

The **Tygarts Valley Conservation District** Board of Supervisors held a Regular Board Meeting on *March 30, 2015* commencing at 9:00 a.m. at the district conference room in Philippi, WV. The meeting was called to order by Chairman Robert Wolfe.

Supervisors Present: Robert Wolfe, John Sencindiver, James B. Nester, Sr., David Bonner, Sam Wright, Sheldon Findley, Tom Warner, Joe Shaffer, Joe Gumm, and Rex Reeder.

Others Present: Hillary Woofter – WVCA, Joyce Frey – TVCD, Jeremy Salyer – WVCA, Ben Collier- NRCS, Corey Lambert – TVCD, Ronnie Helmondollar – WVU Ext., Josh Peplowski – WVU Ext., Sigrid Teets – WesMonTy RC&D, Brian Farkas – WVCA, Jamie O’Brien – Steptoe & Johnson, Lori Dawkins – Steptoe & Johnson, Lauren Turner - Steptoe & Johnson, and Harold Matlick – TVCD. (*Lori and Lauren participated via teleconference from 9:10 AM to 10:10 AM.*)

Nester led the group in the Pledge of Allegiance.

Introduction and/or Recognition of Visitors: Chair Wolfe introduced Associate Supervisor, Harold Matlick, to the group, as well as Jamie O’Brien from Steptoe & Johnson.

Reading/Approval of the Agenda/Minutes:

March 30, 2015 Board Meeting Agenda: **Reeder moved to approve the agenda as presented; seconded by Gumm; motion carried.**

March 11, 2015 Board Meeting Minutes: **Findley moved to approve the minutes as presented; seconded by Reeder; motion carried.**

Treasurer Report: Frey asked the board if they would allow online banking enrollment for district accounts, so she would be able to better track statements and records. **Wright moved to allow Frey to enroll the district accounts in online banking; seconded by Reeder; motion carried.**

Frey then reviewed the following reports: profit & loss by class through FY15, unpaid bills detail, a summary of operation expenses for the most current pay period, and an A/R aging summary. **Nester moved that the outstanding balance for the Shavers Fork Offsite Mitigation be written off; seconded by Gumm; motion carried.**

Findley moved to accept the financial reports as presented and file for audit; seconded by Sencindiver; motion carried.

District Report: Lambert reported that the new trailer had been purchased and brought to the district office. After inspecting the black flatbed, district mechanic Karl believes that the turbo is the issue and a replacement has been ordered. All vehicle inspections are due this month so maintenance on all vehicles is underway. He had tagged along to several site visits for EWP and OMR in WFCD and MCD. Lastly, he commented that his wife is expected to have their baby later that week.

Brian Farkas joined the meeting at 9:10 AM.

Wolfe then led the discussion into the ongoing litigation with Myles Lumber, and asked that O’Brien give a summary of where the court case stood. O’Brien reviewed the recent advancements of the trial, and discussed at length the cost estimates of the haul road per both parties, and how entering mediation would affect the trial. Farkas raised concerns as to how the district was supposed to financially enter mediation, and this was discussed at length.

Sigrid Teets joined at 9:30 AM.

Findley moved that TVCD agree to enter mediation with Myles Lumber and the negotiating limit be determined later; seconded by Sencindiver; motion carried.

Wolfe appointed Warner and Gumm as district representatives for the mediation process. With no further business to attend to, O'Brien said he would contact the district with any updates regarding mediation, and left the meeting at 10:10 AM. *The conference call with Dawkins and Turner was ended at the same time.*

Gumm moved to merge TVCD's co-administered Elkwater Fork Dam, Philippi Floodwall, and Barbour County Assessment accounts in to one, entitled "Elkwater Fork Litigation;" seconded by Nester; motion carried.

Wright moved that a maximum of \$200,000.00 from the merged accounts be offered/used in mediation with Myles Lumber; seconded by Shaffer; motion carried.

Woofter said she'd prepare a formal request of the account merge to be submitted to the SCC for their consideration at the meeting scheduled for April 14, 2015.

District Manager Report: Woofter reported that she enjoyed attending the Appalachian Grazing Conference, both because she was able to learn a lot of useful information, but also since she was able to speak one-on-one with several of the cooperators TVCD sponsored. She and Frey had participated in an online webinar through the NACD that discussed community garden projects. She thoroughly enjoyed Frey's beekeeping classes and was happy that they had a steady amount of attendees. As for educational projects, she had mailed letters to district high schools informing them of the Attorney General's opinion and how that affected district scholarships. She also mailed information to district elementary and middle schools about this year's poster contest. She had been continuously updating the district's Facebook page and website, such as the new bluebird boxes the district has for sale. She had also worked with Joyce to prepare the quarterly report for the upcoming WVACD meeting, and would assist in writing the district's spring newsletter. Lastly, she reported that the CDO budget for FY16 is still on hold, but in the meantime the FY16 district plan or work would need to be started soon, and recommended that each county consider a plan of work as well.

