

**WHATCOM CONSERVATION DISTRICT
Public Meeting Minutes
November 9, 2010**

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 9, 2010, at 7:00 p.m.

II. Attendance and Quorum.

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

Joe Heller
Larry Davis

Terry Lenssen
Dick Yoder

Also in attendance were:

George Boggs, Executive Director
Dawn Bekenyi, Admin. Assistant

Alex Hall, NRCS staff
David Unruh, FSA staff

III. Meeting Called to Order.

Joe Heller, Chair, called the meeting to order at 7:00 p.m.

IV. Other Reports.

A. David Unruh, Farm Service Agency (FSA).

General – Dave moved up here from Snohomish County. He has been here for 22 months. He will try to have a FSA presence at the WCD Board meetings, either himself or staff members.

The Farm Service Agency County Committee (COC) expressed the desire to have co-meetings with the Conservation District at least twice a year to review common programs. These meetings would include field tours. There have been a few joint meetings regarding CREP and the meetings have been very helpful.

Conservation Reserve Enhancement Program (CREP) – Dave attended the annual WADE (Washington Association of District Employees) conference in June, at which Dr. Carol Smith, CREP Program Manager for the WA Conservation Commission, and Rod Hamilton, Program Chief for Conservation for the Farm Service Agency State Office gave a presentation on the new hedgerow and wetland practices and how to do the paperwork. Dave commented on the workload for this fall under CREP.

FSA Elections – FSA is having their election. Ed Strachila just finished his third three-year term. Committee term limits mean that Ed will have to sit off for one term before seeking the seat again. There are three candidates running for the position this year.

Staffing – Dave talked briefly about the federal budget and potential impacts on staffing of the temporary employee. He also mentioned that the FSA is changing from a 1986 data system to a web-based system for their program administration. There is a lot of data entry and records checking during this shift.

Conservation Reserve Enhancement Program (CREP) cont. – Staff reviewed 14 CREP participants for mid-contract compliance after 5 years of maintenance and the projects look good.

Dave initiated a process to streamline the Cultural Resources Assessment process. An archeological consultant was found that does a first-cut survey to see if further assessment is needed on the proposed projects. This has reduced costs from \$2,500 per project for a full cultural resources assessment to approximately \$70 per review. If something is found then a full assessment will be done.

The County Committee also delegated a Board member to sign paperwork to keep the process moving during the winter months when they do not hold meetings.

Dave passed out the latest FSA newsletter.

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

Conservation Stewardship Program (CSP) – There are three contracts. Staff are beginning the process to make payments. However, payment cannot be done until the federal budget is approved. January 7, 2011, is the ranking deadline for this round of projects. CSP has a five-year commitment requirement for the participating landowner.

Environmental Quality Incentive Program (EQIP) – Staff are working with 2011 applications. There is a large workload for the winter. Staff are modifying contracts or checking completion of current projects to get them on schedule. There are 50 ongoing projects that are being managed, which is down from 60. This includes old and new projects. Alex reported that NRCS is indexing payments to reflect cost increases by 3% for 2010 projects.

Wildlife Habitat Incentives Program (WHIP) – Alex reported that all major projects were installed this year; bridges and culvert replacements. Now staff need to work on payments. The next step in the projects is the in-stream work. The ranking cut off is January 7, 2011. There are no new project proposals, just those that were deferred from this year. Alex answered questions regarding the program.

Student Trainee – The student trainee, Mary Kennedy, is returning to our office through June 2011. She was in Alaska for a few months. She will be assisting the Mt. Vernon office in addition to Lynden.

Activity Based Costing (ABC) – NRCS has been doing some data collection regarding practices and time spent to do them. Alex has completed the information on workload for the Lynden office and reported it to the state office. The information will probably be used for future funding and staffing needs.

Technical Service Provider (TSP) – A new task order for Chris Clark's and Bill Bosen's time was submitted. Early indication is that it will be approved. The agreement will run through May 30, 2011.

General – NRCS is working on planning software to replace the customer service toolkit.

