



# NORTH CAROLINA SOIL & WATER CONSERVATION COMMISSION MEETING MINUTES September 21, 2011

Archdale Building  
Ground Floor Hearing Room  
512 N. Salisbury Street  
Raleigh, N.C. 27604

Commission Members	Others Present	
Manly West	Pat Harris	Mike Sugg
Craig Frazier	David Williams	Tammy Wall
Vicky Porter	Steve Bennett	Sandra Weitzel
Bobby Stanley	Drew Brannon	Natalie Woolard
James Ferguson	Vernon Cox	
Donald Heath	Lisa Fine	
Bill Yarborough	Dick Fowler	Other District Guests (On Line)
	Dewitt Hardee	Lee Holcombe
<b>Commission Counsel</b>	Julie Henshaw	Miles Payne
Jennie Hauser	Kelly Ibrahim	Joe Hudyncia
<b>Guest</b>	Ralston James Jr.	Kristina Fischer
	Jimmy Johnson	Michelle Lovejoy
Dr. Richard Reich	Ken Parks	Wayne Moser
	Michelle Raquet	

Chairman Manly West called the meeting to order at 9:04 a.m. and charged the commission members to declare any conflict of interest or appearance of conflict of interest that may exist for agenda items to be considered by the commission, as mandated by the State Ethics Act. None were noted. Chairman West requested the Board of Commissioners introduce themselves to the attendees, followed by staff introduction.

**APPROVAL OF AGENDA:** The meeting agenda was approved. Commissioner Vicky Porter made a motion to approve the agenda. The motion was seconded by Commissioner Bill Yarborough. Motion carried.

**APPROVAL OF MINUTES:** The minutes of the Commission Meeting held on August 16, 2011 were presented. A motion to approve the minutes was made by Commissioner James Ferguson and seconded by Commissioner Bobby Stanley. Motion carried.

#### IV. INFORMATIONAL ITEMS

**4. Division Report:** Mrs. Patricia Harris, Director for Soil and Water Conservation, presented the division report. She informed the Commission that Mr. Lee Holcombe, technician and Mr. Miles Payne, Supervisor, from the Alexander District, and other staff members, were online through teleconference.

#### Discussion:

### **Transfer to NC Department of Agriculture & Consumer Services**

- Everything is going well. The Employee BEACON database was transferred August 17, 2011 with very few problems. Mrs. Harris assured the commission that the customers/clients should not be impacted at this point. She noted that the division budget will go live on October 1, 2011.
- Cost share database (IBEAM) will be maintained by DENR through a Memorandum of Understanding.
- Matching funds have been released – The form is one page with all districts required to submit electronic direct deposit forms. Supervisor travel reimbursement is to be completed on a new NCDA&CS form. –District Supervisors are required to complete an electronic direct deposit form. No paper checks will be issued. Three online training sessions for administrative staff are scheduled for September 27, 2011. Area 6 Coordinator Kristina Fischer serving as the instructor.
- Job announcements are posted for the Area 2 Coordinator (closes October 5) and Area 5 Coordinator (closes October 3); view at <http://www.ncagr.gov/hr/jobs>.
- Commissioner Steve Troxler spoke to the Council of State that passed the resolution on September 13 enabling NCDA&CS to acquire CREP and Swine Buyout Program easements on behalf of the State.

### **2011 Fall Meetings**

- Division & NCASWCD hosting partnership discussion on resource challenges, program prioritization, priorities for area coordinators and association boundaries
- Area 1 – October 11, WNC Ag Center, Fletcher
- Area 2 – October 13, Morganton Community House, Morganton
- Area 3 – October 27, Branded Oak Guest Ranch, Randleman
- Area 4 – November 17, Nash Farmers Market, Rocky Mount
- Area 5 – November 3, Sen. Bob Martin Ag Center, Williamston
- Area 6 – October 18, Historic Burgaw Train Depot, Burgaw
- Area 7 – November 15, Little Bo Steak House, Rockingham
- Area 8 – October 12, Bethlehem Baptist Church, Kings Mountain

