

The **Tygart's Valley Conservation District** Board of Supervisors held a Regular Board Meeting on *May 23, 2016* commencing at 9:01 a.m. at the district's office in Philippi, WV. The meeting was called to order by Acting Chairman John Sencindiver.

Supervisors Present: Dave Bonner, Sheldon Findley, Jim Nester, Rex Reeder, Joe Gumm, John Sencindiver, Joe Shaffer, Tom Warner, and Sigrid Teets – TVCD/WesMonTy RC&D.

Others Present: Hillary Woofter – WVCA, Joyce Frey – TVCD, Ben Collier – NRCS, Corey Lambert – TVCD, Robert True, and Brian Young – WVDOF.

Reeder led the group in the Pledge of Allegiance.

Reading/Approval of the Agenda/Minutes:

May 23, 2016 Board Meeting Agenda & April 25, 2016 Board Meeting Minutes: Teets moved to approve the agenda and minutes as presented; seconded by Reeder; motion carried.

Introduction and/or Recognition of Visitors: None

Treasurer Report: Frey commented that she had included a few more reports than usual per requests she received during a recent meeting with Nester and Sencindiver. The meeting was originally planned to review the paperwork needing to be completed by the district crew and while those were discussed for roughly 15 minutes, the other 2 hours of the meeting were discussing various financial and management concerns. (See attached copy of Frey's notes) Frey continued on to say that she felt blindsided by the information brought up, and asked Nester to clarify what he meant regarding "insiders and outsiders." Nester replied that by insiders he meant the office staff, and outsiders referred to the work crew/shop employees. Frey continued to address her concerns from the meeting, stating that she never would have thought the board would let the crew manage district operations. Sencindiver took the floor and stated that he originally held a meeting with the crew to address their concerns, as he was now acting chairman. During that meeting, he told them what was expected of him as Chair, and gave them an open floor to voice their accusations and concerns. Sencindiver went on to state that regarding the rental equipment and interactions with the crew, Frey was given the authority to work out with Lambert as to how it should be managed. Sencindiver's biggest concern was the reporting of individual supervisor's travel and per diem in an open meeting. Woofter addressed that the WVCA policy that the district adopted and added to required monthly tracking and reporting for fiscal purposes. Frey stated that she felt attacked in the meeting held with Nester and Sencindiver. Sencindiver responded that Frey should have addressed him personally about the matter. *Discussed at length.* Warner stated that he received a detailed list of the district supervisor's pay from the SCC. Sencindiver commented that he was simply trying to gather facts. Findley stated that if it was in the WVCA/district policy to report the earnings monthly,

then it was already approved and not for further discussion. Gumm stated that he can see the best interests of both Sencindiver and Frey. Warner agreed and added that he appreciated these matters being brought in the open for discussion and being ironed out. Sencindiver said that the supervisors can do what they want and that the policy can be changed. Woofter stated that the policy cannot simply be changed on the district level as the fiscal reporting requirements were part of the SCC/WVCA approved "Conservation District Supervisor Travel and Per Diem Policy and Procedures." Woofter expressed concerns that the approval of state policies and codes were out of her control and that she can only relay supervisor comments to her superiors. Asked that the board remember that she is there to enforce the policy as required by the WVCA and to not voice personal frustrations towards her. Findley discussed state code at length and who holds authority in district matters, noting the SCC and WVCA are in control. Frey reviewed the policy as written in the TVCD Policy & Procedure Handbook. *Discussed at length.* **Findley moved that a letter be sent to the WVCA/SCC, requesting that the policy be changed to not require monthly reporting of supervisor's per diem and travel; seconded by Nester; the motion carried with Reeder, Shaffer, Findley, Gumm, and Nester voting yay, Teets and Bonner voting nay, and Warner abstaining.** The board went on to review the monthly fiscal reports provided by Frey. (Copies attached) *Discussed at length the district having a fleet card versus a credit card.* Lambert reported that he had looked in a Sheetz gas card, and True added that the district may want to look into whether or not they qualify for state road gas. Sencindiver brought up the formation of a separate banking account to be used for the purchasing and repair of district equipment. *Discussed at length.* **Bonner moved to leave the accounts as they are; seconded by Reeder; the motion carried with Findley, Teets, Shaffer, Warner, Bonner, and Reeder voting yay, and Nester and Gumm voting nay.** Sencindiver asked if there was any additional attention needed to the fiscal reports and Woofter reminded them that they had not approved the reports for audit. **Reeder moved to accept the May fiscal reports presented and file for audit; seconded by Nester; motion carried.**