Alex introduced the Conservation Loan Program. Loans are tied to NRCS approval, conservation practices and having a farm plan. The current loan interest rate is 2%.

V. Approval of Minutes of Previous Meeting.

Dick Yoder moved that the minutes of the September 8, 2010 Board meeting be approved as mailed. Larry Davis seconded the motion. The motion passed.

VI. Financial Report.

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

Dawn Bekenyi, Administrative Assistant, asked if there were any questions regarding the Financial Report. There were no questions.

Dick Yoder 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:

Sept 2010- balance					
Voucher (check) numbers	<u>18043</u>	through	<u>10862</u>	and totaling	<u>13,122.62</u>
Payroll check numbers:	<u>18063</u>	through	<u>18074</u>	and totaling	<u>26,319.19</u>
October 2010					
Voucher (check) numbers	<u>18075</u>	through	<u>18087</u>	and totaling	<u>20,569.51</u>
Payroll check numbers:	<u>18088</u>	through	<u>18101</u>	and totaling	<u>27,525.03</u>
Voucher (check) numbers	<u>18102</u>	through	<u>18129</u>	and totaling	<u>26,560.16</u>
Payroll check numbers:	<u>18130</u>	through	<u>18142</u>	and totaling	<u>27,137.16</u>
November 2010					
Voucher (check) numbers	<u>18143</u>	through	<u>18159</u>	and totaling	<u>64,056.01</u>
Payroll check numbers:	<u>18160</u>	through	<u>18173</u>	and totaling	<u>27,152.46</u>

Moved by Dick Yoder. Larry Davis seconded the motion. The motion passed.

VII. Action Items.

A. Approval of Conservation Plans.

Livestock Nutrient Management Plan (LNMP) Approval –

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

Terry Lenssen moved to approve the Livestock Nutrient Management Plan update for Rhody Dairy (Jay DeJong). Larry Davis seconded the motion. The motion passed.

B. Approval of Contracts.

CREP Contracts –

The U.S. Department of Agriculture (USDA) Farm Service Agency (FSA) is the administrative lead on the Conservation Reserve Enhancement Program (CREP) joint program. The FSA County Committee approves all CREP plans. The current policy is that once FSA approves the Federal Contract and CREP plan, the contract is then brought to the Board for its approval. The Board approved the State Conservation Commission prescribed standard-language maintenance contract.

There were twelve CREP maintenance contracts submitted for Board approval.

Larry Davis moved to ratify the CREP maintenance contracts for

- 1. Bill & Angela Brown, 968 E Axton Rd, Bellingham – Hedgerow (10-04-CS:10-18)**
- 2. Michale Guerin, 4058 Birch Bay-Lynden Rd, Custer – wetland buffer & CREP (10-04-CS:10-12)**
- 3. Robert Hall (Two Sisters LLC), 5295 Church Rd, Ferndale – hedgerow (10-04-CS:10-19)**
- 4. Bill Knutzen, 622 H Street, Lynden – wetland buffer (10-04-CS:10-20)**
- 5. Marvin Larson, 3566 Hillside Rd, Deming – wetland buffer (10-04-CS:10-09)**
- 6. Ynais Miranda, 2584 E Badger, Everson – hedgerow & CREP (10-04-CS:10-10)**

7. Ivars Noviks, 3611 Bay Rd, Ferndale – (10-04-CS:10-05)
8. Frank Sheedy & Cynthia Friedman, 1060 H Street, Lynden – (10-04-CS:10-16)
9. Clyde Shetler, 1680 Valley Hwy, Deming – (10-04-CS:10-11)
10. Penny Shine, 8892 Valley View Rd, Custer (10-04-CS:10-21)
11. Don & Donna Starr, 3575 McGee Rd, Blaine (10-04-CS:10-15)
12. Chuck & Sharon Wolters & Ted & Karen Neufeld, 2938 Standard, Deming – wetland buffer & hedgerow (10-04-CS:10-02).

Dick Yoder seconded the motion. The motion passed.

