

## MEETING MINUTES

### Kentucky Association of Conservation Districts &

### Kentucky Association of Conservation Districts Foundation

September 29, 2023

### Franklin County Conservation District - Frankfort, KY & Electronic Zoom Meeting

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In Attendance: Mr. Allan Bryant, President; Mr. Ted Jessup, Vice President; Mr. Steve Coleman, Treasurer; Mr. Shane Wells, Past President; Mr. Doug McLaren; Mr. Doug Hensley; Ms. Jennifer Burgan; Mr. Rodney Dick; Mr. Vincent Thompson; Mr. Rod Murphy; Mr. David Rowlett, NACD Representative.

Also, in Attendance: Mr. Steve Beam, NRCS; Ms. Johnna McHugh, KY DOC; Commissioner Gordon Slone, KY Department of Natural Resources; Ms. Natalie Browning, President, KACDE Mr. John Chism, KY Department of Ag; Mr. Steve Kull, KY KDF; Ms. Lisa Mullins, KACD Auxiliary; Ms. Palva Link, Boone County CD, Mr. Mark Jacobs, Boone County CD and Ms. Crystal Renfro, Executive Director, KACD.

Quorum was met.

**Meeting Called to Order** - at 9:30am by KACD President Mr. Allan Bryant.

**KACD Minutes of the Last Meeting – September** – Minutes from the September 29, 2023 Meeting were presented. A motion to approve was made by Mr. David Rowlett. Motion seconded by Mr. Vincent Thompson.

**Motion carried.**

**Treasurer's Report** – The KACD Treasurer's Report was presented with copies emailed. Mr. Rodney Dick made the motion to approve the report as presented. Motion seconded by Mr. Ted Jessup. **Motion carried.**

A motion was made by Mr. David Rowlett for the approval of the KACD Foundation Account Treasures Report. Seconded by Mr. Doug Hensley. **Motion carried.**

A motion was made by Mr. Steve Coleman to pay annual membership dues to the National Watershed Coalition for \$150. Seconded by Mr. Ted Jessup. **Motion carried.**

A motion was made by Mr. Steve Coleman to pay the invoices from the Estill County Conservation District for their partnership agreement for July-December, 2023 out of the Foundation Account. Seconded by Ms. Jennifer Burgan. **Motion carried.**

**Correspondence** – None to report.

### **Agency Comments**

- **Natural Resources Conservation Service** – Mr. Steve Beam updated the board on NRCS Business.
  - Still checking on the protocol for the 75/25 partnership employees if there is a Federal Government Shutdown. As soon as he knows something he will inform KACD.
  - Currently waiting on the announcement of a new State Conservationist
  - The home buyout in Eastern Kentucky is going very well. To date they have accepted 451 applications and have \$87.5 million dollars available.

- NRCS added \$935,000 to the 75/25 partnership agreement and they are working on additional funding to help KACD with the upcoming federal audit.
- **KY Division of Conservation** – Ms. Johnna McHugh updated the board on the following:
  - Direct Aid money has been allocated to the Conservation Districts
  - Planning on providing virtual training for supervisors during the winter months.
  - There will be a new form for the Annual Financial Report and DIGS Report for the Districts that is currently in the testing phase.
  - They are working on the equipment loan new statutes and have to have new regulations finalized by January 1.
- **Department for Natural Resources** – Commissioner Gordan Sloan has nothing to report at this time.
- **Farm Service Agency** –
- **Energy and Environment Cabinet** –
- **KY Division of Forestry** – Mr. Steve Kull updated the board on the following:
  - October 1 starts fire season in Kentucky.
  - KDF will be receiving extra money with the IRA funding.
  - 74 Conservation Districts ordered 150,000+ trees this year. KDF says thank you for the continuing partnership on this program.
- **Kentucky Department of Agriculture** – Mr. John Chism updated the board on the following:
  - Discussed labor issues everywhere.
  - KDA is currently working on the transition to the new administration.
- **KACDE** – Ms. Natalie Browning updated the board on the following:
  - Discussed the KACDE Annual Conference. 55 employees attended. They will be hosting the event at the same location in Elizabethtown in 2024.
  - Art & Writing Tabloids are currently being distributed. Area Reps should have them next week.
  - Starting to work on the Art & Writing t-shirt orders.
- **KYFB** –
- **KOAP** –

**Special Guest** – Ms. Pavla Link and Mr. Mark Jacobs from the Boone County Conservation District presented a fact sheet to the KACD Board of Directors (Attached).

