

**WASHAKIE COUNTY CONSERVATION DISTRICT**  
**208 Shiloh Road**  
**WORLAND, WYOMING 82401**

**MINUTES OF MONTHLY BOARD MEETING**

The Washakie County Conservation District (WCCD) held their monthly board meeting on Monday, November 16, 2015 at 7:00 p.m. in Ten Sleep at the Ten Sleep Senior Center. Members in attendance were; Dan Rice, Charley Orchard, Vance Lungren, Susan Pennington, and Dave Slover. Also in attendance was Laura Galloway, NRCS District Conservationist, Victoria Dietz; WCCD Director, and guest Damon Weber.

Dan called the WCCD board meeting to order at 7:05 p.m.

The WCCD board reviewed the October 19, 2015 board meeting minutes. Charley moved to accept the board meeting minutes as written. Dave seconded the motion. Motion carried.

The WCCD Board reviewed the October 19, 2015 special teleconference meeting minutes for the joint conservation district meeting with Hot Spring Conservation District regarding the Cottonwood Grass Creek Watershed Improvement District (WID). Dave moved to accept the special board meeting minutes as written. Charley seconded the motion. Motion carried.

Tori reported the following financial account balances: WCCD main checking account; -\$3,385.17 and Money Market account; \$200,091.57. The CD balance is \$16,405.82. The October bank statements for the main checking and money market accounts were reconciled by Tori Dietz. Vance moved to accept the financial statement and the reconciliation reports for both accounts. Charley seconded the motion. Motion carried.

The following vouchers were reviewed and approved:

<b>VOUCHER</b>	<b>CK NUMBER</b>	<b>PAYABLE TO</b>	<b>AMOUNT</b>
7784	7394	US Post Office	225.00
7785	7395	Victoria Dietz	49.25
7786	7396	University of Wyo.	276.63
7787	7397	Karen Fenton	231.04
7788	Electronic	Jenn Rasmussen	306.15
7789	Electronic	Karen Fenton	1354.78
7790	Electronic	Victoria Dietz	2683.71
7791	Electronic	Security State Bank	1113.16
7792	7398	WEBT	13.88

7793	7399	BlueCross BlueShield	1355.86
7794	7400	Rons Sanitation	70.00
7795	7401	R.T. Communications	88.64
7796	7402	WACD	74.50
7797	7403	Falxa Land Company	10,000.00
7798	7404	Verizon Wireless	10.08
7799	7405	Serlkay Printing	23.50
7800	7406	Daily News	342.15
7801	7407	Wyo. Retirement	871.54
7802	7408	Victoria Dietz	365.32
7803	7409	Cardmember Service	1096.16

## NRCS REPORT

Laura Galloway provided the following DC Report via email prior to the meeting as follows:

- Help provided for WCCD
  - Provided information pertaining to practices
  - Helped with engineering design work on Schreibeis
  - As-built Falxa Livestock Water Improvement project
  - Assisted in Outdoor classroom work
  - Assisted in Gooseberry Creek vegetative plantings
- EQIP 2016
  - We have completed the eligibility checklist and screened the applications for 2016.
  - We are currently working on ranking the 2016 applications. We had 41 applications for the EQIP program. January 8<sup>th</sup> is the deadline to have them all ranked and a cost estimate in Protracts.
- EQIP 2015
  - We have a number of contracts that are being completed. We have been doing spot checks, as-builts, and payments.
- WACD Meeting
  - There was only 3 DC's from the west side allowed to attend due to budget issues.
  - I sat in on the Wildlife Committee Meeting. The only thing they had was one resolution for Sage Grouse Initiative payments. (see attached) A motion was made and passed to accept the amended resolution as presented by Jeri Trebelcock.
  - I also attended the Rangeland Research on-the-ground with Private and Public Land Managers Perspective. They touched on the importance of monitoring, how sample point monitoring can be used for years and with past photos, using drones for sample point monitoring imagery in inaccessible areas, drought and disease tolerate plants, and a ranchers view on how to control Broom Snakeweed with grazing.
  - I attended the session which included Rethinking Rancher Decision-making: A grounded Theory of Ranching Approaches to Drought and Succession Management, Collaborative Adaptive Landscape Management for Beef and Birds in Western Great Plains, Wyoming Restoration Challenge: Participatory Learning in Rangeland Restoration.

