

NORTHERN PANHANDLE CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
September 7, 2023
10:00 a.m.

Supervisors Present

Jim Anderson, Hancock County – Vice-Chairman
Steve Paull, Brooke County
Amy Wade, Ohio County - Secretary
Robert Luchetti, Jr., Ohio County
David McCardle, Marshall County

Supervisors Absent

Chuck Glenn, Hancock County – Treasurer
Mark Fitzsimmons, Marshall County, Chairman
Eric Freeland, Brooke County

Others Present

Veronica Gibson, Administrative Specialist, WVCA
Jennifer Kile, Conservation Specialist, WVCA
Kim Fisher, District Operations Manager, West, WVCA – via teleconference
Bill Armstrong, Watershed Technician, WVCA
Abby Geho, District Administrator, NPCD
David Shipman, Soil Technician, NRCS
Kevin Paul, NRCS
Bob Straub, CPA, Hartley & Straub

Vice-Chairman Jim Anderson called the meeting to order on Thursday, September 7, 2023, at 10:08 a.m. at the USDA Service Center in McMechen, WV.

Pledge of Allegiance – The pledge of allegiance was recited.

Minutes

- **David McCardle made a motion to approve the August 2023 board meeting minutes as presented. Seconded by Amy Wade. Motion passed.**

Financial Report

- Bob Straub reviewed the August 2023 NPCD financials.
David McCardle made a motion to approve and file the August NPCD financials for audit. Seconded by Steve Paull. Motion passed.

Reports

- District Crew (NPCD)
 - Wheeling Creek #3 and #7 work orders are complete. Weed eating on Wheeling Creek #23 and #25 needs to be completed.
- Farm Service Agency (FSA) - No Report

- WV Division of Forestry (WVDOF) – No Report
- WV Conservation Agency (WVCA) – Kim Fisher
 - Kim reviewed the written monthly report.

September 2023 WVCA Report

Agreed Procedures Engagement (Audit)

Conservation Districts are asked to begin the Agreed Procedures Engagement (APE) (audit) soon after the close of the fiscal year on June 30th. It is important that each district read their audit, and then take steps to correct any findings noted by the auditors. If your APE (audit) appointment has not been made, please do so ASAP. If you have questions, ask Kim or Jeremy.

Request to Conservation Districts

The WVCA is encouraging Conservation Districts to review and update their District Policy Manuals. Districts are also encouraged to review their CD Employee Manual (if you have one).

October Quarterly Meeting – Awards Program

Presentation of Area and State awards will held at the WVACD Awards and Recognition Luncheon on October 17. All County and District winners will be recognized at the local Conservation District annual banquets. Registration is due by September 25, 2023. All payments must be made via check marked payable to the West Virginia Awards Council or “WVCAC”. Your completed registration form is to be delivered to your AS. As soon as the AS receives your registration forms and checks, they will be scanned and mailed to Belinda Withrow. All forms and checks are to be received to her attention, at the Guthrie office no later than close of business on September 25.

District Operations Manager

The WVCA will return to having three areas instead of the current two in regard to district coverage. A starting date will be provided when available.

CDO Budget Expenditure Report for FY23

This report is due to Guthrie by September 1.

Ag Enhancement Program Timeline FY24timeline may be adjusted***

- July 1 - Start of Program Year
- July 15 – Deadline for DMs to close out database for previous FY
- July 31 - AgEP Newsletter (Annual Progress Report)
- July- State AgEP Committee Introductory meeting
- August 18 – Deadline for CDs to submit allocation formula proposals and new practices for upcoming FY program.
- September – State AgEP committee mid-year meeting to review proposals, new practices, and form subcommittee(s) if needed.
- October 31 - Deadline for CDs to submit additional program comments, including ranking criteria.
- November - Comments reviewed and forms revised.
- December - State AgEP committee meeting to finalize upcoming FY program.
- January - Presentation of upcoming FY AgEP to SCC

May/June/July – CDs to finalize upcoming FY program, update AgEP agreement addendums, take action to approve LORs

June 15 – Deadline for CDs submit final practice list to WVCA (CDs can submit final list any time after SCC approval of practice list)

- WV Association of Conservation Districts (WVACD)
 - A written report was not provided.
 - An email was received from Heather Duncan. Heather requested supervisor concerns for district treasurer training. The NPCD would like to have training regarding CDO funds and Co-Administered funds.
- Natural Resource Conservation Service (NRCS) – David Shipman
 - David reviewed a written report.