- They are looking for advice on proposed changes to KRS 262. At this time, Mr. Allan Bryant has advised them to meet first with the Kentucky Soil and Water Conservation Commission since they are the group that is tied to the KRS. He suggested a meeting between KY DOC, KY DLG, Boone County Conservation Districts and Boone County Fiscal Court/County Attorney. He also suggested getting their State Representative and Senator involved.

**NACD Director's Report** - Mr. David Rowlett updated the board about these items:

- Updated the NACD stance on the Government Shutdown.
- Summer and Southeast Meeting updates.
- NACD Annual meeting will be held in San Diego on February 2024. A motion was made by Mr. Steve Coleman that KACD will pay for travel expenses for Directors interested in attending. Registration is to be paid for by their local district. Seconded by Mr. Ted Jessup. **Motion carried.** The following Directors are interested in attending: David Rowlett, Ted Jessup, Steve Coleman, Vincent Thompson, Allan Bryant, and Jennifer Burgan.
- Checking on prices for bats again this year for the NACD Auction item.
- Vincent Thompson has applied for the NGLI program.

**KACD Auxiliary Report** – Ms. Crystal Renfro updated the board on the following:

- Reminded Directors that we need additional auction items for the Auxiliary Auction in 2024. We will be doing a big push on this as the Annual Meeting gets closer.
- Currently reviewing and updating the Scholarship Application.

**KACD Annual Meeting**

- The 2023 Annual Meeting was a successful event. KACD will be requesting sponsorship soon for next year's event. Sponsor letters will be going out in December.
- A contract for the 2024 Annual Meeting was signed with the Crowne Plaza in Louisville, KY. The dates will be July 14-16, 2024.
- A contract for the 2025 Annual Meeting with the NACD Southeast Meeting has also been signed with the Crowne Plaza in Louisville, KY. The dates will be August 2-6, 2025.

**KACD Legislative Items-**

- KACD has determined the 2024 Legislative Priorities are as follows:
  - Direct Aid: Requesting \$1.5 million
  - State Cost Share: Requesting \$2.5 million
  - Conservation District Audit Limit with the Department of Local Government to be increased to \$750,000 from \$500,000.
  - Request additional watershed rehab funds: \$5 million.
  - Opposed to Conservation District Supervisors being a partisan election.
- A motion was made by Mr. David Rowlett to host the Legislative Reception in 2024 at The Eizabeth and to use to same caterer from last year. Seconded by Mr. Steve Coleman. **Motion carried.** The KACD Executive Committee will determine an appropriate date and report back to the Board.
- KACD will host a Virtual Meeting for all Conservation District Supervisors and Staff to attend in Early January to discuss Legislative Priorities and plans of actions for the 2024 Legislative Session.

**KACD/NRCS TA Grant Program**

- We currently have 30 partner technicians in the field.

**KACD Executive Director Report** – Ms. Crystal Renfro updated the board on these items:

- Update on the Monthly District Share Zoom Sessions. Looking for new ideas that we can cover.
- Crystal will be attending the NACD Executive Directors Conference next week in Nashville.
- The Anderson County Conservation District's Resolution from 2022 was discussed about changing the guidelines for the District of the Year Program. A motion was made by Mr. David Rowlett to leave the program as is at this time. Seconded by Mr. Steve Coleman. **Motion carried.** They feel that it is impressive to see Districts who have a smaller budget do wonderful things for the community and conservation programs and will put that more into consideration in the future when judging these applications.
- A motion was made by Mr. Steve Coleman to set the 2024 Envirothon Team registration at \$150.00. Seconded by Mr. Doug Hensley. **Motion carried.**
- A motion was made by Mr. Steve Coleman to sponsor the Kentucky Cattlemen's Association at the \$1,000 level this year. Seconded by Mr. Rodney Dick. **Motion carried.**

