

MINUTES

CULPEPER SOIL AND WATER CONSERVATION DISTRICT

BOARD MEETING
Culpeper District Office
351 Lakeside Drive
Culpeper, Virginia 22701
April 7th, 2020

The meeting was called to order by Chairman Lynn Graves at 11:20 A.M.

DIRECTORS PRESENT: Lynn Graves, Madison County
Philip Morris, Greene County
Robert Bradford, Orange County
Robert Runkle, Greene County
Mike Biniek, Rappahannock County
Robert Brame, Orange County
Tom O'Halloran, Culpeper County

DIRECTORS ABSENT: Warren Lee, Orange County, Associate Director
Brad Jarvis, Madison County, Virginia Cooperative Extension,
Associate Director
Dennis Verhoff, Culpeper County
Mike Sands, Rappahannock County
Steve Hill, Madison County
Steve Morris, Greene County, Director-At Large
Sarah Sharpe, Virginia Cooperative Extension, Greene County
Bob Williamson, Culpeper County, Associate Director

STAFF PRESENT: Greg Wichelns, District Manager

In accordance with the Commonwealth of Virginia Governor Northam's Executive Order Number 51 (3-12-2020), Executive Order Number 53 (3-23-2020) and Executive Order Number 55 (3-30-2020), the Culpeper District Board of Director's decided to convene a regularly scheduled meeting in order to conduct only essential business of significant economic impact to agricultural producers and cost share applicants. Business would be limited to the Technical Committee Report, RMP Technical Review Committee Report and any associated topics necessary to conduct that business. The District Technical Committee (5 members only) and RMP Technical Review Committee (5 members only) met one hour prior to this Board meeting.

The Agenda consisted of only the Technical Committee Report and the RMP Technical Review Committee Report.

Mr. Bradford and the District Manager gave the Board an overview of the cost share applications for approval and payments for approval across all programs and grants. All reported were business as usual for Board approval. Mr. Bradford recused himself from voting on this portion of the Technical Committee Report. Mr. Brame moved to approve all the applications and payments as presented. Mr. O'Halloran seconded; Passed unanimous. Mr. Brame moved to approve the balance of the Technical Committee Report. Mr. Bradford seconded. Passed unanimous.

The District Manager gave a report on the five Resource Management Plans approved today by the RMP Technical Review Committee. Mr. Brame moved to approve the RMP plans as reported. Mr. O'Halloran seconded. Passed unanimous.

TECHNICAL COMMITTEE REPORT

1) The following BMP applicants have been approved by the Technical Committee for funding. All applications were thoroughly screened for compliance with Priority Recruitment Guidelines. All met at least two of the priority criteria.

