

MINUTES
CULPEPER SOIL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING
Washington Volunteer Fire and Rescue
Washington, Virginia 22747
March 7, 2023

The meeting was called to order by Chairman Lynn Graves at 10:07 AM.

DIRECTORS PRESENT:

Lynn Graves, Madison County
Tom O'Halloran, Culpeper County
Dennis Verhoff, Culpeper County
Philip Morris, Greene County
Robert Runkle, Greene County
Robert Bradford, Orange County
Robert Brame, Orange County
Mike Biniek, Rappahannock County
Mike Sands, Rappahannock County
Sarah Sharpe, Virginia Cooperative Extension, Greene County
Bob Williamson, Associate Director, Culpeper County

DIRECTORS NOT PRESENT:

Steve Morris, Greene County
Stephen Hill, Madison County
Brad Jarvis, Associate Director, Madison County
Warren Lee, Associate Director, Orange County

STAFF PRESENT:

Greg Wichelns, District Manager
Stevie Ross, Administrative Secretary
Henny Calloway, Conservation Specialist
Kendall Dellinger, Conservation Specialist
Stephanie DeNicola, Education Coordinator
Brandy Harris, Conservation Specialist
Richard Jacobs, Conservation Specialist
David Massie, Conservation Specialist
Amanda McCullen, Conservation Specialist
Lily Smith, Conservation Specialist
W. Spencer Yager, Conservation Specialist

OTHERS PRESENT:

Debbie Cross, DCR
Rex Rexrode, NRCS
Jacob Zielinski, VDOF
Monira Rifaat, Rappahannock County
Eric Lansing, Assistant Attorney General, Virginia

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

L. Graves called the meeting to order at 10:07 AM. Following a moment of silence, W. Yager led the Pledge of Allegiance. There were five handouts: Technical Committee Additions, DCR Report, NRCS Report, and two Staff Reports.

2) DRAFT MINUTES

L. Graves called for approval of the substance of the February 7, 2023, Draft District Board Meeting Minutes and for any substantive corrections or additions. M. Sands moved to approve the Minutes as presented. D. Verhoff seconded the motion. (M. Sands, D. Verhoff, 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. The Operations Committee Report was removed from the Consent Agenda and placed on the Agenda as 5.2. T. O’Halloran moved to adopt the Agenda as modified. P. Morris seconded the motion. (T. O’Halloran, P. Morris, unanimous)

4) CONSENT AGENDA

Consent Agenda adopted as modified.

EDUCATION COMMITTEE REPORT
TREASURER’S REPORT

5) ADDITIONS TO AGENDA

5.1) TECHNICAL COMMITTEE REPORT WITH ADDITIONS:

February 23, 2023 Technical Committee Meeting Minutes (Updated)

Present: Robert Bradford, Chairman; Lynn Graves, Madison; Philip Morris, Greene; Mike Sands, Rappahannock; Greg Wichelns, District Manager; Spencer Yager, Conservation Specialist; David Massie, Conservation Specialist; Amanda McCullen, Conservation Specialist; Brandy Harris, Conservation Specialist; Kendall Dellinger; Conservation Specialist; Henny Calloway, Conservation Specialist

Items added in italics were added at the March 7, 2023 Board Meeting in Washington, 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.

<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-6W	2022 VACS	Donald S. Gerhart	07-22-0150	449251	Madison	\$ 41,660.00	\$ 0.00
SL-6W	2023 VACS	Donald S. Gerhart	07-22-0150	449251	Madison	\$ 1,483.36	\$ 0.00
SL-8B	2023 VACS	C.R. Tanner & Sons	07-23-0246	520573	Madison	\$ 4,770.00	\$ 0.00
SL-8H	2023 VACS	C.R. Tanner & Sons	07-23-0246	520574	Madison	\$ 2,300.00	\$ 0.00
CCI-CNT	2023 VACS	Piedmont Grain & Cattle Inc.	07-23-0315	522979	Orange	\$ 25,000.00	\$ 0.00
NM-5N	2023 VACS	Piedmont Grain & Cattle Inc.	07-23-0319	522989	Orange	\$ 6,544.00	\$ 0.00
NM-1A	2023 VACS	Piedmont Grain & Cattle Inc.	07-23-0316	522984	Orange	\$ 2,400.00	\$ 0.00
SL-8H	2023 VACS	Goodwin Brothers LLC	07-23-0312	522688	Orange	\$ 1,407.00	\$ 0.00
SL-8B	2023 VACS	Goodwin Brothers LLC	07-23-0312	522689	Orange	\$ 6,405.70	\$ 0.00
NM-3C	2023 VACS	Dennis Brown	07-23-0299	522468	Culpeper	\$ 3,324.00	\$ 0.00
NM-4	2023 VACS	Dennis Brown	07-23-0300	522470	Culpeper	\$ 810.00	\$ 0.00
NM-5P	2023 VACS	Dennis Brown	07-23-0301	522471	Culpeper	\$ 10,800.00	\$ 0.00