### **Agricultural Water Resource Assistance Program (AgWRAP)**

- Program purpose is to identify opportunities to increase water use efficiency, availability & storage; implement BMPs to conserve and protect water resources; increase water use efficiency; and increase waste storage and availability for agricultural purposes.
- Administered by Commission through Districts
- Julie Henshaw, NPS Programs Section Chief, providing leadership for division
- \$1,000,000 nonrecurring appropriations; \$150,000 can be used by division and districts to provide technical & engineering assistance, and to administer program
- Work groups: Policy, Best Management Practices & Technical Assistance

### **Another Vacancy**

- Mrs. Harris announced that she accepted the resignation from Mrs. Michelle Raquet's effective the end of October. Mrs. Harris informed the Commission that Mrs. Raquet has done a superb job with the Cost Share Program over the four years that she has been with the division. She is moving on to be a full time mother. It was noted that the Cost Share Manager's position is a "critical type position" and every effort will be made to look for a suitable candidate to fill the position.
- Mrs. Raquet informed the Commission that it was a hard decision to leave and that she hoped to stay involved with the division on some level. She expressed her appreciation for the support that she had received and that she would like to return to the division in a couple of years.

**Comments & Suggestions from Commission Members:**

- ❖ Chairman West asked if Assistant Commissioner Dr. Richard Reich would like to say a few words. Dr. Reich expressed that he appreciates the ongoing work and the smooth transition. He indicated that it was a historic transition. He is looking forward to attending the upcoming fall area meetings.

**5. Association Report:** Commissioner Craig Frazier, President, NCASWCD presented the following:

**Discussion:**

- **2011 Leadership Initiative:**

The final session for the 2011 Leadership Initiative was held on August 25-26, 2011 at the Sheraton Imperial, RTP. The session was led by Dr. Mitch Owen and the topics of discussion were: effective leadership, conflict resolution, and group dynamics. It was noted that the 2010 and 2011 training would be evaluated to determine the future of the program. No funding is currently available to continue the leadership development effort, but preliminary discussions have been held with the Foundation in regards to this. The Association's Strategic Plan places high priority on continuing the training.

- **Market Based Conservation:**

There are currently efforts underway between the Association, Foundation, Farm Bureau, NCDA&CS, NCSU, and the Marines to initiate a contractual program with private landowners, to protect the integrity of the landscape under the Marine's military training route (MTR) in eastern North Carolina. Funding from the military has not been made available to date, but preparations continue for possible funding in early 2012. A memorandum of understanding between the Foundation and the Association has been drafted and is on the agenda for the Association's Executive Committee meeting on September 20, 2011.

- **Partnership Power Point Presentation:**

There is now an updated version in progress of the Power Point presentation about the NC Conservation Partnership that was presented a year ago. The presentation has been broken into four modules and a narrative recording is being added to each slide. Each module can be viewed in 15-20 minutes. The modules are designed to be viewed separately or in sequence. A DVD of the presentation will be distributed to each of the SWCD offices throughout the state during the fall area meetings. The presentation will also be made available through the Association's web page. Funding for the grant project is provided by Altria.

- **75th Anniversary of Soil and Water Conservation Districts :**

2012 will mark the 75<sup>th</sup> anniversary of local Soil and Water Conservation Districts and the creation of the Brown Creek SWCD, the first District in North Carolina and the nation. Mr. Donald Heath, Vice President, and Mr. Dick Fowler, Association Executive Director, met with staff at NCDA&CS Public Affairs Division on August 31, 2011 to discuss opportunities to publicize the anniversary. It was noted that the January 2012 edition of the *Agriculture Review*, a NCDA&CS publication with distribution to approximately 40,000 people, will highlight the history SWCDs and their work in North Carolina.

- **Mountain State Fair:**

The Association was represented at the Ag Leaders' Breakfast and opening of the Mountain State Fair on Friday, September 9, 2011 at the invitation of Commissioner Steve Troxler.

- **NCASWCD Annual Meeting:**

It was announced that the NCASWCD annual meeting will be held on January 8-10, 2012 at the Sheraton Greensboro at Four Seasons.

