

Minutes of the GVCD Regular Board Meeting
August 18, 2022

The Greenbrier Valley Conservation District Board of Supervisors met on Thursday, August 18, 2022 at 7pm, in the conference room of the Lewisburg USDA Service Center.
Those attending were:

Supervisors:

Chairman

Gary Sawyers

Jerry Clifton

Timothy VanReenen

Carolyn Miller

Gary Sawyers,

Supervisors Absent:

Gary Truex

Avery Atkins

Others:

Angela Feamster-Sawyers (WVCA)

Jeremy Salyer (WVCA)

Judith Lyons (WVCA)

Heather Duncan (WVACD)

Barrett Level (GVCD)

Kara Grosso (WVCA)

Dorian Perez (NRCS)

Call to Order

Chairman Gary Sawyers called the meeting to order at: 7:01pm and welcomed everyone.

Approval of Minutes

Motion was made by Timothy VanReenen and Seconded by Jerry Clifton to approve the minutes of the July 21, 2022, Regular Board Meeting. Motion Carried.

Funding Requests

Carolyn Miller moved to approve the following LOR:

LOR #13857, in the amount of \$107,000 for FY23 AgEP Allocation.

Timothy VanReenen Seconded the motion, motion carried.

Cooperating Agency Reports

NRCS - Dorian Perez, District Conservationist submitted a written report, which is attached.

FSA -No report

Forestry - No report

WVACD- Heather Duncan spoke about the Grazing Lands Coalition Grant and discussed potential uses. She advised that if there were any questions, ideas, or if the district wanted to collaborate with other districts to submit one large proposal, they should let her know so that they could get to work on it. Heather advised that the due date for this was September 22, 2022.

Heather informed the board of the upcoming quarterly meeting, scheduled to be held on Monday, October 17th, 2022, and Tuesday, October 18th, 2022, at the Days Inn in Flatwoods. Heather spoke about the events, the associated expenses, and the registration process.

Heather also mentioned biochar and that Donnie Tenney was starting some field trials with high tunnels specifically and that he had also spoken a little bit about pastureland applications. She suggested contacting Mr. Tenney at Tygart's Valley if this was of interest.

WVCA - Jeremy Salyer reviewed the highlights of his written report, which is attached.

Jeremy also reviewed the draft district reporting policy, which is attached to his report. He stated that this policy would take the place of the Legislative Rule. Discussion ensued. Jeremy informed the board that they had 30 days from the date of the meeting to read it and provide feedback before it was finalized for the district to adopt.

Committee Reports

Finance Committee:

Financial Reports:

General and CDO Funds Report

Timothy VanReenen moved to accept the General and CDO Funds Report and file for audit. Seconded by Jerry Clifton. Motion carried.

WVCA Restricted Funds Report

Jerry Clifton moved to accept the WVCA Restricted Funds Reports and file for audit. Seconded by Carolyn Miller. Motion carried.

Payment of all bills, per payables list

Carolyn Miller moved to pay all General Funds bills, per payables list, as presented. Seconded by Timothy VanReenen. Motion carried.

Agricultural Enhancement Program Committee

Timothy VanReenen expressed appreciation for the signing of the LOR for \$107,000 in AgEP allocation money. Timothy stated that this is a busy time of year for AgEP and mentioned Barry Level's efforts in completing signups and meeting with cooperators.

Timothy VanReenen brought forth the discussion regarding the AgEP Agreement Addendum #2. He advised that Barry Level would be better prepared to elaborate on the document's specifics. While describing the document's contents, Barry presented a visual representation of its final form. Discussion ensued. The reason for the document's rejection was unknown. The subject will be revisited in the future, as Jeremy Salyer stated he would seek additional explanation.

Grassland Committee

Building/Equipment Committee

A copy of the monthly equipment report was provided to all board members for review. Monthly report attached.

Watershed

Judith Lyons discussed a Greenbrier County Sub Agreement involving minor flooding concerns. She stated that they still had a couple of locations above the bridge that Tammy Tincher of the County Commission had discussed, as well as maybe one side of the Meadow River. She mentioned that the ones in White Sulphur Springs were not an emergency, but she would like to get things cleaned up so that we can maintain a good working relationship. She added that we needed to finalize the mowing contract, which she hopes to accomplish this fall. She stated that she would write this up once they clear out all the sites.

Judith advised they have a lot going on and staff is stretched thin. She noted that they have things going on in Marion County, Berkeley County, and the flooding in Kanawha County and Fayette County, but that they will get things done as soon as they can.

