

**WHATCOM CONSERVATION DISTRICT
Public Meeting Minutes
November 9, 2011**

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, 2011, 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	Ed Stone

Also in attendance were:

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

III. Meeting Called to Order.

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

IV. Approval of Minutes of Previous Meeting.

Larry Davis moved that the minutes of the October 12, 2011 Board meeting be approved as mailed. Ed Stone seconded the motion. The motion passed.

V. Financial Report.

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

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

Ed Stone 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:

Oct 2011 - balance				
Voucher (check) numbers	<u>18948</u>	through	<u>18987</u>	and totaling <u>42,302.84</u>
Payroll check numbers:	<u>18988</u>	through	<u>19001</u>	and totaling <u>27,445.96</u>
Voucher (check) numbers	<u>19002</u>			and totaling <u>416.00</u>
November 2011				
Voucher (check) numbers	<u>19003</u>	through	<u>19015</u>	and totaling <u>20,978.37</u>
Payroll check numbers:	<u>19016</u>	through	<u>19029</u>	and totaling <u>27,698.46</u>

Voucher (check) numbers 19030 and totaling 799.54
Moved by Ed Stone. Larry Davis seconded the motion. The motion passed.

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.

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

Credit Card Limit Increase –

The Board was advised that the \$500 employee credit card limit is inadequate for Nichole Embertson. As noted from personal reimbursements last month, Nichole has need for above average purchases with her research project (ARM grant). Her air quality expertise is also being utilized by agencies such as the Yakima Regional Clean Air Agency which involves added travel expenses. The District is reimbursed for these expenses. However, the current credit card limit of \$500 does not allow for necessary travel and purchases in the same month. The Board agreed to increase the credit card limit for Nichole Embertson to \$1,500.

Terry Lenssen moved to increase the District employee Credit Card limit from \$500 to \$1,500 for Nichole Embertson to allow for research and travel expenses. Larry Davis seconded the motion. The motion passed.

VI. Action Items.

A. Election Resolution.

Ed Stone's (elected) and Larry Davis' (appointed) terms are expiring. Ed indicated he would not be running again and that Larry indicated he would be applying to the State Conservation Commission for reappointment consideration. The election date was set and the Board selected Dawn as Election Supervisor.

Larry Davis moved to adopt and sign Resolution 11-1 Whatcom Conservation District Supervisors Election Resolution as follows:

- **Election held at the District office, 6975 Hannegan Road, Lynden, WA**
- **On Tuesday, March 13, 2012,**
- **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 February 14, 2012 at 4:00 pm.**
- **The last day to request an absentee ballot is February 29, 2012 at 4:00 pm.**

Terry Lenssen seconded the motion. The motion passed.

B. Approval of Agreements.

NRCS Vehicle Use Agreement –

George reviewed the new Memorandum of Agreement with the Natural Resources Conservation Service (NRCS) to use their vehicles. He reviewed some of the restrictions. District employees would only use them in the county when District vehicles are unavailable.

Ed Stone moved to approve and sign the Memorandum of Agreement with NRCS regarding Whatcom Conservation District employee use of NRCS vehicles. Larry Davis seconded the motion. The motion passed.

Flooring – George informed the Board that the linoleum in the break room and washrooms needs to be replaced. Staff will check the State Purchasing Cooperative for a flooring contract and bring the information back to the Board for review.

C. Washington Association of Conservation District (WACD) Resolutions

The Board reviewed the packet of resolutions to be presented at the WACD Annual meeting and provided guidance for Joe and Larry to consider when casting their votes.

VII. 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 the tort claim filed against the District.

8:15 pm. Joe Heller adjourned the Executive Session and resumed the public meeting.

VIII. Action Items (continued).

A. Position on Ruckelshaus Process.

A meeting is scheduled on November 17, 2011 in Lynden to discuss whether Whatcom County should opt into the Ruckelshaus Process. The Farm Bureau is in favor of Whatcom County opting in to the process. George explained that while the County works through the Ruckelshaus Process the current Critical Areas Ordinance could not be changed. If they were to stay with the current regime, the Critical Areas Ordinance would be up for renewal in a few years. Additionally, the legislation provides that any plan coming out of the process must not threaten the viability of agriculture.

