

**WHATCOM CONSERVATION DISTRICT  
Public Meeting Minutes  
September 14, 2011**

**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 September 14, 2011, at 7:00 p.m.

**II. Attendance and Quorum.**

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

Joe Heller	Terry Lenssen
Larry Davis	Ed Stone

Also in attendance were:

Dawn Bekenyi, Admin. Assistant	Alex Hall, NRCS staff
Wayne Chaudiere, WCD Staff	George Boggs, Executive Director (joined by phone)

**III. Meeting Called to Order.**

Joe Heller, Chair, called the meeting to order at 7:03 p.m.

**IV. Approval of Minutes of Previous Meeting.**

**Larry Davis moved that the minutes of the August 10, 2011 Board meeting be approved as mailed. Ed Stone seconded the motion. The motion passed.**

**V. Financial Report.**

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

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

**Ed Stone 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:

August 2011 - balance				
Voucher (check) numbers	<u>18836</u>	through	<u>18844</u>	and totaling <u>1,360.59</u>
Payroll check numbers:	<u>18845</u>	through	<u>18856</u>	and totaling <u>26,278.13</u>
September 2011				
Payroll check numbers	<u>18857</u>	through	<u>18868</u>	and totaling <u>26,151.57</u>
Voucher (check) numbers	<u>18869</u>	through	<u>18881</u>	and totaling <u>13,025.69</u>

**Moved by Ed Stone. Larry Davis seconded the motion. The motion passed.**

## **VI. Action Items.**

### **A. Approval and Certification of Conservation Plans.**

#### Dairy Nutrient Management Plan (DNMP) Update Approval –

There was one Livestock Nutrient Management Plan Update submitted for Board approval.

**Ed Stone moved to approve the Dairy Nutrient Management Plan for Loren Hoekema (EverNook Valley Milk LLC). Larry Davis seconded the motion. The motion passed.**

#### Dairy Nutrient Management Plan (DNMP) Certification –

Staff conducted a certification inspection of the Leo Harrison Dairy. All the structural and vegetative practices are in place. Staff recommends that the board certify the DNMP as fully implemented.

**Ed Stone moved to certify the Dairy Nutrient Management Plan for Leo Harrison. Larry Davis seconded the motion. The motion passed.**

### **B. Approval of Contracts.**

#### Conservation Reserve Enhancement Program (CREP) Contracts –

The Conservation Reserve Enhancement Program (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 nine CREP maintenance contracts submitted for Board approval.

**Ed Stone moved to ratify the CREP maintenance contracts for:**

- 1. Charles Held (10-04-CS:11-17)**
- 2. Michael & Susan Guerrero (10-04-CS:11-16)**
- 3. Jane & Kent Rogers (10-04-CS:11-20)**
- 4. Paul & Debbie Chudek (01-04-CS:11-09)**
- 5. Pamela Dougherty (01-04-CS:11-07)**
- 6. Bob Ferguson & Nancy Nordgen (01-04-CS:11-24)**
- 7. Robert Hardy & Tamara Gee-Hardy (01-04-CS:11-06)**
- 8. Craig Steinke (01-04-CS:11-25)**
- 9. Denise Thrasher (01-04-CS:11-23)**

**Larry Davis seconded the motion. The motion passed.**

Joe Heller asked Wayne Chaudiere about the sign-up for CREP projects. Wayne explained that a landowner must own the property for one year before they would be eligible for the CREP program. However they encourage landowners to sign-up as soon as possible, since the CREP planning process takes a while and can be up to a year.

#### Clallam Conservation District Inter-Local Agreement –

Clallam Conservation District is interested in renewing our Inter-Local Agreement. They would like to use Andrew Phay's services to reconstruct their website. Inter-local agreements allow for sharing District staff with reimbursement to the lending Conservation District for its employee's time.

**Larry Davis moved to enter into an Inter-Local Agreement with Clallam Conservation District effective from September 1, 2011 until June 30, 2012. Terry Lensen seconded the motion. The motion passed.**

Engineering Contract for Lake Terrell Fish Passage Project –

The District received funding from the National Fish and Wildlife Foundation (NFWF) for the Lake Terrell Fish Passage Project. The project contemplated hiring an engineer with specific expertise to assess the dam and the project design to ensure that it does not fail. Tom Slocum, our cluster engineer, and Frank Corey prepared and sent out a Request for Qualifications. Wilson Engineering responded and was found by Tom to be well qualified. Tom prepared the scope of work. George prepared a contract agreement with Wilson Engineering.