**6. NRCS Report:** Mr. Mike Sugg, Assistant State Conservationist for NRCS presented an overview of the following:

**Discussion:**

- **NRCS Budget:** The new budget process was to submit the budget in August. It was noted that NRCS has requested a substantial increase in some of the financial assistance programs. Mr. Suggs informed the Commission that they would receive some information on the levels of approval around October 1<sup>st</sup>.
- **Conservation Assistance Resource Technical Teams:** It was noted that Mr. J. B. Martin, State Conservationist met with the executive committee on September 20, 2011. Due to the limited resources NRCS is looking to provide better services for the next few years. NRCS looked at their teams of the February 2011 trip to Indiana and was satisfied with the outcome. The department intends to add eight teams across the State. Mr. Suggs indicated that Mr. J.B. Martin would attend the fall meetings to introduce the new programs to the Districts.
- **Accomplishments:** NRCS was pleased to fund the Accelerated Technical Assistant Conservation Team Agreement with the Division for another year. This funding is for part time technical assistant and administration across the state. The agreement was signed and delivered to Mr. David Williams, Deputy Director for Soil and Water Conservation, this morning. It is a contribution agreement with matching funds from the Division through the Technical Financial Assistance that is provided through the Ag Cost Share Program. It was noted that the funding is for 30-31 positions.
- **September is the close out of the fiscal year.** The new fiscal year starts October 1<sup>st</sup>. During the close out, \$4 M of the Environmental Quality Incentive Program Funds were in excess. The program started the year with \$13 M and ended the year with \$17.2 M.
- **Wild Life Habitat Incentive Program:** Started out with \$1 M and received \$300,000 more, ended the year with \$1.3M in the WHIP program.
- **WRP (Wetland Reserve Program) \$7.3M, Farm Protection Program \$2.4M** for acquisition of easements on farm land. This was completed in partnership with the NCDA&CS.
- **Performance Goals:** NRCS has reached its goals 90% or greater in its accomplishments. Mr. Suggs thanked the NRCS employees, District employees and supervisors as well as the Division of Soil and Water Conservation and the Commission for all the support. It was noted that a lot has been accomplished this year and appreciates the help NRCS has received from its partners to achieve the performance measures.
- **Hurricane Irene's assessment:** It was reported that there was not much damage; the program accomplished its goals. The project is complete. NRCS is in the process of making of note of the final details and closing the project out.

**7. Coastal Habitat Protection Plan:** Mr. Jimmy Johnson, DENR Coastal Habitat Coordinator presented this item. A handout was provided. It was noted that Jerry Dorsett, Winston Salem representative who retired recently handled most of the projects.

**Discussion:**

- One NC Naturally (Working Lands, Forever Natural, Working on the Water)
- Working on the Water (Protecting and Restoring Coastal Habitats)
- Coastal Habitat Protection Plan Goal (Why are the coastal fish habitats so important to North Carolina?)  
#1 largest system of estuaries and ocean water on the Atlantic Coast.
- Strong Heritage of Commercial Fishing
- Strong Heritage of Recreational Fishing
- \$1 Billion Commercial & Recreational Fishing
- Cold Northern Current and Warm Southern Current bring many different species to N.C. waters

