



Potomac Valley Conservation District

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MINUTES OF MEETING August 8, 2012

The monthly meeting of the Potomac Valley Conservation District was held on Wednesday, August 8, 2012 at the USDA Service Center in Moorefield. Chairperson, Charlotte Hoover called the meeting to order at 7:40 p.m.

SUPERVISORS: Charlotte Hoover, John Hicks, Brian Eglinger, Kent Spencer, Ronald Miller, George Leatherman and Gerald Sites

OTHERS: Herbert Andrick, Ron Wigal, Tim Canfield, Doris Brackenrich, Jessica Ball, Brittany McIntosh, Justin Brackenrich, NRCS; Jeremy Salyer, Carla Hardy, Karen Stickley, Melissa Merritt, Nadene Jewell, WVCA; Ashby Ruddle, WVDA; Paul King, Travis Wolfe, PVCD; Elizabeth Webster, Anne Webster, Stephanie Slater, Charles Foltz, Andrea Walker, Gloria Walker, Lost River Committee

MINUTES: The minutes of the July 5, 2012 meeting were presented for review and approval. A motion was made by John Hicks and seconded by George Leatherman to dispense with the reading of the minutes and approve them as written and distributed. Motion carried.

TREASURERS REPORT: The General Fund and Co Administered Funds Treasury Reports were presented for review and approval. John Hicks reviewed the reports – General Fund report prepared by William Lipps, District Bookkeeper, and the Co-Administered Fund report from the SAGE system. A motion was made by John Hicks and seconded by Ronnie Miller to approve the treasury reports for the month of July and invoices paid within the month. Motion carried.

INVOICE: The Board reviewed the invoice from William Lipps, CPA in the amount of \$475.00 for bookkeeping services for the month July. A motion was made by John Hicks and seconded by Gerald Sites to approve payment of this invoice in the amount of \$475.00 to William Lipps, CPA. Motion carried.

INVOICE: The Board reviewed a request from WVACD for sponsorship in the amount of \$1,000.00 for the 2013 Appalachian Grazing Conference. This amount was included in the FY13 CDO Grant Budget under the Grassland line item. A motion was made by Ronnie Miller and seconded by Kent Spencer to approve \$1,000.00 in sponsorship for the 2013 Appalachian Grazing Conference – payment will be made once the FY13 CDO Grant allocation is received. Motion carried.

INVOICE: An invoice in the amount of \$1,550.00 was received from WV DEP. The invoice is for the annual NPDES permit fee for the New Creek Site #14 Rehabilitation Project. A motion was made by John Hicks and seconded by Gerald Sites to approve payment of the invoice in the amount of \$1,550.00 to WV DEP. Motion carried.

SPRP INVOICE: The Board reviewed an invoice in the amount of \$4,200.00 from L.D. Hanna & Son for work completed on contract # PVCD SPRP 06-14-2012. A motion was made by Ronnie Miller and seconded by John Hicks to approve payment of this invoice in the amount of \$4,200.00 to L.D. Hanna & Son. Motion carried.

MILL CREEK 319 INVOICE: The Board reviewed an invoice in the amount of \$5,071.13 from Stephen Sites for work completed on his Mill Creek 319 contract. Carla Hardy indicated approval of the work completed on Mr. Sites' project. A motion was made by John Hicks and seconded by George Leatherman to approve payment of the invoice to Stephen Sites in the amount of \$ 5,071.13. Motion carried.

INVOICE: An invoice in the amount of \$163.27 from SideWinder LLC was presented for payment approval. The invoice was for new blades for the District brush hog. Supervisor John Hicks authorized the blades be ordered. A motion was made by Ronnie Miller and seconded by George Leatherman to approve payment of the invoice in the amount of \$163.27 to Side Winder LLC. Motion carried.

INVOICE: A receipt in the amount of \$40.03 for the purchase of first aid kits for the District work crew was presented for approval. Paul King purchased the kits and submitted the receipts for reimbursement. A motion was made by John Hicks and seconded by Kent Spencer to approve reimbursement in the amount of \$40.03 to Paul King for the purchase of the first aid kits. Motion carried.

