

Greenbrier Valley Conservation District

November 16, 2023, 7:00pm
Regular Board Meeting, Approved Minutes

The Greenbrier Valley Conservation District Board of Supervisors met on Thursday, November 16, 2023, at 7:00pm in the conference room of the Lewisburg, USDA service center.

Those in attendance:

Supervisors:

Chairman, Gary W. Sawyers
Timothy VanReenen
Jerry Clifton
Carolyn Miller
Avery Atkins
Gary Truex

Jeremy Salyer, Area Director,
WVCA

Angela Sawyers, WVCA

Kara Grosso, WVCA

Jacob Lavendar, WVCA

Davin White, WVCA

Brandon Duckworth, NRCS

Dorian Perez, NRCS

Wanda Smith, NRCS

Chelsea Cook, FSA, Union Office

Others Present:

Barry Level, GVCD

Chairman Sawyers Called the meeting to order at 7:03 pm and welcomed everyone.

Approval of Minutes

Jerry Clifton moved to approve the minutes of the October 26, 2023, Regular Board Meeting. Carolyn Miller seconded; motion carried.

Administrative Specialist Report

Angela Sawyers reviewed her report, which is attached.

Cooperating Agency Reports

- NRCS

Brandon Duckworth, the assistant state conservationist for field operations for the southern half of the state, attended the meeting. He thanked the board for the invitation and expressed NRCS's support for the district as well as the importance of the partnership.

Mr. Duckworth and the district board of supervisors discussed issues and concerns regarding the contract delays caused by engineering backlogs and cultural resource reviews. They also discussed NRCS funding for weir removal due to an engineering deficiency and financial burden.

Dorian Perez, District Conservationist (Greenbrier Valley office) reviewed the highlights of his report which is attached.

Wanda Smith, District Conservationist (Union field office) provided the board of supervisors with updates on contracts delays due to pending cultural resource reviews.

- FSA

Chelsea Cook introduced herself as the new County Executive Director for Monroe County, replacing Bo Parker, and Marc Pontius as the new Program Technician.

In addition, Chelsea provided the following updates:

- Report due dates for the district (Greenbrier, Monroe & Pocahontas Counties)
 1. Fall seeded Crops: December 15th, 2023.
 2. Honeybee Producer: January 2nd, 2024 creates a baseline of eligibility for lost hives due to cold during the winter.
- Loss of livestock due to extreme cold winter storms

(Eagles are covered, Coyotes are not) should be reported to their office within 30 days of the loss, always take pictures to submit as proof.

- **Forestry** – Nothing to report.

- **WVCA**

Davin White was in attendance to collect from the board of supervisor's information for the WVCA annual report, including district highlights, accomplishments, priorities, and future plans.

Jeremy Salyer, area director, reviewed the highlights of his report, which is attached.

- **Other** – Nothing to report.

Committee Reports

Finance Committee

Gary Truex moved to approve the General and CDO funds report and file for audit. Jerry Clifton seconded the motion; motion carried.

Gary Truex moved to approve the WVCA restricted funds report and file for audit. Timothy VanReenen seconded; motion carried.

Gary Truex moved to approve the payment of bills, per payables list. Jerry Clifton seconded; motion carried.

Gary Truex moved on behalf of the committee to transfer the CD interest to the equipment fund. Avery Atkins seconded; motion carried.

Agricultural Enhancement Program Committee

Timothy VanReenen advised that Barry Level would present for him tonight.

Barry Level presented the following AgEP payments for approval:

Committee moved to approve the following Lime payments:

William E. Holliday \$594.00

Richard Persinger \$1,518.75

Natalie Chaney \$588.90

Doug Goodwin \$4,117.80

Henry Burr \$300.60

➤ Total: \$7,120.05

Avery Atkins seconded; motion carried.

Barry Level requested a contract change for Bane Morris due to a clerical error.

The committee moved to approve the following contract change:

Bane Morris' original approved contract amount of \$936.00 to \$990.75.

Carolyn Miller seconded; motion carried.

