

**Southern Conservation District
Feb. 14, 2013
Board meeting minutes**

The Southern Conservation District meeting was called to order at 9:45 a.m. by Carl Mullins, Chairman. The meeting was held at the SCD office, 463 Ragland Road, Beckley, WV. Dvon Duncan led the board in the Pledge of Allegiance. Curtis Murphy opened the meeting with prayer.

Supervisors Present

Dvon Duncan	Bill Bollenbach
Sid Howard	Carl Mullins
Ken Scott	Don Windon
Curtis Murphy	Virgel Caldwell

Supervisors Absent

Ray Lafferty	Jason Angell
Randall Patton	John Brenemen

Others Present

Becky Floyd, WVCA	Jennifer Skaggs, WVCA
Christi Meador, SCD	Danny Little, SCD
Larry Layman, WVCA	Jeff Meador, SCD
Judith Lyons, WVCA	Brian Fry, WVCA
Bill Harris, NRCS	Jesse Purvis, Park Service
Lisa Mize, MC Garden	Laura Wellstead, MC Garden

Sid Howard gave an update on John Brenemen. Becky Floyd reported Randall Patton was unable to attend today due to health issues.

Approval of Meeting Minutes:

Ken Scott moved to approve the January board meeting minutes as mailed. Virgel Caldwell seconded. The motion carried.

Approval of SCD and CDO bills for accounting purposes:

Sid Howard moved to approve the SCD general check register and accounting report and the CDO check register and accounting report as prepared by Akers and Associates. Virgel Caldwell seconded. The motion carried.

WV Conservation Agency Administrative Officer Report

Dvon Duncan moved to approve the co-administered funds report for January as submitted by the WV Conservation Agency. Ken Scott seconded. The motion carried.

Becky Floyd presented the following invoices for payment approval:

SCD (Soak Creek O&M work)	\$ 2,148.00
SCD (Soak Creek O&M work)	\$ 496.84
Stantec (LWS Project)	\$12,169.94
Stantec (LWS Project)	\$12,509.24
Mountaineer Contractors (LWS Project)	\$199,155.50
NRCS (Dunloup Creek Funds)	\$317,300.00

Bill Bollenbach moved to approve the two payments to the SCD for O&M work completed on Soak Creek. Ken Scott seconded. The motion carried.

Bill Bollenbach moved to approve the three Little Whitestick Creek project payments as present for payment. Virgel Caldwell seconded. The motion carried.

Ken Scott moved to approve the payment to NRCS for the Dunloup Creek Buyout Project. Dvon Duncan seconded. The motion carried.

Becky Floyd presented the request from WVCA to transfer \$1,000.00 CREP funds to Eastern Panhandle. **Sid Howard moved to approve the transfer of \$1,000.00 SCD-CREP funds to Eastern Panhandle CD as requested by the WVCA. Dvon Duncan seconded. The motion carried.**

Becky Floyd presented a letter of request (LOR) to the WVCA requesting reimbursement for the FY12 Agreed Upon Procedures totaling \$6,800.00. **Virgel Caldwell moved to approve the LOR to the WVCA for \$6,800.00. Ken Scott seconded. The motion carried.**

Becky Floyd reminded the supervisors and asked how many planned to attend. Six supervisors are planning to attend at this time.

Becky Floyd reported the December 2012 Raleigh County Solid Waste Authority minutes have been received and filed.

Copies of the first WVCA Ag Enhancement Newsletter were provided to supervisors.

Becky Floyd stated the Agency has requested each district to provide a statement on Delegation of Authority for EWP and SPRP. They are updating the contacts for each District. The board confirmed Carl Mullins as the first contact and Curtis Murphy as the second contact for the District.

Larry Layman reviewed the January 2013 WVCA Revenue and Expenditure Balance Report. The board had questions on balances for CD employees, CD internet and accountant, and CD audit amount. Larry stated there continues to be a few glitches in the system and he will review balance amounts.

SCD Program Coordinator Report

Christi Meador reported Pollinator brochures are being printed and thanks to Carolyn Windon helping her they have 625 seed packets to be placed in the brochures. These will be shared with Extension offices and is on the SCD website and Facebook page. Christi reported she has two schools interested in developing plots.

Christi reported county information has been distributed on the 2013 SCD public speaking contest.

The board reviewed the request from WVU Extension Soils Team. **Dvon Duncan moved to approve a \$500.00 donation to be made from CDO funds. Don Windon seconded. The motion carried.**

Christi distributed Envirothon information and volunteer forms to the board.

Christi reported she is working with Rob Pate and SCD staff on Boy Scout Jamboree soil items.

Southern CD Crew Work Report:

Jeff Meador reported crew employees are currently in Mercer County on O&M work. Jeff has been working with Curtis Murphy and the auctioneer on equipment to be sold.

Consideration of AgEP Applications:

Danny Little stated no Ag Enhancement applications will be submitted for approval at this time.

