

The **Tygarts Valley Conservation District** Board of Supervisors held a Regular Board Meeting on *April 8, 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., Sam Wright, Joe Shaffer, Joe Gumm, and Rex Reeder.

*Others Present:* Hillary Woofter – WVCA, Joyce Frey – TVCD, Jeremy Salyer – WVCA, Ben Collier- NRCS, Natasha Harris – WVU Ext. (Upshur Co.), and Susan Funka-Petery – NRCS.

Reeder led the group in the Pledge of Allegiance.

**Introduction and/or Recognition of Visitors:** Collier led the introduction of Funka-Petery, NRCS Assistant State Conservationist for WV, to the group. Funka-Petery introduced herself and summarized her background with the NRCS.

**Reading/Approval of the Agenda/Minutes:**

*April 8, 2015 Board Meeting Agenda:* **Reeder moved to approve the agenda as presented; seconded by Sencindiver; motion carried.**

*March 30, 2015 Board Meeting Minutes:* **Reeder moved to approve the minutes as presented; seconded by Sencindiver; motion carried.**

**Treasurer Report:** Frey stated that she would present a full report at the second meeting in April as it had been a week and a half since the last board meeting.

**District Report:** Lambert provided a written report in his absence. (Copy attached) The board discussed the estimates provided to the WVDNR and expressed interest in doing more work for them. Nester passed around information on a remote controlled slope mower that he and Lambert had watched a demonstration of at the district office.

*Natasha Harris joined at 9:05 AM.*

Wolfe asked Harris to introduce herself to the board and vice versa.

**District Manager Report:** Woofter reported that since the last meeting she and Frey were able to complete the spring newsletter and send it for printing. She had also been able to work on the district's policy & procedures handbook, and has made substantial progress on updating it.

**Dates (District Meetings/Work Sessions) to Remember:**

- I. April 9-11, 2015: WV Beef Expo (Grassland Contest is April 10<sup>th</sup>)
- II. April 14, 2015: SCC Quarterly Meeting 10:30 AM Guthrie
- III. April 16-17, 2015: WV Envirothon
- IV. April 17, 2015: WV Grazing Steering Committee Meeting 10:00 AM Weston
- V. April 21, 2015: WesMonTy RC&D Meeting
- VI. April 23-24, 2015: Myles Lumber Trial
- VII. April 27, 2015: TVCD Regular Board Meeting 9:00 AM
- VIII. April 28, 2015: Elkwater Annual Inspection 9:00 AM @ District Office
- IX. April 29, 2015: Pecks Run & Shooks Run Annual Inspections 9:00 AM @ District Office

The board agreed to change the dates of the annual inspections for Elkwater to April 28<sup>th</sup>, and Pecks Run and Shooks Run to April 29<sup>th</sup>. Woofter raised concern over the second meeting scheduled for May falling on Memorial Day.

**Gumm moved to hold only one meeting in May, on the 13<sup>th</sup>; seconded by Wright; motion carried.**

**Report of Officers and Agencies:**

WVCA: *Salyer* added that a discussion on easement issues for the Pecks Run Channel would also be held on the 29<sup>th</sup>. He then discussed the WVCA's draft of the "Conservation District Supervisor Travel and Per Diem Policy and Procedures." The board would be required to accept the draft policy as a bare minimum by July 1, 2015, though it is encouraged that districts also develop their own policies to supplement it. Training for the new policies would be held at the next quarterly meeting. Wolfe raised concerns over policing elected officials. This was discussed at length, and the supervisors were asked to prepare a list of concerns by the end of May, that could be presented to Farkas for consideration. *Salyer* then reviewed the draft of a "Memorandum of Understanding" between the district and the WVCA. Farkas requests that supervisors also comment and address concerns on the MOU draft by the end of May. Farkas intends to hold listening sessions in each conservation district so supervisors can comment on concerns over the existing state code.

*Poling* reported that most of the district's AgEP contracts had been signed and returned to the office. Kennedy had not yet signed her contract, but Springer with the NRCS is aware that he will need to design her water development. The following week, Poling would be attending a mandatory training session at Stonewall Jackson, and they intend to discuss the future of AgEP, and 319 programs. The state is hoping to rollout the new AgEP system in July of this year.

