



We work with the people who work the land.

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Website: <http://lfsxcd.org>

Meeting held virtually via WebEx Conference Service

September 10, 2020

A recording of the meeting is available at: www.lfsxcd.org

MINUTES

September 10 Board Meeting was held electronically using the WebEx Conference Service in accordance with Chapter 1283 of the 2020 Acts of Assembly and in compliance with the provisions of 2.2-3708.2 of the Code of Virginia.

Mr. Hoover called the meeting to order at 10:00 am.

August 13 Minutes: Motion made to approve the minutes – HB Simpson, Joan Comanor seconded the motion.

Those attending via the WebEx meeting platform were:

LFSWCD Directors and Associate Directors

Richard Hoover, Director-Chairman

Joan Comanor, Director – V. Chair

Jim Martin, Assoc. Director – Treasurer

Justin Mackay-Smith, Director

Mary Gessner, Director

HB Simpson, Director

Kermit Gaither, Director

Kitty Hockman-Nicholas

Paul Burkholder, Director

Corey Childs, Extension, Director

Jim Fagan, Director

Bud Nagelvoort – Associate Director

Marietta Walls – Associate Director

LFSWCD Staff Members

Amanda Campbell, Administrative Assistant

Dana Gochenour, Sr. Conservation Specialist

Sam Truban, Conservation Specialist

Nick Livesay, Conservation Specialist

Alison Sloop, Conservation Specialist

Allyson Ponn, Education & Program Specialist

Directors Absent:

Ira Richards, Director, Warren Co.

Wayne Webb, Director, Clarke Co.

Cooperating Agency Representatives

Debbie Cross, Virginia Department of Conservation & Recreation

Lord Fairfax Soil & Water Conservation District programs, activities and employment opportunities are available to all people regardless of race, color, religion, sex, age, disability, national origin or political affiliation.
An equal/affirmative action employer.

Sheryl Ferguson, Contractor

Chairman's Report:

Motions (roll call vote taken by the Board Secretary)

1. In these exigent circumstances, we must continue our virtual meetings in order to help maintain our health, our existence as a vibrant Board and Staff community and to focus upon crucial issues as defined in the following motion which, I take it, must enable each of our virtual meetings:

Motion made by Joan Comanor, seconded by HB Simpson – 10 yes (roll call vote taken)

Sr. Conservationist – Dana Gochenour reported that they have been tackling most inspections this fall.

2. As you know, the Chairman hopes to return to the Board as much of its pre-virus authority as possible. Accordingly, he has taken no post-August 13th “decisions and actions” for the Board to endorse. Of course, he is ready to do so whenever situations may demand it.
3. FYI: on 8/27 Lord Fairfax received from DCR our FY 2021 first quarter cost share and TA disbursement of \$762,606.25.
4. Let me ask Staff how they plan to tackle the list of those BMPs which are coming out of lifespan and, therefore, require verification (by 12/31/20) in order to be counted in the Chesapeake Bay Model.

Conservation Specialist – Alison reported on seasonal feeding facility. Nutrient Management Plans are required. They are concrete feeding areas. One building is being worked on and is along the North Fork Shenandoah River.

Sr. Conservationist – Dana Gochenour reported that they have been tackling most inspections this fall.

5. The four year terms of all Virginia Cooperative Extension Directors expire on 12/31/2020. I have discussed this with Corey Childs and happily, he informed me of his willingness to continue to serve.

Motion made by the Board of the Lord Fairfax Soil and Water Conservation District strongly recommends to the Virginia Soil and Water Conservation Board that Virginia Cooperative Extension Agent Corey Childs be re-appointed as LFSWCD Director. Kitty Nicholas-Hockman made the motion and seconded by Joan Comanor Childs abstained from voting. 9 yes(roll call vote taken).

6. During their August 27th meeting, Personnel Committee reps, the Treasurer and Staff discussed anticipated FY21 and FY22 funding shortages and how to mitigate them. Improving our budgetary pitches to local governments might be one way (Shenandoah County, for example, is getting a whale of a return on its investment in Lord Fairfax). It was also posited that some districts with fewer staff and allotments than Lord Fairfax are receiving more TA. We should

discover their “secret” in order to augment the TA which Lord Fairfax receives. Our Treasurer and the CDC were to meet and discuss with Debbie and Jim?

Debbie reported that the VASWCB has not changed their policy. Base funds will be on Attach E. The VSWCB budget needs assessment will be evaluated every two years.

Jim Martin reported that Attach D will be updated in 21.

Treasurer Report: Martin reported that to comply with grant agreements the District will not maintain more than 6 months of undesignated funds. He is recommending that carryover of excess funds from last FY’s budget be applied to Tech Salary Reserve, Education Salary, Administrative Salary and Dam Safety (\$3,000).

Technical Reports:

Dana Gochenour had nothing to add to her report.

Sam Truban had nothing to add to his written report.

Ali Sloop had nothing to add to her written report. Her due date is tomorrow and she will be back in December.

Nick Livesay had nothing to add to his written report.