NM-5P	2023 VACS	Brandy Rock Farm Inc.	07-23-0339	523043	Culpeper	\$ 5,144.00	\$ 0.00
NM-5N	2023 VACS	Glenmary Farm LLC	07-23-0328	523011	Orange	\$ 11,846.64	\$ 0.00
NM-5N	2023 VACS	Tom Nixon	07-23-0329	523013	Culpeper	\$ 2,780.56	\$ 0.00
NM-5N	2023 VACS	Western View LLC	07-23-0330	523015	Orange	\$ 11,833.68	\$ 0.00
NM-5N	2023 VACS	Glenmary Farm Holdings LLC	07-23-0331	523016	Madison	\$ 17,424.80	\$ 0.00
NM-5P	2023 VACS	Nixon Farms LLC	07-23-0332	523017	Culpeper	\$ 808.00	\$ 0.00
NM-5N	2023 VACS	Nixon Farms LLC	07-23-0332	523018	Culpeper	\$ 808.00	\$ 0.00
NM-5P	2023 VACS	Glenmary Farm Holdings LLC	07-23-0333	523019	Culpeper	\$ 17,424.80	\$ 0.00
NM-5P	2023 VACS	Tom Nixon	07-23-0334	523020	Culpeper	\$ 1,913.44	\$ 0.00
NM-5P	2023 VACS	Western View LLC	07-23-0335	523021	Orange	\$ 5,420.16	\$ 0.00
NM-5P	2023 VACS	Glenmary Farm LLC	07-23-0336	523022	Orange	\$ 7,961.04	\$ 0.00
SL-6W	2023 VACS	Anton Qreitem	07-23-0337	521386	Culpeper	\$ 88,536.25	\$ 0.00
CCI-SL-6W	2023 VACS	Paul Kalb	07-23-0341	523379	Rappahannock	\$ 15,756.25	\$ 0.00
SL-10	2023 VACS	Paul Kalb	07-23-0347	523704	Rappahannock	\$ 7,875.00	\$ 0.00
SL-10	2023 VACS	Bruce Bowman	07-23-0313	522690	Madison	\$ 1,125.00	\$ 0.00
SL-6W	2023 VACS	Debra Speyer	07-23-0346	523640	Orange	\$ 20,715.00	\$ 0.00

2) The following BMP participant has been approved by the Technical Committee for payment:

Practice	Fund	Participant	Contract	Instance	County	Amount	Tax Credit
SL-6W	2022 VACS	Donald S. Gerhart	07-22-0150	449251	Madison	\$ 41,660.00	\$ 0.00
SL-6W	2023 VACS	Donald S. Gerhart	07-22-0150	449251	Madison	\$ 1,483.36	\$ 0.00
SL-6N	2021 VACS	Roy Boldridge*	07-21-0222	388327	Culpeper	\$ 12,284.03	\$ 2,973.67
SL-6N	2022 VACS	Roy Boldridge*	07-21-0222	388327	Culpeper	\$ 1,766.37	\$ 0.00
SL-6N	2023 VACS	Roy Boldridge*	07-21-0222	388327	Culpeper	\$ 3,542.50	\$ 0.00
SL-6N	2021 VACS	Keyser Farm LLC**	07-21-0057	409795	Culpeper	\$ 62,828.68	\$10,716.52
SL-6N	2022 VACS	Keyser Farm LLC**	07-21-0057	409795	Culpeper	\$ 5,531.50	\$ 0.00
SL-6N	2023 VACS	Keyser Farm LLC**	07-21-0057	409795	Culpeper	\$ 11,248.25	\$ 0.00
SL-7	2021 VACS	Locust Dale Enterprises LLC	07-21-0304	431814	Culpeper	\$ 1,873.13	\$ 171.19
SL-7	2022 VACS	Locust Dale Enterprises LLC	07-21-0304	431814	Culpeper	\$ 181.12	\$ 0.00
SL-7	2021 VACS	Locust Dale Enterprises LLC***	07-21-0305	431817	Culpeper	\$ 7,295.78	\$ 1,435.17
SL-7	2022 VACS	Locust Dale Enterprises LLC***	07-21-0305	431817	Culpeper	\$ 6,637.50	\$ 0.00
SL-7	2023 VACS	Locust Dale Enterprises LLC***	07-21-0305	431817	Culpeper	\$ 3,288.75	\$ 0.00
SL-7	2021 VACS	Locust Dale Enterprises LLC	07-21-0307	431902	Culpeper	\$ 3,942.38	\$ 625.10
SL-7	2022 VACS	Locust Dale Enterprises LLC	07-21-0307	431902	Culpeper	\$ 3,558.75	\$ 0.00
SL-10	2022 VACS	Hazel River Farm	07-22-0244	469118	Culpeper	\$ 1,275.00	\$ 0.00
FR-1	2022 VACS	Mark S. Eaton	07-22-0151	465653	Orange	\$ 2,448.00	\$ 144.00
FR-3	2022 VACS	Mark S. Eaton	07-22-0151	465672	Orange	\$ 12,691.20	\$ 0.00

