MINUTES

CULPEPER SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS MEETING

Orange-Madison Coop – Orange Unit

Orange, Virginia 22960 April 5, 2022

The meeting was called to order by Chairman Lynn Graves at 10:03 AM.

DIRECTORS PRESENT: Lynn Graves, Madison County

Tom O'Halloran, Culpeper County Steve Morris, Greene County Robert Runkle, Greene County Philip Morris, Greene County Stephen Hill, Madison County Robert Bradford, Orange County Robert Brame, Orange County Mike Biniek, Rappahannock County

Brad Jarvis, Associate Director, Madison County Bob Williamson, Associate Director, Culpeper County

<u>DIRECTORS NOT PRESENT:</u> Dennis Verhoff, Culpeper County

Mike Sands, Rappahannock County

Sarah Sharpe, Virginia Cooperative Extension, Greene County

Jim Byrne, Associate Director, Madison County Warren Lee, Associate Director, Orange County

STAFF PRESENT: Greg Wichelns, District Manager

Stevie Ross, Administrative Secretary Brandy Harris, Conservation Specialist

OTHERS PRESENT: Davis Lamb, Greene County Board of Supervisors

Debbie Cross, DCR (Telephone)

Courtney Wesner, Associate Extension Agent, Orange County

1) CALL TO ORDER, MOMENT OF SILENCE, PLEDGE OF ALLEGIANCE

L. Graves called the meeting to order at 10:03 AM. Following a moment of silence, L. Graves led the Pledge of Allegiance. There were three handouts: District Technical Committee Report Addendum, Staff Report, and DCR Report.

2) DRAFT MINUTES

L. Graves called for approval of the substance of the March 1, 2022, Draft District Board Meeting Minutes and for any substantive corrections or additions. T. O'Halloran moved to approve the minutes as presented. R. Bradford seconded the motion. (T. O'Halloran, R. Bradford, unanimous)

3) AGENDA APPROVAL

L. Graves called for Agenda approval. The Technical Committee Report was removed from the Consent Agenda and placed on the Agenda as 5.1 and the Education Committee Report was removed from the Consent Agenda and placed on the Agenda as 5.2. The Personnel Committee was added to the Agenda as a Closed Session as 5.3. T. O'Halloran moved to adopt the Agenda as modified. M. Biniek seconded the motion. (T. O'Halloran, M. Biniek, unanimous)

4) CONSENT AGENDA

Consent Agenda adopted as modified.

OPERATIONS COMMITTEE REPORT TREASURER'S REPORT NRCS CONSERVATION PLANS

Madison 211 Acres Forest Management

Orange 109 Acres EQIP- Pasture and Hayland Planting for Cropland Conversion

5) ADDITIONS TO AGENDA

5.1) TECHNICAL COMMITTEE REPORT

G. Wichelns further discussed item number fifteen on the Technical Committee Report. The BMP called WP-2A (streambank stabilization) requires participants to hire an engineer to design the project in accordance with VACS specifications and to obtain a permit from USACE and possibly others. Over the past two years it has seemed these two issues have been a barrier reducing the number of signups for this practice. Potential applicants seem to not want to take on these responsibilities. G. Wichelns reached out to the District's current Term Contract engineering firm to see if they could be involved in doing such designs and permitting and proposes to include such engineering services in the next Term Contract RFP which will be released soon.

G. Wichelns invited Members of the Board to attend dam inspections that will be happening next week on April 13th and 14th. On Wednesday, April 13, 2022, members that wish to attend should come to Dam 1B in Madison County at 9:00 AM. On Thursday, April 14, 2022, members that wish to attend should come to the Culpeper SWCD Office in Culpeper County at 9:00 AM.

TECHNICAL COMMITTEE REPORT WITH ADDITIONS:

March 22, 2022 Technical Committee Meeting Minutes (Updated)

Present: Robert Bradford, Chairman; Tom O'Halloran, Culpeper; Mike Sands, Rappahannock; Greg Wichelns, District Manager; Spencer Yager, Conservation Specialist; David Massie, Conservation Specialist; Amanda McCullen, Conservation Specialist; Kendall Dellinger, Conservation Specialist; Henny Calloway, Conservation Specialist

Items in italics were added at the April 5, 2022 Board Meeting in Orange, Virginia

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.