CREP Maintenance Cap Increase –

George reviewed the CREP Maintenance Budget Increase Approval Sheet. There are nine projects on the sheet showing a need for further maintenance requiring an adjustment to the current maintenance cap. George suggested that all projects be approved except for one, Gurmeet Singh. He informed the Board that the trees in the CREP buffer are being impacted by the farming practices in the adjacent land. It appears that the trees are being run-over by equipment and broad areas have been sprayed with herbicide, which is not in line with the CREP contractor's usual maintenance regime. Therefore, George would not recommend increasing the CREP maintenance cap to restock the affected area for the Singh project. Following Board approval the memo showing new caps was forwarded to the WA Conservation Commission.

Larry Davis moved to approve the Maintenance Budget Increase Approval sheet recommending to the Conservation Commission new maintenance caps for Barnes (202), Brisky (196), DeWilde (175), Evans (180), Honrud (192), Noteboom (253), Wolters (201) and Wouters (178) CREP projects. Dick Yoder seconded the motion. The motion passed.

C. Supervisor Election.

Dawn Bekenyi informed the Board that the WA Conservation Commission will approve the new rule regarding the election and replacement of Conservation District supervisors at their meeting in December. The rule proposes several changes to the election process to make conservation district elections more transparent and accessible to members of the public. It will be effective on November 19, 2010. 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.

Dick Yoder moved to adopt and sign Resolution 10-3 Whatcom Conservation District Supervisors Election Resolution to hold the Whatcom Conservation District Supervisor election at the District office on March 8, 2011, with the polls open from 9:00 am to 6:00 pm and to select Dawn Bekenyi as Election Supervisor. Additionally, the District will have a mail-in election with ballot distribution by request. Larry Davis seconded the motion. The motion passed.

D. Approval of Contracts (cont.)

Lawn Care Contract –

The annual lawn care contract with Turftenders is up for renewal. The contract amount is the same as last year, \$2,520 per year or \$227.85 with tax monthly. Dawn spoke with Turftenders and they will fill out the necessary intent and affidavit to pay prevailing wage annually. She was informed that all employees make more than the prevailing wage for Whatcom County.

Janitorial Contract –

Dawn explained the state janitorial contract bidding process to the Board. Three potential bidders came and toured the facility and submitted their bids to the Washington State Department of General Administration, Office of State Procurement. From those bids the Office of State Procurement informs the agency seeking a janitor of the lowest bidder. No names are given, just the successful bid amount. From there the bid is approved or disapproved, with reason, by the requesting agency. A contract is drafted and the successful bidder contacts the agency.

Dawn reported that the successful bid was for \$4,956.41 per year or \$413.01 per month, which is for twice a week cleaning. The District was paying \$520 per month for cleaning three times a week. The Board approved this bid.

Dick Yoder moved to accept the successful janitorial bid in the amount of \$4,956.41 based on the 2010 minimum wage. Terry Lenssen seconded the motion. The motion passed.

E. Employee Health Insurance.

The employee medical plan is scheduled for renewal on January 1, 2011. This change in renewal date is due to the District joining the Public Employees Benefits Board (PEBB). All plans renew at the first of the year. There is an 11% increase in premiums this year for the Group Health Classic plan with dental. Dawn reported that she factored in a 10% increase into the current budget. Dawn also gave the Board information on the other medical plans options available through the Public Employees Benefits Board (PEBB). The Board discussed the options. They decided to renew the current medical plan, based on employee input.

Dick Yoder moved to approve the Group Health Classic medical, vision and dental plan through the PEBB with the 11% increase in premiums. Larry Davis seconded the motion. The motion passed.

F. Washington Association of Conservation Districts (WACD).

The Washington Association of Conservation Districts (WACD) sent a dues notice in the amount of \$4,200. At the September board meeting the Board decided to postpone the decision about paying the WACD dues until the November meeting.

Dick Yoder moved to approve payment of the Washington Association of Conservation Districts annual dues in the amount of \$4,200. Terry Lenssen seconded the motion. The motion passed.

