



MINUTES OF DISTRICT BOARD MEETING

Thursday, August 12, 2020

EASTERN SHORE SOIL AND WATER CONSERVATION DISTRICT

Due to COVID-19, this meeting was held virtually
via WebEx at 5:00 p.m.

ATTENDANCE: The following Directors and Associate Directors were in attendance:

Robin Rich-Coates, Chair

Nick Thomas, Director

Ursula Deitch, Director

Kyle Sturgis, Director

Others present were:

Carmie Savage, District Manager

Julie Head, Education Director

Bill Savage, Conservation Specialist

Jaclyn Friedman, DCR CDC

Ursula Deitch moved and it was seconded by Nick Thomas to approve holding the August 2020 District Board meeting electronically while VA is still declared to be in a State of Emergency due to the COVID-19 pandemic. Ayes: 1-Kyle Sturgis, Nays: 0

CALL TO ORDER: Robin Rich-Coates, Chair, called to order the August 12, 2020 District Board Meeting of the Eastern Shore Soil and Water Conservation District.

MINUTES and FINANCIAL REPORTS: Ursula Deitch moved and it was seconded by Nick Thomas to approve the July 16, 2020 meeting minutes and July 2020 financial reports. Ayes: 1-Kyle Sturgis; Nays: 0

OLD BUSINESS: There was not any old business discussed.

NEW BUSINESS:

A. FY21 Cost Share Report- Carmie Savage: Obligated funds for agronomic practices carried over from FY20 to FY21 total \$9,498.00 in Ches Bay funds and \$2,501.40 in OCB funds. The District has completed and paid all NM-3C practices totaling \$4,751.40 in Ches Bay funds and \$278.40 in OCB funds as some tracts either weren't planted or did not meet program specifications for payment. Carmie will work with Jaclyn Friedman, DCR to return the remaining funds to DCR. FY20 Obligated funds carried over to FY21 for animal waste BMPs total \$1,784,934.17 in Ches Bay funds and \$228,611.87 in OCB funds. Carmie reported there are a few that have decided to cancel due to decline in birds therefore not having the funding anymore to pay their portion after cost share and due to rising costs associated with the county and engineer to perform site revisions. Carmie has asked the growers to request their cancellation in writing then she will work with DCR to return the funds that are being held back to DCR. The FY21 VACS

APPROVED:

Robin Rich-Coates
BOARD CHAIRMAN

SIGNED

Carmie M. Savage
BOARD SECRETARY

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Allocation totals \$560,561.00 in Ches Bay funds and \$285,682.00 in OCB funds. Interest accrued for the month of July totaling \$229.59 towards Ches Bay funds and \$31.31 towards OCB funds. Carmie reported the initial sign-up period is going strong with the deadline of August 17 quickly approaching. Growers are meeting with District staff through scheduled appoints and are required to wear face masks upon entrance. **Kyle Sturgis moved and it was seconded by Nick Thomas to approve the FY21 Cost Share report as presented. Ayes: 1- Ursula Deitch; Nays: 0**

- B. DCR Assessment of SWCD Compliance with the FY20 Program Year:** Jaclyn Friedman, DCR, reviewed the signed and dated FY20 Administrative and Operational Support Grant Agreement Assessment and the FY20 Cost Share and Technical Assistance Grant Agreement Assessment provided by DCR with the Board. The District was given an "A" on each assessment which is the highest score achievable for meeting grant deliverables. She shared her thanks with the board on a job well done.
- C. FY21 Office Space Rent Agreement:** The District updated the new office space rental agreement for the period of September 1, 2020 through August 31, 2021 to include the additional square footage of the large room to become the conference room/ educational/ storage once USDA vacates the space. The agreement stated that rental payment for the additional space will not be included until the District has full use of the space. The new agreement also included all District offices/ spaces will be upgraded to LED lighting systems as USDA has been provided by December 31, 2020 and the new additional space will be painted and carpeted to match already occupied District space by December 31, 2020. The total rent for the District office space which includes the new additional space totals \$15,000 for the rental period. The \$5,000 increase from last year's rental agreement is the addition of the new space. **Nick Thomas moved and it was seconded by Ursula Deitch to approve the new FY21 rental agreement as presented. Ayes: 1- Kyle Sturgis; Nays: 0**
- D. Amendment to the Personnel Handbook:** Discussion was held to update page 22 under "VRS Retirement" and page 23 under "VRS Life Insurance" of the current personnel handbook by removing the actual percentages noted. This update was recommended since the percentages change every two years after an actuarial study has been conducted by VRS and this will eliminate having to change that section of the handbook to reflect any changes. **Nick Thomas moved and it was seconded by Kyle Sturgis to approve the updates on page 22-23 as presented to the personnel handbook. Ayes: 1- Ursula Deitch; Nays: 0**
- E. VASWCD Annual Meeting:** The VASWCD Annual meeting previously scheduled to be held at Hotel Roanoke in December has been cancelled due to the COVID-19 pandemic.

