

MINUTES

Missoula Conservation District

January 8, 2018

Missoula Conservation District

January 8, 2018 at 7:00 pm

3550 Mullan Rd, Ste 106, Missoula, MT 59808

Missoula Conservation District Attendees:

Tim Hall, Supervisor & Chair
Libby Maclay, Supervisor & Vice Chair
Travis Greenwalt, Supervisor & Treasurer
Bob Schroeder, Supervisor
Paul Parson, Supervisor
Art Pencek, Supervisor
Jen McBride, Staff
Monica Perez-Watkins, Staff
Brandi Bergreen, Big Sky Watershed
Corps Member

Additional Attendees:

John Hart, Deputy County Attorney
John Bowe, NRCS
Ethan Mace (App. No. MS-34-17)
Mark Estep (App. No. MS-02-18)
Larry Brehm (App. No. MS-02-18)

Absent:

Sidney Wills, Supervisor
Bart Morris, Associate Supervisor
Ladd Knotek, MT FWP

Call Meeting to Order – 7:00 pm by Chair Tim Hall.

Minutes – Tim Hall moved to approve the December 11, 2017 minutes as submitted. Art Pencek seconded the motion, motion passed – unanimous.

Treasurer's Report – Travis Greenwalt reported \$14,047.62 in the district checking account.

Public Comment – No public comment.

NRCS Report – District Conservationist John Bowe provided a written report. The report included information regarding technical and cost share assistance related to 2017 area wildfires, the Environmental Quality Incentive Program, the Conservation Stewardship Program, the Wetland Reserve Program, and the Farm and Ranchlands Protection Program. Bowe mentioned the local wildfire recovery effort and federal recovery funds, the amount of which is not yet known. He acknowledged that Montana wildfire recovery is competing against other disaster recovery efforts across the country.

Big Sky Watershed Corps Member Welcome – The district board, staff, and representatives welcomed the 2018 Big Sky Watershed Corps (BSWC) Member, Brandi Bergreen. Bergreen will split her time between the conservation district and the Missoula County Weed District. Bergreen will work on the conservation district's equipment program, specifically with the no-till-drill, cover crops, and pollinator outreach.

New 310 Permit Applications

MS-34-17 – Susan and Ethan Mace – Unnamed Creek – Riparian Thinning, Debris Jams, and Ford and Diversion Improvements (Geocode: 04209411101060000)

McBride reviewed the location of the Mace project and the application. The application was tabled at the previous meeting, December 12, 2017, while the district awaits a site inspection. The site is not viewable at this time due to snow accumulation. Applicant Ethan Mace was present to provide additional information about the project to the board. He spoke of his background in riparian and forest ecology and management, his land management goals, the property's associated water rights, and cost share funding he applied for through the district and other local entities. Mace discussed his plans for vegetation removal and revegetation with the board. He brought two hand-outs for the board: a scientific journal article relevant to his management plans and a water rights guidance document for landowners.

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The board discussed and asked questions regarding Mace's plans for riparian vegetation thinning. Mace will contact the district office when the project area is accessible and visible for a 310 site inspection.

MS-01-18 – Dan Patterson – Mill Creek – Utility Boring

Location: MDT ROW adjacent to geocode 04242835201150000

McBride reviewed the location of the project to bore under Mill Creek. The application proposed a boring depth of 12-ft below the bed of the channel and 60-ft from either bank.

Bob Schroeder moved to accept Application No. MS-01-18 for review and to determine that it is not a project that requires a 310 permit, as long as the project plans are followed as proposed in the permit application. Art Pencek seconded the motion, motion passed – unanimous.

MS-02-18 – Freedom Gardens c/o Mark Estep – Clark Fork River Slough – Greenhouse Construction

Geocode: 04242835101090000

McBride reviewed the location of the proposed greenhouse near a slough of the Clark Fork River. The board reviewed aerial and on-the-ground photos of the site. McBride estimated the project site to be approximately 30-ft from the ordinary high water mark of the slough, but noted it would occur inside the school ground fence.