Danny Little reported a landowner who was approved for 38 tons of lime paid in December for 24 tons. The landowner has requested to spread the remaining 14 tons. Sid Howard stated he has talked to Mr. Pate and the approval letter does not state a partial payment could not be made and that he has until May 31 to complete the practice. **Sid Howard moved to approve payment on the remaining amount that was approved once tickets have been submitted by the landowner. Don Windon seconded. The motion carried.** Ken Scott encouraged the Ag Enhancement Committee to correct the policy to not make partial payments in the future due to bookkeeping concerns.

Danny Little presented the following AgEP completed lime applications for payment approval:

Buck McKinney	\$1,758.58
Gary Wheeler	\$1,104.23
Richard Reed	\$1,737.42

Virgel Caldwell moved to approve the AgEP lime payments as presented. Bill Bollenbach seconded. The motion carried.

Danny Little presented the following AgEP completed frost seeding application for payment approval:

Richard and/or Maximina Pate	\$500.00
John Pate	\$500.00

Dvon Duncan moved to approve the AgEP frost seeding payments as presented. Virgel Caldwell seconded. Ken Scott questioned why there are two names for the one payment to be made to Richard Pate. Becky Floyd stated the WVCA fiscal staff has also questioned different signatures on one application and this payment will actually be made to Sombrero Land which is the farm name. **Bill Bollenbach moved to amend the motion to include payment was made to Sombrero Land for Richard and Maximina Pate. Ken Scott seconded. The amended motion carried. The motion carried.** The board noted that they have a concern over how the signatures on the application and the W'9 were different and the payment was actually made to the farm. The board questioned if the WVCA has a policy on how signatures are handled. Jennifer Skaggs and Larry Layman reported they are aware of this and it would be included with other items to be discussed for next year's AgEP.

Danny Little presented the following Lime Incentive cost share payment for approval:

Richard Barnes	\$673.00
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Bill Bollenbach moved to approve the Lime Incentive payment as presented. Curtis Murphy seconded. The motion carried.

Danny Little presented the following Lime Incentive Program cancelations:

Wesley Lafferty	\$1,425.00
Herbert Atha	\$1,425.00

Ken Scott moved to approve the Lime Incentive cancelations as presented. Sid Howard seconded. The motion carried.

Visiting Agency Reports:

WV Conservation Agency

Judith Lyons reviewed SPRP sites that have been identified for the SCD to complete. Seven sites were presented.

Brian Frye reviewed the site locations. He still needs to check the sites in Wyoming and McDowell County to be sure recent heavy rains have not changed these sites. Dvon Duncan questioned a site at McGraws and if it was eligible? Brian will visit this site again when he reviews the others. **Dvon Duncan moved to approve the sites presented. Curtis Murphy seconded.** Bill Bollenbach questioned why this needs a motion? A discussion was held on each district having a SPRP budget now and the Agency wants to be sure the board approves the sites selected. Larry stated there are also changes being made to the WVCA Contracting Policy in regards to EWP and SPRP. **The motion carried.**

Larry Layman stated Administrative Officers have been asked to send Agency information to board supervisors by email when information is received at the office. Supervisors are encouraged to check their emails for changes in policies and meetings.

Judith updated the board on the McDowell County EWP project. She is working with Jerry Breckenrich and will keep the board informed as progress continues. Larry Layman asked if a final decision has been made on if relocation benefits will have to be paid on this project. Judith stated Jerry Breckenrich forwarded NRCS relocation information to Becky this week to send to Harold to review. Becky stated this has been forwarded to Harold and is on the agenda for the February 21 O&M meeting.

Montgomery Community Garden:

Lisa Mize presented the Montgomery Community Garden Report for 2012. The Finance Committee will review the request and place this on the March agenda.

Natural Resources Conservation Service:

Bill Harris reported on the Princeton Field Office activities.

WV Conservation Agency:

Jennifer Skaggs gave an update on the Ag Enhancement Program. Jennifer distributed information on AFO and Small CAFO Regulations Professional Development Training.

Jennifer reviewed items in the Ag Enhancement Newsletter. Jennifer stated the state Ag Enhancement Committee will be developing a list of changes that may need to be addressed prior to next years AgE program. Larry Layman discussed changes in SCD due to Danny Little's retirement. **Sid Howard moved to authorize Larry Layman to complete data entries and changes for the SCD for the current time until the new Grassland Technician can be hired. Bill Bollenbach seconded. The motion carried.** Larry suggested the district work with Jennifer to develop a criteria list to be brought to the AG committee. **Sid Howard moved to authorize Jennifer Skaggs and Larry Layman to develop a list of criteria and recommended policy changes for the Ag Enhancement Committee to review. Bill Bollenbach seconded. The motion carried.** Becky Floyd will send out the meeting notice for the March 7 Ag Enhancement Committee meeting.

Larry reviewed the Agency February report. The WVCA stream section is planning EWP training for all district chairs.