## **EMPLOYEE REPORTS:**

Karen Fenton and Jenn Rasmussen's reports to the WCCD Board were provided via email prior to the meeting.

WACD Convention Report-Tori gave a summary of sessions she had attended during WACD Convention as follows:

**Wyoming Conservation District Employees meetings:** Tori reported that Michelle MacDonald, Wyoming Department of Agriculture (WDA) reported that there were still funds available for the research grants and they were asking conservation districts to help get the word out that the grant needs to answer two questions: What If, and How Come. Tori stated that WDA will provide a research advisor for the projects. After some discussion, WCCD Board suggested that a post card be mailed out to the producer mailing list to promote the grant. Tori reported that Michelle also stated that there will be two new forms provided for base funding requirements: Education Function and Pursuit of Local Funding, and in January, she'll be asking conservation districts to let her know if they intend to spend their lab funds allocation and will ask for new proposals for the unallocated funds, which will need to be used by the end of June 2016.

Tori reported that Justin Caudill, WDA, stated that the upcoming Water Quality grant request for proposals will be available late winter and notification to successful applicants will be made in June. Justine also reported that he plans to have the WID board training available the end of November and that the Employee/Supervisor certification and legislative training is scheduled for February 23-25<sup>th</sup> in Cheyenne.

Grant Stumbough, NRCS, reported that the NRCS/SHIPO agreement has been signed, which will help speed up the process to allow projects to proceed. Grant stated that NRCS is working with 10 conservation districts, who had past rental agreements, on updating their working agreements to trade services for rent. Grant stated that it is expected that the budget will be final on December 11, 2015 and EQIP applications will be due on February 19, 2016. Tori stated that she and Dan attended a special meeting regarding the agreements to provide input and list concerns with the agreement template provided by NRCS.

Jennifer Thompson, Small Acreage Coordinator reported that a new request for proposals will be available late November or early December for small acreage workshops. Tori stated that she will be applying for these funds for the small acreage workshop held in conjunction with WESTI Ag Days to be held in February in Worland. Tony Hoch, Laramie Rivers Conservation District reported that funding support for Jennifer's position, for another three years, is going to be asked for in the near future.

**General Session:** Bob Budd, Wyoming Wildlife Natural Resource Trust, spoke about the BLM RMP's in relation to the Governor's Sage Grouse Executive Order. Bob stated that the desired condition should be based on what we know and needs to be consistent with the correct ecological site description of any specific area. Bob stated that the RMP's do address the needs for the species and allow prioritization of where work should be done by specific area, which

includes where can the most birds be produced and where is the best habitat. Bob reported that that where there is new data, some RMP's may need to be amended and stated that a desired condition means where a hen will select a site to nest, not meant to be a desired standard. Bob stated that it was important to monitor for screen cover not stubble height as screen cover will show what is growing and what is left and as for livestock grazing...grazing is not a threat to Sage Grouse, but improper grazing may be.

**Awards Luncheon:** WCCD was awarded the Outstanding Annual Plan by WDA.

**Water Resources Committee meeting:**

David Waterstreet, DEQ reported on the UAA model comments and gave the group an overview of the process, thanked the conservation districts for their assistance and support, and stated that he is reviewing the comments made in response to the hearing held recently.

Cathy Rosenthal, WACD Watershed Coordinator reported that Module II water quality training will be held April 11-15 in Lander, and Module III water quality training will be held July 19-21, location to be announced.

Bobbie Frank, WACD Director reported that Western Watersheds has filed a lawsuit against the State of Wyoming and the Governor's Office in regards to the Trespass law which was passed during the last legislative session. Bobbie explained that Western Watersheds has taken a portion of the law out of context saying that the public can no longer go on public lands, but the law states the public cannot go on public lands without permission, if they need to cross private lands.

