

**BOARD OF DIRECTORS MINUTES****Date: Thursday, January 23, 2020****Time: 9:00 AM****Location:** 202 Mira Loma Dr., Klamath Conference Room, Oroville, CA 95965

- 1) **CALL TO ORDER** – Dave Lee, President
- 2) **WELCOME AND INTRODUCTIONS** – Dave Lee, President. Also present: Directors Colleen Hatfield; John Christofferson; Associate Director Mike Crump; Staff Amanda Chaney, Thad Walker, Tim Keesey, Wolfy Rougle plus SNAP member Shepard Smith; District Conservationist Dan Taverner.
- 3) **REVISIONS TO AGENDA** (only emergency situations requiring the need to take immediate actions may be added as action items pursuant to Gov. code 549954.2(b))
- 4) **PUBLIC COMMENT (on non-action items)**
  - (1) (3 min. limit per speaker/topic, 15 minutes/person/meeting total)
  - (2) *Public comment is encouraged. Any member of the public may address the Board with any comment related to the Resource Conservation District's areas of concern. However, no action can be taken by the Board on such items at this current meeting. The Board may direct staff to agendaize such items for consideration at a future meeting.*
  - (3) *\*Please note that all action items will have time set aside for public comment prior to the vote occurring. After a motion is made and seconded by two BCRCD Directors, the Chair will first ask for any further discussion from the Directors and Associate Directors and then Chair will open up the item for brief public comment limited to 2 minutes/person. After the public comment period closes a vote will be held.*
- 5) **CONSENT AGENDA:** Project Updates (see board packet).
- 6) **ACTION ITEMS** – Dave Lee, President
  - a) Review and approval of the minutes of the Regular meeting held December 19, 2019 – John moved to accept, Colleen seconded, motion passed unanimously
  - b) Review and Approve Outstanding Bills – John moved to pay outstanding bills, Colleen seconded, motion passed unanimously
  - c) Audit Update- Colleen Hatfield – John and Colleen had discussed doing a 1-year audit, or, alternatively, doing an audit for everything since 2015 or perhaps everything since 2017. An audit costs about \$7000 per year audited, and we (or any organization) would be hard pressed to pay \$7000 per year for a ten-year audit. Although all our projects go back more than 1 year, a one-year audit would still be valuable in potentially revealing procedures that aren't best practices. John moved that BCRCD select the one auditor who had responded to Graciola's solicitation, and hire that auditor for a 1-year audit. BCRCD will allow the auditor to select which year they will audit. Motion passed unanimously.
  - d) Bookkeeper Update- Colleen Hatfield – New bookkeeper, Heather, expects to have everything up and running by next board meeting. Staff is trialling T-sheets. Based on staff hours input into T-sheets, Heather will help BCRCD decide how best to "class-track" hours worked – e.g. by labor category (forestry, GIS, engineering) and/or by project (Granite Basin, DOC, NRCS). BCRCD has an annual report due to State Controller 1/31/20 and Colleen asked for an extension but State said no, so Colleen will find a way to get the report in by the deadline.
  - e) Status of DOC/ EFRP outstanding invoices- Colleen Hatfield – **DOC:** First 3 out of 4 DOC invoices have been received. One invoice had a \$96.64 discrepancy and Wolfy will follow up with DOC to resolve it. [Update: This is settled – we recouped the underbilled \$96.64 on invoice 2. The apparent outstanding discrepancy is an artifact of how the invoices were differently entered

into Quickbooks. -WR] **EFRP:** Thad met yesterday with CARCD and FSA and found out that the money has been allocated to USFS on the Federal side, and as soon as it is transferred from USFS to CARCD, it should be paid to BCRCD. Program is now “closed to new applicants” but is still somehow “accepting late applicants” who must be (1) over 5 acres and (2) not have done any of their own work to date. Landowners have 2 years from the date they sign their agreements (or get a letter confirming that from COC?) to finish their work. To date, no LO agreements have been signed because FSA still has not finalized rates.