Representatives from Freedom Gardens, applicant Mark Estep and project architect Larry Brehm, were present and confirmed that the existing fence will serve as the project border.

Estep and Brehm provided an overview of their nonprofit organization, Freedom Gardens, to the board. The representatives stated that the greenhouse project arose from a connection with the Frenchtown School District. They discussed the organization's mission and plans for youth agricultural education, and stated that the goals of the greenhouse project are to provide farm-to-school produce and local agricultural education in a peer-to-peer learning environment.

Bob Schroeder moved to accept Application No. MS-02-18 for review and to determine that it is not a project that requires a 310 permit, as long as the project plans are followed as proposed in the permit application. Art Pencek seconded the motion, motion passed – unanimous.

Complaints

CM-07-17 – Meredith Hampton – Clark Fork River – Vegetation Removal (Geocode: 04220026201020000)

McBride reviewed the board's decision from the previous meeting, which was to fine Meredith Hampton \$50.00 for failure to comply with the district remediation requirements and to turn the matter over to county attorney John Hart. McBride said that Hampton called McBride shortly after the previous meeting. McBride missed the call, but returned Hampton's call and left a voicemail. McBride has not received a response. Due to Hampton's attempted communication, the matter awaited direction from the board.

The Board of Supervisors agreed to have the county attorney's office handle the case.

CM-10-17 – Scott King – Petty Creek – Non-Permitted Bridge (Geocode: 04219613401040000)

McBride reviewed her past communications with Scott King. She reported that she received confirmation that King received a certified letter, which asked him to submit a 310 application for the bridge by January 8, 2018. The district has not received an application.

The board agreed to have county attorney John Hart send a letter to King regarding the required application.

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CM-11-17 – Joyce Robbins – Petty Creek – Non-Permitted Bridge (Geocode: 04219624101040000)

McBride informed the board that she spoke with Robbins and encouraged her to select a project assistant prior to the February 12, 2018 district meeting.

CM-12-17 – Steve McAfee – Clark Fork River – Road Work (RE: MS-33-17; Geocode: 04232403101080000)

McBride reported that she spoke with Steve McAfee and that the snow has postponed imported fill removal, approved under Permit No. MS-33-17. McAfee has questions regarding the permit's required revegetation plan. McBride said she encouraged him to submit a plan that outlines the quantity and spacing of woody species, as well as the area he plans to reseed. She also offered to identify the ordinary high water mark and flag the recommended planting area for him.

The board discussed revegetation and directed staff to send McAfee the discussed revegetation recommendations.

310 Inquiries/Issues – McBride addressed two 310 inquiries with the board. The first concerned Permit No. MS-38-16 (Expired October 17, 2017), the project to remove noxious weeds, specifically common buckthorn, along the Bitterroot River. The permit holder contacted the district office to confirm that a new 310 application is needed for continued weed removal. The board confirmed that a new application is needed.

The second issue related to 310 site inspection team members and team member reports (TMRs) that McBride addressed at the previous meeting. McBride provided suggested guidelines from the DNRC Conservation Districts Bureau and the Montana Association of Conservation Districts attorney, Don MacIntyre. He told McBride that an applicant does not need to sign a TMR, but when a site inspection occurs, the applicant should be provided a TMR so that it is clear that they have the option to complete it.

Art Pencek and Bob Schroeder noted that the board will need to verbally specify which TMRs inform board decisions on 310 applications when applications are decided at meetings.

Reports

County Attorney – No report.

Montana FWP – Knotek was absent; no report.

Bitter Root RC&D – Libby Maclay stated that the next Bitter Root RC&D meeting is scheduled for January 23, 2018.