Harriet Hageman, attorney, gave an overview of discussions and court actions regarding the Waters of the US and stated that the fight is not over and it is an attempt by EPA to control the land as well as the water, as they have included regulations to include 4000 feet of a waterbody and includes irrigation. Harriet stated that, included in the rule is EPA is claiming groundwater as navigable. She stated that there is currently no nationwide injunction, but Wyoming is one of 13 states that there has been an injunction to stay the rule, which was issued by a Judge in North Dakota.

James Bauchert, NRCS gave some updates and gave a process overview of the NRCS Emergency Watershed Protection (EWP) program that conservation districts have been sponsoring. James stated that, in order to sponsor an EWP, an entity has to have taxing authority and power of eminent domain, which conservation districts do not have. Tori stated that she asked James if the requirement was new and James stated that it was not new, just being enforced now. Tori said that Anita Bartlett stated at the session, that her county commissioners have been sponsoring the EWP projects, but the conservation district is a co-sponsor and does all of the paperwork and has a separate agreement with the landowner, the NRCS, the county and in her case, an irrigation district, to ensure the maintenance of the project.

**Renewables and Energy Efficiency Session:** Tori reported that, through the University of Wyoming, there is a Building Energy Research Group made up of two Architects, two

Economists, and two Engineers, who have been developing computer simulation tools to help determine home energy efficiency needs, and developing blueprints for energy efficient homes what produce as much energy as they use (Zero Energy Designs). They are currently working with Laramie Rivers Conservation District on a "Living Building" design. Tori stated that they have changed to recommending Air Source Heat Pumps as a most cost efficient alternative to Geothermal Heat Pumps.

**Getting It Right Facebook Session:** Tori reported that she learned that posting between 7 & 9 a.m. or p.m. is the time the public views Facebook posts. She stated that questions to ask yourself on what to post are: How do we help the community, what would views find inspiring. It is good to look back on posts and re-create those posts if they were popular and ask questions to get them to thinking and able to provide input on, like "Did You Know?". Other tidbits of information from the session included: Don't use "Like Us", instead use "Connect With Us" and give three reasons why; Be consistent with postings and start postings with verbiage such as, "We encourage everyone to...."; Show human side of organization to make audience feel like they're a part of the conservation district.

**Small Acreage Survey Results Session:** Tori reported that Jennifer Thompson, Small Acreage Coordinator gave an overview of survey results compiled from small acreage landowners (5 to 160 acres) which indicated that the most asked for sessions were Energy, Soils, Native Plants, Pests, Wildlife Habitat, Greenhouses, Weeds, and Pollinators. Tori reported that the number one way the public prefers to receive notice of workshops is via the internet (google and UTube), the top reasons the public does not install practices is cost, lack of equipment, time, and knowledge. In addition, people were most likely to attend a workshop between December and February during a weekday or from 8 a.m. to noon on a Saturday.

**WACD business meeting:** Tori reported that Resolution #1, asking WACD to support the State of Wyoming efforts to oppose expansion of Waters of the US and Clean Air act proposed by EPA passed. Tori reported that the Resolution #2 asking WACD to request that NRCS revise the payment schedule for SGI incentive payments passed with an amendment. Tori stated that the amendment added language which listed the NRCS regulations that limited payments to 75%. Tori reported that the WACD Board had presented an emergency resolution regarding amendments to Wyoming Water Law to address older wells and springs. Tori reported that the resolution did not pass, but instead, it was proposed that a directive be written to support discussions on the topic to develop legislation for the 2017 legislative session. Tori reported that the WACD Board approved hiring WyoGIS to update Suitewater, which will take up to a year, but will be improved with an added landownership layer and will be able to be used on a tablet.

Tori reported that she did not attend the Microbial Source Tracking session as it was held at the same time as the business meeting, but understood that it would be videotaped and provided later. Tori provided the memo and the Microbial Source Tracking Issue paper, which had been provided via email today.

Cottonwood Grass Creek Watershed Improvement District (WID) Board Teleconference Report – Tori reported that she and Dan had participated in the Cottonwood Grass Creek WID quarterly teleconference on November 11<sup>th</sup>. Tori reported that the WID had completed 4 pipeline projects and planned to conduct a video tour of their Whales Reservoir project and an on-site tour of 4 different projects in the spring. Tori gave the WID board an update on the recent election where Dee Hillberry and Mike Healy were re-elected, and also informed them of the upcoming WID board training that was being developed by Justin Caudill. Dan asked the WID board for their support for Hot Spring Conservation District for their upcoming mill levy election.

