

**MINUTES**  
**ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT**  
**BOARD OF DIRECTORS**  
**April 20, 2020**

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:00 AM. Directors J. Wright, P. DeBlock, G. Keeton and P. Ruszkiewicz were present, along with K. Sumner, C. DeGrootd and T. Ferry (OCSWCD) and A. Armlin-Sorgen (NRCS).

Directors Wright, Keeton and Ruszkiewicz were attending remotely along with Armlin-Sorgen. DeBlock, Sumner, DeGrootd and Ferry were in attendance at the office. Sumner requested that when Directors made a Motion or a Second, to please state their name so that we have it on record.

**2020-4-1 Wright made the Motion, DeBlock seconded, to approve March's Board Meeting Minutes as written. All in favor.**

**ACTIONS TAKEN BETWEEN MEETINGS** – The District made a payment to Gurda Landscaping for the Bench Phase 3 clearing, which was approved by the Board prior to the Meeting.

**CORRESPONDENCE**

- Documents regarding the Open Meetings Law and the Executive Order for how we should be doing remote meetings were posted on the District's website prior to the Meeting.
- The District was copied, along with several other agencies, on a letter from NYS Ag & Markets to Jim DeLaune, the Executive Director of the Orange County Land Trust, to inform them that they were awarded a Land Trust Grant for \$36,998.00 to develop an inventory of viable farmland and to do some other work identifying potential farmland protection projects. Sumner said that this is substantial amount of money and hopefully the work can be undertaken in a way that's going to be productive rather than just another mapping exercise which we've seen plenty of to identify good soils, which by itself is not real helpful for getting us closer to approved farmland protection projects.
- A copy of a letter that went out to a no-till user was discussed with the Board. We are trying to stay on top of users that fail to pay the interest on their statements. Discussion followed.
- The State Committee sent a summary of some changes that they made to the Performance Measures Report that we have to do every year. There is a substantial amount of money associated with meeting certain requirements. This year the State Committee has rolled back those requirements significantly in response to the coronavirus situation. It should be less challenging to make sure that we meet all those requirements to earn the full amount of the Part C money. In particular, one of the items we that we often have a little bit of a challenge meeting was attendance at regional meetings on the part of three Directors and that requirement has been removed along with quite a few others. The monthly report from State Committee includes some highlights from the approved New York State budget. The environmental protection fund budget amounts that are relevant for us all held or went up a little bit. So that's good news for us. Voters in November will be voting on a new environmental bond act "restore mother nature" that's potentially worth three billion dollars. This could be a lot of funding opportunities for the District and Sumner has had some specific discussions with Senator Metzger's staff. Sumner was please to hear that they have forwarded the Walkkill Floodplain Bench project as a good potential project to be addressed through the bond act, to the Governor's office. The State Committee also sent out a list of ideas for District staff and Directors to review, some potential things that could be done during this time where it may be difficult to be progressing some of our normal projects. Sumner encouraged the Directors to look through their ideas.
- The bank statements and collateral agreements are available for review at the District office and will be presented to the Board the next time we meet in person.

There was additional discussion on requirements for the District Board Meetings according to the Governor's Executive Order, and that the Executive Order makes it legitimate for us to have remote meetings, however there are some additional

requirements. 1-One requirement is that there is a word for word transcription of the meeting available to the public. 2- Anyone from the public can call in to the meeting. The instructions for accessing this meeting were posted on our website. Sumner stated that there is no immediate time frame for the transcription and that we will be looking into it after the meeting today.

**FINANCIAL REPORTS** – were reviewed.

It was noted that Part A and Performance Measures Part C money all came in from State Committee. Part A is \$60,000.00 and the Part C was ~\$113,000.00. The Part C money is now listed on the Dedicated Fund Summary. We still have ~\$76,000 left over from last year's Part C money. We made one draw from that fund for tire pickup expenses at Ochs Orchard, but we are anticipating that the remainder of that will be available for projects this year and the most likely one we're going to need it for is the Phase 3 Bench Project.

