

MINUTES
CULPEPER SOIL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING
EverGRO – Orange Branch
Orange, Virginia 22960
February 7, 2023

The meeting was called to order by Chairman Lynn Graves at 10:03 AM.

DIRECTORS PRESENT:

Lynn Graves, Madison County
Tom O'Halloran, Culpeper County
Philip Morris, Greene County
Robert Runkle, Greene County
Robert Bradford, Orange County
Robert Brame, Orange County
Mike Sands, Rappahannock County

DIRECTORS NOT PRESENT:

Dennis Verhoff, Culpeper County
Steve Morris, Greene County
Stephen Hill, Madison County
Mike Biniek, Rappahannock County
Sarah Sharpe, Virginia Cooperative Extension, Greene County
Brad Jarvis, Associate Director, Madison County
Bob Williamson, Associate Director, Culpeper County
Warren Lee, Associate Director, Orange County

STAFF PRESENT:

Greg Wichelns, District Manager
Stevie Ross, Administrative Secretary
Brandy Harris, Conservation Specialist
Kendall Dellinger, Conservation Specialist
Richard Jacobs, Conservation Specialist
David Massie, Conservation Specialist
Amanda McCullen, Conservation Specialist
Lily Smith, Conservation Specialist
W. Spencer Yager, Conservation Specialist

OTHERS PRESENT:

Debbie Cross, DCR
Rex Rexrode, NRCS
Darrell Marshall, VDACS
Tim Abbott, VDACS

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

L. Graves called the meeting to order at 10:03 AM. Following a moment of silence, W. Yager led the Pledge of Allegiance. There were four handouts: Technical Committee Additions, DCR Report, Workshop Flyer with Agenda, and one Staff Report.

2) **DRAFT MINUTES**

L. Graves called for approval of the substance of the January 3, 2023, Draft District Board Meeting Minutes and for any substantive corrections or additions. T. O’Halloran moved to approve the Minutes as presented. M. Sands seconded the motion. (T. O’Halloran, M. Sands, unanimous)

3) **AGENDA APPROVAL**

L. Graves called for Agenda approval. The Technical Committee Report was removed from the Consent Agenda and placed on the Agenda as 5.1. R. Bradford moved to adopt the Agenda as modified. T. O’Halloran seconded the motion. (R. Bradford, T. O’Halloran, unanimous)

4) **CONSENT AGENDA**

Consent Agenda adopted as modified.

OPERATIONS COMMITTEE REPORT
LEGISLATIVE COMMITTEE REPORT
FINANCE COMMITTEE REPORT
EDUCATION COMMITTEE REPORT
TREASURER’S REPORT

5) **ADDITIONS TO AGENDA**

5.1) TECHNICAL COMMITTEE REPORT WITH ADDITIONS:

January 24, 2023 Technical Committee Meeting Minutes (Updated)

Present: Robert Bradford, Chairman; Lynn Graves, Madison; Tom O’Halloran, Culpeper; Mike Sands, Rappahannock; Greg Wichelns, District Manager; Spencer Yager, Conservation Specialist; David Massie, Conservation Specialist; Amanda McCullen, Conservation Specialist; Brandy Harris, Conservation Specialist; Lily Smith, Conservation Specialist; Kendall Dellinger; Conservation Specialist; Henny Calloway, Conservation Specialist; Richard Jacobs, Conservation Specialist

Items in italics were added at the February 7, 2023 Board Meeting in Orange, 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	Contract	Instance	County	Amount	Tax Credit
CCI-SL-6N	2023 VACS	Mystic Hill Farms LLC	07-23-0287	521791	Culpeper	\$ 23,542.72	\$ 0.00
SL-1	2023 VACS	Locust Dale Enterprises LLC	07-23-0286	521793	Culpeper	\$ 10,875.00	\$ 0.00
SL-6N	2023 VACS	Jonathan Boone	07-23-0293	521940	Madison	\$ 20,125.00	\$ 2,156.25
SL-6W	2023 VACS	Standing Rock	07-23-0274	488415	Rappahannock	\$ 99,042.90	\$ 0.00
SL-6W	2023 VACS	Robert Hildebrand	07-23-0284	521763	Greene	\$ 51,250.00	\$ 0.00
SL-6W	2023 VACS	Shelly McCullough	07-23-0285	521764	Orange	\$ 64,270.00	\$ 0.00
SL-7	2023 VACS	Debra Speyer	07-23-0291	521933	Orange	\$ 9,980.00	\$ 623.75
SL-7	2023 VACS	Eugene Triplett	07-23-0292	521747	Culpeper	\$ 5,936.00	\$ 371.00
SL-8B	2023 VACS	Battlepark Farm	07-23-0289	521865	Culpeper	\$ 24,732.60	\$ 0.00
SL-8H	2023 VACS	Battlepark Farm	07-23-0289	521866	Culpeper	\$ 1,309.00	\$ 0.00
SL-8B	2023 VACS	Bar M Farms LLC	07-23-0265	521281	Orange	\$ 11,056.50	\$ 0.00
SL-8H	2023 VACS	Bar M Farms LLC	07-23-0265	521282	Orange	\$ 788.60	\$ 0.00
SL-8H	2023 VACS	Roger Gough	07-23-0273	521329	Madison	\$ 746.00	\$ 0.00
SL-8B	2023 VACS	Nathan Rosenberger	07-23-0275	521486	Culpeper	\$ 15,255.40	\$ 0.00

