

Southern Conservation District

Regular Board Meeting Minutes
July 9, 2025
10:00 AM

The Southern Conservation District Board of Supervisors met on Wednesday, July 9, 2025, at 10:00 AM in the conference room of the district office located at **253 Ragland Rd. Beckley, WV 25801.**

Those in attendance:

Supervisors

Randall Patton; Chairman

Bill Harris; Vice Chair

Ed Hendrick; Secretary

Curtis Murphy

Fred Halsey

Randy Prince (Teleconference)

Rachel Prince (Teleconference)

Ron Testerman

Others

Jesus Nandi Roman, WVCA

Brian Fry, WVCA

Morgan Dial, WVCA

Dave Parkulo, SCD

Beth Villers, NRCS/WVU

Ruby Daniels-Holland, NRCS

Katy McBride, NRCS

John Wooton, Attorney

Open & Welcome

SCD Chair; Randall Patton

Steven Johnston led the group in prayer; Ron Testerman led in the Pledge of Allegiance.

Southern Conservation District Operations and Business

Administrative Specialist Report:

Jesus Nandi Roman, WVCA

Jesus Nandi Roman provided an update on the Southern Conservation District's Fall Banquet, scheduled for October 2025. He informed the Board that he had contacted the Tamarack regarding availability and was advised that both proposed dates—October 16 and October 23—were available. Following brief discussion, the Board reached consensus that October 16, 2025, would be the preferred date. As the decision did not require formal action, no motion was presented. Jesus Nandi Roman confirmed he would proceed with reserving the venue for October 16, 2025. Jesus Nandi Roman then continued with a report on the SCD Photo Contest. He provided an overview of the judging criteria and informed the Board that first, second, and third place winners had been selected in accordance with those metrics. He noted that the chosen entries were now prepared for second-round judging.

Approval of Minutes:

Curtis Murphy moved to approve the minutes of the June 12, 2025, Regular Board Meeting. Ed Hendrick seconded the motion. The motion was adopted.

Ed Hendrick then moved to approve the minutes of the June 24, 2025, Special Board/Committee Meeting. Ron Testerman seconded the motion. The motion was adopted.

Review/Approval of June Financial Reports:

Jesus Nandi Roman informed the Board that the required financial reports had not yet been received. In response, Randall Patton stated that the reports in question would be addressed during the Special Board meeting scheduled for the end of the month.

Conservation Technician Report:

Dave Parkulo, SCD

Dave Parkulo reported that approximately half of the District's current projects have been completed. Additional water-related work is scheduled for the following week, with the crew primarily on-site for maintenance activities. Due to accumulated staff hours, some shift adjustments may be necessary. Dave Parkulo noted that he will remain local next week to oversee work in Greenbrier County. He also addressed a reported gas leak on District property. A representative from the gas company misidentified the leak's location and excavated a 12-foot

hole in the incorrect area. It was later confirmed that the leak originated on adjacent property near a Diversified Gas line. While the issue fell outside the District's jurisdiction, it was documented and properly communicated.

Conservation Specialist Report:

Brian Fry, WVCA

Brian Fry reported a total of 66 AgEP sign-ups. The breakdown is as follows: 22 for Lime, 9 for Woodland Exclusion, 6 for Pasture Division, 8 for Heavy Use Protection Area, 5 for Water Systems, and 15 for Pond Clean-Outs. At the time of his report, Mr. Fry had completed 22 verifications and planned to review an additional 23 at a later date. A copy of his full report is attached to the minutes.

Following discussion, Ron Testerman moved to approve the extension of the FY26 Ranking Period to July 25, 2025. Curtis Murphy seconded the motion. The motion was adopted.

