

MONTGOMERY SOIL CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
MINUTES
September 18, 2020

Approved
10/9/20

Due to COVID-19 meeting restrictions, the regular monthly meeting of the Board of Supervisors, Montgomery Soil Conservation District (MSCD) was held remotely through GoToMeeting. The meeting officially started at 9:00 a.m. and the Chairman, Robert Butz called the meeting to order. The following persons were present for the meeting: Robert Butz, Chair, Robert Butts, Vice Chairman, Pam Saul, Treasurer, Tim McGrath, Member, Associate Supervisor, Tom Linthicum, Adam Lyon, MDA, Kelly Nichols, Extension, Jeremy Criss, Office of Agriculture, Mike Scheffel, Office of Agriculture, Karen Walker, MSCD, Travis Gorleski, MSCD, Chris Zawitoski, RC&D/NRCS Soil Conservation Technician, Charlotte Brewster NRCS District Conservationist, and John Zawitoski, MSCD District Manager. The chair, Robert Butz, asked Adam Lyon to provide his report.

AGENCY REPORTS

MDA- Adam Lyon reported on the current operating status for MDA. Teleworking continues and the office entry protocol remains intact. Overall, MDA staff are busy, and work is progressing. Adam shared that goal is to keep people working. Travis shared his concerns with the workload. Adam noted that there is an MDA Technician that lives locally that may be able to provide assistance. Governor Hogan has moved the state into Phase III of the Coronavirus recovery.

(Source: <https://governor.maryland.gov/wp-content/uploads/2020/09/Gatherings-12th-AMENDED-9.1.20.pdf>) Prince George's, Anne Arundel, and Montgomery remain in Phase II. The State has updated field operation protocol to incorporate in-person meetings while still incorporating full social distancing measures. Adam noted that Maryland's positivity rate stands at 3.33% as of today and remains relatively steady.

(Source: <https://coronavirus.maryland.gov/>) Adam provided an update on the new positions and he shared that the new positions will help meet the WIP goals. He shared that MDA has submitted the exception paperwork for the PIN positions (budget and hiring freeze is in effect). CBTF positions will be filled first, followed by new PIN positions. Interviews will likely be held remotely through Google Meet, but final details are being determined by Human Resources. Adam noted that the Nutrient Management Program is working with UM Extension to coordinate virtual training to achieve voucher and certificate credits. The preference is to work to get everyone re-certified. The Governor's order to extend certifications applies. Lastly, Adam shared that the Soil Health Advisory Committee Meeting (SHAC) will meet on Monday, September 21st at 1:00 p.m. via teleconference. The agenda will focus on priority conservation practices that improve soil health. If you are interested in attending, please contact Alisha Mulkey at alisha.mulkey@maryland.gov for call-in information. There was discussion regarding the legal situation between the State of Maryland, Chesapeake Bay Foundation and the Environmental Protection Agency regarding holding other bay states accountable for meeting their WIP goals.

Office of Agriculture –Jeremy Criss provided his report for the Office of Agriculture. Listed below are the items that were presented.

- Update on Deer Management Summer Committee- Montgomery County Delegation scheduled summer committee meetings on June 10, July 20, and September 14, 2020. **The Montgomery County Delegation developed an online Deer Management Survey that was sent to the voting members of the MCFB.** Jeremy shared the findings from the deer management survey with the Board as well as provided a link to the confidential-anonymous survey with no identifying personal information that all

farmers should complete.

https://docs.google.com/forms/d/e/1FAIpQLSdtK529rOH6iww8O49oSBqCb9Q7tCgTIC3VR3jXEHLf6HY_VQ/viewform. Jeremy confirmed that over 100 responses had been received so far and he thanked John and Karen for their assistance in promoting the survey. October 1st is the deadline for the submittal.

- Jeremy then provided an update on the expanded Farm to Food Bank Program. This program has been working well for the 6 farmers that are participating and over 18,000 pounds of food has been delivered to Manna. The participating farmers are being paid competitive prices above the wholesale prices. We have begun meeting with additional farmers to learn about the program success for 2020 and plan for the Phase II program for 2021. Jeremy mentioned that Butler's and Lewis Orchards are participating in the program and that he is trying to recruit Ben Allnutt of Homestead Farms.

Jeremy reported on the update concerning the Solar ZTA 20-01 by providing the latest Council Staff amendments to the ZTA and an Op-Ed from Dr. Royce Hanson that MCFB and MAP have agreed to sign on. Riemer, Hucker, Jawando, Glass are four council members that have approved amendments to the Solar ZTA 20-01. Andrew Friedson offered amendments including to exclude Class I and II Prime Capability Soils from siting solar fields; however, his introduced amendments failed and ultimately the only amendment to make it out of committee was the Class I prohibition from solar siting.