WP-4SF	2023 VACS	David Sears	07-23-0262	437868	Orange	\$ 164,829.38	\$13,735.78
SL-6N	2020 VACS	Randall Lillard	07-20-0475	522943	Madison	\$ 6,343.07	\$ 900.50
SL-6N	2022 VACS	Randall Lillard	07-20-0475	522943	Madison	\$ 346.45	\$ 0.00

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

Practice	Fund	Participant	Contract	Instance	County	Amount	Tax Credit
NM-5N	2022 VACS	Beauregard Farm LP	07-22-0264	469997	Culpeper	\$ 3,547.60	\$ 0.00
NM-5P	2022 VACS	Beauregard Farm LP	07-22-0264	469998	Culpeper	\$ 5,553.36	\$ 0.00
NM-5N	2022 VACS	Beauregard Farm, Inc.	07-22-0265	470000	Culpeper	\$ 1,099.92	\$ 0.00
NM-5P	2022 VACS	Beauregard Farm, Inc.	07-22-0265	469999	Culpeper	\$ 3,454.56	\$ 0.00
SL-6W	2020 VACS	Barbara Whitley	07-20-0088	367837	Greene	\$ 85,297.50	\$ 0.00
SL-6W	2022 VACS	Barbara Whitley	07-20-0088	367837	Greene	\$ 5,147.25	\$ 0.00
SL-6W	2022 VACS	Donald S. Gerhart	07-22-0150	449251	Madison	\$ 41,660.00	\$ 0.00
SL-6W	2023 VACS	Donald S. Gerhart	07-22-0150	449251	Madison	\$ 1,483.36	\$ 0.00
FR-1	2023 VACS	Lab Laurentia LLC	07-23-0170	518621	Rappahannock	\$ 94,994.48	\$ 6,166.20
FR-3	2023 VACS	Lab Laurentia LLC	07-23-0170	518638	Rappahannock	\$ 23,489.48	\$ 0.00
SL-6N	2020 VACS	Randall Lillard	07-20-0475	522943	Madison	\$ 6,343.07	\$ 900.50
SL-6N	2022 VACS	Randall Lillard	07-20-0475	522943	Madison	\$ 346.45	\$ 0.00
FR-1	2022 VACS	Andrew Haley	07-22-0278	470410	Rappahannock	\$ 13,303.13	\$ 808.59
CCI-SL-6N	2023 VACS	Mystic Hill Farms LLC*	07-23-0287	521791	Culpeper	\$ 25,542.50	\$ 0.00
SL-10	2023 VACS	Debra G. Speyer	07-23-0125	517654	Madison	\$ 2,887.50	\$ 0.00

*Total amount which includes the addition of two stream crossings, which the producer requested to be included in the contract after approval. Participant was initially uncertain.

3) The following BMP participant has been approved by the Technical Committee for an increase:

Practice	Fund	Participant	Contract	Instance	County	Amount	Tax Credit
SL-7	2023 VACS	David A. Sears*	07-22-0405	476602	Orange	\$ 9,698.04	\$ 606.13

*Application was approved on 6/7/2022 for \$7,865.40 of 2022 VACS Funds. Increase of \$1,832.64 of 2023 VACS Funds and increase of \$73.19 tax credit approved for increasing dimensions of concrete pad for trough and increase for use of 2023 Cost-Estimate rates.

4) The following BMP participants have been cancelled by the Technical Committee:

Practice	Fund	Participant	Contract	Instance	County	Amount	Tax Credit
SL-7	2022 VACS	Ann Holladay	07-22-0404	477073	Culpeper	\$ 3,589.69	\$ 299.14
SL-7	2023 VACS	Ann Holladay	07-22-0404	477073	Culpeper	\$ 426.19	\$ 0.00
SL-7	2022 VACS	Thomas Fortunato	07-22-0171	467036	Culpeper	\$ 1,202.42	\$ 455.60
SL-7	2023 VACS	Thomas Fortunato	07-22-0171	467036	Culpeper	\$ 828.16	\$ 0.00

5) Transferring AgBMP Contract to a New Participant Before Practice Completion – Aaron G. Elmore (2022 VACS, Contract # 07-22-0359, Instance # 474686) is transferring responsibility to Payge D. Drakeford before the practice is completed and payment is issued.