**Ed Stone moved to approve and sign the engineering contract with Wilson Engineering for services outlined in the scope of work for the Lake Terrell Fish Passage Project. Terry Lensen seconded the motion. The motion passed.**

**C. Employee Hiring.**

Whatcom Community College Work Study –

The District received a contract to host students under the Work Study Program through Whatcom Community College. The District has been able to use Work Study interns in the past. The program is for 75% reimbursement, up to \$1,000 per quarter for three quarters. Kate Lamson approached the District seeking placement. She will be an Office Assistant to Dawn. Kate has an MS in environmental education and is pursuing an associate degree in accounting. Kate will be helping with the Envirothon and plant sale.

**Terry Lensen moved that the District approve and sign the contract with Whatcom Community College for the Student Work Study Program and hire Kate Lamson as a part-time temporary work study intern at Band B1 Step 1. Ed Stone seconded the motion. The motion passed.**

Livestock Technician –

As per Board direction, the District advertised for an assistant to the Livestock Team. Corina Cheever was selected. Corina will enter as a non-exempt employee at Band B1 Step 1. Since this is a full time position, she will receive leave, health and retirement benefits.

**Larry Davis moved to ratify hiring Corina Cheever for the Livestock Resource Technician a full-time position at Band B1 Step 1 with benefits starting September 14, 2011. Ed Stone seconded the motion. The motion passed.**

**D. Letters of Support for Pollution Identification and Correction (PIC) Program & Environmental Marketplace/Water Budget.**

Whatcom County is applying for funds to conduct a PIC program. The County would conduct an intense water quality sampling program, segmenting watercourses to identify sources of fecal coliform contamination. Those related to livestock husbandry would be referred to the Conservation District to provide technical assistance. The County would contract with the Conservation District for these services.

**Ed Stone move to authorize the Chair to sign letters of support for the Pollution Identification and Correction Program and Environmental Marketplace/Water Budget grant proposals. Larry Davis seconded the motion. The motion passed.**

**I. Other Business.**

**A. Alex Hall, Natural Resources Conservation Service (NRCS).**

Environmental Quality Incentive Program (EQIP) – NRCS is currently accepting applications for EQIP 2012. No new sign-up dates or deadlines have been given.

Field Office Reviews – The Northwest team appraisal was conducted by the Area Office. They reviewed the Lynden Field Office as part of the NW team.

Alex reviewed a list of suggested topics provided by the Olympia Area Office to be reviewed with the Board of Supervisors. Review of the Cooperative Working Agreement, Personnel & Training opportunities for staff, Use of NRCS Vehicles, Diversity of Board Members and Conservation Planning Policy on Planning Certification and Technical Approval Authorities were some of the topics discussed.

**B. George Boggs, Executive Director.**

George joined the meeting by phone.

Livestock Program: Coordinating with Other Agencies – George met with Tom Eaton, EPA Washington Operations Director, and others. Tom relayed the Lummi Nation's concern about declining water quality. There was some discussion as to everyone could coordinate and contribute to reverse the trend of increasing fecal coliform. The dated MOA between EPA, Lummi and State Departments of Health and Ecology was to be updated. Tom inquired as to whether or not the County and Conservation District would join in a new agreement.

Larry is on the WACD Inter-Local Agreement Task Force working on the MOA between Conservation Districts and Ecology. He shared from the September WACD Officers and Directors meeting that Districts need to provide a united front and work through the Association on agreements with the Department of Ecology.

