



# Potomac Valley Conservation District

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## **MINUTES OF MEETING December 5, 2012**

The monthly meeting of the Potomac Valley Conservation District was held on Wednesday, December 5, 2012, at Colt's Restaurant in Moorefield. The meeting was called to order at 7:15 pm by chairperson, Charlotte Hoover.

**SUPERVISORS:** Charlotte Hoover, John Hicks, Ronnie Miller, Dale Walker, Kent Spencer, George Leatherman, Brian Dayton

**OTHERS:** Doris Brackenrich, Christi Hicks, Herb Andrick, Tim Canfield, NRCS; Mike Worley, Derrick Tettenburn, Karen Stickley, Carla Hardy, Melissa Merritt, Nadene Jewell, WVCA; Stephen Starcher, WVU Extension; Jason Dalrymple, WVDA; Paul King, Travis Wolfe, PVCD; Paul Clayton, PVCD Associate Supervisor; Keith Kiser, landowner on New Creek Site #5.

**MINUTES:** The minutes of the November 7, 2012 meeting were presented for review and approval. A motion was made by John Hicks and seconded by Dale Walker to approve the minutes as written and presented. Motion carried.

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

**INVOICE:** The Board reviewed an invoice from William Lipps, CPA in the amount of \$475.00 for bookkeeping services in November. A motion was made by John Hicks and seconded by Kent Spencer to approve payment in the amount of \$475.00 to William Lipps CPA. Motion carried.

**INVOICE:** The Board reviewed an invoice in the amount of \$1,000.00 from the Cacapon Institute for the Stream Scholars Program. The Board has supported this program through the Chesapeake Bay funds for the past several years. Following some discussion, a motion was made by Ronnie Miller and seconded by John Hicks to approve payment of the invoice to Cacapon Institute in the amount of \$1,000.00 from Chesapeake Bay funds for the Stream Scholars Program. Motion carried. Funds to be requested from WVCA.

**FLOAT VALVES:** The Board discussed the cost of the new float valves. The price of the current valves is \$65.00 – that just covers the expense of the valves. Following the discussion, a motion was made by Ronnie Miller and seconded by George Leatherman to change the price of the new floats valves to \$55.00 each – for both types (bent and straight). Motion carried.

**INVOICE:** The Board reviewed the invoice from Watson Manufacturing in the amount of \$682.45 for the new float valves. A motion was made by Ronnie Miller and seconded by John Hicks to approve payment of the invoice in the amount of \$682.45 to Watson Manufacturing for the new float valves. Motion carried.

**N/S MILL CREEK SITE #3 INVOICES:** The Board reviewed invoices received from WV DOH for the repairs on the cattle crossings on North & South Mill Creek Site #3 in Grant County. There are three invoices for the project: \$ 752.40; \$12,339.81 and \$ 883.16. Total project amount: \$ 13,975.37. A motion was made by John Hicks and seconded by Ronnie Miller to approve payment of the three invoices totaling \$13,975.37 to WV DOH for the cattle crossing repairs. The invoices will be paid with o&m funds from N/S Mill Creek o&m. Motion carried.

**DEP – LOANS FOR DAM REHABILITATION:** The Board received information from WV DEP on the availability of loans for the rehabilitation of aging watershed dams. Karen Stickley reported on the issue.

**INVOICE:** The Board reviewed an invoice in the amount of \$638.79 from 4 Imprint for the District portfolios. A motion was made by Dale Walker and seconded by John Hicks to approve payment in the amount of \$638.79 to 4 Imprint for the portfolios – will be paid from CDO Grant funds – promotional items. Motion carried.

**AUDIT – Agreed To Procedures Engagement (APE):** The Board reviewed an invoice in the amount of \$4,000.00 from Suttle & Stalnaker for completion of the FY 12 audit APE. A motion was made by George Leatherman and seconded by Ronnie Miller to approve payment of the invoices in the amount of \$4,000.00 to Suttle & Stalnaker. Motion carried.

**WVACD DUES:** The Board received an invoice from WVACD in the amount of \$4,000.00 for annual dues. A motion was made by Ronnie Miller and seconded by Kent Spencer to approve payment in the amount of \$4,000 to WVACD for annual dues from the CDO Grant funds. Motion carried.

**REQUEST FOR SUPPORT:** The Board received a request for support from the Romney Ministerial Association. Several voiced concern that this request was not within the scope of the District's work. No action was taken on this request.

**CONFERENCE RESCHEDULED:** Since the Annual Conference was cancelled in October, the award recognition has been rescheduled for January 8 – 9, 2013 at Flatwoods. Districts should invited the conservation farm winners to attend and be recognized on January 9<sup>th</sup>. The WVACD winter quarterly meeting will be held in conjunction with the rescheduled activities on January 7 – 8. All supervisors are encouraged to attend – reservations must be made by 12/21/12.