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>	<u>Tax Credit</u>
CCI-SE-1	2020 VACS	Jeremy Engh	07-20-0387	386774	Culpeper	\$ 1,853.00	\$ 0.00
CCI-SL-6N	2020 VACS	Jeremy Engh	07-20-0387	386745	Culpeper	\$ 6,979.25	\$ 0.00
WP-4D	Tax Credit	Jeremy Engh	07-20-0374	386411	Culpeper	\$ 0.00	\$ 138.00
CCI-CNT	2020 VACS	Mathews Custom Farming Inc.	07-20-0286	387098	Culpeper	\$ 7,719.25	\$ 0.00
SL-6W	2020 VACS	Meredith Bolton	07-20-0386	387113	Rappahannock	\$ 22,522.50	\$ 0.00
SL-6W	2020 VACS	Mont Medi LLC	07-20-0368	386179	Rappahannock	\$ 40,567.00	\$ 613.25
SL-6W	2020 VACS	Lyle Alexander	07-20-0429	386610	Culpeper	\$ 40,540.13	\$ 0.00
SL-6W	2020 VACS	Andrew Lustig	07-20-0428	383984	Culpeper	\$ 16,394.25	\$ 0.00
SL-7	2020 VACS	Eugene Triplett	07-20-0381	386652	Culpeper	\$ 2,385.00	\$ 198.75
NM-1A	2020 VACS	Glebe Farm LLC	07-20-0145	375402	Culpeper	\$ 2,951.40	\$ 0.00
SL-6W	2020 VACS	Robert Bradford	07-20-0388	387014	Orange	\$ 25,560.00	\$ 0.00
SL-7	2020 VACS	Charles and Vicki Horn Family Trust	07-20-0390	387049	Orange	\$ 5,261.25	\$ 438.43
SL-6W	2020 VACS	William Crigler	07-20-0393	387319	Madison	\$ 67,050.00	\$ 0.00
SL-6W	2020 VACS	Daniel Boston, Jr.	07-20-0407	387457	Orange	\$ 28,505.00	\$ 0.00
SL-10	2020 VACS	Early Dawn Dairy Inc.	07-20-0406	387456	Orange	\$ 2,526.00	\$ 0.00
SL-7	2020 VACS	Thomas Mountjoy	07-20-0380	386560	Orange	\$ 5,175.00	\$ 0.00
SL-7	2020 VACS	William Thornton	07-20-0395	387322	Orange	\$ 7,800.00	\$ 0.00
CCI-SL-6W	2020 VACS	William Thornton	07-20-0394	387321	Orange	\$ 5,250.00	\$ 0.00
CCI-SL-6W	2020 VACS	M&W Cattle Co.	07-20-0383	386678	Orange	\$ 4,500.00	\$ 0.00
CCI-SL-6W	2020 VACS	Montebello LLC	07-20-0382	386670	Orange	\$ 22,500.00	\$ 0.00
CCI-SL-6W	2020 VACS	Phillip Audibert	07-20-0354	384007	Orange	\$ 8,562.50	\$ 0.00
CCI-SL-6W	2020 VACS	John Woodard, Jr.	07-20-0385	386775	Madison	\$ 11,197.50	\$ 0.00
CCI-SL-6W	2020 VACS	Harold Slaughter	07-20-0415	387684	Madison	\$ 3,125.00	\$ 0.00
SL-6W	2020 VACS	Miller Angus Farm	07-20-0408	386893	Orange	\$ 29,415.00	\$ 0.00
SL-6W	2020 VACS	Robert N. MacGovern Trust	07-20-0366	387338	Madison	\$ 5,082.15	\$ 0.00
SL-6W	2020 VACS	Robert N. MacGovern Trust	07-20-0366	384253	Madison	\$ 29,289.50	\$ 0.00
SL-6W	2020 VACS	David Dyer	07-20-0358	384161	Madison	\$ 31,707.25	\$ 0.00
SL-6W	2020 VACS	Muddy Flats Farm LLC	07-20-0421	387120	Culpeper	\$ 46,779.30	\$ 0.00
SL-7	2020 VACS	Muddy Flats Farm LLC	07-20-0420	387571	Culpeper	\$ 2,931.00	\$ 244.25
NM-5N	2020 VACS	Belair Dairy LLC.	07-20-0422	388057	Culpeper	\$ 917.84	\$ 0.00
NM-5P	2020 VACS	Belair Dairy LLC.	07-20-0422	388058	Culpeper	\$ 917.84	\$ 0.00
FR-1	2020 VACS	Robert Meyer	07-20-0379	386556	Greene	\$ 1,776.25	\$ 99.69
FR-3	2020 VACS	Robert Meyer	07-20-0379	386557	Greene	\$ 1,143.75	\$ 0.00
SL-6W	2020 VACS	Christine Goodall	07-20-0392	387048	Madison	\$ 80,076.90	\$ 0.00
SL-6N	2020 VACS	Glenmary Farm LLC	07-20-0037	387549	Orange	\$ 27,499.50	\$ 0.00

2) The following BMP participants have been approved by the Technical Committee for payment:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>	<u>Tax Credit</u>
CCI-SL-6W	2020 VACS	Lee Durrer	07-20-0345	383749	Greene	\$ 9,750.00	\$ 0.00
CCI-SL-6W	2020 VACS	Lonnie McWilliams	07-20-0331	383428	Orange	\$ 16,838.75	\$ 0.00
CCI-SL-6W	2020 VACS	Robert Wilbanks	07-20-0346	383779	Orange	\$ 7,300.00	\$ 0.00
CCI-SL-6W	2020 VACS	Robert Cockrill	07-20-0363	384404	Orange	\$ 6,750.00	\$ 0.00