Practice	Fund	<u>Participant</u>	Contract	<u>Instance</u>	County	Amount	Tax Credit
CCI-SL-6W	2022 VACS	Karen Evans	07-22-0296	472871	Culpeper	\$ 4,950.00	\$ 0.00

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CCI-SL-6W	2022 VACS	Robert Ellis	07-22-0318	472802	Culpeper	\$	17,964.63		0.00
CCI-SL-6W	2022 VACS	ECC Stables	07-22-0331	473041	Orange	\$	14,178.50	-	0.00
FR-1	2022 VACS	Andrew Haley	07-22-0278	470410	Rappahannock		23,843.75		-
SL-1	2022 VACS	James Darnell	07-22-0327	474240	Madison	\$	7,250.00	_	0.00
SL-1	2022 VACS	Gary Nixon	07-22-0325	473227	Madison	\$	16,323.38		0.00
SL-1	2022 VACS	Piedmont Grain & Cattle Inc.	07-22-0326	473229	Madison	\$	3,625.00		0.00
SL-6N	2022 VACS	SELWOB Farms LLC	07-22-0294	470793	Madison	\$	5,993.00	\$	806.75
SL-6W	2022 VACS	Oak Hill LLC	07-22-0317	472940	Orange	\$	95,880.00		0.00
SL-6W	2022 VACS	Rocklands LLC	07-22-0210	468204	Orange	\$	125,152.50	-	0.00
SL-6W	2022 VACS	C. W. Properties Weaver	07-22-0299	471405	Madison	\$	43,107.60	\$	0.00
SL-6W	2022 VACS	William Lovelace	07-22-0329	472327	Madison	\$	93,366.98	\$	0.00
SL-6W	2022 VACS	Lohr Farm	07-22-0321	472793	Madison	\$	23,451.85	\$	0.00
SL-6W	2022 VACS	Lohr Farm	07-22-0322	473201	Madison	\$	7,432.50	\$	0.00
SL-10	2022 VACS	Lohr Farm	07-22-0321	473207	Madison	\$	2,1750.00	\$	0.00
SL-10	2022 VACS	Lohr Farm	07-22-0322	473206	Madison	\$	375.00	\$	0.00
SL-10	2022 VACS	William Lovelace	07-22-0329	474083	Madison	\$	5,250.00	\$	0.00
NM-3C	2022 VACS	Herren Farms, LLC	07-22-0333	474194	Culpeper	\$	1,710.00	\$	0.00
NM-5P	2022 VACS	Herren Farms, LLC	07-22-0334	474197	Culpeper	\$	2,560.00	\$	0.00
NM-5N	2022 VACS	Beauregard Farm LP	07-22-0264	469997	Culpeper	\$	5,256.24	\$	0.00
NM-5P	2022 VACS	Beauregard Farm LP	07-22-0264	469998	Culpeper	\$	9,321.92	\$	0.00
NM-5P	2022 VACS	Beauregard Farm, Inc.	07-22-0265	469999	Culpeper	\$	2,782.00	\$	0.00
NM-5N	2022 VACS	Beauregard Farm, Inc.	07-22-0265	470000	Culpeper	\$	1,813.60	\$	0.00
NM-5P	2022 VACS	Brandy Rock Farm Inc.	07-22-0347	474358	Culpeper	\$	1,919.20	\$	0.00
NM-5N	2022 VACS	Glenmary Farm LLC	07-22-0335	474198	Orange	\$	11,846.64	\$	0.00
NM-5N	2022 VACS	Glenmary Farm Holdings LLC	07-22-0336	474199	Orange	\$	17,424.80	\$	0.00
NM-5N	2022 VACS	Tom Nixon	07-22-0337	474200	Orange	\$	2,780.56	\$	0.00
NM-5N	2022 VACS	Nixon Farms LLC	07-22-0339	474205	Orange	\$	670.80	\$	0.00
NM-5N	2022 VACS	Western View LLC	07-22-0338	474202	Orange	\$	11,833.68	\$	0.00
NM-5P	2022 VACS	Glenmary Farm LLC	07-22-0341	474209	Orange	\$	7,961.04	\$	0.00
NM-5P	2022 VACS	Glenmary Farm Holdings LLC	07-22-0340	474208	Orange	\$	17,424.80	\$	0.00
NM-5P	2022 VACS	Tom Nixon	07-22-0342	474211	Orange	\$		\$	0.00
NM-5P	2022 VACS	Nixon Farms LLC	07-22-0339	474204	Orange	\$	•	\$	0.00
NM-5P	2022 VACS	Western View LLC	07-22-0343	474212	Orange	\$		\$	
SL-7	2022 VACS	Marilyn Scott	07-22-0311	471893	Culpeper	\$		_	121.88
SL-7	2022 VACS	Ron Burleson	07-22-0312	470915	Orange	\$			524.38
SL-10	2022 VACS	Carolton Farms LLC	07-22-0346	474353	Orange	\$		\$	0.00
SL-10	2022 VACS	J.R. & J.G. Goodwin LLC	07-22-0346	470828	Orange	\$		\$	0.00
SL-10	2022 VACS	J.R. & J.G. Goodwin LLC	07-22-0295	470834	Orange	\$	281.25	\$	0.00
WP-2N	2022 VACS	Marilyn Scott	07-22-0293	470678	Culpeper	\$	3,717.00	<u> </u>	398.25
771 -21V	LULL VACO	manyn scon	07-22-0311	7/00/0	Cuipepei	Ψ	3,717.00	Ψ	570.43

