

**WHATCOM CONSERVATION DISTRICT
Public Meeting Minutes
October 20, 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 October 20, 2016, at 3:00 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
Frank Corey, Resource Coordinator
David Lukens

Dawn Bekenyi, Admin. Assistant
Nichole Embertson, Scientist
Bob Van Weerdhuizen

III. Meeting Called to Order.

Larry Helm, Chair, called the meeting to order at 3:00 p.m.

IV. Public Comment (written or in person).

David Lukens of Grace Harbor Farms came to ask the Board to certify his dairy farm plan. Chuck Timblin had informed Mr. Lukens that he would not recommend that the plan be certified at this time. There were some deficiencies that need to be addressed. The Board expressed that they would like to hear the staff's side of the issue before they make a decision on certification. Larry Helm and Theresa asked Mr. Lukens about visiting his farm.

V. Consent Agenda.

The Board adopted a consent agenda for approval of the previous meeting minutes, financial report and accounts payable. The financial report was mailed to the Board with their draft minutes from the September 8 and September 21, 2016 meetings. Dawn Bekenyi, Administrative Assistant, presented the financial report. 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 Corina Cheever. The Board further authorizes the payment of District expenses incurred subject to their review and approval at the next Board meeting.

Joe Heller moved to approve the consent agenda: minutes of the September 8 & 21, 2016 Board meetings as mailed, the financial report and authorize payment of District invoices and incurred expenses (below), as listed in the Accounts Payable Report, and approve the step increase for Corina Cheever to Band C1 Step 3. The Board further authorizes the payment of District expenses incurred subject to their review and approval at the next Board meeting. Larry Davis seconded the motion. The motion passed.

The following voucher/warrants are approved for payment:

Sept 2016 - balance					
Voucher (check) numbers	<u>24075</u>	through	<u>24091</u>	and totaling	<u>9,367.65</u>
Payroll check numbers:	<u>24092</u>	through	<u>24110</u>	and totaling	<u>38,177.17</u>

Voucher (check) numbers October 2016	<u>24111</u>	through	<u>24112</u>	and totaling	<u>803.67</u>
Voucher (check) numbers	<u>24113</u>	through	<u>24139</u>	and totaling	<u>46,465.56</u>
Payroll check numbers:	<u>24140</u>	through	<u>24157</u>	and totaling	<u>37,026.94</u>
Voucher (check) numbers	<u>24158</u>	through	<u>24164</u>	and totaling	<u>717.07</u>

VI. Action Items.

A. 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.

Larry Davis moved to approve the Dairy Nutrient Management Plan for Bosscher Farms LLC (Kyle Bosscher). Theresa Sygitowicz seconded the motion. The motion passed.

Technical Assistance Referral from Washington State Department of Ag (WSDA) –

The Department of Agriculture referred a berry farm to the District to receive technical assistance for a very rudimentary plan for dairy solids, which includes guidance about where dairy manure is to be stored and how it is to be applied. Chuck Timblin provided the plan and technical assistance.

Nichole informed that Board that Matt Arrington was hired for the temporary WSDA Dairy/Berry Technical Assistance project. There was discussion regarding facilitating working with the Berry community. Nichole reported that Washington State University and the berry community told us to not spend time translating materials into any language other than English, as virtually all growers speak English. Theresa suggested that Matt reach out to the berry committee to address their cultural concerns. Nichole thinks that it may be a good idea to set up an advisor to work with Matt.

Dan Heeringa moved to approve the Technical Assistance Referral Plan for KN Berry Farms (Harman Brar). Joe Heller seconded the motion. The motion passed.

Non-Dairy Farm Plan Approval –

Corina Cheever completed an inventory and Whatcom County standard farm plan for Darrell Ambrose. Katie Pencke completed an inventory and Whatcom County standard farm plan for Wil-O-Acres LLC (Wendy & Richard Glunt). Both plans fulfill the requisite elements for that type of plan. Staff recommended Board approval.

Theresa Sygitowicz moved to approve the Whatcom County Standard Farm Plan for Darrell Ambrose. Joe Heller seconded the motion. The motion passed.

Darrell Ambrose is seeking cost-share through the County PIC cost-share program.

Joe Heller moved to approve their Whatcom County PIC cost-share application for 75% of expenses, not to exceed \$2362.50 for costs incurred after the execution of the cost-share agreement. Larry Helm seconded the motion. The motion passed.

Wil-O-Acres LLC is also seeking cost-share through the County PIC cost-share program.

Theresa Sygitowicz moved to approve the Whatcom County Standard Farm Plan for Wil-o-Acres LLC (Wendy & Richard Glunt) and approve their Whatcom County PIC cost-share application for 75% of expenses, not to exceed \$2,015.62 for costs incurred after the

execution of the cost-share agreement. 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, Frank Corey 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 13 CREP maintenance contracts submitted for Board approval.