Terry Lenssen moved to not pay the WACD dues. Larry Davis seconded the motion. After discussion the motion failed. The original motion stands.

There was discussion regarding the amount of the dues. The Board felt that this is a large amount of money which could have an impact on the District's budget. The Board would like to send the message that they are unsatisfied with the representation by WACD. There was further discussion regarding the potential impacts of not paying our WACD dues. The Board was concerned that this would impact our funds received from the WA Conservation Commission. It was finally decided that the District would send a representative to the WACD annual meeting and pay the dues.

Annual Meeting Per Diem Overage Approval –

Since 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 as long as they are approved in advance by the board and an "Exceeding Maximum Per Diem Form" is filled out prior to the travel.

Dick Yoder moved to authorize George Boggs 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. Larry Davis seconded the motion. The motion passed.

VIII. Other Business.

A. Supervisor Reports.

Terry Lenssen – Terry finished getting his corn in on October 20, 2010.

Larry Davis – Larry attended the NW Area meeting. He gave some highlights of the meeting.

B. George Boggs, Executive Director.

Farm, Ranch, and Rural Communities Federal Advisory Committee (FRRCC) –

The U.S. Environmental Protection Agency (EPA) established the Farm, Ranch, and Rural Communities Committee (FRRCC) in 2008 to provide independent policy advice, information, and recommendations to the Administrator on a range of environmental issues and policies that are of importance to agriculture and rural communities.

George was appointed to the FRRCC. He attended a meeting in Washington, DC. The committee is made up of approximately 30 people from around the US. It is an interesting collection of people. Committee members include representatives from academia, industry (e.g., agriculture and allied industries), non-governmental organizations, and state, local, and tribal governments.

The FRRCC discussed nutrients and dead zones in Florida, Chesapeake Bay and Iowa. George also reported that a general permit for dairy farming is a big issue nationally that will come forward in the next year or two. Karma Anderson, Agriculture Sector Advisor, EPA Region 10, will work on the issue for our region. She will consult technical people that work with farmers in drafting the general permit.

Salmon Summit –

George gave a presentation at the Salmon Summit regarding Conservation Planning Agricultural Lands program (CPAL) and farm planning.

Gravel –

George attended the flood plain managers meeting at the University of Washington. There was discussion regarding gravel displacement in Mt. Rainer and Seward, Alaska. Gravel movement is a big issue. There was four feet of gravel displaced in one year off of Mt. Rainer. The Whatcom County Flood Control Zone District is modeling gravel extraction and will meet on November 18, 2010.

Natural Resources Marketplace –

George reviewed the Natural Resources Marketplace Centennial Clean Water Fund grant proposal.

EPA Birch Bay Grant -

George reported that there was not an adequate pool of candidates for the Watershed Advisor through the EPA Birch Bay grant. Therefore the position is being re-advertised and will close December 3, 2010. This puts us about four months behind on the project.

George reported that the social marketing consultant was also advertised. Applications were received and Nancy Lee appears to be the successful applicant. This bid will likely be accepted.

Applicant Risk Management (ARM) System –

Nichole Embertson drafted the Quality Assurance Project Plan (QAPP) for the ARM project. She sent it out for comments to a select group of people and has received back over ten pages of comments from the Department of Ecology. All comments are on the background and not the technical aspects of the project.

The equipment rider on the building insurance has been increased to cover replacement costs of the scientific equipment purchased for this project.

North Lynden Watershed Improvement District (WID) –

George and Frank Corey attended the public meeting for landowners along Double Ditch Road and the Washington Department of Fish and Wildlife (WDFW) to discuss drainage maintenance and mitigation.

Air Quality –

George reported that EPA is going to designate a non-attainment area for the Seattle metro area. The question is whether Skagit County will be included in this non-attainment area. The concern is the refineries in Skagit County. The oil refineries are indicating that they would like to all be included or all excluded from the non-attainment area, which would increase the area to include Whatcom County to the Canadian border.