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- F. VACDE Training at Graves Mountain:** The annual Employees training scheduled for the end of August at Graves Mountain Lodge in Syria, VA has been cancelled due to the COVID-19 pandemic. Virtual trainings will be scheduled at a later date.

STAFF REPORTS

District Manager Report: Carmie Savage, District Manager, gave an oral report to Directors. Her written report was included in the meeting packet and is on file in the District office.

FY 2020 Cost Share:

- **Agronomic Update:** All carried over NM-3C split applications on corn practices have been paid and are now complete in tracking. Carmie will be working with Jaclyn Friedman to return funds to DCR that were not disbursed.
- **Poultry Update:** FY20 poultry practices are moving forward. The first pre-construction meeting is scheduled for one participant on August 13. A few are waiting on the County to complete the site plan revisions. A few are in the design process by the private engineer. One grower that was approved for two litter sheds has cancelled due to rising costs to have site plan revised with county and engineer. Another grower that approved for a composter has cancelled his contract due to reduction in birds so he does not have the 25% he would need to put forward on his end. Two more that were approved for litter sheds are considering cancellations as they have heard they can get 100% cost share through NRCS. Although Carmie explained (after confirming with Jane) NRCS does not offer 100% cost share, they heard that they can get quite a bit more than the District's 75% so they are considering cancellations. I have asked for all cancellations in writing. Carmie contacted DCR to find out how the cancellations would affect the 90% funding obligation requirement from FY20 and was told that since the funds were obligated by June 30, the cancellations would not affect the 90% obligation that the District met by June 30. Carmie will work with Jaclyn Friedman to send those cancelled cost share funds back to DCR.

FY 2021 Cost Share: Sign-up is going very strong. Staff has been scheduling appointments with growers which allows uninterrupted time with each to explain program changes and opportunities. Numbers will be reported with ranking in September.

Whole Farm Approach Pilot Program: According to Daryl Glover, DCR, the grant has passed the first level of EPA review and is now in their second level. Due to the new federal fiscal year starting on October 1, DEQ told DCR that September 30 is the deadline for EPA to take action on this grant. DCR may know sooner, but it will be no later than September 30. At this time the District is taking

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sign-up "interest" since the District does not have a grant in hand. There are three large growers who have expressed interest at this time. There is a little over \$800,000 available in the grant. Specific numbers will be reported once there is a grant in hand. These funds do not have a participate cap and do not go against the VACS \$100,000 cap. These funds are completely separate from VACS. It is a stackable cost share under one contract and to participate one must acquire and implements a resource management plan. This special funding is for Bay acres only.

Accounting: Daily accounting procedures and payroll are always ongoing.

Record Retention Update: Bill and Carmie purged some of the NM-1a cost share files that were in his filing cabinets. In purging papers from the attic, Julie found the original sealed document for the District from Accomack County in 1945 along with many old documents from when the District was first formed. Carmie created a binder where all the documents are now in sheet protectors.

District Audit: The District is due to be audited for FY19 and FY20. Carmie attended an Audit Entrance Conference on August 12th to explain the procedure as this audit will not be done in person. Carmie will have to scan and upload all requested information to a secure portal. She foresees this taking a lot of time to scan all required documents to allow the upload but the original goal date of 9/15 is a flexible date. Districts being audited have been encouraged to upload as time allows but they would like to have all the requested information by mid-October. More information will be coming.

District Website: Julie and Carmie have been keeping the District's website up-to-date- check it out! Carmie has added the virtual meeting recordings to the site as required.

District Facebook Page: Julie and Carmie have been posting to the District's FB page as time allows.

Webinars/ Conference Calls:

- Carmie participated in the Soils Health Webinar on July 30 and 31. She will earn 4 CEUs towards maintaining her conservation planner certification.
- Carmie attended the RUSLE 2 refresher training conducted by Jenny Templeton, NRCS.