**LOST RIVER SITE #16:** The revised agreements - Real Property Acquisition and Appraisal and Relocation Assistance – were presented and approved by the Board at the November Board meeting. Each agreement has an attachment that requires information on landowner, acreage,

tract number, and appraisal amounts. The Area Director instructed the Administrative Officer to forward copies of the agreements to WVCA, Mike Worley, and request guidance on the information to be provided in the agreements. The District has this information on file from the original agreements; however the appraisal information is outdated. Mike Worley did advise that he is still reviewing the documents and will provide guidance in the near future. The goal is to have the documents ready for presentation at the WV State Committee meeting in January.

**NEW CREEK SITE #14:** A final inspection was held on 11/15/12 at New Creek Site #14. Supervisors questioned the issue with the riser – has it been resolved? Mike Worley & Tim Canfield addressed the questions. They indicated the contractor did submit information that was requested on the riser; however it was not satisfactory and it remains an outstanding issue. The gate will not be closed to begin filling the impoundment until the issue is resolved. Local representatives are eager to begin the refilling process. Board expressed concern that problems may arise in the future if the riser construction is not correct. Do not want the liability in the future. Derrick Tettenburn reported on the need to install fence around the USGS monitoring gauge that was installed on the site. The area is approximately 20 x 20 / 6 ft. tall with 3 strands of bob wire at the top. Derrick reported that a quote of \$2,300.00 was received from Kevin High Excavating to install the fence on New Creek Site #14. Following some discussion, a motion was made by George Leatherman and seconded by Ronnie Miller to accept the quote of \$2,300.00 from Kevin High Excavating to install the fence on New Creek Site #14. Motion carried.

**NEW CREEK SITE #5:** Landowner, Keith Kiser was in attendance and addressed the Board regarding O&M concerns on New Creek Site #5 near Keyser. The site was included in the O&M contract completed this fall – mowing was completed by the contractor. Mr. Kiser also requested the removal of cat tails from the water and brush removal. He reported the brush guards need to be cleared off before a hard rain storm. Mr. Kiser also addressed the recent water shortage experienced by the City of Keyser and their request to utilize the water in the dam. He inquired about WHO actually owns the water or controls the usage. Mr. Worley addressed these questions – state legislature is in process of addressing some of these concerns. These questions have also been asked in other parts of the state. It also depends on what is included in the District easement for the structure. Mr. Worley indicated to Mr. Kiser that all of these concerns were valid; however, due to the lack of sufficient operation & maintenance funding only the most critical issues can be addressed on an annual basis. The District has very limited o&m funds in New Creek this year, but may be able to address several items in the future. The Board thanked Mr. Kiser for his time and concern over New Creek Site #5.

**NOMINATING COMMITTEE:** Ronnie Miller reported that the nominating committee would like to recommend the current slate of executive officer remain unchanged for 2013. Charlotte Hoover, Chairperson; George Schell, Vice Chairperson; John Hicks, Treasurer; and Brian Eglinger, Secretary. A motion was made by Ronnie Miller and seconded by Kent Spencer to accept the nominating committee recommendations – executive officers will remain the same for 2013. Motion carried.

LIME: The following Lime applications were presented for approval:

|                  |                  |          |          |                |
|------------------|------------------|----------|----------|----------------|
| <i>New:</i>      | John E. Wagoner  | 50 acres | 100 tons | \$ 1,500.00 CS |
|                  | Stephen Sites    | 8 acres  | 24 tons  | \$ 360.00 CS   |
|                  | Theodore Garrett | 20 acres | 45 tons  | \$ 675.00 CS   |
| <i>Cancel:</i>   | Eric Hartwig     | 24 acres | 48 tons  | \$ 720.00 CS   |
| <i>Payments:</i> | Bryan Spaid      | 9 acres  | 18 tons  | \$ 198.00 CS   |
|                  | Roy Harper       | 50 acres | 100 tons | \$ 1,500.00 CS |
|                  | Dennis Rogers    | 16 acres | 48 tons  | \$ 547.56 CS   |
|                  | Daniel Lahman    | 50 acres | 65 tons  | \$ 974.03 CS   |

A motion was made by George Leatherman and seconded by Ronnie Miller to approve the AgEP Lime practice applications, payments and one cancellation. Motion carried.

