

**MINUTES OF THE VOLUSIA SOIL AND WATER
CONSERVATION DISTRICT
January 9, 2007**

I. CALL TO ORDER

The Meeting of the Volusia Soil and Water Conservation District was called to order at 3:00p.m. Mr. Currie led the Pledge of the Allegiance and Mr. Morris gave the invocation.

II. ROLL CALL, WELCOME & INTRODUCTION OF GUESTS

The Roll was called. Gordon Currie, Supervisor, Michele Moen, Supervisor, Tony Cole, Supervisor, Dennis Elster, Supervisor, Don Spence, Supervisor, David McCallister, Associate Supervisor and Lindsey Morris, Associate Supervisor were present.

Also present were Phil Giorno, Mindy McCracken, and Tom Craft VSWCD staff members and Mr. George Johnson, NRCS District Conservationist and Ms. Carol Johnson, FDACS.

Mr. Currie introduced guests Judge Parsons, Michael Barr; Seminole Soil & Water District, Judy Craig, David Griffis, IFAS, Shawna Smith and Andy Kelly.

Judge William Parsons then swore in new supervisors, Michele Moen, Tony Cole, Dennis Elster and Don Spence.

III. ELECTION OF OFFICERS

Chairman:

Ms. Moen nominated Mr. Don Spence for Chairman. Mr. Cole seconded the motion and the motion passed unanimously. Mr. Spence was elected Chairman.

Vice-Chairman:

Mr. Currie nominated Ms. Moen for vice-chairman. Mr. Cole seconded the motion and the motion passed unanimously. Ms. Moen was elected vice-chairman.

Secretary/Treasurer:

Mr. Currie nominated Mr. Cole for secretary/treasurer. Ms. Moen seconded the motion and the motion passed unanimously. Mr. Cole was elected secretary/treasurer.

IV. APPROVAL OF DECEMBER 12 & 27, 2006 MINUTES

A motion was made by Mr. Currie to approve the December 12, 2006 and the December 27, 2006 minutes. Ms. Moen questioned the omission of the conversation about Mr. Crafts problem with the Robinson farm pond. Mr. Currie amended his motion to accept the minutes of December 12th 2006. Motion died for lack of a second. Ms. Moen made a motion to rewrite the December 12, 2006 minutes to include Mr. Craft's discussion. Ms. Moen made a motion to approve the December 12, 2006 minutes based on the addition of the incident involving Tom Craft and the approval letter for a farm pond without Tom Craft visiting the premises. Concern that the letter went out to the County,

signed by Mindy McCracken on behalf of Tom Craft, was voiced by Dennis Elster and by Andy Kelly who were seated supervisors at the time. Mr. Currie seconded the motion and the motion passed unanimously.

Mr. Currie made a motion to accept the December 27, 2006 special meeting minutes. Motion died for lack of a second. There was a Board discussion. Mr. Spence relinquished the gavel to the vice-chairman and Mr. Currie made a motion to accept the December 27, 2006 special meeting minutes and Mr. Spence seconded the motion and the motion passed unanimously.

V. TREASURER'S REPORT

Mr. Currie gave the December 2006 Treasurer's reports. There was a board discussion. Ms. Moen made a motion that the December 2006 Treasurer's report be approved. Mr. Cole seconded the motion and the motion carried unanimously.

VI. MONTHLY REPORTS

Team Field Report— The Team Field Report was reviewed. There was a Board discussion and questions on the team report. Mr. Giorno answered questions voiced by the new Board members. Ms. Moen had several questions on the Indian River Lagoon Project and expressed that she would like a more detailed report and that she was dissatisfied with the staff for not having one at this time. Mr. Currie stated that everyone could get their questions answered satisfactorily by coming to the office and discussing the projects with staff and the administrator. A copy of the team report is filed with these minutes for public review.

Conservationist's Report - December 2006

Mr. George Johnson explained his position with the NRCS and the working relationship with the Volusia Soil & Water Conservation District. He explained some of the programs that he was involved in at present and informed the Board that he was planning a NRCS/FDACS workshop for new supervisors on February 15, 2007. He also explained The land judging contest and our participation as sponsor.

Mr. Johnson's written report for January 2007:

The design work on the '06 projects is complete. I am working with the landowner to resolve permitting issues with SJRWMD for the EQIP tail water recovery pond.

