

**Southern Conservation District
March 14, 2013
Board Meeting Minutes**

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

Supervisors Present

Carl Mullins	Bill Bollenbach
Sid Howard	Don Windon
Virgel Caldwell	Curtis Murphy
John Brenemen	Jason Angell
Ray Lafferty	Dvon Duncan
Randall Patton	Ken Scott

Others Present

Becky Floyd, WVCA	Larry Layman, WVCA
Jennifer Skaggs, WVCA	Brian Farkas, WVCA
Jeff Meador, SCD	Christi Meador, SCD
Wallace McGraw, SCD	Danny Carter, SCD
Bill Harris, NRCS	Don Phillips, WVCA
Jim Roy, WVCA	
Rick Rutledge, Fay. Co. Farmers Market	
Brian Smith, Fay. Co. Farmers Market	

Approval of Southern Conservation District Board Meeting Minutes

Bill Bollenbach questioned the last motion in the February 14, 2013 board meeting minutes and stated the minutes as mailed do not reflect a reason for the executive session to be held. The group discussed State Code as to reasons for Executive Sessions. Becky Floyd stated a copy of the state code exceptions as to why a board can enter into Executive Session has been placed in each supervisor folder for future reference. Brian Farkas stated the board member making the motion should at the minimum state the reason as to why the board is entering into executive session. **Ray Lafferty moved to approve the minutes as mailed with the approved file copy reflecting the board went into Executive Session to review the SCD District Financial Record and that no actions were taken as a result of the Executive Session. Virgel Caldwell seconded. The motion carried.**

Approval of SCD and CDO Invoices for Accounting Purposes

Ken Scott moved to approve the SCD and CDO February 2013 check registers and bank reconciliations as prepared by Mike Akers and Associates. Dvon Duncan seconded. The motion carried.

WV Conservation Agency Officer Report

Ken Scott moved to approve co-administered funds report for February 2013 as prepared and submitted by the WV Conservation Agency. Sid Howard seconded. The motion carried.

Becky Floyd presented the following payment for board approval:
Harold Wolfe O&M legal work \$112.58

Ken Scott moved to approve the invoice for Harold Wolfe as submitted for payment. Sid Howard seconded. The motion carried. Virgel Caldwell abstained.

Carl Mullins asked Jason Angell if he will be able to continue to serve on the committee due to his work schedule. Jason asked to be replaced by another board member due to his work schedule. Dvon Duncan suggested the committee meet the first week of April. Bill Bollenbach was asked to replace Jason Angell on the committee. Dvon stated the committee will present a draft Plan of Work at the April board meeting.

Becky Floyd presented the following Letters of Request (LOR) for board approval:
WVCA reimbursement for accountant for 3 months \$1,350.00
WVCA reimbursement for internet for 3 months \$599.82
WVCA District Support for first 3 quarters for FY13 \$35,250.00
WVCA District Support for last quarter for FY13 \$11,750.00

Virgel Caldwell moved to approve the LOR to be sent to the WV Conservation Agency for reimbursement for the accountant for July, August, and September 2012. Curtis Murphy seconded. The motion carried.

Ray Lafferty moved to approve the LOR to be sent to the WV Conservation Agency for reimbursement for internet service for July, August and September 2012. Don Windon seconded. The motion carried.

Bill Bollenbach moved to approve both LOR's to be sent to the WV Conservation Agency for District Support funds for FY13. Ray Lafferty seconded. The motion carried.

The board reviewed the draft CDO budget for FY14. Sid Howard moved the CDO FY14 budget be approved as presented. Virgel Caldwell seconded. The motion carried.

Becky Floyd asked supervisors to review the copy of the WVCA draft Policy and Procedures related to Audits. The draft policy will be presented to the SCC at their April meeting. All comments should be sent to Charleston by the end of March.