Grassland Committee

Kara Grosso provided updates on the Farm field day that was held on November 11, 2023. She reported that there were approximately 40 attendees with a lot of networking, smiling, and laughing. She noted that this was not possible without help from Morgan and a lot of other people who contributed in different ways, she mentioned: Gary Sawyers, Gary Truex, Barry, Eugene, Angela, Mike, Jack Morgan, Lee, and Shawna. Kara said the only improvement would be to have more help in planning and preparations for the next one.

Spring Field Day:

Barry Level proposed planning a Spring Field Day with the topic "Amazing Grazing": Tactics, Techniques, and Procedures for Profitable Grassland Management, etc. Barry questioned whether this could be funded by 319

rather than using District funds. Kara Grosso stated that she spoke with Jennifer Skaggs about this and that they are going to allocate money from the 319-base grant for field day, and that it would not come from state funds, but from federal funds. Kara advised that \$13,000.00 has been budgeted for outreach for 319, for the entire state, and that she has asked Jennifer to please earmark some for this field day, and that they will begin planning once Jennifer gets back with her to make it official.

Building/Equipment Committee

Building/Equipment Committee

Gary Truex reviewed the monthly equipment report, which is attached.

Watershed (D/M)

- O&M Howard's Creek Channel

Jacob Lavender presented the Southern Conservation District's quote for the operation and maintenance of Howard's Creek Channel to the board of supervisors.

\$15,160.00 without Aquatic Safe Herbicide \$18,760.00 with Aquatic Safe Herbicide

Following some deliberation and comparison with the Agency estimate of \$13,000, the board of supervisors would like to see if the Southern Conservation District would be willing to negotiate at a lower price, or at least the difference between the two.

Avery Atkins moved to appoint Gary Truex as delegated authority for the approval of the contract not to exceed \$14,080.00. Jerry Clifton seconded; motion carried.

319 Committee

Jerry Clifton moved on behalf of the committee to approve the following contracts:

Indian Creek

Barbara Holesapple Septic replacement 75% up to \$5,000.00

Barbara Holesapple Septic pumping 50% up to \$300.00

Carolyn Miller seconded; motion carried.

Jerry Clifton moved on behalf of the committee to approve the following payment:

Indian Creek

Brenda and Ralph French Septic Pumping - \$225.00

Avery Atkins seconded; motion carried.

Jerry Clifton moved on behalf of the committee to approve the following payment:

SGS

Second Creek Water Samples - \$690.00

Avery Atkins seconded; motion carried.

Jerry Clifton reported the following action between board meetings:

Gary L. Truex, acting with delegated authority, approved the payment of \$6,360.00 to LD Hanna & Son for the final amount of the Callison project.

Jerry Clifton moved on behalf of the committee to approve the following LOR:

LOR ID: 15095

Purpose: NPS1820 Indian Creek IV

Amount: 30000.00

AGR: NPS1820

Carolyn Miller seconded; motion carried.

Jerry Clifton moved on behalf of the committee to approve the following LOR:

LOR ID: 15094

Purpose: NPS1737 Anthony Creek BMP

Amount: 45000.00

AGR: NPS1737

Avery Atkins seconded; motion carried.

Mike McMunigal's resignation was announced to the board of supervisors by Kara Grosso, who said he was sorry he couldn't be there but wished everyone well.

Other Business

Constant Contact: Email & Text Messaging Program – No action

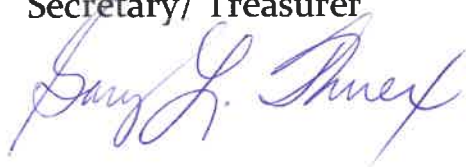
With no further business the meeting was adjourned by consensus at 9:30pm.

Respectfully Submitted,



Gary Sawyers
Chairman

Gary Truex
Secretary/ Treasurer



GS/GT/as

Administrative Specialist Report

November 16, 2023

- Auditor is scheduled to perform the FY22 Agreed Upon Procedures on December 08, 2023.

The necessary reports from Guthrie and the District Bookkeeper have been requested and received.

- Building locks have been changed and a lock was added to the Administrative Specialist office door. Keys were issued as necessary by FSA.