WVU Extension: *Harris* reported the WV Beef Expo will be April 9-11<sup>th</sup> at Jackson's Mill, and that she would be attending it and also Envirothon the following week. She had been working with Reeder on the Upshur County Ag in the Classroom event and it will be in early May.

NRCS: *Collier* reviewed his written report (copy attached). He asked that the board arrange a date to hold a public meeting to discuss upcoming work group activities for FY16. The supervisors agreed that May 12<sup>th</sup> at 9:00 AM worked for their schedules, and Collier commented that he would gather all necessary materials beforehand and make the meeting arrangements.

FSA: Wolfe asked that everyone support pushing the extension on the Livestock Indemnity Program (LIP) and speak to their county offices.

WesMonTy RC&D: None

WVDOF: None

Others: None

**Correspondence Received:** (2) Authorization Decision from Brickstreet for Everson; WVDEP Pending Mine Permit (Taylor County)

### **Old Business:**

*Farmland Preservation:* Reeder reported a meeting was planned for the next day.

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

1. Stephanie Coat (Barbour County) Estimated Cost: \$800.00
2. Thomas Mic/ Rob Phillips (Tucker County) Estimated Cost: \$800.00
3. Joe Gooden (Tucker County) Estimated Cost: \$1000.00

**Total Estimated Cost: \$2600.00**

Woofter reported that if these jobs were approved, the district would be left with less than \$500.00 available if all SPRP jobs came in at their estimated costs. She also raised concern over the original inspection dates of these jobs and asked if they could be re-inspected.

**Wright moved to request that Stickley prioritize these and all other current, board approved SPRP jobs, and that these be approved for completion based on available funds as presented; seconded by Reeder; motion carried.**

*WVU Ext. Internet Use:* Frey reported that Peplowski has been working on it, and contacting the city and other providers for price quotes.

*Ongoing Myles Lumber Case:* Wolfe reported that Randolph County supervisor Warner was going to have a phone call that morning with WVDA Commissioner Helmick regarding the matter. Asked that the supervisors present review the latest correspondence from Steptoe & Johnson and return to Woofter before leaving.

*Ongoing investigation with Mr. Powers Deputy Director- Commission on Special Investigations:* Woofter and Wolfe reviewed the correspondence received from Mr. Powers in response to their request that he appear before the board. Poling discussed how the WVDNR was overcharged, and Wright raised concerns over how the district landed itself in the situation. Concerns were raised over how to approach the situation next and was discussed at length. Wolfe suggested that he and several other supervisors meet with the head of the WVDNR to discuss the overpayment. Discussed at length.

**Gumm moved to respond to Powers' letter as requested; seconded by Wright; motion carried.**

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### **Committee Reports:**

**Building/Finance/Budget Committee:** No report

**Equipment/Safety Committee:** Nester reported that the turbo parts that were ordered for the black Ford truck were the incorrect models, and the crew was awaiting the replacements to arrive. Time sheets were developed for the work crew to use. They would allow for better tracking of time and cost for the district bookkeeper.

**Education/Publicity/Exhibit Committee:** No report, committee meeting scheduled later that day.

**Legislative Committee:** No report.

**Grassland/AEP Committee:** Reeder reported that the Grassland Contest would be on April 10<sup>th</sup> at 10:00 AM at Jackson's Mill. The next steering committee meeting was scheduled for April 17<sup>th</sup> at 10:00 AM at the steakhouse in Weston.

**Conservation Agreements:**

1. Terry Johnson (Barbour County) 135 Acres - **Reeder moved to approve the agreement as presented; seconded by Wright; motion carried.**

**AgEP Applications:** None

**AgEP Cancellations:**

1. James Rohr (Upshur County) Frost Seed \$160.00 - **Sencindiver moved to approve cancellation of the contract; seconded by Reeder; motion carried.**

**AgEP Payments:** None

**Water Resource Committee:** Shaffer complimented Randolph County for securing \$31 million in funds for planned water projects. Commented that the drought in California is overwhelming and hoped that WV would not become subject to water rationing as well, in the future.