- Six interdependent fish habitats support North Carolina's coastal fisheries.
- Six Interdependent Fish Habitats include: Wetlands, Soft Bottom, Shell Bottom, Submerged Aquatic Vegetation, Hard Bottom, and Water Column
- Why should these six coastal habitats matter?  
95% of fish depend on coastal wetlands habitat during their life cycle.
- Wetlands habitat – Protect the shoreline from the power of the waves, they release floodwaters slowly, and protect the smaller fish.
- Wetland habitat can be protected by – Preserving wetland areas; Establishing buffers; and Restoring wetlands.
- Soft Bottom habitat – These muddy, mucky bottoms store and recycle nutrients and sediments as they come from inland down to the coast of North Carolina. It was stated that North Carolina has about 2.3 million acres of estuarine and ocean bottom habitat. A good portion is considered to be Soft Bottom habitat.
- Soft Bottom habitat can be protected by – Minimizing dredging; managing beach nourishment; modifying shoreline stabilization methods.
- Shell Bottom habitat – Living oyster reefs filter pollutants from water; North Carolina has lost 90% of its original oyster reefs.
- Shell Bottom habitat can be protected by – Rebuilding reefs using discarded shells; and Planting native oyster larvae.
- Hard Bottom habitat – Rocks; wrecks & reefs were coral; algae & sponges can attach.
- Hard bottom habitat structure provides crucial spawning habitat for snapper and grouper
- Hard Bottom habitat can be protected by – Improving water quality flowing from estuaries; protecting the habitat from fishing gear and anchors; and by installing artificial reefs.
- Submerged Aquatic Vegetation (SAV) habitat – Underwater garden that supplies food; oxygen & shelter for young fish. More than 40 fish species use SAV habitat at some stage in their life.
- The SAV habitat can be protected by – Using boat props and fishing gear with care; using less lawn chemicals; and reducing sediment in stormwater runoff.
- Water Column habitat – All coastal habitats are connected by water; Clean water is essential to all aquatic life
- Water Column habitat can be protected by – Reducing paved areas; reducing pollution from multiple sources; controlling runoff after rainfall. These habitats are interdependent; all fish depend on the total habitat system.
- Coastal Habitats depend on the following:  
Personal Actions – Use only the recommended amounts of fertilizers and chemicals; Keep natural areas intact; Use buffers; Pay attention to what goes into the water (streams and rivers).
- Water Control Structures; CREP Buffers; Animal Exclusion Efforts; Heavy Use Areas; Composting; No Till Practices; Community Conservation Assistance Program – CCAP (for water quality purposes); Rain Gardens and Pet Waste Receptacles. It was noted that General Statute will fund to a greater capacity.
- Clean Water; Thriving Commercial Fisheries; Thriving Recreational Fisheries; Healthy Coastal Economy; Healthy Environment; and a Healthy North Carolina.

Mr. Johnson concluded his presentation by expressing that "It's up to all of us to protect, restore, and maintain the coastal habitats." He indicated that the in-depth information provided was to better understand the various programs. Mr. Johnson stated that his Division valued the participation of the Division of Soil and Water Conservation (SWCD) in the N.C. Coastal Habitat Protection Plan (NCCHPP). He expressed that the NCCHPP was revised in 2010 (five year revision required by law). It was noted that a two year implementation plan that was passed recently, the Division of Soil

and Water Conservation is very much part of the implementation plan. Mr. Johnson welcomed comments and suggestions from Commission members.

**Comments and Suggestions from Commission Members:**

- Commission members asked clarifying questions regarding the NCCHPP and retention ponds.
- Mr. Johnson noted that the NCCHPP does not have any legal standing; it is a reference document that regulatory Commissions utilize to set Policies and Rules. He pointed out that DENR Coastal Habitat does endorse retention ponds. CCAP will help install retention ponds in communities.
- Mr. Johnson also expressed that the NCCHPP is the only program of its kind in the United States. He added that other States are contacting his Department and are interested in duplicating this program. He noted that this is a one-of-a-kind program and was extremely forward thinking when the General Assembly in 1997 put together the “Fisheries Reform Act”.

**ACTION ITEMS**

**8. Consent Agenda:** Commissioner Craig Frazier made a motion to approve the consent agenda. The motion was seconded by Commissioner James Ferguson and it passed unanimously.

- A. Nomination of Supervisors
  - Jeffery Pollard Jr. Avery SWCD
  - Shane Mitchell, Franklin SWCD
- B. Approval of NCAACSP Supervisor contract
  - Contract 67-11-05-15; Onslow SWCD; \$1,461.00
- C. CCAP Job Approval Authority
  - Linda Birdsong; Forsyth SWCD; successfully completed the CCAP Design Training, Backyard BMPs (Cisterns, rain gardens, etc.). It was noted that at least two projects have been completed following the design review process.

**9. Corrections to the CCAP PY2012 Allocation:** Mrs. Julie Henshaw, NPS Section Chief presented this item regarding the corrections. It was noted that upon reviewing the CCAP Financial Allocation Plan for PY2012, staff realized that there was an error made in copying the requested amounts into the parameter calculation spreadsheet. No errors were detected with the formula.