Larry Davis moved that the Whatcom Conservation District write a letter of support to Whatcom County for opting into the Ruckelshaus Process. Terry Lenssen seconded the motion. The motion passed.

B. Employee Leave Policy.

George reviewed the District's current employee leave policy. At the discretion of the Executive Director extra hours may be worked to accomplish tasks. George explained the difference between exempt and non-exempt employees. Exempt employees are not covered by the FLSA overtime provisions and do not receive overtime-premium pay or comp time. Most of the District employees are exempt employees and accrue one flex hour for each hour over 40 hours per week that is worked. He explained how the District invoices grants for employee time. Public entities are not allowed legally to give bonuses or incentive pay like private industry can. Employees that have ample accrued leave find added flex hours unmanageable. The Board agreed to allow employees to "cash out" flex hours.

Larry Davis moved to authorize exempt employees the option of accrual of flex time, hour for hour, to be used in the future as leave or cash payment for overtime (flex) hours worked at their estimated hourly rate, less the usual withholding, with the prior approval of the Executive Director. Terry Lenssen seconded the motion. The motion passed.

There was discussion regarding having a retreat with the Board and staff in January.

IX. Other Business.

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

Environmental Quality Incentive Program (EQIP) – The EQIP sign up deadline is December 3, 2011. There are currently 40 applications this year. There were 50 applications last year. Alex anticipates about the same number again.

There are 51 practices to be completed or rescheduled this year. Contract modifications will be done in November, if necessary. They are cleaning up old contracts. Getting a lot of old practices completed.

Conservation Stewardship Program (CSP) – There are 4 or 5 contracts that will receive payments at the end of this year or beginning of next. The funds cannot be released yet. The NRCS State Office will audit 10% of the CSP contracts. They have not heard if Whatcom County will be chosen for reviews. Staff are making sure that there are no issues with the contracts.

Wildlife Habitat Incentive Program (WHIP) – January 2012 is the cut-off for sign ups. They have several applications for large projects, bridges and in-stream crossings. These projects are also applying to EQIP in conjunction with the WHIP application.

West Area Appraisal by the State Office – Alex reported that two teams from the NRCS State Office performed an administrative and technology review. There were no major deficiencies found at the Lynden Field Office. The reviews happen about every five years.

Miscellaneous – Staff are working on a Technical Service Provider (TSP) work order for December through May 2012.

Alex handed out to the Board information regarding Civil Rights.

B. Supervisor Reports.

Larry Davis – Larry has an appointment to meet with Representative Lytton to discuss Conservation District programs and funding.

Larry was elected to a 2 year term as NW Area Director. Bill Knutson, King CD, was elected to a 1 year term to replace Don Hatler, Clallam CD, who stepped down.

Larry served on the District Administrative Efficiencies Task Force. He will participate in a presentation at the WACD Annual meeting and at the State Conservation Committee meeting.

A STAC meeting is scheduled for November 22, 2011, and Larry will drive over to Spokane to attend.

Larry is working on getting a draft MOA between Conservation Districts and Ecology out by Friday for the webinar on Monday.

Ed Stone – Ed reported that he hired a beaver trapper that has trapped out 3 or 4 beavers this year. It appears there may still be another one. He says that they trap 3 or 4 beavers a year.

C. George Boggs, Executive Director.

George shared a copy of a poster illustrating the District's programs, accomplishments and staff expertise that will be presented to Representative Lytton.

X. Record of Board Actions.

11-84 Larry Davis moved that the minutes of the October 12, 2011 Board meeting be approved as mailed. Ed Stone seconded the motion. The motion passed.

11-85 Ed Stone 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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11-92 Larry Davis moved to authorize exempt employees the option of accrual of flex time, hour for hour, to be used in the future as leave or cash payment for overtime (flex) hours worked at their estimated hourly rate, less the usual withholding, with the prior approval of the Executive Director. Terry Lenssen seconded the motion. The motion passed.

XI. Adjournment.

There being no further business before the meeting, Ed Stone moved to adjourn the meeting at 9:14 p.m. Larry Davis seconded the motion. The motion passed.

The meeting, on motion duly made, seconded and carried, adjourned at 9:14 p.m.

Dated: December 23, 2011

Approved: _____

Dawn Bekenyi, Administrative Assistant