## **BOARD REPORTS**

BLM Resource Management Plan – Dan gave a summary report of the local government's discussions regarding the protest on the BLM RMP and where we were in the process. Dan also reported that discussions between the local governments and Ecosystem Research Group will be held via teleconference on December 3<sup>rd</sup> at 9:00 a.m.

WACD Convention Report–Dan gave an overview of discussions and decisions made during the WACD Board meeting at convention, stating that they had contracted with WyGIS to update Suitewater. Dan also reported that the WACD Board had approved the participation with Wyoming Stockgrowers in the Wyoming Conservation Exchange where producers can sign up to be paid for conservation by industries. Dan stated that the Governor's Office has set up a steering committee that will determine what acres are worth and a ranking score. The agreements between producers and industry will be 20 to 30 year agreements. Dan reported that WACD is still involved with landowners who have challenged Western Watersheds in court for trespassing on their property. Dan stated that the Trespass legislation that was passed during last session is good legislation, but getting bad press due to Western Watersheds taking portions of it out of context. He stated that Western Watersheds has filed a lawsuit against the State of Wyoming and Governor's office and WACD will be filing an amicus brief in support of the State and the Governor's office.

## **OLD BUSINESS**

Natural Resource Land Use Plan Update (Water Quality & Government Sections) – Dan asked that this agenda item be tabled until the December board meeting. Tori provided the WCCD Board with an email from Washakie County Assessor, Kathy Treanor, describing the taxes included in the conservation district mill levy.

Final Draft Big Horn River-Nowater Creek Watershed Plan – Tori reported that the draft watershed plan was currently out for public comment until December 15<sup>th</sup>. The document was provided to the WCCD Board.

BLM-Final Resource Management Plan – Tori distributed two copies of the Worland and Cody BLM RMP CD's to Dave and Charley.

Ten Sleep Recycling Update – Tori reported that Karen Fenton was developing a news article for the Ten Sleep newspaper and the Daily News on recycling opportunities and recycling facts and the article will accompany a "clip & save" ad in both newspapers which charts out what can be recycled and how it should be bundled. Tori reported that the Ten Sleep Saloon does not have room for a can dumpster, and



Karen had not yet heard back from the owner of the Big Horn Bar. Tori stated that the American Legion in Worland is interested in picking the cans up from the bars in Ten Sleep, but asked that several pallets be placed in the bottom of the dumpster to raise the bottom so he could reach them without climbing inside. Tori asked the WCCD Board, if the dumpster does get moved to the bar, if they would be interested in having the WCCD logo and the words, "Cans Only" be painted on the front. The WCCD Board agreed.

NRCS-WCCD Agreements Review & Input – Tori provided the WCCD Board with the proposed NRCS template Working Agreement, the existing NRCS/WCCD Working Agreement (which expired in 2013), the existing NRCS/WCCD Operational Agreement, and a copy of an email from Campbell County Conservation District and NRCS questions and answers. The WCCD Board reviewed and discussed some proposed changes to the proposed NRCS template Working Agreement as follows:

Under the heading, "The **ANY COUNTY** Conservation District will:" on page 2, add "when appropriate" at the end of the sentence in the first bullet. Change the language of the second bullet to read, "Will work with other conservation districts in the NRCS Division of the State of Wyoming to assemble the USDA local working group (LWG)". Delete the words, "and other partners" at the end of the third bullet. Change the language of the fourth bullet to read, "Assist NRCS by participating in education and outreach activities, as deemed appropriate." Delete the fifth bullet, and add, "as appropriate" to the end of the sentence on bullet six.

Under the heading, "Facilities" on page 4, change the wording on the second bullet to read, "The NRCS will provide, at no charge, 150 square feet of individual office space to the **ANY COUNTY** Conservation District. This space is provided in exchange for **ANY COUNTY** Conservation District personnel providing support to NRCS where appropriate." Change the wording on the sub bullet under, "In the event of a lapse in appropriation and government shutdown:" to read, "The **ANY COUNTY** Conservation District does not reimburse NRCS for segregated space, but will be permitted to use the facilities during the shutdown."