We have received twenty two FY 07 EQIP applications for fencing and troughs on grazing land, pasture planting, pipeline, and irrigation on hay land, irrigation systems on fern and sod, and Irrigation Water Management on citrus and sod. The signup deadline was Dec. 15. I am making field visits and am working on cost estimates, eligibility and plans. At this time it does not seem likely there will be any more applications considered for this batching period.

I am working with the Floridan RC&D MIL personnel on irrigation evaluation techniques for sprinkler systems. We will meet for training on the preparation of Irrigation Water Management (IWM) Plans. I will work with them with 4 Fern growers and 3 Citrus farmers that need evaluations for their EQIP plans. We will work together on these projects.

I have made payments on existing EQIP contracts for two producers for completing fencing and pasture planting projects.

Mr. Johnson then stated that he had to submit an annual plan of business and that the he would work on getting a new memorandum of understanding between the District and the NRCS.

Ms. Moen and Mr. Spence stated that the District needed to comply with the procedures for 1) the annual plan of work, 2) reporting minutes of each meeting and 3) a annual report summarizing the accomplishments of the District in the previous year.

FDAC/Ag. Water Policy - Ms. Johnson explained that she was there to provide technical assistance with farm bill programs and that she attended the Soil & Water meetings to share information and expertise and that she was available to help the District whenever possible.

VII. OLD BUSINESS

A. Discussion on CPA

This agenda item had been deferred to the new board and a recommendation by Mr. Giorno was to sign a contract with Lefils & Company to administer all of the District's accounting services. There was a Board discussion and it was decided that Mr. Spence would try to set up a meeting with the Volusia County Manager to discuss our options.

VIII. NEW BUSINESS

A. Acknowledgment of Policy & Procedures

Mr. Giorno gave a overview of the policies and informed the new Board that they needed to review and acknowledge them. There was a Board discussion at which time Ms. Moen questioned the employee policy. There were several statements and discussions on the existing policies and it was decided that the Board needed to acknowledge that they had read them with the understanding that if they did not agree with them they would be responsible for changing them in the near future. Each Board member signed the acknowledgement.

Mr. Currie asked that he be allowed to remain on the Audit committee and Mr. Spence accepted. Mr. Cole and Mr. Morris volunteered for the grievance Committee and Mr. Elster volunteered to chair the policy committee.

B. Protocol for pond construction

Mr. Spence asked Mr. Giorno and staff if the pond issues had been resolved. Mr. Giorno explained that there was now written procedures and that he, as Administrator would review all e-mails and letters being sent in and out of the office. He assured the Board that the problems had been taken care of. Ms. Moen asked about the designation of "problem pond" and Mr. Giorno explained that they were illegal ponds found by Volusia County code enforcement and forwarded to us for our review and recommendations. At which time, we help landowners bring the pond into compliance with zoning, environmental and District standards.

C. Agreement/Contract with VSWCD and Volusia County

Mr. Spence stated that he had talked with Frank Bruno, Matt Greeson and Steve Kintner about opening dialog and working in conjunction with Volusia County.

D. Staff performance and Responsibilities

Mr. Spence stated that he did not want meetings to be run as poorly as in the past. He vowed that he would run a very efficient meeting. Mr. Spence asked Mr. Giorno for a report on each staff member. Mr. Giorno explained that David Cummings (computer/IT) worked only as needed and got no holiday or leave pay. Ms. Moen stated that she did not think the work load was enough to justify the number of hours worked by the employees. Mr. Elster suggested that a log be given to the supervisors by each employee detailing their time spent on projects and work.

Mr. Spence then asked about Angela Johansson who works two mornings, 9 hours, per week or as needed. Mr. Giorno then explained that Mr. Tom Craft was hired, part-time (20 hrs per week), at a flat hourly rate with no holidays or annual leave pay to help with Benchmark and fill in where needed. The issue of Adam Boykin, who is on workman's comp leave) came up and Mr. Elster explained that he had issues with some of Mr. Boykin's work and his unwillingness to work with Tom Craft. Mr. Spence then stated that the issue was not with Mr. Boykin and the Board or Mr. Craft and the Board but with the fact that Mr. Boykin would not work with Mr. Craft and it was causing loss of work hours. Mr. Morris suggested that the Board use the grievance committee to mediate this issue and bring their recommendations back to the Board.

Michele Moen made a motion that the issue of conflict between Tom Craft and Adam Boykin be addressed by the grievance committee and that the current Board members review past performance evaluations, as far as work performance goes, and that the Board agree by the end of February to make a decision as to a solution and that solution be acted upon. Mr. Currie seconded the motion and there was a Board discussion. Mr. Spence called for the vote and the motion passed unanimously.

