



**NORTH CAROLINA  
SOIL & WATER CONSERVATION COMMISSION  
BUSINESS SESSION MEETING MINUTES  
May 22, 2024**

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

<b>Commission Members</b>	<b>Guests</b>	<b>Guests – via Teams</b>
Patrick Baker	Dewitt Hardee	Aaron Franks
Barbara Bleiweis	Greg Walker	Cayle Aldridge
Billy Kilpatrick	Brandy Myers	Pamela Bowman
James Lamb	Eric Pare	Tyler Cornett
John Langdon	Chris Love	Jessica Davis
Brian Parker	Rob Baldwin	Lorien Deaton
George Teague	Julius George	Gail Hughes
<b>Commission Counsel</b>	Billy Ivey	Tom Hill
Christine Ryan	Cole Smith	Shelby Kaplan
<b>Guests</b>	Zachary Hatcher	Martin McLawhorn
David Williams	Larry West II	Morgan Hayes
Julie Henshaw	Charles E. Powell	Levi Preston
Matt Safford	Bill Pickett	Cole Strickland
Kristina Fischer	Darren Layton	Guilford SWCD
Rachel Smith	Brad Moore	Heather Reichert
John Beck	Angie Quinn	Jennifer Roach
Rick McSwain	Nicole Warren	Taylor Fair
Michael Shepherd	<b>Guests – via TEAMS</b>	James Warner
Josh Vetter	Anne Coan	Wilkes SWCD
Bryan Evans	Charles Bass III	Vivien Zhong
Helen Wiklund	Daphne Cartner	Daniel McClellan
Lisa Fine	Paula Day	Millie Langley
Ken Parks	Janine McLawhorn	Brody W. Brown
Elise McLaughlin	Jessica Wilson	Leanna Staton
Ralston James	Kayla McCoy	Tiffany (guest)

Chairman Langdon called the meeting to order at 9:07 a.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.

1. **Approval of Agenda:** Chairman Langdon asked for approval of the agenda. Commissioner Bleiweis moved to approve the agenda and Commissioner Kilpatrick seconded. Motion carried.
2. **Approval of Meeting Minutes:** Chairman Langdon asked for approval of the minutes. Commissioner Teague moved to approve the minutes and Commissioner Parker seconded. Motion carried.

**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 following:
  - Personnel Update
    - Zero new hires and 11 vacancies
  - Governor’s Proposed Budget
    - One recurring training position in DSWC
    - \$20M non-recurring for StRAP
    - \$1M non-recurring increase for AgWRAP
  - Flood Resiliency Blueprint
    - Neuse Basin Action Strategy sessions in La Grange, Durham, and New Bern
    - Reviewed current action strategies for Basin and for each county
    - Discussed potential missing action strategies
    - Division reps mentioned opportunities to assist with several strategies
      - Debris removal (StRAP), Ag and Community Conservation BMPs, buffers, cropland conversion, water farming, pond construction/rehabilitation – potential pilot project
  - Technical Assistance Funds
    - Division has submitted a conceptual proposal to NRCS for funding to support for TA for IRA projects (EQIP, CSP)
    - Five-year proposal
    - Working on a proposal to continue ATAC agreement for an additional five years
  - Upcoming Commission Meetings

Mr. Josh Vetter presented on the Fundamentals of Conservation Planning Training held in Waynesville in Haywood County in April

- Twenty-nine students represented 22 SWCDs with 13 mentors
- Primary focus on how conservation planning works and discuss the nine-step process
- Taught conservation planning and group activities/scenarios and field activities, i.e., soil stations and Hugh Russel Farm Tour
- Conservation Planning Group Project to identify resource concerns. The plan was presented at the end of the training
- Survey feedback includes the following comments: excellent—would not change anything, extremely helpful, great hands-on training and networking opportunity

Commissioner Bleiweis asked if we could build and expand the training to Mecklenburg County. Mr. Vetter stated if we can partner and base a curriculum off this training. Commissioner Bleiweis suggested adapting the training for an urban setting and having a one-day training.

Commissioner Baker stated to keep the trainings localized for those areas based upon the landscape.

Commissioner Parker proposed drafting a letter from the Commission to the House with regards to Senate Bill 613 and the letter should be crafted with input also from Director Williams, Mr. Bryan Evans, and Counsel Reynolds.

**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 following:

- Duplin is honored to host the May 2024 Commission Meeting and see the different challenges and unique opportunities to assist landowners in Duplin County, i.e., flooding
- 2025 Annual Meeting will be held at the Sheraton Imperial in Durham
- 2024 NACD SE Meeting will be held in Gainesville, Florida on June 16-18
- Advanced Supervisor Training is to increase the supervisor's knowledge of issues that affect districts, i.e., supervisors need to understand the programs
- Resource Conservation Workshop will be a week earlier to avoid conflicts with the State FFA Convention
- Grow More Outreach Trainings with the following trainings scheduled for July 9 in Fletcher, October 16 in Raleigh, December 10 in Greenville, and April 22, 2025, in Greensboro

Commissioner Lamb asked if a vote was needed about the proposed letter regarding SB613. Chairman Langdon asked if there is any opposition about the letter and the Commissioners were unanimous/in consent to prepare a letter.