District Report: Lambert reported that heating unit in Cvechko's office has been repaired and is working for now. More than likely, the unit will need to be replaced and will cost about \$1,500.00. Also, the roof unit for the older side of the building would cost between \$4,000-8,000.00 to be replaced. The lower price quote reflects using a boom arm from Builder's Center. The district litter spreader broke while rented out by Evan Workman. The hitch broke off and could potentially be a manufacturer's defect. There is an issue of third party involvement due to modifications done to install the brake system. The insurance adjustor has looked at the spreader and will stand behind it being a defect. *Discussed issue and TVCD rental policy at length.* The board's consensus was to tell the insurance agent to pay for Workman's tractor repair. The recent hail storm damaged Lambert's work truck. The adjustor said to total it out and take it would be about \$7,000.00 while to total it out and give the district a cosmetic R-title would be about \$5,500.00. **Nester moved to accept the offer of \$5,500.00 and the cosmetic R-title and do cosmetic repairs as needed; seconded by Gumm; motion carried.** The post driver was rented

out the week prior and broke while in possession of the lessee. The lessee took the driver to be fixed without notifying the district. Lambert called Quality Equipment and was told the hydraulic cylinder was replaced and it cost \$179.00. **Findley moved to reimburse the lessee for the repairs/pay the invoice from Quality Machine; seconded by Shaffer; motion carried.** Lambert also reported that the work crew had been unable to work due to the weather.

District Manager Report: Woofter reviewed her written report (copy attached). Woofter also passed around the April 2016 bank statements and reconciliations for supervisor review and signature.

Dates (District Meetings/Work Sessions) to Remember:

I. May

- a. Monday 23rd – Budget/Finance/Bldg. Comm. Meeting After Regular Session**
- b. Monday 30th – Memorial Day OFFICE CLOSED**

II. June

- a. Wednesday 1st – State RC&D Meeting 10 am**

Report of Officers and Agencies:

WVCA: Woofter reviewed Salyer's and Smith's report in their absence. (Copies attached)

WVU Extension: None

NRCS: Collier reviewed his written report. (Copy attached) *Discussed at length the LWG meetings and how to proceed.* Collier added that he is trying to organize specialists to attend the next meeting and thanked Woofter for her continued assistance. Gumm asked about an Urban Agriculture grant that was funded and Collier said he was unaware of it at the time. Sencindiver thanked Collier and Nestor for transporting the group who attended the district farm tours.

FSA: None

WesMonTy RC&D: Teets reported that the Conservation Innovation grant proposal was finalized and submitted. The current grant ends this September and she has been working on completing a survey about cover crops and crimping. Attended the Gilmer County field day and Discovery Day at Seneca Rocks. Participated in the garlic mustard pull and had a display on native pollinators. Also attended a master gardener fundraiser event in Harrison County.

DoF: Young reported that he has been working a lot in Harrison County and attended CREP training in Morgantown. Poplar Weevils still coming out in neighboring counties. Sencindiver thanked Young, Frey, and Woofter for their planning and work on the forestry field day. Added that he thought it was the best event the district had put together since becoming a supervisor and

all the feedback he had received praised the district and presenters. Woofter added that attendees from seven different counties attended the event and two were from Maryland.