**Discussion:**

- Mrs. Henshaw noted that the handout presented had four districts listed above the bold line (Graham, Greene, Pamlico, and Person) did not request CCAP for PY2012. The four districts below the line (Brown Creek, Iredell, Moore, and Yadkin) requested CCAP; however, they were not included with the initial allocation request. All districts were contacted by phone to discuss the error and none will move forward with encumbering funds to contracts until the Commission approves the proposed corrections. The corrections total \$10,542, a difference of \$1,886 in the amount awarded at the August Commission meeting. These additional funds are available from released funds due to CCAP contract payments made during the past month (August 16<sup>th</sup>).
- Mrs. Henshaw pointed out that based on this information, staff requests that the Commission consider releasing funds from Graham, Greene, Pamlico and Person and allocating the funds to Brown Creek, Iredell, Moore, and Yadkin as stated above.

Mrs. Henshaw concluded her presentation and welcomed comments and suggestions from Commission members.

**Comments & Suggestions from Commission Members:**

- ❖ Commissioner Craig Frazier made a motion to approve the correction. The motion was seconded by Commissioner Bill Yarborough. Motion carried.

**10. Supplemental Technical Assistance Allocation for PY2012:** Mrs. Henshaw presented this item. A handout was provided.

**Discussion:**

Mrs. Henshaw informed the Commission that when reviewing the technical assistance allocations for PY2012, staff realized that there was an error made in Beaufort Soil and Water Conservation District's TA allocation. Beaufort County had a reduction in force (RIF) that eliminated their technician position in 2010 and 2011.

- The district has requested that the position be reinstated as a fulltime position for PY2012.
- It was noted that staff missed the change in status of the position, and recommended funding at the contracted rate of \$4,570 that the district had received in the two previous years.
- Staff is requesting that Beaufort SWCD receive an additional allocation of \$9,125 to support this position for the remainder of the year.
- The Division will generate funding to pay for this additional allocation through a NRCS technical assistance grant that was not budgeted.

Mrs. Henshaw concluded her presentation and welcomed comments and suggestions from Commission members.

**Comments and Suggestions from Commission Members:**

- ❖ Commissioner Craig Frazier made a motion to approve the Supplement Technical Assistance Allocation for PY2012. The motion was seconded by Commissioner Vicky Porter. Motion carried.

**11. Changes to the ACSP PY2012 Average Cost List:** Mrs. Michelle Raquet, ACSP Manager presented this item. A handout was provided. Mrs. Raquet noted that the recommendations are based on questions and comments that the Division has received about the 2012 Average Cost List that was approved by the Commission on August 16, 2011.

**Discussion:**

The following recommendations were presented to the Commission for consideration:

- 1) Remove the component FILTER CLOTH – pins, metal anchor. It was noted that pins are often included as the total cost for the installation of filter cloth and very rarely are individual pins included as a separate cost. Removing this component will match changes made to the PY2012 CCAP average cost list.
- 2) EDIT the component titled VEGETATION – bag lime and seed to include the word “fertilizer”. It was noted that the component will be listed as “VEGETATION – bag lime, seed and fertilizer” for consistency.
- 3) EDIT how costs are represented for the nutrient management (incentive) BMP. The current cost share is listed as \$18/acre. This is a total of \$6/acre/year over the three year contract period. The component will be listed as “INCENTIVE – Nutrient Management \$6/acre/year”. This change will match the unit type measure listed for similar incentive BMPs
- 4) EDIT how costs are represented for the prescribed grazing (incentive) BMP. The current cost is listed as \$30/acre. The policy indicates that the cooperator can receive \$30/acre/year for up to three years. The word “year” is not included on the current cost list. The component will be listed as

“INCENTIVE – Prescribed Grazing \$30/acre/year”. This change will match the unit type measure for similar incentive BMPs.

Mrs. Raquet concluded her presentation and welcomed comments and suggestions from Commission members.

