



BUNCOMBE COUNTY SOIL & WATER CONSERVATION DISTRICT MARCH 10, 2022 BOARD MEETING

49 Mount Carmel Road, Asheville, NC 28806

Board Members Present

Gary Higgins, Chairman; David Snelson, Secretary; Louise Scruggs, Treasurer; and Aaron Sarver, Member

Others Present

Jennifer Harrison, District Director; Anthony Dowdle, Soil Conservationist; Taira Lance, Environmental Educator; Cayle Aldridge, Area 1 Coordinator; Ariel Zijp, Farmland Preservation Program Coordinator; Curtis Euler, County Legal; Sherri Snelson; Michael Frue, County Legal; and Jessica Hughes, Administrative Assistant.

The meeting was called to order at 10:07am.

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 March 10, 2022 agenda, and the motion passed on the vote with all in favor.

Approval of Minutes

Please see exhibit B.

David Snelson made a motion to approve the February 10, 2022 minutes, and the motion passed on the vote with all in favor.

Supervisory Reports

Higgins reported the Area 1 spring meeting went well.



Taira Lance Recognition

Higgins stated Lance worked with the Soil and Water Conservation District for 11 years and the Board noted their appreciation for her dedicated years of service.

Snelson/NCDOT Project

Curt Euler attended the meeting to update the Board on the process of the lawsuit against the NCDOT and Sycamore Valley Farm in which is under a conservation easement. On October 25, 2016 the State of North Carolina filed an action against Sycamore Valley Farm, the BCSWCD Board, and the United States to condemn part of the farmland (.75 acres along New Leicester Highway). Instead of paying fair market value for the .75 acres the U.S. prefers that another property be placed under an easement for the same amount of land that was taken. However, the State has been unable to locate land that would be feasible for this type of project and would prefer to pay out the project to close the case. The State is proposing a road easement on the parcel that has an active road on it and would prevent the land from being used for anything other than a road, in which, the rest of the parcel would remain under an easement with Sycamore Valley Farm and the United States. Sycamore Valley Farms would still receive compensation for granting the road easement. Sherri Snelson shared the compensation that was offered was not fair market value, but agriculture value which would be much less than the condemnation compensation of the property. Zijp shared her concerns that the development of the road has disturbed much more than just the .75 acres and has also disturbed production. Sherri Snelson shared the draining system that was installed for the road flooded one of the fields and there has not been an effort to resolve the situation. Snelson further explaining the entrances to the farm are not realistic and are dangerous for moving farm equipment in and out and has not been willing to work with the farm to resolve the issues. Harrison shared her concerns of what kind of precedent this will set for other easements that the land can be condemned with “ease” and without compensating properly. The Snelsons stated that they were unhappy with the offer from the USDA attorney and stated that there is a lot more lost than just the value of the property that was condemned and spoke against the USDA proposal. The Board stated their position is that the on going issues regarding drainage and how they are compensating need to be resolved before the case is closed.

District Scholarship

Higgins reached out to Rachel Nygard with the Service Foundation to see if the scholarship could be processed through them or the Buncombe County School Scholarship Foundation and she is working on it. Frue stated going through the service Foundation to provide some separation from the Board would be feasible and would still allow the Board to set the criteria and be involved in the selection process.

Conflict of Interest Policy

Higgins presented the Conflict of Interest Policy for Board approval, please exhibit C for full policy.

David Snelson made a motion to approve the Conflict of Interest Policy as presented, and the motion passed on the vote with all in favor.

By-Laws and Rules of Procedure

Higgins presented the By-Laws and Rules of Procedure for Board approval, please exhibit D for full policy. Harrison asked if the public comment section could be moved to the beginning of the meeting to allow for greater participation by the public. There were



questions as to whether the virtual participation from the public would be allowed or not after the state of emergency for COVID-19 is over.

Louise Scruggs made a motion to approve the By-Laws and Rules of Procedure with changing the public comment section to the beginning in the meeting, remove the last sentence of the purpose, and remove the conflict of interest section and the motion passed on the vote with all in favor.

Directors Report

Harrison reported the seedling sale was very successful and raised over \$8,000 for educational programming. There was an issue with our supplier and we were not able to fill orders with many of the berry varieties. Orders that were not picked up were donated to stream rehabilitation programs. 44 Sites were approved for EWP totaling \$2.6 million and the sponsor portion is a little under \$700,000. Harrison reported the budget presentation went well. Harrison requested an additional soil conservationist and as of right now that position seems like it is going to be approved. There were 81 applications for the environmental education position and over 61 applicants were qualified. The list was then shortened to the top 10 who will be interested on March 22nd and 23rd.

Area 1 Report

Cayle Aldridge thanks the staff for all their help on the Area 1 meeting. State Commission meeting will be on March 22nd and 23rd. If any members would like to attend they can register online. The Annual Meeting will be in January 2023 in Cherokee at the Harris Cherokee Casino.

NCACSP and AgWRAP Report

Anthony Dowdle presented the NCACSP PY 22 Ranking, see exhibit E.

Louise Scruggs made a motion to approve the NCACSP PY 22 Ranking list as presented, and the motion passed on the vote with all in favor.

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.

Gary Higgins 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 application for contract 11-2022-004-05 for \$2,003.00, and the motion passed on the vote with all in favor.

Louise Scruggs made a motion to approve the contract 11-2022-004-05 for \$2,003.00, and the motion passed on the vote with all in favor.

Louise Scruggs made a motion to approve the application 11-2022-007-05 for \$12,335.00, and the motion passed on the vote with all in favor.

David Snelson made a motion to approve the contract 11-2022-007-05 fr \$12,335.00, and the motion passed on the vote with all in favor.



NRCS Report

John Ottinger reported March 11th is the EQIP ranking deadline. There are 24 eligible applications totaling over \$100,000 in Buncombe. Higgins asked when the Local Work Group meeting should take place. Aldridge stated the April Board meeting would be a good month to host the meeting because it needs to be before May 6th.

Farmland Preservation Report

Ariel Zijp presented the report for Farmland preservation.

Easement Project Updates

- Board Approval Process - Berner and Clark easements
- Survey & Deed work
- McCurry Easement - Survey in progress
- Rosseter Easement - Survey in progress
- Sneddon Easement - Survey in progress
- Harvey/O'Doherty Easement - Starting Survey April
- SAHC Teague Property Easement - Starting survey April
- SAHC Jenkin's Creek Easement - postponed until stream easement
- Splendor Valley LLC Easement - fully funded - contracting with surveyors

Closing Preparations

- Hart Easement - final deed and exhibits, budgets, reviews
- Currie Easement - final deed and exhibits, budgets, reviews

Waiting on Grant Funding

- Sluder Easement - NCDA approved, waiting on USDA
- Ramsey Easement - NCDA approved, waiting on USDA
- Anthony Cole Farm - awaiting NCDA funding
- Gary Cole Farm - awaiting NCDA funding
- Jasperwood Phase 1 - awaiting NCDA funding
- Jasperwood Phase 2 - awaiting NCDA funding

Zijp is presenting at the March Commissioners Environmental Subcommittee and has presented at the January and February meeting as well. Zijp is updating the landscape records, projects, budgets, tasks with Avni Naik. Monitoring visits are planned for March and April.

Announcements

With no further business Louise Scruggs motioned to adjourn at 12:01pm.

Secretary

Date