Conservation Specialist Report: Bill Savage, Conservation Specialist, gave an oral report to Directors. His written report was included in the meeting packet and is on file in the District office.

BMP - Cost Share:

- Bill has been signing up farmers in the FY 21 Cost-share program and offering them the opportunity to sign up interest for the WFA-1 pilot program.

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- He has been entering sign-up data in the tracking program as time allows between appointments.
- Bill contacted last year's participants on several dates that had not signed up yet or made appointments to do so, to remind them of the August 17th deadline.
- Carmie and Bill purged the NM-1a cost share files in accordance with record retention requirements.

District Vehicle Maintenance:

- Both the District Van and Truck were inspected and serviced on July 20th at Shore Tire.
- The truck also had a tire rotation and the battery checked. The truck has had a history of draining the battery if it sits for long periods of time.

Groundwater Committee Meeting:

- No Ground Water Meeting was held in August.

Training (Virtual) and (in-person):

- Bill attended the (in-person) RUSLE 2 refresher course taught by Jenny Templeton, NRCS, at the office on July 29th.
- Attended the (virtual) Soil Health Webinar on July 30th and 31st.

VESLT Reports:

- Received one monitoring report and filed in District files.

Conservation Technician Report: Norman Pitt, Conservation Technician, was unable to attend. His written report was included in the meeting packet and is on file in the District office.

Education Director Report: Julie Head, Education Director, gave an oral report to Directors. Her written report was included in the meeting packet and is on file in the District office.

Butterfly Life Cycles – working with Kiptopeke State Park (Ranger Stan) to deliver a butterfly life cycle unit to all second grade classrooms in Northampton County near the end of September. The general idea is to have a box that would be dropped off for each participating classroom that will include an enclosure, food, caterpillars, and instructions on caring for them. The box would also include a book, some vocabulary/language lessons, and possible some basic math lessons. At the end we would pick up all the non-consumables so that we could use them again next year.

Lessons in progress

a. Elementary

- Still working on a cross-curricular lesson on soil for elementary schools – aimed at 3rd grade but there are no visitors to schools so that eliminates the soils trailer.

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- ii. The Water Princess – a picture book story about a little girl growing up in Africa who has to help her mom get water for the family. This is really an extension of A Long Walk to Water for middle school.
 - iii. Whole-y Cow – fractions are fun – this is a read aloud book introducing students to fractions (generally second grade). Worksheets about what a cow eats (in fractions) will accompany the book along with a reading page from NACD about why we need pollinators to get ice cream.
- b. Middle School – cross-curricular unit on the book “A Long Walk to Water” by Linda Sue Park. This will hopefully be complete by 7/21/2020. What’s in it for ESSWCD? The book is about the importance of water and the importance of clean water. Students will be exposed to people who don’t have access to clean water and have to spend their whole day walking to and from the pond
 - c. High School – I have put together a Formation of Soil web quest to support Earth Science teachers along with a worksheet on the soil triangle to reinforce types of soil. I am also finishing up a web quest on soil science that will explore the topics of soil fertility and how to keep our soils healthy.

Other

- a. Continuing to go through 40 years of records from the attic.
- b. Conference calls and virtual trainings/events as scheduled (some useful, some not so much)
- c. Some of the organizations on the shore are trying to come up with a mail home packet. I am sitting in on these but I don’t see “a lot of bang for the buck” with this.
- d. Planning “Science in the Park” or something like that with Northampton County 4H Agent. Right now it looks like all students in ACPS will be off on Fridays and all students in NCPS will be off Wednesdays. They are thinking of some type of activities that could be done in local parks on students “off” days. Maybe rotate among towns and team up with local churches to provide bag lunches. Julie is going to check on insurance requirements. More to follow if this idea develops.

2. Possibly Upcoming

- a. Project Learning Tree Facilitator Workshop – October in Charlottesville

PARTNER AGENCY REPORTS:

Department of Conservation & Recreation Update: Jaclyn Friedman, DCR CDC, gave an oral report to Directors. Her written report was included in the meeting packet and is on file in the District office