The next WV State Conservation Committee meeting is scheduled for April 16, 2013 at 10:30 a.m in Guthrie.

Larry reviewed the AG day schedule. Supervisors meeting will held in the governor's conference room at 8:30 a.m.

Larry reminded the board to begin visiting local farms to select 2013 county and district farms.

A WVCA staff meeting is scheduled for April 29-30, 2013.

Supervisor Reports

Don Windon presented a request to attend the WV Small Farm Conference on behalf of the District. A lengthy discussion was held on future policies for supervisors and how each district will determine who attends what meetings or conferences. The group also discussed concerns on what happens if a district over exceeds the budgeted amount for travel or per diem. The consensus of the board was for Don Windon to attend the WV Small Farm Conference as a district representative and to be reimbursed from the state budgeted funds.

Christi Meador reported the District is sponsoring seven landowners to attend the Grazing Land Conference.

Sid Howard updated the board on the federal office lease. Sid stated he is continuing to work on the finalization of the lease pending the completion of the ADP room, CAD survey design of the building and installation of a USDA sign. After the ADP drawings are approved by Washington the SCD will have 60 days to complete the work.

Sid asked Ken Scott to update the board on the state lease with the WV Department of Agriculture. Ken reported he has been working with the state to renew the current lease for the one office space upstairs for an additional 5 years. **Ken Scott moved to renew the current lease for a five year period at \$282.00 a month for the one office which totals 247 square feet and is leased to the WV Department of Agriculture. Bill Bollenbach seconded. The motion carried.** Becky will mail the lease information and CAD drawings to the Department of Agriculture along with a copy of the board meeting minutes.

Bill Bollenbach reported the Interview Committee met and placed ads in local newspapers, web sites, etc...The Committee received seven resumes' and interviewed five of the seven. The Committee is submitting James Carter from Cool Ridge area to the board for employment as the SCD Grassland Technician. **Bill Bollenbach moved to hire James Carter at a \$30,000 yearly salary with benefits and to begin work March 4. Ken Scott seconded. The motion carried.**

Curtis Murphy distributed a list of equipment the Equipment Committee is suggesting be sold at an auction on April 6, 2013 at the SCD. Curtis has met with an auctioneer to review the equipment Curtis discussed placing reserves on some of the items. Christi will work with Curtis on vendors to have refreshments available. The board discussed disposing some of the items for scrap. **Bill Bollenbach moved to sale the equipment presented without a reserve. Virgel Caldwell seconded. The motion carried.**

The group discussed when the next SCD newsletter will be mailed. Christi Meador will plan next newsletter for May.

Carl Mullins noted the agenda will be changed from Executive Session to regular session to discuss the information in question concerning an alleged Ethics violation. Carl stated Danny Little has submitted lime spreading tickets with Jason Angell shown as the owner of the lime truck. Due to the District sponsoring the Ag Enhancement program this has created a question in regards to a conflict of interest for Mr. Angell. Carl Mullins stated he has talked with Mr. Angell several times asking him to submit information to the Ethics Commission to request clarification on this matter and he has not provided this to the District or the Ethics Commission that Carl is aware of. Sid Howard stated as soon as Danny Little presented the tickets the concern was presented to the Ag Committee. It was discussed that Mr. Angell would be contacted concerning the potential issue and possibly referred to the Ethics Commission. Larry Layman was also given the information and was asked to contact Mr. Angell. Larry stated he had made several attempts to request Mr. Angell to meet with him and/or Carl Mullins and Sid Howard. Larry also stated the morning of the January board meeting him and Carl spoke by phone with Jason and suggested Jason submit a letter with the information as he saw it to the Ethics Commission requesting a ruling on this matter. Larry stated he has not talked with or had any additional communication with Jason since the phone call and does not know if a letter had been sent to the Ethics Commission or not. Carl Mullins stated this needed to be addressed at a formal meeting. Larry stated the WV Conservation Agency is aware of the board's concern. The WV State Conservation Committee cannot consider any action until the board or Ethics Commission submits a written request. **Bill Bollenbach moved the board submit a letter to the Ethics Commission providing the information on the lime tickets and request a ruling. Sid Howard seconded. The motion carried.** Dvon questioned if a copy will be sent to Jason? Ken Scott questioned why this was not an item for an Executive Session? Larry reviewed state code. **The motion carried.**

Dvon Duncan apologized for not being able to attend recent meetings due to her temporary teaching position.

Carl Mullins asked for an Executive Session to review SCD financial report.

Sid Howard moved for an Executive Session to be held to review the SCD Financial Report. Virgel Caldwell seconded. The motion carried.

Dvon Duncan moved the regular session be re-opened at 1:08 p.m. Ken Scott seconded. The motion carried.

No actions were taken following the Executive Session.

The regular meeting was adjourned.

Respectfully submitted
Dvon Duncan, SCD Secretary