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

Practice	<u>Fund</u>	<u>Participant</u>	Contract	<u>Instance</u>	County	Amount	Tax Credit
SL-6W	2020 VACS	Bruce Hegyi*	07-20-0335	383626	Culpeper	\$ 39,306.75	\$ 0.00
SL-6W	2022 VACS	Bruce Hegyi*	07-20-0335	383626	Culpeper	\$ 18,011.25	\$ 1,597.75
SL-6W	2021 VACS	Rive Enterprises	07-21-0201	422202	Madison	\$ 29,932.50	\$ 0.00
SL-6W	2022 VACS	Rive Enterprises	07-21-0201	422202	Madison	\$ 4,016.93	\$ 2,045.73
CCI-SL-6W	2022 VACS	Karen Evans	07-22-0296	472871	Culpeper	\$ 4,950.00	\$ 0.00
CCI-SL-6W	2022 VACS	Robert Ellis	07-22-0318	472802	Culpeper	\$ 17,964.63	\$ 0.00
CCI-SL-6W	2022 VACS	ECC Stables	07-22-0331	473041	Orange	\$ 14,178.50	\$ 0.00
SL-6W	2022 VACS	Circle H Longhorns Ranch**	07-22-0037	445751	Rappahannock	\$ 22,873.04	\$ 697.72

SL-10	2022 VACS	Kelly Robson	07-22-0095	463828	Culpeper	\$ 1,662.00	\$ 0.00
SL-8B	2022 VACS	Kenneth Smith	07-22-0156	466514	Culpeper	\$ 30,541.80	\$ 0.00
SL-8H	2022 VACS	Roger Gough***	07-22-0256	469585	Madison	\$ 746.00	\$ 0.00
CCI-SL-6W	2022 VACS	Robert Brockman	07-22-0279	470578	Madison	\$ 13,587.50	\$ 0.00
CCI-SL-6N	2022 VACS	Robert Brockman	07-22-0279	470579	Madison	\$ 4,861.25	\$ 0.00
SL-6W	2022 VACS	Robert Brockman	07-22-0155	466468	Madison	\$ 34,333.27	\$ 0.00
NM-5N	2021 VACS	Glenmary Farm Holdings LLC****	07-21-0113	420229	Orange	\$ 11,335.84	\$ 0.00
NM-5N	2021 VACS	Tom Nixon****	07-21-0118	420234	Orange	\$ 2,529.20	\$ 0.00
NM-5N	2021 VACS	Glenmary Farm LLC****	07-21-0108	420224	Orange	\$ 9,949.84	\$ 0.00
NM-5N	2021 VACS	Western View LLC****	07-21-0124	420241	Orange	\$ 7,541.76	\$ 0.00
NM-5P	2021 VACS	Glenmary Farm LLC	07-21-0109	420225	Orange	\$ 737.60	\$ 0.00
NM-5P	2021 VACS	Glenmary Farm Holdings LLC	07-21-0114	420230	Orange	\$ 143.20	\$ 0.00