George reported that Yakima is working on a draft air quality plan. This could impact livestock operations in Whatcom County and Yakima requiring them to have air quality plans.

Skagit Conservation District –

George reported that staff have worked with Skagit Conservation District on a small farm operation. The Department of Ecology is seeking a copy of the information provided to the landowner from us. George explained that we declined to provide it, since the request should be given to Skagit Conservation District since we were working with them.

Manure Lagoon Status –

The Department of Ag is requiring evaluation of manure lagoons. If there has been any modification of the lagoon from its original state, then the lagoon will need to be brought up to current NRCS specification standards which means that it will need to be two feet above the high water table.

Old Large Format Printer –

The new large format printer was purchased. George asked the Board how it would like to surplus the old one. The Board suggested that it be advertised to other conservation districts or schools.

WACD Resolutions –

George passed out the resolutions that will be reviewed at the WACD annual meeting. Board members will review and provide comment prior to George and Joe going to the meeting.

Swift Creek –

Whatcom County purchased some property along Swift Creek. There was discussion regarding the asbestos issue and water flow.

IX. Record of Board Actions.

10-83 Dick Yoder moved that the minutes of the September 8, 2010 Board meeting be approved as mailed. Larry Davis seconded the motion. The motion passed.

10-84 Dick Yoder 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.

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Moved by Dick Yoder. Larry Davis seconded the motion. The motion passed.

10-86 Terry Lenssen moved to approve the Livestock Nutrient Management Plan update for Rhody Dairy (Jay DeJong). Larry Davis seconded the motion. The motion passed.

10-87 Larry Davis moved to ratify the CREP maintenance contracts for

- 1. Bill & Angela Brown, 968 E Axton Rd, Bellingham – Hedgerow (10-04-CS:10-18)**
- 2. Michale Guerin, 4058 Birch Bay-Lynden Rd, Custer – wetland buffer & CREP (10-04-CS:10-12)**
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- 12. Chuck & Sharon Wolters & Ted & Karen Neufeld, 2938 Standard, Deming – wetland buffer & hedgerow (10-04-CS:10-02).**

Dick Yoder seconded the motion. The motion passed.

10-88 Larry Davis moved to approve the Maintenance Budget Increase Approval sheet recommending to the Conservation Commission new maintenance caps for Barnes (202), Brisky (196), DeWilde (175), Evans (180), Honrud (192), Noteboom (253), Wolters (201) and Wouters (178) CREP projects. Dick Yoder seconded the motion. The motion passed.

10-89 Dick Yoder moved to adopt and sign Resolution 10-3 Whatcom Conservation District Supervisors Election Resolution to hold the Whatcom Conservation District Supervisor election at the District office on March 8, 2011, with the polls open from 9:00 am to 6:00 pm and to select Dawn Bekenyi as Election Supervisor. Additionally, the District will have a mail-in election with ballot distribution by request. Larry Davis seconded the motion. The motion passed.

10-90 Dick Yoder moved to accept the successful janitorial bid in the amount of \$4,956.41 based on the 2010 minimum wage. Terry Lenssen seconded the motion. The motion passed.

10-91 Dick Yoder moved to approve the Group Health Classic medical, vision and dental plan through the PEBB with the 11% increase in premiums. Larry Davis seconded the motion. The motion passed.

10-92 Dick Yoder moved to approve payment of the Washington Association of Conservation Districts annual dues in the amount of \$4,200. Terry Lenssen seconded the motion. The motion passed.

Terry Lenssen moved to not pay the WACD dues. Larry Davis seconded the motion. After discussion the motion failed. The original motion stands.

10-93 Dick Yoder moved to authorize George Boggs 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. Larry Davis seconded the motion. The motion passed.

X. Adjournment.

There being no further business before the meeting, Larry Davis moved to adjourn the meeting at 9:23 p.m. Terry Lenssen seconded the motion. The motion passed.

The meeting, on motion duly made, seconded and carried, adjourned at 9:23 p.m.

Dated: December 21, 2010

Approved: _____

Dawn Bekenyi, Administrative Assistant