NORTH CAROLINA
SOIL & WATER CONSERVATION
COMMISSION MEETING MINUTES
March 18, 2015

Ground Floor Hearing Room
Archdale Building
512 N. Salisbury Steet, Raleigh, NC

Commission Members		
John Langdon	David Williams	Charles Davenport
Craig Frazier	Natalie Woolard	Brian Chatham
Charles Hughes	Julie Henshaw	Janie Poe
Ben Knox	Kelly Hedgepeth	Nancy Carter
Manly West	Dick Fowler	Chester Lowder
Bill Yarborough	Ralston James	William Powell
	Tom Hill	Jimmy Mason
	Ken Parks	Chris Hogan
	Lisa Fine	Tom Best
Commission Counsel	Kristina Fischer	Dewitt Hardee
Phillip Reynolds	Louise Hart	Jenna Wadsworth
	Eric Pare	Linda Milt
Guests	Leanna Staton	Kirsten Frazier
Tim Beard	Tom Ellis	Harvey Roberts
Dr. Richard Reich		

Chairman John Langdon called the meeting to order at 9:00 a.m. and opened the meeting with prayer. He inquired whether any Commission members need to declare any conflict of interest, or appearance of conflict of interest, that may exist for agenda items under consideration, as mandated by the State Ethics Act. Chairman Langdon declared that he would relinquish the chair to Vice-Chairman Frazier and recuse himself for Item 11. Commissioner West announced that he would recuse himself for Item 8. Commissioner Hughes announced that he would recuse himself for items 10A and 10B.

Statement of Economic Interest
Chairman Langdon read a summary of the Statement of Economic Interest for Commissioner J. Ben Knox. He announced that Commissioner Knox had previously taken the oath of office for the Commission seat.

Chairman Langdon welcomed Commissioner Knox to the Commission.

1. Approval Of Agenda:
Chairman Langdon reviewed the agenda, and suggested to move item 10 after item 8. Commissioner Frazier moved to approve the revised agenda. The motion was seconded by Commissioner West. The motion carried.

2. Approval Of Minutes – January 4, 2015 Meeting: The minutes of the Commission meeting held on January 4, 2015 were presented. Commissioner Frazier offered a motion to approve the minutes with a grammatical change previously shared with staff. Commissioner Yarborough seconded the motion, and the motion carried.

INFORMATIONAL ITEMS

3. Division Report: Mr. David Williams, deputy director of the Division of Soil and Water Conservation, presented the division report. His presentation included the following:

- Reminded the Commission members of the required Statements of Economic Interest due April 15 and the availability of ethics training.
- The Division and Association are working to affect changes to the requirement to establish Emergency Action Plans for all intermediate and high-hazard dams by March 1, 2015 that was included in the Coal Ash Law from the 2014 Legislative session. Senate Bill 14 has been approved by both the Senate and House and is now headed to a Conference Committee. This bill includes changes to extend the deadline to December 31, 2015 and to clarify that the plan and inundation map does not require a Professional Engineer to seal it.
- The Division is working with the Department and the UNC School of Government to develop guidance to districts on managing public records and responding to public records requests.
- All supervisors who were reappointed conditionally, pending participation in the UNC School of Government training, attended the training.
- Provided an update on the status of the Western Soil Scientist, CREP Manager, and CREP Program Specialist vacancies
- Described some opportunities for the Commission to promote pollinators through its programs.
- Announced the awards to ten districts for the AgWRAP Technology Grants program (presented by Natalie Woolard).

The handout for the division report is included as Attachment 3.

4. Association Report: Commissioner West, NCASWCD President, presented a brief overview on the following:

- Reported on the 71st annual meeting of the Association, and provided some statistics on registration and the survey results from attendees
- Reported on the NACD national meeting in New Orleans
- Reported that 50 people attended the Basic Training for Soil & Water Conservation Districts, on February 10-11, 2015 at the UNC School of Government. Thirty of the attendees were supervisors
- Reported on the Legislative Breakfast held earlier in the day at the Legislative Building Cafeteria. Rep. Bob Steinburg was the keynote speaker. He thanked all who attended and were involved in planning.
- Announced that the 2015 FFA Land Judging contest will be held in Moore County on November 13-14.

Chairman Langdon thanked Commissioner West for his presentation.

The handout provided for item 4 is attached and is an official part of the minutes.

5. **NRCS Report:** Mr. Tim Beard, State Conservationist for the National Resources Conservation Service (NRCS), presented a report on the following items.

- Resource Institute, Inc. received a Regional Conservation Partnership Program award to do streambank restoration work in Western NC
- First EQIP batching period included $31 million in requests, but the NC allocation was just over $16 million
- Conservation Stewardship Program renewal signup period ends March 31, and new CSP enrollments were due March 13
- There is a new challenge to meet conservation planning demand resulting from new farm bill requirements linking premium crop insurance to conservation plans. Many plans will need to be developed or updated.
- Mentioned that 2015 was declared the International Year of Soils
- Mentioned several upcoming training events and encouraged all employees to participate. There is still opportunity for attendees to request scholarships to cover part of costs of the training.