District Conservationist Report:

Katy McBride, NRCS

Katy McBride provided the District Conservationist's Monthly Report for July 2025. She noted that field staff conducted a total of 13 visits in the Beckley Field Office area and 6 visits in the Princeton Field Office area. In terms of conservation planning, the Princeton Field Office completed two EQIP Conservation Plans covering 144.3 acres, while the Beckley Field Office completed one EQIP Conservation Plan covering 0.1 acre. Reported completed practices totaled \$2,717.36 in Princeton, associated with practices 314, 578, and 420, and \$3,271.81 in Beckley, related to practices 533, 516, 642, 420, and 441. Katy McBride highlighted the current priorities for both field offices. These include the full obligation of FY25 EQIP, AMA, and CSP contracts. The Beckley Field Office has obligated 14 contracts totaling \$272,869.00, while the Princeton Field Office has obligated 22 contracts totaling \$518,256.00. Work is also underway on FY26 CSP renewals, with three renewals in progress for Beckley and two for Princeton. Additionally, staff are working to complete FY25 CSP documentation for practices and activities.

Other ongoing efforts include tree marking for FY24 and FY25 Forest Stand Improvement (FSI) practices, led by Carl, continued contract maintenance involving modifications and Form 153s, and the survey and design of Local Work Group (LWS) projects. Upcoming events include John Henry Days, scheduled to take place in Talcott from July 11 through July 13, and the monthly planning teleconference for Brush Creek Site 12, which will be held via Microsoft Teams on July

17. McBride also shared updates on special projects, reporting that Beth Villers has hosted several well attended High Tunnel workshops. Additionally, the Grasslands Steering Committee is scheduled to meet on Friday, July 11, at 10:00 AM in Sutton, WV. There were no staffing changes to report at this time.

Area Operations Manager Report:

Jeremy Salyer, WVCA

Jeremy Salyer was not present; however, the following reminders were provided for all conservation districts, including Southern Conservation District: The Carroll Greene Nomination Form is due to Belinda Withrow by September 1. District Annual Work Plans were due to Guthrie by June 30. CDO budget closeout submissions are due to Guthrie by August 1. Districts are reminded to begin the Agreed Procedures Engagement (APE) shortly after the fiscal year closes on June 30. Each district should review its audit and take corrective action on any findings. Questions may be directed to Don. For the Conservation Farm Tour, area judging will take place in July—Southern area the week of July 7 and Northern area the week of July 21. Statewide judging will be held in August, with awards presented in October at the WV Conservation Partnership Annual Conference. Districts are encouraged to continue working with local sponsors on O&M funding. This process began last year, and matching funds will no longer be issued on a dollar-for-dollar basis. WVCA will now allocate O&M funds by watershed. Regarding the Ag Enhancement Program (SB 941), districts are finalizing FY programs, updating agreement addendums, and approving LORs during May through July. The final practice list was due to WVCA by June 15, and the AgEP database must be closed by July 15. WVCA is awaiting guidance from the DEP regarding the bill and will share information as it becomes available. In the meantime, districts should continue routine O&M work. The SCC has requested a formal opinion from the Attorney General's office.

Supervisor Reports/Approvals:

Rubber Tire Loader:

Mr. Dave Parkulo reported that, as previously discussed, he has been working with Brad Lesley to identify a suitable replacement for the excavator lost during the recent flood event. After evaluating available options, several John Deere 304 rubber-tire loaders have been located. The estimated purchase cost ranges from \$52,000 to \$56,000, depending on the specific unit and

associated transportation costs. Units are available in Pennsylvania, New York, and Cincinnati, which may impact final delivery charges. Mr. Parkulo assured the Board that he will pursue the most cost-effective option available and requested authorization to proceed with the purchase. He emphasized that he will work to keep the total cost as low as possible. Dave Parkulo also provided an update on the insurance claim for the flooded excavator. He noted there were initial delays due to the absence of a bill of sale, which required notarization and further coordination. After continued communication with the insurance provider, the matter was resolved. The claim has been approved, and a check in the amount of \$49,000 is expected. The original claim was for \$50,000; however, \$1,000 was withheld for processing fees. Additionally, Mr. Parkulo informed the Board that approximately \$20,000 in revenue from the sale of surplus equipment is available and can be applied toward the loader purchase. With these funding sources secured, he requested Board approval to proceed with the acquisition.