She also stated that she had received the engineering proposals and that she had the questions and the rating sheet ready. She advised she is reviewing them as time allows and will make a recommendation to the board as soon as soon as she is able.

319 Program:

Jerry Clifton presented the following contracts for approval:

- William Richmond - Septic pumping, 50% not to exceed \$300.00
- William Richmond - Septic replacement, 75% not to exceed \$5,000.00

Jerry Clifton moved on behalf of the committee to approve the contract as presented for approval. Timothy VanReenen Seconded. Motion Carried.

Mr. Clifton noted that they were not ready to approve the Shane Clarkson's contracts at this time.

Jerry Clifton presented the following invoices for payment:

- Second Creek Todd Belcher – Water pumping system, pipeline, and water troughs: \$25,771.85.

Jerry Clifton moved on behalf of the committee to pay the invoice for the total amount of \$25,771.85. Carolyn Miller seconded the motion. Motion carried.

Jerry Clifton presented the following invoices for payment:

- WQ Monitoring
 - 319 State Proposed Indian Creek
 - Indian Creek
SGS Invoice # 15275440 -\$125.51
 - 319 Meadow River State
 - Meadow River & Potts Creek
SGS Invoice# 15275441 - \$143.44
- Total: \$268.95

Jerry Clifton moved on behalf of the committee to pay the invoices in the total amount of \$268.95. Timothy VanReenen seconded the motion. Motion carried.

Unfinished Business:

Timothy VanReenen moved on behalf of the committee to host the Central Area Meeting, October 07, 2022, at 10:00am. Jerry Clifton seconded the motion. Motion carried.

Updates:

Legislative Banquet 2022, September 8th

Discussion ensued regarding the Awards & Nominations for the Legislative Banquet.

Timothy VanReenen nominated Carolyn Miller for the Supervisor of the Year Award; Jerry Clifton seconded. Motion carried.

Angela Sawyers provided the board with updates regarding the planning and coordination of the Legislative Banquet.

Gary Sawyers brought forth the discussion regarding the details of the program presentation for the banquet. Discussion ensued. Barry Level and Angela Sawyers will work next week to get the program complete for printing.

Field Day: Jack Morgan's Farm

Kara Grosso provided the board with updates regarding the planning and coordination of Field Day to be held on October 05, 2022, from 10:00am-3:00pm.

Kara asked the board for recommendations regarding rest rooms facilities, tents, tables, and chairs. Discussion ensued.

Kara will explore options and determine if additional funds would need to be requested.

Adjournment

With no further business, the meeting adjourned by consensus at 9:25pm.

Respectfully submitted,



Gary Sawyers
Chairman



Gary Truex
Secretary/Treasurer

GS/GT/as

Recorded by Angela Feamster-Sawyers, Administrative Specialist

Greenbrier Valley Conservation District, DC Report

8/18/2022

Follow Ups from Last Month's Meeting

- I did not attend owing to taking personal time for anniversary of Dad's passing. I misspoke during the meeting and said it was for my niece's birthday, which was the next week.

Report from the Field Office

No Field Office representative from Union this month owing to contract development for NWQI.

Financial Assistance Programs

Pending Deadlines

Conservation Stewardship Program (CSP) practice certification documents	8/25/2022
Environmental Quality Incentives Program (EQIP) Sign-Up 1, Late Preapprovals	8/19/2022
EQIP Sign-Up 2, NWQI	9/2/2022
Estimated \$675,590.82 in applications with \$738,627.00 in available funds.	
CSP Classic	9/2/2022

Contract Management (Practice Payments) –

Fiscal Year 2022 (Running Total)	\$890,477.05
27 practices installed 07/22/22 – 08/18/22	\$55,492.95
Area Practice (i.e., grazing plans, heavy use pads):	\$18,559.53
32.97 acres	
5,253 square feet	
Linear Practices (i.e., fencing, pipeline): 8,181 feet	\$18,453.96
Point Practices (i.e., troughs, rooves, gutters):	\$18,479.46
900' in well depths	
2 troughs	

Out of Schedule Contract Items. CPA-153 Letters of Non-Compliance with potential for contract termination

- 2020 Contract Items: 36
- 2021 Contract Items: 400

Cancellations and Terminations in FY 2022

		Financial Penalty	Lost Benefits
▪ Processed:	15	\$0.00	\$223,660.72
▪ Pending:	8	---	\$76,710.78

Working Applications – Applications awaiting participant signature

- 5 NWQI
- 2 EQIP
- 1 CSP

Greenbrier Valley Conservation District, DC Report

8/18/2022

Office Administration

Field Office Priorities

- Finish developing the contracts and get them signed.