September 2023

NRCS Report:

Trainings/Upcoming Events/Outreach

- Programs training for all field office staff the last week of September or first week of October

Programs

- **Program Applications/Contracts**
 - **MCD & NPCD – all applications submitted for obligation**
- **Contract Management**
 - Staff is working diligently to complete modifications on existing contracts and ensure all contracts are on schedule and up to date.

Field Visits/Conservation Planning

- Staff completed field visits for conservation planning, technical assistance, and practice certifications.
- Completed new producer visits which turned into new applications.

Education & Outreach/Other

- **NPCD**
 - Hands on Ag Day (Marshall Co.) – September 14th & 15th
 - Hands on Ag Day (Ohio Co.) – October 6th
 - Northern WV Cattleman’s Conference – October 20th & 21st
- **Other**
 - Katie will be on leave 9/1-9/8

- Wheeling Creek Watershed Commission (WCWC)
 - Jim Anderson reported that the WCWC would like to have the PA dams cleaned of trees and mowed before the end of the year. Jim will meet with Howard Coffield to get a list of work to be completed. The WCWC would like an update of the legal action for Wheeling Creek #3. There is no update at this time.
- Administrative Specialist (WVCA) – Veronica Gibson
 - Supervisors were asked about attendance for Hands on Ag Day and for the appreciation dinner. Amy Wade will attend Hands on Ag Day on Thursday and the dinner that evening. Robert Luchetti, Jr. will attend on Friday.
- District Administrator (NPCD) – Abby Geho
 - Abby has been helping with Hands on Ag Day.
 - Information is needed for the newsletter before the end of September. An ad for the work crew will be placed in the upcoming newsletter.
- Visitors - None
- Committee Reports
 - Equipment Committee
 - Abby Geho reported that many repairs are needed to the no-till drill. Abby included detailed pictures of repairs needed in the meeting packets. **David McCardle made a motion to purchase drop tube connectors for the no-till drill. Seconded by Amy Wade. Motion passed.** The drive chains on the Cricket spreader need adjusted and the belt tension is off. Cooperator said the bracket that holds the idler is bent.
 - Abby Geho provided an equipment rental report.
 - Building Committee
 - Will Groves has been contacted regarding repairs needed to the red building. He will present an estimate for repairs and the cost to install tin or vinyl to the building.
 - High Tunnel
 - Gravel has been delivered and needs to be placed in the high tunnel.
 - Abby Geho prepared a report of harvested vegetables. Almost 1,000 pounds of vegetables have been donated to local soup kitchens.
 - Grassland Committee
 - Jim Anderson reported that a state grassland meeting will be held next month.
 - Personnel Committee
 - Robert Luchetti, Jr. will continue to review NPCD policies for updates.

Old Business

- FY24 NPCD Committee Appointments
 - Mark Fitzsimmons appointed FY24 Committees as follows:
**Northern Panhandle Conservation District
2023-2024 Committees**

Equipment Committee (Rental Program)

David McCardle – Chairman
Chuck Glenn
Steve Paull
Robert Luchetti, Jr.
Abby Geho

Building Committee

Jim Anderson – Chairman
Amy Wade
Veronica Gibson
Abby Geho

Budget & Finance Committee

Chuck Glenn – Chairman
Jim Anderson
David McCardle
Amy Wade
Veronica Gibson

Operation & Maintenance (Dams) Committee

Chuck Glenn – Chairman
Jim Anderson
Amy Wade

High Tunnel & Garden Committee

David Shipman – Chairman
Eric Freeland
Partners
Staff

Grassland Committee

Steve Paull - Chairman
Chuck Glenn
Jennifer Kile
Katie Fitzsimmons
David Shipman

Education, Awards, Legislative & Outreach Committee

All NPCD Supervisors
Partners
Staff

Agricultural Enhancement Committee

All NPCD Supervisors
Partners
Staff

Safety Committee

Robert Luchetti, Jr. – Co-Chairman
Eric Freeland – Co-Chairman
Steve Paull

Personnel Committee

Robert Luchetti, Jr. – Chairman
Jim Anderson
David McCardle

***Board Chairman sets on all committees**

It was stated that Jim Anderson is on the state grassland committee therefore he should be appointed to the district grassland committee. Steve Paull does not want to be the chairman of the grassland committee.

