

The **Tygart's Valley Conservation District** Board of Supervisors held a Regular Board Meeting on *May 22, 2017* commencing at 9:03 a.m. at the District Office in Philippi. The meeting was called to order by Chairman Sheldon Findley.

**Supervisors Present:** Sheldon Findley, Dave Bonner, Jim Nester, James Dean, Robert True, Joe Gumm, Donnie Tenney, John Sencindiver, and Sigrid Teets – TVCD/WesMonTy RC&D.

**Others Present:** Hillary Woofter – WVCA, Jeremy Salyer – WVCA, Joyce Frey – TVCD, Ben Collier - NRCS, Dan Elliott – TVCD, Rudy Williams – WVDOT, Juergen Wildman – WVDOT, and Roger Poling – FSA.

Nester led the group in the Pledge of Allegiance.

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

*May 22, 2017 Agenda:* **Tenney moved to approve the agenda as presented; seconded by Gumm; motion carried.**

*April 24, 2017 Regular Meeting Minutes:* **Gumm moved to approve the minutes as presented; seconded by Bonner; motion carried.**

**Introduction and/or Recognition of Visitors:** *None present.*

**Treasurer Report:** *Frey reviewed her reports (copies attached).*

**Bonner moved to accept the Treasurer's Report for May as presented and file for audit; seconded by Gumm; motion carried.**

**District Report:** *Elliott opened by reporting that he had a lot of work lined up for the crew, but needed the weather to cooperate. The tack swap went well, including "selling" an arena construction. Visited Mr. Spencer's pond and thinks the cost of the work needing done is more in the range of \$12,000.00 than the previously mentioned \$6,000.00. Wants the landowner to be contacted with a certified letter about what is owed to the district. Findley stated that Elliott was asked to see how to repair the dam not if we were going to. Elliott believes that Spencer is asking for much more work than what was originally discussed on his estimate and added that he got physically aggressive with Supervisor Nester while on the visit. Nester commented that while Spencer insists it didn't take much time for the work to be done, there was a lot of time spent just on the left bank of the dam alone. Findley stressed that the district already told Mr. Spencer that they'd remove the temporary dike and sludge, and that we need to honor that and worry about the finances later. True asked if more damage was going to be done to the embankment to move the sludge to which Findley said it'll need to be reseeded. Tenney asked if that was in the original scope of the work to which True replied yes. Elliott had contacted Lambert about the work, but had trouble getting information as he is lifelong friends with Mr. Spencer. Elliott stressed that while he didn't bid or do the original job, if the supervisors told him what to do, he'll fix it. *Discussed at length what work needs to be done to rectify the situation; cost of additional work to TVCD; and original invoice total.**

**Tenney moved that the district accept Mr. Spencer's previous offer of being paid \$3,000.00 on the owed invoice and that a written agreement be prepared that lists what work the district will do to fix the dam; seconded by Sencindiver; the motion was carried by a visual vote of hands with Sencindiver, Gumm, Nester, and Tenney voting 'Yay'; True, Bonner, Dean, and Teets voting 'Nay', and Findley casting the tie-breaking vote as 'Yay.'**

Elliott went on to report that he has been working on changing the lights in the shop to LEDs'. A safety meeting was held earlier in the morning on snakebites and beestings. Is working on getting the information to Woofter on the black Ford Truck to be up for bid to the other conservation districts. Lastly, he was still checking the requirements for onsite defibrillators. True commented that he had received a call about Elliott that said he was very professional

**Teets moved that the black Ford Truck be advertised for sale as is if no interest is received from the other districts; seconded by Bonner; motion carried.**

**District Manager Report:** *Woofter* reviewed her written report (copy attached) and passed around the Reconciliation Reports for April 2017 for supervisor review and signature.

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

**I. May**

- a. Monday 22<sup>nd</sup> – NRCS Local Work Group Meeting 1pm
- b. Tuesday 23<sup>rd</sup> – WesMonTy RC&D Meeting 10am Tucker Co. H.S.
- c. Monday 29<sup>th</sup> – Memorial Day OFFICE CLOSED

**Report of Officers and Agencies:**

**WVCA:** *Salyer* reviewed his written report (copy attached).

*Woofter* reviewed Smith's report in his absence (copy attached).