Ms. Moen asked about the portion of the motion that pertained to reviewing the performance records and the disciplinary action. Mr. Spence stated that the Board could not dismiss an employee that would come from the District Administrator's position. Mr. Giorno explained that if the committee went to the extreme of recommending dismissal of an employee the Board should be a part of the process. Mr. Spence stated that, at this time, he was comfortable waiting for the recommendation of the grievance committee.

Mr. Spence then asked about Ms. McCracken's job description. Mr. Giorno stated that Mindy's work was satisfactory. Mr. Spence asked that the Board be able to ask Ms. McCracken questions directly. Ms. McCracken gave an overview of her work schedule. Mr. Currie suggested that the supervisors come to the office and spend time with Mr. Giorno and staff to learn what goes on in the District and what each employee work entails.

Mr. Spence then turned the questioning to Mr. Giorno's job description. Ms. Moen stated that she was very concerned with the County's dissatisfaction with the Soil & Water District and the fact that it had affected our funding which in turn had affected the District's goals. She also expressed her dissatisfaction with the negative press, the chronic employee bickering and the mismanagement of the office. She stated that she was looking at the District objectives and failed to see that Mr. Giorno had achieved any of these objectives and that she wanted the new Board to work toward these objectives and she didn't feel that Mr. Giorno was the person for that job. Ms. Moen made a motion that the Board of Supervisors of the Volusia Soil & Water Conservation District formally request the immediate resignation of Phil Giorno as District Administrator of the Volusia Soil & Water Conservation District. Mr. Spence asked for a second and as there was none, the motion failed. There were comments, by each of the supervisors concerning Mr. Giorno's performance as administrator and the lack of leadership from the previous Board of Supervisors. Mr. Spence then gave his opinion concerning the lack of a positive direction from the administrator and stated that he also would like to see Mr. Giorno resign. Ms. Moen again expressed her dissatisfaction with Mr. Giorno and after a lengthy Board discussion Ms. Moen moved that the Board of Volusia Soil & Water Conservation District under VSWCD disciplinary procedure policy disciplinary action relieve Mr. Giorno from his position of District supervisor. Mr. Spence repeated Ms. Moen's motion asking for disciplinary action be placed against Mr. Giorno based on the VSWCD disciplinary procedure policy, disciplinary action. Mr. Cole seconded the motion immediately relieving Mr. Giorno of his duty as District Administrator of Volusia Soil & Water Conservation District. A Board discussion followed and Mr. Currie called for question and requested a roll call vote. Vote was as follows:

Mr. Currie	No
Mr. Elster	No
Mr. Cole	Yes
Ms. Moen	Yes
Mr. Spence	Yes

Motion passed and Mr. Spence then placed Mr. Giorno on immediate release.

E. Summary of Home Fuel Oil Program

Ms. McCracken gave an overview of the Home Fuel Oil Program.

F. Goal Setting Discussion

Mr. Spence deferred this agenda item to a workshop.

G. Discussion of Attorney

Ms. Moen gave her reasons for pursuing an attorney to oversee District meetings and business. Mr. Spence agreed that having a legal opinion on VSWCD matters would be an asset to the District and asked Ms. Moen to pursue her research as to attaining an attorney.

H. 2007 Volusia Envirothon

Mr. Spence commented on the upcoming Envirothon that is set for January 20th at Ormond Tomb park and encouraged the supervisors to attend.

VIII. CORRESPONDENCE & AUDIENCE REMARKS

Mr. Barr from Seminole Soil & Water District informed the Board of an upcoming AFCD meeting.

Ms. Moen suggested that we hire Michelle Thatcher, as an independent contractor on a part-time, short-term basis, to act as interim District Administrator and have her pursue a replacement for Mr. Giorno. After reading the contract from Ms. Thatcher it was decided that the Chairman would contact Ms. Thatcher to discuss and sign the contract for services.

There was a discussion on placing an advertisement for a new District Administrator in local papers and what qualifications that person would need to possess. It was decided that Ms. Thatcher would write an ad and submit it for Board approval.

It was decided that the meeting time of the VSWCD regular Board Meetings remain at 3:00pm on the 2nd Tuesday of the month.

A goal setting workshop was set for February 6, 2007 at 3:00pm.

There being no further business before the Board, Ms. Moen made a motion to adjourn and Mr. Cole seconded the motion. Mr. Spence adjourned the meeting.

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