INVOICE: A receipt in the amount of \$132.37 for the purchase of a one year trac phone air time card by John Hicks was presented for approval. The card was purchased for the District cell phone used by Paul King. A motion was made by Ronnie Miller and seconded by George Leatherman to approve the reimbursement of \$132.37 to John Hicks for the purchase of the phone card. Motion carried. John Hicks abstained from discussion and vote on this issue.

CORRESPONDENCE: The Board received the MOU Universal Fiscal Agreement from WVCA. A motion was made by George Leatherman and seconded by Gerald Sites to approve the MOU Universal Fiscal Agreement from WVCA and authorize the chairperson to sign the agreement on behalf of the District. Motion carried.

HONORARY MEMBER NOMINATIONS: Discussion was held regarding nominations for the WVACD Honorary Membership – deadline September 1, 2012. A motion was made by John Hicks and seconded by Kent Spencer to nominate John Wagoner as an Honorary Member of WVACD. Motion carried. The Administrative Officer will prepare the nomination form.

MEMBERS AT LARGE: Discussion was held regarding Members at Large nominations. None were made.

NEW CREEK SITE #14 DRY HYDRANT REQUEST: The Board reviewed a request for cost share from the New Creek Homeowners Association on the installation of a dry hydrant in New Creek Site #14. They have already received approval from the City of Keyser. A motion was made by Ronnie Miller and seconded by George Leatherman to approve the dry hydrant cost share request on New Creek Site #14, provided NRCS standards are followed for the installation. Motion carried.

DAM MONITOR SAFETY WORKSHOP: The Board received information from WV Dam Safety on a dam monitor safety workshop to be held on August 11, 2012 at Cacapon State Park. Several WVCA staff members are planning to attend including: Mike Worley, Don Phillips and Karen Stickley.

O&M SPONSORSHIP AGREEMENT: The Board received the signed O&M sponsorship agreement in the amount of \$7,500.00 from the Pendleton County Commission. A motion was made by George Leatherman and seconded by Kent Spencer to approve the agreement and authorize the chairperson to sign the agreement on behalf of the District. Motion carried.

The Board received the signed O&M sponsorship agreement in the amount of \$8,000.00 from the Hardy County Commission. A motion was made by George Leatherman and seconded by Gerald Sites to approve the agreement and authorize the chairperson to sign the agreement on behalf of the District. Motion carried.

LOR: The Board received a request from WVCA to submit an LOR in the amount of \$63,636.36 for the annual SPRP allocation for FY13. Each Conservation District will be responsible to administer these SPRP funds and no additional money will be available for SPRP this year. A motion was made by George Leatherman and seconded by John Hicks to authorize the chairperson to sign the LOR in the amount of \$63, 636.36 and submit it to WVCA. Motion carried.

N/S MILL CREEK SITE #3: The District received a request from DOH to repair / replace the cattle crossings on N/S Mill Creek Site #3 in Grant County. Karen Stickley discussed this issue with the Board. Upon research of District records, an agreement was located that indicates the District is responsible for the two crossings located within the easement area of the structure. The landowner is in favor of the crossings being replaced. The DOH estimate is \$14,000.00 to replace the two crossings. The Board agreed the crossings should be replaced. Discussion was held regarding the need for an agreement with DOH before work begins on the crossing replacement. A motion was made by John Hicks and seconded by Brian Eglinger to authorize WVCA to work with DOH to draft an agreement for the replacement of the two cattle crossings on North / South Mill Creek Site #3 in Grant County at the quoted cost of \$7,000 each. The agreement should be brought back to the Board in September. Delegation is given to the Chairperson and / or Treasurer to sign the agreement on behalf of the District. Motion carried.

NEW CREEK SITE #14 REHABILITATION INVOICE: The Board received a notice from NRCS of the pending incremental billing in the amount of \$838,286.12 for work completed on New Creek Site #14 Rehabilitation Project. A motion was made by Gerald Sites and seconded by George Leatherman to approve payment of the invoice in the amount of \$838,286.12 upon receipt of the invoice. Motion carried.