- Outstanding Invoices Update:

1. Jay Bennett paid Invoice# 6116 for the amount: \$168.68.
2. I Provided Allen Hawver with the details of the past due invoice that is listed under his name.
3. Dirk McCormick was billed in error. He did complete the paperwork, but no one knew that he never picked up the equipment.
4. David Kennedy paid invoice# 6143 for the amount \$107.15.
5. I was able to locate a phone number for Matthew Quantz, I called twice, and was hung up on both times.

- CREP Funds Transfer request update:

Guyan Conservation District: passed a motion to NOT send the funds to GVCD in their August 17, 2023, regular board meeting.

Little Kanawha Conservation District: A motion passed in their August 08, 2023, regular board meeting to give GVCD \$750.00 out of their CREP fund account.

Jeremy and I will follow up on this and work on the next step of getting the funds transferred. It may take a little time with the Holidays, but we will keep you updated.

- Christmas dinner Invitations were sent out. A total of 26 have RSVP'd.

Menu so far:

- Ham
- Scalloped Potatoes
- Macaroni Salad
- Deviled Eggs
- Mashed Potatoes & Gravy
- Sweet Potato Casserole
- Bread- Rolls
- Desserts – Oatmeal Cake, Cherry Cheesecake & Brownies

- Patty Masters came to the office today. I provided her with coloring books, crayons, and a few pens and pencils that we were able to locate.

So far, Patty said that she has visited:

White Sulphur Springs Elementary -Third, fourth and Fifth Graders- approximate total: 167 students.

Ronceverte Elementary- Third Graders- approximate total: 67 Students

She gave the students a book from the WV Department of Agriculture, a Dairy Farmer Book, and Key Chains.

She is hoping to get to the Western side of the county soon. I told Patty that the district would get her some additional Pencils and Key Chains for handing out.

Patty and Sam also plan to attend the District Christmas Dinner.

- All emails not requiring action have been forwarded to the supervisors. All mail, bills, and statements have been routed to their respective destinations. All deposits were scanned, forwarded, and filed in accordance with established protocols.

Dates to remember:

November 23rd-24th, 2023: Offices Closed- Happy Thanksgiving!!

November 30, 2023: District Christmas Party @5:30pm

December 08, 2023: GVCD, Agreed Upon Procedures- Hollifield & Associates, AC

December 13, 2023: GVCD Committee Meetings

December 21, 2023: GVCD Regular Board Meeting

December 25, 2023: Offices Closed- Merry Christmas!

January 1, 2024: Offices Closed- Happy New Year!

January 2, 2024: Eastern Area Meeting @ TVCD, 10 am

January 9, 2024: Awards Council and SCC Meeting

January 15, 2024: Offices Closed- Martin Luther King Day.

January 26, 2024: Central Area Meeting @ SCD, 10 am

January 31, 2024: Western Area Meeting @ LKCD, 10 am

February 7, 2024: Quarterly Meeting @ WVSU

February 8, 2024: Ag & Conservation Day at the Capitol



Happy Thanksgiving!!

Greenbrier Valley Conservation District Greenbrier Valley Work Unit DC Report

11/16/2023

Follow Ups from Last Month's Meeting

- Last meeting we spoke about the archeologist that had tentatively taken the position. He has since recanted, but VA and OH are continuing to work with us.

Technical Assistance

Planning Status

Overdue Plans due to Engineering design, Section 7 Consultation (FWS), Section 106, etc. Jon has set the policy that Engineering designs will be complete within 1 year of contract obligation. My staff has been tasked to complete at least 1 engineering design per quarter.

FO	Engineering	Section 7	Section 106	Other
Buckeye	16	7	9	
Lewisburg	22		9	

Financial Assistance Programs

Contract Management –

- 54 practices were certified and paid since October 23 for a value of \$45,684.17.
 - Amount of customer cost-share reported: \$0.00 and 0.0 hrs.
 - Running value of \$45,684.17 in Federal benefits.
- Payments by Practice Type:
 - Area Practice (i.e., grazing plans, heavy use pads): 580.6 acres and 1,924.0 square feet for \$11,797.76.
 - Linear Practices (i.e., fencing, pipeline): 6,019.0 feet for \$12,296.22
 - Point Practices (i.e., troughs, rooves, gutters): 17 Items for \$21,590.19.

