

## **Garrett Soil Conservation District Supervisor's Meeting**

**June 20, 2023, 7:00 p.m.**

### **Garrett Soil Conservation District Board Room**

#### **Participants**

- Smokey Stanton, Board Chair
- Kristen Enlow, Board Vice Chair, Treasurer
- William Buckel, Board Member
- Butch Helbig, Board Member
- Seth Metheny, District Manager (DM)
- Chad Bucklew, District Conservationist (DC)
- Jeannie Frazee, Administrative Assistant
- Jacob Metcalf, NRCS Soil Conservationist

#### **Meeting Topics**

- Certification of Quorum
- Call to Order
- Approval/Correction of May 16, 2023 Minutes
- Treasurer's Report
- District Manager's Report
- Chairman's Report
- District Conservationist's Report
- New Business
- Old Business
- Public Comment

#### **Call to Order**

Smokey Stanton, Board Chair, certified a quorum and called the meeting to order at 7:05 pm. All Board members were present.

#### **Approval/Correction of June 20, 2023 Minutes**

Chris Herbert had sent the Board an email earlier in the month regarding concerns about wording in the April 2023 minutes with respect to Boals' accounting work. The Board asked Chris to submit any changes in writing by Monday, June 19, 2023. Chris did not propose any changes to the minutes. William Buckel made a motion to approve the June 20, 2023, minutes, as read. Kristen Enlow seconded the motion. There being no objections, the motion passed.

William Buckel asked for clarification about why the tire was replaced on the No-Till Drill. Seth Metheny replied that he believed the tire was replaced due to normal wear, but that he would check with Chuck Hayes.

William Buckel asked if the District has a policy to make renters aware that they are responsible if they break the equipment. Seth Metheny answered that renters are required to sign a rental agreement. He read the agreements for the No Till Drill and the Lime Spreader to the Board. They do contain wording that makes renters responsible for damage while the equipment is in their possession. William Buckel reiterated that the District needs to make sure users are aware of this requirement.

## **Treasurer's Report**

### *Financial Report Monthly and YTD*

Seth Metheny presented the Financial Report to the Board, which contains a financial breakdown both monthly and YTD. Seth Metheny asked the Board to look over the report and let him know if there are any line items that need added or removed. Seth Metheny also asked how the Board would like carryover to be handled on the report. William Buckel suggested that carryover be placed in assets instead of income so that the Board could better track income and expenditures against the budget for the year. Seth Metheny stated that the carryover is not currently being shown on the report due to the reconciliation of account, which is in progress. Smokey Stanton said that he feels the amount should be shown on the reports in the future so that the Board will know the full amount of funds available. It could possibly go in a sub-category.

So far, \$95,000 of the \$132,000 budget has been spent YTD district-wide. The County has declined to pay the \$6500 requested by the District for dam maintenance for FY23, which has left the District to take a loss to pay for dam maintenance costs, as the State does not allow funds coming from the State to cover those expenditures.

William Buckel asked why rentals appear to be down compared to the amount stated in the Budget as income. Seth Metheny answered that the amount stated in the FY23 Budget was an inflated figure when compared to the actual rentals in FY22. Chad Bucklew said that the Drill was originally funded by a grant with the goal to get more farmers to go to No Till. That mission has now been accomplished because more farmers are buying their own drills and renting them to other farmers. So, even though District rentals are down from what they were several years ago, the District's mission has been accomplished.

William Buckel said that he feels expenses paid with special funds, provided outside of regular funds, should be separated from other expenses or noted with an asterisk in the report, so that it is apparent that those items were purchased outside of normal spending.

William Buckel stated that he does not think the District is receiving a good return on its investments. The Money Market and Brinker's accounts are being paid a very low interest rate of return. William stated that M&T is offering 4.75% for 15 months. Butch Helbig said that he is aware that there are short term notes with 4.5%. Seth Metheny clarified that the Money Market account can be moved without any fees at any time. Its only stipulation is that it is restricted to six transactions per month. The Money Market account is the principal money source used for

District funds that are not allowable as expenses by the State for State funds. The funds from rental of equipment can also be used as the Board decides. Things that are not allowable as State expenses and have to be covered by District funds include items such as the scholarship, Board per diems and expenses beyond the \$25 per month plus mileage the State pays for one Board meeting per month, contests, and other things the Board chooses to approve for payment outside of the scope of the State MOU.

