

**North Carolina Agriculture Cost Share Program Review Summary
(August, 2013)**

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|----------------------------|------------------------------------|--------------------------------|---------------------------|
| County | <u>Cherokee</u> | Date of Previous Review/Report | <u>1996</u> |
| District Staff Name(s) | <u>Karen Bates, Michael Stiles</u> | Date | <u>August 27-28, 2013</u> |
| NRCS Staff Name(s) | <u>Glenn Carson</u> | | |
| Division Representative(s) | <u>Ken Parks, Davis Ferguson</u> | | |
| Additional Participants | <u></u> | | |

| Questions | Division Findings | | | | Division Comments | District Plan of Action Required | | SWCD Plan of Action | Proposed Timeline for Implementation | Division Response to Plan of Action (date) |
|---|-------------------|----------------|-------------------|-----------------------------|--|----------------------------------|----|---------------------|--------------------------------------|--|
| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| Section 1: Strategy Plans and Priority Determination | | | | | | | | | | |
| Questions in this section focus on strategy plans, the district's written prioritization system and BMP caps. The division will spend time before the program review reviewing strategy plans, board minutes and contracts. | | | | | | | | | | |
| <i>Do priorities stated in the strategy plan reflect the purpose of cost share programs and the intent of the Commission?</i> | | | | X | Yes. | | X | | | |
| <i>Does the strategy plan identify and explain the resource concerns in the county?</i> | | | | X | Yes. | | X | | | |
| Is the district located within a nutrient sensitive watershed (NSW) or other special watershed? If the district is located within a NSW or special | | | | X | No major nutrient sensitive watershed, but they do have some impaired and impacted watersheds in the county. | | X | | | |