*The Technical Committee approved an increase for additional pipeline footage to better locate troughs to facilitate a rotational grazing system.

**The Technical Committee approved an increase for additional interior cross fence, sleeving of the pipeline due to rock, and additional concrete for the water trough pad.

***The Technical Committee approved an increase for additional stream exclusion fence, interior cross fence, and water troughs to facilitate a rotational grazing system.

3) The following BMP participant has been approved by the Technical Committee for an increase:

Practice	Fund	Participant	Contract	Instance	County	Amount	Tax Credit
SL-6N	2021 VACS	Keyser Farms LLC*	07-21-0057	409795	Culpeper	\$ 13,357.18	\$ 0.00

*Application was approved for \$66,251.25 with a combination of 2021, 2022, and 2023 VACS Funds. Increase of \$13,357.18 of 2021 VACS Funds were approved for additional stream exclusion fence, interior cross fence, and water troughs to facilitate a rotational grazing system.

4) The following Robinson 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-1	DEQ17220	Janet Foster	07-23-0317	522981	Madison	\$ 200.00
RB-1	DEQ17220	Virginia Hydock	07-23-0321	522995	Madison	\$ 220.00
RB-1	DEQ17220	Richard Gore Jr.	07-23-0322	522997	Madison	\$ 200.00
RB-1	DEQ17220	Faye Cowan	07-23-0338	523035	Madison	\$ 260.00
RB-3M	DEQ17220	Margaret Haluska	07-23-0325	523002	Madison	\$ 1,600.00
<i>RB-3M</i>	<i>DEQ17220</i>	<i>Nastasha Monroe</i>	<i>07-23-0354</i>	<i>523790</i>	<i>Madison</i>	<i>\$ 1,200.00</i>
<i>RB-1</i>	<i>DEQ17220</i>	<i>Helen Dixon</i>	<i>07-23-0344</i>	<i>523398</i>	<i>Madison</i>	<i>\$ 200.00</i>
<i>RB-1</i>	<i>DEQ17220</i>	<i>Christopher Cowan</i>	<i>07-23-0353</i>	<i>523787</i>	<i>Madison</i>	<i>\$ 200.00</i>

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-1	PO16974	Samantha Johnson	07-23-0318	522983	Orange	\$ 200.00
RB-1	PO16974	Jennifer Bryington	07-23-0323	522999	Orange	\$ 200.00
RB-1	PO16974	Brenda Clark	07-23-0324	523001	Orange	\$ 200.00
RB-3M	PO16974	Mary Yates	07-23-0298	522986	Orange	\$ 2,400.00
<i>RB-1</i>	<i>PO16974</i>	<i>Charles Clatterbuck II</i>	<i>07-23-0345</i>	<i>523557</i>	<i>Orange</i>	<i>\$ 200.00</i>
<i>RB-1</i>	<i>PO16974</i>	<i>Ann Bledsoe</i>	<i>07-23-0352</i>	<i>523747</i>	<i>Orange</i>	<i>\$ 200.00</i>
<i>RB-5</i>	<i>PO16974</i>	<i>Virginia Home Buyers LLC</i>	<i>07-23-0355</i>	<i>523791</i>	<i>Orange</i>	<i>\$ 12,000.00</i>

6) 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-3M	DEQ17084	Anne-Marie Stacey	07-23-0326	523005	Rappahannock	\$ 1,000.00
RB-3M	DEQ17084	Gregory Naranjo	07-23-0327	523008	Rappahannock	\$ 1,000.00