AG WATER QUALITY LOAN APPLICATION: The Board reviewed an Ag Water Quality Loan Application for Wayne Price in the amount of \$53,658.00. A motion was made by John Hicks and seconded by George Leatherman to approve the Ag Water Quality Loan application for Wayne Price. Motion carried.

POTOMAC CONSERVANCY: Brian Eglinger extended an invitation to attend the Potomac Conservancy Workshop on September 5-6, 2012 at the Peterkin Conference Center. He distributed information to the supervisors.

END OF FEDERAL INTEREST FOR WATERSHED STRUCTURES: John Hicks reported that much discussion was held on this issue during the WVACD Quarterly meeting at Cacapon State Park in July. Ron Wigal reported that as the watershed structures in the state reach their maximum life expectancy, NRCS will no longer take the lead on the watershed program or provide technical assistance – sites will become responsibility of local sponsors including Districts. A state task force has been established to address this issue. John Hicks will serve on the task force. He indicated that he will participate in a teleconference on this issue on 8/9/12. NRCS will still assist with rehabilitation if funding is available in the future. O&M must be kept up to date to be eligible for rehabilitation consideration. EWP funding may be available for repairs if a catastrophic event occurs. John Hicks will keep the Board updated on the progress of the state task force. This issue is VERY important to PVCD as over ½ the watershed structures in the state are within its boundaries.

LOST RIVER SITE #16: Ron Wigal reported on the 4th District Appellate Courts Decision which agreed with the lower court – that USDA / NRCS followed appropriate procedures in the Environmental Impact Study for Lost River Site #16. NRCS may now move forward with the project. Copies of the court decision were given to the supervisors. Wigal also reported on the need to invoice NRCS for expenses incurred under the Real Property Acquisition and Relocation Assistance agreements. They need to close out the agreements in order to prepare new agreements for the project. Nadene Jewell reported the invoices were ready to submit for Real Property Acquisition (Landrights) and Relocation Assistance expenses incurred to date for the project. The total invoice amount for landrights is \$ 138,360.00 and the total invoice amount for relocation assistance is \$ 51,722.00. A motion was made by Gerald Sites and seconded by Brian Eglinger to approve the chairperson to sign the 270 invoice forms and submit them to NRCS for reimbursement of federal cost share (75%) of the project expenses incurred to date. Motion carried.

Ron Wigal also gave a project update on New Creek Site #14 Rehabilitation Project. He reported on the compensatory mitigation plan – included in the rehab. contract. The burn for the reed canary grass was completed in the spring 2012 (phase I). The next phase will be to mow the area this fall and treat the area with herbicide. Seeding will need to be completed in the spring. Cost estimate received by NRCS from contractor was very excessive (\$6,000 +) Ron inquired if the District crew would be able to brush hog the site – approximately 6-7 acres. He also asked about herbicide application. Much discussion was held on this issue. A motion was made by John Hicks and seconded by George Leatherman to approve the PVCD District crew to complete the brush hogging on approximately 7 acres on the NC #14 site and contract certified spray application this fall. Motion carried. Mike Worley (WVCA) to work with NRCS on information for seeding to be completed in spring.

O&M CONTRACT AWARD: The District awarded the O&M Contract for Patterson Creek and New Creek sites to Kevin High Excavating on July 30, 2012. Work on the contracts began this week. John Hicks was delegated by the Board on 7/5/12 to sign the contract award and notice to proceed. The contract amounts were: Contract# PVCD OM&R 6-26-2012 Burlington \$14,000.00; Contract # PVCD OM&R 6-27-2012 Fort Ashby \$ 13,412.00; Contract # PVCD OM&R 6-28-2012 Keyser Option #1 \$ 13,820.00. A motion was made by John Hicks and seconded by Gerald Sites to approve the contract awards to Kevin High Excavating as carried out by John Hicks. Motion carried. Also, since the award of the contract, a large tree fell across the road on New Creek Site #10. WVCA requested an additional quote from Kevin High to remove and dispose of the tree. Kevin submitted a quote of \$2,000.00 to remove the tree on New Creek Site #10. A motion was made by John Hicks and seconded by Brian Eglinger to accept Kevin High's quote of \$2,000.00 to remove the tree on New Creek Site #10 and approve payment to him once work in complete (pending WVCA approval). Motion carried.