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| watershed, please explain how the district addresses the rules and/or reporting associated with the special designation. | | | | | | | | | | |
| Does the district Board establish BMP limits or caps? Are the caps recorded in the strategy plan or in the board minutes? Provide documentation. | | | | X | Yes. Wells had a cap of \$2,500 and the pasture renovation had a 10 acreage cap. No 90% contracts and delegated authority for signing RFPs, etc. | | X | | | |
| <i>Does the strategy plan describe how applications are prioritized (written prioritization system)? How do you use this system to prioritize and fund contracts?</i> | | | | X | During the batching period the district approves applications based on the highest ranking score. The district also has a scoring system that also scores based on history of cost share performance from an applicant. The District also holds some funds until later in the year for higher ranking projects. | | X | | | |
| <i>Does the score/ranking sheet match the resource concerns identified in the strategy plan?</i> | | | | X | Yes. | | X | | | |
| <i>How is the score used to rank applications?</i> | | | | X | An application gets approved based on the highest ranking score. A score that is below 30 does not get approved regardless of funding available. | | X | | | |
| <i>Does the district "batch" contracts? What is the batching period (i.e., monthly, quarterly, etc.)?</i> | | X | | | No. Recommend to have a specific batching period. | X | | Batching of contracts will be done on a quarterly basis beginning in January 2013 with new technician. | January 2014 | Plan of action accepted. |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| How often does the district review their priorities and ranking system? Are the priorities modified to address current problems? | | X | | | They have made some changes in the past to the ranking sheet, but have not set a specific time to review their priorities. Recommend to review these annually at the time of the strategy plan. | X | | Board will review priority and ranking system annually during the development of the Strategy Plan. | Apr - May 2014 During development of FY-15 Strategy Plan | Plan of action accepted. |
| <i>Review the strategy plan outline and include questions here.(Staff use if applicable)</i> | | | | | | | | | | |
| <i>Review the strategy plan outline and include questions here.(Staff use if applicable)</i> | | | | | | | | | | |
| Section 2: Application Procedures and Tracking Progress (BMP Implementation and Payments) | | | | | | | | | | |
| Questions in this section focus on how the district advertises the program, how applications are developed, how contracts are developed, how funds are tracked and how the board approves each. | | | | | | | | | | |
| <i>How does the district advertise the cost share programs? (solicit applications)</i> | | | | X | The district advertises in two local newspapers, by word of mouth with handout information and with a radio spot with WKRK's "Contact Program". | | X | | | |
| When do you schedule your board meetings? | | | | X | The first Tuesday each month at 7:00 p.m. | | X | | | |
| How do you notify the public of the board meeting schedule and does it adhere to the Open Meetings Law? | | | | X | The notices are posted on the office door and bulletin board in the building and courthouse has a copy of the yearly meetings and it also goes out to the county commissioners. | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| Are applications reviewed and approved by the Board as a separate action item? | | | X | | No. The applications are not voted on as separate actions items. | X | | Begin immediately to review/approve applications as a separate action item. | 12/5/13 Board Meeting | Plan of action accepted. |
| Are application decisions/motions recorded in the board minutes? | | | | X | Yes. | | X | | | |
| Because applicants are limited when applying for incentive BMPs, how does your district track the applications for incentive BMPs? | | | | X | The district has not had any incentive BMPs, but uses an Excel spreadsheet to track contracts. | | X | | | |
| Please describe how the district tracks applicants who are applying for multiple incentive BMPs or consecutive incentive BMPs. | | | | X | The district has not had any incentive BMPs, but uses an Excel spreadsheet to track contracts. | | X | | | |
| If multiple partners farm together, how the district tracks individual applicants as one operation? | | | | X | Does not have any cooperators in the county, but knows the process to track these operations. | | X | | | |
| Once applications are approved, how do you develop a contract? | | | | X | Information is collected on the resource concern from a site visit and the contract is put together back at the office with the information collected. | | X | | | |
| Describe how the district reviews the contract with the applicant. Do you explain that work cannot begin until the contract is approved by the division? | | | | X | The technician gives the applicant a copy of the contract and explains it in detail and when work can begin. | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| What procedures do you follow for notifying the applicant that work can begin? | | | | X | All letter is sent to the cooperator to let them know the contract has been approved and they can begin work. | | X | | | |
| What information do you provide the applicant? | | | | X | A contract package is sent to the cooperator which includes the contract, maps, etc. | | X | | | |
| <i>Are contracts reviewed and approved by the Board as a separate action item?</i> | | | X | | No. The contracts are not voted on as separate action items. | X | | Begin immediately to review/approve contracts as a separate action item. | 12/5/13 Board Meeting | Plan of action accepted. |
| <i>Are contract decisions/motions recorded in the board minutes?</i> | | | | X | Yes. | | X | | | |
| Describe the district/board's procedure for approving supervisor contracts. | | | | X | The supervisor abstains from voting on his/her contract and it is recording in the board minutes. | | X | | | |
| <i>Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?</i> | X | | | | Yes, this was documented in the board minutes. (see June 25, 2012 minutes, Jamie Cook, 20-10-003-06). | | X | | | |