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>
<i>RB-1</i>	<i>DEQ17220</i>	<i>Sandra Nowell</i>	<i>07-23-0226</i>	<i>520091</i>	<i>Madison</i>	<i>\$ 206.25</i>
<i>RB-3</i>	<i>DEQ17220</i>	<i>Steven Engebretson</i>	<i>07-23-0310</i>	<i>522672</i>	<i>Madison</i>	<i>\$ 2,500.00</i>

8) The following Residential applicant has 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>
RB-3M	PO16974	Mary Yates	07-23-0298	522413	Orange	\$ 1,200.00

9) The following Virginia Conservation Assistance Program (VCAP) practice has been approved by the Technical Committee for payment:

<u>Practice</u>	<u>Applicant</u>	<u>County</u>	<u>Amount</u>
Rain Garden (RG)	Elizabeth Winters	Orange	\$ 6,520.00

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

- a. The Committee recommends Board approval of the Schnabel Engineering proposal for survey and design of a rock wave berm armoring at Beautiful Run Dam 7. A funding request for both design and construction will be submitted to DCR. Schnabel Engineering request for survey and design; \$28,469.00.
- b. Annual dam inspection dates are April 5th and 6th. Anyone wishing to attend should notify the District Manager.
- c. Schnabel Engineering will be submitting a proposal to the District for Beautiful Run Dam 1B wave berm and gate valve project to include full regrading of the primary embankment and evaluation/drainage of the old mill race in the dam.

11) The Committee recommends Board approval to return \$1.5 million of 2023 Chesapeake Bay VACS Funds and associated Technical Assistance Funds to DCR.

G. Wichelns reported that he had received and reviewed a proposal from Schnabel Engineering for a full service engineering contract for repairs and restorations at Beautiful Run Dam 1B. This will include correcting a mill race pipe leak and re-grading the full embankment in order to bring the dam back to as-built specs. Doing this may take the project over the existing project budget provided by DCR for small dam repair. He recommends requesting more funds, and if not granted, using some of the District's dam reserve funds to complete the project.

L. Graves called for Report approval including the District to moving forward with bringing Dam 1B up to as-built specs as outlined. R. Bradford moved to approve the report as presented. M. Sands seconded the motion. (R. Bradford, M. Sands, unanimous)

5.2) OPERATIONS COMMITTEE REPORT:

G. Wichelns brought attention to item number five on the presented Operations Committee Report where it was mentioned that the District would co-hold the Goodall ALE Easement with Piedmont Environmental Council, contingent on District approval of final easement language. The final language has been reviewed and supports the District's intentions in co-holding the ALE Easement. He also reported that he has completed his review of the Desktop Guide for Fiscal Operations with the Operations Committee and confirmed that the District is fully in compliance.

L. Graves called for Report approval including the decision to co-hold the ALE Easement with Piedmont Environmental Council. T. O'Halloran moved to approve the report as presented. P. Morris seconded the motion. (T. O'Halloran, P. Morris, unanimous)

6) CLOSED SESSION: LITIGATION

L. Graves moved that the Board go into Closed Session at 10:18 A.M. as provided for in the Code of Virginia Section 2.2-3711(A) (1) to discuss ongoing Litigation. The Associate Directors, District Manager, and Eric Lansing, Assistant Virginia Attorney General, were invited to attend. T. O'Halloran seconded the motion. (L. Graves, T. O'Halloran, unanimous)

Following the return from Closed Session, L. Graves moved to reconvene at 11:04 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". T. O'Halloran seconded the motion. (L. Graves, T. O'Halloran, unanimous) (by roll call vote)

On a motion by Lynn Graves and second by Robert Brame, the District Board delegated to Technical Committee Chairman, Robert Bradford, the authority to speak on behalf of the Board to possibly negotiate a settlement on their behalf in the Culpeper Soil and Water Conservation District and Virginia Department of Conservation and Recreation V. Steven H. Lamb; Case No: CL22-124 in the Circuit Court of Greene County. (Graves, Brame, unanimous)

7) **DIRECTOR REPORTS**

R. Runkle reported that he attended Bernie Sanders' event in Charlottesville where the topic of Global Warming was discussed. He reported that Bernie has a new book.

D. Verhoff reported on his attendance at the 22nd Annual Virginia Biological Farming Conference which he stated was well attended with over five hundred guests. He reported that there was an inspiring amount of women and blacks in farming. He also shared two books, *Farming While Black* by Leah Penniman, and *Growing Great Vegetables* by Ira Wallace.