**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 following:

- Basic Training for Soil and Water Conservation Supervisors
  - Advanced supervisor training will discuss budget finance, law, etc., on August 13 at the Ag Science Center in Raleigh. Plan to offer once a year and rotate around the state
- 2024 Farm Family celebration was May 9 at the Starnes Family Farm in Rowan County
- Education Coordinator Position is moving forward with an agreement
- Education/Outreach
  - Held poster, essay, slide show, and speech contest
  - State Envirothon had just over 100 teams and Enloe High School from Wake County won first place
- 2024 Legislative Items
  - Working on increased technical assistance funding

- Governor’s budget includes \$1M for AgWRAP and \$20M for StRAP
- Senate Bill 613 – districts have reached out and Haywood County has prepared a letter

Mr. Evans read a letter from Haywood County regarding a bill that passed in the Senate (S613) last session and is being considered by the House. The bill would apply a buffer along trout streams on agricultural properties. If passed, the agricultural exemption that has been in place since 1973 Sedimentation and Erosion Law would be removed. Haywood SWCD asks for the Commission’s consideration to not vote in favor of this bill should it come to a vote in the House or the Senate.

Chairman Langdon asked Ms. Anne Coan if she has any comments about where NC Farm Bureau stands with regards to Senate Bill 613. Ms. Coan stated the Farm Bureau received a letter and is concerned about the Bill and knows that there were probably good intentions by the sponsor, but the impact it will have is significant. Farm Bureau is opposed to the legislation.

Chairman Langdon asked Mr. Dewitt Hardee from North Carolina Grange for his opinion. Mr. Hardee stated he discussed the bill with Mr. Jim Gentry, and they are against it. The bill takes the property rights away from the landowner. Mr. Hardee stated the width was reduced to 25 feet from 50 feet on the stream. The landowner must maintain the property value.

Chairman Langdon called a break at 10:11 a.m. The meeting resumed at 10:30 a.m.

**6. NRCS Report:** Chairman Langdon recognized Mr. Julius George to present. A copy of the report is included as an official part of the minutes. Mr. George stated the following:

- Personnel: Staffing 160 and need additional funding to get the practices on the ground. Fourteen positions are vacant. Losing Mr. Mark Ferguson, Assistant State Conservation for Field Operations for Area 1 with over 33 years of service
- Receiving over 15 proposals for NRCS and implementing the practices with proposals on the east in the flatlands as well as in the mountains
- IRA (Inflation Reduction Act) over \$74M with over 53% obligated to EQIP and address 10% for wildlife and 5% for new farmers
- CSP with over \$22M obligated by September
- NC is known to be one of the top states of RCPP agreements for easements with 105 easement applications for \$11M
- Bi-partisan bill – 8 projects totaling over \$8.9M for restoration and flood prevention
- NRCS and Per-and Polyfluoroalkyl Substances (PFAS) will offer assistance for sample collection and laboratory analysis if PFAS might be present in soil and water on ag land
- Performance Updates
- Highlighted the Milestones for Completed Projects

Chairman Langdon asked everyone to introduce themselves.

7. **Consent Agenda:** Chairman Langdon asked for approval of the consent agenda. Commissioner Teague moved to approve the consent agenda and Commissioner Bleiweis seconded. Motion carried.

**7A. Supervisor Contracts:** 6 contracts; totaling \$107,402

A copy of the report is included as an official part of the minutes.

8. **Report on StRAP Implementation:** Chairman Langdon recognized Mr. Cole Smith and Mr. Zach Hatcher. A copy of the report is included as an official part of the minutes. Mr. Smith stated the StRAP funds were used for the following:

- Received \$1.6M in total funding and spent \$764,700.94 to date
- Projects included stream debris removal, maintenance on Limestone and Muddy Creek PL-566 projects, Cabin Lake Emergency Action Plan and repairs after the assessment, and storage building for County equipment, i.e., boats, kayak, and UTV
  - Northeast Cape Fear River Cleanout
  - Duplin Soil and Water Storage Facility
- Future StRAP Projects in Duplin County
  - Two sections of the Northeast Cape Fear River awaiting funding for stream debris removal
  - 2024 watershed mowing and maintenance is being funded by StRAP
  - Privet removal project on watershed lateral currently out for bids
  - Possible yearly debris removal maintenance on NE Cape Fear River

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 following:

- Program Updates for Completed Work
  - 40 contracts completed and closed out
  - Inspectors are contract temporary Division employees and do work as site visits are available
- Applications closed on February 23 with 118 applicants
- FY 2024 Allocation – DEQ Funding has proposed up to \$20M in added funds
- DEQ will select which sites they will fund and DEQ is developing an interagency MOU to finalize the allocation of DEQ funds to StRAP
- June 2024 Allocation Timeline
  - DSWC requests that the Commission schedule a special-called meeting in late June for the StRAP allocation to give DEQ time to review applications and decide which sites they will fund and allow the funding to be allocated in a single round of contracts
  - Single allocation would ensure the most efficient allocation of funding as DSWC and DEQ could work together to plan allocations
  - Brandon Herring, who works in Public Affairs, will notify the public
  - New intern will be hired to document the current and planned StRAP projects
- Purchasing a drone to inspect the work, etc.

