

**WHATCOM CONSERVATION DISTRICT
Public Meeting Minutes
October 11, 2012**

I. Time and Place of Meeting.

A regular meeting of the Board of Supervisors of the Whatcom Conservation District (WCD) was held at the Ag Service Center, 6975 Hannegan Rd, Lynden, Washington on October 11, 2012, at 7:00 p.m.

II. Attendance and Quorum.

The following Supervisors, being a quorum of the Board, were present:

Joe Heller, Chair	Larry Davis, Treasurer
Larry Helm	Dick Yoder

Also in attendance were:

George Boggs, Executive Director	Jayne Uerling, Associate Supervisor
Dawn Bekenyi, Admin. Assistant	Mark Helm, Guest Observer

III. Meeting Called to Order.

Joe Heller, Chair, called the meeting to order at 7:00 p.m.

IV. Approval of Minutes of Previous Meeting.

Dick Yoder moved that the minutes of the September 10, 2012 Board meeting be approved as mailed. Larry Davis seconded the motion. The motion passed.

V. Financial Report.

The financial report was mailed to the Board with their draft minutes from the September meeting.

Dawn Bekenyi, Administrative Assistant, presented the financial report. There were no questions.

Larry Helm moved to approve the Financial Report. Larry Davis seconded the motion. The motion passed. Upon motion made and duly seconded, the Treasurer's Report was approved.

Accounts Payable –

A copy of District invoices and incurred expenses, as listed in the Accounts Payable Report, were reviewed and approved. The Board further authorizes the payment of District expenses incurred subject to their review and approval at the next Board meeting.

The following voucher/warrants are approved for payment:

Sept 2012 - balance				
Voucher (check) numbers	<u>19811</u>	through	<u>19847</u>	and totaling <u>32,945.69</u>
Payroll check numbers:	<u>19848</u>	through	<u>19460</u>	and totaling <u>21,307.84</u>
October 2012				
Payroll Taxes	<u>EFT</u>			and totaling <u>6,136.11</u>
Voucher (check) numbers	<u>19461</u>	through	<u>19876</u>	and totaling <u>119,812.38</u>
Payroll check numbers:	<u>19877</u>	through	<u>19889</u>	and totaling <u>27,576.69</u>

Moved by Larry Helm. Larry Davis seconded the motion. The motion passed.

VI. Action Items.

A. Approval of Conservation Plans.

Dairy Nutrient Management Plan (DNMP) Approval –

There was one Dairy Nutrient Management Plan for a new dairy operation submitted for Board approval.

Dick Yoder moved to approve the Dairy Nutrient Management Plan for JV Dairy LLC (Jeremy Visser). Larry Davis seconded the motion. The motion passed.

Conservation Reserve Enhancement Program (CREP) Contracts –

CREP is a joint federal and state program to enhance fish habitat and protect water quality. The U.S. Department of Agriculture (USDA) Farm Service Agency (FSA) is the administrative lead. A District resource specialist (Wayne Chaudiere or Emily Hirsch) works with a landowner to develop a conservation plan that includes practices meeting the landowner's needs. It is reviewed for technical sufficiency by the Natural Resources Conservation Service representative (Alex Hall) and George Boggs. The landowner signs the plan and it is passed on to FSA. The FSA County Oversight Committee (COC) approves all CREP plans. The current District policy is that once FSA approves the Federal Contract and CREP plan, then the CREP maintenance contract is brought to the Board for its approval. Absent unusual circumstances, the Board approves the standard-language maintenance agreement prescribed by the State Conservation Commission.

There were twelve CREP maintenance contracts submitted for Board approval.

Larry Helm moved to ratify the CREP maintenance contracts for

- **Lori McMillen-Rauch (12-04-CS:12-22)**
- **John & Jennifer Littelton (12-04-CS:12-21)**
- **Harold Bolt (12-04-CS:12-17)**
- **Keith Monteith & Betty Ensley (12-04-CS:12-18)**
- **Eugene & Marlene Potocnik (12-04-CS:12-19)**
- **Betty Schueler & Linda Pearl (12-04-CS:12-25)**
- **James & Mary Dixon (12-04-CS:12-24)**
- **Ed & Tina Hoban (12-04-CS:12-23)**
- **David Piklenton & Sarah Catudio (12-04-CS:12-27)**
- **Linda Bylsma & JoAnne Bylsma (12-04-CS:12-07)**
- **Thomas & Judith Stacie (12-04-CS:12-13)**
- **Burton & Susan Jay (12-04-CS:12-11)**

Larry Davis seconded the motion. The motion passed.