^{*}Increase for additional stream exclusion fence and buffer acreage.

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

Practice	<u>Fund</u>	<u>Participant</u>	Contract	<u>Instance</u>	County	<u>Amount</u>	Tax	Credit
NM-5P	2021 VACS	Western View LLC	07-21-0125	420242	Orange	\$ 12,719.20	\$	0.00
NM-5P	2021 VACS	Nixon Farms LLC	07-21-0121	420237	Orange	\$ 613.60	\$	0.00
NM-5P	2021 VACS	Tom Nixon	07-21-0119	420235	Orange	\$ 3,940.00	\$	0.00

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

Practice	<u>Fund</u>	<u>Participant</u>	Contract	<u>Instance</u>	County	<u>Amount</u>
RB-3M	DEQ16679	David Schmechel	07-22-0316	472848	Madison	\$ 1,200.00
RB-1	DEQ16679	Scott Bennett	07-22-0138	473133	Madison	\$ 175.00
RB-1	DEQ16679	Donald Kilby	07-22-0320	473124	Culpeper	\$ 175.00
RB-1	DEQ16679	Laura Hughes	07-22-0319	473121	Madison	\$ 175.00
RB-1	DEQ16679	Charles Turner Jr.	07-22-0344	474246	Madison	\$ 175.00
RB-1	DEQ16679	Daniel Barrale	07-22-0260	474251	Madison	\$ 280.00
RB-1	DEQ16679	Leslie Harris	07-22-0350	474741	Madison	\$ 175.00
RB-1	DEQ16679	Carolyn Smithson	07-22-0351	474767	Madison	\$ 175.00
RB-1	DEQ16679	Elizabeth Smithson	07-22-0352	474774	Madison	\$ 280.00
RB-1	DEQ16679	Bonita Burr	07-22-0353	474776	Madison	\$ 280.00
RB-1	DEQ16679	Linda Farnham	07-22-0354	474777	Madison	\$ 192.50
RB-3M	DEQ16679	Constance Chamberlin	07-22-0355	474781	Madison	\$ 1,000.00

5) 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-3M	PO16974	Jeffrey Darnell	07-22-0313	472842	Orange	\$ 1,200.00
RB-3M	PO16974	Laura Loveday	07-22-0314	472844	Orange	\$ 1,000.00
RB-3M	PO16974	Alice White	07-22-0328	474058	Orange	\$ 1,100.00
RB-3M	PO16974	Cheryl Treakle	07-22-0345	474249	Orange	\$ 1,000.00
RB-3M	PO16974	Duane Green	07-22-0356	474782	Orange	\$ 1,600.00

6) The following Upper Rapidan 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-3M	PO17083	Gene Christy	07-22-0357	474783	Orange	\$ 1,000.00

^{**}Increase for an additional water trough.

^{***}Increase for additional acreage.

^{****}Increase in acreage that N was applied due to soil test results.