**WVACD Directors Report:** Sencindiver reported the following from the quarterly meeting in Flatwoods:

- WVACD license plates have arrived & cost \$10 each. Contact Shirley Hyre to purchase.
- Other district's reports from the meeting will be left with Woofter for others to review.
- Supervisor training will be held at the next quarterly meeting, in July.
- The WVACD approved nine college scholarships through their funding.
- The next WV Ag Day will be on January 20, 2016.
- SB 250 passed & emergency rules will be written and distributed to the districts.
- The WVACD wants to appoint a committee to review the state code. Submit names to Jim Moore for consideration. Presentation will be at next quarterly meeting.
- Hosting the Appalachian Grazing Conference in 2017 was approved.
  - Ask DoF about what forestry programs they would like to see presented
- WVACD has agreed to pay 50% of costs for four supervisors from WV attend the 6<sup>th</sup> National Conference of Grazing Lands in Grapevine, TX.
- Farkas agreed to fund 50% of costs for one supervisor from WV attend the Ohio River Basin Conference.
- April 22<sup>nd</sup> is Earth Day and the NACD Stewardship week starts on April 26<sup>th</sup>.
- The FSA has funds available for honeybee loss, starting in September.
- Farkas mentioned trying to set up an account with WVU in support of their educational activities.
- WVACD 1<sup>st</sup> VP, John Hicks, resigned from his position. Nominating committee was formed to appoint for 2<sup>nd</sup> VP position.

A discussion was then held on the cost of the meetings in Flatwoods.

**Personnel Committee:**

*Wright moved to go into executive session per WV state code 6-9A-4a to discuss a personnel issue; seconded by Reeder; motion carried. The board went in to executive session at 10:51 AM.*

*Wolfe asked Wright to recuse himself from the discussion due to a possible conflict of interest per WV state code 6B-2-5. Wright recused himself at 10:55 AM. Discussion on the matter was held.*

*Wright was asked to return to the session at 11:03 AM.*

*Nester moved to resume regular board meeting at 11:16 AM; motion carried.*

**Sencindiver moved to offer Mahala Mitchell a new, one year/annual cleaning contract with TVCD at a pay rate of \$350 per month, with her acceptance of a waiver that would allow 25% of her take home pay to be withheld per paycheck to recoup an overpayment by TVCD to her; seconded by Nester; motion carried.**

**Sencindiver moved that if Mahala Mitchell would not agree to the waiver allowing 25% of her take home pay to be withheld per paycheck to recoup an overpayment by TVCD, that the district revert to the original contract and pay rate that she agreed to in March 2013; seconded by Gumm; motion carried.**

**New Business:**

- **LOR for CD Employee (Jan-Mar) \$7500.00** – Nester moved to approve the LOR as presented; seconded by Sencindiver; motion carried.
- **LOR for CD Accountant (Jan-Mar) \$1375.00** - Reeder moved to approve the LOR as presented; seconded by Nester; motion carried.
- **LOR for CD Internet Service (Jan-Mar) \$269.97** – Sencindiver moved to approve the LOR as presented; seconded by Nester; motion carried.

**Report of Individual Supervisors:**

*Sencindiver* – Would not be attending the April 27<sup>th</sup> meeting

*Nester* – Suggested that the district keep investigating the EPA's tank laws.

*Shaffer* – Visited two local farms to investigate water blockages.

*Wright* – Suggested that more state representatives attend the meetings that discuss the possibility of four gas lines being run across the state and how they could impact water channels.

*Reeder* – Met with Tasha and Greg about Upshur County Ag in the Classroom, but no date has been decided upon yet.

*Gumm* – Commented that National Watershed Coalition was on board with changing the language of dam rehab vs. repair for public funding use. Planning for the NE NACD Conference was going well.

Nester commented that there will soon be a website for the conference that will host detailed information for public view. The board then chose to hold a work session on May 12<sup>th</sup>, at 10:00 AM to discuss the WVCA per diem and MOU drafts.

**Public Comment Period:** None

There being no further business to attend to, Chairman Wolfe declared the meeting adjourned at 11:39 AM.

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Secretary

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As prepared by