

MINUTES

NORTH CAROLINA
SOIL AND WATER CONSERVATION COMMISSION

Teleconference Meeting

August 14, 2009

8:30 a.m.

MEMBERS PRESENT

Richard Smith
Bobby N. Stanley
Donald Cox
William F. Pickett, Jr.
Manly West

OTHERS PRESENT

Edwin L. Gavin
Patricia K. Harris
Kristina Fischer
Michelle Raquet
Ken Parks
Julie Henshaw
Jennifer Braswell
John College
Danny Edwards
Natalie Woolard
Jeff Harris
Pender SWCD
Pender SWCD
Transylvania SWCD
Warren SWCD
Wilson SWCD
Caldwell SWCD
Cabarrus SWCD

David Williams
Michelle Lovejoy
Ralston James
Lisa Fine
Dick Fowler
Shelly Baird
Sandra Reid
Bill Dunlap
David Cash
Lynn Whitehurst
Jones SWCD
Franklin SWCD
Vance SWCD
Duplin SWCD
Mitchell SWCD
Davidson SWCD
Gaston SWCD
Durham SWCD

PRELIMINARY ITEMS

The NC Soil and Water Commission held a teleconference on August 14, 2009 at 9:00 a.m. Acting Chairman Richard Smith called the meeting to order.

He charged the Commission members as to whether any member knows of any known conflict of interest or appearance of conflict with respect to matters before the Commission. If any member knows of a conflict of interest or appearance of conflict, please so state at this time. None were declared.

Approval of Agenda

Chairman Smith asked if there were any additions or corrections to the agenda. Mr. Manly West made a motion to approve the agenda. Mr. Bobby Stanley provided a second. The motion carried.

ACSP and Drought Response Financial Assistance Allocation

Mr. David Williams presented the proposed allocation for Financial Assistance for 2010 through the ACSP and the Drought Response. The 2010 appropriation of \$4,676,566 is \$500,000 less than the 2009 appropriation. There is \$1,173,733 available from expired 2007 contracts. This represents about 20% of the funds allocated in 2007 that did not get expended through implemented practices. There were \$379,466 of regular cost share funds allocated in 2009 that did not get encumbered to contract, but David indicated that this was to be expected considering the dramatic increase in workload stemming from the drought response. There were additional funds remaining from the 2009 earmarks and drought funds. In all \$7,414,083 are available for PY 2010. Of this \$233,828 will be withheld as the 5% contingency, leaving \$7,180,255 to be allocated today.

The proposed allocation would set aside additional funds for the CREP and Impaired/Impacted Streams Initiatives Earmarks to enable a \$300,000 allocation for CREP Earmark and \$200,000 for the Impaired/Impacted Streams Initiative Earmark.

The CREP Earmark is proposed to be handled differently for 2010. Districts would not receive a specific allocation up front. Instead funds would be allocated to districts real-time as they submit contract requests. This method is proposed to best help match the allocation to the actual need for funds to implement CREP practices, while avoiding setting aside more money than is necessary across the CREP areas. Since CREP has expanded into the Piedmont counties and more work is expected for pasture operations, the cost of BMPs needed to support CREP is expected to increase significantly over that necessary to support primarily vegetation establishment.

This allocation is in accordance with the Commission's rules regarding allocating the ACSP funds and the Drought Grant funds.

Mr. West offered a motion that this allocation be approved. Mr. Bill Pickett provided a second, and the motion carried.

ACSP Technical Assistance Allocation

Mr. David Williams presented the proposed ACSP technical assistance allocation for 2010. He reminded the Commission that he had given them a preview of the proposed allocation at the July teleconference. This allocation changed slightly as a result of the updated information from the PY-2009 encumbrances and the PY-2007 contract implementation. He went over some notable aspects of the proposed allocation:

1. The budget for 2010 is less than for 2009 due to the absence of the \$200,000 of non-recurring funds appropriated in 2009. As a result the Commission was not in a position to award any cost of living increases above the funding in 2009.
2. Just as it was for 2009 funding for salary/benefits for all positions (other than those that are shared among more than 1 district) are capped at \$25,500.
3. Funding for 4 positions will be shifted to non-recurring funds. These include Nash (1 FTE), Rockingham (1 FTE), Greene (1 FTE), and Bertie (1/2 FTE). This means that these positions are funded as shown for PY-2010, but they are not expected to be funded in PY-2011, unless additional funding becomes available.
4. Requests for new cost shared positions were approved for Lee and Wake SWCD because the Commission's top priority is to fund up to 1 FTE in each district that can provide sufficient match and these two districts did not previously have cost-shared positions.
5. Requests for a second cost-shared position for Yadkin and Gaston were not approved, because the Commission lacked sufficient funds for these positions.
6. Operating expenses were allocated at \$890 per FTE
7. Funding for the cost shared positions in Dare and New Hanover are now split 50:50 between ACSP and CCAP.
8. Funding for 1/2 FTE in Jones was shifted to federal 319 funds related to the Neuse and Tar-Pamlico nutrient reduction requirements.

