

MINUTES
CULPEPER SOIL AND WATER CONSERVATION DISTRICT
BOARD MEETING
Blue Ridge Cafe
Ruckersville, Virginia
February 3, 2009

The meeting was called to order by Chair Monira Rifaat at 9:30 AM.

DIRECTORS PRESENT: Monira Rifaat, Rappahannock County
Robert Bradford, Orange County
Robert Runkle, Greene County
Tom O'Halloran, Culpeper County
Lynn Graves, Madison County
Alyson Sappington, Orange County
Robert Brame, Greene County Director
John Genho, Rappahannock County
James Byrne, Madison County
John Boldridge, Culpeper County
Brad Jarvis, Madison County, Virginia Cooperative Extension
Steve Morris, Greene County Associate Director
Jocelyn P. Lampert, Culpeper Associate Director
Cathy Kloetzli, Greene County Associate Director, VCE
Christa Lightburn, Madison County Associate Director

DIRECTORS ABSENT: Richard McNear, Rappahannock County Associate Director
Betty Shelton, Orange County Associate Director
Laura Campbell, Culpeper County
Warren Lee, Orange County Associate Director

STAFF PRESENT: Greg Wichelns, District Manager
JoAnn Neal, Administrative Secretary
Richard Jacobs, Conservation Specialist
W. Spencer Yager, Conservation Specialist
David Massie, Conservation Specialist
Stephanie DeNicola, Information/Communication Specialist

OTHERS PRESENT: Debbie Cross, CDC, DCR
Rex Rexrode, NRCS District Conservationist, Culpeper
Allan Brockenbrough, P. E., Virginia DEQ Office of Water Permit Programs

1) CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE

M. Rifaat welcomed everyone to Ruckersville, Virginia. Following the invocation by J. Byrne and the Pledge of Allegiance, G. Wichelns introduced two handouts: 1) New Copy of Draft Minutes – corrections typed in bold and 2) Legislative Information System legislative update.

2) DRAFT MINUTES

M. Rifaat called for approval of the Draft Minutes. R. Brame moved to approve the Draft Minutes. A. Sappington seconded the motion. (Brame, Sappington, unanimous)

3) AGENDA APPROVAL

M. Rifaat called for Agenda approval. R. Bradford requested Technical Committee Report be removed from

the Consent Agenda and placed under Additions to the Agenda as 5.1. G. Wichelns requested that Legislative Update be added to Additions to the Agenda as 5.2. J. Byrne moved to approve the Agenda as amended. T. O’Halloran seconded the motion. (Byrne, O’Halloran, unanimous)

4) CONSENT AGENDA

M. Rifaat called for amended Consent Agenda approval. A. Sappington moved to approve as amended. T. O’Halloran seconded the motion. (Sappington, O’Halloran, unanimous)

COMMITTEE REPORTS

EDUCATION
OPERATIONS

TREASURER’S REPORT

5.1) TECHNICAL

1. The following BMP applicants and associated conservation plans were approved by the technical committee for the Board for funding and tax credit: *indicates added during Board meeting.

<u>Practice</u>	<u>B/P/C</u>	<u>Participant</u>	<u>County</u>	<u>Amount</u>	<u>Tax Credit</u>
SL6	P	Jamey Altman	O	\$ 16,139.55	\$ 1,344.96
SL6	P	Glendale Farm’s LLC	O	\$ 1,800.00	\$ 150.00
SL6	P	Clover Hill East*	M	\$ 30,000.00	\$ 2,657.06
SL6	P	Carol Almas*	M	\$ 30,388.50	\$ 2,532.38

2. The following BMP participants have cancelled their projects: *indicates added during Board meeting.

<u>Practice</u>	<u>B/P/C</u>	<u>Participant</u>	<u>County</u>	<u>Amount</u>	<u>Tax Credit</u>
SL6	P	Scott Stratton*	C	\$ 9,657.08	\$ 804.76

3. The following BMP participants have completed their projects and are ready for payment: *indicates added during Board meeting.

