

**North Carolina Agriculture Cost Share Program Review Summary  
(October 2015)**

County	<u>Union</u>	Date of Previous Review/Report	<u>2010</u>
District Staff Name(s)	<u>Charles Dunevant, Katie Dayton</u>	Date	<u>10/19/2015</u>
NRCS Staff Name(s)	<u>Grayson Sarif</u>		
Division Representative(s)	<u>Lisa Fine</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			
<b>Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments)</b>										
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.										
How/when are the district board meetings scheduled?				X	The third Tuesday at 7:30 a.m. All on calendar on website.		X			
How do you notify the public of the board meeting schedule? Does it adhere to the Open Meetings Law?				X	Place notice on office window, notice at courthouse, on website. If rescheduled they give 72 hour notice.		X			

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<i>Please describe the district's process for providing assistance to applicants by assessing resource concerns to determine if a BMP is "needed and feasible" and then developing the conservation plan.</i>				X	Applicants come in office or meet at outreach opportunities. Most folks know what they want but staff goes to farm to determine resource concerns before starting conservation plan. Once a resource concern is found then Charles does the cost share part first. At contract time he does the conservation plan. Offers technical assistance if they don't have a resource concern that we can cost share on.		X			
<i>In what instances does the district provide technical assistance without cost share funds?</i>				X	At the time staff checks for resource concerns they offer TA if they can't do cost share but there is too much work to do a lot of TA without cost share. Not much interest in CCAP. Do surveying etc...		X			
<i>Are applications reviewed and approved by the Board as a separate action item?</i>				X	Applications and contracts were recorded together in recent minutes but were actually done as separate action items during the actual meeting. May 2014 Charles had app and contract as separate action items. <b>NOTE:</b> make sure they are done as separate action items and recorded that way too.		X			
<i>Are application motions/decisions recorded in the board minutes?</i>				X	Yes, evidence was found that these are recorded in the minutes.		X			

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Applicants are limited when applying for incentive BMPs. How does your district track applicants so they do not go over the practice caps and to be sure they haven't already "adopted" the practice?  Is your district using the self-certification for incentives form provided by the division?				X	District doesn't do incentives. Charles is aware of adopting the practice. Charles is aware of the self-certification form.		X			
If multiple partners farm together, how does the district track individual applicants as one operation or entity?				X	Doesn't have incentives but is aware to look through spreadsheets and FSA if need be to find out who is a part of the entity.		X			
At what point in the application process does the district develop the contract? Describe this process.				X	After farm is checked for resource concern and the applicant is going to go through with cost share then Charles does the contract.		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				Charles goes over the paperwork during the signing and explains that work cannot begin until division approval. Two more meetings with applicant – contractors meeting and then specification meeting to go over information again. <b>Commendation</b> – the district is commended for the effort to hold detailed meetings to make sure contractors and cooperators		X			

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					understand what is needed during construction and what is required with the contract and the deadlines.					
Describe the district/board's procedure for approving supervisor contracts.				X	Supervisors are treated like everyone else – no points given and no points taken away.		X			
<i>Are contracts reviewed and approved by the Board as a separate action item?</i>				X	Used to be and now Charles just needs to notify Katie of what to include and what she can cut out of minutes.		X			
<i>Are contract motions/decisions recorded in the board minutes?</i>				X	Yes these are recorded in the 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	Charles does not think that it was recorded that he abstained. Kelvin did abstain. After further reviewing the minutes it was recorded that Kelvin Baucom and Kenneth Mills both abstained from voting on their own contracts and RFPs.		X			
What procedures do you follow for notifying the applicant that work can begin?		X			They are told at the last meeting that Charles has with them or he calls them in person. Something in writing goes to them if he can remember to do it. <b>Recommendation:</b> a letter should be sent to the cooperators notifying them that they can begin work and giving them details of the 1/3 date and the completion deadline.	X		Union SWCD has identified a need to make all correspondence tangible and begin to send letters identifying "begin work" and "1/3 work" dates. Additionally, all correspondence will be copied and kept in 6 part folders.	The proposed timeline is immediately. Few contracts remain for 2016 PY, but those that do will receive letters.	Plan of Action accepted.

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What information do you provide the applicant?				X	Upfront he gives them a copy of contract, maps during contract meeting, specs, standards, NRCS calls it deliverables.		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed correctly and by the contract deadline?				X	Charles is on site sometimes, contractors call him to look at things, doesn't help install it. Too much of a liability for the county.		X			
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			Keeps up with 1/3 date off CS2. Checks contracts against dates in CS2. <b>Recommendation:</b> add a column to spreadsheet for 1/3 date.	X		The Union District is in full agreement with division about the need to cross-check 1/3 records in CS <sup>2</sup> to District records. An appropriate column will be created in District tracking spreadsheet.	This implementation will be retroactive to beginning of PY 2016.	Plan of Action accepted.
If 1/3 of the work has not been completed within 12 months and the cooperators requests additional time, is the district recording 6-month extensions in the board minutes?				X	Yes. There was evidence of an extension in the board minutes.		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	Charles uses check off sheets and signs off on BMPs that way. If Charles doesn't have JAA but Shauntae does, she will have a sheet in there.		X			
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Yes, uses check off sheets.		X			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes, receipts are in contract files.		X			