Randy Stabler, Doug Lechliden and Jeremy Criss met with Council President Sidney Katz on August 28, 2020 to see if the full County Council vote on the Solar ZTA could be delayed until after the Pandemic when a traditional public process would take place. There is a second meeting scheduled for September 18, 2020. Jeremy provided the notes from the August 28, 2020 meeting. Jeremy noted that farmers are opposed to solar. Jeremy shared that four councilmen are in support of the amendment and he provided details on the challenges that they are facing. Jeremy would like the council to slow this process down so that more information regarding how agri-voltaic farming may work in Montgomery County.

Jeremy indicated that additional amendments that are needed to the Solar ZTA are as follows: Exclude Class II prime soils for siting solar fields; Allow concrete footers for the support beams to encourage Agri-voltaic farming; Clarify if more than one 2MW solar field can be installed on large farm properties; Require the solar industry to make payments in lieu of taxes that will fund farmland preservation programs.

Jeremy announced and congratulated Kelly Nichols for being selected as the new Faculty Tenured Agriculture and Horticulture Extension Educator for the Central MD Cluster and she will be assigned to the Montgomery County UM-Extension office.

Lastly, Jeremy briefed the Board that Office of Agriculture has been included in a Commerce Cabinet that has met on July 31 and September 11, 2020. The OAG has reported that in working with MNCPPC on the Thrive 2050 General Plan Update, all vacant commercial and office space buildings should be retrofitted into affordable housing units with the application of using TDRs and BLTs.

Upcoming Meetings and Events:

Montgomery Soil Conservation District-Rescheduled to September 18, 2020

Montgomery County Farm Bureau Board of Directors- October 6, 2020

Montgomery Soil Conservation District-October 9, 2020

Agricultural Preservation Advisory Board-October 13, 2020

Montgomery County Agricultural Advisory Committee-October 20, 2020

Extension - Kelly Nichols, Ag Agent, Montgomery County provided her report. Kelly explained she is excited to announce that she is transitioning to her new role as Montgomery County's Ag Agent, and she will be focused on agronomy and horticultural assistance. She officially started on Monday, September 14th and provided a short biography and contact information as part of her report.

Kelly then provided information to the Board for the process for producers to obtain pesticide and nutrient management credits. She explained that this fall and winter the University of Maryland Extension will be offering pesticide and nutrient management credits. While many of Extension's normal in-person meetings will not be happening, credits will be available in a variety of formats, including live and recorded webinars. She is working to finalize all the details so she can help farmers obtain all the credits they need. Details will be posted to our website at www.go.umd.edu/FCagmeetings.

With regard to the Pesticide Private Applicator Exam, if any farmer's need to take the private applicator exam, please contact her so that she can work with the Maryland Department of Agriculture to offer the exam. Finally, as we enter the harvest season, she is promoting awareness to stay safe on the farm and on the road, this harvest season. Make sure your equipment has all the proper lights and signage for travelling on the roads. Try to get as much sleep as you can so that you are alert when operating equipment. If needing to go into a silo or grain bin, use the proper personal protective equipment and ask another person to stay outside the silo or bin to help ensure your safety. For more information on farm safety, visit the National Education Center for Agricultural Safety website.

SECRETARY/ TREASURER'S REPORT

The Minutes for the August 14th meeting were received and reviewed and there were no changes noted. A motion was made by Pam Saul, and then seconded by Robert Butts and passed approving the August 14th Board of Supervisors Board Meeting Minutes.

Karen then presented the Financial Statements and noted that the checkbook and bank statement have been reconciled. She noted that she must resubmit a revised July MDA financial report noting the report needed to include all approved budgeted amounts, not just current funds received by MDA. The previous report only reflected the lump sum payment \$9,081 for three quarters and not the budgeted amount. In terms of expenditures, Karen indicated that MSCD is still awaiting the anticipated D & O insurance invoice and expects to receive it soon. The only invoice that needed to be addressed is the annual MASCD dues (\$2,250). Karen noted that this is a cost shared expense with MDA and funds are available. Finally, Karen shared that a staff celebration was approved during last month's Board Meeting and that she had contacted Simply Fresh and would like funds approved by the Board for the celebration. Due to the virtual meeting requirements, the chair, Robert Butz, requested that there be only one motion to address these items. A motion was made by Pam Saul, and then seconded by Tim McGrath and passed approving to file the REVISED July and the August MDA Financial reports, pay the annual MASCD dues (\$2,250) and earmark the celebration expense of \$500 to get the menu arrangements finalized.