B. Approval of Contracts.

Lawn care contract –

There was discussion to renew for another year the lawn care contract with Turftenders, Inc. The contract amount is the same as this year. Turftenders is doing good work. The Board felt that the amount was appropriate for the level of services provided in return.

Larry Helm moved to renew the lawn care contract with Turftenders for \$2,520, plus applicable taxes (\$228.27 per month). Dick Yoder seconded the motion. The motion passed.

VII. Other Business.

A. Supervisor Reports.

Larry Davis –

Larry attended three meetings since the last board meeting.

NACD – The first was the National Association of Conservation Districts (NACD) Pacific and Southwest Regions meeting in Boise, ID. Larry shared some of the issues that were discussed. Wild horses and burros are a concern in a number of states. Water availability and distribution is a challenge in Wyoming, Colorado and several other states and two Mexican states, all served by the Colorado River. Larry shared at a general session of the meeting the importance of NACD communicating back to states on the implementation status of adopted national resolutions.

Wade Troutman, Foster Creek Conservation District and WACD National Director, was elected Chair of the Pacific Region.

Clallam Conservation District – As NW Area Director, Larry attended the Clallam Conservation District board meeting. Larry Helm, Jayne and George also attended since it was the day before the annual WACD NW Area meeting.

NW Area Meeting – They attended the Washington Association of Conservation Districts Northwest Area meeting hosted this year by Clallam CD.

Larry presented to Dawn Bekenyi the NW Area Employee of the Year as selected by the Washington State Conservation Commission. Dawn was selected for her work on the 2012 District Supervisor Election. The Board acknowledged all of her work, not just the election process, and presented her with certificate and a small cash award.

Larry Helm moved to give Dawn Bekenyi a cash award of \$100 in acknowledgement of her being selected as the 2012 NW Area Employee of the Year. Dick Yoder seconded the motion. The motion passed.

Wolf Issue – Larry passed out copies of the Conservation Northwest letter in support of the Department of Fish and Wildlife's decision to kill wolves. The letter also addressed the need for everyone to work together to avoid this step in the future.

Larry Helm –

Larry received Supervisor orientation from Stu Trefry, Northwest Regional Manager, and Washington State Conservation Commission. He also attended the NW Area meeting in Sequim.

Larry suggested that we do all that we can to get our legislators to visit our projects. A tour should be organized that shows our projects, including the Lake Terrell Dam Fish Passage project. George reported that the project was a joint effort with the Washington Department of Fish and Wildlife and Nooksack Salmon Enhancement Association (NSEA). The Conservation District received a National Fish and Wildlife Foundation grant of state and federal funds. In addition, a \$50,000 match donation from BP was obtained and match from Intalco workers to plant trees.

Larry Davis volunteered to serve on the State Conservation Commission's Communications Committee. Larry Helm expressed a desire to replace him on that committee. Larry Davis will tell the Commission of the change in representation.

Dick Yoder –

Dick reported that the cost to the farmer in cattle was over \$100,000 due to wolves before the WDFW killed the North Spokane wolf pack. WDFW wants to reimburse farmers at the time of killing not the cost of the animal should it mature to the selling point. Farmers would lose money so are not agreeable to the offer. There is ongoing discussion of the issue.

It was also reported that the Wildlife Department would like to turn buffalo loose to graze in Montana. There was board discussion regarding the potential impact on cattlemen and diseases that are spread by buffalo.

Joe Heller –

Joe attended the Washington Conservation Commission meeting in Chelan in September. There was some concern about the meeting due to the fires. The Foster Creek Conservation District tour had to be changed due to fires eliminating projects that were to be shown. A lot of fencing was burned as well as CREP and CRP projects. The impact on livestock is a concern. The Governor has declared a state of emergency.

