



**NORTH CAROLINA
SOIL & WATER CONSERVATION COMMISSION
WORK SESSION MEETING MINUTES
May 21, 2024**

Department of Agriculture & Consumer Services
Division of Soil & Water Conservation
The Inn at River Landing
131 River Village Place
Wallace, NC 28466

Commission Members	Guests	Guests
Patrick Baker	Ken Parks	Vickie Baker
Barbara Bleiweis	Lisa Fine	Guests – via TEAMS
Billy Kilpatrick	Rob Baldwin	Anne Coan
James Lamb	Bryan Evans	Aaron Franks
John Langdon	John Beck	Cayle Aldridge
Brian Parker	Rachel Smith	Paula Day
George Teague	Sam Edwards	Shelby Kaplan
Commission Counsel	Elise McLaughlin	Kayla McCoy
Phillip Reynolds	Eric Pare	Brandy Myers
Guests	Larry West II	Nancy McCormick
David Williams	Ralston James	Levi Preston
Julie Henshaw	Billy Ivey	Josh Vetter
Matt Safford	Cole Smith	Lorien Deaton
Kristina Fischer	Zachary Hatcher	Heather Reichert
Regina Kilpatrick	Franklin Williams	Jennifer Roach
Rick McSwain	George Mainor	Daphne Cartner
Michael Shepherd	Louis Howard	
Helen Wiklund	Charles E. Powell	

Chairman Langdon called the meeting to order at 6:02 p.m. Chairman Langdon 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 stated he will recuse himself from Item 12A. Chairman Langdon stated the meeting guidelines and asked everyone to introduce themselves.

1. **Approval of Agenda:** Chairman Langdon stated the agenda needs to be amended to include Senate Bill 613.
2. **Approval of Meeting Minutes:** Chairman Langdon asked for comments on the minutes. None were declared.

2A. March 26, 2024, Work Session Meeting Minutes

2B. March 27, 2024, Business Session Meeting Minutes

- 3. Division Report:** Chairman Langdon recognized Director Williams to present. A copy of the report is included as an official part of the minutes. Director Williams stated the report will be presented at the business meeting. Director Williams stated this is Ms. Helen Wiklund's last commission meeting.
- 4. Association Report:** Chairman Langdon recognized President Kilpatrick to present. A copy of the report is included as an official part of the minutes. President Kilpatrick stated the report will be presented at the business meeting.
- 5. Executive Director's Report:** Chairman Langdon recognized Mr. Bryan Evans to present. A copy of the report is included as an official part of the minutes. Mr. Evans stated the report will be presented at the business meeting and shared the report about Senate Bill 613.
- 6. NRCS Report:** Chairman Langdon asked if Mr. Julius George will be in attendance to present the report tomorrow. Director Williams stated Mr. George will be in attendance to present the report. A copy of the report is included as an official part of the minutes.
- 7. Consent Agenda:** Chairman Langdon recognized Mr. John Beck to present. A copy of the report is included as an official part of the minutes.
- 7A. Supervisor Contracts:** 6 contracts; totaling \$107,402
- 8. Report on StRAP Implementation:** Chairman Langdon stated the report will be presented at the business session tomorrow. A copy of the report is included as an official part of the minutes.
- 9. Consideration of StRAP Application Approvals:** Chairman Langdon recognized Mr. Matt Safford to present. A copy of the report is included as an official part of the minutes. Mr. Safford stated the presentation has been revised. Mr. Safford presented the following:
 - As of May 13, 2024, the Division has paid out \$23M (65% of awarded funds) in reimbursements to grantees for completed work and 292 requests for payment processed
 - Completed work
 - 3.2M LF of stream debris removal reimbursed
 - FY 2024 Allocation Application period closed on February 23 with 118 applicants and a total request of \$217M across 578 individual stream segments/sites
 - Ranking System for all Applications and Primary Factor Considered during Ranking
 - Amount of unspent funds remaining from previous Division funded projects
 - Potential benefits include the number of structures, utility crossings, road crossings, farms, and acres of ag land
 - Allocation Rankings broken down by project type, maximum possible score, and highest scoring site
 - An amended proposed award allocation per category was shown in the green box
 - Division recommends delaying the allocation of funds due to additional funding opportunities

- DEQ approached the Division about awarding additional funds to be used for StRAP projects which could be used for all project types
- Proposed added funds up to \$20M
- DEQ funding would be restricted to five river basins including: Tar-Pamlico, Neuse, Cape Fear, Lumber, and White Oak
- DEQ is developing an interagency Memorandum of Understanding to finalize the allocation of DEQ funds to StRAP
- Division requests that the Commission schedule a special-called meeting in June for the StRAP allocation to allow DEQ to complete the application review process and their planned allocations with a single round of funding
- Division will oversee/administer the projects but DEQ will pick the sites
- Division wants these additional funds appropriated by this fiscal year end
- Mr. Evans stated the Governor has released the budget and included \$20M in StRAP

Chairman Langdon called a break at 6:48 p.m. The meeting resumed at 6:55 p.m.

