

**North Carolina Cost Share Programs Review Summary  
(March, 2018)**

County	<u>Avery</u>	Date of Previous Review/Report	<u>2013</u>
District Staff Name(s)	<u>Beth Hughes, Mark Forbes</u>	Date	<u>March 14, 2018</u>
NRCS Staff Name(s)	<u>David Tucker</u>		
Division Representative(s)	<u>Ken Parks, Rick McSwain</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 board meetings are scheduled every 3 <sup>rd</sup> Thursday regularly.		X			
How do you notify the public of the board meeting schedule? Does it adhere to the Open Meetings Law?				X	The meeting notices are posted in the newspaper monthly and at the county administration building and posted on		X			

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					the office. It is also on the county website.					

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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.				X	The district staff has a list of applicants that are requesting assistance and go do a site visit to determine if the district can help them. They rank the applications and develop a conservation whether it is needed or not.		X			
Does the district provide technical assistance without cost share funds?				X	Yes.		X			
What type of technical assistance is provided without cost share funds?	X				They offer technical assistance with permits, mapping, any seeding information and soil sampling, measurements, etc.		X			
Are applications reviewed and approved by the Board as a separate action item?			X		No.	X		All applications after March 14, 2018 will be reviewed and approved by the Avery SWCD Board of Supervisors during monthly SWCD Board Meetings.	Immediately	Plan of action Accepted.
Are application motions/decisions recorded in the board minutes?			X		No.	X		All applications after March 14, 2018 will be reviewed and approved by the Avery SWCD Board of Supervisors and recorded in monthly Board meeting minutes.	Immediately	Plan of action Accepted.
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?				X	The district does not do any incentive BMPs.		X			

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Is your district using the self-certification for incentives form provided by the division?				X	Does not apply since the district does not do any incentive BMPs.		X			
If multiple partners farm together, how does the district track individual applicants as one operation or entity?				X	The district has not ever had any of these farming operations.		X			
At what point in the application process does the district develop the contract? (After Ranking, After Application Approved?) Describe this process.				X	The applicant fills out the application and a site visit is done and the district technician asks the applicant if they are interested in a contract. If the application ranks high enough then it is developed right away.		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 applicants are told that they cannot start work until the local board approves the contract and then the contract is reviewed and thoroughly explained with the applicant after the contract is approved by the division.		X			
Describe the district/board's procedure for approving supervisor contracts.				X	The supervisor recuses or abstains from voting during the board meeting.		X			
Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?				X	Yes.		X			

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Is each contract reviewed in detail with the board before approval? Do you project CS2?				X	The district staff projects the contract components on the wall like the conservation plan, maps, pictures.		X			
Are contracts reviewed and approved by the Board as a separate action item?				x	Yes.		X			
Are contract motions/decisions recorded in the board minutes?				X	Yes.		X			
What procedures do you follow for notifying the applicant that work can begin?	X				The district technician puts together a contract folder that has an approval letter with all the contract forms and pertinent information to start work.		X			
What information do you provide the applicant?				X	A copy of the contract file with all the forms needed to install and maintain the BMP along with other signed documents.		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	The district technician makes several site visits and works with the applicant to ensure the BMP is being installed correctly and on time. The district technician makes himself available for questions also.		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. Are you using CS2?	X				The district staff uses an Excel spreadsheet and uses CS2. If the date is getting close or cancel then it is		X			

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					flagged in red.					
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	The district has not had a case like this, but knows the process.		X			
What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards?				X	The district staff uses a set of as-built maps and are written in red ink and the person with JAA signs the as-builts and the certification is also noted in the 6 notes in the contract file.		X			
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Yes, the BMPs are measured by GPS or a wheel. This is documented on the as-built maps.		X			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes. They are kept in the file.		X			
Are request for payments reviewed and approved by the board as a separate action item?				X	Yes.		X			
Are payment motions/decisions recorded in the board minutes?				X	Yes.		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.										