DRY HYDRANT INSTALLATION-LOST RIVER SITE #4: Karen Stickley addressed the need for more information on this issue. It will be brought back to Board in September.

SOUTH FORK SITE #19-CULVERT REPLACEMENT: Jeremy Salyer discussed the request to replace a culvert on South Fork Site #19 in Pendleton County. He indicated that DOH will need to submit more information for review. This issue will also be brought back to Board in September.

HARPER STREAM PROJECT: No Report.

AG ENHANCEMENT COMMITTEE: George Leatherman addressed the Board regarding the AEP Committee recommendations from July 30, 2012. The committee reappropriated AEP funds for 2013. The committee also reviewed and approved the practice applications to be utilized for 2013. The Board agreed that the applications will be forwarded to PVCD office to be recorded in the AEP database and presented to the Board for approval. The District will also retain the original AEP contracts. District representatives and / or Carla Hardy will make field visits to verify AEP applications. Following approval, AEP payments will be processed by the District office. Also presented for review, was the request from WVCA to verify the approval process to be used by the District. Two options were presented by WVCA – Option #1 requires the signature of WVCA, NRCS or District staff for approval of work completed on the practice. Option #2 requires the signature of WVCA, NRCS or District staff for approval of the work AND a signature from a District supervisor to approve payment to the applicant. Following some discussion, a motion was made by George Leatherman to accept the AEP Committee recommendations and approve WVCA Option #2 requiring two signatures on AEP verification forms. Motion seconded by Brian Eglinger. Motion carried.

EQUIPMENT COMMITTEE: John Hicks discussed the District equipment at the shop facility in Fisher – he distributed photos of the equipment to the supervisors for review. He indicated that ownership of some of the equipment needs to be established. Also need to inspect the poultry litter elevator to see if it runs – want to utilize the elevator. Discussion was also held regarding the use of the hydro seeder – must have at least 3 person crew to operate the hydro seeder. John addressed the purchase of a weed wiper for the District. The District has received the Conservation Grant from WVCA in the amount of \$5,000.00 and the grant proposal indicates PVCD wishes to use this grant to purchase “conservation equipment”. The Board was in agreement to utilize these funds to purchase the weed wiper. John Hicks has researched the equipment and obtained prices. The best quote was in the amount of \$5,500.00 plus shipping for the weed wiper. Discussion was held regarding the purchase of the weed wiper and a motion was made by Ronnie Miller and seconded by Gerald Sites to approve the purchase of the weed wiper for the price of \$5,500.00 plus freight. Utilize the CDO conservation grant of \$5,000 and the additional cost will be paid from the PVCD General Fund. Motion carried.

LOR: The Board received a request from WVCA to submit an LOR in the amount of \$20,000.00 for Mill Creek 319 projects. Carla reviewed the request with the Board. A motion was made by John Hicks and seconded by Brian Eglinger to approve the chairperson to sign an LOR in the amount of \$20,000.00 for Mill Creek 319 and submit it to WVCA. Motion carried.

CARROLL GREENE AWARD: Nominations must be submitted to WVCA by September 15, 2012. No nominations were made.

DISTRICT AWARDS BANQUET: Charlotte Hoover indicated that she has made several contacts regarding available dates for the banquet. She will bring information to Board in September.

MINERAL COUNTY SUPERVISOR VACANCY: The District has received two completed applications for the Mineral County Supervisor vacancy: Brian Dayton and David Shreve. Discussion was held regarding the candidates. A motion was made by Gerald Sites and seconded by Kent Spencer to submit both applications to WVCA with a recommendation for Brian Dayton to fill the Mineral County Vacancy on the PVCD Board. Motion carried.