CCI-SL-6W	2020 VACS	William Thornton	07-20-0394	387321	Orange	\$ 5,250.00	\$ 0.00
CCI-SL-6W	2020 VACS	M&W Cattle Co.	07-20-0383	386678	Orange	\$ 4,500.00	\$ 0.00
CCI-SL-6W	2020 VACS	Montebello LLC	07-20-0382	386670	Orange	\$ 22,500.00	\$ 0.00
CCI-SL-6W	2020 VACS	Phillip Audibert	07-20-0354	384007	Orange	\$ 8,562.50	\$ 0.00
CCI-SL-6W	2020 VACS	John Woodard, Jr.	07-20-0385	386775	Madison	\$ 11,197.50	\$ 0.00
NM-1A	2020 VACS	Somerset Plantation*	07-20-0280	381231	Orange	\$ 1,620.62	\$ 0.00
WP-4D	Tax Credit	Somerset Plantation	07-20-0292	381344	Orange	\$ 0.00	\$ 974.03
NM-5P	2020 VACS	Somerset Plantation	07-20-0290	381342	Orange	\$ 4,265.00	\$ 0.00
NM-1A	2020 VACS	Shawn Woodfolk	07-20-0278	381207	Madison	\$ 1,790.68	\$ 0.00
SL-8H	2020 VACS	Shawn Woodfolk	07-20-0234	379763	Madison	\$ 2,983.60	\$ 0.00
CCI CNT	2020 VACS	Shawn Woodfolk	07-20-0233	379758	Madison	\$ 10,397.25	\$ 0.00
CCI-CNT	2020 VACS	C.R. Tanner and Sons	07-20-0236	380169	Madison	\$ 10,000.00	\$ 0.00
SL-6W	2020 VACS	Sophie Laporte	07-20-0084	367247	Madison	\$ 22,219.90	\$ 0.00
SL-8H	2020 VACS	Phil and Phillip Goodwin	07-20-0217	379241	Orange	\$ 2,000.00	\$ 0.00
SL-8H	2020 VACS	Glen Cove Farm Inc.	07-20-0220	379331	Orange	\$ 1,254.60	\$ 0.00
SL-8H	2020 VACS	C.R. Tanner and Sons**	07-20-0231	379668	Madison	\$ 657.40	\$ 0.00
SL-8H	2020 VACS	Hunter H. Weaver	07-20-0173	376877	Madison	\$ 635.60	\$ 0.00
SL-8H	2020 VACS	James Corbin	07-20-0232	379672	Orange	\$ 680.00	\$ 0.00
SL-8H	2020 VACS	Mike Coates	07-20-0095	372747	Madison	\$ 12,000.00	\$ 0.00
SL-8H	2020 VACS	Jean Coates***	07-20-0112	374113	Madison	\$ 2,360.00	\$ 0.00
SL-8H	2020 VACS	Battlepark Farm	07-20-0269	380604	Culpeper	\$ 7,832.00	\$ 0.00
CCI-CNT	2020 VACS	Wedderburn Farm	07-20-0215	378611	Culpeper	\$ 2,817.50	\$ 0.00
NM-1A	2020 VACS	Wedderburn Farm	07-20-0212	378608	Culpeper	\$ 225.40	\$ 0.00
FR-1	2020 VACS	Roland Sherrod****	07-20-0074	363496	Madison	\$ 4,508.95	\$ 0.00
SL-6	2017 Earmark	Gerald Galyen*****	07-15-0207	203224	Orange	\$ 46,553.30	\$ 0.00
NM-1A	2020 VACS	Glebe Farm LLC	07-20-0145	375402	Culpeper	\$ 2,951.40	\$ 0.00
SL-6	2019 VACS	River Jordan Farm LLC	07-19-0514	334284	Rappahannock	\$ 20,161.60	\$ 1,260.10
SL-1	2020 VACS	Terry Jenkins	07-20-0148	375786	Madison	\$ 9,571.50	\$ 0.00
LE-1T	RR-LDR	Evans Oakerson*****	07-19-0170	326582	Madison	\$ 41,563.51	\$ 1,833.68
SL-6W	2020 VACS	Kyle Sprouse	07-20-0329	383336	Madison	\$17,593.85	\$ 0.00

* Increase for additional acres in Nutrient Management Plan.

**Increase in cover crop acreage.

***Increase in acreage planted.

****Increase due to material and site preparation cost overruns.

*****Increase due to additional pipeline and stream exclusion fence.

*****Increase for a well to supply water to livestock.

3) The following BMP applicants have been cancelled by the Technical Committee:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>	<u>Tax Credit</u>
SL-6	2017 Earmark	Ann Thornton	07-15-0267	205086	Madison	\$ 14,160.00	\$ 0.00
SL-6	2017 Earmark	George Yancey	07-15-0319	207085	Orange	\$ 36,158.00	\$ 0.00
SL-6W	2020 VACS	Glenmary Farm LLC	07-20-0037	387549	Orange	\$ 37,439.40	\$ 0.00

4) The following Upper Hazel River Residential applicants have been approved by the Technical Committee for funding:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-3	DEQ16546	Sharon Kilpatrick	07-20-0336	387177	Culpeper	\$ 3,750.00
RB-1	DEQ16546	Robert Rigg	07-20-0414	387584	Rappahannock	\$ 175.00
RB-3R	DEQ16546	John McCaslin	07-20-0423	388085	Rappahannock	\$ 2,500.00

