

# Hillsborough Soil and Water Conservation District

## Meeting Minutes

March 3, 2023

### Supervisors in Attendance

Mark Proctor, Chair, Supervisor  
Ryan Gill– Vice Chair, Supervisor  
Chris McCullough – Supervisor  
Myke Morris- Treasurer, Supervisor  
Adam Young - Supervisor

### Others in Attendance

Betty Jo Tompkins - HSWCD Executive Director  
Linda Chion - HSWCD/PT Computer graphics  
Kathy Eckdahl – HSWCD Adm Asst III to Director  
Vanessa Stephen - FDACS Env Administrator  
Charlene Meeks - Executive Director AFCD  
Leslie Diaz-Alvarez - NRCS District Conservationist  
Walter Albarran - NRCS Asst State Conservationist  
Angela Weeks-Samanie - FDACS Senior  
Management Analyst Supervisor (zoom)

### Call to Order

PROCTOR, chair, called meeting to order at 10:01 AM.

### MINUTES

McCULLOUGH moved for approval of February 22, 2023 board meeting minutes. GILL seconded. Motion passed.

### BUSINESS

#### REVIEW OF COST SHARE LETTER

FDACS will update email contacts for all supervisors. As of March 3, 2023 all supervisors and executive director have copies of the email. TOMPKINS clarified that she still has not received the mailed copy.

TOMPKINS reported that she has been working with FDACS for years. TOMPKINS and STEPHEN reviewed the process of how FDACS money is received and what is to be submitted back to FDACS. Direct deposit is being worked on. TOMPKINS reported that using checks is a cost saving measure. STEPHEN clarified that HSWCD is allowed to use checks to pay producers. TOMPKINS reported that other bank fees will be removed by the bank retroactively. STEPHEN clarified what is to be sent to FDACS which includes: copies of canceled check to producer and HSWCD administrative fees, package received from FDACS and invoice from HSWCD. STEPHEN noted when ACH is utilized, copies of bank statements can be sent to FDACS. STEPHEN noted on the financial consequence notifications were sent over a period of 3 months using multiple methods starting 12/14/2022. TOMPKINS reported receiving emails from FDACS regarding 4 Star Tomatoes, J&L Triple B Ranch, and Daniel Cline Sr. 4 Star Tomatoes did not complete their project. TOMPKINS noted that none of the emails mentioned

any financial consequences or penalties being assessed and read contents of emails. J&L Triple B Ranch was originally listed with an incorrect address by FDACS and HSWCD went to great lengths to get the returned mail to the producer over the holidays. STEPHEN clarified she is the supervisor of Matt Warren who works for FDACS. STEPHEN reported that there is a timeline when a check clears and when an invoice is to be sent to FDACS is in the 2021 contract. STEPHENS reported that the Daniel Cline, Sr. check cleared 12/20/2022 and FDACS was sent the invoice on 2/21/2023. MORRIS clarified the issue is when the check clears and when the invoice is sent to FDACS. J&L Triple B Ranch, Daniel Cline Sr., LaNae Luttrell invoices are part of the fines incurred by HSWCD. J&L Triple B Ranch issue for lateness was an incorrect address. STEPHEN clarified fines are 100 dollars per business day per agreement as per the contract with FDACS. STEPHENS reported that the Luttrell check cleared on 11/4/2022 invoice was sent 2/21/2023. TOMPKINS reported that there was no mention of any fines in the FDACS reports received. TOMPKINS reported that there was an issue with the numbering problem with the contracts. YOUNG & MORRIS clarified that TOMPKINS signed the contract.

TOMPKINS requested information about a conversation held on 2/6/2023 about the FDACS issue. STEPHEN acknowledged she was at the same meeting and will send information to TOMPKINS. GILL reported he knew a letter was being sent to HSWCD but no knowledge of what the contents of the letter were about.

McCOULLOUGH reported that he had a conversation with TOMPKINS on 2/20/2023. McCOULLOUGH claimed he spoke with TOMPKINS about the lateness of the invoices and when the invoices are sent. He then used derisive language to TOMPKINS.

GILL reported HSWCD has a history of non-compliance with FDACS. FDACS notified the district regarding a 2017 contract #23906 for noncompliance and a 2020 contract #026234 was terminated for noncompliance and required a refund and return of state vehicle. State vehicle was part of the cost share technician. TOMPKINS reported that the technician lived in another county and wanted to be transferred due to location.

STEPHEN clarified the contract pg. 28 of 50 that fines are 100 dollars per day per incident according to deliverable no 2. TOMPKINS inquired about extenuating circumstances and reported that all producers received their monies in a timely manner and this deals only with reimbursements from FDACS.

STEPHEN clarified that contact information of the project manager (Matt Warren), contract manager, and STEPHEN are in the contract.