- f) SDRMA Claim Effort- Colleen Hatfield – Not much to report but Colleen continues to research and compile claim(s).
- g) One Tree Planted Agreement - Wolfy Rougle – Colleen moved and John seconded that Dave sign the OTP agreement. OTP will pay \$2500 per planting day for 3 planting days and will also pay for the trees separately. Dave also signed the landowner agreement with Jackovich (Feb. 2 planting) plus the blank landowner agreements landowners will fill out and sign for Feb. 8<sup>th</sup> planting and later dates.
- h) Prescribed Burn Association Liability Document - Wolfy Rougle – Based on what she learned at the first statewide meeting of prescribed burn association coordinators, Wolfy presented a draft liability agreement for participating landowners as well as a “liability explainer” in plain language which explains that all liability for a fire rests with the landowner (or his/her designated burn boss, which is never the BCRCD), among other things. Board generally agreed with the concepts in the documents and John agreed to pass them to County Counsel and SDRMA for review, as well as SDRMA. Item placed on Feb. 20 BOD agenda for further review and approval.
- i) RFP for Brayton Project- Terry Adelsbach – Terry was unable to attend meeting due to health issue. John asked that RFP include performance bond equal to 110% of the bid. John added RFP and contract should indicate whether and to what extent State Parks has final approval over contract award and final project inspection approval. (BCRCD’s contract with State Parks states “BCRCD will assist Parks with project management of the restoration by preparing contract specifications, awarding contract, assisting with public outreach and administering invoicing through June 2022, when the funding source expires.”) Mike Crump agreed to work directly with Terry in finalizing the contract/RFP over the next month. To that end, Wolfy will share the Google Drive folder of RFP/contract material with Mike Crump, along with Trish’s and her assistant’s email. If both RFP and draft contract are approved and finalized at regular Board meeting Feb. 20, then best bidder can be formally accepted at March meeting (28 days) , and work can begin in April.
- j) RFP for Dome Trail Project- Thad Walker – Threshold for certified payroll is \$25K, so this project does not cross that threshold. Thad asked: Will this project need a performance bond or rather language stating RCD will “withhold x amount of payment until work is approved”? John advocated that the contract specify that *all* funding be withheld until USFS review and approval of finished project. That might take a long time, so Thad will check in with Clay for Clay’s estimate about how long that might take. Dave pointed out that a contractor who’s worked with USFS before might read that language and choose not to bid at all. That is a risk we take, and if that happens, BCRCD can go back to USFS and seek stronger guarantees for prompt review and approval.

For contracting generally, Thad observed BCRCD would benefit from Board-approved “General Conditions” language to facilitate speedy contract and RFP development. We are likely to do more and more RFPs of this nature so we would do well to invest in RCD-specific boilerplate, including legal review, County Counsel review, and SDRMA as necessary.

John felt the Dome Trail RFP should require that a bidder should include in their response packet an affidavit that they have physically visited and reviewed the project site. (I.e., “I, John Doe, have on this date visited the Dome Trail site,” and sign his name.) BCRCD will be responsible for purchasing the materials to the stair site with help of CCC; CCC will log out the site and remove old materials; contractor is then responsible for bringing their own tools and building the stairs to existing FS specs. John added RFP should specify that this trail accesses a Wild and Scenic river and is non-motorized.

John moved to approve the RFP with following revisions: bid response packet must include affidavit about having visited the site; add language about Wild and Scenic; remove bond requirement and replace with statement that the contractor will not be paid until USFS approves the work. Colleen seconded; motion passed unanimously.

- k) Renewal of Avenza Pro accounts and other Forestry supplies – Keesey – We currently have 3

tablets and 3 Avenza Pro licenses. To accommodate increased workload, staff wishes to purchase an additional 3 tablets for a total cost of \$630 (includes accessories), plus renew the existing 3 licenses and get 3 additional licenses (\$99/license for a total of \$594). We also need to buy paint and flagging for forestry purposes for a total of about \$800. Between the \$1000 for field supplies billable to AFF subagreement, and \$1200 billable to CCI VFMP grant, we have enough to cover this \$2030 total investment. Staff will use BCRC D debit card and bill to those 2 grants. It will be important to carefully show on the receipts which charges go to which grant.