- Repairs to Red Building
 - Discussed under committee reports.

New Business

- 2023-08-17 OMR NPCD Wheeling Crk DR & TR Bid
 - Bill Armstrong reported that the WVCA would like to hold a third job showing for the Wheeling Creek debris removal and trash rack repairs. The bids for the seconded job showing were much higher than the WVCA estimates. The next job showing would be advertised as an hourly job instead of a lump sum. The WVCA feels this would bring in more contractors and lower bids. There was a discussion regarding the NPCD boards frustration with the proposed third job showing. The board feels that the WVCA has spent too much of the contractors' time with multiple job showings and that the lowest bid should be accepted. After the discussion the following motion was made **David McCardle made a motion to reject the low bid from J& R Excavating and to have the WVCA advertise for a third job showing for the Wheeling Creek debris removal and trash rack repairs as soon as possible. Seconded by Robert Luchetti, Jr. Motion passed.**

 - 2022-05-11 OMR NPCD Upper Grave Creek 1 Improvements Final Payment
 - An invoice for \$70,000.00 was presented from Vincent Excavating, LLC for final payment for contract 2022-05-11 OMR NPCD Upper Grave Creek 1 Improvements. The work has been verified complete by the WVCA. **David McCardle made a motion to approve the invoice from Vincent Excavating in the amount of \$70,000.00 for contract 2022-05-11 OMR NPCD Upper Grave Creek 1 Improvements for payment. Seconded by Amy Wade. Motion passed.**

 - Upper Grave Creek #1 – Property Acquisition
 - Bill Armstrong informed the board that a property on Upper Grave Creek #1 is vacant. The property owner has passed away and the property was purchased from a buyer that lives in Florida. The WVCA would like to have the NPCD purchase the property. David McCardle thinks the city of Cameron would own the property. **David McCardle made a motion to table the property acquisition of Upper Grave Creek #1 until more information is available. Seconded by Amy Wade. Motion passed.**

 - Upper Grave Creek #4 – Building Removal
 - Bill Armstrong reported that there is a building in the spillway of Upper Grave Creek #4. The owner does not know what to do to dispose of it. Bill asked if the NPCD has equipment available to remove the building. It was decided that the WVCA should submit a work order to the NPCD for removal of the building.

 - Upper Grave Creek Statements of Review
 - The statements of review were submitted for all Upper Grave Creek sites. Amy Wade asked if the dam monitors have been verified. **David McCardle made a motion to table the approval of the Upper Grave Creek statements of review until the dam monitors are verified. Seconded by Robert Luchetti, Jr. Motion passed.** Amy Wade will verify the monitors.
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- Agreement #1484-00 – Upper Grave Creek Mining Investigation
 - **David McCardle made a motion to approve agreement #1484-00 – Upper Grave Creek Mining Investigation. Seconded by Robert Luchetti, Jr. Motion passed.**

- FY24 O&M Agreement
 - Wheeling Creek Watershed Commission – PA Dams
 - **Robert Luchetti, Jr. made a motion to accept the FY24 O&M agreement between the WCWC and the NPCD for the PA dams. Seconded by David McCardle. Motion passed.**

- NRCS North Area Water System Training – Porta John
 - The NRCS and WVCA are holding a water system training in West Liberty on October 24. The planning committee is requesting a porta john. **David McCardle made a motion to rent a porta john for the October 24 water system training. Seconded by Amy Wade. Motion passed.**

- Updates to Air Conditioning – Johnson Boiler Works
 - An estimate for updates to the air conditioning at the USDA Service Center was received from Johnson Boiler Works. The cost of the updates to the server room are \$7,500.00. The cost for updates to the rear left and right rooms are \$14,000.00. The cost for the updates for the rear left, right and center are \$17,000.00. **David McCardle made a motion to have Johnson Boiler Works complete the updates to the air conditioning to the server room and the rear left, right and center areas of the USDA Service Center. Seconded by Steve Paull. Motion passed.**

- WV Conservation Agency Awards & Recognition Banquet Luncheon Registration
 - All supervisors received a copy of the banquet luncheon registration form in their packet.