**WVU Extension:** *None present.*

**NRCS:** *Collier* reviewed his written report (copy attached).

**FSA:** *Poling* reported that Purdue was confirmed into office and the FSA is currently being realigned. They are currently accepting acreage reports for spring crops. The fires and floods out West have caused a lot of damage. County Committee voting states June 15<sup>th</sup>. Added that the Farm Storage Facility Loan now covers bake wrappers and refrigerated trucks.

**WesMonTy RC&D:** *Teets* reported that the monthly meeting was scheduled for the following day and they have been aiming to fill the vacancies on the board. The signs for the hiking trail at the Barbour County Fairgrounds have been installed. Still considering a 319 project in Doddridge County. Planted seedlings in the planters by the shop to include in her video for plant identification. Thanked Frey for her help with the display at Discover Nature Day, including bringing an observation hive.

DoF: *Williams* reported that as of May 1<sup>st</sup>, Barry Cook is the new Director of the WVDOP. Was very impressed with the field day TVCD held at French Creek. Going to look at a church after the meeting with 150 beams to try and identify the wood. Hired back 11 people who had been laid off by the WVDOP the year before. The DEP is no longer handling complaints about logging operations.

Others: *None present.*

**Correspondence Received:** WVACD Scholarship Award Notice; WV Conservation Camp Sponsorship Request; Region 7 Planning and Development Council Meeting Notice; WVU Soil Judging Team Thank You Letter; WV DEP Pending Mine Permit Notice; Brickstreet Authorization for Everson

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### **Old Business:**

- **Farmland Preservation** – *Sencindiver* reported that they are still working with a farmer on purchasing an easement.
  - **SPRP/OM&R** –
    - **Work Pending:** *None*
    - **Completed Work/Invoices:** *None*
  - **Elkwater Fork Litigation Funds & Title/Deed Transfer (Ongoing/update)** – *Woofter* to draft a letter to Farkas asking the money be transferred for use for AgEP.
  - **MOU Development with WVCA for EWP Response (Ongoing/Update)-** *No update.* Frey gave additional information to Saurborn as requested but hadn't received an update.
  - **Spencer Invoice Dispute:** *Please refer to page one.*
  - **NRCS Elkwater soil core storage (Ongoing/Update)** – *No update.*
  - **Topsoil for Community Garden Project (Ongoing/Update)** – *Woofter* reported that she had recently spoken to Streets and was informed the school had purchased the top soil and was getting the invoices together to submit to TVCD.
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### **Committee Reports:**

**Building/Finance/Budget Committee:** *No update.*

- **Building repairs and maintenance (Ongoing/update)-** Crew will be doing some painting around the district complex.

**Equipment/Safety Committee:** *Nester* attended MCD's meeting last month and would be attending WFCD and LKCD this month about OMR work.

- **Sale of district equipment (Ongoing/update)** – *See district report.*
- **Equipment repairs (Ongoing/Update)-** *Excavator nearly repaired.*

**Education/Publicity/Exhibit Committee:** *Sencindiver* commented that the "Ag in the Classroom" event went very well and got good feedback on Frey's pollinator program. The field day at French Creek went very well. BUHS had a very large group in attendance with the new Vo-Ag teacher. Received good feedback. The WV Envirothon went well and it will be held at Jackson's Mill next year. Has one more year serving on the executive committee of the event.

**Legislative Committee:** *October 26<sup>th</sup> chosen as the date to hold the event, location TBD by Joe Gumm. Nester added he booked the TVCD Christmas Luncheon for December 13<sup>th</sup>.*

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**Grassland/AEP Committee:** *No report.*

- **AgEP Administration Agreement Draft:** *Salyer* reviewed the draft (copy attached) and added that under section 3.9, the ‘Elkwater Litigation Fund’ would transfer out of the state account and into TVCD’s general account. It would then be tracked by the district bookkeeper. *Discussed at length.*

**Tenney moved to approve the agreement as presented, delegating authority to approve, cancel, and make payments (of contracts) to the TVCD AgEP Committee, as well as a ranking ‘tie-breaker’ be used as preference given to the earlier time and date the applications were submitted; seconded by True; motion carried with Gumm opposing.**