<u>Practice</u>	<u>B/P/C</u>	<u>Participant</u>	<u>County</u>	<u>Amount</u>	<u>Tax Credit</u>
SL6	Carryover	Miller Properties LLC*	R	\$ 9,591.95	\$ 1,632.66
SL6	P	Rockwood LLC*	O	\$ 2,880.00	\$ 240.00
SL6	P	Jeff Morris*	O	\$.00	\$ 1,346.75

4. The following BMP participants have requested an increase to their current BMP project: *indicates added during Board meeting.

<u>Practice</u>	<u>B/P/C</u>	<u>Participant</u>	<u>County</u>	<u>Amount</u>	<u>Tax Credit</u>
SL6	P	James McWilliams*	O	\$ 2,700.00	\$ 225.00

Robert Bradford requested Glendale Farm, LLC be corrected to Glendale Farm’s LLC. He announced that he would not be voting on the approval of the Technical report since he was one of the BMP applicants. M. Rifaat questioned what would happen to the money allocated to the cancellation. D. Cross stated the money can be reallocated. B. Jarvis moved to approve the Technical Committee report as amended. S. Morris seconded the motion. R. Bradford abstained. (Jarvis, Morris, motion passed)

5.2) LEGISLATIVE INFORMATION

G. Wichelns introduced the copies handed out today as two pieces of legislation that are of the highest priority to the Culpeper District: 1) HB2351 change in legislation in terms of how DCR provides funding for BMP’s and technical assistance for implementation and 2) budget amendment funding for operational expenses for soil and water districts to restore previous reductions and support current projections of need. G. Wichelns explained how to use the Legislative Information System website for information on bills and resolutions, General Assembly members and standing committees.

Any director who wishes to connect with their General Assembly member or members of a particular committee and urge them to support this can reference the budget item # that is provided on the handout. The information was provided by D. Wells, VASWCD Legislative Committee Chair.

Summary:

HB 2351 – would increase the percentage of the Natural Resources Commitment Fund (sub-fund of Water Quality Improvement Fund) that is to be allocated annually for technical assistance of the Ag BMP program from 5 percent to 8 per cent. It would also instruct the Governor to propose an annual appropriation to the sub-fund as part of the annual budget process and that this amount would be the greater of \$30 million or 150 percent of the largest previous annual aggregate appropriation to the sub-fund. This would commence in 2011. Discussion followed.

Budget Item # 361 3h (House) – would restore essential district funding and establish annual amount at \$120,000 per district.

361 29 (Senate) – would authorize the Department of Conservation and Recreation to utilize a portion of the statutorily required deposit to the Water Quality Improvement Fund to be used to continue the project to update SWCD computer systems to track implementation of the agricultural BMP cost share program.

M. Rifaat stated that D. Wells issues a legislative tracking report weekly. The last report was #3 which was emailed to the Directors yesterday. Please read your emails. With the severe budget deficit in Richmond, they are asking us to be more focused in calling our Delegate and Senator and referring to an item number. G. Wichelns has raised two big issues for SWCD's. At the moment there is zero allocated for the Ag BMP program for Fiscal Year 2010. SWCD's are asking for 20 million and of that 20 million, we support the technical support change from 5% to 8%. The second is the operation money of which we are operating now at \$75,000 and we are asking for \$120,000 for each district. Gary Hornbaker is our representative from Area II on the Soil and Water Board. Discussion followed.

