

**WHATCOM CONSERVATION DISTRICT
Public Meeting Minutes
July 14, 2016**

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 July 14, 2016, at 7:00 p.m.

II. Attendance and Quorum.

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

Larry Helm, Chair
Dan Heeringa, Treasurer
Theresa Sygitowicz

Larry Davis, Vice-Chair
Joe Heller

Also in attendance were:

George Boggs, Executive Director
Dawn Bekenyi, Admin. Assistant
Jessica Kirkpatrick, WA Dept of Ecology
Andrea Hood, WA Dept of Health
Shana Joy, WSCC

Alex Hall, NRCS, Resource Conservationist
Aneka Sweeney, Ed/Outreach
Chris Luerkens, WA Dept of Ecology
Steve Hood, WA Dept of Ecology

III. Meeting Called to Order.

Larry Helm, Chair, called the meeting to order at 7:00 p.m.

Theresa requested that the presentation by the Washington State Department of Ecology be moved to after the Public Comment and be limited to 10 minutes.

IV. Public Comment (written or in person).

There was no public comment either in writing or in person.

V. Washington Departments of Ecology and Health Presentation.

Andrea Hood, WA State Dept of Health, introduced herself as the coordinator of the Whatcom Clean Water Program in Whatcom County. She said that it is important that Ecology and the District coordinate and work together.

Steve Hood, P.E. introduced himself as Ecology's Water Quality Program Lead over Jessica Kirkpatrick and Chris Luerkens, Ecology Water Quality Program Inspectors. Last Fall Ecology reviewed its livestock inspection activities to become more effective and efficient. It was decided to focus on problems where pollution was happening or there was a substantial risk that if not addressed by the landowner, it would result. Attention was to be given to circumstances that were in need of improvement. If those landowners agreed to work with the Conservation District, then Ecology would put them into a "watch" category. Ecology shared examples of recent warning letters and inspection reports. Landowners have an obligation to not pollute. Ecology might instruct the landowner that s/he needed a heavy use area, but the Conservation District will give site specific details to that entailed.

Steve invited Supervisors to ask questions. Larry Helm stated that he was getting contacted by unhappy people who think that the Conservation District is enforcement. We are strictly voluntary services. Conservation Districts are not typical government. We cannot make them do anything.

The Conservation District is non-regulatory, technical assistance. Steve replied that perhaps the inspectors needed to talk in more “plain speak”. Theresa stated that she had problems with the “potential” to pollute, when there was no actual pollution. Another issue was that landowners were being fined because of high rainfall. The program is smearing the good reputation of the Conservation District. Do you have a record of who “anonymously” turned in properties? There will be a demonstration in front of your offices because of enforcement actions.

Andrea Hood explained that the PIC program is a program lead by Whatcom County. PIC is a part of the Whatcom Clean Water Program.

Theresa brought up issues with the well owners. There are no private landowners on the Whatcom Clean Water Group. Joe stated that the advertising on the buses have caused a lot of confusion in the community. We are getting feedback that the Conservation District is enforcing the law. Ecology needs to make sure that the public is aware that this is a state water quality program. The Conservation District is not enforcement.

Steve stated that there used to be a MOU between Ecology and Conservation District. It could define how Conservation District and Ecology worked together. Joe thinks that it would be better if Ecology states the District’s role. Steve noted that Ecology deals with people in a stressful situation, and they tend not to listen to the details. Ecology does not have the ability to put people in jail. A very egregious issue would have to be made to pass the violators on to the agency that can jail people.

Chris Luerkens stated that he tries to make people aware that the Conservation District is there to help with their problems. The Board would like to have Ecology mention that other entities can help people with their problems as well as the Conservation District.

The chair then asked Ecology and Health representatives to terminate the discussion.

VI. Consent Agenda.

The Board adopted a consent agenda for approval of the accounts payable. A copy of District invoices and incurred expenses, as listed in the Accounts Payable Report, were reviewed and approved. The Board approved a step increase for Nichole Embertson and Brandi Hutton. The Board approved the band advancement for Aneka Sweeney. The Board further authorizes the payment of District expenses incurred subject to their review and approval at the next Board meeting.