Larry Layman reviewed the WVCA Financial Report for February 2013. Larry encouraged supervisors to submit per diem and travel in a timely manner in order for the report to be updated based upon expenses submitted. Larry discussed the process of Letters of Requests (LOR) and

stated as a result of the review of the report last month the district is submitting LOR's after receiving an email from Guthrie asking for the LOR's to be submitted.

Brian Farkas discussed the use of the Financial Report as a tool for viewing funds available – this is not a budget but a tool to help boards manage their funding and to keep boards updated on funds availability. Brian stated travel and per diem will continue to be paid due to state laws. Larry Layman stated the WV Association of Conservation Districts is discussing the possibility of salaries for board members instead of travel and per diem payments.

Becky reported a copy of the memo from Charleston for Ag Day has been placed in each supervisor folder for their review. Becky and Christi will prepare the display for the SCD.

Southern Conservation District Program Coordinator Report

Christi Meador reported plans are underway for the SCD Public Speaking Contest. At this time three counties will be participating. The Wyoming County Public Speaking Contest will be held at 9:00 a.m. on March 27 at the Technical Center in Pineville.

Christi reported she met with the Shady Spring garden group this week to discuss the new Pollinator Program. She will be meeting with another group on April 18, this meeting will also include bird nesting and feeding.

Christi is also working with New River Master Gardeners in Fayette County on a work day with Boy Scouts associated with the Jamboree. The work day will be held at the Fayette County 4-H park. Seeds will be provided to the group.

Christi is working with McDowell County on their fishes and loaves program. The group feeds approximately 1,500 people. They are requesting assistance in developing a community garden and a pollinating plot.

The District's Conservation Education Field Day will be held April 22 on Earth Day at Don Windon's farm.

The District Land Judging Contest will be held May 2 at the Plant Materials Center in Alderson.

Christi reported she is planning to attend three water festivals later this spring and summer.

Christi reported anyone wishing to assist with the Boy Scout Jamboree will be required to complete a certification test on the Boy Scouts of America web page. Christi encouraged supervisors wanting to participate to request the test site information.

Conserideration of AgEP Applications

Sid Howard introduced Danny Carter, the new SCD Grassland Technician. Danny had twenty one years of experience with ARS as a biological technician and farm manager. Sid stated he is very pleased to have Danny on board.

Sid stated after review of the current FY13 AgE Program there are several deficiencies in the AgE applications and policy. The AgE Committee is working with Larry Layman and Jennifer Skaggs to revise program applications and the current SCD AgE policy prior to the FY14 program.

Sid Howard stated the following landowners who were previously approved for lime in the LIP program have requested to transfer to the AgE program based upon a letter that was mailed to them from the District:

Daniel Swank \$207.00
Steve Swank \$1,389.66

Sid Howard moved to approve Daniel Swank and Steve Swank for the AgE contract amounts presented. Bill Bollenbach seconded. The motion carried.

Nutrient Management Payment

Sid Howard moved to approve the following Nutrient Management Payment:

William Shorter \$ 600.00

Bill Bollenbach seconded the motion. The motion carried. Sid stated Mr. Shorter only completed half of the approved amount but that the contract will be closed with this payment.

Frost Seeding Payment

Sid Howard moved to approve the following frost seeding payments:

Don Windon \$75.00
Robert B Meadows \$375.00

Ken Scott seconded. Don Windon recused himself from the room. Larry Layman discussed the difference between abstaining from a vote and recusing themselves from the room for the vote. **The motion was carried.**

Lime Incentive Program Cancelations

Sid Howard moved to cancel the following LIP applications:

Daniel Swank \$171.00
Steve Swank \$1,710.00
Timothy Cox \$1,881.00

Ray Lafferty seconded. The motion carried.

Conservation/Cooperator Agreements

Sid Howard moved to approve the following Conservation/Cooperators Agreements:

Daniel Swank Fayette County
David Simmons Fayette County

Bill Bollenbach seconded. The motion carried.

Sid stated the next SCD AgE Committee meeting will be held April 5th at 10:00 a.m. at SCD office.