6) DIRECTORS REPORTS

- R. Runkle stated the CSWCD should also check with Senate Bill 1043. This is a bill that Senator Hanger has endorsed to increase the recapture of the rollback tax for land use taxation. At the present it is a 5 year rollback and this is a proposal to increase that to a 15 year rollback. The increase in money would be used for purchase of development rights if counties would establish a PDR program. Farm Bureau asked to oppose the bill. B. Jarvis asked if the state benefits from rollback taxes. R. Runkle stated at present these are local taxes and with limited knowledge he would say no. B. Jarvis asked do you qualify to change your local ordinance to a fifteen year rollback if you do not have a PRD ordinance in place. R. Bradford questioned is the purpose of this to encourage some counties from taking their land use valuations away and giving them the opportunity to go back further in history if the land does transfer out of the program. T. O'Halloran stated that Culpeper County does have a 5 year rollback and he is not sure whether they are earmarked, but it's not to aide programs. This does state that they will allow going up to 15 years, if the funds are earmarked for PDR programs. D. Cross stated then that will encourage counties to develop PDR programs that do not have them, because they will than have the funding mechanisms for it. M. Rifaat stated the Dillon Rule has always forbidden counties from enabling legislation to increase their revenues; the enabling legislation must come from the state. Also counties are not allowed to make a profit on a PDR program. M. Rifaat stated in Rappahannock County there is a PDR program and it is funded by the rollback taxes it is only a 5 year rollback. Discussion followed.
- T. O'Halloran and L. Campbell attended a meeting with Culpeper County Administrator, Frank Bossio where they reviewed the uranium mining position of the Culpeper Soil and Water Conservation District and the VASWCD Resolution on Uranium Mining. They presented Mr. Bossio a copy of the map of old mining leases and water supplies. J. Byrne stated Senator Houck was thrilled to receive the information on uranium mining that L. Campbell put together.

- M. Rifaat attended the Board of Supervisors in Rappahannock County and made a presentation of the uranium mining resolution the VASWCD adopted. The Rappahannock Board of Supervisors adopted a similar resolution opposing the lifting of the ban.

7) CLOSED SESSION – PERSONNEL

Motion was made to go into Closed Meeting at 10:15 A.M. “I move that we go into Closed Meeting as provided for in the Code of Virginia Section 2.2-3771. (A)(1) to discuss personnel matters. Invitation was extended to Associate Directors, and the District Manager to attend the Closed Meeting. R. Runkle moved to go into closed session. J. Byrne seconded the motion. (Runkle, Byrne, unanimous)

Motion was made to reconvene into Open Meeting at 10:25 A.M. “Pursuant to the Code of Virginia Section 2.2-.712. (D), “I move to certify that to the best of the Board’s knowledge only matters lawfully exempted and as identified in the motion by which the Closed Meeting was convened were heard or discussed by this Board during the Closed Meeting.” R. Runkle moved to reconvene in open session. J. Boldridge seconded the motion. (Runkle, Boldridge, unanimous) J. Boldridge moved to approve the Personnel Committee report J. Byrne seconded the motion. (Boldridge, Byrne, unanimous)

8) STAFF REPORTS

- S. DeNicola reported the Area II Environthon training at Graves Mountain Lodge had 54 teachers and students attend (9 teams): 4 from Northern Virginia, 2 from Culpeper, 2 from Thomas Jefferson, and 1 from Fauquier. Trainers were Dan Schwarte from Northern Virginia on Soils, Richard Jacobs from Culpeper on Aquatics, Jack Hoffman from DOF on Forestry, and a National Envirothon person who is now attending the University of Virginia spoke about developing the teams’ presentation. R. Runkle asked about the Wildlife Habitat Open House on Saturday February 7th, in Washington, Virginia. S. DeNicola described it as a showcase of different conservation and non-profit organizations that highlight wildlife habitat.
- S. Yager no report.
- D. Massie will also attend the Wildlife Habitat Open House, Saturday February 7th.
- R. Jacobs reported attending the Greene County Comprehensive Plan work session and they went over some of their goals and objectives for various categories in their plan. There was a lot of public participation and feedback the County received. R. Jacobs will be working with the Greene County Directors and submitting some of CSWCD’s recommendations for the plan on natural resources, agriculture, education, water and wastewater where CSWCD can promote our efforts.
R. Jacobs reported the NFWF grant for Urban Cost-Share program was denied. CSWCD will resubmit another small watershed grant in a few months.
- J. Neal attended on Monday, January 26th a seminar in Orange County for the political sub-division on the Virginia Retirement System.
- G. Wichelns reported the watershed dam inspections will be held this spring April 8th and 9th, 2009. Any directors who want to participate, the times will be available closer to the dates. He referenced the Operations Report; Charles Lunsford, DCR will be in attendance at the March Board meeting to address the Board regarding entering into a contract with DCR for delivery of Upper Hazel TMDL project deliverables.