William Buckel stated that he is going to go to First Peoples Bank to find out their rates. They have annuities with a return of 9% averaged over the past nine years. A six-year term annuity allows 10% to be taken out per year without a penalty. Smokey Stanton asked what the proposed budget says the Money Market will generate in income for FY24. Seth Metheny answered that it is \$50. Seth has been commissioned to gather the information from William Buckel and determine what is the most favorable option and compare it to the District's cash needs.

Seth Metheny stated that bank fees were previously an issue with the First United accounts, as they were charging \$3.99 per month, and later \$5.99 per month, for paper statements. Seth cancelled paper statements and moved to online when he was made aware of this charge.

Having no further comments or questions, the Financial Report Monthly & YTD was approved as read.

Seth Metheny reminded the Board that there is only about five months left of funding to pay for E&S Consulting Fees. There are no other funds to pay for it once the grant from the State is gone. William Buckel asked if any of the District employees are eligible to take over that position. Seth Metheny replied that none of the current employees have that expertise, and as it is not included in any employee's job description, it would not be possible to simply require them to take over those responsibilities. Chad Bucklew stated that all of the employees are overwhelmed with work at this time, and it would not be feasible to take an employee off of regular assignments to work with E&S. Seth Metheny stated that the E&S tax needs to be addressed. The grant to pay for an E&S Consultant was given to the District by the MDA as a bridge between Garrett County not charging a fee and moving into charging an E&S fee. William Buckel asked if the MDA would be willing to provide more funding to either continue contracting the service or hire an employee. Seth Metheny answered that they would not because it was understood that the County would be working toward enacting an E&S tax at the time the previous funding was given. Garrett County is the only county in the state of Maryland that does not have an E&S tax.

Seth Metheny stated that the District needs to approach the Commissioners with a fee schedule. Seth is working with Randy Storey to come up with a fee schedule based on Allegany County's fee schedule because their use is very close to Garrett's. Use rates in Garrett County are fairly stable, but they fluctuate up and down some. It is always between 1000 to 2000. Chad Bucklew added that they generally peak around August. Smokey Stanton stated that the District needs to look back and see how many permits were issued in the last two years to calculate exactly how many months we have left to pay for E&S reviews.

Randy Storey has agreed to work for three years and then train another employee. This is an asset to the District because he is contractual. If an employee were hired, the District would need to pay for fringe benefits in addition to salary.

Smokey Stanton stated that the Board needs to be the ones to go to the Commissioners. Seth Metheny has been commissioned to create an adequate analysis and justification for the S&E tax that can be presented to the Commissioners. The fee needs to be broken down as "Commercial", "Residential" or "Timber Harvest". Randy Story has also suggested that there be a straight fee of \$50 for Concept Designs, as there is a significant amount of them. Timber Harvest should be specific to size. The fee needs to take into consideration the cost of the project. It also needs to be assessed as to whether properties in the Deep Creek Lake watershed would be more complicated. If so, the Board needs to look whether there should be higher fees to cover that extra expense for the District.

#### *District Operations Spending Report*

Seth Metheny presented the District Operations Spending report to the Board. Three of the four plotter ink cartridges had to be replaced.

#### *FY23 General Fund May Statement*

Seth Metheny presented the FY23 General Fund May statement. This statement will go to the State and needs Board approval. Seth requested that any board member that would like to go to MASCD let Jeannie Frazee know by June 30 so that the District can use FY23 funds. William Buckel made a motion to approve the FY23 General Fund May Statement. Butch Helbig seconded the motion. The motion passed with no objections.