Following discussion, Bill Harris moved to approve the purchase of a new rubber-tire loader in an amount of up to \$56,000. Ed Hendrick seconded the motion. The motion was adopted.

Sound System Discussion:

Randall Patton initiated a discussion regarding ongoing issues with the meeting room's sound system. He noted frequent delays at the start of meetings due to technical difficulties and expressed concern that prior efforts to address the issue—such as reaching out to Chris Ellison and Judith Lyons for information—have gone unanswered. Randall Patton recalled that approximately three years ago, the Board was prepared to vote on a significant equipment upgrade, estimated at \$12,000, but was advised by Jeremy Salyer that the State would not support it, citing existing Microsoft Teams capabilities/expenses. Randall Patton now believes the current system is inadequate for the District's needs.

Jesus Nandi Roman confirmed that the system frequently fails to operate correctly, specifically referencing a small Logitech controller that appears to freeze under strain from managing multiple components (monitor, TV, speaker, and camera). He noted that this instability affects not only in-meeting communication but also the ability to review recordings and prepare accurate minutes. He recalled instances where the system was down for several days and

required assistance from IT personnel to reboot. Jesus Nandi Roman added that while the internet connection is reliable, the problem seems to stem from outdated or overloaded hardware.

Several Board members echoed concerns. Bill Harris commented on the poor performance of table microphones and the outdated nature of the current system, which he described as better suited for casual events than for formal meetings. He and others expressed support for exploring modern alternatives, such as ceiling-mounted or omnidirectional Bluetooth microphones.

Randall Patton further observed that even with a microphone, attendees seated in certain areas remain difficult to hear.

Following discussion, the Board reached consensus that an equipment upgrade is warranted.

Randall Patton stated he would contact vendors to obtain updated quotes and explore more current technology options. He will aim to secure at least three estimates and report back at a future meeting.

Discussion of payment process (WVCA to SCD):

Randall Patton opened a discussion regarding ongoing delays in payment processing. Mr. Bill Harris reported that the District is currently owed \$113,622.38, with outstanding invoices dating as far back as May 15, 2025. He emphasized that although the funds are present and accounted for, the agency has yet to release the payments. Dave Parkulo expressed concern over the strain this delay places on District operations, especially in light of recent equipment purchases, payroll, and contractor obligations. He clarified that the work related to these invoices—such as structure installations and drop analyses—has already been completed and paid for by the District, including all materials and labor.

The Board noted that the current payment process is overly redundant, involving multiple approvals and communications between various personnel and offices, with little transparency regarding where documents are in the approval chain. Dave Parkulo and others expressed frustration over the lack of authority delegated within the agency to move invoices forward when key individuals are unavailable. The current system requires repeated routing of invoices through unnecessary channels, often resulting in confusion and delays. The inability to track invoice status at any given time was cited as a major issue. The Board agreed that this breakdown in communication and responsibility within the agency is negatively affecting the District's ability

to function efficiently. In response, Randall Patton stated that he would send an email to Judith Lyons and copy Jacob Lavender to request their attendance at a special board meeting to address these concerns. The Board agreed to hold a special meeting at the end of the month to specifically address payment processing issues and other pressing matters. Jesus Nandi Roman confirmed that this topic will be added to the agenda and that appropriate invitations will be sent in advance.