- Meeting has been scheduled for Thursday, June 27, at 7 p.m.

**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 the following:

The Commission 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 appear before the Commission to request an extension.”* This applies to any FY 2021 contracts and earlier.

With there being a potential for more than 200 contracts to require consideration for an extension, Ms. Henshaw proposed the following batching of extension requests:

- Contracts that have already received 1 extension: Approved FY 2021 and older contracts
  - Districts must submit an extension request for each contract
  - District supervisor must attend the July meeting IN PERSON and the Commission may ask questions
- Contracts that have not been previously extended: FY 2022 contracts
  - Districts must submit an extension request for each contract
  - District supervisors must attend the July Meeting VIRTUALLY and the Commission may ask questions
- Additional Guidance
  - Any contracted PENDED for design will automatically be extended
  - Any contracts that have not had a completed engineering design for 12 months or more will automatically be extended

Ms. Henshaw also described several process improvements the Division is implementing to help reduce the number of contracts that need to be considered for extension. These include:

- Online cancellation form for district use
- Online 6-month extension form and CS2 reporting function for 1/3 date for District Use with Division follow-up
- Cost Share Committee to discuss revisions to policy for next Fiscal Year, including contract length

Division staff request consideration of a policy exception of the District Supervisor requirement to attend the first Commission meeting of the new fiscal year for the following groups of contracts:

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.

Chairman Langdon asked for approval of the exception. Commissioner Lamb moved to approve the exception and Commissioner Kilpatrick seconded. Motion carried.

Chairman Langdon challenged everyone to think about the top three things that you benefited from by attending today's meeting.

- 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 at the March Commission meeting three supervisors were sent to the Commission's Inquiry Committee established under 02 NCAC 59A .0302 for consideration. Two individuals did not attend local board meetings from December 1, 2022, and November 30, 2023. Two supervisors, Mr. Adam Lockey from Carteret SWCD, and Mr. Roger Eaker from Cleveland SWCD were sent a certified written letter.

Supervisor Lockey has been notified to appear in person or virtually on July 23 at 7 p.m.

Supervisor Eaker, acknowledged his previous resignation as district supervisor. Supervisor Eaker's seat is considered vacant, and the board can fill the seat for the remainder of the term.

The Inquiry Committee also considered one supervisor who has not met Basic Training requirements. Mr. Guy Davenport from Washington SWCD has failed to attend Basic Training under 02 NCAC 59A .0202 (a) and .0202 (b) within the first year of service as an elected or appointed supervisor. The Inquiry Committee sent a certified letter to Mr. Davenport to attend the July 23 work session either in person or virtually.

All Commissioners are in approval of proceeding with these actions.

Chairman Langdon recused himself from Item 12 and passed the gavel to Vice Chairman Lamb.

- 12. Special Requests:** 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 Contact # 51-2024-023. This request is for a post approval for an omitted BMP to be added to the contract.

Mr. Greg Walker stated the district requests a post approval because he received a call from a contractor in the field. The contractor did not want to tear up the grass and gully in the existing waterway which would pick up some of the sedimentation. The contractor suggested to do a critical area planting instead of disturbing the waterway. The landowner also wanted to go with the contractor's plan and thought the critical area was in the contract, but it was not.

Vice Chairman Lamb asked for approval of the post approval contract. Commissioner Teague moved to approve the contract and Commissioner Kilpatrick seconded. Motion carried.

Vice Chairman Lamb returned the gavel to Chairman Langdon.

**12B. Vance Post Approval:** Mr. Beck stated this for the previous year's contracts. The current year's contracts were not approved but certified as complete.

Mr. Larry West stated they had some post approvals from the March meeting. Mr. Charles Powell stated there were problems with a previous employee that is no longer with the district and after reviewing the contracts discovered they were properly done but there was a miscommunication between the landowner and office. Contract # 91-2024-002 is for a sod-based rotation for \$16,273 and Contract # 91-2024-006 is for a cover crop for \$3,397. Mr. West inspected the contracts and the contracts have been completed.

Chairman Langdon asked for approval of the post approval contracts. Commissioner Parker moved to approve the contracts and Commissioner Bleiweis seconded. Motion carried.

**IV. Public Comments:** Chairman Langdon asked for public comments. Chairman Langdon thanked Commissioner Kilpatrick for Duplin's hospitality.

Commissioner Kilpatrick thanked everyone for coming to Duplin County and for representing Duplin County.

Chairman Langdon thanked Ms. Helen Wiklund for all her work for the Commission.

Mr. Matt Safford stated he did not mean to fail to recognize all the work that Wilkes SWCD and Johnston SWCD do for StRAP.

**V. Adjournment:** Meeting adjourned at 11:38 a.m.

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

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Helen Wiklund, Recording Secretary

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