Others: None

Correspondence Received: (4) Brickstreet Authorizations for Everson; WVU 4-H Camp Funding Request; Taylor County Solid Waste Authority Appointee Recommendation; NRCS-DamWatch Monitoring Notice/Instructions

Old Business:

- *Farmland Preservation-* Reeder reported the next meeting scheduled for May 26th. Has two farms they are trying to enroll in the program.
- *Approval of funds for SPRP/OM&R – No new projects at this time*
 - *Completed SPRP Invoices for Payment Approval & Processing – None at this time*
- **Building Maintenance** – *Ongoing/no further update*
- **Conservation Farmer of the Year-** Woofter reviewed the results of the district judging, noting that Sickler Farm of Barbour County was the district winner and the WVCA had been informed as such for planning the area tour.
- **Review sealed bids received for district equipment-** Sencindiver opened and reviewed the sealed bids that were received and were as follows:
 - Jack Amaruso: 312 - \$17,900.00 & D5 - \$11,000.00
 - Gaudino Brothers: 312 - \$3,236.00 & D5 \$3,236.00
 - Robert Wolfe: D5 - \$7,699.99
 - Sandhill LLC: 312 - \$12,345.00 & D5 - \$5,678.00

Woofter reviewed the reserve pricing originally set by the board on December 18, 2015.

Discussed at length. Shaffer moved to have Lambert contact Joe Pyle about putting the equipment up for sale at state auction and to report back to the board at the next meeting; seconded by Bonner; motion carried.

- **Elkwater Fork Litigation Funds & Title/Deed Transfer-** Woofter reviewed the three firms she had contacted per the board's original request. Received notification that Steptoe & Johnson had interest in handling the transfer should the board desire, and also received interest and an hourly/service fee pricelist from Busch, Zurbuch, & Thompson in Elkins. **Findley moved to proceed with the transfer through BZT PLLC; seconded by Nester; motion carried.**
- **EOI for Engineering Services-** Woofter reviewed the correspondence received in response to the EOI advertisement for engineering firms and passed around informational booklets submitted by each. *Discussed at length. Findley moved to select Potesta Engineers and Environmental Consultants to have on retainer for the district's engineering services; seconded by Gumm; motion carried.*

- **Elkwater Dam storage building and mowing-** Warner and Gumm reported that after much discussion, they found a 20' x 30' storage building with a 12' roll up door for \$17,000.00 through McWilliams. Huttonsville PSD will see if we can put the building on their property. Would need to level the ground and install a concrete pad. *Discussed at length.* Woofter reminded the board of the state purchasing policy, and the board's consensus is for Warner and Gumm to get three written bids on varying sizes of buildings and report back to the board at the next meeting.
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Committee Reports:

Building/Finance/Budget Committee: No report.

Equipment/Safety Committee: Nester commented that he asked Frey to prepare an YTD report of the district's rental equipment. *Passed around for review. Copy attached.*

Education/Publicity/Exhibit Committee: Sencindiver had no report. Frey reviewed the Upshur County Ag and Natural Resources in the Classroom event. Woofter added that the materials for the stewardship grant had been purchased, as well as books to be donated to the local libraries.

Legislative Committee: Gumm reported that the state legislature is still in special session discussing the FY2017 budget. In past years, WV Ag Day has been beneficial in helping the WVCA avoid budget cuts. At the most recent SCC meeting it was suggested to sell state timber. Still working on congressional office visit in the fall.

Grassland/AEP Committee: Reeder reported that the next WV Grazing Steering Meeting is planned for July 15th at 10am in Weston. *Discussed at length the committee's role for True.*

- **Conservation Agreements:** None
- **AgEP Applications:** None
- **AgEP Cancelations:** None
- **AgEP Payments:** None

Water Resource Committee: No report.

WVACD Directors Report: Next quarterly meeting scheduled for July 13 & 14th. *Discussed at length supervisor training, hotel reservations, and agenda.*

Personnel Committee: No report.

New Business:

- **2017 Pocket Calendar Purchase-** Nester moved to reorder the same design and quantity of calendars from 4Imprint as 2016; seconded by Reeder; motion carried.
 - **Nominating Committee Appointees for 2016 Officers-** Acting Chairman Sencindiver appointed the following supervisors to the nominating committee:
 - **Barbour: Teets; Randolph: Gumm; Taylor: Findley; Tucker: Bonner; Upshur: Reeder** (Committee meeting scheduled for June 7th at 8:30 am)
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- **FY 2017 LORS (All amounts subject to change, pending final state budget approval)**
 - **CD Operating grants**
 - \$19,000.00 dated July 1, 2016
 - \$6,634.00 dated October 1, 2016
 - \$6,633.00 dated January 1, 2017
 - \$6,633.00 dated April 1, 2017
 - **CD Supervisor Travel & Per Diem**
 - \$19,969.00 dated July 1, 2016
 - \$14,264.00 dated October 1, 2016
 - \$14,264.00 dated January 1, 2017
 - \$8,558.00 dated April 1, 2017

Findley moved to approve and submit the LORs as presented; seconded by Nester; motion carried.