The Washington State Conservation Commission approved the consolidation of three conservation districts (Grant County CD, Warden CD, and Moses Lake CD) into one new district, Grant County Conservation District. George explained that there were once 47 Conservation Districts and 39 counties in Washington State. Most west-wide Conservation Districts are one per county boundary, but on the east-side of the state there can be several per county. The statute did not specify one district/county but left it up to residents to draw up the boundaries of a district based upon local notions as to what was needed. Administrative efficiencies and consolidation were brought up during the last funding cycle. Multiple districts within a single county were perceived as being inefficient.

Joe also reported that Tom Eaton, EPA, presented the Yakima Groundwater Study at the Commission meeting in Chelan. Commissioners raised questions that he was not able to discuss given that the document was in draft/public comment form.

B. Alex Hall, Natural Resources Conservation Service (NRCS).

Alex was not able to attend the meeting, but sent a written report that George shared with the Board. Alex attended the Quality Leadership Team. This was to develop strategies for NRCS to become more efficient and to increase program participation. The Board will be able to comment before the recommendations are adopted

Much of Alex's time was taken up by additional duties as acting District Conservationist (DC) of the NW Area team. They hope to have a new DC by Christmas.

NRCS staff are now focusing on implementation and payments. They can make payments after October 10, 2012. They have about 100 practices left to certify this calendar year.

C. George Boggs, Executive Director.

Water Filtration System – Employees in the building have requested that a water filtration system be installed for drinking water. Currently, employees of all three agencies pay into a water fund that purchases bottled water about every two weeks from Clean Water Services in Lynden. The water cooler provides both hot and cold water. Picking up water in town takes time. A cost estimate to have a filtration system installed in the kitchen sink was given for board review. After some discussion the Board decided to table the matter until the next meeting when a representative from the employees could be present to explain the request and answer questions.

Report of Accomplishments – George passed out the Report of Accomplishments that staff completed for the Washington State Conservation Commission.

Public Records Request – George reported that an unknown person had made a public records request for information on Nichole's activities with the Yakima Air Quality project and our cooperator database. Our database includes names and addresses broken out by project type. George talked generally about the State's Public Records' Act and the farm plan and non-commercial use exemptions.

Larry Helm moved to re-affirm that the Board's desire to fully comply with all requests for public records while taking reasonable steps to ensure that the records were not used for commercial purposes. Dick Yoder seconded the motion. The motion passed.

Livestock Nutrient Management – The Environmental Protection Agency (EPA) released its Yakima groundwater study for public comment. A scientist who has examined the report thought it biased and seriously flawed. Some agencies have used it to call into question the viability of conservation district developed nutrient management plans. Nichole has offered to take our newest plan format and meet with agencies to discuss it. They would review the plan section by section. She would offer the science to support the process.

George will give a presentation regarding our planning and tools at the EPA Region 10 AFO/CAFO meeting in Boise, ID. Whatcom is working with conservation districts in the Puget Sound Caucus in developing a uniform plan and planning tools, such as the Applied Risk Management (ARM) system, iPads for GIS, pictures and maps.

National Estuary Program funds have been offered to Whatcom County in order to run a cost-share program for Ag BMPs. Unfortunately, the strings attached to the funds are overly prescriptive and depart from the application of NRCS practice standards. For example, to receive funding fencing would have to be installed no closer than 35 feet from any watercourse.. George asked for feedback on how to handle this. Larry Helm reported that the Ruckelshaus process failed in Whatcom County because they wanted to retain local control. This mandate is contrary to having local control of planning on a site by site basis. Larry Helm suggested that the County needs to have public hearings that include agricultural producers before accepting this mandate.

Larry Helm moved to write a letter to Whatcom County Council and Executive with cc's to our legislators and other agencies stating the District's position. Specifically, the NRCS planning process and practices are effective, landowners should be given the opportunity to manage and make productive use of their land. Further, that the District could not support such a program that ignored site-specific circumstances. Dick Yoder seconded the motion. The motion passed.

Employee Step Increase – George reviewed Corina Cheever for job performance. She has been here a year and is doing well. She has completed the NRCS basic conservation planning course and submitted a small farm plan for review. He recommended that she get a step increase.