WEEKS-SAMANIE was requested to send a breakdown of the fines based on 3 invoices to the board via email. Contract with FDACS is valid until June of 2024. TOMPKINS reported that she has a history of sending timely checks to producers. STEPHEN reported that the district has never been fined. STEPHEN agreed to send the board information about the history of any late invoices. STEPHEN and TOMPKINS reported that contracts are located in Hillsborough and other Florida counties and STEPHEN stated that FDACS monies are available statewide.

MORRIS moved ACH reimbursements for all producers to be used as far as possible within the scope of the FDACS contract. GILL seconded. PROCTOR, STEPHEN, TOMPKINS and MORRIS commented. Motion passed.

The board discussed the possibility of requesting the waiving or reducing the fine incurred. WEEKS-SAMANIE clarified that the fine of \$13,000 dollars is mandatory by the State of Florida.

STEPHEN reported that all the other Soil and Water boards have the employees bring the FDACS contract to the board.

### **AUDIT**

Audit is due June 30, 2023 for FY 2022. TOMPKINS reported that the audit is being worked on for 2021 and 2022. TOMPKINS reported that the audits were late due to COVID, SB 1078 and only one staff member. She further reported that upon return to Plant City computers were not working, phones were missing, and records were missing. Records were reconstructed and the deadline was extended by the Office of Economic Opportunity due to extenuating circumstances. GILL brought up concern about budget adoption and submitting audits. TOMPKINS clarified HSWCD has never been fined for audits. STEPHEN reported that copies of the audit need to be sent to FDACS. TOMPKINS gave STEPHEN paper copies of the audits from previous years.

WEEKS-SAMANIE reported the board would need to give the executive director signature authority to sign on behalf of the board for the contract with FDACS and cost-share agreements.

MORRIS moved the board to give the executive director the authority to sign cost-share contracts with FDACS. McCULLOUGH second. Motion passed.

STEPHEN reported that individual contracts can be shared with the board. She clarified that all W-9 and banking information should be redacted.

ALBARRAN clarified that he is cautious about sharing information of producers who receive funds. He reported that in the future, NRCS producer information will be shared with HSWCD.

### **BUDGET & PLANNING**

YOUNG requested that bylaws be included in the Budget workshop coming up in April 2023.

GILL questioned the Hillsborough County budget. The board agreed to review the Hillsborough County budget in an upcoming budget workshop in April 2023.

MEEKS reported that several districts in Florida have bylaws. TOMPKINS clarified she would contact the district's attorney for bylaws assistance.

### **UPDATE: STATE LEGISLATION**

Update on State Legislation SB 1078: TOMPKINS reported that a legal opinion is being secured through State of FL Representative, Danny Alvarez regarding of the intent of SB1078.

TOMPKINS reported that Danny Alvarez, member of the FL House of Representatives, will assist by sponsoring the local bill, if necessary.

March 8, 2023 Farm Bureau Day at the Capitol. MORRIS and TOMPKINS plan to attend. Continue to monitor legislation that addresses hostile countries purchasing agricultural land and land near military bases in Florida.

**UPDATE: FEDERAL LEGISLATION:**

NACD 2023 Fly-in March 22-23, 2023. Review of NACD position papers was provided to the board about the Farm Bill Principles and General Farm Bill requests. TOMPKINS is working on setting up appointments. MORRIS, GILL, PROCTOR and TOMPKINS plan to attend.

**BUDGET: TECH POSITION**

ALBARRAN reported that NRCS has funding available to enter into a contribution agreement with HSWCD on the proposed Tech Position pending agreement on duties and responsibilities. NRCS has up to \$100,000 dollars to fund for a period of 2-3 years for the tech position. NRCS can provide office space, computers, some on-the-job training, state training and other equipment if necessary. NRCS cannot pay for travel. TOMPKINS requested a job description from ALBARRAN. ALBARRAN clarified that the work from the position must benefit NRCS. TOMPKINS clarified that 50% of time is with HSWCD and 50% of the time is with NRCS. TOMPKINS noted that a college degree is not required for this position. MORRIS requested that the new position should be in HSWCD offices.

**OFFICE**

TOMPKINS reported that a new suite number has been requested from City Properties. TOMPKINS clarified when the new suite number of 203 is approved everyone, including the board, will be informed and web site updated.

Shirts and business cards are being worked on for the board.

April 7, 2023, 9 am @FSGA Budget Workshop scheduled to include: By Laws, Budget, and Long Range Plans.

Supervisors' laptops from the county have been requested. TOMPKINS reported that purchasing laptops is an option.

GILL reported on the Plant City office. TOMPKINS clarified that she has had a donated office in Brandon in the Millennium Center where she has worked for a majority of the time since the inception of COVID which caused restrictions on use of the Plant City office. At no point has she tele-commuted and also sees clients at their locations. She further noted that there is a conference room at Millennium Center available to hold meetings with producers, ranchers and other clients. She reported that the Plant City office will be worked on after the Strawberry Festival and all furniture has already been relocated from the NRCS offices.

Next Regular Board Meeting: MARCH 29, 2023 at 3 pm

**MEETING ADJOURNED**  
**LIGHT LUNCH SERVED**