Secretary
Stephanie DeNicola, Educational Specialist
Richard Jacobs, Conservation Specialist
David Massie, Conservation Specialist
Henny Calloway, Conservation Specialist
Spencer Yager, Conservation Specialist
Ashleigh Cason, Conservation Specialist

***OTHERS PRESENT*:** Debbie Cross, DCR, CDC
Rex Rexrode, NRCS District Conservationist

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

L. Graves welcomed everyone to Madison County. Following a moment of silence, R. Jacobs led the Pledge of Allegiance. There were three handouts: Technical Committee Report Addendum, D. Cross, DCR CDC Monthly Report, and District Legislative Committee Report.

**2) DRAFT MINUTES**

L. Graves called for approval of the substance of the December 2nd, 2014 Draft Board Meeting Minutes and called for any substantive corrections or additions. The Draft Minutes were approved. (R. Runkle, T. O'Halloran unanimous)

**3) AGENDA APPROVAL**

L. Graves called for Agenda approval. R. Bradford requested the District Technical Committee Report be removed from the Consent Agenda and placed as 5.1. M. Rifaat requested the District Legislative Committee Report be placed on the Agenda as 5.2. M. Rifaat moved to approve the Agenda as amended. T. O'Halloran seconded the motion. (Rifaat, O'Halloran, unanimous)

**4) CONSENT AGENDA**

Consent Agenda approved as modified.

COMMITTEE REPORTS

OPERATIONS

TREASURER'S REPORT
NRCS PLANS – None

**5) ADDITIONS TO AGENDA –**

**5.1) TECHNICAL COMMITTEE REPORT**

***Indicates that these practices were added at the January Board Meeting in Culpeper, Virginia**

1) The following BMP applicants have been approved by the Technical Committee for funding. All applications were thoroughly screened for compliance with Priority Recruitment Guidelines. All met at least two of the priority criteria.

| Practice | Fund | Participant | County | Amount | Tax Credit |
|---|---|---|---|---|---|
| SL-6 | 2015 VACS | Wayne Alfred | Madison | $ 10,107.70 | $ 0.00 |
| SL-6T | UHR 319 | Wayne Alfred | Madison | $ 23,043.38 | $ 0.00 |
| SL-6T | 2015 VACS | Wayne Alfred | Madison | $ 7,681.12 | $ 0.00 |

2) The Technical Committee recommends for Board approval that the status of the following practices become "pending – SL-6 – lack of funding" for the 100% reimbursement guaranteed by the Department of Conservation and Recreation (cost share paid on estimated costs or actual costs, whichever is less, not to exceed amount approved). The Technical Committee has reviewed these practices and finds them eligible for the Virginia Agricultural Cost Share Program:

| Practice | Fund | Participant | County | Amount | Tax Credit |
|---|---|---|---|---|---|
| SL-6 | 2015 VACS | Bruce Florence | Greene | $ 42,171.75 | $ 0.00 |
| SL-6 | 2015 VACS | Connie Ballenger | Culpeper | $ 12,154.25 | $ 0.00 |
| SL-6 | 2015 VACS | William Magee | Rappahannock | $ 6,246.75 | $ 0.00 |

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

| Practice | Fund | Participant | County | Amount | Tax Credit |
|---|---|---|---|---|---|
| SL-6 | 2014 VACS | Charles Horn[2] | Orange | $ 32,760.00** | $ 0.00 |
| SL-6 | 2014 VACS | Elizabeth Wills[1] | Madison | $ 19,220.00** | $ 0.00 |
| SL-6B | 2014 TC | Dwayne Culp* | Culpeper | $ 0.00 | $ 3,374.49 |
| SL-6 | 2015 VACS | William Hill[3*] | Madison | $ 13,000.50 | $ 0.00 |
| SL-6T | 2014 VACS | Red Oak Mountain LLC[4*] | Rapp'k | $ 34,596.05 | $ 0.00 |
| SL-6T | UHR Ag. | Red Oak Mountain LLC[4*] | Rapp'k | $ 11,532.01 | $ 0.00 |

**Spencer Yager asked for two increases for two practices. The first is for Elizabeth Wills[1], in the amount of $640.00. This is for an additional 200' for fence. The second is for Charles Horn[2], in the amount of $6,285.00. This is for additional fence and pipeline. William Hill[3] has an increase of $3,628.00 for cistern and pump. Grand

total project cost of $13,000.50. Red Oak Mountain LLC[4] had an increase of $3,769.56 for additional fence. Grand total is $46,128.06 which is split between VACS and Upper Hazel funds. All increases included in payment amounts.