APPROVALS, RATIFICATIONS AND REQUESTS FOR ASSISTANCE

Charlotte had John assist with the presentation the Activities Report. She noted that despite the COVID-19 pandemic, that staff are out there busy and working to serve our cooperators. She explained that there are three conservation plans pending for the Board's approval, and she mentioned that she and Brandy have been busy trying to wrap up for the year end September 30th deadline. Charlotte was pleased to report that both Chris and Paul have been providing a lot of Erosion and Sediment Control work and are working on several watering trough designs for producers. Charlotte echoed John's gratitude to Adam for extending an offer of

additional technical staff to help with our design workload. Charlotte shared that an Ag Chem project under EQIP is scheduled to start soon, and the current delay seems to be associated with the contractor who is struggling getting supplies. One potential area that we need to look at are the current flat rates. Charlotte noted that the flat rates are not reflecting the current pricing increase, particularly the increase cost of specialty concrete. John suggested this may be a good time to reach out to MDA to see if they would be amiable for the District in revising flat rates. Adam shared information on how to address the pricing increase and Robert Butz noted the NRCS guidelines and requirements have high standards that contribute to the high cost. John then provided details concerning the conservation plans that were submitted for approval. Two of the conservation plans are for equine and in which Travis provided details on the plans. John reminded the Board of their remote meeting protocol for conservation plan approval (affixing the chair, Robert Butz's electronic signature to approve conservation plans). A motion was made by Robert Butts, and then seconded by Tim McGrath and passed approving the conservation plans.

Charlotte then provided details on all the Requests for Assistance that were submitted. Charlotte noted that RFA's do not require the Boards approval and that she wanted to make them aware of the requests. John and Adam then provided details on the site visit they conducted that was listed on the Activities Report. The site visit revealed no gross mismanagement or nutrient management issues. The cooperater is willing to work with the District to see if there may be better ways to manage manures generated on the farm. John explained that there was another complaint for Shanlia Lu on Cattail Road who has worked with us before but is not working with us on his current issue. Given the nature of the complaint, it was more appropriate for MNCPPC to work with the cooperater to resolve the complaint. Finally, John provided an update to the Board concerning technical assistance to Mr. Sherwin Wells. John explained that while Travis has been assigned to assist Mr. Wells with his conservation plan, given the final nontidal wetlands report is pending, Travis will not start the planning process until this report is completed.

New Business

Local Conservation Workgroup Meeting - On August 18th, we received notice from NRCS state office about the need to convene a local conservation workgroup meeting. We have been asked to hold these local meetings by October 30th and to transmit the working group recommendations to the NRCS state office by November 13th. In consultation with NRCS and the Board of Supervisors, we have scheduled this meeting to follow our Board meeting today, beginning at 11 am and to conclude around 12 noon. A copy of the proposed meeting agenda was included in the Supervisors Board meeting handout packets.

Update on Close Encounters with Agriculture – John wanted to bring Supervisors up to speed on what the plan for this year will be concerning the Close Encounters with Agriculture Program. Obviously with children being taught remotely and limitations on large gatherings, it has forced the Close Encounters Planning Committee to consider alternatives to conducting the program. This year, the program will be conducted remotely using a combination of live presentations and recorded ones. The District is responsible for developing the content for the environmental track of the program that include soils and wildlife habitat. During August, staff met on site to record video for the virtual presentations. The soil presentation video is about 75% completed and the Habitat video is about 25% completed. We have a meeting next Wednesday with the steering committee to review the progress made on the video presentations. John expects the have the Soils presentation video completed before next Wednesday and have the Habitat presentation substantially organized in order to complete the editing process. The goal is to have all the video presentations completed by the middle of October. John wanted to thank J Harne and Chris for their help in pulling this together. They have both been working with him in getting content filmed and providing their talents in presenting the materials in a new and interesting way.

District Awards and Recognition Luncheon (10/6) – John explained that this item was addressed briefly during the Financial Report section of the meeting. John wanted to have the minutes reflect the given we were not able to have our cooperators dinner this year, John hopes the Supervisors can attend the celebration as well as extending invitations to our Cooperators of the year (Doug Lechluder and anyone from his team, David and Ellen Quirk of Blue Moon Farm), Jeremy Criss, Jackie Arnold, Mike Scheffel, Chuck Shuster, Doug Tregoning and Kelly Nichols. This will give us an opportunity to say a big thank you to everyone that contributed to our success this year. We have already made presentations to our award recipients so we could have pictures and stories to coincide with the publication of our October newsletter.