Administrative and Operational Items

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- **Electronic Meetings** are still allowed by public bodies during a "State of Emergency". There was some confusion as to whether or not there was still a State of Emergency in Virginia - YES there is! *Only after the Governor declares the State of Emergency is over will electronic meetings no longer be allowed.*
 - Follow the guidance from the OAG and FOIA carefully. **Roll Call votes are required; a recording of the meeting must be posted to your website; and at the very start of the electronic meeting, an enabling motion must be made to declare why your board or committee is using the electronic meeting format.**
 - Soil and Water Conservation Districts are not required to submit a report of electronic meetings in December. That requirement is only for state boards.
- **Audits** for FY19 & 20 – Appomattox River, Chowan Basin, Eastern Shore, and Virginia Dare SWCDs-The auditing firm CLA hosted a **webinar on August 12 at 10:00 am** to kick off the audit process and for districts to ask questions. Throughout August CLA will be reaching out to affected districts to set up audit portals for submitting audit documents. Due to COVID-19 there will be no in person meetings, but instead all items will be submitted through the portal. The audits will take place in October.
- **The Virginia General Assembly reconvenes on August 18, 2020** to finalize the budget and address other issues.
- **Virginia Soil and Water Conservation Board** meeting date has not yet been set but it will be in late September.

NEW Freedom of Information Act requirements

FOIA Training for Elected Directors Pursuant to § 2.2-3704.3 of the *Code of Virginia*, as of July 1, 2020, each district elected 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 (<http://foiacouncil.dls.virginia.gov/foiacouncil.htm>) and requires an individual email address. In person, group training is also available by request from the Virginia Freedom of Information Advisory Council or your local government attorney. **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/officertaining/>

Print the completion certificate and provide a copy to the clerk of your local board of supervisors or city council and the SWCD office (Just like with COIA). Carmie also asked Directors to please provide the certificate copy to her as well since she has to keep up with required Director trainings.

Clean Water Farm Awards: Based on the outcomes of the Aug 18 GA special session, DCR will either provide CWFA signs to districts OR DCR will make them available for districts to purchase through DCR. The CWFA program will continue as normal with the deadline for nominations October 1st. After much discussion, the Eastern Shore SWCD Board decided to not hold the annual awards banquet previously

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postponed to fall due to the COVID-19 pandemic. However, the Board would still like the District to participate in the Clean Water Farm Award/ Grand Basin Award program.

AG COST SHARE:

- **DCR-DSWC Engineering Services Update** - To protect against unauthorized use of the DCR Standard Drawings, the Drawings, both AutoCAD and fillable PDF, are now accessible via the tracking program & will be removed from the DCR website. The forms can continue to be accessed electronically by authorized users of the Agricultural Best Management Practices Tracking Program. USDA NRCS has developed new beef and poultry sizing spreadsheets, which should be used by SWCDs for the VACS program.
- **Reminder: "BMPs initiated prior to submitting a cost share or tax credit application are not eligible."** Producers interested in cover crop BMPs need to sign a FY21 Contract Part 1 prior to planting. Producers seeking an AgBMP Tax Credit on project(s) need to do the same prior to "implementation."
- **Random BMP Verifications (Spot Checks):** Due to Covid-19 restrictions, this year's field visits will be limited to one SWCD and one DCR person. Administrative file reviews will be conducted later in the fall.
- **BMP Verifications:** Structural BMPs coming out of lifespan 12/31/20 and 12/31/21 need to be verified in order for the reductions to continue to be counted in the Chesapeake Bay model. DCR will be sending a letter explaining all of this in early August. Unfortunately, at this time, DCR does not have funding to reimburse districts for these verifications, but they still need to be completed. Districts may choose to do the inspections themselves or DCR will work with the district and have Jason Wilfong, DCR engineering technician, complete the inspections.

Summer To-Do List:

- **FY21 Annual Plan of Work** include "partnership acknowledgement" statement.
- Review and **update Dedicated Reserves Policy**
- **Complete property inventory**
- **FY20 Annual Report** (due to CDC 9/30) include "partnership acknowledgement" statement

Dates to Remember:

- **Aug 12**, Audit Kick Off Webinar, 10:00 am Hosted by CLA & DCR; Call in details to be sent to affected SWCDs
- **Aug 18-20**, VACDE Annual Training, Graves Mountain Lodge or virtual training. More details to come.
- **Sept 10**, Unobligated cost share fund checks back to DCR must be postmarked by this date
- **Sept 16**, VASWCD Golf Tournament, contact your VASWCD for more details
- **Sept 30**, FY20 Annual Report due to CDC
- **Oct 1**, CWFA local and Basin nominations due to DCR

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The August 12, 2020 Board meeting was adjourned.
Meeting minutes were recorded by Carmie Savage

Assessment of SWCD Compliance with the FY20 Administrative and Operational Support Grant Agreement

503OPS-20-10-GF Grant Agreement for the period 7/01/19 thru 6/30/20 for Eastern Shore (District name) Soil & Water Conservation District

Funds from DCR are made available to the Soil & Water Conservation District (District) to support administrative and operational expenses to support District actions that address the Commonwealth's water quality and natural resource conservation needs.