Charley made a motion to have Tori submit the draft proposed changes to Grant Stumbough, NRCS, showing track changes. Dave seconded the motion. Motion carried. Dan asked that the document be copied to the WCCD Board, Laura Galloway, and WACD.

Letter of Request to SBHCD for November WID Election – Tori asked the WCCD Board for approval to develop, sign and send a letter to the South Big Horn Conservation District and the Nowood WID Board to ask that the annual board of director election be held on the November election Tuesday each year. Vance made a motion to approve Tori for developing and signing a letter to submit to the South Big Horn Conservation District board and the Nowood Board of Directors. Dave seconded the motion, Motion carried.

Falxa Reservoir Project Completed-NRCS Certification – Tori reported that Betty Falsa's reservoir projects have been completed and her photos and final bills have been received. Tori stated that NRCS has provided the certification documentation as well.

## **NEW BUSINESS**

Larry Warner Rural Cost Share Application - Damon Weber attended the WCCD Board meeting to present an application for Rural Cost Share from Larry Warner, with whom he leases land from. Damon explained that Larry would like to eliminate a dirt ditch that has been eroding quite substantially. Damon stated that Sage Creek Land & Cattle are adjacent landowners, who will be partnering on the project with Larry. Discussion was held regarding some of the details of the project and a suggestion made by Dave to require that Sage Creek Land & Cattle sign a permission form if funding is approved. The WCCD Board reviewed the project and ranking results, and agreed that it was a good project and asked Tori for a balance of remaining funds, which she reported as \$23,462.00. Vance made a motion to approve the Rural Cost Share application for Larry Warner for up to \$4792.04. Susan seconded the motion. Motion carried. Tori will contact Damon to let him know and also provide him with the access/permission form to be signed by Sage Creek Land & Cattle

NRCS Confidentiality Agreement - Susan Pennington – Tori provided Susan Pennington with the NRCS Confidentiality Agreement and explained that it is required to be signed if she wants to be able to review and discuss NRCS contracts.

Household Waste Collection Day Event - Xeric Perennial Plant Donation \$600 Value – Tori reported that Karen Fenton will represent the WCCD at the Reduce, Reuse, Recycling Coalition meetings for the planning of the upcoming Household Waste Collection Day event, which will be held on May 14<sup>th</sup>. Tori stated that in the past, WCCD has provided seedling trees to the public when they bring their recyclable items to the event. Tori asked the WCCD Board if they were interested in providing a xeric plant this year instead and it was estimated that 200 plants would be needed, which is estimated at \$600.00. Charley made a motion to purchase 200 xeric plants to provide to the public during the Household Waste Collection Day event. Dave seconded the motion. Motion carried.

Sage Creek Land & Cattle-Hake Waste Water Drain Agreement Extension Approval – Tori reported that Steve Snyder has asked for an extension of time for the Hake Waste Water Drain project. Tori stated that Steve was waiting on the contractor to begin and as part of the project, dirt will need to be hauled in and the field made farmable after the contractor has completed his portion of the project. Steve stated that he was concerned that he may not be able to do the latter portion of the project by December 15<sup>th</sup>. Vance made a motion to approve the extension for Sage Creek Land & Cattle until March 15, 2016. Charley seconded the motion. Motion carried.

Meeteetse Conservation District – Animal Damage Management Board (ADMB) Letter of Support - Ratify Support Decision – Tori provided the WCCD Board with a copy of the letter of support written by Dan Rice, which had been submitted to ADMB to support Meeteetse Conservation District's Predator/Sage Grouse project grant proposal. Charley made a motion to ratify the letter of support sent to ADMB. Vance seconded the motion. Motion carried. Dan stated that ADMB had approved the grant for funding.

Internal Control Worksheet/Dept. of Audit – The WCCD Board reviewed and discussed the Internal Control Worksheet which is required to be filled out and submitted to the Department of Audit. Susan made a motion to approve the completed Internal Control Worksheet. Charley seconded the motion. Motion carried. Both Dan and Dave signed the worksheet.