5) The following WQIF Residential applicants have been approved by the Technical Committee for funding:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-4	DEQNPSWQIF	Kenneth Anderson	07-20-0351	386757	Culpeper	\$ 4,000.00
RB-1	DEQNPSWQIF	Jeffrey Teach II	07-20-0405	387435	Madison	\$ 175.00
RB-1	DEQNPSWQIF	Paul Hale	07-20-0399	387333	Orange	\$ 175.00

6) The following Robinson River-Little Dark Run Residential applicants have been approved by the Technical Committee for funding:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-1	DEQ16679	Dale Simpson	07-20-0425	388104	Culpeper	\$ 175.00
RB-1	DEQ16679	Kama Price	07-20-0417	387860	Madison	\$ 175.00
RB-3R	DEQ16679	Michael McTamney	07-20-0419	387890	Culpeper	\$ 2,200.00
RB-3R	DEQ16679	Raymond Brunner	07-20-0412	387501	Madison	\$ 2,000.00
RB-1	DEQ16679	Ronald Kalish	07-20-0403	387424	Madison	\$ 280.00
RB-1	DEQ16679	Melissa Ross	07-20-0401	387337	Madison	\$ 175.00
RB-1	DEQ16679	Shirley Rock	07-20-0400	387336	Madison	\$ 280.00

7) The following Upper York River Residential applicants have been approved by the Technical Committee for funding:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-3R	DEQ16547R	Diana Christianson	07-20-0404	387427	Orange	\$ 2,600.00
RB-1	DEQ16547R	Ricky Shifflett	07-20-0397	387329	Orange	\$ 193.00
RB-1	DEQ16547R	Ricky Shifflett	07-20-0397	387330	Orange	\$ 193.00
RB-1	DEQ16547R	Gary Hogsten	07-20-0398	387331	Orange	\$ 280.00
RB-1	DEQ16547R	Gary Hogsten	07-20-0398	387332	Orange	\$ 280.00
RB-4P	DEQ16547R	Andrew Archibold	07-20-0424	388094	Orange	\$ 7,800.00

8) The following Upper Rapidan Residential applicants have been approved by the Technical Committee for funding:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-1	DEQ16678	Philip Clark	07-20-0418	387872	Greene	\$ 175.00
RB-1	DEQ16678	Melissa Dillon	07-20-0413	387506	Madison	\$ 193.00
RB-1	DEQ16678	Stephen Dudley	07-20-0402	387342	Madison	\$ 280.00
RB-1	DEQ16678	Chester Mummau	07-90-0396	387327	Madison	\$ 175.00
RB-1	DEQ16678	Jennifer Spencer	07-20-0426	388108	Orange	\$ 175.00
RB-1	DEQ16678	Sharon Tender	07-20-0427	388110	Orange	\$ 175.00
RB-1	DEQ16678	Sharon Tender	07-20-0427	388112	Orange	\$ 175.00

9) The following Upper Hazel River Residential participants have been approved by the Technical Committee for payment:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-1	DEQ 16546	Alan Dranitzkzke	07-20-0271	383044	Rappahannock	\$ 162.50
RB-4	DEQ 16546	Stephen Jester	07-20-0017	376252	Rappahannock	\$ 3,262.50
RB-3	DEQ 16546	Sharon Kilpatrick	07-20-0336	383628	Rappahannock	\$ 3,637.50
RB-1	DEQ16546	Daniel Layton	07-20-0333	383592	Rappahannock	\$ 162.50

10) The following Upper York Residential participants have been approved by the Technical Committee for payment:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-1	DEQ16547R	Karen Matthews	07-20-0207	378243	Orange	\$ 280.00
RB-1	DEQ16547R	Clinton Frye	07-20-0330	383347	Orange	\$ 240.00

1) The following WQIF Residential participants have been approved by the Technical Committee for payment:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-3R	DEQNPSWQIF	Michelle Decker	07-20-0248	380291	Culpeper	\$ 325.00
RB-5	DEQNPSWQIF	Elizabeth Henry	07-20-0047	352290	Orange	\$ 19,200.00

11) The following Upper Rapidan Residential participants have been approved by the Technical Committee for payment:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-4	DEQ16678	Brian Daniel	07-20-0019	379495	Madison	\$ 4,000.00
RB-1	DEQ16678	Philip Harper	07-19-0328	383337	Orange	\$ 175.00

12) The following residential applicants have been cancelled:

<u>Practice</u>	<u>Fund</u>	<u>Participant</u>	<u>Contract</u>	<u>Instance</u>	<u>County</u>	<u>Amount</u>
RB-3	DEQNPSWQIF	Kenneth Anderson	07-20-0351	383838	Culpeper	\$ 2,500.00
RB-3	DEQNPSWQIF	Joseph Woodward, Jr.	07-20-0258	380609	Madison	\$ 2,500.00
RB-3R	DEQ 16546	Sharon Kilpatrick	07-20-0336	383628	Culpeper	\$ 3,000.00
RB-1	DEQ16547	Anthony Petralia	07-20-0044	351903	Orange	\$ 175.00
RB-3	DEQ16679	E.A. Clore Sons Inc.	07-20-0160	376289	Madison	\$ 2,500.00
RB-3R	DEQ16678	Doug Hill	07-20-0341	383646	Madison	\$ 2,000.00

13) A Transfer of Responsibility was requested by Christy Ludlow to Eric Stewart for a Upper Hazel Septic RB-3R practice. Contract # 07-20-0016, Instance # 345273.

14) The Technical Committee delegates the authority to the District Manager to sign BMP contracts for the current month on behalf of the Board of Directors.

15) The District Manager gave an update on the dams:

- a) District Staff have completed annual inspections on all dams.
- b) Dam maintenance bid notice was sent to the local newspapers and will be advertised for two weeks.
- c) Dam maintenance work will be shown to contractors on Wednesday, April 22, 2020 and bids will be opened on Tuesday, May 5, 2020.

16) The Technical Committee decided that the original approved applicant of a cover crop contract who incurred expenses of planting the crop is the only one eligible to receive the cost share payment. A request had been received from the new owner of the land, but all records and expenses belonged to the approved applicant.

17) The District was approached by the Department of Conservation and Recreation (DCR) to gauge interest in having us apply for a National Fish and Wildlife Fund (NFWF) Small Watershed Grant to pay for implementing and certifying the resource management plans in our District. Staff had previously discussed the pros and cons of such a grant versus using the VACS program for the BMP payments and the RMP-1 and RMP-2 payments. The consensus was that it would be more efficient and effective to utilize the VACS program. Staff recommended that the District request the opportunity from the Virginia Soil and Water Conservation Board to reimburse the BMP practices in the RMP's at 100% and not count them against the annual producer cap in the program. Staff thought this would remove any obvious barriers for the producers. The Committee concurred and will draft a letter to that Board.

- 18) The Lake Anna Civic Association (LACA) is pursuing a grant to evaluate opportunities for wetland development around the lake and will propose to hire a wetland scientist/consultant for this purpose. They would like the three SWCD's around the lake to participate and obtain ground access to private land sites for evaluation. The Committee felt that identifying and contacting landowners with potential sites would be better left to the hired consultants. They recommended that LACA contact both NRCS and The Nature Conservancy, the latter being the administrator of the Virginia Aquatic Resources Trust Fund.
- 19) Technical Committee Chairman Robert Bradford will be the District's Technical Advisory Committee Representative and Spencer Yager will be the alternate.
- 20) A producer requested to transfer his BMP contract with the District from his social security number to his limited liability corporation. The contract number is 07-19-0514 and instance number is 334284. Original participant was James Yates and new participant is River Joran Farm LLC.

RMP's For Approval

- | | | |
|-------------|--------------------------|----------------|
| • 7-20-0013 | 66.03 acres crop and hay | Madison County |
| • 7-20-0020 | 48.55 acres cropland | Madison County |
| • 7-20-0021 | 121.33 acres cropland | Madison County |
| • 7-20-0022 | 53.75 acres cropland | Madison County |
| • 7-20-0023 | 95.65 acres cropland | Madison County |

The Board discussed options for meeting electronically or by conference call for the May 5th, 2020 Board Meeting. According to information reviewed from the Office of the Attorney General through DCR regarding electronic meetings of the Board, it was advised that a public body would need to make a determination as to whether failure to act would result in irrevocable public harm. The Board discussed the significance of cost-share payments moving forward to pay contractors as economically significant, particularly in light of the volume of work conducted through the District and the current economic situation. Further, given the aforementioned determination, Mr. Brame moved to both approve the determination and approve that the Board meet by conference call on May 5, 2020. Mr. O'Halloran seconded. Passed unanimous. It was noted that any public notification of Board meeting would need to include information on electronic meetings and how to "attend" the meeting.

ADJOURNMENT

Motion was made to adjourn the February 2020 Board meeting at 11:40.

Respectfully Submitted,

Lynn Graves, Chairman



JoAnn M. Neal
Administrative Secretary

Date Approved 4/7/2020