Larry Helm moved to approve the payroll step increase for Corina Cheever to Band B Step 2. Larry Davis seconded the motion. The motion passed.

WACD Annual Meeting – There was discussion regarding who would attend the annual meeting. Larry Davis, Larry Helm, Jayne Uerling and George will attend. Joe Heller will try to attend.

Annual Meeting Per Diem Overage Approval –

As with last year, this year's WACD annual meeting is being held at the Suncadia Resort where the lodging rates are higher than the state's established per diem rates. The WA Conservation Commission advised that these lodging rates are fully grant reimbursable so long as they are approved in advance by the board and an "Exceeding Maximum Per Diem Form" is filled out prior to the travel.

Larry Davis moved to authorize George Boggs, Larry Davis, Larry Helm, Jayne Uerling and Joe Heller attend the WACD annual meeting and stay at Suncadia for lodging rates in excess of the state per diem rate as per the Exceeding Maximum Per Diem Form. Dick Yoder seconded the motion. The motion passed.

NACD Annual Meeting – Larry Davis will attend the NACD annual meeting in San Antonio, Texas.

VIII. Record of Board Actions.

12-99 Dick Yoder moved that the minutes of the September 10, 2012 Board meeting be approved as mailed. Larry Davis seconded the motion. The motion passed.

12-100 Larry Helm moved to approve the Financial Report. Larry Davis seconded the motion. The motion passed. Upon motion made and duly seconded, the Treasurer's Report was approved.

12-101

The following voucher/warrants are approved for payment:

Sept 2012 - balance

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October 2012

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Payroll check numbers:	<u>19877</u>	through	<u>19889</u>	and totaling	<u>27,576.69</u>

Moved by Larry Helm. Larry Davis seconded the motion. The motion passed.

12-102 Dick Yoder moved to approve the Dairy Nutrient Management Plan for JV Dairy LLC (Jeremy Visser). Larry Davis seconded the motion. The motion passed.

12-103 Larry Helm moved to ratify the CREP maintenance contracts for

- **Lori McMillen-Rauch (12-04-CS:12-22)**
- **John & Jennifer Littelton (12-04-CS:12-21)**
- **Harold Bolt (12-04-CS:12-17)**
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- **Thomas & Judith Stacie (12-04-CS:12-13)**
- **Burton & Susan Jay (12-04-CS:12-11)**

Larry Davis seconded the motion. The motion passed.

12-104 Larry Helm moved to renew the lawn care contract with Turftenders for \$2,520, plus applicable taxes (\$228.27 per month). Dick Yoder seconded the motion. The motion passed.

12-105 Larry Helm moved to give Dawn Bekenyi a cash award of \$100 in acknowledgement of her being selected as the 2012 NW Area Employee of the Year. Dick Yoder seconded the motion. The motion passed.

12-106 Larry Helm moved to re-affirm that the Board's desire to fully comply with all requests for public records while taking reasonable steps to ensure that the records were not used for commercial purposes. Dick Yoder seconded the motion. The motion passed.

12-107 Larry Helm moved to write a letter to Whatcom County Council and Executive with cc's to our legislators and other agencies stating the District's position. Specifically, the NRCS planning process and practices are effective, landowners should be given the opportunity to manage and make productive use of their land. Further, that the District could not

support such a program that ignored site-specific circumstances. Dick Yoder seconded the motion. The motion passed.

12-108 Larry Helm moved to approve the payroll step increase for Corina Cheever to Band B Step 2. Larry Davis seconded the motion. The motion passed.

12-109 Larry Davis moved to authorize George Boggs, Larry Davis, Larry Helm, Jayne Uerling and Joe Heller attend the WACD annual meeting and stay at Suncadia for lodging rates in excess of the state per diem rate as per the Exceeding Maximum Per Diem Form. Dick Yoder seconded the motion. The motion passed.

IX. Adjournment.

There being no further business before the meeting, Dick Yoder moved to adjourn the meeting at 8:54 p.m. Larry Helm seconded the motion. The motion passed.

The meeting, on motion duly made, seconded and carried, adjourned at 8:54 p.m.

Dated: November 20, 2012

Dawn Bekenyi, Administrative Assistant

Approved: _____