

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 2, 2009

**Action Agenda
Item No.** 4-e

SUBJECT: Soil and Water District / ERCD Partnership

DEPARTMENT: ERCD, S&W

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

Staff Memorandum
Soil and Water Board of Supervisors
May 28 Soil and Water Board Action
Organizational Chart

INFORMATION CONTACT:

Laura Blackmon, 245-2300
David Stancil, 245-2598
Brent Bogue, 245-2750

PURPOSE: To formalize existing arrangements for administrative oversight of the Orange Soil and Water District and create the District as an Office affiliated with the Environment and Resource Conservation Department.

BACKGROUND: Each North Carolina county has, by General Statute, an associated Soil and Water District. Soil and Water Districts were formed during the Great Depression to help address soil conservation and cropland erosion issues with agricultural operations. Over the decades, Soil and Water Districts have worked with farmers and rural landowners to address a variety of issues such as best management practices, federal cost-share programs, farm conservation plans, and design and monitoring of animal waste lagoons. The Orange District consists of four staff persons, two State/County funded and two County funded. A USDA District Conservationist is also assigned to the office and serves both Orange and Person counties. District staff reports to an elected/appointed five-member Board of Supervisors.

Over the past decade in particular, the District has broadened its scope of activity to address other areas within its charter from the State including such functions as well abandonment, environmental education, agricultural drought response and agricultural conservation easements. Since 2002 the District, USDA and the County's Environment and Resource Conservation Department (ERCD) have partnered to leverage more than \$3 million in USDA grant funds for conservation easements on nine County farms, conserving over 1,000 acres of Orange County prime and threatened farmland in perpetuity. District and ERCD staff increasingly collaborate on environmental education, drought education, watershed protection and groundwater quality and quantity programs.

In the last several months, administrative changes from USDA and the need to formalize the mutual-support arrangement between these two similar and co-located organizations has become increasingly necessary. A background memorandum is attached that provides

additional information on the rationale and administrative duties changes that have led to this proposal.

With the change to the USDA District Conservationist's duties (and resultant assumption of County administrative duties by the ERC Director in November 2008) described in the attached memorandum, the co-location of the two offices, the similarity of mission and scope, and the imminent opportunities for increased collaboration, a formal affiliation and partnership between the District and ERCD has been proposed.

Implementation of this affiliation would be addressed in two steps: 1) formalization of the administrative and organizational affiliation of the Soil and Water District as an Office with the Environment and Resource Conservation Department, and 2) adoption of an agreement on joint partnership activities to be conducted by District and ERCD staff for the County.

The ERCD Director and District Conservationist have developed a draft operational agreement which is being reviewed by the Soil and Water Board of Supervisors and would be presented for action to the BOCC in August.

In the meantime, from a County administrative and organizational perspective, the Orange Soil and Water District would be designated as an "Office" within County government which would be affiliated with the Environment and Resource Conservation Department. By way of comparison, this is similar to the relationship of the Arts Commission Office to the Economic Development Department. For duties and responsibilities performed for the County, and for County administrative purposes, District staff would work as part of the ERCD while still retaining autonomy as a District for other non-County government duties and functions. The ERC Director would continue to function as the department director and County administrator on behalf of the District assuming the administrative duties previously performed by the District Conservationist (administered by the ERC Director since November 2008). The District Conservationist would continue to serve as the technical supervisor for District staff as relates to federal, State and District functions and programs.

On May 28, 2009 the Soil and Water District Board of Supervisors considered this administrative and organizational structure and reviewed a first draft of an Operational Agreement. The Soil and Water District Board unanimously approved the administrative and organizational arrangement described in the previous paragraph, creating the District as an Office, affiliated and within the ERCD.

The Operational Agreement, which includes a proposed two-year Partnership Initiative, will be completed by the Soil and Water Board in June, reviewed by USDA and the State over the summer, and returned for Board of Commissioners' consideration and approval in August.

ERCD and Soil and Water have collaborated on the FY 2009-10 budget, in anticipation of this affiliation, and the co-location at the Agricultural Center will allow for administrative support, equipment and vehicle sharing as well as collaboration on a variety of shared interests and duties to be more efficiently accomplished.

FINANCIAL IMPACT: There is no financial impact associated with the proposed partnership and affiliation of the Soil and Water District and ERCD. In fact some reductions in future costs and efficiencies in service provision are anticipated by virtue of the arrangement as the two agencies will share equipment and vehicles and negating the need for an additional vehicle for

the short-term. Administrative support will also be maximized by allowing the two administrative assistants to help cover offices and answer phones when staff is in the field.

RECOMMENDATION(S): The Manager recommends the Board confirm the organizational and administrative affiliation of the Soil and Water District as an Office with the Environment and Resource Conservation Department as approved by the Soil and Water District Board and reflected in the attached organizational chart. The formal affiliation of the Soil and Water District Office and the ERCD is proposed to be effective October 1, 2009 (which coincides with the beginning of the next federal fiscal year).

An Operational Agreement, which will include details of a specific two-year partnership work plan, will be completed and brought before the Board for action at the August 18, 2009 regular meeting.