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

| Practice | Participant | County | Amount |
|---|---|---|---|
| RB-1 | Paul Blackburn | Orange | $137.50 |

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

| Practice | Participant | County | Amount |
|---|---|---|---|
| RB-1 | Reginald Armistead Jr. | Rappahannock | $ 150.00 |
| RB-1 | Teresa Hawkins | Rappahannock | $ 150.00 |
| (2) RB-1 | Svetozar Krasic* | Rappahannock | $ 300.00 |

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

| Practice | Participant | County | Amount |
|---|---|---|---|
| RB-1 | Daniel Layton | Rappahannock | $ 150.00 |
| RB-1 | Virginia Stringfellow | Rappahannock | $ 150.00 |
| RB-3 | Virginia Stringfellow | Rappahannock | $ 2580.00 |
| RB-4 | Joan Herrema | Rappahannock | $ 2,625.00 |
| RB-4 | Donald Hoggard* | Madison | $ 150.00 |

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

| Practice | Participant | County | Amount |
|---|---|---|---|
| RB-4 | Nancy Conner* | Orange | $ 4,000.00 |

8) The Committee reviewed the Technical Committee component of the Annual Plan of Work. The Committee feels that it is progressing quite well.

9) The District Manager announced that the Upper Rapidan TMDL Implementation Plan meetings have been postponed until late January 2015.

10) The Committee discussed how it would continue to emphasize the 100% cost share for SL-6 practices for the last six months of the program. There will be an article published in March 2015 announcing to producers that this is the last chance for sign up. The Technical Staff will attend many programs and field days where we will be present to speaking with producers concerning the 100% program. The newsletter will also be utilized.

11) The District Manager announced a new program that DCR was developing called the Voluntary Agricultural BMP Data Collection and Inspections Program. The Culpeper District may be involved in the coming program year to document and inspect state cost shared projects that have or will have expired contracts. More details to follow. The intent of the project is to validate eligibility of old BMP's to continue to be credited towards Chesapeake Bay achievements.

R. Bradford recommended approval from the Board for Technical Committee authority to advertise and award work for small dam maintenance scheduled for Spring 2015, to consist of 2 wave berm repairs and one graded filter drain, all per NRCS design and specifications. R. Brame seconded the motion. (Bradford, Brame, unanimous) R. Bradford recommended approval of Technical Committee Report. (Bradford, O'Halloran,

unanimous)

**5.2) LEGISLATIVE COMMITTEE REPORT**

M. Rifaat reported the Governor spoke on the 17th of December about his budget which he will send to the General Assembly. The General Assembly starts on January 14, 2015. Legislative Day for the Virginia Association of Soil and Water Conservation Districts is Thursday January 15th. Referencing her handout, the first page contains pertinent items in the Governor's budget. The first bullet mentions there is no increase in our budget; second bullet only $15 million for the second year of the biennium for ag cost share; third bullet technical assistance will be reduced and the fourth bullet is budget language to provide authority for the Department of Conservation and Recreation to allow the Dam Safety, Flood Prevention and Protection Assistance Fund to be used in support of a development plan for the rehabilitation of high hazard soil and water conservation district dams. The second page of the handout is the VASWCD Legislative Agenda for 2015.

M. Rifaat reported the VASWCD Annual Meeting was successful for R. Brame who was elected Chairman of Area II, and Deirdre Clark, from John Marshall SWCD was elected Vice-Chair of Area II. The Area II meeting had nineteen people attend that could vote.

Discussion followed on 100% SL-6 after 2016. D. Cross reported it would have to be combined with the federal program to be 100%. G. Wichelns requested information on the subject in writing. The 100% is driving sign-up for SL-6. Discussion continued.

G. Wichelns reported on small dam repair funds. Currently the small dam repair fund is a state reverting fund. D. Wells, VASWCD called to request CSWCD to ask Delegate Scott to support a budget amendment (language only) to make the small dam repair fund a non- reverting fund and to give it flexibility. D. Wells is going to propose the language necessary for Delegate Scott. M. Rifaat moved to approve the concept. R. Brame seconded he motion. (Rifaat, Brame, 8 to approve, passed. B. Kane No.)

**6) CLOSED SESSION: PERSONNEL PERFORMANCE–PENDING LITIGATION**

R. Runkle moved that the Board go into Closed Session at 10:10 A.M. as provided for in the Code of Virginia Section 2.2-3771. (A)(1) to discuss personnel performance and pending litigation. Associate Directors and the District Manager were invited to attend. T. O'Halloran seconded the motion. (Runkle, O'Halloran, unanimous)

Following the return from Closed Session, R. Runkle moved to reconvene at 10:15 A.M. (unanimous). Pursuant to the Code of Virginia Section 2.2-.712. (D), I move that the Board certify that to the best of the Board's knowledge only matters lawfully exempted and as identified in the motion by which the Closed Session was convened were heard or discussed by this Board. M. Rifaat seconded the motion. (Runkle, Rifaat, 9 votes, unanimous)

R. Bradford moved to accept the recommendations from the Personnel Committee and the recommendations of the Technical Committee. R. Brame seconded the motion. (Bradford, Brame, unanimous)

**7) DIRECTORS REPORTS**

- R. Runkle reported Delegate Bell will be introducing a bill related to the right to farm. This appears to be the same bill that came up last year.
- T. O'Halloran attended the Rappahannock River Basin Commission seminar on Nutrient Trading – regulations have not been finalized or the cost. This information was in an email from Eldon James, of the Rappahannock River Basin Commission.
- R. Brame thanked the Board for their support at the Annual Meeting where he was elected Area II Chair. He would like as much input as possible from all directors, D. Cross and Greg.
- A. Sappington thanked M. Rifaat for the great job of bringing the information to the forefront on the Area II election at the Annual meeting.