District Committees – Chair Tim Hall reviewed the current district committees and asked if anyone would like to change their positions. The board confirmed the following seats and district committees:

- Executive Team: Tim Hall (Chair), Libby Maclay (Vice Chair), Travis Greenwalt (Treasurer)
- Personnel: Tim Hall, Libby Maclay, Paul Parson
- Budget: Tim Hall, Art Pencek, Bob Schroeder
- Cost-Share/Grants: Tim Hall, Travis Greenwalt, Bob Schroeder
- Equipment: Travis Greenwalt, Bob Schroeder, Bart Morris (Associate Supervisor)
- Long Range Plan: Tim Hall and Travis Greenwalt

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Hall reviewed the conservation district absence policy: Supervisors may not have more than 2 unexcused absences from consecutive regular meetings. This policy is in the state law that mandates conservation districts (MCA 76-15-312).

Missoula Conservation District Employees

Jen McBride – Resource Conservationist – December 12 – January 8, 2017*

310 Administration Reviewed 310 decision letters following the December district meeting. Corresponded regarding various 310 projects and complaints including projects on the Clark Fork River, Mill Creek & Petty Creek. Went on site regarding a 310 inquiry at Frenchtown School. Discussed the 310 law with property owners or managers on site and over the phone. Prepared 310 reports and photos for the January meeting. Corresponded with Missoula County Attorney, Fish Wildlife & Parks, and other representatives regarding 310 projects and 310 inquires, issues, complaints as needed. Provided photos to Monica and reviewed District Meeting PowerPoint. Corresponded with DRNC staff regarding updates to the 310 database and upcoming 310 meeting.

Conservation Planning: Corresponded and met with Cost-Share applicants regarding modifications to their projects as needed. Corresponded with 2017 recipients requesting an extension. Answered questions regarding Missoula CD grant programs as needed. Sorted photos and prepared reports and met with Grants Committee regarding Cost-Share program. Met with Weed District staff to discuss plans for incoming Big Sky Watershed Corps Member. Corresponded with the printer regarding the Healthy Riparian Guide and Adobe InDesign file. Checked in with Monica Perez-Watkins as needed regarding upcoming events or planning. Corresponded with DNRC staff regarding Mill Levy webinar. Attended an Area V staff meeting in Ronan, discussed programs, insurance, mill levy, and upcoming Supervisor Forum.

Office Administration: Followed up and corresponded with contacts as needed following the last district meeting. Addressed issues with my computer as they arose. Reviewed health insurance options and hour-for-hour comp pay options for Missoula Conservation District Employees – no new news at this time. Met with Perez-Watkins as needed regarding weekly accomplishments, priorities, and plans for coming weeks. Submitted timesheets to the county and entered time into QuickBooks as appropriate. Corresponded with county payroll regarding issues with a couple reports. Worked on reports and office function as time allowed. Worked with Perez-Watkins on District meeting preparations. Continued corresponding with appropriate entities regarding ongoing work on Missoula CD's mill levy.

Professional Development: Completed Intro to GIS & Cartography course.

*Out of office for two holidays, and two days leave.

Monica Perez-Watkins – Conservation & Communications Coordinator – Dec. 12, 2017 – Jan. 8, 2018*

General Coordination: Scanned and made copies of new 310 applications; sent to FWP. Prepared 310 forms for site inspection and meeting. Wrote weekly list of tasks completed and ongoing, submitted to McBride. Met weekly with McBride to discuss tasks completed, tasks ongoing, and meeting items.

Communications and Outreach: Drafted and reviewed district meeting minutes and meeting agenda. Posted agenda in office and on website; sent to agency reps and county. Sent pre-meeting packets to board. Created meeting PowerPoint, packets for board, note-taker for staff. Compiled correspondence. Drafted 310 decision/follow-up letters (MS-29-17, MS-33-17); sent to applicants and FWP. Posted approved November 13, 2017 meeting minutes on website and sent to county. Assisted callers and walk-ins regarding 310 law, application, process, complaints, grant information, and no-till drill rental. Noted 310 calls and inquiries in shared spreadsheet as needed.