DISTRICT LEGAL REPRESENTATION: Charlotte Hoover addressed the need to evaluate the status of the District's legal representation. The Board agreed that the absence of Howard Krauskopf has created a great void and Jessica Baker seems to be overwhelmed and may be unable to handle the District's legal representation. Gerald Sites indicated that he knows Howard's partner Jack Walters and offered to meet with Mr. Walters and express the District's concern. Several other attorney names were mentioned as possibilities – Jack Ours (Hardy Co.) and Jonathan Brill (Hampshire Co.). Gerald Sites will meet with Mr. Walters and report back to the Board in September.

COMMUNITREE PROJECT UPDATE: Melissa Merritt gave an update on the communitree project at the Parker Hollow site-Lost River Site #10. Approximately 12 large trees will be planted in the parking area of the structure. The grant has been approved. Students from East Hardy High School will assist with planting the trees in October.

ADMINISTRATIVE OFFICE REPORT: Nadene gave a report on the Administrative Officer / WVCA District Operations meeting held in Charleston on July 26, 2012. All AOs attended the meeting. Highlights included:

- AEP program all practice information must be submitted to WVCA by 8-31-12
- Contracting Procedures
- SPRP funding for FY13
- Delegation of Authority for Districts
- District meeting agendas
- Emergency Board Meetings / Special Board Meetings
- Supervisor Recusal / Abstaining from discussion / vote
- Audit – RFQ for Agreed Procedures Engagement
- Invoice approval procedure for various programs
- Supervisor Travel & Per Diem expenses
- Changes to Legislative Rules / comment period

- Annual Conference – only one day October 30, 2012
- State Fair Booth

Bank Proposals: District has requested proposals from local banks for best interest rate on large interest account and also on other banks services available. Proposals will be accepted until August 15, 2012. The Finance committee will review proposals and bring recommendation to Board in September.

Area Conservation Farm Tour Results: The area farm winners included: B & G Orchards from Eastern Panhandle CD; Stone Meadow Cattle Farm from Greenbrier Valley CD and Long Creek Farm from Upper Ohio CD. The state farm judging will be held August 28-30, 2012.

SUPERVISOR TRAVEL EXPENSES / PER DIEM: Nadene reviewed the travel expense and per diem forms with the supervisors. The online version of the travel form was emailed to supervisors for their convenience. The per diem form is not available online yet. Any questions can be directed to Nadene for assistance with the forms.

WVACD QUARTERLY MEETING: The WVACD Summer Quarterly meeting was held on July 9-10, 2012 at Cacapon State Park in Berkeley Springs. John Hicks reported on the meeting. He was voted in as second vice president of the association. He also serves as chairman of the watershed committee. He indicated the discussion held on the aging dams issue during the meeting. He also reported that PVCD had a state poster winner – Sierramarie Miller won 1st place in the 2-3 category. The annual conference will be held in Charleston for the last time this year. It will be moved around the state in the future. It will be held at Flatwoods in 2013. Also, the location of the WVACD Quarterly meetings will also be changed this year. John also addressed the need for OSHA Training for District work crews. The next WVACD Quarterly Meeting will be held at the Charleston Marriott on October 29, 2012.

EPA MEETING – July 12, 2012: Ronnie Miller and Dale Walker attended the EPA meeting at the South Branch Inn in Romney on July 12, 2012. They reported that EPA indicated that credit should be given for practices that have been completed to address water quality concerns. The reporting procedures can be challenging and should be addressed. Ashby Ruddle also reported that WVDA will be conducting water monitoring on several sites.

NRCS FIELD OFFICE OF FUTURE MEETING: Charlotte Hoover reported on the meeting held on July 17, 2012 in Moorefield. She was the only PVCD Supervisor to attend. Herb Andrick also addressed the meeting – he reported that good discussion was held during the meeting – question raised was “how many field offices are needed to adequately serve the producers in PVCD?” FSA office in Mineral County is closing by end of August – future of NRCS field office in Mineral County. Charlotte indicated she felt the partnership between agencies in PVCD works very well. She commended the efforts of all agency staff within PVCD.