By acceptance of funds the district agreed to:

Activity:	Fully Satisfied			Partially Fulfilled		Did Not Fulfill		Notes/Comments:
	"A"	"B"	"C"	"A"	"B"	"C"		
Grant Agreement Performance Deliverable								
1. Demonstrates leadership by promoting nonpoint source pollution reduction and related conservation efforts through support of, reporting for, and/or implementation of the following programs: <ul style="list-style-type: none"> The Virginia Agricultural BMP Cost-Share Program The Virginia Agricultural BMP Tax Credit Program Conservation Reserve Enhancement Program (CREP) Voluntary BMP installation Agricultural Stewardship Act Resource Management Plan (RMP) Program 	A							ESSWCD participates in each of these programs
2. <u>Wherever applicable</u> , actively participate in the local promotion, development, and implementation of the following programs and initiatives: <ul style="list-style-type: none"> The Water Quality Improvement Act Chesapeake Bay and Virginia Waters Clean-Up Plan (§62.1-44.117 of the Code of Virginia) actions Virginia's Healthy Waters initiatives Nutrient Management Training and Certification Program Conservation Planning Programs Local TMDL development and implementation processes Land conservation initiatives (consistent with any state-identified priorities) Sound land use and watershed planning approaches Environmental Education programs 	A							ESSWCD participates in each of the programs that are available in their area (all programs are available except Virginia Healthy Waters Initiative because there are no freshwater systems in their area)
3. Actively support and foster partnerships to deliver natural resource conservation programs with consideration to resource needs and issues with local governments, the agricultural community, agencies, organizations, councils, roundtables, and others to protect soil resources, improve water quality, and further natural resource conservation.	A							ES SWCD partners with many local agencies and groups to promote conservation of natural resources (e.g., VCE, Eastern Shore Resource Conservation and Development Council)
4. For the period of July 1, 2019 through February 1, 2020, the District held regular meetings with a quorum of District board members present.	A							During this period, the district held 6 meetings

New Bus B-1

Assessment of SWCD Compliance with the FY20 Cost-Share and Technical Assistance Grant Agreement

503CSTA-20-10 Grant Agreement for the period 7/01/19 thru 6/30/20 for Eastern Shore Soil & Water Conservation District (District name)

Funds from DCR are made available to the Soil & Water Conservation District (District) to support administrative and technical delivery of the Virginia Agricultural Best Management Practices Cost-Share Program as prescribed in Section 10.1-546.1 of the Code of Virginia and addressing the Commonwealth's conservation and water quality needs

By acceptance of Grant funds the district agreed to:

Activity:	Fully Satisfied			Partially Fulfilled		Did Not Fulfill		Notes/Comments:
	"A"	"B"	"C"	"A"	"B"	"C"		
Grant Agreement Performance Deliverables								
1. Did the District implement the Virginia Agricultural BMP Cost-Share program (§10.1-546.1 Code of Virginia) in accordance with the provisions of: <ul style="list-style-type: none"> The POLICY AND PROCEDURES ON SOIL AND WATER CONSERVATION DISTRICT COST-SHARE AND TECHNICAL ASSISTANCE FUNDING ALLOCATIONS (FISCAL YEAR 2020); This Grant Agreement; The Program Year 2020 Virginia Agricultural Cost Share (VACS) BMP Manual; and All State laws and regulations. 	A							
2. Did the District submit secondary considerations prior to the beginning of the fiscal year and receive Department approval prior to the District approving cost-share applications?	A							Submitted to David Bryan June 12, 2019
3. Did the District act consistently with both primary and secondary considerations and act consistently with VSWC Board policies while also demonstrating the following priorities during the program year: <ul style="list-style-type: none"> For Districts within the Chesapeake Bay basin, Districts shall give priority to BMPs addressed within the Virginia Chesapeake Bay Watershed Implementation Plan and; For Districts in basins outside the Chesapeake Bay, priority shall be given to BMPs in the highest priority agricultural TMDL watersheds (as ranked by the Department; high, medium, and low). 	A							

New BusB2