#### *FY22 & FY 23 Annual Compilation*

Bonita Simms from the State sent out an e-mail asking for the FY22 and FY23 Annual Compilation. Seth Metheny requested that the Board hire Brian Boal or another accountant to conduct the compilation. It must be completed by October.

Smokey Stanton stated that there have been three District Managers come and go in a short time frame. Because of the rapid succession, there was not time to adequately train those District Managers. Smokey asked the Board if the District should complete just a compilation or an audit. This would be a good time to do an audit before FY24. William Buckel stated that he would like to see a cost estimate and advice from Brian Boal as to whether a compilation does the same job as an audit. It needs to be made clear to Brian Boal what is expected. Butch Helbig agreed that the District should solicit Brian Boal's advice on the matter. The Board approved that the District should get in touch with Brian Boal to solicit his advice and act accordingly.

#### *Account Reconciliation Final*

Seth Metheny explained the Account Reconciliation to the Board and asked that members take the report home and look at it before the FY24 Budget Setting Meeting.

## **District Manager's Report**

### *MDA Technician Job Interviews Finished*

Interviews are completed for the MDA Technician job. Seth Metheny stated that he has not yet heard anything from the MDA about the interviews. The job will be offered to one of the applicants in about a month.

### *OAG Little Yough Dam Operations & Maintenance*

The District requested funding from the Garrett County Commissioners for maintenance of Dams #2 and #5 in the amount of \$6500 per year. The County declined to provide funding, stating that maintenance of the dams is the responsibility of the District and the State. Seth Metheny is going to send a letter regarding the matter to Keith Potter requesting him to send it to the Attorney General for review. The District will be asking the Attorney General to clarify the following:

1. Who is responsible for dam maintenance after 50 years, since the previous determination stated that the District is not responsible after 50 years. It has now been more than 50 years for each dam.
2. If the District fails to complete dam maintenance for #2 and #5, who is responsible? Who determines if the District fails? Who notifies the County? Is the County's refusal to make payment grounds for the District to fail?
3. How is it to be made clear to the Town of Oakland that they need to provide funding for dam maintenance?

Included in the letter will be the information from Senators Beitzel and Edwards, the Attorney General determinations from 2010, and the document from the Town of Oakland attorney, Robert Watson.

Seth Metheny stated that he came up with the amount of \$6500 based on the original agreement, which took inflation into consideration. William Buckel asked about the actual cost of dam maintenance. Seth Metheny replied that costs needed to include both mowing and administrative costs, which would be around the \$6500.

A major concern is the fact that the dams were designed for only a 50-year sediment load. It is now over that 50-year timeline. Something will need to be done to repair them. Seth Metheny stated that he will also ask the Attorney General who is now responsible for repair. It was determined in 1960 that the Town of Oakland benefited by \$30,000 per year from the dam in 1960 currency rates. The District has been asked to renew the contract to be responsible for the

dams and has declined because of the lack of proper funding. Dams #1 and #3 went to the Wilson Run Watershed Association. #6 went to the Town of Oakland (Broadford dam). Wilson Run Watershed Association is no longer operational. Their monies were transferred to the Town of Oakland.

William Buckel made a motion to send the letter to the Attorney General for clarification. Kristen Enlow seconded the motion. The motion passed unanimously.

### *WMRCD&D Positions for Garrett and Western Maryland*

WMRCD&D is hiring positions for a Soil Conservation Tech, an Agronomist, and a Certified Nutrient Management Planner through funding from the NRCS. The positions are expected to start June 1. Placement is to be determined based on housing space. Seth Metheny proposed that it would be beneficial to have one or two of those placements housed in Garrett or Allegany County. Seth feels that we may have room for the Soil Conservation Tech in Garrett County and possibly Allegany County could house one of the others. Seth is to speak with Josh about housing the positions.

### **Chairman's Report**

None

### **District Conservationist's Report**

#### *Activity Report*

Chad Bucklew stated that eleven applications have been turned over to contract for a total amount of approximately \$224,000. There are eight more being processed. The TEAMS approval for the initial cut allowed funding for all of the Grazing and Cropland projects. The Livestock project was too expensive for the money allotted in round one. It needs to be determined if money can be used from round two for that project or if the funding needs to go to the second ranked Livestock project instead.