**2020-4-2 Wright made the Motion, Keeton seconded, to file March's 2020 Financial Report for audit review. All in favor.**

**BILLS FOR BOARD APPROVAL** – The list of bills was reviewed by the Board.

**2020-4-3 DeBlock made the Motion, Keeton seconded, to accept the Bills to be Paid. All in favor.**

### **STAFF REPORTS**

Written staff reports were presented for Board review.

### **INTERAGENCY REPORTS**

CARES money for the coronavirus will be available to help the farmers. The USDA will be having farmers sign up. It was mentioned that row crops are included.

**Armlin-Sorgen NRCS** – NRCS is working on ranking EQIP applications for 2020. They have a timeline for when all of their applications will be ranked and then pre-approved and obligated.

### **OLD BUSINESS**

The Phase 3 Tree Clearing has been completed. The District completed deep soil test pits and some on-site field collected topography so we can refine the soil quantity estimates. The total quantity of soil material that has to be excavated went up from what previous estimates were. Sumner had previously been estimating about 40,000 total and that's up to about 56,000. There is a substantial amount of clay but not as much as it could have been. Sumner has been spending a lot of time the last few weeks coming up with a plan to find places to utilize that clay. He thinks we've been cleared by the NYS DEC with our clay disposal plan but they are telling us to make sure that we get a Floodplain Development Permit from the Town of Wawayanda because of the fact that we'll be placing some fill in the flood plain. Sumner doesn't anticipate that's going to be a problem getting that permit. It may take some time but as long as they don't take too long with it he doesn't think it will delay us from starting the project this summer assuming all the other items fall into place. The District is working with Pine Island Turf Nursery because they are going to be who's actually formally hiring the contractor.

Celery Ledge Project - There's nothing new to report on the Celery Ledge project.

We got some good news, an unofficial report from the State Committee that our Round 5 Climate Resilient Farming Proposal will be funded. That proposal asked for \$300,000 in state funds and we need to really keep in the forefront of our mind that we made a substantial local fund commitment to that project. We made that decision in order to try to better ensure that we ranked well. Which apparently we did because we were tied for first place. We haven't seen how many projects applied yet or how many got funded. But we want to emphasize that we're committing our Part C money and our

money that we allocate from our County appropriation, the \$50,000, we are including that in these grant proposals for the next three years. Sumner had mentioned to Wright that the District may need to start doing some longer financial planning. Instead of just doing an annual budget we probably need to do a 3-5 year budget just to make sure that we all are aware and that we don't forget that we committed those funds to other projects and then end up where we're over extended.

There was a brief discussion on the County appropriation the District receives and it was mentioned that the second quarter appropriations have been put on hold. Sumner mentioned that he had received a call from Barry Cheney, Chair of the Physical Services Committee, on Friday. Mr. Cheney was checking in because of the lack of face-to-face meetings and the other challenges with communication these days. They're checking around with all the departments that they oversee to see how we are doing and see what our needs are. He didn't mention anything about potential cuts to our appropriation. He asked Sumner if we were anticipating any legislative requests and Sumner mentioned to him the discussions we've had here about the possibility of the County helping us to cash flow for the Phase 3 project while we wait for reimbursement from the SAM grant. We didn't decide on any specific action on that. Cheney thought there would be some way to do that if necessary. Sumner put in an inquiry to Metzger's office last week to see if they could check on the status of that SAM grant and he has not heard back yet. They're supposed to be looking into it. If that comes through, and the reimbursement turnaround time is within reason, then we may be able to swing it without requesting the County to cash flow it for us.

Tire Project Update – There are still more tires at one farm, but no one is anxious to continue dealing with Casings. The farmer was reimbursed 50% of the collection costs for three loads per the agreement we made with him, which was approximately 3,000 tires. If we could find another reasonable vendor we might collect some more there.