- A motion was made to pay for Crystal's 2022 travel by Mr. David Rowlett. Seconded by Mr. Steve Coleman. **Motion carried.**
- A motion was made by Mr. Ted Jessup to pay for Crystal's travel to date for 2023. Seconded by Mr. Steve Coleman. **Motion carried.**
- A motion was made by Mr. Steve Coleman to approve Crystal's Time Reports July-September 2023. Seconded by Mr. David Rowlett. **Motion carried.**
- A motion was made by Mr. Steve Coleman to donate \$300 to KACDE for the Southeast Presidents Reception at their Annual Meeting. Seconded by Mr. Vincent Thompson. **Motion carried.**
- Crystal will be looking for a new laptop for KACD. The board has given her a limit of \$1,500. A motion was made by Mr. Vincent Thompson to set this limit. Seconded by Mr. Steve Coleman. **Motion carried.**
- The possibility of KACD working with a new contracted employee was discussed. A motion was made by Mr. Vincent Thompson to allow the KACD Executive Committee to investigate this further with our budget situation. Seconded by Mr. David Rowlett. **Motion carried.**

**Adjournment** - A motion to adjourn was made by Mr. Ted Jessup at 12:45pm. Motion seconded by Mr. Rodney Dick. **Motion carried, meeting adjourned.**



# Boone County Conservation District

6028 Camp Ernst Road, Burlington, KY 41005  
Phone: 859-586-7903 ext. 3 Email: [info@bccdky.org](mailto:info@bccdky.org)  
[www.bccdky.org](http://www.bccdky.org)

## Proposal to Kentucky Association of Conservation Districts (KACD) for the September 29, 2023, Meeting

The Boone County Conservation District (BCCDKY) attempted to work with the Boone County Fiscal Court to migrate funding from its general budget to “millage tax”. As we moved through the process starting in February 2022, it became apparent that KRS 262.200 and 65A.110 guiding the process was not clearly understood. The county administrator and the county attorney pointed out that “The statutory language directing this process is arguably antiquated and ambiguous.” Further, information and assistance through the process was extremely limited or nonexistent. It was even questioned that conservation districts had the legal right to move to “millage tax”.

We are all aware that funding for Kentucky conservation districts is difficult and limits our ability to carry out our plans of work. Antiquated and ambiguous statutory language and little to no assistance from agencies that are supposed to assist conservation districts is not conducive to securing funding and implementing effective conservation programs. Therefore, BCCDKY suggests that KACD address the following issues.

### 1) Full review of KRS 262

- Update terms (i.e., “millage tax). Millage tax is not used in any other KRS and is confusing. The term should be changed to ad valorem tax like every other SPGE.
- The makeup of conservation district boards should be reviewed and updated.
- Clarify conservation districts status as “taxing districts” or having “taxing authority”. Are conservation districts considered “taxing districts”? If not, why? It seems inappropriate that a board of elected officials must request funds from another board of elected officials while many SPGEs have appointed boards but have taxing authority. Elected district boards should be able to set their own budget. Conservation districts status as a SPGE should be standardized and follow the same rules as any other SPGE.
- Review and update funding mechanisms
  - County general fund
  - “Millage tax”
  - Clarify procedures to migrate from general fund to “millage tax.” Are conservation districts governed by 65A.110?
  - Can fiscal courts go back and forth between general budget and “millage tax”?
  - Should conservation districts be funded through a tax only?

\*Boone County Administration has indicated that if they were to move BCCD to “millage tax” they would be sued and probably lose. A lawsuit would likely reveal inconsistencies in how districts take their tax and negatively impact many districts throughout the state. see: COLEMAN v. CAMPBELL COUNTY LIBRARY BOARD OF TRUSTEES (2018)

- Clarify the role of the Conservation Commission/DOC in supporting and assisting districts.
- Clarify the role of DLG in assisting districts with migrating to “millage tax”.
- Are conservation districts under KRS 65.180 to 65.190?

### 2) Legal Representation for Ky Conservation Districts-KACD should provide legal advice and assistance to Kentucky conservation districts such as provide interpretation of KRS governing districts, procedures for requesting funding from fiscal courts, open records requests, etc.