- L. Graves requested information on the Business Meeting he could not attend at the Annual Meeting. Next Thursday, the Virginia Agri Business Council will be visiting the General Assembly and will have their annual banquet.
- B. Jarvis reported on the 2015 Winter Forage Conferences coming up - Gordonsville, January 23; Madison/Rappahannock Fruit School, - Graves Mountain Lodge, February 12; Virginia Tech/Southern State Forage College – Barboursville, February 13; Winter Beef Producer Meeting – Barboursville, January 26; and Central Virginia Sheep and Goat Producers Annual Meeting – Graves Mountain Lodge, March 12, 2015.

**8) STAFF REPORTS**

- S. DeNicola reported the Culpeper Soil and Water Annual Report is now online. Everyone who received a paper copy is now receiving the Annual Report via email/website. Website – working to up-date the website with a developer. The calendar and the envirothon are the most that is looked at on the website.
- R. Jacobs reported that urban cost-share (VCAP) has completed a lot of the old projects. A new project this spring will be Prospect Heights Middle School in Orange County which will be utilizing a York River Grant – turf conversion. Currently, there are three other grant opportunities: Urban Nutrient Management Plans; Chesapeake Bay Restoration for Rain Garden – and Dominion Grant – practices within Dominion Power Service Area; we are working in conjunction with four other districts.
- G. Wichelns reported on new agreements for the Upper York TMDL, Upper Hazel TMDL and that the District has submitted a pre-proposal for the Robinson River TMDL. The full proposal is still pending.

**9) AGENCY REPORTS**

**NRCS**

R. Rexrode reported January 16th, NRCS will be doing the 1st round of pre approvals for contracts. NRCS will start to write contracts after January 16th.

**DCR**

D. Cross reported each district received a Human Resource Management Guide revision at the Annual meeting. This has not been done for quite some time. There will be a one day personnel training in July, 2015.

Voluntary Ag BMP Data Collection and Inspections is a Bay- wide initiative to capture voluntary BMPs and to account for BMPs that are just out of lifespan and therefore excluded from the Bay model, but are still functioning as designed. It also includes a Tillage Survey to ascertain more clearly the acreages in conservation tillage. Culpeper will have two surveys. Discussion followed. The last time tillage was reported was in 2007. This is to include two people and the district will be paid $2,500.00 and up. This will help us to continue to receive Bay credits. Districts will be asked to promote and provided landowners certification of BMP's. Re-inspections of BMP's – Culpeper 276 have been identified to go out of lifespan SL-6, WP-2, Animal Waste Systems and Dairy Lot. If the practice is viable, get the landowner to sign and they are under no obligation to do so. The authorization form is for spot checks only (an additional 5 years). This project will be done through a MOU with district rather than a grant. Training sessions will be scheduled. This was covered at the annual meeting.

Darryl Glover is the new Soil and Water Conservation Division Director at the Department of Conservation and Recreation.

The Soil and Water Board approved Mr. Steve Morris's appointment as At Large Director, Culpeper SWCD.

Amanda Pennington is the new Field Office Engineer for Ag BMP's and was at the Annual meeting to meet everyone.

100% cost share for SL-6 practices deadline June 30, 2015 - signed application must be received by the district by close of business on June 30, 2015. The practices must be entered into tracking no later than close of business July 14, 2015.

Chesapeake Bay – 7 practices still not completed, must be paid by March 15, 2014.

Important Dates:

| | |
|---|---|
| Jan 9 | Potomac Watershed Roundtable Meeting |
| Jan 15 | VASWCD Legislative Day, Richmond |
| Jan 22 | Dam Owners Meeting, DOF Charlottesville |
| Feb 5 | Ag BMP TAC Meeting, DOF Charlottesville |
| March 5 | Virginia Soil and Water Conservation Board Meeting |

**10) PUBLIC COMMENT PERIOD** – None.

**11) PLAN FOR JANUARYCOMMITTEE MEETINGS (in CULPEPER at the CULPEPER DISTRICT OFFICE).**

Committees will meet on Tuesday, January 20, Personnel 9:00, Operations 9:30, Technical 10:00. Education Committee to meet Monday, January 26th in Madison at the War Memorial Building. **BOARD MEETING IN FEBRUARY WILL BE HELD TUESDAY, FEBRUARY 3, 2015 IN ORANGE COUNTY AT THE TOWN OF ORANGE DEPARTMENT OF PUBLIC WORKS.**

**12) ADJOURNMENT**

Motion was made to adjourn the January 2015 Board meeting at 12:15.

Respectfully Submitted, Lynn Graves, Chairman

JoAnn Neal
Administrative Secretary

Director_____
Date Approved _____2-3-2015_____