- **Conservation Agreements:**
  - Dustin Pringle (Upshur, 460 Acres)
  - Jacob Lowther (Upshur)

**Sencindiver moved to approve the agreements as presented; seconded by Tenney; motion carried.**

- **AgEP Applications:** *None*
- **AgEP Cancelations:** *None*
- **AgEP Payments:** *None*

**Water Resource Committee:** *No report.*

**WVACD Directors Report:** *No report.*

**Personnel Committee:** *No report.*

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## **New Business:**

- **Credit card reader and forms of payment accepted by TVCD –** Tenney moved to authorize the purchase of a tablet and a Square Credit Card Reader and to increase the district’s cost of materials/labor by a uniform flat rate to make up the difference in incurred fees; seconded by Bonner; motion carried.
- **FY2018 TVCD Plan of Work –** Sencindiver moved to approved the draft as presented; seconded by Teets; motion carried.

## **Report of Individual Supervisors:**

**Gumm:** The Appalachian Grazing Conference will be hosted in 2019 and the next committee meeting is July 20<sup>th</sup> at MCD at 10am.

**Nester:** At FFA banquet, 2 Senators, 2 Delegates, and the Commissioner of Agriculture attended.

**Dean:** Attended TVCD field day. Would like to see the district hold two every year and to move around the counties throughout the district.

**True:** Attended the Solid Waste Authority meeting, Spencer site visit, and the WV Grazing Steering Strategic Plan meeting.

**Bonner:** Attended the Spencer site visit and the Discover Nature Day.

**Tenney:** Attended supervisor training, TVCD field day, and TVCD plan of work meeting.

**Teets:** Attended AgEP teleconference, TVCD field day, TVCD Plan of Work meeting, WV Envirothon meeting, went with Danny Wagner to Wolfe’s property about erosion, stopped by the TVCD Tack Swap, Wolfe spoke to Steve Brown with the DNR about holding a fishing day at the Elkwater Dam for handicapped veterans.

**Public Comment Period:** None

There being no further business to attend to, Chairman Findley declared the meeting adjourned at 11:30 AM.

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Secretary

Minutes recorded and prepared by Hillary Woofert – WVCA District Manager/ASA 3

**May 22, 2017 Regular TVCD Board Meeting Minutes Summary of Motions**

1. Tenney moved to approve the May 22, 2017 agenda as presented; seconded by Gumm; motion carried.
2. Gumm moved to approve the April 24, 2017 minutes as presented; seconded by Bonner; motion carried.
3. Bonner moved to accept the Treasurer's Report for May as presented and file for audit; seconded by Gumm; motion carried.
4. Tenney moved that the district accept Mr. Spencer's previous offer of being paid \$3,000.00 on the owed invoice and that a written agreement be prepared that lists what work the district will do to fix the dam; seconded by Sencindiver; the motion was carried by a visual vote of hands with Sencindiver, Gumm, Nester, and Tenney voting 'Yay'; True, Bonner, Dean, and Teets voting 'Nay', and Findley casting the tie-breaking vote as 'Yay.'
5. Teets moved that the black Ford Truck be advertised for sale as is if no interest is received from the other districts; seconded by Bonner; motion carried.
6. Tenney moved to approve the AgEP Administration Agreement draft as presented, delegating authority to approve, cancel, and make payments (of contracts) to the TVCD AgEP Committee, as well as a ranking 'tie-breaker' be used as preference given to the earlier time and date the applications were submitted; seconded by True; motion carried with Gumm opposing.
7. Sencindiver moved to approve the conservation agreements as presented; seconded by Tenney; motion carried.
  - a. Dustin Pringle (Upshur, 460 Acres)
  - b. Jacob Lowther (Upshur)

- 8. Tenney moved to authorize the purchase of a tablet and a Square Credit Card Reader and to increase the district's cost of materials/labor by a uniform flat rate to make up the difference in incurred fees; seconded by Bonner; motion carried.**
- 9. Sencindiver moved to approved the FY2018 TVCD Plan of Work draft as presented; seconded by Teets; motion carried.**