Larry Helm asked about making sure that the CREP trees do not encroach into an easement. Frank mentioned that it is the property owner's responsibility to make sure that the easement is accessible. Frank also noted that the planting design keeps the trees back ten feet to allow for tree growth.

Larry Davis moved to ratify the CREP maintenance contracts provided by Wayne Chaudiere for: Roger Hawley; by Frank Corey for: Walter Ambrose; Spudkin LLC (Bedlington); Richard & Cathy Owens; Charles Swift; and Stephen King; and by Emily Hirsch for: Mary & Keith Nelson; Dave & Maggie Grantham; Jeff & Christina Goldy; Don & Sally Korhuis; Ruben Ayala Jr; Hania Zolkiewicz; and Sally & Clyde Shetler. Joe Heller seconded the motion. The motion passed unanimously.

B. Approval of Contracts.

Sub-Agreement with Washington State Department of Fish & Wildlife for Services in Support of Regional Conservation Partnership Conservation Partners Program (RCPP) –

The District contracted with USDA Natural Resources Conservation Service to deliver a Regional Conservation Partnership Program (RCPP). NRCS will contribute \$1,080,000.00 towards the project. Of which, over \$766,130 will be made available to the individual farmers and foresters for voluntary habitat improvement projects in Whatcom County. In addition to the direct funding to participating landowners there is funding for the District and WDFW staffs to provide technical assistance.

The District applied for this funding in partnership with the Washington State Department of Fish and Wildlife (WDFW). WDFW will provide technical assistance to assess culverts and habitat and to engineer new stream crossings. An agreement is needed between the District and WDFW to implement this RCPP project.

Staff recommend that the Board approve this agreement with Washington State Dept. of Fish and Wildlife as the engineering designs and biological reviews to be provided are essential to get the landowner projects on the ground.

Theresa asked about progress with drafting the process to create the project funding criteria. Frank explained that no work could start on the grant until the funding was put in place. That happened a few days prior to the Board meeting. George explained that there are two pots of funding for this RCPP; the one for the on-the-ground projects administered through and by NRCS and the Technical Assistance funds awarded to the Whatcom Conservation District to work on those applications and projects. The federal project funds never come to the Conservation District. Project applications are made and paid through the USDA, just like with EQIP. No

project funds can be allocated until the funding criteria has been set. Frank said that he would draft a process for developing the funding criteria to be reviewed at the next Board meeting.

Larry Davis moved to approve the Agreement with Washington State Dept. of Fish and Wildlife and authorize the Board Chair to sign on behalf of the District for the provision of professional services necessary to implement the Regional Conservation Partnership Program entitled “WRIA 1 Salmon Recovery & Water Quality Improvement Project”. Larry Helm seconded the motion. The motion passed.

Application for Funding from the National Fish & Wildlife Foundation (NFWF) Conservation Partners Program –

District staff identified the Conservation Partners Program from the National Fish and Wildlife Foundation (NFWF) as a source of funding to advance the District’s Long Range Program (Assist landowners to obtain financial assistance for implementation of Best Management Practices) and Annual Plan of Work (Deliver an effective program of voluntary practices to address water quantity and quality).

The funding area focus for the Pacific region is to increase instream flows and improve water quality in fish bearing streams. These are also goals of the six recently formed Watershed Improvement Districts (WID) in Whatcom County. A WID representative requested at the April 2016 board meeting that WCD staff Frank Corey assist them in developing management plans and implementing voluntary projects with individual landowners. If funded, this NFWF grant would provide technical assistance to develop “Action Plans” for each of the WIDs and then work with individual landowners to apply for NRCS or other funding to implement projects. Examples of projects might include conversion from surface water to ground water intake for irrigation and conversion to micro irrigation for perennial row crops.

Larry Davis moved that staff apply for a National Fish & Wildlife Foundation (NFWF) Conservation Partners Program grant to work with the Watershed Improvement Districts. Larry Helm seconded the motion. The motion passed.

Agreement with Whatcom County for Services in Support of Lake Whatcom Homeowner Incentive Program –

The WCD Board approved a partnership with the Whatcom County) to provide staff support for the Lake Whatcom Homeowner Incentive Program (HIP) at the September 2016 Board meeting. The Lake Whatcom Homeowner Incentive Program (HIP) is a joint City of Bellingham (City) and Whatcom County (County) non-regulatory program that provides technical assistance and cost share incentives for homeowners who voluntarily elect to install stormwater best management practices that reduce phosphorus runoff into Lake Whatcom. WCD will provide a HIP Coordinator to work directly with landowners in the Lake Whatcom watershed.