Off Schedule Contract Items (Contract in Violation). CPA-153 Agreements Covering Non-Compliance with potential for contract termination.

- 2021 Contract Items: 83
- 2022 Contract Items: 179
- 2023 Contract Items: 462

Expiring Contracts

- Greenbrier: 19
- Pocahontas: 2

Cancellations and Terminations.

Status	Quantity	Financial Penalty to Client	Federal Benefits returned to fund pool
Processed:			
Pending:	16		

Greenbrier Valley Conservation District Greenbrier Valley Work Unit DC Report

11/16/2023

District Conservationist

Distribution:

Enter name., State Conservationist (STC)

Enter name., Assistant State Conservationist – Field Operations (ASTC-FO)

Enter name., Area Resource Conservationist (ARC)

Enter name., NRCS Outreach Coordinator

Conservation District. Board of Supervisors (c/o District Administrator.)

Wanda Smith, Monroe District Conservationist

NRCS Field Office Staff: Enter counties. Service Centers

Greenbrier Valley Conservation District

Greenbrier Valley Work Unit DC Report

11/16/2023

In Attendance

Board: Jerry, G Sawyers, G Truex, Carolyn, Avery, Timothy (teleconference), Berry (tele)

WVCA: Jacob and Kara

NRCS: Wanda (tele), Brandon

Follow Ups from Last Month's Meeting

- **Cultural Resources.** At the last meeting we spoke about the archeologist that had tentatively taken the position.
 - He has since recanted, and the position is being re-offered AND WV NRCS is looking at contracting an ACES employee to 'triage' cultural resources requests.
 - VA and OH are continuing to work with us, allowing their archaeologists to service WV.
 - Brandon sent out the state guidance on DC authorities to screen Potentially Ground Disturbing (PG) practices on whether or not additional CRR is needed.
 - GBR Work Unit generated a memorandum to be added to the client file if a CRR is not applicable. This is to demonstrate that the site was assessed and to justify why a CRR was not requested, keeping us in compliance with National policy.
 - If a client reached out to you and they are ready to go within 60 days, please notify the DC so the name and contract number can be sent to Brandon as Priority projects for CR review.
- **Engineering backlog.**
 - The District Supervisors discussed the use of their engineer with Jon on December 2nd. The obstacle was how to do payment.
 - Brandon discussed the Job Approval Authority that is under an agreement between the State Conservation Engineer (SCE) and the state.

Technical Assistance

Planning Status

- Overdue Plans due to Engineering design, Section 7 Consultation (FWS), Section 106, etc. Jon has set the policy that Engineering designs will be complete within 1 year of contract obligation. My staff has been tasked to complete at least 1 engineering design per quarter.

FO	Engineering	Section 7	Section 106	Other
Buckeye	16	7	9	
Lewisburg	22		9	

Conservation Reserve Program and Conservation Reserve Enhancement Program

- 31 FY2024 CRP and CREP contracts were signed with FSA.
 - We have 85 percent of the plans fully submitted; the remainder have been signed.
 - Scheduling survey days to collect the data needed for Livestock watering system designs.
Number of surveys needed: completed:

Greenbrier Valley Conservation District

Greenbrier Valley Work Unit DC Report

11/16/2023

- Once survey data is collected, the LWS design needs **will take priority** because CREP contracts have to be completed in 2025 and CRP contracts in 2026. No modifications are permitted.

Financial Assistance Programs

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 - Point Practices (i.e., troughs, rooves, gutters): 17 Items for \$21,590.19.

Off Schedule Contract Items (Contract in Violation).

CPA-153 Agreements Covering Non-Compliance with potential for contract termination are issued for practices more than one year off schedule (i.e., 2021 and 2022, below).

- 2021 Contract Items: 83
- 2022 Contract Items: 179
- 2023 Contract Items: 462

Expiring Contracts.

Contracts expire on December 31st, one year after the last practice is scheduled. In NRCS, a contract with active practices and expiring during the current year (those on this list) require immediate contract action.