6) The following Robinson River Residential applicants have been approved by the Technical Committee for funding:

Practice	Fund	Participant	Contract	Instance	County	Amount
RB-1	DEQ17220	Anne-Marie Pfaff	07-23-0290	521869	Madison	\$ 200.00
RB-1	DEQ17220	Linda McLaughlin	07-23-0277	521631	Madison	\$ 200.00
RB-3M	DEQ17220	Judith Kendall	07-23-0280	521637	Madison	\$ 1,500.00
RB-1	DEQ17220	Thomas Warder	07-23-0303	522490	Madison	\$ 300.00
RB-1	DEQ17220	Cecelia Rowe	07-23-0305	522492	Madison	\$ 320.00
RB-3M	DEQ17220	Sheri Dodson	07-23-0302	522488	Culpeper	\$ 1,200.00
RB-4	DEQ17220	Kevin Grand Pre	07-23-0307	522497	Madison	\$ 4,400.00

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

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-3M	PO17083	Marilyn C. Barrow Trust	07-23-0096	521504	Orange	\$ 1,000.00

8) The following Upper York River Residential applicants have been approved by the Technical Committee for funding:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-4P	PO16974	Robert Miller	07-23-0278	521632	Orange	\$ 6,000.00
RB-1	PO16974	William M. Jones	07-23-0309	522502	Orange	\$ 320.00
RB-3M	PO16974	William Leach	07-23-0304	522491	Orange	\$ 1,600.00
RB-3M	PO16974	Mary Yates	07-23-0298	522413	Orange	\$ 1,200.00

9) The following Upper Hazel River Residential applicant has been approved by the Technical Committee for funding:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-1	DEQ17084	Michael McCormick	07-23-0306	522495	Rappahannock	\$ 200.00

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

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-1	PO16974	Cheryl Treakle	07-23-0189	519307	Orange	\$ 187.50
RB-1	PO16974	Luther Bergstrom	07-23-0247	520613	Orange	\$ 200.00
RB-1	PO16974	Doris Hale	07-23-0060	510678	Orange	\$ 320.00
RB-3M	PO16974	Benjamin Santiago Jr.	07-23-0171	518623	Orange	\$ 633.75
RB-1	PO16974	Carole Bentley	07-23-0270	521291	Orange	\$ 300.00
RB-1	PO16974	Austin Shumake	07-23-0188	519305	Orange	\$ 220.00
RB-4	PO16974	Duane Green	07-23-0098	516467	Orange	\$ 6,400.00

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

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-3M	DEQ17084	William Bear Jr.	07-23-0059	520636	Rappahannock	\$ 2,424.00

12) The following Robinson River Residential participant has been approved by the Technical Committee for payment:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-1	PO17083	Ashley Rogers	07-23-0206	520021	Orange	\$ 281.25

13) The following Residential applicant has been canceled by the Technical Committee:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-3M	DEQ16679	Kevin Grand Pre	07-22-0127	465324	Madison	\$ 1,100.00

14) The following Virginia Conservation Assistance Program (VCAP) practice has been approved by the Technical Committee for payment:

<u>Practice</u>	<u>Applicant</u>	<u>County</u>	<u>Amount</u>
Conservation Landscaping (CL-3)	Teresa Giesting	Culpeper	\$ 4,968.00

15) The District Manager gave an update on the dams:

- a. The District will be nominated by Schnabel Engineering for the “Best Maintained Dams – Publicly Funded” award from the Virginia Lakes and Watersheds Association.
- b. The Technical Committee scheduled annual dam inspections for April 5 and April 6, 2023. Details pending.
- c. The Technical Committee requests approval from the Board to advertise replacement of the wave berm and gate valve on Beautiful Run Dam #1B.

16) The Technical Committee reviewed the Annual Plan of Work and Strategic Plan and feels that it is meeting all the requirements.

- 17) The Technical Committee reviewed recent comments from DCR regarding District Board approval of any increases in VACS contract amounts. DCR guidance was that increases, when necessary, need to be approved prior to any approval for payment. Staff will work to ensure proper processes are addressed in this regard.
- 18) The Technical Committee reviewed topics of relevance for insuring all agricultural technical staff obtain and maintain their Engineering Job Approval Authority (EJAA). Recent concerns expressed during last year's EJAA reviews particularly focused on the need for thorough construction documentation. Staff will draft a checklist for Technical Committee review next month. Staff will utilize the checklist for all projects and have it signed by both the applicant and the contractor. It was emphasized that ultimate responsibility for insuring contractors adhere to all agreements resides with the approved cost share applicant.