Larry Davis moved to approve the consent agenda: authorize payment of District invoices and incurred expenses (below), as listed in the Accounts Payable Report, approve the step increases for Nichole Embertson to Band D1 Step 7 and Brandi Hutton to Band B1 Step 3 and approve the band advancement for Aneka Sweeney to Band C2 Step 6. The Board further authorizes the payment of District expenses incurred subject to their review and approval at the next Board meeting. Theresa Sygitowicz seconded the motion. The motion passed. (One abstention – TS.)

The following voucher/warrants are approved for payment:

June 2016 - balance					
Voucher (check) numbers	<u>23768</u>	through	<u>23784</u>	and totaling	<u>15,798.67</u>
Payroll check numbers:	<u>23785</u>	through	<u>23802</u>	and totaling	<u>34,367.72</u>
July 2016					
Voucher (check) numbers	<u>23803</u>	through	<u>23835</u>	and totaling	<u>53,269.72</u>
Payroll check numbers:	<u>23836</u>	through	<u>23852</u>	and totaling	<u>34,446.33</u>

VII. Action Items.

A. Miscellaneous.

Theresa asked about the status of the requested Letter to the Editor of the Lynden Tribune that she wanted the Executive Director to draft last month. She checked with the Lynden Tribune and it had not been done yet. George invited her to call him directly with questions.

Theresa Sygitowicz moved to request that the Executive Director draft a letter to the editor of the Lynden Tribune that will be drafted in the next two weeks. The motion died due to lack of second.

George agreed to draft a letter to the editor of the Lynden Tribune refuting the allegations that he was involved with the "What's Upstream" campaign.

B. Approval of Conservation Plans.

Dairy Nutrient Management Plan (DNMP) Approval –

There was one Dairy Nutrient Management Plan submitted for Board approval. Staff recommended approval as it contained the necessary elements prescribed by the Conservation Commission and the operator has signed it indicating that it accurately reflects his operation and agrees to its implementation.

Joe Heller moved to approve the Dairy Nutrient Management Plan for Dan B Noteboom. Theresa Sygitowicz seconded the motion. The motion passed.

C. Washington State Conservation Commission Financial Setup.

The Authorized Signatures Page, Grant Addendums, Basic Funding Allocation and Initial Payments request were review and approved.

Joe Heller moved to approve the Authorized Signatures Page. Grant Addendums for CREP Technical Assistance, Livestock, Implementation and Firewise, Basic Funding Allocation (from Implementation funding) and initial payment requests as presented. Larry Davis seconded. The motion passed.

Larry Helm requested that George provide a basic breakdown of where people are funded from.

D. Ecology Letter.

The Board wants a letter to the Department of Ecology instructing them on how they should refer landowners to the District. They want landowners to know that the Conservation District is just one option. Working with the Conservation District is voluntary and confidential. Larry Davis pointed out that the Conservation District provides a no cost Technical Assistance option. He didn't want to take the Conservation District out of the equation all together. Saying that Ecology is enforcement and Conservation District is not and will never be. A farmer can work with the Conservation District and say no to the District's recommendations. George will revise the letter and send it out to Larry Helm and Larry Davis to approve making sure that it reflects the desires of the Board.

Alex Hall didn't know the methodology that Ecology uses to make the referrals. Alex said that we may need to meet with Ecology to ensure that our recommendations would meet their expectations. If not, a landowner could have a problem with Ecology for following our recommendations. An MOU could remove this uncertainty. Also, there could perhaps be some agreement as to what is significant and what is not. Ideally, if Conservation District staff looks at it and thinks there is no problem then that should be the end to it.

Theresa stated that there is much more rain this year. Why would a farmer get in trouble for enforcement if it is an unusual circumstance? Alex said that Ecology says that any violation (no matter how small) is required to be enforced. Maybe a suggestion to prioritize or differentiate would be good. Larry Helm said that it is a state agency issue.

VIII. Other Business.

A. District Education/Outreach Program Update – Aneka Sweeney.

Aneka has been at the Conservation District for about 2 years. During this time she has significantly raised the profile of the Conservation District. She passed out a summary of the education/outreach program to date and recommendations of the future.

Board members were interested in

- developing a presence at the Lynden fair.
- Affording children the farm experience without exposing them to illness
- Expanding the Whatcom Farm to School program.

