

**MINUTES OF GARRETT SOIL CONSERVATION DISTRICT**  
**SUPERVISORS' MEETING**

October 16, 2018  
District Office

Meeting was called to order at 7:05 p.m. by Chairman George Bishoff. Other supervisors in attendance were Smokey Stanton, Katharine Dubansky and Kris Enlow. Also in attendance were Cameron Crawford, Carrie Colebank, Chad Bucklew, and Shaun Sanders.

A motion to approve the September 18, 2018 minutes was made by Smokey, seconded by Kris.

The following report of state funds for the month of October 2018 was presented and approved:

Balance – September 1, 2018 .....	\$4,069.46
Receipts – September 1, 2018 – September 30, 2018 .....	0.00
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	\$ 4,069.46
Expenditures – September 1, 2018 – September 30, 2018 .....	601.87
Balance – September 30, 2018.....	<hr/>
	<b>\$ 3,467.59</b>

The detailed reports of expenditures for all accounts for the period of September 18, 2018 to October 16 and Income vs Expenditures for the period of July 1, 2018 thru October 16, 2018 were distributed.

A motion to pay RC&D dues in the amount of \$200.00 was made by Katharine, seconded by Smokey. A motion to pay NACD dues in the amount of \$501.00 was made by Katharine, seconded by Smokey.

Carrie reported that she completed arrangements with BB&T and M&T banks to receive permission to discuss the Districts account with the banks.

Shaun reported on a 10/2/18 email he sent to MDE Western MD Compliance Chief, Scott Boylan and MDE Dam Safety Division, Scott Bass concerning sediment related impacts from the culvert removal project below PL-566 Dam #2. Shaun reported that Scott Boylan replied that the two programs or divisions of MDE are conferring with the property owner and will contact him when a site meeting is set up.

Discussion took place about the directive from MDE requiring owners or anyone "associated with" a significant or high hazard dam constructed under the PL-566 program to "retain the services of a qualified engineering consultant to conduct structural, stability, and erodibility analyses" for the spillways of the dams. George Bishoff sent a letter to NRCS State Conservation Engineer, Allan Stahl, on October 3, 2018. Allan did not respond in writing but he did call Shaun today, (October 16, 2018.) Allan indicated that NRCS would do the studies but they wanted to meet with MDE first to find out more about what they want done. Also Allan and other NRCS state personnel will be meeting with NRCS National Headquarters engineering staff next week to discuss this issue. Allan will send something out following his meetings.

He suggested that the District should try to find out if there is an "end date" to the Operation & Maintenance agreements. Find out if the O&M agreements are forever and ever or do they end with the life of the structure (50 years)? It was agreed that the district should pursue in trying to find an answer to this question. Shaun asked if anybody knew of any attorneys who specialized in leases, easements, or government contracts. A suggestion was made that maybe title companies might be a good place to start.

Discussion also took place concerning the letter George Bishoff sent to Craig Nielson about ownership questions and the District's maintenance responsibilities on the PL-566 dams. Shaun reported that he and Craig had a lengthy phone conversation on 10/15/2018. The following comments or points were made by Craig during the phone call:

- A. Craig's view is that sponsors usually have taxing authority or some means of raising revenue (like tax ditches on the eastern shore) for these type of projects.
- B. District needs to have someone to read the agreements to see if there is a way to terminate or end them. Find a way out – may not be possible. Needs further investigation.
- C. The District has the responsibility to tell elected officials that the District can't perform the task that was agreed to back when the agreements were signed – public safety deserves something that District can't provide – want to tell you it is a problem and need your help to solve.
- D. District needs to make sure they inform and make public officials aware of need/problem – this is part of due diligence.

Craig said he will provide a written response later on. Shaun reported that he told Craig about the notebook of easements and agreements that he assembled back in 2007 when he had discussions with Gary Mullich about the county assuming maintenance responsibilities for the PL-566 Dams. Craig said he will try to take a look at them before he leaves MDA. Shaun will send him a copy.

Discussion took place concerning the Farm Bureau and Extension nominations/vacancies in Garrett County. Shaun gave copies of completed nomination forms from Cameron Crawford to Katharine Dubansky. Katharine will give them to Willie Lantz to be submitted by Extension and Aaron Lantz to be submitted by Garrett County Farm Bureau. She will see both of them at the Oakland Tailgate Market.

Chad presented the Field Office Activities Report and NRCS program updates. The Garrett Local Work Group worksheet was submitted in the first week of October. Chad mentioned that Allen Wilhelm has accepted payment and the contract was completed successfully. Chad also informed the Board that, although the Farm Bill is still in conference committee, there are a limited number of practices that NRCS will be accepting applications for in the next few months. The application deadline is November 16<sup>th</sup> for practices including Golden Winged Warbler and Cerulean Warbler habitat. Chad mentioned that several MD NRCS staff members are serving on details. Dr. Hillsman will be serving in NHQ as the Acting Deputy Undersecretary for Management and Strategy. Odessa Armstrong is on maternity leave, and Wendy Smith, from Alabama, is acting in Odessa's position. Amy Albright, the Soil Conservationist in Allegany is acting as a Programs Assistant to Jackie Byam while Carol Rivera is on maternity leave. Hans Kefauver, the Soil Conservationist in Washington County, has been assisting in the Cumberland office, but Chad stated that he has been spending more time in Cumberland as well. Chad announced that the Soil Conservation Technician position was advertised in early October, but

that due to a high number of jobs advertised recently, there has not been any selection panel provided by Human Resources to date.

Shaun informed the board that he thought follow up was needed concerning discussion from a previous meeting about duties that are performed by what NRCS considers a program support specialist. He also had some questions concerning the Districts efforts to establish an individual retirement account for District employees. It was decided to discuss these issues at the next supervisors meeting. Shaun provided a timeline or summary of items (emails, meetings, etc.) for board members to review relating to these issues.

Meeting adjourned at 9:30 p.m.