PVCD CREW REPORT:: Paul King reported that the District truck needs inspection before end of month and will need tires before inspection. He also reported it was leaking oil and he took it in for repair. Discussion was held regarding the type and size of tires needed for the truck. A motion was made by Brian Eglinger and seconded by George Leatherman to authorize John Hicks to make a decision on the purchase of tires for the truck. Motion carried.

Travis Wolfe reported on the need to rent a mini excavator to remove the debris on Lost River Site #4. This would expedite the process and should only take 1 day. The cost for one day is \$350.00. A motion was made by George Leatherman and seconded by Brian Eglinger to approve the rental of a mini excavator for the debris removal on Lost River Site #4. Motion carried.

SUMMER CREW EMPLOYEE: The District crew's summer employee, Brian Schell is returning to college and his last day working for the District will be 8/16/12. Following some discussion the Board agreed to hire an additional employee as a laborer (\$10.00 per hour) to work with Travis through this fall. John Hicks indicated that Corey Reynolds had contacted him about needing work – the Board agreed to contact Corey about returning to work for this season.

LIME APPLICATIONS: Three new lime applications were presented for approval:

James Billmeyer	50 acres	60.02 tons	\$ 900.30 CS
Ray Santa	10 acres	30 tons	\$ 450.00 CS
Elmer Sowers	50 acres	128.4 tons	\$ 1,926.00

A motion was made by John Hicks and seconded by Kent Spencer to approve the three new lime applications. Motion carried.

LIME PAYMENTS: Lime payment presented for approval:

Robert Groves	\$ 764.16
Cheri Seilor – Good Time Ridge Farm	\$ 310.50

A motion was made by John Hicks and seconded by Gerald Sites to approve the lime payments presented to the Board. Motion carried.

CONSERVATION AGREEMENTS: Conservation agreement totaling 10 acres was presented for approval. Ray Santa – Hampshire County – 10 acres. A motion was made by Kent Spencer and seconded by John Hicks to approve the conservation agreement totaling 10 acres. Motion carried.

AG WATER QUALITY LOAN APPLICATIONS: The following Ag. Loan applications were presented for approval: Scott Combs \$74,326.00 and Joe Mathias \$ \$127,548.00. A motion was made by Kent Spencer and seconded by George Leatherman to approve the ag water quality loan applications. Motion carried.

CREP PLAN: A CREP plan totaling 10.2 acres for Little Rock Farm in Hardy County was presented for approval. A motion was made by Kent Spencer and seconded by John Hicks to approve the CREP plan for Little Rock Farm. Motion carried.

NRCS: Herb Andrick distributed a written report and reviewed it with the Board. Included in the report: extension of farm bill programs – funding for CSP 11 million acres for 2013; FRPP \$150 million for FY 2013; EQIP \$1.4 billion for 2013; and WHIP \$45 million for 2013. Staff update: new forester in Romney as of 9/4/12 – Jacob Metcalf.

Karen Stickley thanked the Board for all of their support during this difficult time.

WVCA: Jeremy Salyer reported that any comments on the proposed WVCA policies and procedure changes should be submitted by 8/31/12.

WVCA: Carla Hardy reported that the Hampshire County Special Services center would like to tour the compost facility with an outside firm on September 13, 23012. The Board had no problem with the tour of the facility. Carla will make arrangements with Paul King.

NRCS: Tim Canfield reported that Jacob Metcalf – new forester will begin working in Romney field office next month.

WVDA: Ashby Ruddle reported on new water sampling areas: New Creek, Cabin Run, and Little Cacapon watersheds. He also thanked the District for the use of the Enviroscope. He will be assisting with the 2013 Envirothon – it will be held in Mineral Wells. WVDA has booth at local fairs.

PVCD: Paul King reported the rental equipment has been picking up again. He received an inquiry for the use of the cover crop roller. Board reminded him there was no rental charge for the roller – only the delivery fee.

There being no further business, the meeting adjourned at 10:10 p.m. The next regular meeting will be held on September 5, 2012 at 7:30 p.m. in Moorefield.

Chairperson

Secretary

Date