Visiting Agency Reports

WV Conservation Agency

Brian Farkas discussed the Legislative Rule that is before the House and the Senate. Brian reviewed the current process of replacement of a supervisor if a supervisor is removed from a board. If the changes are approved board members would be viewed as county officials and would follow the law for county officials as far as removal from boards. The law is also being reviewed for change.

Brian reviewed the FY14 Appropriations Request that has been presented to the legislators. Brian discussed the difference the Agency is asking for in response to the Governor's proposed budget with proposed budget cuts. Brian discussed the need for Districts to keep reappropriated dollars to carry out conservation programs in their area.

Brian discussed the need for the 2 million dollar request (to be added to WVCA Budget annually) to be approved to be able to begin to address safety and needed repairs to dams around the state. The requested funds would not be used to begin new programs. Bill questioned will these funds be used for channel repairs. Brian stated not in the near future but the channels will need to be addressed as dams are repaired.

Brian gave an update on the state strategic planning committee. The final draft report will be distributed to all supervisors in the near future. Brian encouraged supervisors to review the report once it has been provided to them and to provide comments directly to him. The committee hopes to have the final plan by July 2013.

Larry reviewed the WVCA March report. The April 8-9, 2013 quarterly meeting will be held at Pipestem State Park . Room reservations should be made by March 14.

Larry thanked Jennifer Skaggs and Becky Floyd for their assistance with the review and discussions on changes to be made to the AgE program.

Larry reminded the board county farm winners need to be selected soon in order for names to be submitted to Guthrie by the end of May.

Natural Resources Conservation Service

Bill Harris gave a report on the Princeton Field Office. Bill gave a report for the state office also in regards to the NRCS budget for WV.

WV Conservation Agency

Jim Roy stated he has been working with SCD crew on OM&R work on the channels in Mercer County.

Jennifer Skaggs reported the state AgE Committee will meet next week. Following the meeting districts will be asked to review allocation formulas for next year. Jennifer reviewed AgE funds allocated and spent. According to the database the SCD is close to closing out the LIP program.

Jennifer discussed CAFO training held March 13, 2013. She has the fact sheets from the meeting and will share if requested.

Southern Conservation District

Jeff Meador stated they are cutting brush in Glady Fork Channel and will begin work on Daves Fork – Christian Fork next.

Jeff is working with the auctioneer on the brochure and news releases. The auction will be held April 6. Christi was asked to schedule food vendors for the auction.

Becky Floyd reported Judith Lyons was unable to attend today due another meeting. Judith asked Becky or Larry to ask the board if they wanted to include the McCauley site in Fayette County to the list of SPRP sites reviewed at the February board meeting. **Sid Howard moved to include the McCauley site to the SPRP sites approved last month. Dvon Duncan seconded. The motion carried.**

Supervisor Reports

Carl Mullins introduced Rick Rutledge and Brian Smith with the Fayette County Farmers Market. The Fayette County Farmers Market has submitted a letter to the District requesting assistance to help establish a permanent Farmers Market structure on Virginia Street in Oak Hill. They are in need of dozer work for site preparation for about 50 hours of work. The City of Oak Hill has budgeted \$25,000.00 for the Farmers Market. Dvon Duncan stated the District may want to request additional information to be sure a long term lease is in place prior to taking a vote on the request.