Chairman Langdon asked Mr. Franklin Williams to introduce the Duplin staff in attendance. Mr. Williams stated Duplin County is the biggest spender for StRAP. Mr. Williams also stated Duplin County has had five State Association presidents including himself.

10. Request for Exception to Criteria for Extension of Previous Program Year Contracts Policy:

Chairman Langdon recognized Ms. Julie Henshaw to present. A copy of the report is included as an official part of the minutes. Ms. Henshaw stated cooperators have up to three years to install their conservation practices. The Commission's policy states that *"on June 30 of each program year all outstanding third year contracts automatically expire and all funds encumbered to those contracts are returned to state accounts. The commission recognizes that to a very limited extent some contracts should be extended one additional year....If the request for payment is not received by the day before the July commission meeting, a district supervisor must appears before the commission to request the extension."*

There are over 200 contracts ready to expire as of May 10 for FY 2024.

Ms. Henshaw stated it is recommended to offer a policy exception for considering extension requests in three major categories:

- A. Offer an automatic 12-month extension for the following scenarios:
 1. Any contract that is pended for Job Approval Authority for those outside of district level of approval.
 2. Any contract where engineering approval was provided less than 12 months prior to expiration.
- B. For FY 2022 contracts (these contracts have not already received an extension), a district supervisor must attend the July meeting VIRTUALLY and the Commission may ask questions about the contracts.
- C. For approved contracts that have already received an extension (FY 2021 and older contracts), a district supervisor must attend the July meeting IN PERSON and the Commission may ask questions about the contracts.

11. Inquiry Committee Findings: Chairman Langdon recognized Ms. Kristina Fischer to present. A copy of the report is included as an official part of the minutes. Ms. Fischer stated the following:

- At the March 2024 Commission meeting, three supervisors were sent to the Commission's Inquiry Committee and Inquiry Committee considered two supervisors, Mr. Adam Lockey from Carteret SWCD and Mr. Roger Eaker from Cleveland SWCD, who have failed to attend three consecutive regularly scheduled meetings between December 1, 2022, and November 30, 2023
- Correspondence was sent to Mr. Lockey informing him of a hearing in conjunction with the Commission work session on July 23, 2024 at 7 p.m. to appear in person or virtually
- Mr. Eaker verbally resigned

Counsel Reynolds stated that these two supervisors show evidence of neglect of duty and for the July Commission meeting, the Commissioners should not do any additional investigations prior to the meeting or view materials ahead of time or outside of the packet and the matter is not to be discussed.

Ms. Fischer stated Mr. Guy Davenport has been in an elected seat since 1998 and has not met the Basic Training requirements and due to neglect of duty, correspondence was sent to Supervisor Davenport and to his SWCD Board Chair by certified mail explaining that a hearing will take place in conjunction with the Commission work session on July 23 at 7 p.m.

12. Special Requests: Chairman Langdon recused himself and passed the gavel to Vice Chairman Lamb. Vice Chairman Lamb recognized Mr. John Beck to present. A copy of the report is included as an official part of the minutes.

12A. Johnston Post Approval: Mr. Beck stated this is for a BMP for over \$20K with multiple grass waterways. The contract did not include a Critical Area Planting. The Critical Area Planting was installed based on the staff's assumption that it was included in the contract, so a post-approval is needed. There is a supplement to the contract and Contract # 51-2024-023 needs to be added as it is not on the letter and not in the packet.

Vice Chairman Lamb returned the gavel to Chairman Langdon.

12B. Vance Post Approval: Mr. Beck stated there are two contracts, i.e., 91-2024-002 and 91-2024-006 that are for rotation and cover crops. There was miscommunication between staff and the cooperator and former field staff. These contract BMPs were applied before the contracts were approved by the Division.

IV. Public Comments: Chairman Langdon asked for public comments. Chairman Langdon applauded Commissioner Kilpatrick.

Commissioner Kilpatrick thanked everyone for coming to Duplin County and for receiving StRAP funds through the Division and NRCS. Commissioner Kilpatrick stated the funds are needed for flooding to keep the rivers clean and prevent the 10 miles of roadway from also flooding.

Mr. Franklin Williams stated that he is proud of Commissioner Kilpatrick and representing the State Association and Commission.

Director Williams thanked everyone for organizing this meeting.

V. Adjournment: Meeting adjourned at 7:22 p.m.

David B. Williams, Director
Division of Soil & Water Conservation, Raleigh, N.C.

Helen Wiklund, Recording Secretary

These minutes were approved by the North Carolina Soil & Water Conservation Commission on July 24, 2024.