NYS Retirement Update - The offer letter that we had expired on March 31<sup>st</sup> and although we approved joining at the March meeting there were several documents specific from NYS Retirement that we were supposed to execute: a Resolution, and an affidavit, and those were not done. We were unable to complete these before the end of the month and state retirement was not willing to give us an extension on that offer. The District requested a new offer letter after April 1<sup>st</sup>. They acknowledged receipt of our request, however they've told the District that the actuaries may be backed up so at this point in time we still do not have a new offer letter to act on. Unfortunately the saga of joining NYS Retirement is going to continue for at least another month. Those documents have to be notarized so that offers an additional challenge. Notaries can be done by Skype now, so when we do get the offer letter then we'll try to get those documents ready for next month for approval. And they can get notarized and submitted. Setting up our SEP plans has also not progressed since last month.

Carbon Farming Project Update – The project continues to move forward. It's the project where Senator Metzger and others carved out some money for some of the lower Hudson counties. We have six projects for which we are scheduled to receive a little over \$70,000.00. That contract is supposed to become effective May 1<sup>st</sup>. From what we are hearing, that's still going to happen. We anticipate being able to move that project forward this spring and into the summer.

New Hire Update – We submitted a Position Description to the Orange County Personnel Department on March 2nd. We followed up on March 16<sup>th</sup> and were told it's still under review. We have been reluctant to push too hard on that because of everything that's going on but if we want to have somebody in place to help us with spring equipment then we may need to push on that a little bit more.

The due date for the next round of Ag Nonpoint Source Proposals was extended from April to May 18<sup>th</sup>. We've been continuing to refine the proposal and we don't foresee any problems with us having it ready. State Committee has even sent out a questionnaire to find out whether there are a lot of counties that still feel like they'll be challenged in getting the proposal in by May 18<sup>th</sup>. It's possible that date could get extended again.

We received the Year 16 AEM contract, which is the first time where Implementation money is included with the staff time money. The the Claim for Payment for the 25% Advance has been submitted. Ferry has been working on getting contracts

and other paperwork in place with the three Moodna watershed farms that are going to be receiving that implementation funding.

### **NEW BUSINESS**

There was a brief discussion on how the Zoom meetings work. The District purchased a package that allows over a 40 minute time limit for \$15/month.

The District sent out a draft No-Till Fee Waiver Policy to the Directors for review prior to the meeting. The policy rationale is that due to the current economic situation surrounding the Coronavirus pandemic and especially the economic concerns facing our Orange County farmers, Orange County Soil and Water Conservation District (OCSWCD) is considering waiving or drastically reducing our no-till rental equipment fees for the 2020 rental season. OCSWCD strives to keep rental rates of our conservation tillage planting equipment reasonable. Generally, the District has been able to do so but during a time when farming is threatened more than ever before, even these low rates may present a challenge for producers wanting to use our conservation tillage planting equipment. In fact, some producers rely entirely on our planting equipment to get their annual crops planted, having no planter of their own. By waiving or reducing our rental rates this allows producers to continue using our reduced tillage equipment to provide environmental benefits even during uncertain times. Fees will be waived for producers that depend upon the farm as a main source of their income. We ask that producers whose farm is a secondary or hobby source of income still pay normal rates to partially offset the cost of offering this program. OCSWCD reserves the right to determine which users are eligible for the fee waiver. Producers will still be required to provide insurance coverage as outlined in the rental agreement. OCSWCD will still deliver equipment to the producer, and provide help setting up/adjusting the equipment for use, all fine adjustments will still be the responsibility of the producer (as outlined in the rental agreement). It was discussed that past users should be given priority and this will be added to the Policy.

**2020-4-4 DeBlock made the Motion, Keeton seconded, to adopt the new No-Till Fee Waiver Policy with the addition of the Prior User Priority Provision added on. All in favor.**

The next **MEETING** is scheduled for **Monday, May 18, 2020 at 9:00 AM.**

There was a brief discussion regarding Director Keeton's At-Large seat. There are a few people interested in the seat.

**2020-4-5 The Meeting adjourns at 9:54 AM on a Motion by Wright, seconded by DeBlock. All in favor.**

Minutes Prepared By:

Christine DeGroot, Secretary to the Board