Upcoming Events

- State Fair, Aug 11-20
- Civil Rights Compliance Review, Aug 22-26
- Soil Health Training, Aug 23-26
- Potomac Highlands Cooperative Weed and Pest Management Area Meeting, Aug 30

Special Projects

- None

Staffing Updates

- Hannah Thacker (Walls), will be moving from Greenbrier County to Mercer County October 1 to become a member of Southern District in Princeton.
- Greenbrier: 2 Soil Conservationist positions are expected to be posted within the next month; 1 Conservation Engineer Technician position within the next 2 months

Questions for the Board Supervisors

- Are the county supervisors interested in reviewing obligated Conservation Plans at the Field Offices?
 - The members present were fairly emphatic that, not only was this something that they had done in the past, but something they should definitely start doing again.
 - My interest was stimulated by Barry's observation about the pond ramps and ponds. My goal is (1) to encourage locally led conservation and more fully empower the Conservation District/NRCS partnership; and (2) to provide county supervisors with situational awareness of the conservation measures being employed within their respective counties.
 - My intent is to raise the Board's awareness of NRCS activities and coordinate conservation activities in the district. This would not be an authority to approve/disapprove of our activities.
- I asked the Board if they could let me know what information they would be interested in seeing in an Annual Report.
 - The board is interested in this annual report and said they would provide information on things they would like to see.
 - I told them I hoped to have it generated in the first or second week of October.
 - Contents I plan to include
 - National Mission priorities, the work unit's directed and implied tasks, and my 5 year goals for the district
 - Civil Rights
 - Financial Assistance Program participation including applications taken, contracts awarded, payments made, and funds returned due to cancellation and termination
 - Special Emphasis: NWQI, GWW, Urban emphasis
 - A 'density' plot chart of active contracts around the 3-county district. Section 1619 should be fine given the scale of a 'pin' or marker point on a map would be several miles in diameter.

Greenbrier Valley Conservation District, DC Report

8/18/2022

- Grazing Land Initiative – See email from Jon, Julie.
 - Heather reinforced this and told the Board that she would like to see some of the districts applying for the money. She sent a long email to the Board out about this.

Questions from the Board Supervisors

- Status of the memorandum to Jon Bourdon that addresses conservation practices that NRCS uses in the district that may degrade natural resources. Specifically, the livestock ramp that allows cattle to climb into ponds and the construction of ponds that don't have exclusion fencing.
 - Barry is working on this.
- Status of the memorandum to Jon Bourdon that addresses NRCS participants complaining to the board about getting a contract and then not being allowed to start due to not having a design, a finished cultural resources review, or animal inventory (End Spp Act, Section 7).
 - Barry wasn't aware of this tasking and we agreed to sit down and discuss the situation.
 - The board has reported two participants, 1 in Greenbrier and 1 in Pocahontas, but it's becoming a recurring theme
 - In light of the almost \$300k that Greenbrier district has returned or is expected to return to treasury this Fiscal Year, that may be related to incomplete designs and other hang-ups?
 - I explained that, per Congressional mandate, we have to take CPA-1200 Applications if walk-ins insist.
 - I stated that I was trying to get my staff to first inform participants of that requirement, but then to discuss the alternative of getting their contact information, setting an appointment for a site visit, then giving the client a receipt for service. I have taken this action and all 5 of my walk-ins have agreed that we should develop a plan before pursuing a contract.
 - This will provide clients with the information to decide—before they sign a binding contract—if the incentive payment adequately meets the cost of materials, labor, and transportation (payment scenario).

Any questions may be directed to the undersigned at dorian.perez@usda.gov or (681) 318-4025.

DORIAN PEREZ Digitally signed by DORIAN PEREZ
Date: 2022.08.18 20:49:42 -04'00'

District Conservationist

Distribution:

Jon Bourdon, State Conservationist (STC)
Matt Murphy, Assistant State Conservationist – Field Operations (ASTC-FO)
Barb Greenleaf, Area Resource Conservationist (ARC)
Julie Stutler, NRCS Outreach Coordinator
Greenbrier Valley Board of Supervisors (c/o Angie Sawyers)
NRCS Field Office Staff: Greenbrier, Monroe, and Pocahontas Service Centers



August 2022 WVCA Report

Items to be thinking about and placed on your agendas in the coming month:

Carroll Greene Nomination – form is due to Belinda Withrow by September 1

WVACD Honorary Member At Large

WVACD Lifetime Honorary Member

Rookie Supervisor of the Year

New Supervisor Oath of Office

By July 1, all newly elected supervisors need to have taken their oath of office. The oath is necessary by all supervisors who won a seat in the election in order to be reimbursed and vote in meetings.