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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	The district does not have any of these.		X			
How does the district notify the NRCS area office or division to conduct spot checks for contracts that need to be spot checked by someone outside of the district? (See Spot Check Policies for each program)				X	The district invites the NRCS staff to go on all the district's spotchecks.		X			

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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	The district has not had one recently, but the board sends a letter of notification and also calls the applicant to discuss the non-compliance.		X			
<p>How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?</p>				X	The district staff takes pictures of the BMP that was destroyed or mismanaged is shown to the board during a meeting. They also have a ranking parameter that deducts points when a BMP is mismanaged or destroyed by the applicant.		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	The district has not had to do this, but knows the process.		x			
<p>If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.</p>				x	The district has not had to do this, but knows the process		X			

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Is the district notifying the division of non-compliance and resolutions?				X	They have not had to do this, but knows the process.		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.										
Do you use the CS2 reports to show the board available program funds, encumbrances and expenditures?				X	Yes. The district staff uses an Excel spreadsheet and compares it to CS2 reports.		X			
Does your district meet the requirements set forth in the LGFCA (Local Government Fiscal Control Act)? (see district WIKI for compliance dates)				X	Yes.		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	The technical assistance funds are tracked by the county finance dept. The last audit was June 30, 2017 by Young, Miller & Gillespie, P.A.		X			
Who in the office does work for Cost Share Programs?				X	Mark Forbes		X			
How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				x	The matching funds are tracked by Beth the admin. Staff. A self-audit is done annually on the matching funds and operating funds. The last audit was done July 2017.		X			
Is proper job approval authority (JAA) documented for each technical and cost share position? Please provide a copy of the latest approved JAA. (Print a				X	Yes.		X			

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copy of what is in the data base. Does it match the district's version?)										
<p><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.</p>										
<p>Contract Number: 06-2015-502 Applicant Name: Town of Newland BMP: Pet Waste Receptacle</p> 			X	<p>The BMP was functioning properly and looked good.</p> <p>All the documentation in the file looked good.</p>		X				

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<p>Contract Number: 06-2015-801 Applicant Name: Daintrey Trees BMP: Agriculture Irrigation Pond</p> 				X	<p>The BMP was functioning properly and looked good.</p> <p>All the documentation in the file looked good.</p>		X			

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<p>Contract Number: 06-2016-001 Applicant Name: Richard Philips BMP: Agriculture Road Repair/Stabilization</p> 				X	<p>The BMP was functioning properly and looked good.</p> <p>All the documentation in the file looked good.</p>		X			

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<p>Contract Number: 06-2011-003 Applicant Name: Doug Hundley BMP: Pasture Renovation</p> 				X	<p>The BMP was functioning properly and looked good.</p> <p>All the documentation in the file looked good.</p>		X			

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<p>Contract Number: 06-2009-021, 06-2013-003 Applicant Name: Paul O'Connell BMP: Heavy Use Area, Fencing, Tanks, Well</p> 			X		<p>The BMPs were functioning properly and looked good except the watering tank and heavy use area.</p> <p>The farm has been sold and a watering tank was missing. A child's play set was sitting on the heavy use area where the tank used to be. A non-compliance was given due to the BMP not being used for its intended use. Please refer to the non-compliance policy. <a href="http://www.ncagr.gov/SWC/costshareprograms/documents/noncompliance_jan2014.pdf">http://www.ncagr.gov/SWC/costshareprograms/documents/noncompliance_jan2014.pdf</a></p> <p>All the documentation in the file looked good.</p>	X		<p>Mr. O'Connell is currently out of the state (Alaska). A meeting is scheduled as soon as he is back in North Carolina to address missing BMP(s). The district was unsuccessful in locating the cooperater. The contract with the watering tank has now expired.</p>	<p>August 2018</p>	<p>Plan of action Accepted</p>

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Contract Number: 06-2007-015, 06-2012-007 Applicant Name: Avery Waightstill, Jr. BMP: Ag. Chemical Facility 				X	The BMP was functioning properly and looked good.  All the documentation in the file looked good.		X			