- Greenbrier: 19
- Pocahontas: 2

Question by Truex and Sawyers: Is this the client's fault? The short answer is 'yes'. The longer answer is that a lot of the clients on this list weathered the COVID lockdowns. Consequently, they were not able to source labor or materials during COVID, and they had to reevaluate funding due to the impact of inflation on the cost of materials (\$5 line post now costs \$12 with a high of \$20 in 2022).

Cancellations and Terminations.

Status	Quantity	Financial Penalty to Client	Federal Benefits returned to fund pool
Processed:			
Pending:	16		

Working Applications –

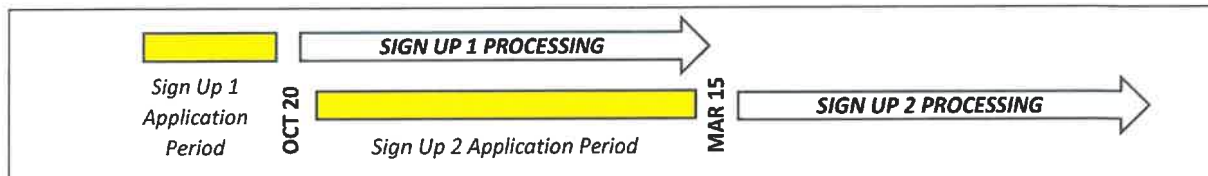
- 86 – Applications being planned for Signup 1
- CSP Renewals that have been approved: 4 with a value of around \$100k

Greenbrier Valley Conservation District Greenbrier Valley Work Unit DC Report

11/16/2023

- ACT NOW Approvals: 1 Maple Syrup Producer

I attempted to explain our sign-up periods, but when I asked if my explanation was confusing, I was told that it was. Here is a graph that I think explains our two sign-up periods.



Upcoming Deadlines –

- CSP Renewals – Dec 15
- EQIP, AMA, CSP Classic – Mar 15
- Signup 2 ends Mar 15

Office Administration

Field Office Priorities

- CSP Payments
- CSP Renewals
- ACT NOW Applications

Upcoming Events

- Working with Matt Jarrett in Williamsburg to do an outreach event on Conservation Agencies and how we can help with technical and financial assistance. Waiting on him to get back with me.

Special Projects

- Kara of the WVCA gave Shawna an honorable mention for participating in the Farmer's Field Day last weekend.

Staffing Updates

- Soil Con Technician in Buckeye is still awaiting an offer.
- Greenbrier is on the next hiring panel, again as the last person declined the offer.
- Patti wants to get a permanent desk in the Greenbrier Office to be shared by two engineers, Joe Wickline and Kenny Maiolo.
- Brandon is looking at hiring a new Soil Con Technician for Lewisburg; we have sent up an ACES request for a locally retired NRCS Soil Con Technician.

Greenbrier Valley Conservation District

Greenbrier Valley Work Unit DC Report

11/16/2023

Questions for the Board Supervisors

- Bottom Line: Please discuss and mark up the Memorandum of Agreement with edits requested by the State Office during the Committee Meeting and return to me so I can forward to Julie Stutler and the State Office for revision.
 - It is time for the annual review and signature of the Memorandum of Agreement.
 - I provided a copy of the signed 2022 MOA and the Civil Rights Checklist for Partners to each supervisor as a 'take home' packet so they could comment on the document.

Questions from the Board Supervisors

- Cultural Resources and Engineering backlog.
 - 2 fiscal years with clients not able to start puts the District at risk of losing \$4.5 million.
 - The District and NRCS partnership is understood in the community, so when NRCS gets a black eye, people's faith in the District also suffers.
 - The absence of the State Conservationist from West Virginia is hurting the Conservation District. "Acting" staff will not make decisions because they know they are in a temporary position.
 - There was a client in Monroe who needed to install a drain line from his pond. He was told he could not proceed because he didn't have his engineering design. Can the client just elect to install a pipe of larger diameter (more conservative material spec)
- Inflation Reduction Act
 - We're getting a lot of money, "we need to take care of the [contracts] we have."
 - Can [NRCS] use some of this money to contract an engineer [in the short term] to address the engineering backlog?
- Cancellations.
 - The District had a huge number of cancellations in the Ag Enhancement Program until they started penalizing [i.e., cost recovery, cooling off period] bad faith actors.
 - Is there a mechanism that NRCS had to reduce the number of cancellations.
- Weir.
 - Bottom Line: The District wants the weir removed.
 - White Sulphur Ops and Maint agreement has fallen back on the District. The first cleaning cost the District \$37k and each year the District must make an additional O&M contribution.
 - White Sulphur doesn't clean out the weir until they need 'fill' material.
 - Donny Dodd and Andy Deichert communications: the sediment build up is the consequence of a design flaw. The design has been sent to Fort Worth, and the conclusion is that the design flaw is justification for removal AND there is NRCS money that can be utilized to remove the weir. However, actions stop at this point and there is no progress on removal or further justification for why the weir hasn't been removed.