| What technical assistance do you provide during the BMP installation process to ensure the BMP is installed by the contract deadline? | X | | | | A letter is sent to the cooperator to let them know when the 1/3 rd date is coming up along with the contract expiration date also. The technician follows up with the cooperator with on-site visits. | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| How do you track the Commission's interim performance milestone? One-third of the work must be completed within 12 months of division approval. | | | | X | The technician uses a Excel spreadsheet that has a 1/3 rd column to track the work done. | | X | | | |
| Is the district using the NC-ACSP-18 or the NC-CCAP-18 form to record 6-month extensions? Is it recorded in the board minutes? | | | | X | The technician has not had to use this form. | | X | | | |
| What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards and specifications? | X | | | | The technician uses a field checkout sheet that is used when certifying the BMP that it was installed to standards and specifications. | | X | | | |
| Are BMPs measured then certified before the request for payment is approved? How is this documented? | | | | X | Yes and documented on the RFP form. | | X | | | |
| Are receipts received and reviewed for ACSP BMPs that are based on actual cost? | | | | X | Yes. | | X | | | |
| Are request for payments reviewed and approved by the board as a separate action item? | | | | X | Yes. | | X | | | |
| If the BMPs are not installed by the end of the third program year per Commission policy, how does the district request a one-year extension? | | | | X | An extension request letter was sent to Raleigh and a supervisor and technician presented the contract extension to the Commission. | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| Are payment decisions/motions recorded in the board minutes? | | | | X | Yes. | | X | | | |
| Section 3: Spot Checks and Compliance Issues | | | | | | | | | | |
| Questions in this section focus on how the district reviews BMPs for compliance and how maintenance and/or non-compliance issues are addressed. | | | | | | | | | | |
| Who participates in annual spot checks? When are they conducted? | | X | | | All the supervisors and district staff participated in the last year's spotchecks. They are usually done in late May. Recommend to do spotchecks early in the year to prevent delays in reaching the spotcheck deadline. | X | | Schedule spot checks beginning in February 2014 and finish by March 2014. | Feb/March 2014 | Plan of action accepted. |
| How does the district select which contracts to spot check? | | | | X | The board picks a number from 1-10 and use that number to pull contracts. The contracts are then grouped by geographic area. | | X | | | |
| Are all BMPs under the waste management category spot checked for the first five years after installation? This applies to all farms that fall under the thresholds that are regulated by DWQ. | | | | X | Yes, but have not had any recently to visit. | | X | | | |
| How does the district review five percent of all waste utilization plans? | | | | X | There is only 1 waste management operation to check. | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| How does the district notify the NRCS area office (for ACSP contracts) or division (for CCAP contracts) to conduct spot checks on lands owned or operated by a district, county, division or NRCS employee or district supervisor? This includes CPOs, revisions, supplements or repairs. | | | | X | The DC contacts the area NRCS engineer to send out an Engineering 27 form for the district to use to add any of these contracts to spotcheck. | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| The North Carolina Statute 02 NCAC 59D.0107(f) states "If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation" How does your district notify individuals that have destroyed or mismanaged a BMP? | | | | X | A letter of non-compliance is sent to the cooperator explaining to either put the BMP back in compliance or repay a prorated amount back to the state. | | X | | | |
| How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year? | X | | | | The supervisors are notified at a board meeting that a cooperator's BMP (s) are out of compliance. | | X | | | |
| When does the district provide a written notice that the BMP must be repaired or re-implemented within 30 working days? (Vegetative practices have to be reestablished within one calendar year.) Is a copy of the notification kept with the CPO? | | | | X | The written notice is sent out after discussion at the board meeting. Yes, a copy of the notification is kept in the file. | | x | | | |
| If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation. | | | | X | No, not had this problem. | | X | | | |
| <i>Is the district notifying the division of non-compliance and resolutions?</i> | | | | X | The division was notified by email, but there no copy of the non-compliance letter sent to the division. Check file. | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| Section 4: Record Keeping | | | | | | | | | | |
| Questions in this section focus on how funds are managed and accounted for, maintaining proper design and job approval authority, as well as disclosure forms. | | | | | | | | | | |
| How does the district track BMP funds? | X | | | | The technician uses an Excel spreadsheet to track the contracts and cost share funds. | | X | | | |
| How does the district use the division on-line (website) reports? | | | | x | Yes to compare database with the technician's spreadsheet. | | X | | | |
| How are your BMP funds audited? What is the date of the last audit? Who performed the audit? Was the BMP audit form completed and notarized? | | | | X | The technician does the BMP certification form. The last BMP audit was May 24, 2013. Edgar Wood, the supervisor signed the audit and it was completed and notarized. | | X | | | |
| How are technical assistance funds tracked? Are they audited? What is the date of the last audit? Who performed the audit? | | | | | The TA funds are tracked by quarterly report. Yes, the last audit was done 8/22/2013. The audit is an internal audit done by the administrative staff and board chairman. The staff uses a Quicken program to track funds. | | | | | |
| Who in the office is funded by Cost Share Technical Assistance (TA) from the State? | | | | X | Michael Stiles | | X | | | |
