

**WHATCOM CONSERVATION DISTRICT
Public Meeting Minutes
November 14, 2013**

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 November 14, 2013, at 7:00 p.m.

II. Attendance and Quorum.

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

Joe Heller, Chair	Terry Lenssen, Vice-Chair
Larry Davis, Treasurer	Larry Helm

Also in attendance were:

George Boggs, Executive Director	Alex Hall, NRCS staff
Dawn Bekenyi, Admin. Assistant	

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.

Larry Helm moved that the minutes of the October 10, 2013 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 the draft minutes from the October meeting.

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

Larry Davis moved to approve the Financial Report. Terry Lenssen 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:

Oct 2013 - balance				
Voucher (check) numbers	<u>20907</u>	through	<u>20929</u>	and totaling <u>23,593.51</u>
Payroll check numbers:	<u>20930</u>	through	<u>20944</u>	and totaling <u>29,678.99</u>
November 2013				
Voucher (check) numbers	<u>20945</u>	through	<u>21001</u>	and totaling <u>89,182.03</u>
Payroll check numbers:	<u>21002</u>	through	<u>21014</u>	and totaling <u>28,197.20</u>

Moved by Larry Davis. Terry Lenssen seconded the motion. The motion passed.

VI. Action Items.

A. Election Resolution.

Terry Lenssen's (elected) and Joe Heller's (appointed) terms are expiring. The election date was set and the Board selected Dawn as Election Supervisor. The particulars for the 2014 Whatcom Conservation District Supervisor Election were discussed, including time to be held, deadlines for candidate forms and absentee ballot requests. The Board considered how to comply with the guidance provided by the Conservation Commission for the conduct of elections and making them most accessible for the voters.

Larry Helm moved to adopt and sign Resolution RS-13-2 Whatcom Conservation District Supervisors Election Resolution as follows:

- **Election to be held at the District office, 6975 Hannegan Road, Lynden, WA**
- **On Tuesday, March 11, 2014**
- **Polls will be open from 9:00 am to 6:00 pm**
- **Board selected Dawn Bekenyi as Election Supervisor**
- **Additionally, the District will have a mail-in election with ballot distribution by request.**
- **Candidate filing deadline is January 31, 2014 at 4:00 pm.**
- **The last day to request an absentee ballot is February 10, 2014 at 4:00 pm.**

Terry Lenssen seconded the motion. The motion passed.

VII. Other Business.

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

Farm Bill – Alex has not heard any word on the Farm Bill. George explained that there are three areas of contention: Commodity title (Whether there would be, direct payments, or risk insurance), Supplemental Nutrition Assistance Program or SNAP (program based on policy or fixed amount); Dairy Program (whether there would be supply control).

George reported that no new CREP projects will be accepted until a new Farm Bill is in place.

Quality Review – Alex reported that John Kendig did a Quality Review of the Lynden Field Office. He was happy with the work of Alex and Joy.

Environmental Quality Incentive Program (EQIP) – Alex reported that there are 92 practices scheduled for implementation by the end of the calendar year. This was much lower than in previous years and NRCS staff have been able to work more closely with cooperators to facilitate practice implementation.

B. WACD Annual meeting.

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 Helm moved to authorize George Boggs, Larry Davis, Larry Helm, Terry Lenssen 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. Terry Lenssen seconded the motion. The motion passed.

C. NACD Dues.

National Association of Conservation Districts (NACD) Dues – There was discussion about paying dues to the national association. There was some discontent over the failure of NACD management to follow through with a commitment to report on the progress of adopted resolutions. The request is 1% of a District's budget. Dawn reported that 1% of the WCD discretionary budget is about \$718.

Larry Davis moved to approve payment of the 2014 National Association of Conservation Districts dues in the amount of \$718. Terry Lenssen seconded the motion. The motion passed.

VIII. Executive Session.

8:00 pm. Joe Heller, Chair, announced that the public meeting was breaking so that the Whatcom Conservation District Board could go into Executive Session for 15 minutes to discuss pending litigation.

8:15 pm. Joe Heller adjourned the Executive Session and resumed the public meeting. No action was taken during the executive session.

IX. Other Business (cont.).

A. Supervisor Reports.

Larry Davis –

Washington State Conservation Commission (WSCC) – Larry is drafting a letter to send to all conservation districts regarding his interest in running for the WSCC Board meeting West Region Representative position, and seeking support.

National Association of Conservation Districts (NACD) Policy Book Task Force – Larry reported on activities of the NACD Policy Book Task Force. They are looking into setting up a members' only portal on the NACD website for the Policy Book information.

Buffer Issue – The buffer minimums were discussed. A regulatory change could have a big impact. Larry offered some language modification in a letter of response drafted by WACD in preparation of the WACD meeting in Ellensburg.