Mr. Don Cox offered a motion to approve the proposed technical assistance allocation, and Mr. Pickett seconded the motion. The motion carried.

Proposed 2010 CCAP Allocation

Ms. Julie Henshaw presented the proposed CCAP allocation for 2010. The CCAP appropriation remained unchanged for 2010. \$75,864 of funds allocated in 2009 were not encumbered to contracts and are available for allocation in 2010. Ms. Henshaw reminded the Commission that \$23,958 of CCAP funds were needed to be allocated to Dare and New Hanover districts for technical assistance. \$7,192 will be withheld as the 5% contingency, leaving \$188,554 available for allocation. Ms. Henshaw reviewed the CCAP allocation parameters.

Mr. Pickett offered a motion to approve the proposed allocation, and Mr. West seconded the motion. The motion was approved.

Proposed Lagoon Conversion Program Allocation

Mr. Vernon Cox reminded the Commission members of the Cooperative Conservation Partnership Initiative (CCPI) between the Division and NRCS that was discussed at the July teleconference. The Division solicited applications for the CCPI and ten applicants responded with applications for converting lagoon systems to innovative waste management systems. Of these, four were determined to meet all to the criteria. The Farm Bill limits USDA funding to \$450,000 per farm. For one of the proposed sites, USDA funding was determined to be limited to \$385,000. The Division is proposing that the Commission set aside up to \$165,000 of Lagoon Conversion Program funds to supplement USDA funding for the CCPI. It is expected that the funds will be allocated to Yadkin (\$115,000) and Sampson (\$50,000) Counties, but that could change. The funds would supplement CCPI funding up to \$500,000 per farm as allowed under the Lagoon Conversion Program authorizing legislation. Mr. Stanley asked where the funds being allocated were coming from, and Mr. Vernon Cox responded that the funds were appropriated by the General Assembly in fiscal year 2008 to support the Lagoon Conversion Program.

Mr. Manly West offered a motion to approve the proposed allocation, and Mr. Bobby Stanley seconded the motion. The motion was approved.

Comments

Mr. Ed Gavin announced that he would be leaving the Justice Department effective August 31, 2009 to pursue other opportunities. Ms. Jenny Hauser will provide counsel for the Commission at its September meeting. Chairman Smith and each of the Commission members wished Mr. Gavin well and thanked him for his service to the Commission.

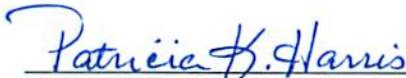
Mr. West asked for clarification on the September work session. Ms. Pat Harris confirmed that the work session would begin at 11:00 on September 15 and continue as needed into the afternoon.

Chairman Smith asked Ms. Harris to give an update on the Canon Envirothon. Ms. Harris was pleased to report that the North Carolina team from West Johnston High School (the Sequoias) came in 2nd place out of 52 teams entered. They had the top score for three of the field stations and were leading going into the oral presentation portion of the competition. They ended up finishing second to the team from Pennsylvania. Ms. Harris congratulated the Envirothon Core Committee on a well-planned and executed event, and she thanked the Committee and all the many volunteers who made it successful.

Ms. Michelle Lovejoy reminded everyone of the District Employees' Workshop next week in Statesville. She said that a record 140 employees had registered for the event.

Mr. West asked if there was any news about whether the Annual Meeting would be allowed to proceed as planned. Ms. Harris responded that the approved state budget did not cut into Supervisor Travel funds as previously anticipated, so it appeared that the Annual Meeting could proceed as planned.

Chairman Smith adjourned the meeting at 9:45 a.m.



Patricia K. Harris, Director



David B. Williams, Hearing Clerk

These minutes were approved by the North Carolina Soil and Water Conservation Commission on September 16, 2009



Patricia K. Harris, Director