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Are request for payments reviewed and approved by the board as a separate action item?				X	Yes, RFPs are reviewed and approved as separate action items.		X			
Are payment motions/decisions recorded in the board minutes?				X	Yes, they are recorded in the minutes.		X			
<b>Section 2: Spot Checks and Compliance Issues</b>										
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	Charles and at least one supervisor and Shauntae or someone with Technical JAA.		X			
How does the district randomly select which contracts to spot check?				X	Keeps a list of every program year that has active contracts in it. Has a list of who is eligible for spot checks sheet. Uses random number generator.		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 DWR.				X	Yes, picks 5% of non-waste contracts then add all waste ones that need checked annually for the first 5 years.		X			
Are all agriculture new ponds, pond repair/retrofits, and water collection systems being spot-checked every year during the maintenance period?				X	So far they only have wells. Picked 5 % of AgWRAP contracts to do.  District doesn't have any of these specific BMPs..		X			
Are all agriculture road repair/stabilizations being spot-checked at least every 2 years during the maintenance period?				X	Doesn't have any of these BMPs currently.		X			

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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		Have not been doing this. <b>Corrective Action:</b> the district should request review by the NRCS Area Office either through their DC or through the AO for any of these contracts. The district does have supervisor contracts that were never reviewed by the Area Office.	X		The District DOES currently notify NRCS (annually) for spotchecks on District Supervisor contracts through form NC-ENG-27 "Summary Spotcheck Report." However, Area Office does not participate in annual spotcheck procedures. The only contracts of Supervisors not reviewed by Area Office bi-annual check is contracts on litter spreaders which they have no authority to check. The Districts plan of action is to continue to notify AO through proper forms and to participate with their checks when they are available.	Currently being implemented.	Originally I noted that the district was not notifying the NRCS Area Office of supervisor contracts. However, the district's response now is that they have been doing that.  No action needed.

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<p>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."</p> <p>How does your district notify individuals that have destroyed or mismanaged a BMP?</p>				X	Notified in person and sent a letter saying what they need to do to come back into compliance. Sent cooperators a copy of OMP that he signed to show him what he should and shouldn't do.		X			
<p>How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?</p>				X	During spot checks some of the supervisors are there and they get a copy of spot checks report. If found outside of spot checks it is brought up before the board at the next board meeting.		X			
<p>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 in the contract file?</p>				X	Yes, they do send the written notice. First letter telling him about it within 15 days then certified letter giving him 30 days.		X			
<p>If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.</p>				X	Ongoing case right now. In Anson Charles got payment refunded. The district is aware of the "one and done" policy for coming back into compliance. This particular cooperator was made aware of this policy.		X			

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<i>Is the district notifying the division of non-compliance and resolutions?</i>				X	Copies should be sent to division of any correspondence regarding compliance or maintenance.		X			
<b>Section 3: Record Keeping</b> 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	Uses a spreadsheet to track BMP funds.		X			
In what instances does the district use the division on-line (website & CS <sup>2</sup> ) reports?				X	When completing BMP certification forms, end of year paperwork, to get numbers for the county.		X			
How are technical assistance and operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	Money goes directly to the county. Yes, February or March when budget process starts.		X			
Who in the office is funded by Cost Share Technical Assistance (TA) from the State?				X	Charles Dunevant		X			
How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	Money goes directly to county. Charles is sending something later.		X			
Is proper job approval authority (JAA) documented for each technical and cost share position? Please provide a copy of the latest approved JAA.				X	Yes, I reviewed Charles's JAA.		X			
<b>Section 4: Contract Reviews and Site Visits</b> 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.										

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Contract Number: 90-2009-268 Applicant Name: Kenneth Mills BMP: well				X	No concerns with contract file. No concerns with BMP.		X			
Contract Number: 90-2013-324 Applicant Name: Kenneth Mills BMP: litter spreader 				X	Conservation Plan missing from file. No Waste Management Plan in file. No concerns with BMP.		X			

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Contract Number: 90-2009-271 Applicant Name: Kelvin Baucom BMP: well				X	No concerns with contract file. No concerns with BMP.		X			
Contract Number: 90-2013-325 Applicant Name: Kelvin Baucom BMP: litter spreader 				X	No concerns with contract file. No concerns with BMP.		X			

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Contract Number: 90-2011-311 Applicant Name: Kelvin Baucom BMP: well 				X	No concerns with contract file. No concerns with BMP.		X			
Contract Number: 90-2013-326 Applicant Name: Robert Brooks BMP: litter spreader				X	No concerns with contract file. No concerns with BMP.		X			

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Contract Number: 90-2006-244 Applicant Name: Joseph Porter BMP: tank, stream crossing				X	No concerns with contract file. No concerns with BMP.		X			
Contract Number: 90-2012-322 Applicant Name: Phyllis Walsh BMP: cropland conversion to grass				X	No concerns with contract file. No concerns with BMP.		X			

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Contract Number: 90-2009-286 Applicant Name: Forest Jones, Angus Foundation BMP: pasture renovation				X	No concerns with contract file. No concerns with BMP.		X			

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