It was suggested that the buffer issue get sent up to the national level. The proposed resolution should be honed with more direction and a better tone. George and Larry Davis will draft a letter to WSCC and WACD regarding the buffer issue.

Larry Helm –

Whatcom County Ag Committee – Larry reported on several things that were discussed at the last Whatcom County Ag Committee meeting. Bob VanWeerdhuizen is seeking a formal agreement from the Washington Department of Fish & Wildlife (WDFW) to settle the issue of constructed versus jurisdictional streams on the fish presence maps. That determination impacts permitting requirements for ditch maintenance. George informed the Board that he had submitted a drainage maintenance plan to the local WDFW biologist for review and development of an MOU that would do this for the drainage district within which Bob resides.

Whatcom County is looking into a Transfer of Development Rights (TDR) program. King County currently has a successful model. There was some discussion regarding "appraisal values" to determine program rates.

Whatcom County is entertaining the option to create another zoning classification; Small Lot Ag Zone.

B. George Boggs, Executive Director.

Best Management Practices (BMPs) – George related his experience from the previous Thursday in Ellensburg where he attended a WACD Natural Resource Committee work session called to develop a resolution in response to the letter from the North West Indian Fisheries Commission. The NWIFC wrote the Conservation Commission asking that it make following the NOAA Buffer Table a condition to receiving any funds. There is great concern that if this linkage was made by the Commission and NRCS that it would be impossible to get landowners to participate in any other programs. Consequently, practices needed to protect water quality from sediment/pathogens and nutrients would not be installed.

The Lehmire case was also discussed at that meeting. The Washington State Supreme Court recently affirmed that the Department of Ecology can enforce “substantial potential to pollute.” Livestock industry members are upset at the implications. Some are calling for changes to the language in the law. This could include transferring enforcement of agriculture non-point pollution to the Department of Ag. This would be in addition to commercial dairies. Another suggestion was that it would be beneficial if the Washington State Conservation Commission (WACC) developed BMPs for agriculture.

George reviewed the draft 590 specification. It was suggested that a letter be drafted to our congressional representatives regarding this and other issues while they address the Farm Bill.

Supplemental Budget Request – George reviewed the supplemental budget request from the WACC.

WACD Legislative Days – Larry Davis, Larry Helm and George will attend WACD legislative days next year.

Salmon, ID Training – George reported on the training that he attended last month. The Puget Sound Natural Resource Alliance sent him. He discussed how farmers and tribes could work together locally.

Whatcom Clean Water Program (WCWP) – There is not much happening with the WCWP. Ecology inspectors are looking around the county, but not getting much response from letters to inspect that they sent out. There are high water quality counts coming from Jackman drainage which appear to be coming in from Canada.

National Association of Conservation Districts (NACD) – The NACD annual meeting is in Anaheim, CA next year.

District Planning Session – George passed out binders to the Board with information to facilitate our planning session scheduled for December 9, 2013.

Support Staff – Skagit Conservation District lost their bookkeeper. Carolyn asked George if Dawn could assist them. George explained that Dawn could use some staff support to accomplish her duties here. He suggested that the District rehire Brandi Hutton to provide part-time staff support and as our 2014 Plant Sale intern.

Terry Lenssen moved to rehire Brandi Hutton to provide staff support and as the 2014 Plant Sale intern. Larry Davis seconded the motion. The motion passed.

X. Record of Board Actions.

13-86 Larry Helm moved that the minutes of the October 10, 2013 Board meeting be approved as mailed. Larry Davis seconded the motion. The motion passed.

13-87 Larry Davis moved to approve the Financial Report. Terry Lenssen seconded the motion. The motion passed. Upon motion made and duly seconded, the Treasurer's Report was approved.

13-88

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13-90 Larry Helm moved to authorize George Boggs, Larry Davis, Larry Helm, Terry Lenssen 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. Terry Lenssen seconded the motion. The motion passed.

13-91 Larry Davis moved to approve payment of the 2014 National Association of Conservation Districts dues in the amount of \$718. Terry Lenssen seconded the motion. The motion passed.

13-92 Terry Lenssen moved to rehire Brandi Hutton to provide staff support and as the 2014 Plant Sale intern. Larry Davis seconded the motion. The motion passed.

XI. Adjournment.

There being no further business before the meeting, Larry Davis moved to adjourn the meeting at 9:30 p.m. Terry Lenssen seconded the motion. The motion passed.

The meeting, on motion duly made, seconded and carried, adjourned at 9:30 p.m.

Dated: December 24, 2013

Dawn Bekenyi, Administrative Assistant

Approved: _____