INVASIVE SPECIES: One new Invasive Species application was presented for approval:

|                  |                |             |                               |
|------------------|----------------|-------------|-------------------------------|
|                  | Lee Ratliff    | 9 acres     | \$ 720.00 CS                  |
| <i>Payments:</i> | Mike Rudolph   | 70 acres    | \$ 1,000.00 CS                |
|                  | Jeremy Rudolph | 24.09 acres | \$ 262.18 CS (Discussion over |

invoice amount for Jeremy Rudolph – group agreed to pay invoice amount only). A motion was made by John Hicks and seconded by George Leatherman to approve the Invasive Species application and payments. Motion carried.

Discussion was also held regarding the lack of funds in the Invasive Species practice. A motion was made by John Hicks and seconded by George Leatherman to transfer \$3,160.00 from the Frost Seeding funds to the Invasive Species practice. Motion carried.

FROST SEEDING: One new Frost Seeding application was presented for approval:

|  |                  |          |              |
|--|------------------|----------|--------------|
|  | Charlotte Hoover | 60 acres | \$ 750.00 CS |
|--|------------------|----------|--------------|

A motion was made by George Leatherman and seconded by Ronnie Miller to approve the one Frost Seeding application. Motion carried. \* Charlotte Hoover abstained from discussion and vote on this issue.

Discussion was also held regarding the practice completion date (only indicates on application “prime seeding time is mid February.” The Board agreed by motion of John Hicks to set practices completion date for Frost Seeding as March 15, 2013 – invoices must be submitted by May 1, 2013. Motion seconded by Ronnie Miller. Motion carried.

HEAVY USE AREA PROTECTION – The Board discussed permitting the installation of the concrete loading pads on litter sheds as well as poultry houses. All were in agreement – wording must be added to the practices description. A motion was made by Ronnie Miller and seconded by John Hicks to approve installing the concrete pads on litter sheds as well as poultry houses and including this wording in the practice description for AgEP - Heavy Use Area Protection. Motion carried.

Additional discussion was held regarding the \$5,000.00 amount that is allocated for each HUAP approved application. Should that amount continue to be “held” for that application until the cost share payment is made? The Board said “Yes”. Once the payment is made to the applicant, any remaining funds can be reallocated for another application. The Board was also in favor of keeping all HUAP applications on file in case additional program funds become available.

**TREE SEEDLING SALE:** The tentative tree order must be placed before the end of the calendar year if the Board wants to hold a tree sale in the spring. A motion was made by John Hicks and seconded by Kent Spencer to hold the annual tree seedling sale in spring 2013 and place the tentative tree order immediately. If certain species are not available from the current nursery, may contact other sources to obtain trees. Motion carried.

**EWP WORK:** WVCA has requested that each conservation district discuss delegating authority to one or more supervisors to address EWP sites on behalf of the District. These sites need to be addressed quickly and having individual supervisors able to make decisions will expedite the process. A motion was made by Ronnie Miller and seconded by Dale Walker to delegate authority for EWP sites in PVCD to John Hicks. Motion carried.

**ADMINISTRATIVE OFFICER REPORT:** Nadene reported on the following issues:

- FY 2012 Audit (AEP) draft report has been received from Suttle & Stalnaker. The treasurer will review with the administrative officer. The final report will be presented to the Board for approval in January. Only a few findings were noted in the report – very good.
- Partnership Conference activities have been rescheduled for January 8 – 9, 2013 at Flatwoods. Invitations have been mailed to Conservation Farm Winners. Other awards – poster, photo, etc. will not be presented during the conference. Supervisors should notify the Administrative Officer by December 21, 2012 if they plan to attend.
- WVCA Budget – Area Director Jeremy Salyer requested a time to meeting with Board to review the WVCA Budget. Supervisors agreed to meet briefly prior to January meeting to review Budget. Copies will be provided to supervisors to review in advance of the January meeting.

**AREA III MEETING:** John Hicks reported the Area III WVACD meeting was held in Martinsburg. Discussion was held on the following items:

- Not renting the litter spreader during the winter months
- Supervisors per diem payments – Boards to review monthly budget report from WVCA – able to tract funding on monthly basis

**PVCD CREW REPORT:** Paul King reported:

- Equipment rentals slowing down for season
- Reduced work hours after 12/1/12

**Travis Wolfe reported:**

- Debris removal on several sites
- Need to replace floor of trailer - \$250 estimate for lumber
- White truck has oil leak, is shaking and needs tires – Board requested him to obtain tire prices – for 2 tire and 4 tires. Also needs brakes replaced

CONSERVATION AGREEMENTS: Three agreements were presented for approval. A motion was made by Kent Spencer and seconded by Ronnie Miller to approve the three new conservation agreements as presented to the Board. Motion carried.

CONSERVATION PLANS: Three conservation plans from Pendleton County were presented for approval:

|                    |            |
|--------------------|------------|
| William Rexrode    | 3.5 acres  |
| Danny Crider       | 14.7 acres |
| Mowery Poultry LLC | 16.3 acres |

A motion was made by Ronnie Miller and seconded by John Hicks to approve the three conservation plans presented to the Board. Motion carried.