Dates (District Meetings/Work Sessions) to Remember:

- I. April 6-7, 2015: WVACD Quarterly Meeting**
- II. April 8, 2015: TVCD Regular Board Meeting 9:00 AM**
- III. April 9-11, 2015: WV Beef Expo**
- IV. ~~April 9, 2015: Elkwater Annual Inspection 9:00 AM @ District Office~~**
- V. ~~April 10, 2015: Peeks Run & Shooks Run Annual Inspections 9:00 AM @ District Office~~**
- VI. April 14, 2015: SCC Quarterly Meeting**
- VII. April 16-17, 2015: WV Envirothon**
- VIII. April 17, 2015: WV Grazing Steering Committee Meeting 10:00 AM Weston**
- IX. April 21, 2015: WesMonTy RC&D Meeting**

- X. April 23-24, 2015: Myles Lumber Trial
- XI. April 27, 2015: TVCD Regular Board Meeting 9:00 AM

Wolfe raised concern over the annual inspection dates for April 9-10th as they conflict with the WV Beef Expo. Salyer said he would try to coordinate with Karen Stickley, alternative dates for the inspections, but they would most likely be in late April.

Report of Officers and Agencies:

WVCA: *Farkas* reviewed the April 2015 WVCA Report (copy attached) in detail, highlighting the FY16 budget, the progress of Senate Bills, and the switchover of supervisors per diem to be paid through the district. He also said that in response to the AG's opinion, he plans to ask the SCC that he be allowed to undertake listening sessions over several months to gather supervisor's concerns over the law as it is now, and where it should be in five to ten years. He had also been working on an agency wide directive that all districts can use in determining if activities violate the AG's opinion, and hoped to have it ready for disbursement in May.

Salyer added that since the district had shown interest in participating in the "Conservation Farm of the Year" contest, that they select their participants soon as the district winner would need to be selected by May 29th.

Poling submitted a written report (copy attached) in his absence, and it was reviewed by Chairman Wolfe.

WVU Extension: *Helmondollar* reported that Steve Bonanno had been named the dean and director of the WVU ext. Service, and that Cindy Fitch and Jennifer Williams had been named as associate deans for two separate programs. He also reported that two recent bull sales were completed and reminded everyone that the WV Beef Expo was April 9-11th at Jackson's Mill.

Peplowski reported that at the recent bull testing, 49 bulls were tested and of those, 16 were flunked. Several of those flunked bulls went on to be sold. The high tunnel at Mt. Vernon Elementary had been completed. The land judging team had still been practicing and the national competition will be in late April.

Wolfe thanked Helmondollar and Peplowski for their ongoing contribution to the bull sales.

NRCS: *Collier* reviewed his written report (copy attached). Also reported that the Central Region FFA contest would be held in Upshur County the spring and that he would seek assistance from Sencindiver and Reeder to find a suitable location for it to be held.

FSA: None

WesMonTy RC&D: *Teets* reported that are the last RC&D meeting, the board elected to give the crimper to TVCD as soon as it arrives, so as to avoid any issues with it being covered under the district's insurance policy. The only stipulation will be that for the next two growing seasons, it be available to rent free of charge. It is expected to arrive around the first of May.

WVDOF: None

Others: None

Correspondence Received: Thank you card from Roger Nestor

Old Business:

Farmland Preservation: Reeder reported that no meeting was held in March due to the weather.

Approval of funds for SPRP/OM&R: Salyer reviewed Stickley's report (copy attached) and noted that the following SPRP jobs needed board approval:

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- Mark Smith (Randolph County) Estimated Cost \$3,000.00
 - Terry Hile (Tucker County) Estimated Cost \$3,000.00
 - Brian Tenney (Upshur County) Estimated Cost \$2,500.00
 - Jason Elmore (Randolph County) Estimated Cost \$2,000.00
- Total Estimated Cost: \$10,500.00

Wright moved to approved the SPRP jobs as presented; seconded by Shaffer; motion carried.

Nester raised concerns over a job site in Tucker County for Thomas Mick, and how he hadn't received any word as to its status. Salyer asked that the WVCA office in Romney be contacted with the information so a ticket/request could be entered in the system if it hadn't already been.

Sigrid Teets left the meeting at 11:26 AM.

WVU Ext. Internet Use: Frey reported that when a service technician with Frontier had been at the district office in the past month to repair the phone lines, she inquired about increasing the district's bandwidth. The technician said that they have already maximized our bandwidth speed, and that the current rate could not support the addition of Extension's computers being added to it. WVU Ext. will instead have to seek their own internet provider and takeover its cost.

Ongoing Myles Lumber Case: (See pages one and two)

Ongoing investigation with Mr. Powers Deputy Director- Commission on Special Investigations: Woofter reported that she drafted the letter to send to Mr. Powers, requesting that he appear before the board, and that it would be mailed later that afternoon.

Committee Reports:

Building/Finance/Budget Committee: No report.