**Comments and Suggestions from Commission Members:**

- ❖ Chairman West noted that Commission member’s action will include all four recommendations and will be presented as “one vote”.
- ❖ Commissioner members asked clarifying question related to the “number of years” for incentive practices.
- ❖ Mrs. Raquet clarified that each of the policies identify that the incentives are “limited to three years”. She noted that Nutrient Management can go up to the cap of \$15,000. She explained that they will have a total of \$6/acre/year over the three year contract period (up to a cap of \$15,000). Mrs. Raquet indicated that the above explanation is included in the policy.
- ❖ Commissioner Craig Frazier made a motion to approve all four changes that was recommended by the ACSF for PY2012 Average Cost List. The motion was seconded by Commissioner James Ferguson. Motion carried.
- ❖ Mrs. Raquet noted two additional comments: (1) Caps are listed on the Cost Share List as ready references for Districts, (2) In August; Commission approved the “Just-in-Time Allocation for Drought Allocation Funds”. Mrs. Raquet updated the Commission that all the funds have been encumbered to the contracts. She informed the Commission that these funds should be expended by the end of December 2011. She concluded that the Districts appreciate that the Commission approved the “Just-in-Time Allocation”.

**12. District Issues:**

**A. Exception to BMP Cap – Stream Restoration; Alexander SWCD**

Mrs. Raquet presented this request on behalf of Mr. Lee Holcomb, District Technician, and Mr. Miles Payne, Supervisor of Alexander SWCD. She informed the Commission that they are requesting an exemption to a cap of \$30,000 for Streambank Restoration of 2010 contract.

**Discussion:**

The proposed request from Alexander SWCD is as follows:

- Alexander SWCD would like to request permission from the Soil and Water Commission to proceed with a PY2012 Contract Supplement for Mr. Dale Fox’s Streambank Restoration project in the amount of \$6,750. It was noted that the original BMP cap for Streambank Restoration in PY2010 was \$30,000 at the 75% cost-share rate. The bid received by the grading contractor was \$49,000. Seventy five percent of \$49,000 is \$36,750. If approved by the Commission, Mr. Fox’s supplemental contract for \$6,750 would be above the PY2010 BMP cap of \$30,000.
- A detailed explanation and timeline is listed on the handout provided. The design was approved by the engineers. It was noted that it took two years for Mr. Fox to receive the completed the design packet. While waiting for the design, construction cost and price of materials have increased.
- Alexander SWCD feels that Mr. Fox should not be penalized by paying an additional \$6,750 out of his pocket for completion of the streambank project. They would like Soil and Water Commission to consider approving the request to move forward with a PY2012 Supplemental Contract for \$6,750 to fully fund his streambank project at 75% cost-share rate.

The handout is attached and made an official part of the minutes.

### **Comments and Suggestion from Commission Members:**

- ❖ Commission members asked clarifying questions regarding the timeline of the project, engineering cost, approval, and completion date.
- ❖ Mrs. Raquet clarified that the timeline indicated was correct. She added that Mr. Ken Parks, Cost Share Technician worked with the Alexander SWCD staff. It was stated that the holdup was due to the engineering design and getting in touch with the engineers.
- ❖ Chairman West clarified that the Supplement Allocation requested was from the PY2012 allocation. Mr. Lee Holcomb confirmed the request.
- ❖ Chairman West further clarified that this request represents 10% of the total allocation for PY2012. Mr. Holcomb confirmed.
- ❖ Mr. Holcomb noted that the construction process will commence early next week.
- ❖ Mrs. Raquet pointed out that Cindy Safrit, Environmental Engineer for DSWC has approved the design, and the letter is included in the handout.
- ❖ Chairman West asked if staff has recommendation.
- ❖ Mrs. Raquet indicated that staff recommends approval as the district followed proper procedures and channels with this particular contract. She acknowledged the delay was due to the engineering designs. Mrs. Raquet stated that in the past, the Commission has occasionally approved an exception to practice caps to supplement a previous year contract up to the currently applicable cap. The decision is based on each case presented to the Commission.
- ❖ Commission members commented that Alexander SWCD did an excellent job in expressing their concerns in their proposal by giving a detailed explanation and timeline. They added that this helped to expedite the decision.
- ❖ Commissioner members requested staff if they could come up with additional precautions to avoid future delays in projects.
- ❖ Commissioner James Ferguson approved the PY2012 Supplement Contract for \$6,750 to fully fund the streambank project. The motion was seconded by Commissioner Vicky Porter. Motion carried.