**Ed Stone moved to direct George to enter into negotiations with Lummi, Environmental Protection Agency (EPA), and the Department of Ecology for an MOA with the elements that were previously endorsed in discussions regarding an Inter-local Agreement with the Department of Ecology. Larry Davis seconded the motion. The motion passed.**

Legal Issue – George apprised the Board that a tort claim was filed with the State by the Shuksan Golf Course alleging trespass and damages from the stream remeander and reforestation. These activities were funded through the EQIP and CREP programs. He recommended writing a letter to the Commission requesting legal assistance. A draft was provided. The Board authorized Joe Heller to sign the letter

**Ed Stone moved to request that the Washington Conservation Commission, defend the District and the landowner against this claim. Larry Davis seconded the motion. The motion passed.**

Employee Leave -

There was discussion regarding potential changes to the employee leave policy, including a proposal to combine annual and sick leave into one category allowing more flexibility in usage. Cashing out surplus leave was also briefly discussed. There was a philosophical issue about sick leave. The Board decided to postpone further discussion until George was present in person at the October meeting.

**C. Supervisor Election.**

Dawn informed the Board that new election policy requires two ads in the paper as notice to inform the public of when the Board would adopt the resolution setting the Supervisor election date. She recommended that the resolution be adopted at the November Board meeting. The Board directed her to place the required ads in the paper.

Ed expressed that he will not be running for the Board this time. Larry said that he will be reapplying to the Washington Conservation Commission for continuation of his appointed position.

**D. NW Area Meeting.**

The NW Area meeting is scheduled for October 13, 2011 in Coupeville. Larry will be running for one of the NW Area Director positions.

WACD Dues –

**Terry Lenssen moved to approve payment of the WACD annual dues in the amount of \$3,800. Larry Davis seconded the motion. The motion passed.**

**E. Supervisor Report.**

Larry Davis – Larry reported that 3 candidates were interviewed for the WACD Executive Director position. If a suitable candidate is found an announcement to hire will be made next week, otherwise it will be reopened.

Larry also explained that there was a budget deficit for WACD for 2012.

**II. Record of Board Actions.**

**11-60 Larry Davis moved that the minutes of the August 10, 2011 Board meeting be approved as mailed. Ed Stone seconded the motion. The motion passed.**

**11-61 Ed Stone 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.**

**11-62**

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**11-63 Ed Stone moved to approve the Dairy Nutrient Management Plan for Loren Hoekema (EverNook Valley Milk LLC). Larry Davis seconded the motion. The motion passed.**

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**Larry Davis seconded the motion. The motion passed.**

- 11-66 Larry Davis moved to enter into an Inter-Local Agreement with Clallam Conservation District effective from September 1, 2011 until June 30, 2012. Terry Lenssen seconded the motion. The motion passed.
- 11-67 Ed Stone moved to approve and sign the engineering contract with Wilson Engineering for services outlined in the scope of work for the Lake Terrell Fish Passage Project. Terry Lenssen seconded the motion. The motion passed.
- 11-68 Terry Lenssen moved that the District approve and sign the contract with Whatcom Community College for the Student Work Study Program and hire Kate Lamson as a part-time temporary work study intern at Band B1 Step 1. Ed Stone seconded the motion. The motion passed.
- 11-69 Larry Davis moved to ratify hiring Corina Cheever for the Livestock Resource Technician a full-time position at Band B1 Step 1 with benefits starting September 14, 2011. Ed Stone seconded the motion. The motion passed.
- 11-70 Ed Stone move to authorize the Chair to sign letters of support for the Pollution Identification and Correction Program and Environmental Marketplace/Water Budget grant proposals. Larry Davis seconded the motion. The motion passed.
- 11-71 Ed Stone moved to direct George to enter into negotiations with Lummi, Environmental Protection Agency (EPA), and the Department of Ecology for an MOA with the elements that were previously endorsed in discussions regarding an Inter-local Agreement with the Department of Ecology. Larry Davis seconded the motion. The motion passed.
- 11-72 Ed Stone moved to request that the Washington Conservation Commission, defend the District and the landowner against this claim. Larry Davis seconded the motion. The motion passed.
- 11-73 Terry Lenssen moved to approve payment of the WACD annual dues in the amount of \$3,800. Larry Davis seconded the motion. The motion passed.

**III. Adjournment.**

There being no further business before the meeting, Terry Lenssen moved to adjourn the meeting at 8:55 p.m. Larry Davis seconded the motion. The motion passed.

The meeting, on motion duly made, seconded and carried, adjourned at 8:55 p.m.

Dated: October 21, 2011

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Dawn Bekenyi, Administrative Assistant

Approved: \_\_\_\_\_