Equipment/Safety Committee: Nester commented that the district's vehicle fleet was aging and hopes that the board can look into purchasing a new vehicle soon. The board asked that Nester and Lambert meet to discuss the current status of the district vehicles and make a formal recommendation at a future meeting. Farkas recommended that the district look into contacting the local county commissioner's about their vehicle programs.

Tom Warner left the meeting at 11:45 AM

Education/Publicity/Exhibit Committee:

- **Conservation farm of the year:** Gumm moved that the district participate in the conservation farm of the year contest; seconded by Findley; motion carried.
- **District Farm Tours:** A discussion was held as to which farms could be contacted about participating. County supervisors would contact any possible farms and report at the next meeting.
- **Anna Jarvis Elementary raised bed supplies:** Findley reported that the school has four raised beds, each being about 4' x 8' and that the needed funding for soil materials, plastic hoops for a low tunnel, and grow lights. **Sencindiver moved to support the school project with \$500; seconded by Shaffer; motion carried.**
- **Regional Ext. field day sponsorship:** Helmondollar reported that the regional extension agents met the week prior, and decided to host the event at Roger Nestor's. They intend to offer a fencing demonstration, sessions on spreader calibration, GPS tracking, and sprayer calibrations, as well as offer the attendees' lunch. He asked that the district allow WVU Ext. to borrow a lime spreader and supply enough lime for the calibration demonstration. **Sencindiver moved to allow use of a district spreader for the regional field day, and supply enough lime for the demonstration; seconded by Nester; motion carried.**
- **Pasture walk/ field day dates & ideas:** No action taken. The committee will meet on April 8th after the regularly scheduled board meeting to discuss further.

Harold Matlick left the meeting at 12:03 PM

- **2015 Envirothon Sponsorship:** Sencindiver reported that three teams from our district would be attending; two from Elkins H.S. and one from Phillip Barbour H.S. **Sencindiver moved that the district sponsor the 2015 Envirothon with \$1200.00; seconded by Gumm; motion carried.**
- **WV Conservation Camp sponsorship request (Junior & Senior):** Findley moved to sponsor the camps for four attendees each, pending the agencies the checks should be mailed too; seconded by Sencindiver; motion carried. Woofert to investigate which agency the donation could be made to for the senior camp & report at the next meeting.

Findley commented that he followed up with John Smith about a possible train excursion in the fall for partners involved with the Shavers Fork project. The education committee would discuss further at their meeting on April 8, 2015.

Legislative Committee: Gumm reported that the NACD fly-in went well and that he, Farkas, and Wickey were able to meet with all state congressional leaders. Farkas reported that a major focus of the meetings were to encourage a language change for the laws concerning the use of federal aid for dam repair vs. rehabilitation.

Grassland/AEP Committee: Reeder reminded everyone that the next meeting will be held April 17, 2015 at 10:00 at the steakhouse in Weston.

Conservation Agreements:

- Tim Mayle (Taylor County) 33 Acres
- Steven Hamner (Upshur County)
- David Shaffer (Barbour County) 125 Acres
- Desirae Cayton (Barbour County) 56.3 Acres

Reeder moved to accept the agreements as presented; seconded by Nester; motion carried.

AgEP Applications: None

AgEP Cancelations: None

AgEP Payments: None

Water Resource Committee: Shaffer reported that at the recent home show in Morgantown, there were several displays showcasing systems for groundwater recycling and reuse. EPCD has reported that their water reserve levels are depleting and that the TVCD supervisors need to monitor activity within their counties.

WVACD Directors Report: Sencindiver reminded everyone that the next quarterly meeting was scheduled for April 6th and 7th.

Personnel Committee: No report

Wright left the meeting at 12:15 PM.

New Business:

- **Review of sealed bids & selection of audit firm for FY15 audit:** Wolfe opened the singular sealed bid that TVCD received. Suttle & Stalnaker quoted a one year contract price of \$8300.00, and a three year contract price, for the fiscal years ending on June 30th in 2015, 2016, and 2017, for \$8000.00 per year. **Findley moved that TVCD accept the three year contract bid for \$8000.00 per fiscal year; seconded by Nester; motion carried.**
- **Steptoe & Johnson bill for February 2015 services (Total of \$612.50):** Reeder moved to pay the invoice as presented; seconded by Gumm; motion carried.
- **Dandy Services (Carl Roberts) Invoice for March 2015 Services (Total of \$500.00):** Reeder moved to pay the invoice as presented; seconded by Findley; motion carried.

Report of Individual Supervisors:

Gumm – Commented that the 2015 Appalachian Grazing Conference went well, with both a good turnout and good speakers. He will be assisting at the WV Envirothon competition.

Reeder – Would be attending an Upshur Co. Ag in the Classroom meeting next Monday at 10 AM. Frey will be a group leader/presenter at the event, and there is still no date selected.

Sencindiver – Still needs volunteers for the WV Envirothon.

Findley, Shaffer, Bonner and Nester had no additional reports.

Public Comment Period: None

There being no further business to attend to, Chairman Wolfe declared the meeting adjourned at 12:30 PM.

Secretary

As prepared by