- l) Policies and Procedures – John – For next meeting, John asked Board review section V, which is “Board Meetings.” It’s a small section. John proposed Board be prepared to discuss and approve it (with revisions as needed) at the next regular meeting. John will email out Section IV, approved last Nov., to Board, along with adoption date on cover page. That leaves just the section on Employees which needs to be updated to show we use Allevity.
- m) February Meeting of BCRC D BOD- **Regular meeting** Thursday, February 20th @ 9 AM. **Special budget** meeting Feb. 13<sup>th</sup> at USDA building to discuss project tracking options and how they integrate with budgeting; cost allocation plan; review fee for service rates which were last visited 10/18/18, just before the Camp Fire; long-range forecasting so we know when we next need to be writing grants. Staff will update FY 19-20 budget in **Google sheets** to reflect expected income for FY 20-21.

## 7) RCD PROJECTS AND PROGRAMS

- a) Update – Thad Walker – **Grantwriting** - Submitted an application for Centerville Rd review using DOC-WC dollars; it’s now the only application from our Water Boards region so may have a good shot. **Granite Basin** – After BOS meeting next week, USFS and BOS will finally have a signed agreement so FS specialists can review RCD specialists’ reports. **Dixie Rd** – Scope of work has been refined and finalized. Working on re-bid for Powellton Rd. **Colby Recreation and Forest Health project** (supported with DOC-WC dollars)– Sierra Buttes Trails Stewardship will present to BOS this next week on SBTS’ portion of the Colby vision. BCGeneral Services has taken an interest in the non-motorized (40-mile) section of the Colby project and will ask the BOS for approval to pursue a Prop 68 grant to cover that planning and NEPA. For the Colby parking lot, NEPA exists but we just have to check whether the ranger’s NEPA decision is still valid.
- b) Update – Tim Keesey – Tim has been working on **EFRP** and has Glenn and Gabe started and doing site visits together. Glenn and Gabe (both contractors) are ready to get to work on their own. Logging is not considered construction so prevailing wage does not apply to logging projects. **Big Chico Creek Ecol. Reserve TF CEQA** has now been submitted to CAL FIRE in desired format; archaeologist addendum is being prepared. **NRCS/AFF**: Tim attended CART (Conservation Application Ranking Tool) training (this is the new NRCS tool that replaces Toolkit). Tim is working on signing up all BCCFMP landowners for EQIP. **Granite Basin** – Finishing up the specialist reports and EA; as soon as BOS-USFS agreement is signed, BCRC D will send those specialist reports/EA to FRRD. Unfortunately, FRRD archaeologist leaves 1/31/20, Botanist leaves 5/31/20, and Wildlife Biologist also leaves soon, and none will be replaced in foreseeable future. This leaves EA review on Forest-level staff’s desks.
- c) Update – Wolfy Rouble – In addition to her Watershed Coordinator work (forest restoration planning and PBA coordination), Wolfy has spent the last month laying the groundwork for SNC 929, City of Chico VFMP, and CAL FIRE MSA projects to proceed smoothly during this field season. **929** is off to a good start with Terry taking on the CEQA responsibilities; FRRD IDT team provided the data we asked for to facilitate good surveys; Arch contractor Diane McCombs is already halfway done with surveys. **Chico VFMP** is starting slower than expected mostly due to slower-than-expected City contracting process. **CAL FIRE MSA** – Board directed staff to review the botanist applications and make a recommendation with the help of one board member (Colleen, Wolfy, Tim) (interview committee). Board directed Interview Committee to select and rank top candidates in time to get them into the Board packet for 2/20/20 meeting. Board plans to make an offer to the selected botanist in closed session 2/20.
- d) Update – Amanda Chaney. **Cottonwood**- Amanda checked on the land and horses are in front, cows are in back paddock. Amanda has been focused on **SWEEP** recently; RCD will return some of the funds because we are not able to expend those funds but other RCDs will be able to. We have a draft agreement with Tehama Mobile Irrigation Lab to do some of the needed water testing. **CalRecycle grant** – A landowner contacted CalRecycle about cleaning up illegal dumping on their land, and CalRecycle directed them to us because RCDs (and similar districts) are the