RB-3M	PO17083	Wanda Weeks	07-22-0239	474786	Orange	\$ 2,200.00

7) The following Robinson 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	DEQ16679	Scott Bennett	07-22-0138	473133	Madison	\$ 175.00
RB-1	DEQ16679	Christine Stephens	07-22-0293	470792	Madison	\$ 210.00
RB-1	DEQ16679	William Nicholson	07-22-0249	470073	Madison	\$ 175.00
<i>RB-1</i>	DEQ16679	William Nicholson	07-22-0249	471894	Madison	\$ 175.00
<i>RB-1</i>	DEQ16679	Daniel Barrale	07-22-0260	474251	Madison	\$ 280.00

8) The following Upper York River Residential participant has been approved by the Technical Committee for payment:

Practice	<u>Fund</u>	<u>Participant</u>	Contract	<u>Instance</u>	County	<u>Amount</u>
RB-4	PO16974	Norma Perry	07-22-0269	470131	Orange	\$ 4,400.00

9) The following Residential applicants have been canceled by the Technical Committee:

Practice	<u>Fund</u>	<u>Participant</u>	Contract	<u>Instance</u>	County	<u>Amount</u>
RB-3M	DEQ16679	Scott Bennett	07-22-0138	465923	Madison	\$ 1,000.00
RB-3M	DEQ16679	Daniel Barrale	07-22-0260	469644	Madison	\$ 1,600.00
RB-1	WQIF	Constance Chamberlin	07-17-0220	265967	Madison	\$ 22.50
RB-3M	PO17083	Wanda Weeks	07-22-0239	468989	Orange	\$ 1,100.00
RB-3M	PO16974	Mary Herring	07-21-0309	431954	Orange	\$ 1,100.00

- 10) The District Manager gave an update on the dams:
 - a. The District received an increase in funding for Beautiful Run 2A's wave berm. The District has \$140,000 available for this project.
 - b. The Technical Committee received two bids for the removal of down trees at several watershed flood control dams in Madison County. The bid was awarded to John Anderson at \$6,700 as the low bid.
- 11) The Technical Committee continues to delegate the authority to the District Manager to sign BMP contracts on behalf of the Board of Directors on an as needed basis.
- 12) The Technical Committees discussed the Whole Farm Approach Cropland Project and decided to decline participation. It was determined to have no benefit to our producers and would be better suited to the coastal plain.
- 13) The Technical Committee briefly discussed adjusting the FY22 Program Year Average Cost List but decided it would be best to address any changes when preparing for the FY23 Program Year.
- 14) Technical Staff is planning for a Culpeper County Grazing Field Day in June 2022.
- 15) The District Manager reported on his preliminary preparations for a new TMDL grant for Culpeper County. He suggested the Technical Committee support the District entering into a term contract for engineering services for streambank stabilization (WP-2A Cost Share BMP). The term contract would not include any funds from the District. Individual applicants would need to sign a contract with the engineer (he is researching this further). More will be discussed next month.
 - R. Bradford moved to approve the Technical Committee Report without any further discussion. T. O'Halloran seconded the motion. (R. Bradford, T. O'Halloran, unanimous)

5.2) EDUCATION COMMITTEE REPORT

L. Graves recommended to allow the Education Committee to approve scholarships on behalf of the Board.

R. Brame moved to approve the recommendation and the Education Committee Report without further discussion. R. Bradford seconded the motion. (R. Brame, R. Bradford, unanimous)

5.3) CLOSED SESSION: PERSONNEL PERFORMANCE MATTERS AND LITIGATION

R. Runkle moved that the Board go into Closed Session at 10:17 A.M. as provided for in the Code of Virginia Section 2.2-3711(A) (1) and to discuss personnel performance matters and Code of Virginia Section 2.2-3711(A) (7) to discuss current litigation. The Associate Directors and the District Manager were invited to attend. R. Bradford seconded the motion. (R. Runkle, R. Bradford unanimous)

Following the return from Closed Session, R. Runkle moved to reconvene at 10:31 A.M. (unanimous). Pursuant to the Code of Virginia Section 2.2-.3712. (D), "I move that the Board certify that to the best of the Board's knowledge only matters lawfully exempted and as identified in the motion by which the Closed Session was convened were heard or discussed by this Board". R. Bradford seconded the motion. (R. Runkle, R. Bradford, unanimous)

R. Runkle moved to accept the recommendations from the Personnel Committee. R. Brame seconded the motion. (R. Runkle, R. Brame, unanimous)