Greenbrier Valley Conservation District
Greenbrier Valley Work Unit DC Report
11/16/2023

- Communication.
 - The Supervisors would like to hear back on the questions they've asked and pointed out that Angie Sawyers was the POC for communication.

Any questions may be directed to the undersigned at dorian.perez@usda.gov or (304) 209-2318.

**DORIAN
PEREZ**

Digitally signed by
DORIAN PEREZ
Date: 2023.11.17 10:20:34
-05'00'

District Conservationist

Distribution:

Jon Bourdon, State Conservationist (STC)

Laura Smith, STC (Acting)

Brandon Duckworth, Assistant State Conservationist – Field Operations (ASTC-FO)

Matt Murphy, Area Resource Conservationist (ARC)

Julie Stutler, NRCS Outreach Coordinator

Greenbrier Valley Board of Supervisors (c/o Angie Sawyers)

Wanda Smith, Monroe District Conservationist

NRCS Field Office Staff: Lewisburg and Buckeye Service Centers



November 2023 WVCA Report

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 your APE (audit) appointment has not been made, please do so ASAP. If you have questions, ask Kim, Jeremy or Devon.

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).

October Quarterly Meeting – Awards Program

WV Conservation Farm winner:

1st Place - MCD Mountain Harvest Farm

Runner Up – WCD Finley Farm

Carrol Greene----Donnie Tenney TVCD

Agricultural Enhancement Program (AgEP) Administrative Review

Each District's Administrative Specialist will conduct a review of 10% or a minimum of 3 files with applications that fiscal year and submit the Administrative Review Form to their District Operations Manager by January 31st. By completing this review halfway through a fiscal year, staff will have time to find possible procedural errors and take steps to prevent them from happening in the future.

The Administrative Review process will allow WVCA to ensure that all proper documentation is physically accessible in the district cooperator file, and that the districts' online database records system is in agreeance with WVCA financial records system.

Ag Enhancement Program Timeline FY24timeline may be adjusted***

- November - Comments reviewed and forms revised.
- December - State AgEP committee meeting to finalize upcoming FY program.
- January - Presentation of upcoming FY AgEP to SCC
- May/June/July – CDs to finalize upcoming FY program, update AgEP agreement addendums, take action to approve LORs June 15 – Deadline for CDs submit final practice list to WVCA (CDs can submit final list any time after SCC approval of practice list)

Budget Update

Travel and Per Diem Update

**Greenbrier Valley Conservation District
Monthly Equipment Report**

Month/Year Oct 2023

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					
No-till Seeder Totals					
Cricket	1		98		
Grasshopper			98		
Big Silver	2		196	\$169 ⁴⁶	
Lime/fertilizer Totals			392		
Chemical Sprayer					
Litter Spreader #1	4		490		
Litter Spreader #2					
Litter Spreader Totals					
Post Driver #3					
Post Driver #4	1		180	12 ⁰⁰	
Post Driver #5	1		180	12 ⁰⁰	
Post Driver Totals			360	24 ⁰⁰	
Potato Planter					
Potato Sprayer					
Potato Harrow	9		878	849 ²³	
Potato Totals					
Portable Scales					
Cooling Trailer					
Other					
				350 ← Forged Milwaukee impact Replacement	to include last month
Shop Supplies					
GRAND TOTALS (all equipment)	18		\$2470	1087 ⁶⁹	