statutory gatekeeper of this program, which has 2-3 rolling deadlines per year and often sees a lot of funding go unexpended. Shepard and Amanda will put together this grant application and have it ready for Board review and signature by Feb. 20<sup>th</sup>. Deadline – March 9<sup>th</sup>. If this experience goes well, we could strategically advertise the program (including by sending Amanda to talk to Farm Bureau?) in late summer, in time to get more applicants for the Oct. deadline. Tim will talk with Honey Lake RCD board members and staff to learn more about their experience with the program. Finally, Amanda has also been working on developing **NRCS engineering grant** but her work is sitting on regional engineer's desk waiting to be reviewed. More support from NRCS employees would help RCD accomplish more work for NRCS.

- e) Update – Terry Adelsbach – out sick
- f) Funding opportunities – Shepard has been investigating how RCD can work with My Sierra Woods and SLEWS.
- g) Other Projects. Cottonwood – Amanda did a great job mapping star thistle out there. Conservation easement agreement states landowner is required to deal with noxious weeds, esp. if the problem is getting worse over time. Comparing current map to maps from a few years ago can help build the case that landowner/lessee can be required to change their management strategy (e.g., put cows instead of horses in the front pasture because that's where the biggest YST infestation is and cows are better at controlling it this time of year).

## 8) PARTNERS' REPORTS (5 minute limit per group)

- a) Natural Resource Conservation Service (NRCS) – Owen, a soil con level 7 (equiv to Orr) started work on Tuesday. Report was submitted to State Conservationist and Doug LaMalfa about how NRCS dollars are being spent in Butte County. Priority continues to be Miocene Canal mitigation (2-3 wells already being sunk and 5 applications in; loss of the canal also impacts groundwater in that area). Landowners who applied for EFRP but don't qualify can be transitioned directly into EQIP application process (but will have to be separately approved). Dan stated this will be a slow year for NRCS because of CART transition. New NRCS engineer will not be hired after all, so Amanda will be continuing to fulfill the FO's engineering needs for as long as the NRCS-RCD agreement lasts. (In future, that agreement may cover more than one county and be co-submitted by several adjacent county RCDs). Colleen asked if there was any chance of getting the regional engineer (who currently fills 2 jobs) to respond more quickly on Amanda's projects. Dan said he hoped so, and since Dan also has JAA (job approval authority) he will try to help. Colleen asked Dan to let the Board know if there was any way they could help NRCS better support Amanda.
  - b) Butte County departments - none
  - c) Community groups and agencies – none
- Adjourned 11:35 am

## 9) CLOSED SESSION – Directors only -None.

- a) Continuing Personnel Discussion
- b) Discussion – Litigation

## 10) BOARD OF DIRECTORS REPORTS

- a) Butte County RCD Directors and Associate Directors are welcome to report

## 11) ADJOURNMENT

*NOTE: The Butte County Resources Conservation District (BCRCD) distributes its Board meeting agendas electronically at least 24 hours in advance of meetings. If you would like to be added to, or removed from, the email list, please notify the Butte County RCD at (530) 534-0112, ext. 122 or by email to: [bcrd@carecd.org](mailto:bcrd@carecd.org). The BCRCD also publicly posts notice and agenda of meetings 72 hours in advance of meetings at the Butte County RCD office located at 150 Chuck Yeager Way, Suite A, Oroville, CA. **Reasonable Accommodations:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Butte County RCD Manager at (530) 534-0112, ext. 122.*

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