The Activity Report was presented to the Board. Chad Bucklew stated that 26 of the practices could have cost-share increases, which may add 10% to 20% to the funding for those practices.

The District is working with Fish and Wildlife for an interpretation of the new regulations regarding the Long Eared Bat.

There are no new developments with respect to the lease.

Backbone Solar has announced that they have started construction.

### **New Business**

### *FY24 Garrett SCD Budget*

Seth Metheny presented the proposed FY 24 Garrett SCD Budget. It has payments for dam maintenance from the County and Town of Oakland included, which is not going to be received, so that will need to be changed. Additionally, the County has refused to match the MDA amount for the Administrative Assistant's salary, so that will need adjusted. A special Board meeting will be called on June 30 at 1:00 p.m. to address the Budget.

### *District Policy*

Seth Metheny presented the Board with a proposal for a Medical Expense Reimbursement Policy for District employees. The policy will cover the employee, spouse, and dependent children up to age 26 (which aligns with the Affordable Care Act). The reimbursement cannot be used to cover expenses covered by other insurance. Eligible expenses were outlined in the policy. The Board determined that the policy should only apply to the Administrative Assistant position, as contracts may be different for other employees. William Buckel made a motion to approve the Medical Expense Reimbursement Policy with the wording changed to specify only the Administrative Assistant position. Butch Helbig seconded the motion. The motion passed unanimously.

### *Nutrient Management Policy*

The MDA is stopping funding to the Extension Service for a Nutrient Management Planner. Instead, they want to turn Nutrient Management into a private system where farmers can hire a Nutrient Management Consultant or write the plan themselves. Allegany County SCD has been writing Nutrient Management Plans for awhile now. The District received a letter on June 15, from Willie Lantz, a representative of the Extension Service, expressing his frustration with MDA's . Willie Lantz is setting up a meeting for farmers about Nutrient Management on June 28 and 29. Willie stated that he did not want anyone from MDA to attend.

## **Old Business**

### *MASCD Summer Meeting*

The deadline to sign up to attend the MASCD Summer Meeting is July 30, however, it would be beneficial to the District if any Board members who want to attend will let Jeannie know by June 30. Kristen Enlow stated that she is not going to attend. Smokey is attending. Bill and Butch are unsure.

### *District Tree Sales*

Jacob Metcalf has started a committee of District employees to work on the Tree Sale. The committee has assessed time needs for District employees for the sale, researched places to store trees and assemble orders, researched tree and bush vendors, and compiled costs for advertising at the fair. The committee has also created a Shopping website where individuals

can order products directly online. There was no additional cost to the District for the website because the committee used the URL that was formerly parked from the initial GSCD website setup. The Tree Sale Committee asked the Board to approve the use of Square as a credit card vendor prior to the start of the sale.

The Tree Sale committee requested that the Board approve a booth at the Garrett County Agricultural Fair, which would provide outreach from the GSCD to the community. The Tree Sale would be advertised secondarily at the booth. Miranda Rounds and Jillian Wood have volunteered to set up and decorate the booth. Jacob Metcalf and Miranda Rounds have volunteered to set up the Rain Simulator and make a video to accompany it.

Miranda Rounds prepared a cost estimate for the Board for the cost of the booth space, vendor insurance, a small premium gift to pass out to fair goers, and a smart TV screen to display the video. The committee asked the Board to approve funding of \$850 for these items.

Chad Bucklew stated that it has been nine years since the GSCD has been at the Fair. Smokey Stanton said that he thinks the District should be there this year. Having no objections, the Board approved the District to set up a booth at the Garrett County Agricultural Fair for 2023 and the funding request of \$850 for expenses involved. The Board asked that the Tree Sale Committee find out if there is an additional cost for electricity and report back to the Board at the June 30 meeting.

There being no further comments, the meeting adjourned at 9:46 p.m.