6) DIRECTOR REPORTS

- S. Morris called upon G. Wichelns and others to recap a grant proposal in Greene County that is calling on support letters to create walking/biking trails and auxiliary roads throughout the County. S. Morris suggests waiting for more information before deciding whether or not to be in support. Greene County Directors concurred.
- T. O'Halloran attended the Rappahannock River Basin Meeting and reported on conversations of Forest Carbon Markets. He let the Board know that the Virginia Department of Forestry and Virginia Tech will be putting on a Forest Carbon Market Program in Staunton on June 1, 2022. The cost to attend is \$30. He sent information to the District's Administrative Secretary to have available for those who are interested in attending.
- B. Jarvis shared that the Carver Center is hosting about two-three events per month right now covering several topics. The Solar Power Pump Demo for Livestock Water will be April 7-8. The Beef Expo will be April 13-16. The Realtor Program will be on April 20th at PVCC in Greene County. B. Jarvis also shared that a Special Use Meat Processing Plant is being reviewed for approval.
- S. Hill reported on the Virginia Soil and Water Conservation Board Meeting on March 23rd. G. Wichelns was also in attendance. S. Hill met the new DCR Director, Matthew Wells, as well as James Martin, Soil and Water Division Director, previously from DEQ. He shared that a Virginia District was facing issues after discoveries from an audit and that the Board approved seven dam repair projects in Virginia, three of which belong to Culpeper.

7) STAFF REPORTS

G. Wichelns announced that the District's Strategic Planning Survey is now live and will remain open until the end of May. District staff will be inviting certain participants to take the survey and the local papers will be running articles periodically until the survey closes. Upon the end of the survey, data will be compiled and then presented in June Committee Meetings. G. Wichelns reported that he

will be submitting a new 319 Grant for the Mountain Run/Muddy Run watersheds in Culpeper this month but that it would not be awarded until September or October and that funding would happen later. He also shared that the Virginia Department of Health (VDH) has been given \$11 million in funding to offer assistance with septic and well health through the Rescue Act. This will provide 100% funding to anyone that is at or below 200% of poverty guidelines. The VDH is not advertising this as of now and is instead doing a "soft launch." G. Wichelns is looking in to how the District can work within this program.

8) AGENCY REPORTS

DCR – D. Cross shared that the 2022 VASWCD Directory has been updated and is now available online. She reminded staff that carryover projects that require DCR approval need to be submitted by May 13th. She let the Board know that Culpeper has 12 RMP inspections to be completed in 2022 and that JED has begun providing in person training again. The Area II Meeting will be held on April 20th at 9:00 AM, registration is required to attend. On April 21st at 10:00 AM the VSWCB will be meeting in Charlottesville at the DOF Training Room on Fontaine Avenue. D. Cross emphasized the importance of getting signatures on contracts and that the consequence of not doing so is invalidating the contract and causing the District to have to pay in the event of a repayment. She also reminded the District needs to be filing tax exemption forms with local retailers to comply with the policies stated in Desktop Procedures. Reimbursements and travel expenses need to be submitted within 60 days of when the expense occurred in accordance with IRS Publication 463.

<u>NRCS</u> – A written report was submitted by R. Rexrode.

9) PLAN FOR APRIL COMMITTEE MEETINGS (IN PERSON)

Committees will meet at the Madison Extension Office on Tuesday, April 19, 2022. Personnel 9:00, Operations 9:30, Technical 10:00. Tentatively, the Education Committee will meet the same day at 3:30 PM via Zoom or Telephone. **BOARD MEETING FOR MAY WILL TENTATIVELY BE HELD TUESDAY, MAY 3, 2022, in person, at 10:00 AM at Washington Fire Hall in Rappahannock County.**

10) ADJOURNMENT

R. Bradford motioned to adjourn the April 5, 2022 Board meeting at 11:27 AM. T. O'Halloran seconded the motion. (R. Bradford, T. O'Halloran, unanimous)

Respectfully Submitted,

Stevie Ross Administrative Secretary Lynn Graves, Chairman

Date Approved: May 3, 2022