S. Sharpe reported that she hosted two successful meetings, a Beef Producer Meeting, and a Women in Ag Meeting.

L. Graves reported that he attended the Virginia Association of Soil and Water Conservation District's Legislative meeting via Zoom, but that due to some IT issues, he was a little bit late. He reported that when he receives an electronic copy of the presentation, he will share it with the Board. He also reported that the State has still not finalized a budget for FY24.

8) **STAFF REPORTS**

S. Ross shared that the Area II Meeting will be held in Charlottesville on April 19th and brought registration forms for anyone interested in attending.

R. Jacobs reported that the consolidation of E&S and Stormwater legislation is still out for public comment, but that no questions have been received at this time. The deadline for adopting regulations has been set for July 2024. He also reported that he will be working with Lake of the Woods on their Earth Day event, "Love the Lake Day." He will report more on this at a later date.

D. Massie reported that he represented the District at the Farm Business Transition Program as well as the Virginia No-Rill Alliance Annual Conference for continuing education credits.

B. Harris reported her attendance at the Women in Ag meeting as well as the Greene Beef Producer meeting, both held by Greene VCE.

H. Calloway reported her attendance with R. Jacobs at the Chesapeake Bay Landscape Professional Training for VCAP.

S. DeNicola reported that the Tree Sale pick up will be next week and that all trees are still currently in stock. She also reported that the Woods and Wildlife Conference was well attended, having reached capacity with an extensive wait list. She then shared that with school programs underway through the end of May, that the best way to reach her right now is via email.

G. Wichelns shared that the District is still waiting for the State to finalize a budget for FY24, which will hopefully include an additional \$1,000,000 for small dam repairs. He expects to find out in December if the Culpeper District gets any additional projects funded for 2024. He also reported that the District's outreach event taking place this Friday, March 10th, currently has about 40 registrations with more still coming in.

9) **AGENCY REPORTS**

DCR – D. Cross took a moment to go over a few of the items in her written report. She reminded staff that Quarterly Reports will be due on Monday, April 17th. She recommends that the District begin thinking about FY24 Budget Preparations. She also noted that the General Assembly adjourned without finalizing a budget for FY24 and that the deadline for farmers to participate in Bay Bill regulations has been extended from July 2026 to July 2028. She shared reminders regarding carryovers, end of lifespan verifications, 90% VACS Obligations, and CCI practices. She also reminded the Board that the filing deadline for Elected Director Positions is June 20, 2023 and went over a few of the filing requirements. She also pointed out upcoming trainings and other important dates.

NRCS – R. Rexrode spoke on some of the items in his written report. He shared that the National Office Tour has been rescheduled for March 29th and that he will be taking State Representatives to two or three Culpeper farms as well as two Culpeper dams. He also reported on the Inflation Reduction Act (IRA), which will increase Federal funding with the goal of improving soil. He shared that applicants that are not approved for EQIP funding may qualify to receive IRA funds.

VDOF – J. Zielinski reported that VDOF is currently running a Warden Tree Program which will offer free trees to any Virginia residents. Anyone interested in receiving trees will be required to report their plantings on the ‘my tree counts’ website. He also reported that the burn ban will continue until April 30th. He passed letters around to Conservation Specialists that go over when VDOF should be involved in BMPs.

10) PUBLIC COMMENT PERIOD

M. Rifaat said hello and introduced herself. She shared that she had represented Rappahannock County on the District Board for many years before retiring. She has a cattle operation on her farm, which she still manages, although it is owned by a tenant farmer who does not live on site. She shared a curiosity for where the recent increase on District funds comes from and the District Manager briefed her on the workload based increases.

11) PLAN FOR MARCH COMMITTEE MEETINGS (IN PERSON)

Committees will meet at the Culpeper District Office on Tuesday, March 21, 2023. Personnel 9:00, Operations 9:30, Technical 10:00. Tentatively, the Education Committee will meet at the Madison Extension Office on the same day, at 3:30 PM. **BOARD MEETING FOR APRIL WILL TENTATIVELY BE HELD TUESDAY, April 4, 2023, in person, at 10:00 AM at Pepper’s Grill in Culpeper County.**

11) ADJOURNMENT

L. Graves motioned to adjourn the March 7, 2023 Board meeting at 11:50 AM. M. Sands seconded the motion. (L. Graves, M. Sands, unanimous)

Respectfully Submitted,
Stevie Ross, Administrative Secretary

Lynn Graves, Chairman



Date Approved: April 4, 2023