NRCS: Tim Canfield reported on the following:

- Farmland Protection applications
- Field checks for completed practices
- Additional funds received for Farmland Protection
- Conservation Stewardship reviews
- CSP payments

WVCA: Mike Worley reported on the following:

- Happy to report that Karen Stickley has been named new Watershed Manager in Romney field office. She thanked Board for their support.
- Distributed and reviewed the Legislative Briefing with the Board – Requesting \$2,000,000.00 in o&m funding to address immediate deficiencies on the dams – 63 items of concern at this time. Only 10 -12 dams could be addressed with \$2,000,000 in funding.

NRCS: Doris Brakenrich distributed a written report and reported on the following:

- Planned three HUAPs under the PVCD AgEP program
- Streambank Restoration Project design for Arbogast site is on State Engineers desk for review. The contract will expire in February – hope to complete before that date.

NRCS: Herb Andrick reported on the following:

- Chief White retired on December 3 – Jason Weller will serve as acting Chief
- Kevin Wickey is serving detail leading conservation delivery streamline initiative – Louis Aspey is serving as acting state conservationist. Nicole Viars is serving as acting Assistant State Conservationist – Operations.
- Bill O'Donnell is serving a detail in Washington DC as a Watershed Rehabilitation Specialist. Heather Hinson will serve as acting Assistant State Conservationist – Programs.

- Agricultural Census – conducting 5 year census. Materials will be sent to farmers in mid December. Deadline is February 4, 2013
- Area Office will move from Philippi to Morgantown during the week of January 7, 2013.

WVDA: Jason Dalrymple reported on the following:

- CAFO report – sites being reviewed
- 1<sup>st</sup> permit is still in process – applied for in 2009
- Nutrient Management Planning – DEP is working with WVDA / EPA has been difficult to work with / MOU in place with DEP – working well together
- WVDA is hiring two new nutrient management individuals – should begin in January
- TMDL verification process – inspections / audits on annual basis / committee to review process

NRCS: Christi Hicks reviewed a written report with the Board:

- Volunteer, Daniel Appold's last day will be 12/7/12 – appreciated his work in collecting soil samples, planting trees and other administrative tasks.
- Meeting with WVDEP and WVDA on 12/18 to clarify agency roles regarding CAFO / NPDES permit inspections and future regulation.
- Christi will be on maternity leave beginning mid January (1/14/13) Jessica Ball will be acting District Conservationist in both Grant and Hardy County.
- Poultry Association distributed information on an in-vessel composter. NRCS may provide financial assistance on the composters – interested producers should contact the county office for assistance.
- First cutoff date for Farm Bill programs was 10/19/12. Next cut off of ranking will be January 18, 2013 – producers can still sign up for programs.

WVCA: Melissa Merritt reported that the tree planting on Lost River Site #10 is complete.

WVU EXTENSION: Stephen Starcher reported on the following:

- Pesticide Credits can be obtained during the trainings held on 12/6/12 at 5:00 pm at the Mineral County Health Department or 12/18/12 at 5:00 pm in Romney.
- Dinner Meeting Series will begin the week of January 7, 2013 – In Augusta on 9<sup>th</sup>.

WVCA: Karen Stickley reported on the following:

- Report for o&m work in PVCD
- Need to schedule O&M Sponsorship meeting in January / February
- New Creek Site #14 Rehabilitation Project Final inspection held on 11/15/12. There will be a gate operation demonstration on site – no date scheduled yet – Suggest that a PVCD Supervisor should be in attendance / also representatives from City of Keyser and NRCS.
- New Creek Site #5 – Addressed landowner request for additional o&m work to be completed – showed recent photos of site – is currently in good shape – contractor did good job on o&m contract work. Also, Mike Worley indicated that he advised Mr.

Kiser NOT to attempt to pull items away from riser during high water or at any time – he could be seriously hurt – District / WVCA representatives will take care of this.

- Karen thanked Board again for their continued support – will work to address o&m issues on the dams.

NRCS: Tim Canfield reported on a tree planting in Wardensville. He reviewed a report on the planting that was prepared by Forester, Jacob Metcalf. The report was distributed to the supervisors. Jacob is new employee in Hampshire County – shared position. He is also working on Farmland Protection easements with Brian Eglinger in Hampshire County.

There being no further business, the meeting adjourned at 9:35 pm. by motion of Kent Spencer and seconded by John Hicks. Motion carried. The next regular meeting will be held on Wednesday, January 2, 2013 at 7:00 p.m. at the USDA Service Center in Moorefield.

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Chairperson

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Secretary

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Date