| How are operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit? | | | | | Yes, the last audit was done 8/22/2013. The audit is an internal audit done by the administrative staff and board chairman. The staff uses a Quicken program to track funds. | | | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit? | | | | X | Yes, the last audit was done 8/22/2013. The audit is an internal audit done by the administrative staff and board chairman. The staff uses a Quicken program to track funds. | | X | | | |
| How much time is spent on cost share program (ACSP, CCAP, AgWRAP) contracts and BMP implementation? How is that tracked? | | | | X | 75% - 80%. It is tracked through the cooperative agreement. | | X | | | |
| Is proper job approval authority (JAA) documented for each technical and cost share position? | | | | X | Yes. | | X | | | |
| Do district supervisors complete supervisor forms when they have a financial interest in an entity requesting a cost share contract? | | | | X | Yes. | | X | | | |
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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Section 5: Contract Reviews and Site Visits Below is a list of the contracts the division reviewed. Spot checks were also conducted. Notes include recommendations and/or corrective action for contract files as well as the BMP. Contracts/BMPs are listed by contract number.</p> | | | | | | | | | | |
| <p>Contract Number: 20-11-03-06, 20-06-05-06 Applicant Name: Wayne Mcmillan BMP: Fencing, Streambank Stabilization</p>  | | | | X | <p>The BMP was functioning properly and looked good.</p> <p>There was no cultural resources review in the file.</p> <p>There were no benchmark measures in the file.</p> | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Contract Number: 20-11-12-06 Applicant Name: William Bruce BMP: Rock Lined Outlets, Filter Strip</p>  | | | | X | <p>The BMP was functioning properly and looked good.</p> <p>There were no benchmark measures in the file.</p> | | X | | | |
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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Contract Number: 20-04-17-06 Applicant Name: Chester Jones BMP: Heavy Use Area</p>  | | | | X | <p>The BMP was functioning properly and looked good.</p> <p>There were no benchmark measures in the file.</p> | | X | | | |
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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Contract Number: 20-10-14-06 Applicant Name: Frank Whidden BMP: Rooftop Runoff Management (Gutters)</p>  | | | | X | The BMP was functioning properly and looked okay. | | X | | | |
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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Contract Number: 20-05-22-06 Applicant Name: Johnny Shields (supervisor) BMP: Fencing, Stock Trail, Tanks</p>  | | | X | <p>The BMP was functioning properly and looked good.</p> <p>There was no cultural resources review in the file.</p> <p>There were no benchmark measures in the file.</p> | | X | | | | |
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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Contract Number: 20-03-17-06 Applicant Name: Charles Klein BMP: Heavy Use Area, Diversion</p>  | | | | X | <p>The BMP was functioning properly and looked good.</p> <p>There was no cultural resources review in the file.</p> <p>There were no benchmark measures in the file.</p> | | X | | | |
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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Contract Number: 20-10-09-06 Applicant Name: Sue Burrell BMP: Streambank Stabilization</p>  | | | X | <p>The BMP was functioning properly and looked good.</p> <p>There were no benchmark measures in the file.</p> | | X | | | | |
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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Contract Number: 20-11-09-06 Applicant Name: Janice Griggs BMP: Ag. Access Road Stabilization</p>  | | | | X | <p>The BMP was functioning properly and looked good.</p> <p>There were no benchmark measures in the file.</p> | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Contract Number: 20-10-055-06, 20-10-056-06 20-09-10-06 Applicant Name: Jamie Lance BMP: Pasture Renovation</p>  | | | | X | <p>The BMP looked good and was functioning properly.</p> <p>There were no benchmark measures in the file.</p> | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Contract Number: 20-05-07-06 Applicant Name: Ridgefield Farms, LLC BMP: Heavy Use Area, Fencing, Stock Trail</p>  | | X | | | <p>The BMP was functioning properly and looked okay. Recommend to remove the rocks on the heavy use area and put in a concrete livestock feeding pad to prevent any damage to the legs and feet of the cattle based on the technician's specifications.</p> <p>There were no benchmark measures in the file.</p> | X | | <p>This site has been discussed several times and has been a source of concern for the District. Several recommendations have been discussed w/landowner.</p> <p>At their 12/5/13 Board Meeting supervisors approved new application for another HUA and feeding pad. At this time, it's the district's understanding this particular HUA will be abandoned.</p> | | Plan of action accepted. |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Contract Number: 20-10-03-06 Applicant Name: James Cook (supervisor) BMP: Fencing, Tank</p>  | | | | X | <p>The BMP looked good and was functioning properly.</p> <p>There were no benchmark measures in the file.</p> | | X | | | |

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| | Commendation | Recommendation | Corrective Action | No Concerns/ Not Applicable | | Yes | No | | | |
| <p>Contract Number: 20-06-11-06 Applicant Name: Wood Farm (supervisor) BMP: Tank, Spring Development, Stock Trail</p>  | | | | X | <p>The BMP looked good and was functioning properly.</p> <p>There were no job sheets in the file.</p> <p>There were no benchmark measures in the file.</p> | | X | | | |

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| | | | | | | | X | | | |
| | | | | | | | | | | |

Field site and contract file comments: The BMPs that were checked looked good and appeared to be functioning properly. The Division recommends providing any culture resources review forms as needed per BMP, any job sheets/technical forms, conservation plans and also the benchmark measures calculations* in the future contract files.

* Please note that as of program year 2012 benchmark measures calculations are required by Commission policy in the contract files. All the ACSP files are kept in a lockable room for security purposes.