Proof of Cash Review/Approval – Tori presented the Local Government Annual Report Summary and Proof of Cash that had been completed by Karen Geis, Washakie County Weed & Pest District Secretary. Tori stated that no discrepancies were found. Charley made a motion to approve the Department of Audit's Local Government Annual Report Summary and Proof of Cash. Vance seconded the motion. Motion carried.

Legislative Lunch Draft Agenda/Invitation Letter - December 1 – Tori reminded the WCCD Board that the legislative lunch will be held on December 1<sup>st</sup> at the Brass Plum at noon. Tori provided the WCCD board with the draft agenda and invitation letter to Representative Greear and Washakie County Commissioners. Tori asked for the WCCD approval for the letter to ensure that her description of the well permitting scenario that will be discussed during the lunch was accurate. The WCCD Board approved the invitation letter as written. Dan asked Tori to check the spelling of Senator Myers in the letter. Tori reported that Senator Geis would be unable to attend the meeting and Dan stated that he would not be able to attend either. Dan asked the WCCD Board to relay a suggestion to Representative Greear to ask that, in order to determine points of use from wells with multiple uses, that a local water commissioner be able to groundtruth the points of use using a GPS and not have the survey requirement.

Nowood WID Scheduled Meetings – Tori provided correspondence from John Joyce, Nowood WID board member, regarding the election of officers, scheduled meetings, and request of how WCCD would like to receive their minutes. Tori stated that she had requested that the signed minutes be attached in an email. Discussion was held regarding Nowood WID meetings and Tori was asked to find out if the Manderson Fire Hall had teleconferencing capabilities and to ask which months will be set aside for the required quarterly teleconferences with the joint conservation district board members. Tori reported that the next Nowood WID Board of Director meeting will be held on December 7<sup>th</sup> at 7:00 p.m. at the Fire District #3 Hall in Manderson. Tori stated that she would remind the WCCD Board of the meeting.

Depository Designation - Security State Bank – Tori presented the Security State Bank Depository Designation letter, which is required by the bank, to be signed each year. Dave signed the letter, which Tori will mail.

Cottonwood Grass Creek WID Election Certification/Compensation Request for Polling & Canvass Members – Tori provided the WCCD Board with the Cottonwood Grass Creek WID election canvass results and canvass board minutes, and reported that Dee Hillberry and Mike Healy had been re-elected. Tori stated that according to the statutes, polling officers and canvass board members are to be paid no less than minimum wage, for any mileage over 10 miles, and for 1 hour before and 1 hour after, and including time spent at the polling place and canvass meeting. Tori asked the WCCD Board if she should purchase a gift card for each of the officials and it was suggested that she instead issue a check so as not to be misconstrued as a gift.

WACD Legal Fees – Dan updated the WCCD Board on the work being done by WACD regarding several lawsuits and the need for funding support for legal fees. Tori reported that the WCCD Board have approved funding at \$1500.00 for the fiscal year. After some discussion, Dan suggested that \$1000.00 be sent to WACD. Dave made a motion to approve \$1,000.00 for legal fees to be sent to WACD. Susan seconded the motion. Motion carried.

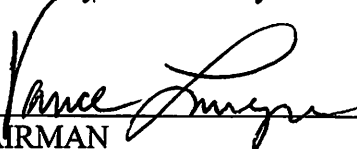
## CORRESPONDENCE

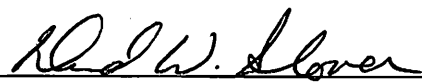
WDA Comments on Stream Protection Rule; Federal Register Notices 10262015; Soil Health Workshop; NRCS Newsletter 10302015; BHB Dispatch 11062015; Black Footed Ferret Federal Register Notice; NACD News Briefs; Governor Mead ESA workshops; Federal Register Notice-Wetland Condition Assessment.

Dave moved to adjourn. Charley seconded the motion. Motion carried. The meeting was adjourned at 10:35 p.m.

Date: November 28, 2015

Respectfully submitted by: Victoria Dietz, District Director

 12-21-15  
CHAIRMAN DATE

 12/21/15  
SECRETARY/TREASURER DATE