MDA Personnel Directory-The page for Montgomery SCD was included in the handout packet and it was noted to add Kelly Nichols on the directory. The information for Chris Zawitoski has been added to the directory.

OLD BUSINESS

Annual Audit Engagement

John informed the Board that Karen has prepared all the documentation needed for the annual audit and has forwarded to our auditor, Daniel Ensor, CPA of the TGM Group LLC. We received confirmation from Mr. Ensor that he has received our documentation and will begin his review. Normally, we execute an engagement letter with Mr. Ensor, but we have not yet received it. Karen is going to follow up with him to see if he has sent the engagement letter but if it might still be in transit. Normally, we are required to complete the audit and send to MDA by the end of October.

New MDA Vehicle Update/Annual Inspection

John informed the Board that we had received notice from MDA Central Services concerning the semiannual inspection requirement for state vehicles. Adam has advised his region that **if** your assigned vehicle is slated for replacement, please hold off on scheduling an inspection. Replacements are on their way, which makes this inspection round a moot point. If for some reason we need to have them inspected, he will let us know. Since Paul is scheduled for a new vehicle, we can ignore this notice for now. We are awaiting more information as to the timeline for the actual replacement of his vehicle.

CB Trust Agreements Submitted to MDA

John reported that this item as just as an FYI. Following the August Board meeting, and Board approval, Chairman Butz's e signature was affixed to the 2021 CB Trust Agreement and has been forwarded to MDA. We have received the first quarter payment and the new spreadsheet for tracking expenditures. He just wanted to make the Board aware that we have completed this task in an expeditious manner.

NRCS UCA Agreement Update

John informed the Board that NRCS reached out to the District letting us know that Nora De la Rosa from the NRCS state office is now taking the lead on the Unfunded Cooperative Agreement replacing Ramon Ortiz. In an email dated September 9, 2020, Ms. De La Rosa indicated that NRCS is trying to get all UCA-Unfunded Cooperative Agreement - Unfunded Cooperative Agreement Face Sheet signed and returned back to us as soon as possible. John indicated that he responded via email indicating that the District had submitted comments on the UCA last December but have not received a new working draft. John conveyed that in his last communication with Ramon, he indicated that our comments were still being vetted at the National level. John explained to Nora the Board's desire to have the latest draft document to review based on the comments we submitted. He explained to Nora, that the District has tried to explore several avenues for obtaining insurance

coverage for driving federal vehicles. But this effort has gone nowhere because we cannot find a carrier to insure the district for driving a vehicle that we do not own. Since the district does not own any vehicles obtaining insurance for driving the federal vehicles is not an option. We have not been driving any of the federal vehicles since this provision was first discussed in the UCA. Given the District can't assume this liability, and this may need to be taken out of the UCA altogether or modified to indicate that the District will not be utilizing any federal vehicles. We provided other comments as well but while we have been assured verbally the concerns have been addressed, we have not been afforded a new draft to review. She responded later in the day thanking us for our response and explained that she had followed up with Ramon and that our comments were received. She indicated that Grants & Agreement Team at the National Office will review them and send us back their comments and will give the District an update when we receive it. The ball is still in their court. Stay tuned.

MDA Nutrient Management Regional Contacts

John informed the Board, that MDA provided information to the District's involving the contact information for MDA's Nutrient Management Regional Contacts. MDA wanted to make District's aware that MDA's Nutrient Management Program is transitioning away from offices and is moving towards a permanent telework set-up for some staff. This regional contact list was provided in Supervisor's packet as referenced information. This is a good listing of numbers to keep and this information has been provided to all staff.

CHAIRMAN CORRESPONDENCE -The chair, Robert Butz had no correspondences to share but Pam noted that John did a great job notifying everyone on the passing of Wade Butler's mom. John shared that sympathy cards were sent to both Wade and Susan Butler.

ADJOURNMENT AND NEXT MEETING

The meeting officially adjourned at 10:53 am and the next Board of Supervisors Meeting is scheduled for October 9, 2020.

Respectfully submitted,

Karen Walker, Administrative Assistant

<u>MEETINGS ATTENDED</u>	<u>PERCENTAGE</u>
Butz	90%
Butts	100%
Saul	100%
Stabler	70%
McGrath	100%
*Linthicum	50%
*Joe Lehman	60%
*Chris Miller	70%
*Associate Members	