Aneka reported that a survey is being sent out to all the persons that staff worked with through the PIC program. Results may be available by the next Board meeting.

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

Environmental Quality Incentives Program (EQIP) –

There is funding for one additional fish passage project and one additional energy implementation contract.

National Water Quality Initiative –

Initially there are 11 applications. NRCS has been working through the planning process:

- Completed lagoon evaluations.
- Initiated consultation with WDFW on covering ditches
- Completed any needed wetland determinations for the practice of covering ditches.
- Developed and delivered Cost estimated to the applicants

3 applicants have backed out during the planning process

The deadline is July 22, 2016 for commitment and to have begun the contract development for the highest ranked applications. At this point they anticipate utilizing all of the NWQI allocation.

Engineering Tech Position –

The position will be re-advertised at a lower grade in the near future. NRCS may train the person fresh out of high school like in the past. The position is only advertised on the federal website for 5 days.

Future Directions –

There is a new EQIP called Future Directions. It is a new version of Salmon Restoration Habitat. The program is strictly fish passage applications. They have four applications. Alex will work with Frank Corey to develop agreements if they rank high enough to fund. The funds need to be obligated before the end of the fiscal year. The ranking deadline is July 22, 2016.

Edge of Field –

The deadline for this sign up has been extended to July 29, 2016.

Rick Noble will be receiving the Abraham Lincoln award from USDA. This is a national award due, in part, to substantial number of salmon habitat improvement projects from his area. Frank Corey's efforts were instrumental to many of these. Rick is going to Washington, DC to accept the award.

C. Supervisor Reports.

Theresa Sygitowicz –

Theresa has been talking with other Conservation Districts across the state. She would like to instigate a policy to start immediately that all travel by staff outside of the four county area (Whatcom, Skagit, Island and San Juan) must receive authorization from 3 Board members.

Larry Davis asked for language to look at prior to voting on any policy changes. Larry Helm will entertain a motion.

Theresa also proposed for consideration that a correspondence account be available for Board members to audit. Set up an account to make a copy of the all correspondence available. The five board members could have access to be able to review all correspondence (including internal emails) from the Conservation District office. Larry Helm would like to see what leaves the office. Theresa would like to see all emails in and out of the office.

Theresa requested that the agenda be set by the Board chair, any items to be on the agenda be no later than 10 days prior to the meeting. Larry Helm would like to have the agenda to review prior to being sent out. Putting things on the agenda are not an action item.

Whatcom County Council is going through a Comp Plan right now. 2 days old. The group is considering population of wildlife and land use. If you buy a plot of land in Whatcom County, the purchaser will be required to hire a specialist to do an assessment on habitat study. It will cost an additional \$8,000 for a habitat study.

Larry Helm –

It was a great hay season in May. July has been raining everyday ruining the hay. Milk prices are really low still. Beef is holding up okay. Berries are very low this year. There was no Ag Advisory Committee meeting this month. Whatcom County Council Comp Plan is generating a fire storm of impacts. Trump Election signs are being burned down. It is dangerous. Teachers are getting more and more demands on their curriculum. They are being regulated on what to teach. Larry Helm would like to have a Board sponsored social event at least once a year. Larry Helm said that it bothers him that George will take work calls when he is on vacation, because it isn't really a vacation if he is still working. Larry wanted the Board to be notified of George's vacation time and have him set up an alternative person to call with issues while he is away. George suggested that a retreat with staff and the Board regarding the Long Range Plan and Employee Manual be set up to discuss issues. There was no outcome to the suggestion.

Joe Heller –

There is one positive sign on the national side. EPA has backed down on Silva culture rule. They have pulled all of the work on Tuesday and will continue to use the current Silva culture rule.

Larry Davis –

As of Saturday, WACD hired new Executive Director, Bob Schroeder. It was an unanimous decision from the committee to hire Bob. Larry Davis gave a background of new Executive Director. Bob has great communication, organization and critical listening skills.

D. Shana Joy, Washington State Conservation Commission.

The Washington State Conservation Commission is working on Budgets. The Commission meeting is next week in West Port, Grays Harbor.