Mercer County Fair Logistics:

Steven Johnston led the discussion regarding logistics for the upcoming Mercer County Fair, scheduled for Friday, August 1, and Saturday, August 2, 2025. General setup is planned for the afternoon of Thursday, July 31. While morning attendance on Friday is not required, booth participants are encouraged to arrive by noon to prepare for fair activities beginning that afternoon. Steven Johnston discussed the option for the Southern Conservation District to set up an outreach booth. The Board agreed that participating would be beneficial. Steven Johnston will reserve space and provide three fair passes for booth staff. He also confirmed that outside booth locations typically receive more visibility than indoor placements, but space is available in both areas upon request. Steven Johnston noted that the Fair typically sees attendance of approximately 2,000–2,500 people, with the possibility of higher numbers due to free entry provided for event participants such as rodeo riders and car show exhibitors. The admission fee is \$8 for adults on Friday and \$10 on Saturday. Children under six may enter free, and student tickets are \$5. Each booth reservation includes two passes for both days. In addition, the Board discussed continuing the District's past practice of contributing \$500 to support the Mercer County Fair, which had been paused in recent years. Several members expressed support for reinstating the contribution.

Curtis Murphy moved that the Southern Conservation District contribute \$500 to the Mercer County Fair, set up an information booth, and coordinate participation among District Supervisors to ensure the booth is staffed throughout the event. Bill Harris seconded the motion. The motion was adopted.

Following the motion, Ed Hendrick led the discussion on ordering promotional giveaway items for the upcoming West Virginia State Fair. He recommended ordering approximately 2,000 units each of temporary children's tattoos, tote bags, and wildflower seed packets. These items would be distributed at both events. Board members agreed that leftover items could be used at future outreach events such as field days. Wildflower seeds were mentioned; several members expressed concerns that they may not be as effective as other more practical items, such as pens, which tend to be retained and used by recipients. The group also discussed the value of including items branded with the District's name to improve visibility and public engagement. There was consensus that it would be more efficient to set a total spending limit rather than specifying exact quantities per item. Dave Parkulo and Kayla Burgess were designated to finalize the item selection, quantities, and order details.

Following discussion, Ed Hendrick moved to allocate up to \$3,000.00 from the CDO account for the purchase of Southern Conservation District-branded handouts for the West Virginia State Fair. It was noted that any surplus materials may be used for future outreach events or field days. Bill Harris seconded the motion. The motion was adopted.

Supervisor Per Diem:

John Wooton, Attorney

John Wooton informed the Board that he had submitted a letter in May to the state agency representative regarding the ongoing issue of reduced per diem rates for Conservation District Supervisors. As of the meeting date, no response had been received. John Wooton explained that while Supervisors receive per diem plus expense reimbursement, the per diem is reported on a W-2 and taxed as income, constituting compensation under West Virginia law. He further cited that both the Constitution of West Virginia and State Statute (**West Virginia Code §6-7-1**) (**West Virginia Constitution – Article VI, Section 38**) prohibit modifying, reducing, or eliminating compensation during an elected official's term of office.

John Wooton recommended filing a **declaratory judgment action** in Mercer County Circuit Court to determine whether the state's directive to reduce the per diem rate is lawful. He clarified that the named plaintiff would be a current Supervisor who was elected under the \$150 per diem rate and is now being subjected to a reduction. The goal of the legal action is to affirm that the constitutional and statutory protections supersede any directive issued by the state agency.

Bill Harris moved to authorize District Counsel to file a declaratory judgment action in Mercer County Circuit Court on behalf of affected Supervisors, challenging the legality of the per diem rate reduction. Ed Hendrick seconded the motion. The motion was adopted.

District Storm Water Runoff:

John Wooton also discussed a growing safety concern involving drainage at the Southern Conservation District, where runoff is flowing into a mine portal shaft. Dave Parkulo confirmed that the shaft has grown in size in recent years and poses a significant hazard. The area is currently fenced, and personnel have visited the site and acknowledged the problem.

Site 12 Drainage and Safety Concerns Discussion:

Regarding a related matter, John Wooton confirmed that a certified letter had been sent to the landowner at Site 12 concerning an unauthorized road constructed within the site's easement. If no response is received by the stated deadline of August 1, 2025, Mr. Wooton may request Board authorization at the next meeting to seek a court order permitting the District to remove the obstruction and stabilize the affected area. As the item was not listed on the current agenda, the Board agreed to revisit the matter at a future meeting.