9) AGENCY REPORTS

NRCS –R. Rexrode reported the Farm Bill targeted included funds for the Chesapeake Bay Watershed which will be delivered through the EQIP program although as a sub-program of EQIP. Virginia received \$5.6 million for assistance to landowners in the Bay. Of that \$5.6 million 50 % of it is being directed to watersheds in the Shenandoah Valley, 10% is being directed to watersheds in the Potomac and 40% is being directed to the Piedmont and the other Bay watersheds. This amounts to about \$2.25 million coming into the Piedmont area for cost-sharing. What is a little different from the regular EQIP program is that some watersheds are prioritized and will receive a higher ranking on the application. R.

Rexrode handed out a map showing those particular watersheds. Primarily they include the state TMDL watersheds and watersheds NRCS has determined to be priorities. For the Culpeper District that includes all of Rappahannock, Culpeper, almost all of Orange and the eastern half of Madison. Greene County has just a small sliver of priority area. This does not mean that watersheds outside of the priority areas are not eligible, just lower priority. The money is targeted primarily at crop land practices and includes cover crops seeded into standing crops prior to harvest, continuous no-till practices, nutrient management on crop land, and buffers are included for both pasture and crop land. One particular change is that for the sub-program the stream buffer may be established at 10' wide. You can go either with a 35' buffer or you can reduce down to a 10' setback if you want. The cost-share rates on the riparian practices are much better through the CREP program or through the state BMP program.

NRCS will also have some soil quality improvement practices to be included, conversion of crop land to grass land, and if land is converted to pasture or put in with riparian buffers, water system practices and other things to support pasture. These funds are in addition to the regular EQIP program. NRCS is waiting for final guidelines on farm bill programs. Farmers may apply for both the Bay Incentive and the regular EQIP program and NRCS will work with the farmer to see which would be the best for them. NRCS is taking applications now. Discussion followed.

DCR - D. Cross handed out her report. D. Cross reported February 11th is crossover day at the General Assembly. February 28th is the last day of the session.

D. Cross also passed around a copy of the presentation by R. Brown, an attorney for DCR, made at the Annual Meeting on Conflict of Interest. If anyone would like a copy, she will email it to you.

D. Cross reported there will not be an Area II Spring Meeting this year, but they are trying to set up a conference call. As a result of that, DCR which normally gives out the Clean Water Farm Basin Awards during the Area II Meeting, has given permission for the District to create a presentation locally. CSWCD has a winner for the York Watershed; Custom Harvesters, Andrew Oliver from Orange.

February 26th, 2009 will be JED training which is very important. The District staff and NRCS will get 4 Nutrient Management credit hours for the training. The concentration will be on Crop Land and Grass Land Conservation Agronomy.

10) PUBLIC COMMENTS PERIOD – L. Graves made the announcement that on Saturday, March 21st, 2009 there will be a fish fry at 12 noon at Graves Mountain Lodge and everyone is invited. Senator Houck and Ed Scott are invited. L. Graves stated Graves Mountain Lodge fed the legislators on January 27th, 2009 for Legislative Day in Richmond.

11) PLAN FOR DECEMBER COMMITTEE MEETINGS (in Culpeper) AND THE MARCH BOARD MEETING TO BE HELD TUESDAY, MARCH 3, 2009 IN MADISON COUNTY AT THE MADISON COUNTY FIRE DEPARTMENT.

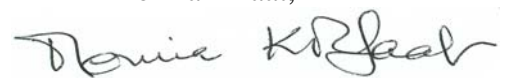
Committees will meet on Tuesday, February 17th, 2009 at the Culpeper County USDA Service Center. Personnel 9:00, Operations 9:30, Technical 10:00 and Legislative 11:00. The Educational/PR Committee will meet at 8 A.M. at the War Memorial Building in Madison County.

12) ADJOURNMENT

Motion was made to adjourn the February, 2009 Board meeting at 11:50 a.m.

Respectfully Submitted,

Monira Rifaat,



JoAnn Neal
Administrative Secretary

Chairman _____
Date Approved _____