Communications with county/cd/agency reps regarding 310 applications. Directed inquiries on issues outside of CD realm to appropriate agencies. Forwarded various emails of potential interest to board and applicable items to applicable committees. Minor website pages/posts updates: added 2 new homepage sliders, updated opportunities and events pages, added Issuu digital version of publication, updated 310 calendar dates. Various event correspondence regarding WMGA Conference. Sent MACD scholarship info to county school districts. Create list of e-outreach outlets, submit conference info to online event and news sites. Wrote 1 supervisor bio and resent

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biographies for review. Draft cost share payout letter. Maintained grant tracking spreadsheet. Updated MSU donation letter. Wrote LGP-01-16 final payout letter, sent with final payment. DNRC grant (RPG-18-0555) correspondence and submitted signed contract. Updated newsletter text, worked on newsletter layout. Drafted letter to Powell County contacts regarding proposed Trail Creek subdivision.

Financial Management: Prepared claims and checks to be signed at meeting. Mailed checks and sent claims to county following meeting. Entered claims and checks into QuickBooks Online (QBO). Updated supervisor hours/mileage as needed. Updated QBO with itemized purchases from petty checking, checking, and savings. Reconciled bank statements, county reports, and D.A. Davidson change in investment value in QBO. Submitted Annual Financial Report and Census of Governments Report online. Updated cost share master and 2017 spread sheets.

Administrative Duties: Sent post-meeting mail (e.g., grant info, checks). Maintained and updated 310 master lists. Wrote employee report. Prepared/restored conference room for meeting/dinner. Transcribed meeting notes for minutes. Maintained and organized files. Created pdf documents of meeting packets and staff meeting notes. Prepared mail. Sorted and distributed office mail. Served as point of contact for district and directed walk-ins as needed. Errand to post office and Target.

**5 vacation days*

Other – McBride discussed plans for cleaning out outdated and unneeded office materials.

New Business

Correspondence – Staff handed the board a Montana Biocontrol Project annual report. Monica Perez-Watkins said the district also received a second invoice for a \$300.00 Bitter Root RC&D (BRRCD) sponsorship. The board declined paying the first invoice, discussed at the November 13, 2017 meeting, due to BRRCD's purported dismantling. Maclay said the BRRCD president is doing a lot work to find additional funding.

Libby Maclay moved to provide \$300.00 to Bitter Root RC&D for a 2018 sponsorship. Tim Hall seconded the motion. Motion passed, Bob Schroeder opposed.

McBride informed the board that Deb Fassnacht, of Watershed Education Network, will be at the February meeting to request district sponsorship of a DNRC grant.

The Missoula Valley Water Quality District sent a draft of the Miller Creek Watershed Restoration Plan to the district for review and comments. The water quality district plans to submit the plan to the EPA to be eligible for 319 funding. Travis Greenwalt said he read the draft plan and provided comments related to an overall lack of detail in the plan. The water quality district reached out to landowners for comments through an online survey and by phone.

2018 Election Filing – Supervisors Art Pencek, Sidney Wills, and Bob Schroeder have terms ending on December 31, 2018. They must file election forms with the county elections office by March 12, 2018, in order to remain on the district board. Perez-Watkins will send them the form.

Area V Supervisor Training – McBride attended a December Area 5 staff meeting, during which a potential Supervisor Forum was discussed. Lake County Conservation District will host the forum, but would first like to get a gauge of interest and a preferred date, March 28-30. Many on the board stated their interest and identified their preferred day of the week, Wednesday, but none committed to attending the forum. The topics to be discussed during the 1-day forum include no-till drill rentals, 310 work with the MACD/DNRC attorney, and additional Area 5 issues. McBride will send the board's feedback to Lake County Conservation District.

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Other New Business – No additional new business.

Old Business

Equipment Program – McBride said Brandi Bergreen, the 2018 Big Sky Watershed Corps Member, will work on issues related to the no-till drill.