Chairman Langdon thanked Mr. Beard for his presentation and NRCS' support to the partnership. The handout provided for item 5 is attached and is an official part of the minutes.

6. Consent Agenda:

Commissioner West moved to approve the consent agenda. The motion was seconded by Commissioner Frazier, and it passed unanimously.

6A. Appointment of Supervisors

- Salvador Moreno; Clay SWCD; filling an expired term previously held by Heath Myers
- John Vining; Polk SWCD, filling an unexpired term previously held by Hubert McEntyre, who resigned effective February 27, 2015.
- Stephen G. Young; Warren SWCD, filling the unexpired term of Russell King, who resigned effective December 31, 2014 due to a change of residency to Ashe County.
- Joey Clawson; Watauga SWCD, filling an unexpired term previously held by Frank Bolick, who declined the elected seat due to a time conflict with his teaching job.
- Robert L. Hunt; Watauga SWCD; filling an expired term previously held by Tracy Taylor

6B. Approval of Cost Share Supervisor Contracts

Contract No.	District	Supervisor Name	Practice(s)	Contract Amount
15-2015-002	Camden	Don Lee Keaton	Crop Residue Management	$7,193
15-2015-003	Camden	Don Lee Keaton	Crop Residue Management	$7,638
25-2015-005	Craven	Donald Heath	5-year sod-based rotation	$2,860

25-2015-802	Craven	Donald Heath	Water supply well - AgWRAP	$5,000
48-2015-003	Hyde	Darren Armstrong	Water Control Structure	$7,756

6C. Technical Specialist Designation Recommendation

<u>Waste Utilization/Nutrient Management</u>

On verification of training and experience:
Wally Walker, Alamance SWCD

The Commission also received notification that three individuals have requested to have their designation rescinded. These individuals are:

- Michael Bowman
- Curtis Fountain
- Jack Loudermilk

The handouts provided for items 6A-6C are attached and are an official part of the minutes.

7. Recommendations on 2015 AgWRAP Region Applications

Ms. Julie Henshaw referred to the handout for Item 7A and presented the recommendations from the AgWRAP Review Committee on the second batch of applications for the 2015 AgWRAP regional allocation for new ponds and pond repairs and retrofits. Twenty districts submitted 27 applications, including 16 new pond requests, and 11 pond repair/retrofit requests. Ms. Henshaw noted that the Review Committee recommends funding all 27 applications for $589,500. Commissioner Knox offered a motion to approve the Committee's recommendation, and Commissioner Frazier seconded. The motion was approved.

Ms. Henshaw thanked the review team and the AgWRAP Review Committee for their work to review all the applications.

The handout provided for item 7 is attached and is an official part of the minutes.

8. Supplemental Allocation of Agriculture Cost Share Program funds for 2015

Ms. Kelly Hedgepeth referred to the handout for Item 8 and presented the recommended supplemental allocation of Agriculture Cost Share Program funds. Forty-eight districts requested nearly $1.7 million, but only $217,864 is available to allocate at this point. The Division has executed the allocation methodology as specified in 02 NCAC 2D.0103, but only considering requests from districts who have encumbered 75% of their previously allocated funds, per Commission policy. Commissioner Frazier moved to approve the recommended allocation. Commissioner Yarborough seconded the motion, and the motion was approved. Commissioner West had earlier recused himself from this item, and he did not vote nor participate in discussion.

The handout provided for item 8 is attached and is an official part of the minutes.

10. **District Issues**

Commissioner Hughes stepped down from the Commission to represent the Lenoir SWCD for items 10A and 10B.

10A. **Lenoir Technical Assistance Request for Payment**

Ms. Hedgepeth stated that the Lenoir District has submitted the Request for payment for the technical assistance position in the amount of $5,524.54, referring to the handout for item 10A, which is included as part of the meeting minutes. She stated that the Division has reviewed the request for payment and recommends approval. Commissioner Frazier offered a motion to approve the request for payment, and Commissioner West seconded the motion. The motion was approved. Mr. Hughes did not participate in the vote.

10B. Lenoir SWCD Cost Share Contracts

Ms. Hedgepeth referred to the handout for item 10B, which is included as part of the meeting minutes. She stated that the Lenoir District has submitted requests for the Division and Commission to approve four cost share contracts. Three of the contracts involve cropland conversion, and one is for a waste application system. Chairman Langdon requested to consider the three cropland conversion contracts separately from the waste application system contract.

