

**CABARRUS SOIL AND WATER CONSERVATION DISTRICT**

**Tuesday October 7, 2025, 5:30 p.m.**

**Cabarrus County Extension Building Auditorium**

**Supervisors in attendance: Jeff Goforth, Vicky Porter,**

**Tommy Porter, Eddie Moose, Mitch Haigler**

**Others in attendance: Daniel McClellan, Chuckie Bass, Abby Weinshenker,**

**Amy Cook, Rick McSwain, Doug Hall**

1. Call to Order
  - a. Vicky Porter started the meeting at 5:33 p.m.
2. Invocation
  - a. Tommy Porter gave invocation.
3. Conflict of Interest Statement.
  - a. *"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."*
  - b. Vicky Porter read the statement. There was no response.
4. Statement of Professionalism
  - a. *"Supervisors are reminded of their responsibility to uphold the laws of the United States and North Carolina and their constitutions. Business is to be conducted in a professional manner, free of bias, of interactions that violate policies or individual liberties, and that address business issues only. Interactions are to be held with integrity, courtesy, honesty and in compliance with the highest ethical standards."*
  - b. Vicky Porter read the statement.
5. Approval of Agenda
  - a. Vicky Porter discussed moving Doug Hall, Cabarrus County attorney, to Partner Report from New Business, to discuss the Peninger Property and Clarke Creek Easement.
  - b. UPON MOTION of Jeff Goforth, seconded by Eddie Moose, and carried unanimously the board moved to approve the agenda for the meeting with the amendment.
6. Approval or Correction of September 2, 2025, Minutes
  - a. UPON MOTION of Tommy Porter, seconded by Jeff Goforth, and carried unanimously the board moved to approve the minutes of the September 2 meeting as written.
7. Informational Items
  - a. Partner Report
    - i. Doug Hall gave a partner report. Doug Hall reminded the Board that Mr. Peninger passed away in 2011, and in his 2008 will left plans for a conservation easement on 49 acres of the property,

along with a driveway easement. In 2019, the land trust deeded the conservation easement to the District. The property was eventually inherited by a niece and nephew, and their attorney Mr. Mills informed Doug about filing a lawsuit to release the easement. Mr. Mills believes the easement statement is too vague with no signed documentation, with no true conservation easement. Doug informed the Board that the will is too vague and is similar with another case that happened in the state. Mr. Mills wants the Board to release the deed and to file a quiet title action. Jeff Goforth stated the Doug had summed about the Peninger Property Easement well and that the Board does not have leverage to hold the easement. Vicky Porter stated that the Board is unable to do anything without the proper paperwork or closing for a conservation easement. Doug Hall informed the Board that the easement is sitting as a clout on the title and the inheritors are unable to do anything with it. Jeff stated that the inheritors said that they would donate five thousand dollars to release the close. The email was sent on August 20, 2025. Jeff asked if that was legal, and Doug confirmed that it is. Tommy Porter does not agree with releasing the easement but recognizes it will be an unwinnable fight. Doug stated that the donated moneys can be earmarked for Soil and Water. Vicky said the District will use the moneys for a land preservation workshop.

1. UPON MOTION of Eddie Moose, seconded by Jeff Goforth, and carried unanimously the Board moved to release the conservation easement on the Peninger Property.
- ii. Jeff Goforth updates Doug about the Clarke Creek Property Conservation Easement and about donating it to the City of Concord to reduce liability with Ramseur Park. Doug said the City will have more use with the property and that the conservation easement laws will still apply. Daniel McClellan reads the letter of intent for Vicky Porter to sign for the City about transferring the property. Daniel informs the Board that the District is still waiting to hear about an MOU so the Resource Education Coordinator is able to use the park for environmental education. Jeff agrees, and Vicky wants the MOU written. Doug said the letter of intent is sufficient and that the education access will be defined in the MOU.
  1. UPON MOTION of Tommy Porter, seconded by Jeff Goforth, and carried unanimously the board moved to approve the letter of intent for the transfer of the Clarke Creek Easement.

iii. Rick McSwain provided the update from the Division. Rick reminded the Board that the Area VIII Fall meeting will take place the following day. Rick reminded the Board that the nominating committee has put down for Vicky Porter to be the education committee alternate, Tommy Porter to be legislation committee alternate, and Jeff Goforth to be the natural environment committee alternate. Rick reminded the Board that the Annual meeting registration and hotel are now available.

1. Daniel informs on an issue that FSA was not helping with a conservation plan on a certain map. Rick said to potentially start including cooperative agreements and bring it up at the next District Issues Meeting.

b. Education Report

- i. Abby Weinshenker gave the education report. Abby updated the Board about Creek Week. She informed the Board there were 300 that participated throughout the week, with an attendance of 200 people at the festival, and the creek cleanup pulled approximately 160 pounds of trash out of Threemile Branch Creek.
- ii. Abby informed the Board that she will be attending facilitator trainings for Project Learning Tree and Project Wet.
- iii. Abby informed the Board that the Southern Piedmont Envirothon has been seeking sponsorships and asked if any supervisor knew of a good source to let her know. Abby also stated that she will be writing the wildlife test and presenting the wildlife portion for the Southern Piedmont Envirothon.
- iv. Abby informed the Board that Quarter 1 programs had 949 people in attendance.

c. Supervisor's Communications Report

- i. Daniel McClellan gave the supervisors report. Daniel reminded the Board about the Area VIII Fall meeting, Annual Meeting, and the NACD meeting. Daniel said he will follow up with the Supervisors about the NACD meeting.

d. StRAP Report

- i. Daniel McClellan gave the StRAP report. Daniel informed the Board that the StRAP funding allocated from the state is being dedicated to Hurricane Helene victims in Western North Carolina.

e. Division Funds Report

- i. Chuckie Bass gave the division funds report. He stated that all projects are moving along, and that the approval for 13-2026-001 will hopefully be in the November Commission meeting.

f. Conservation Easement Report

- i. Daniel McClellan gave the conservation easement report. Daniel informed the Board that the two conservation easement



applications for Wilburn Family Farms were funded through ADFP and NRCS-ALE. The District is waiting for the contracts.

- ii. Daniel informed the Board the Agricultural Growth Zone application has been partially funded, and the District is waiting for the contract for that.
- iii. Daniel informed the Board that the District is submitting an application for the Helms Family Property for the NRCS-ALE.
- iv. Daniel informed the Board the Sam Davis easement is still underway and waiting for a survey.
- v. Daniel informed the Board that Amy Cook is planning to submit a cost-of-service grant for the District.

8. New Business

- a. Daniel McClellan presented a Conservation Plan to the Board. It was a previous plan that required updating due to a change in property ownership.
  - i. UPON MOTION of Eddie Moose, seconded by Tommy Porter, and carried unanimously, the Board moved to approve the conservation plan.

9. Public Comment

- a. No public comments.

10. Adjourn

UPON MOTION of Tommy Porter, seconded by Eddie Moose, and carried unanimously, the board moved to adjourn the meeting at 6:45 p.m.

  
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Vicky Porter, Chairperson

  
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Tommy Porter, Secretary/Treasurer