L. Graves called for Report approval including granting the District to receive bins for Dam Maintenance. R. Bradford moved to approve the report as presented. T. O'Halloran seconded the motion. (R. Bradford, T. O'Halloran, unanimous)

5) **CLOSED SESSION: PERSONNEL MATTERS**

R. Runkle moved that the Board go into Closed Session at 10:08 A.M. as provided for in the Code of Virginia Section 2.2-3711(A) (1) to discuss Personnel Matters. The Associate Directors and the District Manager were invited to attend. T. O'Halloran seconded the motion. (R. Runkle, T. O'Halloran, unanimous)

Following the return from Closed Session, R. Runkle moved to reconvene at 10:16 A.M. (unanimous). Pursuant to the Code of Virginia Section 2.2-.3712. (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". T. O'Halloran seconded the motion. (R. Runkle, T. O'Halloran, unanimous)

R. Bradford moved to accept the recommendations from the Personnel Committee. M. Sands seconded the motion. (R. Bradford, M. Sands, unanimous)

7) **DIRECTOR REPORTS**

L. Graves reported that he attended the Virginia AgriBusiness Council Banquet and that there was a good turnout. He reported that the Governor attended and spoke for about twenty minutes. He also reported that he attended a meeting in Richmond with Christian Watlington-Jones and James Martin as well as other SWCD Representation from around the state. He shared that the group discussed the importance of finding a solution for providing a more time efficient way for employees to gain Conservation Planner certifications. L. Graves also took a moment to congratulate Kendall Dellinger and Brandy Harris for completing their Certified Conservation Planner requirements.

8) **STAFF REPORTS**

W. Yager reported that he and other District Ag Staff attended the Virginia Forage and Grasslands Council (VFGC) Conference in Warrenton two weeks ago and that it was very informative.

D. Massie reported that he attended the VFGC Conference as well and that he will be representing the District at the VCE Farm Transition Workshop on February 20th.

R. Jacobs reported that he hosted VCAP Workshops in Culpeper, Greene, and Orange. He reported that the Culpeper and Orange locations hosted about 20 people and that Greene hosted about 5. Attendees were landscape architects, town/county staff, and residents. R. Jacobs also reported that he is still going through the review process with DEQ updates and specifications for erosion control and stormwater program consolidation.

G. Wichelns reported on the Flyer handout, highlighting that the District will be hosting a workshop on March 10th at the Madison Fire Hall to create further outreach as well as meet criteria in our DCR grant agreement. He reported that everyone on the District's Land Use Taxation Mailing List will have received a flyer in the mail. He also reported that the District recently received a FOIA request from "Open The Books VA," a very standard request asking for employee information,

including start dates and salaries. G. Wichelns also reported that he is currently reviewing the Desktop Guide for Fiscal Operations to ensure District compliance.

It was noted that all District Board committees had recently reviewed both the 2023 Annual Plan of Work and the Strategic Plan.

9) AGENCY REPORTS

DCR – D. Cross took a moment to go over a few of the items in her written report. She reminded staff that Quarterly Disbursement Letters will be sent on February 10th and that funds will be disbursed within 30 days, including for End of Lifespan Verifications. She also provided information and resources regarding SWCD Director Elections, which will be part of the General Election in November of this year.

NRCS – R. Rexrode reported that there is still no permanent Supervisor for Area I, but that Kilby Majette has been appointed to serve in the interim. He reported that he and Service Center staff are working with about 50 EQIP applicants, one of which was pre-approved. The rest will be reviewed for approval in March. R. Rexrode also reported that a National Tour will take place on March 29, visiting three livestock farms and two watershed dams.

10) PLAN FOR FEBRUARY COMMITTEE MEETINGS (IN PERSON)

Committees will meet at the Madison County Extension Office on Thursday, February 23, 2023. Personnel 9:00, Operations 9:30, Technical 10:00. Tentatively, the Education Committee will meet at the Madison Extension Office on Tuesday, February 21, at 3:30 PM. **BOARD MEETING FOR MARCH WILL TENTATIVELY BE HELD TUESDAY, March 7, 2023, in person, at 10:00 AM at the Washington Volunteer Fire Hall.**

11) ADJOURNMENT

L. Graves motioned to adjourn the February 7, 2023 Board meeting at 10:49 AM. M. Sands seconded the motion. (L. Graves, M. Sands, unanimous)

Respectfully Submitted,
Stevie Ross, Administrative Secretary

Lynn Graves, Chairman



Date Approved: March 7, 2023