310 Committee Meeting – Helena, Jan. 18 – McBride told the board the December meeting was canceled due to weather conditions. The DNRC rescheduled the meeting for January 18, 2018, however this is a date during the Big Sky Watershed Corp Member and Supervisor training in Bozeman. McBride asked if any supervisors were interested in attending the 310 committee meeting. Attendees, aside from McBride, were not finalized.

Grant Programs

Cost-Share – The cost-share committee met on January 4, 2018. The committee agreed to approve a maximum of \$23,250.00 total for 14 projects.

Travis Greenwalt moved to approved \$23,250.00 in total funding for the 2018 cost-share program. Paul Parson seconded the motion, motion passed – unanimous.

McBride reported that she will apply for the DNRC Fire Mitigation Grant on behalf of the cost-share applicants who were affected by the Lolo Peak Fire.

DNRC Renewable Planning Grant – Clark Fork River Diversion Rehabilitation Project – Perez-Watkins reported that the DNRC-Missoula CD contract for the approved DNRC grant was signed at the previous meeting, however, the board did not discuss charging an administrative fee. A fee was discussed during the March 13, 2017 meeting, but was not mentioned during the April 10, 2017 meeting, when the district approved grant sponsorship.

The board agreed to charge a 5% administrative fee (\$750.00) and to sign a contract with the grantee, Grass Valley French Ditch Company. The board discussed charging a 5% standard administration fee for all DNRC-sponsored grants, unless otherwise specified.

Other – No additional grant information.

Events

Western Montana Grazing and Agriculture Conference – Thursday through Friday, Jan. 25-26, 2018 – Perez-Watkins informed the board that the conference agenda was in their meeting packets. She reminded the board that the free community talk featuring the conference keynote, Dr. Fred Provenza, will occur prior to the conference on Wednesday, January 24, at the university. She also asked supervisors to contact her soon if they would like to register for the conference.

Employee Healthcare – At the previous meeting, the board pre-approved a healthcare reimbursement up to \$550.00 per month for staff, pending the reimbursement's legality. McBride said a solution cannot occur until the county responds to the district's inquiries regarding district staff inclusion on the county employee healthcare plan.

Travis Greenwalt mentioned a group health plan that was recently purchased for his private business. He said that the district could potentially group with other conservation districts. He will send the information to McBride.

Other – Travis Greenwalt was presented with a plaque in honor of his 5th year of service with the district board.

Payment of Bills – Bob Schroeder moved to pay the bills. Tim Hall seconded the motion, motion passed – unanimous.

Warrants:

| | |
|--|--------------|
| Verizon – District cell phone | |
| Ck # 2397 | \$ 69.24 |
| First Interstate Bank – District vehicle gas card | |
| Ck # 2398 | \$ 59.99 |
| Charter Spectrum – Internet | |
| Ck # 2399 | \$ 59.99 |
| Pitney Bowes – Postal leasing machine | |
| Ck # 2340 | \$ 139.65 |
| Missoula Conservation District – Transfer to bank checking account | |
| Transfer | \$ 30,000.00 |
| Total: \$ 30,328.87 | |

| Voting Record – CD Supervisor | FOR | AGAINST | ABSTAIN |
|-------------------------------|--------|---------|---------|
| Tim Hall | 7 | | |
| Libby Maclay | 7 | | |
| Art Pencek | 7 | | |
| Travis Greenwalt | 7 | | |
| Bob Schroeder | 6 | 1 | |
| Paul Parson | 7 | | |
| Sidney Wills | Absent | | |

Adjournment – Bob Schroeder moved to adjourn the meeting. Tim Hall seconded the motion - motion passed, unanimous. The meeting adjourned at 9:18 pm.

The next meeting of Missoula Conservation District will be held on February 12, 2017, at 7:00 p.m. in the Missoula Conservation District conference room, 3550 Mullan Road, Suite 106, Missoula, Montana 59808.