



# BUNCOMBE COUNTY SOIL & WATER CONSERVATION DISTRICT JULY 14, 2022 BOARD MEETING

**49 Mount Carmel Road, Asheville, NC 28806**

Board Members Present

Gary Higgins, Chairman; David Snelson, Secretary; Louise Scruggs, Treasurer

Others Present

District Staff: Avni Naik, Ariel Zijp (virtual), Anthony Dowdle, and Jennifer Harrison, NRCS Staff: Amanda Buchanan, and John Ottinger, Division Staff: Cayle Aldridge, County Staff: Michael Frue, Sybil Tate and Max Traintor, Public: Joel Lenk, Quible & Assoc.

**The meeting was called to order at 10:00am.**

Conflict of Interest Statement

Gary Higgins asked those in the meeting to review the conflict of interest statement, "In the interest of preserving public confidence in the actions of this Board, the chair reminds members of their duty to avoid any conflicts of interests and inquires as to whether any member knows of any conflict of interest or potential conflict of interest with respect to matters to come before the Board."

Approval of Agenda

Please see Exhibit A

**Louise Scruggs made a motion to approve the July 14, 2022 meeting agenda as amended. The motion passed on the vote.**

Approval of Minutes

Please see Exhibit B

**David Snelson made a motion to approve the June 9, 2022 minutes. The motion passed on the vote.**

Supervisory Reports

Gary Higgins initiated a conversation on hybrid meetings and his aversion to them. Board members Section E numbers 6 – no votes without quorum in presence. He believes its up to the board to determine when we can allow board members to be present or virtual. Michael Frue clarified the only bodies that require in-person meetings in NC is Commissioners or City Council (municipal gov). This is a quasi-board – so you can make the rules as to what is "good cause." Frue recommended a commonsense rule "if they can't be here, they can't be here but can they still participate." It's a matter of having access to what everything that is presented. Jennifer Harrison shared we've been operating as majority based



on “in the room.” Frue agreed with Harrison. Guidance from Attorney General – “strong suggestion” to have in person, virtual still allowed, but in-person quorum is recommended. Harrison asked should we change meeting time? Higgins doesn’t believe that’s a good idea. Louise Scruggs wants to wait to see how the board will look after elections. David Snelson agreed.

#### 2023 Annual Plan

We discussed the 2023 Annual Plan. Higgins wanted to change page 1- five employees to eight. All agreed to change to eight. Higgins also requested the addition of Hominy Creek Project and EWP to objectives. Harrison asked about adding the open space bond as it will adjust funding for conservations – but we won’t know until November. Frue explained bond process (could trickle or be all at once). Sybil Tate clarified you can begin spending upon approval. Harrison reminded the board of the requirement that staff remain neutral on the subject, however the board is free to promote the bond. Higgins sees no need to add bond right now. Higgins requested adding Conservation Employee Training to the calendar. Staff has no other edits to the plan. Harrison noted EWP is not on calendar. Higgins would like to see it on calendar every month. It was noted that StRAP must be completed by the end of February.

**Louise Scruggs made a motion to approve the 2023 Annual Plan as amended. The motion passed on the vote.**

#### Camp Branch Dam Removal Project

Joel Lenk presented a Dam removal project being proposed by Quible and Associates. This is a fairly small dam. Harrison asked if they will be a stream easement or full conservation easement? Lenk shared it will be a conservation easement to preserve the riparian buffer. Still need to work out the value of that easement. Total estimated project value ~\$300,000. Can get application together by end of Fall cycle (Dec. 31). They can do grant writing. If SWCD thinks it’s a good project Quible and Assoc. can do the design, assist in design selection, provide construction assistance, assist with land trust. Higgins expressed he is in favor with working with district staff to get application done by deadline. Lenk shared there is no guarantee that the application will be approved but he will take info back to owner and will contact Harrison to coordinate the application.

**David Snelson made a motion to support the Camp Branch Dam Removal Project. The motion passed on the vote.**

#### Directors Report

Harrison shared the Farm Bureau had leftover money and reached out to Buncombe/Haywood/Madison to offer each district \$7019 to go to a carbon farm planning project that was impacted by TS Fred. The funds need to be expended by the end of the year.

Jennifer Harrison shared we have submitted StRAP application (lumping EWP state match with STRAP funds). We have flexibility on how to use STRAP funding. Unsure of how long it takes for contract. Cayle Aldridge shared it generally takes two weeks to get contract back from division – due to deadline rush it may take three. Harrison shared we are posting admin assistant program (hopefully today). We don’t have educators here today because they are at Envirothon school in Blue Jay Point.

Latest draft of the MOA was disseminated. There is an active MOA in place and has been since 2018. All personnel policy issues were added as an appendix. This change was agreed on by both NRCS, the County, and the District. Higgins stated he will review between now and next meeting.



Harrison shared we are waiting on contract to get state match before we officially move forward on EWP. We have hired Pete to fly many of the watershed to record drone footage in an attempt to confirm the continued existence of blockages. Hoping to use footage for big packages as some of these blockages are difficult to get out to. Next step is engineering. Working with Ron Venturella at County to qualify engineers. NRCS on idle until things get started.

#### Area 1 Report

Cayle Aldridge shared the Commission meeting will be held Tuesday, August 16, 2022 from 9 - noon. They will be discussing extensions at that meeting. Ag Cost Share funding will not be available until after the Commission's August meeting.

RCW was a great event. The students were engaged and enjoyed the experience.

#### Farmland Preservation Report

Ariel Zijp shared they are working with both LCAB and AAB to identify projects for FY23. The AAB will be reviewing 7 new projects at their August meeting. See Exhibit C for full program report. Harrison applauded the efforts of the team and shared that they initiated a record number (19) of easements this year. She shared the Strategic Plan goal was 15. They are far exceeding their goals.

#### NCACSP and AgWRAP Report

Anthony Dowdle shared we will have some projects for which we are requesting an extension. That will require that a board member attend the August Commission meeting being held at CET. The contract is a 2018 contract. We requested engineering back in 2018 and are still waiting for it.

Dowdle presented 5 contracts for approval.

David Snelson made a motion to enter closed session in pursuant to GS 139.8.2-142 to discuss confidential NCACSP and AgWRAP contracts on 11:07am, and the motion passed on the vote with all in favor.

Louise Scruggs made a motion to exit closed session in pursuant to GS 139.8.2-142, and the motion passed on the vote with all in favor.

Louise Scruggs made a motion to approve the applications for 11-2022-503-05, 11-2022-010-05, 11-2022-011-05, and 11-2022-012-05. The motions passed on the vote with all in favor.

David Snelson made a motion to approve the contracts 11-2022-801-05, 11-2022-503-05, 11-2022-010-05, 11-2022-011-05, and 11-2022-012-05. The motions passed on the vote with all in favor.

#### NRCS Report

During the closed session NRCS shared 6 new conservation plans with the board. For full report see Exhibit D.

#### Announcements

Higgins shared he attended the Friends of Ag event in June. He asked for an update on the plans for moving forward with more events. Harrison shared we are hoping to move back to quarterly events. We conducted a survey to determine what types of events the public would like. There were mixed responses thus the plan is to offer a variety of events including breakfast, lunch and dinner as well as potentially longer half-day information days.

Harrison also shared that we hosted the state Cultural Resources training in June. There was good attendance.



Higgins also shared that four people are running for the Soil and Water Board of Supervisors in this year's election.

With no further business the meeting was adjourned at 11:43 am.

Secretary

Date

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