Renewal of CD's for the District:

Randall Patton informed the Board that the District's (CDs) are scheduled to mature on Thursday, July 17, 2025. He contacted MCNB Bank & Trust to inquire about current renewal rates. The bank confirmed an available rate of 3.85% APY for an 11-month term. Based on this information and prior banking history, the Board agreed it would be reasonable to renew the CDs with MCNB.

Bill Harris moved to renew all four of the District's (CDs) with MCNB Bank & Trust at the current rate of 3.85% interest for an 11-month term. The motion further authorized the Treasurer and Chairman to sign all necessary documents to complete the renewal. Ed Hendrick seconded the motion. The motion was adopted.

Employee Pay Raises:

Employee pay raises for multiple district employees were discussed.

Following discussion Ed Hendrick moved to approve the proposed salary increases, effective retroactively to the current pay period. Ron Testerman seconded the motion. The motion was adopted.

Public Remarks/Comments

Meeting Adjournment:

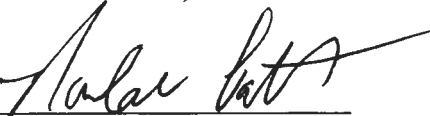
Randall Patton moved to adjourn the meeting. The motion was seconded by Curtis Murphy and carried. The meeting was adjourned.

Dates To Remember:

SCD Special Board/Committee Meeting: July 29, 2025 at 10:00 AM @ 463 Ragland Rd WV, 25801.

Respectfully Submitted:

Randall Patton, SCD Chairman

X 

Edgar Hendrick, SCD Secretary

X 

RP/EH/as

Recorded By, Jesus Nandi Roman, Administrative Specialist

Motions Adopted (Quick Reference)

Approval of Minutes – June 12, 2025 Regular Board Meeting (Page 2)

Motion: Curtis Murphy

Second: Ed Hendrick

Action: Motion adopted.

Approval of Minutes – June 24, 2025 Special Board/Committee Meeting (Page 2)

Motion: Ed Hendrick

Second: Ron Testerman

Action: Motion adopted.

Extension of FY26 Ranking Period to July 25, 2025 (Page 3)

Motion: Ron Testerman

Second: Curtis Murphy

Action: Motion adopted.

Authorization to Purchase Rubber-Tire Loader (up to \$56,000) (Page 5)

Motion: Bill Harris

Second: Ed Hendrick

Action: Motion adopted.

Participation in Mercer County Fair and \$500 Contribution (Page 7)

Motion: Curtis Murphy

Second: Bill Harris

Action: Motion adopted.

Allocation of Up to \$3,000 for State Fair Promotional Handouts (Page 8)

Motion: Ed Hendrick

Second: Bill Harris

Action: Motion adopted.

Authorization to File Declaratory Judgment Action Regarding Per Diem Reduction (Page 9)

Motion: Bill Harris

Second: Ed Hendrick

Action: Motion adopted.

Renewal of All Four CDs with MCNB (3.85% for 11 Months) (Page 9)

Motion: Bill Harris

Second: Ed Hendrick

Action: Motion adopted.

Approval of Employee Salary Increases, Retroactive to Current Pay Period (Page 10)

Motion: Ed Hendrick

Second: Ron Testerman

Action: Motion adopted.

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Southern Conservation District DC Monthly Report

July 2025

- **Field Visits**

Beckley: 13

Princeton: 6

- **Planning Status**

Princeton Field Office: 2 Conservation Plans Written for 144.3 ac (EQIP)

Beckley Field Office: 1 Conservation Plan Written for 0.1 ac (EQIP)

- **Completed Practices**

Princeton: \$2,717.36 (314, 578, 420)

Beckley: \$3,271.81 (533, 516,642, 420, 441)

- **Field Office Priorities**

*Beckley Field Office has all FY25 EQIP, AMA, and CSP Contracts Obligated (14 contracts for \$272,869.00)

*Princeton Field Office has all FY25 EQIP, AMA, and CSP Contracts Obligated (22 contracts for \$518,256)

*Work on FY26 CSP Renewals (Beckley Field Office: 3; Princeton Field Office: 2); work on getting FY25 CSP documentation for practices/activities

*Get trees marked for FY24 and FY25 FSI Practices (Carl)

*Work on Contract Maintenance (Modifications, 153s, etc.)