### **13. Cost Share Committee Report and Recommendations:** Mrs. Julie Henshaw presented this item.

#### **Discussion:**

- (1) Surry Soil and Water Conservation District request: Revising name on contract 86-2010-04-16: Surry SWCD Technician and Vice Chair called into the meeting to share issues about a potential contract cancellation. Through discussion, it was determined that a new contract would be required, and the district would need to request an exception to the policy addressing canceled funds from ACSP Contracts (policy was adopted 9/20/2010, effective 7/1/2001) to be able to re-contract the funds. The district board will meet and may request to be on the November Commission meeting agenda.
- (2) BMP contract obligations and exceptions:  
Several Districts have inquired about BMP maintenance agreements and measuring compliance. Specific questions referred to issues such as operations going out of business, declaring bankruptcy, or dealing with the possibility of the cooperator passing away. The Committee intends to work on drafting policies for Commission review that clarify the definitions of “no fault of the producer and non-compliance”.
- (3) Consideration of Supervisor Disclosure form after district comment period:
  - The Commission requested in September 2010 that the Cost Share Committee draft changes to a Supervisor Disclosure form for District Supervisors to complete.
  - The supervisor disclosure form was distributed for district comments, and several questions were received pertaining to when the addendum was required to be completed by the supervisor.

- With the help of the survey, two additional sentences were added to the District Supervisor Disclosure Addendum form and are stated as follows: “This addendum is not required for a District Supervisor who operates a business that sells supplies or materials where he/she cannot be reasonably expected to know whether they are used to implement specific cost share contracts. This addendum is not required if the District Supervisor is performing work on a contract for which he/she is the applicant or landowner.”
- The entire disclosure form and policy is attached to the handout, and is based on Commission policy adopted on 9/15/2010. The committee recommends that the Commission approve the supervisor disclosure form for district use this year.

**Comments and Suggestions from Commission members:**

- ❖ Commission members asked clarifying questions.
- ❖ Chairman West responded that the form is designed to protect the Supervisors.
- ❖ Commissioner Bill Yarborough made a motion to approve the recommendation for the District Supervisor Disclosure Addendum form. The motion was seconded by Commissioner Craig Frazier. Motion carried.

*Continuation of Mrs. Henshaw's presentation*

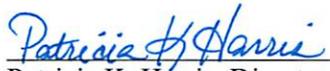
- (4) Consideration of self-certification incentive payment form
  - Many incentive practices available through the ACSP reference a policy that states: “To be eligible for this incentive, the cooperator must certify that they are not already using this practice for which they are applying on any land that they farm.”
  - Based on District responses from program reviews, the committee is drafting a Self-Certification Incentive Payment form for the Commission’s consideration that will also help the district track caps associated with incentive payments. This form will be included in the Ag Cost Share Manual and will be brought back to the Commission for review.
- (5) Upcoming meeting dates:
  - November 8<sup>th</sup> 10:00 a.m. – 2:00 p.m.; Archdale Building, 5<sup>th</sup> Floor Conference Room.

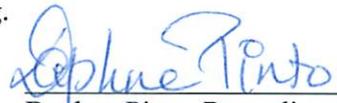
**VI. PUBLIC COMMENTS**

Chairman West thanked Mrs. Michelle Raquet for her dedicated years of service with the Division of Soil and Water Conservation. He invited her to attend future Commission meetings.

**VII. ADJOURNMENT**

With there being no further items to discuss the meeting adjourned at 10:25 a.m. The next Commission meeting is scheduled for November 9, at the Archdale Building.

  
 Patricia K. Harris, Director  
 Division of Soil & Water Conservation, Raleigh, N.C.  
 (Sign & Date)

  
 Daphne Pinto, Recording Secretary  
 (Sign & Date)

***These minutes were approved by the North Carolina Soil & Water Conservation Commission on November 9, 2011.***

  
 Patricia K. Harris, Director  
 (Sign & Date)