Conservation Law Change

SB264 passed the legislature and has been signed by the governor. The law will be in effect before July 1.

Districts need to pay attention to board vacancies, especially in situations where no one filed in the May election for either the full four-year term or the unexpired term. Supervisors who did not file are not automatically allowed to continue holding their seat when the new term begins July 1.

In those cases, boards will need to advertise to fill the vacancy, and then select a candidate to submit to the SCC. Please check with Kim and Jeremy to be sure you have a copy of the updated advertisement.

Proposed rule 63-CSR-1 amends an existing rule and incorporates changes relating to the election of West Virginia's 114 conservation district supervisors. The rule details candidacy qualifications and procedures districts must follow when there are no candidates filing for the office, or when a vacancy occurs. The proposal also makes minor modifications to the process for spending watershed improvement funds.

The proposed rule 63-CSR-4 is a new rule relating to accounting and auditing procedures West Virginia's 14 conservation districts must follow.

Both rules have been filed with the Secretary of State.

AgEP:

- **May/June/July 2022**– CDs to finalize upcoming FY program, update AgEP agreement addendum #1 & #2, take action to approve LORs
- **July 15th** – AgEP Databases are to be closed out by July 15th.

- If you haven't updated your AgEP Administration agreement and addendum for the upcoming year please do so now.

Agreed Procedures Engagement (Audit)

Conservation Districts are asked to begin the Agreed Procedures Engagement (APE) (audit) soon after the close of the fiscal year on June 30th. It is important that each district read their audit, and then take steps to correct any findings noted by the auditors. If you have questions, ask Kim or Jeremy.

Request to Conservation Districts

The WVCA is encouraging Conservation Districts to review and update their District Policy Manuals. Districts are also encouraged to review their CD Employee Manual (if you have one) and CD Plan of Work. **Plans of work are due to Kim and Jeremy by July 1.**

Conservation Farm Tour

Timelines:

- **July** - Area judging.
- **August** - Statewide judging August 23-25, 2022.
- **October** – Presentation of Area and State awards at WV Conservation Partnership Annual Conference. County and District winners at local Conservation District annual banquets.

Engineering Expression of Interest

Review your current contract and if needed, prepare to advertise, and go through interview/selection process if needed.

The WVCA is interested in working with the district to ensure they retain a firm that has strong civil engineering and is familiar with dams. Because of questions raised about these agreements, it's important to make sure that the scope of work is clearly defined and an agreement between the district and engineering firm is signed.

Also, the district may want to consider whether it wants an engineering firm that also can perform environmental assessments.

O&M Sponsorship Agreements

Don't forget to review your local sponsorship agreements and send to your local government partners for the FY23 budget year. These agreements must be renewed annually to comply with constitutional budget provisions regarding fiscal years.

The WVCA cannot provide a match without a signed agreement.

State Fair of WV Sign Ups

The schedule for state fair volunteers is now available under the WVCA admin webpage. If you would like to schedule a time frame to work at the fair, please contact your Administrative Specialist.

2022 Dates for WVACD Quarterly Meetings

October 17 & 18 Days Inn, Flatwoods

Draft District Reporting Policy

The policy below is for your review and feedback. The districts long range plan and annual plan of work are defined in the draft policy below and not in 63-CSR-1 or 63-CSR-4.

DRAFT POLICY STATE CONSERVATION COMMITTEE UNIFORM DISTRICT REPORTING and INFORMATION REPORTING REQUIREMENTS

General

Scope: This policy establishes basic, uniform procedures and requirements for Conservation District reporting to the State Conservation Committee concerning annual reports and long-range plans of Conservation Districts.

In developing their long-range plans and annual reports, district supervisors shall consider the natural resource needs of the counties located within their district boundaries and the strategies and partnerships it will require to meet those needs.

Authority – W.Va. Code §19-21A-4(16); §19-21A-8(1); §19-21A-8(9).

Definitions

For purposes of this policy, the following definitions apply:

“Agency” or “West Virginia Conservation Agency” means the administrative agency of the State Conservation Committee, W.Va. Code §19-21A-4(e).

“Annual work plan” means an inspection of financial program activities of the past fiscal year, as well as a district’s planned events and activities during the fiscal year to support its five (5) year Long-Range Plan.

“Committee” or “State Conservation Committee” means the agency created in W.Va. Code §19-21A-4.