Allyson Ponn had nothing to add to her written report. Her wedding date is October 30th.

Contractor Sheryl Ferguson had nothing to add.

Alliance for the Shenandoah Valley: Their newest employee arrived from California. Three additional employees have been hired.

Dam Safety: Jim Fagan reported that he had nothing to report.

Conservation Technical: Mary Gessner reviewed the committee report.

Two variance requests were approved WP-4SF and Seasonal Feeding Facility and associated SL-6W Stream Exclusion with Wide Width Buffer to be completed via Tcontract 13-21-0010.

Motion made by HB Simpson. Seconded by Joan Comanor. Motion passed.

Motion for the Board to approve both the WP-4SF (ID #402979) for \$161,006.76 and the SL-6W (ID #402980) for \$87,890.00 for a maximum cost share amount of \$248,896.76 for Contract 13-21-0010. Motion made by Mary Gessner. Seconded by Joan Comanor. Motion passed.

Motion made to approve cost share and tax credits. Motion made by Mary Gessner, Seconded by Joan Comanor. Motion passed.

Education & Info Committee: Comanor asked Allyson to update committee members on what activities are underway in both promotion of Ag BMPs and in conservation education. Clean Water Farm Award will technical be discussing the award and the next tech meeting. Mary Gessner added that they will put it off until next month. Ed and Info had nothing to add.

Legislative: Comanor reported on the State Legislators' Conservation Scorecard. Hoover will send a congratulatory letter to Gooditis.

Fagan had nothing to report.

Operations: Justin Mackay-Smith had nothing new this month.

Personnel: Simpson reviewed the minutes of the Personnel Committee on August 27th.

Shenandoah County Water Resources Advisory Committee: Comanor reported that there is nothing new to report.

Pure Water Forum: Hoover reported that the Form will hold its quarterly meeting on Sept. 11 at 1p.m. At Merck's Cooley Conference Center.

Float Trip on the River:
Sunday, September 13, 2020
From 12:30 until 6:00.

Urban BMP Committee: Nothing to report.

Brent Barriteau - NRCS: Barriteau will summarize in October what they have accomplished. Additional employees are allowed to work at the service center.

Debbie Cross – DCR: Debbie reviewed her written report. She suggested that a letter should be send to all jurisdictions regarding Corey Child's appointment.

Corey Childs – VCE: Corey gave an update on VCE work.

Joan Comanor recommended purchasing signs for the Clear Water Farm recipients.

Allyson should check into the 4-H Center in Front Royal for the next District meeting.

Motion to adjourn: Kitty Hockman-Nicholas made the motion. Joan Comanor seconded. The motion passed.

DELEGATION OF POWERS

Section 10.1-533 of the Virginia Code provides that: "The district directors may delegate to their chairman or to one or more directors, agents or employees such powers and duties as they may deem proper." Pursuant to that provision, the Board hereby delegates to its chairman all the powers of the district, subject to the following restrictions:

- 1. The chairman may exercise this delegation only in exigent circumstances, after conferring in person or electronically with as many directors as practicable.*
- 2. The chairman shall report every exercise of this authority as soon as practicable to all members of the board.*
- 3. After the chairman acts under this delegation the chairman must provide in the next chairman's report to the board a written recital of the exigent circumstances.*
- 4. This policy pertains only to delegations of the board's authority in exigent circumstances. It does not affect other specific delegations made by board resolution at regular or special meetings, whether to the chairman or others. Such delegations may or may not be conditioned or circumscribed as the board deems appropriate under the circumstances.*

Treasurer's Reports

Jim Martin, reviewed the Treasurer's reports for April, May and June of 2020. He reviewed the District audit was included in the Board packet. District policy is that requests for reimbursement should be made no later than quarterly. The report noted six instances where this policy was not followed. District Directors and staff are reminded that the Fiscal Year ends June 30 and reimbursement request must be made within the quarter, but ideally each month.

Technician and Committee Chair reports

Cooperating Agency Reports Reviewed

Debbie Cross, DCR, reviewed her written report that was included in the packet. She also reviewed with the board both FY 20 Annual Assessment: (Cost Share and Technical Assistance, and Administration and Operations.

FOIA Training for Elected Directors: Each elected district director is required to complete the FOIA training for Locally Elected Officials. An online training is provided by the Virginia Freedom of Information Advisory Council and requires an individual email address. Training must be completed by December 31, 2020 for all sitting elected directors or within two months of assuming office and every other year thereafter. The clerk of each governing body (Clerk of the county Board of Supervisors or City

Council) shall maintain records indicating the names of the elected official and the dates on which each completed the training. It is recommended that all appointed directors and associate directors take the training as well. Online FOIA Training link: <http://foiacouncil.dls.virginia.gov/officertraining/>(the website is still being glitchy but Debbie will be checking back to see when it is ready to be used. Print the completion certificate and provide a copy to the clerk of your local board of supervisors or city council and the SWCD office.

Respectfully submitted,

Amanda g. Campbell

Approved on:

10/8/2020