Sid moved the board donate \$1,000.00 of “in kind service” which will include the District dozer and operator to do clearing work for the Fayette County Farmers Market structure, with the District reimbursing themselves from the CDO account and with the stipulation that the Fayette County Farmers Market would provide information that a long term lease for the property has been acquired. Ken Scott seconded. Carl asked for Sid and Jeff Meador to look at the site prior to beginning the clearing work. The group discussed concerns on run off and if any permits would be required. The Fayette County Farmers Market representatives will schedule a meeting with Curtis Hardman with DEP and with SCD representatives to determine if a permit will be required. If a permit is required for the clearing work the Fayette County Farmers Market will be required to obtain all necessary permits and to sign a Request for Service. **The motion carried.**

The group reviewed the request from the McDowell County Five Loaves and Two Fishes group asking for donations to assist with the installation of a community garden. **Sid Howard moved to donate \$1,500 to the McDowell County Five Loaves Program. Dvon Duncan seconded. Motion carried with one negative vote from Bill Bollenbach.**

Curtis Murphy stated a supervisor needs to be designated to sign titles for equipment sold at the auction. **Ray Lafferty moved to authorize Curtis Murphy to sign titles on behalf of the District at the April 6 auction. Virgel Caldwell seconded. The motion carried.**

A discussion was held on if supervisors can bid on auction items. This will be left up to each supervisor.

Curtis submitted the proposed 2013 Equipment Rates as reviewed by the Equipment Committee. **Bill Bollenbach moved to approve the 2013 rates as submitted. Sid Howard seconded. The motion carried.**

Review of Ethics Commission Letter

Carl Mullins asked Larry Layman to review the history of the possible conflict of interest in regards to the AgE Program. The board was provided a copy of the Ethics Commission response to the SCD letter. Jason Angell was sent a certified copy of the letter the District sent to the Ethics Commission but it was returned to the District. Jason stated his PO Box was messed up for a few weeks along with post office boxes at the Jumping Branch Post Office. The returned letter was provided to Jason. A lengthy discussion was held concerning the item in question. **Bill Bollenbach moved the District answer the Ethics Commission letter and wait for their ruling to determine future actions on this matter and future matters related to the district. Dvon Duncan seconded. The motion carried.** Carl asked Jason to submit a letter to the District with his response to the letter and information sent to the Ethics Commission.

Bill Bollenbach stated he worked with Becky Floyd to complete the BRIM insurance update and this year it included a list of all the dams as directed by the WVCA along with all state funds that were received in 2012. Bill stated if the premium is increased due to submitting the dams the board will need to discuss how to cover this increase. Bill also stated concerns if the District insurance policy covers the landowner when the District holds a field day on their property. Carl suggested the district could obtain a rider from BRIM for the one day event. No action was taken.

Sid Howard discussed the request from Brian Farkas on behalf of the Capitol CD and asked this to be deferred to the AgE Committee to be reviewed at their April meeting.

Ray Lafferty reported he is working with the state Envirothon Committee and visited the site. Team participation is down this year.

Ray encouraged supervisors to attend the April 8-9 meeting at Pipestem.

Randall Patton stated he is working with groups on several different stream clean ups this spring.

Bill Bollenbach reported he attended the March 13 CAFO meeting.

Ken Scott stated they will have a Raleigh County Farm for this year. Carl Mullins stated James Wimmer will be the McDowell County Farm for 2013. Becky reminded the group that each

conservation farmer needs a farm plan and should be a cooperater with the District. A bio-sheet will need to be completed for each farm.

Virgel Caldwell reported on attending an Extension workshop.

Bill Bollenbach reported on the Appalachian Grazing Land Conference. Bill stated the landowners the district sent stated they enjoyed the meeting and thanked the district for sponsoring them to attend.

Bill Bollenbach moved to go into an Executive Session due to State Code Chapter 6-9A-4 Item #2 to discuss possible personnel wage changes. Curtis Murphy seconded. Jason Angell had to recuse himself from the Executive Session due to work. **The motion carried.**

The regular meeting was adjourned at 1:30 p.m. in order for the Executive Session to be held.

Ken Scott moved the regular meeting be re-opened at 1:59 p.m. Bill Bollenbach seconded. The motion carried. Dvon Duncan stated the Plan of Work Committee will meet on April 4 at 9:00 a.m. **Ken Scott moved for the regular meeting to be adjourned. Virgel Caldwell seconded. The motion carried.**

Submitted by

Dvon Duncan
SCD Secretary