E. George Boggs, Executive Director.

WSDA – Washington State Department of Ag sent out a report regarding Implementation Nutrient Management Training Program for Farmers. The Whatcom Conservation District is providing exemplary training to farmers that was applauded by Jay Gordon of the Washington State Dairy Federation.

WACD PMC – The Conservation District received a letter from Washington Association of Conservation Districts Plant Material Center (WACD PMC). This is the final commission for Plant Sales. The District received a little over \$5,000 in commissions this year and has received \$57,000 in the past ten years. These funds have been used for the District's Education/Outreach program. There was discussion about drafting a resolution to present at the WACD Annual meeting to address the elimination of plant sale commissions to Conservation Districts for consideration by WACD. Larry Davis asked for copies and said he would follow up on the matter with WACD.

Supervisor Election – George shared with the Board the Supervisor Election Expenses breakdown for 2016. There was discussion regarding the election envelopes and layout. The District bought a surplus that can be used for several years. There were no issues this year due to the changes that were made. Future elections will be less expensive because Dawn's time spent setting up the process with the Auditor and getting the envelopes printed will not have to be repeated.

WSDA Tech Assistance Contract – Department of Ag – The Conservation District has been unable to find additional funds to match for a dairy planner. Nichole Embertson came up with the idea to hire an intern to start as soon as possible and work through the end of the year. Maybe could continue if get more funds. Utilize funds to hire an intern. \$31,000. Focus on berry growers, dairy manure going to berry growers.

Larry Helm moved to authorize hiring an intern to work with the berry growers on the WSDA \$31,000 project funds. Larry Davis seconded the motion. The motion passed.

Theresa Sygitowicz requested that it be posted in the job description that to be able to speak fluent Punjabi is highly desirable.

Engineering – There is a large work load on Chris Clark right now. Bill Bensen is out of work with an injury. There is an opportunity to get an Intern from Bellingham Tech. The District is seeking a drafting tech intern for 20 hours a week.

Cluster Engineer Meeting – Larry Helm attended with George. The group is planning to schedule a meeting a month for three months.

Long Range Plan – George received comments from Aneka and Nichole. George is taking information and incorporating into the draft Long Range Plan. Another draft will be reorganized and ready to come to the next Board meeting to develop a public draft for comment.

Employee Meeting/Retreat – George suggested that the District have an Employee Retreat to talk with staff regarding compensation packages, personal manual and other stuff. It would be from about 9:00 am until 2 or 3 pm.

Conservation District Social Function – The Board suggested that the District hold a social function in the summer and the employee retreat in the winter. Theresa offered her place to have a BBQ potluck. The board scheduled BBQ potluck for Friday, August 12th from 3:00 pm until about 6:00 pm. Staff is invited to bring potluck dishes the Board will provide some BBQ meat.

Meetings will start at 6:30 next meeting

IX. Record of Board Actions.

16-48 Larry Davis moved to approve the consent agenda: authorize payment of District invoices and incurred expenses (below), as listed in the Accounts Payable Report, approve the step increases for Nichole Embertson to Band D1 Step 7 and Brandi Hutton to Band B1 Step 3 and approve the band advancement for Aneka Sweeney to Band C2 Step 6. The Board

further authorizes the payment of District expenses incurred subject to their review and approval at the next Board meeting. Theresa Sygitowicz seconded the motion. The motion passed. (One abstention – TS.)

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- 16-49 Joe Heller moved to approve the Dairy Nutrient Management Plan for Dan B Noteboom. Theresa Sygitowicz seconded the motion. The motion passed.**
- 16-50 Joe Heller moved to approve the Authorized Signatures Page. Grant Addendums for CREP Technical Assistance, Livestock, Implementation and Firewise, Basic Funding Allocation (from Implementation funding) and initial payment requests as presented. Larry Davis seconded. The motion passed.**
- 16-51 Larry Helm moved to authorize hiring an intern to work with the berry growers on the WSDA \$31,000 project funds. Larry Davis seconded the motion. The motion passed.**

X. Adjournment.

There being no further business before the meeting, Larry Helm moved to adjourn the meeting at 10:28 p.m. Larry Davis seconded the motion. The motion passed.

The meeting, on motion duly made, seconded and carried, adjourned at 10:28 p.m.

Dated: August 25, 2016

Dawn Bekenyi, Administrative Assistant

Approved: _____