- FY23 AUP Bids
 - Two bids were received for the FY23 AUP. The bids were from Suttle & Stalnaker and Lowe and Associates. The low bid was from Lowe and Associates in the amount of \$3,550.00. **David McCardle made a motion to accept the low bid for the FY23 AUP from Lowe and Associates. Seconded by Amy Wade. Motion passed.**

- Flood Relief for Southern WV
 - **Robert Luchetti, Jr. made a motion to support the areas of southern WV that were affected by recent flooding with needed items. Up to \$1,500.00 will be spent to purchase items. Seconded by David McCardle. Motion passed.** The funds from the purchased items will be spent from the NPCD general fund.

- Conservation Agreements
 - Michael White/Hancock County
 - Jay Collins/Brooke County
 - Susan Bauer/Marshall County/5.6 acres

Amy Wade made a motion to approve the conservation agreements for M. White, J. Collins, and S. Bauer. Seconded by David McCardle. Motion passed.
- Ag EP
 - Payment
 - Dale Mason-Exclusion Fence (Woodland)-1,258 ft-\$2,000.00

David McCardle made a motion to approve the completed AgEP practice for D. Mason as presented. Seconded by Amy Wade. Motion passed.
 - Jennifer Kile reviewed the FY23 AgEP annual report that was included in the packets.

Correspondence – Secretary Amy Wade reviewed the following correspondence. 1) Post cards received from the students that received NPCD sponsorship to conservation camp.

Supervisor Reports

Robert Luchetti, Jr. – Robert reviewed his written report from a meeting held on August 30. His report is as follows:

230830 Update Meeting
Upper Grave Creek Undermining

Gene Saurborn led a meeting to provide an update regarding the undermining of Upper Grave Creek Dams by ACNR.

Attendees:

D’Appolonia (Robert Shusko)
Don Whetzel
Gene Saurborn
Levi Cyphers
Jason Pockl

Meeting was to bring D’Appolonia on board and up to speed on Undermining concerns. Gene said that ACNR had provided an overview of mining operations in vicinity of Grave Creek dams two years ago – and had not provided any substantive info since then.

Gene said the objective of the meeting was to develop a plan for tasking ACNR for information He wanted to develop specific questions and a list of specific items of information Gene said we had some baseline info on the dams such as borescope camera pictures, installation of monitoring pins on #7, 8, and some on #5

D’Appolonia said they would like to do a “3-D scan”as part of the baseline info. Inquired about mowing status- excess vegetation affects fidelity of scan. They would like to do scan in early November; need to place to have dams mowed late in the year prior to scan

Items that D'Appolonia would like to get from ACNR:

Mine Maps, timing of mining operations, direction of mining, info on core holes, like to take a look at geology and coal quality, any subsidence studies that they may have done. D'Apollonia looked at info posted on WV.net and it appeared based on data from the website that mining operations are either ongoing or have recently been conducted under #5. ACNR has indicated that mining operations earlier this summer were conducted outside the angle of draw but information from WV.net indicate mining operations were/are directly under #5

Jason stated he had reached out to ACNR for information on mining operations and they indicated they would provide info regarding their plan, but the promised info has not been provided.

Gene said that mining permits would have some information that we need, and he would reach out to Dam Safety. D'Appolonia said that the permits should be available from either Dam Safety or MSHA if they are resistant Jason can use FOIA to obtain them.

D'Appolonia will work on getting mine maps and instrumentation such as inclinometers etc

Levi mentioned checking on a subsidence study that may have been conducted by WVU for ACNR. Gene mentioned that additional efforts will need to be placed on insuring access to site 9 due to ongoing landowner issues.

Amy Wade – A schedule was not set for the Ohio County Country Fair. The schedule was set as follows:

October 7	October 8
Saturday AM – Amy Wade	Sunday AM – Robert Luchetti, Jr.
Saturday PM – Steve Paull	Sunday PM – David McCardle

Amy will be at the Ohio County Hands on Ag Day on October 6

NEXT MEETING – The next board meeting will be held on Thursday, October 12, 2023, at the USDA Service Center, McMechen at 10:00 a.m.

There being no further business, the meeting was adjourned at 11:45 a.m.

Jim Anderson, Vice-Chairman

Amy Wade, Secretary

Minutes submitted by Veronica Gibson