Ms. Hedgepeth stated that the Division has reviewed the three contracts for cropland conversion and recommends approval. Commissioner Frazier offered a motion to approve the contracts, and Commissioner Yarborough seconded the motion. The motion was approved. Mr. Hughes did not participate in the vote.

Ms. Hedgepeth called attention to contract 54-2013-004. Commissioner Frazier offered a motion to deny the requested contract because it does not present a significant water quality benefit. Commissioner Yarborough seconded the motion, and the motion was approved. Mr. Hughes did not participate in the vote.

Mr. Hughes resumed his seat on the Commission.

9. **Recommendations from the Technical Review Committee**

Ms. Hedgepeth announced that the TRC had met on February 25 in Asheville. The TRC offers the following recommendations for the Commission's consideration.

9A. Recommended Changes to the Waste Application Systems Practice

Ms. Hedgepeth referred to the handout for item 9A, which is included as part of the minutes. The TRC is recommending changes to clarify that it is not the Commission's intent to cost share to replace worn out equipment, particularly with equipment that is similar to the equipment being replaced, which does not demonstrate an improvement for water quality. Commissioner Frazier offered a motion to approve the TRC recommendation, and Commissioner Knox seconded the motion. The motion was approved.

9B. Recommended Changes to the Livestock Mortality Management System Practice

Ms. Hedgepeth referred to the handout for item 9B, which is included as part of the minutes. The TRC is recommending changes to clarify that it is not the Commission's intent to cost share to replace the same type of mortality management system with a similar type system. This recommendation is similar to the recommendation for the Waste Application Systems practice.

Commissioner West offered a motion to approve the TRC recommendation, and Commissioner Frazier seconded the motion. The motion was approved.

Ms. Hedgepeth announced that the TRC's Precision Agrichemical Application Workgroup would meet via teleconference on April 14 from 1:00 to 3:00 p.m., and she invited any interested individuals to contact David Williams to participate in the teleconference.

Commissioner Yarborough asked that the Division invite a representative from the Research Stations Division to participate in the workgroup.

11. **Consideration of a Cost Share Contract for a Commission Member**

The subject contract is a supplement contract for Chairman Langdon's farming operation. Chairman Langdon relinquished the chair to Vice-Chairman Frazier and recused himself from the discussion and vote on this item. Ms. Hedgepeth referred to the handout for Item 11, which is included as part of the meeting minutes. She stated that the contract is a supplement contract in the amount of $1,116 to a contract 51-2014-005 for a grade stabilization structure that the Commission and Commissioner of Agriculture Troxler approved in November, 2014. Commissioner West offered a motion to approve the supplement contract, and Commissioner Hughes seconded the motion. The motion was approved. Mr. Langdon did not participate in the discussion nor the vote.

Ms. Hedgepeth noted that Commissioner Troxler would also have to approve the contract per G.S. 139-4e.

Mr. Langdon resumed his seat as chair of the Commission.

12. **Revisions of Supervisor Appointment Nomination Forms**

Ms. Kristina Fischer called attention to the handout for item 12, which is attached as an official part of the minutes. Ms. Fischer pointed out that the forms include revisions to consolidate the two previous certification statements for the Board Chairman. This revision is suggested to eliminate a source of frequent confusion for districts. The revised application also includes a new certification statement for the nominee to certify the information on the form is true and accurate. Commissioner West offered a motion to approve the revised nomination forms, and Commissioner Frazier seconded the motion. The motion was approved.

PUBLIC COMMENTS:

Chairman Langdon asked if anyone had any public comments.

Commissioner Yarborough suggested the Commission explore opportunities for supervisors who live within 35 miles of the meeting location to be reimbursed for lodging expenses. Mr. Williams pledged that the Division would investigate and report back.

Commissioner West urged everyone to participate in the Agricultural Awareness Day activities.

Commissioner Yarborough urged everyone to support the Dig-It exhibit that is coming to the Museum of Natural Sciences, both financially and by attending the exhibit. Commissioner West echoed. Dr. Richard Reich called attention to a brochure about the Dig-It exhibit.

Commissioner Yarborough asked about the status of the letter to poultry stakeholders regarding construction site stabilization. Mr. Williams responded that the letter has not yet been prepared, but that the Division would initiate work on this immediately.

Chairman Langdon thanked everyone for attending and asked everyone in the room to introduce themselves.

ADJOURNMENT

With no further business, Chairman Langdon asked for a motion to adjourn. Commissioner Yarborough offered the motion, and Commissioner West seconded the motion. The motion was approved, and Chairman Langdon declared the meeting adjourned at 10:00 a.m.

Patricia K. Harris

Patricia K. Harris, Director
Division of Soil & Water Conservation, Raleigh, N.C.

David B. Williams

David B. Williams, Recording Secretary

These minutes were approved by the North Carolina Soil & Water Conservation Commission on May 20, 2015.

Patricia K. Harris

Patricia K. Harris, Director