Joe Heller moved to approve the Agreement with Whatcom County for Services in Support of the Lake Whatcom Homeowner Incentive Program and authorize the Board Chair to sign on behalf of the District. Larry Helm seconded the motion. The motion passed.

The voluntary aspect of the program and outreach were discussed.

C. Water Quality Data Coordinator.

The Water Quality Data Coordinator position was created in collaboration with all agencies in partnership with the Clean Water Program. It is fulfilling a need for a centralized person to create a database to house all of the water quality data being collected, process it in a timely manner, and provide results to outreach educators and the public. There is a request for the position to be housed at WCD so that it is in a non-regulatory environment, has access to the technology resources needed (this is a limitation for all other agencies), and can meet and communicate with all partners freely. The position is being funded through the Washington State Dept. of Health.

Nichole Embertson answered questions and provided information about the proposed position.

Larry Davis moved to hire a Water Quality Data Coordinator. Joe Heller seconded the motion. The motion passed. (4 ayes and Theresa abstained.)

D. Set November Meeting Date for Election Resolution.

Dawn confirmed with the Board that the November 10, 2016 Board meeting will have a quorum, so that the Supervisor Election Resolution for 2017 can be adopted at that meeting. Dawn will publish the necessary notification in the newspapers to advertise the Election Resolution meeting.

E. Purchasing Policy.

Intelligent Fiscal Optimal Solutions (iFOS) completed a limited scope review of Whatcom Conservation District's administrative and financial management systems for managing the US EPA funds for the Birch Bay grant. The review did disclose one area that needed improvement for compliance with EPA grant requirements.

The initial cost price analysis requirement was addressed in the purchasing policy amendment at the April 2016 Board meeting. However, in follow-up with iFOS on September 16, 2016, it was noted that the lease versus purchase analysis had not been addressed.

The WCD's policy for purchasing Goods and Services omits provisions for conducting a lease versus purchase analysis (when appropriate) to determine the most economical and practicable form of procurement for purchases made with Federal funds.

Theresa Sygitowicz moved to approve Resolution 2016-03 – revised Policy for Purchasing Goods and Services to include conducting a lease versus purchase analysis (when appropriate) for procurements using federal funds to determine the most economical and practical form of procurement for purchases made with Federal funds. Dan Heeringa seconded the motion. The motion passed.

F. Employee Compensation.

George reported that the committee met several times and staff have been working on how to address a cost of living payscale adjustment. The current payscale was adopted in 2009. The recommendation is for a 5% payscale adjustment effective Nov 1, 2016. George mentioned that there is further work needed to review some adjustments for some staff.

Theresa Sygitowicz moved to approve a 5% payscale increase effective on November 1, 2016. Larry Helm seconded the motion. The motion passed.

G. District Organization Chart.

A draft organization chart was passed out. Nichole reviewed the proposed structure. Staff have reviewed it. It is beneficial to have a structure for teams to review activities. Larry Davis applauded the staff and all the efforts that they put in producing the new structure. The rest of the Board agreed that the structure was good.

VII. Other Business.

A. NRCS Report.

Alex Hall was not present. George had attended the Local Work Group and reported on NRCS activities with the various cost-share programs.

B. Supervisor Reports.

Larry Davis –

Larry attended the movie Milk Men at the Pickford. After viewing that moving he expressed that the dairy business is a tough way to make a living. Nichole and Corina Cheever staffed a table

with some farm planning information from the Conservation District at the showing. Nichole also was an excellent panelist prior to the airing of the movie.

Larry is on the Washington State Conservation Commission's (WSCC) committee to revise the Good Governance process. The committee will have something to present at the Washington Association of Conservation District's (WACD) annual meeting in Semiahmoo.

Theresa Sygitowicz –

Theresa reviewed activities on several committees and meetings that she had attended since the last meeting.

Larry Helm –

Theresa, George and Larry attended the WSCC meeting in Friday Harbor.

Chuck Timblin and Larry went to the WSCC, Department of Ecology and Whatcom Conservation District Memorandum of Understanding (MOU) meeting in Renton. Larry found Chuck's participation very helpful, since he has a history of the original Compliance MOU. Larry felt that Ecology and WSCC were interested on working on a state-wide MOU.

George said that there had been another MOU meeting scheduled. There was discussion regarding issues that the MOU would need to address.

C. Public Comment.

Bob Van Weerdhuizen has lived in the same place for the past 50 years. Bob wanted to thank the WCD Board. After many years he can clean out the roadside ditch again. When he came home several years ago his place was flooded. Bob called Whatcom County and they couldn't help him, because it was a salmon stream. George and the Board wrote letters to the Commissioners. Six months ago he got the determination that the road ditch is an artificial ditch, so now he can clean the ditch. He just has to look for fish and put them back in the ditch. When they cleaned the road ditch, Bob said that there were two frogs and three slugs. No fish.