The Seven Mile Creek Preserve

Orange County Environment & Resource Conservation

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MEMORANDUM

TO: Laura Blackmon, County Manager

FROM: David Stancil, Environment and Resource Conservation Director

DATE: May 29, 2009

RE: Background Information on Proposed ERCD / Orange Soil and Water District Partnership

The purpose of this memorandum is to provide supplementary background information outlining the progression toward the proposed affiliation of the Soil and Water District Office and the ERCD.

For many years, ERCD and Soil and Water have collaborated on a variety of projects, from agricultural conservation easements to stream restoration projects and environmental education efforts. With each passing year, the opportunities for collaboration have increased.

In the late-spring of 2008, the County Manager began looking at a reorganization scenario that would combine small departments with like missions to help them manage and share resources. Due to the similarity in mission and scope, and the trend for District activities to focus more on environmental efforts, the reorganization plan proposed to create a formal affiliation between ERCD and the Soil and Water District. The staff resources in the two agencies are complementary in many respects, with District staff having expertise that is of valuable assistance for ERCD, and ERCD having staff and resources that are useful for the District.

Coincidentally, later in 2008, the USDA, as part of its own restructuring, changed the role and duties of the District Conservationist. District Conservationists are USDA Natural Resource Conservation Service employees that are assigned to and co-housed with the Soil and Water Districts. In Orange County's case, the District Conservationist (since 2004, Brent Bogue) had always served as the defacto "department head" for the District office. However, a new administrative

ruling in the summer of 2008 prohibited the USDA District Conservationist from assuming such duties in future for activities that were outside of the scope of USDA and their agreement with Soil and Water Districts. This included any administrative or financial responsibilities for the County. The USDA reorganization also assigned the District Conservationist to serve the same role in Person County as well, greatly increasing his workload and reducing his time in the Orange office.

Given this situation, upon discussion with the ERC Director and the District Conservationist, the County Manager asked the ERC Director to assume administrative responsibilities for non-USDA functions that the District Conservationist could no longer perform (County administrative duties such as signing off on performance reviews, purchase requisitions and timesheets/leave records), given the projected affiliation between the two entities and the need for a County department head to perform these duties. The ERC Director began assuming these duties in November 2008.

In late-January, the ERC Director and District Conservationist met with the Chair and Vice-Chair of the Soil and Water District Board of Supervisors. It was agreed that a formal affiliation would benefit both entities, that many potential synergies could result, and that the District's Operational Agreement with the County was overdue for renewal (last adopted in November 2000). This Agreement was decided to be the appropriate vehicle for formalizing a partnership between the two organizations, and providing an administrative "home" within County government for the District staff.

On February 10, 2009, the Board considered the proposed reorganization plan, and generally indicated interest in forming two departments from the plan presented. While there was no formal action, general agreement appeared to indicate that the ERCD/Soil and Water partnership should proceed.

The District Conservationist and ERC Director have been working since that time on revisions to the 2001 Agreement, and on identifying shared interests and mutual benefits desired by the County and District through such an arrangement. The draft agreement includes a two-year Partnership Initiative work plan for joint activities by the District and ERCD. The draft agreement was favorably received by the Soil and Water Board of Supervisors, and a representative of the State Division of Soil and Water, on May 28, 2009. The Operational Agreement would be completed and presented to the Board of Commissioners in August.

Please let me know if I can provide any additional information.

Copies: Willie Best, Assistant County Manager
John Roberts, County Attorney
Brent Bogue, District Conservationist

Orange County, North Carolina
SOIL AND WATER CONSERVATION DISTRICT
Board of Supervisors

Monthly Meeting Schedule

7:00 p.m. on the **4th Thursday** of each month at the Soil & Water Conservation District Office (unless time and location changes noted). Please contact **Lisa Pope** concerning issues to bring to the attention of the Board. The Board of Supervisor meetings are listed with **All County Meetings**.

2008 Standard Meeting Agenda

The standard agenda (pdf) contains a list of items regularly discussed at monthly meetings. The agenda is subject to change as needed.

Meeting Minutes

The meeting minutes for the past year

Board of Supervisors

The current Board of Supervisors are:

Name	Address	Email
William C. Hogan (Chris), Chair - Elected	117 Redbud Lane Chapel Hill, NC 27514	Contact
Roger Tate, Vice- Chair - Elected	8615 Harmony Church Road Efland, NC 27243	Contact
Donald N. Cox, Treasurer - Appointed	7010 Thunder Mountain Road Efland, NC 27243	Contact
Larry Rogers - Appointed	5500 Corbett Ridge Road Mebane, NC 27302	Contact
Morris Shambley- Elected (Bd. appointed, unexpired position)	2609 Mt. Willing Road Efland, NC 27243	Contact

Operations of Orange County Soil and Water Conservation District are directed by a Board of Supervisors. Three of the five members are elected officials. The remaining two are nominated by the

Board and appointed by the state Soil and Water Conservation Commission. All positions are non-partisan. Historically, the same **District Law of Soil and Water Conservation Districts (pdf)** has always been used.

This document was last modified on Wednesday, December 03, 2008.
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Orange Soil and Water Board of Supervisors
May 28, 2009 Meeting

Motion: Approve the organizational and administrative arrangement with the County Environment and Resource Conservation Department, and consider the draft Operational Agreement (with the District/County Partnership Initiative) at the June meeting, to be conveyed to the Board of County Commissioners for approval in August.

Vote: Unanimous.

Environment and Resource Conservation