“Long-Range Plan” means the process of steps used to create a strategic plan to include at minimum five (5) goals for a Conservation District to achieve. It shall also include a plan for each goal on how the goal will be achieved.

“Supervisor” means one of the members of the governing body of a district, elected or appointed in accordance with W.Va. Code §19-21A-6.

Long-Range Plans

The SCC shall consider the Conservation Districts’ recommendations when developing or altering any criteria.

Long-Range Plans shall be updated every five (5) years and shall include at least five (5) goals relating to the character of soil erosion, soil health, floodwater and sediment damage, and nonpoint source water pollution, and to the conservation, development, use, water quality, disposal of water, and the preventative and control measures.

In developing its Long-Range Plan, a district shall, through public meetings, publications, and other means, seek information from cooperators, the general public, partnering agencies and other public or private organizations with similar interests and goals relating to the District’s resource needs.

Each district's long-range plan shall include:

1. A list of Conservation District Supervisors, Conservation District staff, and any other support staff critical to district operations.
2. Cover basic financial reports and any activities that involved education and/or outreach to the public or participants in Conservation District programs or projects. These reports should also include how the activities benefit the district's mission and/or goals.
3. A list of current natural resources in the district.
4. Projections of further natural resource needs in the district.
5. District priorities for various resource activities.
6. Timetables for current and anticipated district priorities.
7. Identification and information on coordinating with other governmental and non-governmental partners.
8. Steps that will be taken to train, educate and inform district supervisors on issues relating to conservation matters.
9. How the district intends to keep cooperators, the general public, partnering agencies and other public or private organizations with similar interests informed about district initiatives, activities, and programs.

Submission of long-range plans:

Each district shall submit its first long-range plan to the Agency's executive director by June 30, 2023. Long-range plans shall be submitted every five (5) years thereafter.

The Agency's executive director shall review and approve or make recommendations to modify a district's submission. A report shall be submitted to the Committee at its July quarterly meeting.

Annual Work Plans

Annual Work Plans shall include anticipated programs and activities relating to the character of soil erosion, soil health, floodwater and sediment damage, and nonpoint source water pollution, and to the conservation, development, utilization, water quality, disposal of water, and the preventative and control measures.

Annual Work Plans shall include information related to a district's efforts to implement its Long-Range Plan. The annual plan shall also include:

- Descriptions of district-sponsored programs and the outcomes for each program.
- Training and public outreach efforts undertaken during the year.
- The status of initiatives covered by the five (5) year plan.

Annual Work Plans shall be submitted by June 30 to the Agency's executive director.

The Agency's executive director shall review and approve or make recommendations to modify a district's submission. A report shall be submitted to the Committee at its July quarterly meeting.

Plan Distribution

Long-range and Annual work plans are official documents of each district and shall be distributed to federal, state, and local cooperating governmental agencies, non-government partners, the general public, non-governmental partners, cooperators, and others.

Distribution of the Long-range and Annual work plans may be accomplished via a district's newsletter, social media, or other electronic distribution and through print.

Public Meetings

Conservation Districts shall hold public meetings to conduct surveys, investigations, and research relating to the character of soil erosion, soil health, floodwater and sediment damage, and nonpoint source water pollution, and to conservation, development, utilization, water quality, disposal of water, and the preventative and control measures needed to publish the results of such surveys, investigations, or research, and to disseminate information concerning such preventative and control measures and works of improvement to the public.

Such public meetings should be properly advertised in a district's newsletter, social media, and local newspaper of general circulation within the district. The advertisement shall state the purpose of the meeting and its time and location.

Public meetings and district outreach efforts shall be with the assistance of Conservation District staff where applicable and with the support and assistance of Agency staff.

**Greenbrier Valley Conservation District
Monthly Equipment Report**

Month/Year July 2022

Equipment	Number of Days Rented	Number of Acres	Total Revenue	Total Cost of Repairs & Maintenance	Total Field Service Mileage
Tye #1					
Tye #2					
Great Plains #1					
Great Plains #2					
Great Plains #3	3	21	252		
No-till Seeder Totals					
Cricket					
Grasshopper	3		392		
Big Silver					
Lime/fertilizer Totals					
Chemical Sprayer					
Litter Spreader #1	1		98		
Litter Spreader #2					
Litter Spreader Totals					
Post Driver #3					
Post Driver #4	1		180		
Post Driver #66	4		720		
Post Driver Totals			\$ 900		
Potato Planter					
Potato Sprayer					
Potato Hiller					
Potato Totals					
Portable Scales					
Other				7.01	
Shop Supplies				49.70	
GRAND TOTALS (all equipment)	12	21	\$1642	56.71	