Bob also shared with the Board his experiences regarding the Department of Ecology.

D. George Boggs, Executive Director.

District email and calendar – George told the Board that a calendar of events has been set up. Andrew can come to your house to help you set up access if you need assistance.

Small Farm Planning – Staff is working on a "Who is the Conservation District" handout that can be used by the staff and other agencies. George will mail a copy of the handout, the old state Compliance MOU, the old Cooperative Agreement form, and small farm planning customer service survey.

CREP confidentiality – George wanted the Board to be aware that CREP projects are protected from disclosure by federal law. As the Conservation District we must protect that information. CREP plan information and maps are given to Board members solely to review and approve for program purposes, but can't be used for non-District purposes.

VIII. Record of Board Actions.

16-70 Joe Heller moved to approve the consent agenda: minutes of the September 8 & 21, 2016 Board meetings as mailed, the financial report and authorize payment of District invoices and incurred expenses (below), as listed in the Accounts Payable Report, and approve the step increase for Corina Cheever to Band C1 Step 3. The Board further authorizes the payment of District expenses incurred subject to their review and approval at the next Board meeting. Larry Davis seconded the motion. The motion passed.

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- 16-71 Larry Davis moved to approve the Dairy Nutrient Management Plan for Bosscher Farms LLC (Kyle Bosscher). Theresa Sygitowicz seconded the motion. The motion passed.**
- 16-72 Dan Heeringa moved to approve the Technical Assistance Referral Plan for KN Berry Farms (Harman Brar). Joe Heller seconded the motion. The motion passed.**
- 16-73 Theresa Sygitowicz moved to approve the Whatcom County Standard Farm Plan for Darrell Ambrose. Joe Heller seconded the motion. The motion passed.**
- 16-74 Joe Heller moved to approve their Whatcom County PIC cost-share application for 75% of expenses, not to exceed \$2362.50 for costs incurred after the execution of the cost-share agreement. Larry Helm seconded the motion. The motion passed.**
- 16-75 Theresa Sygitowicz moved to approve the Whatcom County Standard Farm Plan for Wil-o-Acres LLC (Wendy & Richard Glunt) and approve their Whatcom County PIC cost-share application for 75% of expenses, not to exceed \$2,015.62 for costs incurred after the execution of the cost-share agreement. Larry Davis seconded the motion. The motion passed.**
- 16-76 Larry Davis moved to ratify the CREP maintenance contracts provided by Wayne Chaudiere for: Roger Hawley; by Frank Corey for: Walter Ambrose; Spudkin LLC (Bedlington); Richard & Cathy Owens; Charles Swift; and Stephen King; and by Emily Hirsch for: Mary & Keith Nelson; Dave & Maggie Grantham; Jeff & Christina Goldy; Don & Sally Korhuis; Ruben Ayala Jr; Hania Zolkiewicz; and Sally & Clyde Shetler. Joe Heller seconded the motion. The motion passed unanimously.**
- 16-77 Larry Davis moved to approve the Agreement with Washington State Dept. of Fish and Wildlife and authorize the Board Chair to sign on behalf of the District for the provision of professional services necessary to implement the Regional Conservation Partnership Program entitled "WRIA 1 Salmon Recovery & Water Quality Improvement Project". Larry Helm seconded the motion. The motion passed.**
- 16-78 Larry Davis moved that staff apply for a National Fish & Wildlife Foundation (NFWF) Conservation Partners Program grant to work with the Watershed Improvement Districts. Larry Helm seconded the motion. The motion passed.**
- 16-79 Joe Heller moved to approve the Agreement with Whatcom County for Services in Support of the Lake Whatcom Homeowner Incentive Program and authorize the Board Chair to sign on behalf of the District. Larry Helm seconded the motion. The motion passed.**
- 16-80 Larry Davis moved to hire a Water Quality Data Coordinator. Joe Heller seconded the motion. The motion passed. (4 ayes and Theresa abstained.)**
- 16-81 Theresa Sygitowicz moved to approve Resolution 2016-03 – revised Policy for Purchasing Goods and Services to include conducting a lease versus purchase analysis (when appropriate) for procurements using federal funds to determine the most economical and**

practical form of procurement for purchases made with Federal funds. Dan Heeringa seconded the motion. The motion passed.

16-82 Theresa Sygitowicz moved to approve a 5% payscale increase effective on November 1, 2016. Larry Helm seconded the motion. The motion passed.

IX. Adjournment.

There being no further business before the meeting, Larry Helm adjourned the meeting at 5:28 p.m.

Dated: December 2, 2016

Dawn Bekenyi, Administrative Assistant

Approved: _____