Report of Individual Supervisors:

Gumm- Working on state RC&D accountability and the 2017 Appalachian Grazing Conference.

Reeder- Was disappointed that many participants in the district’s conservation farm tour weren’t involved with local and state organizations. Youth livestock show and sale scheduled for August.

Shaffer- Went to Lancaster, PA and toured a farm owned by David Fisher who is on the local CD board. They are actively involved in stream cleanup and installing conservation practices. Added that many farms in Taylor County were hit hard by the hail storm in April.

Teets- Attended the TVCD Personnel Committee meeting, Forestry Field Day at Audra, NRCS/TVCD LWG Meeting, and the district farm tour.

Bonner- Enjoyed the garlic mustard pull at Discovery Day at Seneca Rocks.

Nester- Thought the Forestry Field Day was good.

Sencindiver- Envirothon Committee will not meet again until August. Can use more involvement from supervisors and affiliates. Will be held at Jackson’s Mill for the next two years.

Public Comment Period: Woofter added that she had tentatively scheduled the FY16 audit with Suttle & Stalnacker for the first week in October.

There being no further business to attend to, Acting Chairman Sencindiver declared the meeting adjourned at 12:22 pm.

Secretary

Minutes recorded and prepared by Hillary Woofter – WVCA District Manager/ASA 3.

May 23, 2016 Regular TVCD Board Meeting Minutes Summary of Motions

1. **Teets moved to approve the May 23rd agenda and April 25th minutes as presented; seconded by Reeder; motion carried.**
2. **Findley moved that a letter be sent to the WVCA/SCC, requesting that the “Conservation District Supervisor Travel and Per Diem Policy and Procedures” be changed to not require monthly reporting of supervisor’s per diem and travel; seconded by Nester; the motion carried with Reeder, Shaffer, Findley, Gumm, and Nester voting yay, Teets and Bonner voting nay, and Warner abstaining.**
3. **Bonner moved to leave the district bank accounts as they are; seconded by Reeder; the motion carried with Findley, Teets, Shaffer, Warner, Bonner, and Reeder voting yay, and Nester and Gumm voting nay.**
4. **Reeder moved to accept the May fiscal reports presented and file for audit; seconded by Nester; motion carried.**
5. **Nester moved to accept the insurance adjustor’s offer of \$5,500.00 and the cosmetic R-title for Lambert’s truck and do cosmetic repairs as needed; seconded by Gumm; motion carried.**
6. **Findley moved to reimburse the lessee for the repairs/pay the invoice from Quality Machine for the district’s post driver; seconded by Shaffer; motion carried.**
7. **Shaffer moved to have Lambert contact Joe Pyle about putting the equipment up for sale at state auction and to report back to the board at the next meeting; seconded by Bonner; motion carried.**
8. **Findley moved to proceed with the deed transfer of Elkwater Fork through BZT PLLC; seconded by Nester; motion carried.**
9. **Findley moved to select Potesta Engineers and Environmental Consultants to have on retainer for the district’s engineering services; seconded by Gumm; motion carried.**
10. **Nester moved to reorder the same design and quantity of pocket calendars from 4Imprint as was done for 2016; seconded by Reeder; motion carried.**

11. Findley moved to approve and submit the FY17 LORs as presented below (all amounts subject to change, pending final state budget approval) ; seconded by Nester; motion carried.

i. CD Operating grants

- 1. \$19,000.00 dated July 1, 2016**
- 2. \$6,634.00 dated October 1, 2016**
- 3. \$6,633.00 dated January 1, 2017**
- 4. \$6,633.00 dated April 1, 2017**

ii. CD Supervisor Travel & Per Diem

- 1. \$19,969.00 dated July 1, 2016**
- 2. \$14,264.00 dated October 1, 2016**
- 3. \$14,264.00 dated January 1, 2017**
- 4. \$8,558.00 dated April 1, 2017**