*Work on getting LWS projects surveyed and designed

- **Upcoming Deadlines**

- **Upcoming Events**

- July 11th – 13th: John Henry Days (Talcott)

- July 17th: Brush Creek Site 12 Planning Monthly Teleconference (TEAMS)

- **Special Projects / Updates / Trainings**

*Beth has hosted several High Tunnel workshops

*Grasslands Steering Committee Meeting on Friday, July 11th at 10:00 in Sutton

- **Staffing Updates**

*No new updates



July 2025 WVCA Report

Items to be thinking about and placed on your agendas in the coming month:

Carroll Greene Nomination – form is due to Belinda Withrow by September 1

WVACD Honorary Member At Large

WVACD Lifetime Honorary Member

Annual Work Plan

Reminder - District **annual** work plans were due **June 30** to Guthrie.

CDO Budget

CDO budget closeout needs submitted to Guthrie by August 1

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 you have questions, ask Don or Jeremy.

Conservation Farm Tour

Timelines:

- **July** - Area judging
 Southern area week of July 7
 Northern area week of July 21
- **August** - Statewide judging.
- **October** – Presentation of Area and State awards at WV Conservation Partnership Annual Conference

O&M Agreements:

CDs are encouraged to continue to work with local sponsors for O&M funding. This process started last year these agreements will not be matched dollar for dollar as they were in the past. The WVCA will be allocating funds on a watershed basis moving forward to help with O&M costs.

Ag Enhancement Program Timeline

- 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)
- AgEP data base needs closed out by July 15

SB 941

WVCA is waiting for correspondence from DEP regarding the bill. As we receive information it will be shared. In the meantime, CDs should continue regular operation and maintenance work. SCC has requested a formal opinion from the AG office.

WV State Fair Sign Ups

The schedule for state fair volunteers is now available under the WVCA admin webpage. If you would like to schedule a time frame to work at the fair, please contact your Administrative Specialist.

July 2025 Regular Board Meeting
 Conservation Services Division (AgEP)
 Brian Fry, Conservation Specialist

FY25 Overview:

Practice	# of Approved Applicants	Unfunded	# of Cancelations	Total Funds Approved	Total Spent	Leftover
Lime	25	0	2	\$ 25,737.73	\$24,540.68	\$ 1,197.05
Woodland Exclusion Fence	5	1	1	\$ 10,834.00	\$ 8,334.00	\$ 2,500.00
Water Exclusion Fence	1	0	0	\$ 866.00	\$ 832.00	\$ 34.00
Pasture Division Fence	3	0	0	\$ 5,600.00	\$ 5,600.00	\$ -
Heavy Use Area Protection	6	3	0	\$ 12,000.00	\$12,000.00	\$ -
Water System	2	0	1	\$ 3,000.00	\$ 1,500.00	\$ 1,500.00
Pond Cleanout	6	2	1	\$ 12,500.00	\$ 5,548.30	\$ 6,951.70
Nutrient Management	14	16	1	\$ 15,982.50	\$15,917.50	\$ 65.00
Frost Seeding	5	0	0	\$ 2,307.02	\$ 2,048.72	\$ 258.30
Totals	67	22	6	\$ 88,827.25	\$76,321.20	\$12,506.05

FY25 Allocation	District Funds Allocated	District Funds Spent	Leftover
\$ 60,000.00	\$ 28,827.25	\$16,321.20	\$ 12,506.05