

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
February 24, 2020

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:07 AM. Directors J. Wright, P. DeBlock, G. Keeton and P. Ruszkiewicz were present, along with K. Sumner, T. Ferry and C. DeGrootd (OCSWCD) and A. Armlin-Sorgen (NRCS).

2020-2-1 Keeton made the Motion, DeBlock seconded, to approve January's Board Meeting Minutes as written. All in favor.

ACTIONS TAKEN BETWEEN MEETINGS – Some bills were paid with Board approval prior to the Board Meeting and are listed on the Bills for Board Approval.

CORRESPONDENCE

- Bank account statements and Collateral Agreements from M&T Bank were available for review.
- The District sent a letter to John J. Brozdowski Living Trust informing the owner of work to be completed on the floodplain bench project affects a small piece of the owner's parcel. The letter included a sample License Agreement that the landowner can review and consider signing.
- Miscellaneous newsletters were available for review.
- The District was sent information on Danskammer Energy, LLC regarding a Notice of Application filing.
- There was an Invoice from the Columbia County Soil and Water Conservation District for the Hudson Valley Regional 2020 Envirothon regarding the \$500.00 dues. This will be discussed under "Old Business".
- From the New York Association of Conservation Districts - an update was available for review and the 2020 Legislative Day Booklet was passed around.
- From the Ag & Farmland Protection Board - February 2020 Agenda and Draft Meeting Minutes from January 2020.
- From the Soil and Water Conservation Society Empire State Chapter – They are writing to see if the District would like to become a member of the Soil and Water Conservation Society Empire Chapter. No action taken.
- There was discussion regarding Sumner and DeBlock working on a map of lands used by Orange County Dairy Farmers which was presented to the Ag & Farmland Protection Board months ago.
- The Year 16 AEM Base Funding-Strategic Plan Implementation Contract was reviewed.
- **2020-2-2 Wright made the Motion, seconded by Keeton to enter into the AEM Contract. All in favor.**
- **2020-2-3 Keeton made the Motion, seconded by DeBlock, to continue Kevin Sumner's signatory authority on behalf of the District. All in favor.**

FINANCIAL REPORTS

Sumner mentioned that there is \$80,000.00 left over from 2019 Performance Measures Part C.

There is one location left to pick up farm tires. The Board said that they would like the producer to let the District know by March whether or not he is still planning on having the tires removed.

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

BILLS FOR BOARD APPROVAL –There were some bills pre-paid, they were on the list of Bills for Board Approval. Sumner mentioned that the bill for Apple Valley Signs is for kiosks for the EBP Moodna project.

2020-2-5 DeBlock made the Motion, Keeton seconded, to accept the Bills to be Paid. All in favor.

Ag Grant Update Report – There was not much activity to report. The three Ag NPS Grants on the report ended December 31, 2019. The District will start tracking the new AEM grant on this report.

STAFF REPORTS

- **C. DeGroot**

- The District's new rewards business card has accumulated \$336 in cash awards.
- DeGroot has worked on annual reports. The Treasurer's Report was completed and submitted to the NYS Comptroller.
- The District's annual audit is scheduled for the week of March 2nd. DeGroot has been emailing them requested information.
- Our IRS audit is scheduled for March 19th and Rachel, from KKB&N Certified Public Accountants, will be assisting us.
- We completed the annual audit for The Hartford for our workers comp. This year they asked for any contractors and engineers we worked with in 2019 and wanted to know what they were paid along with their copies of Certificates of Insurance.

- **T. Ferry**

- Ferry has been working on the Climate Resilient Farming Grant Round 5.
- He has been working on AEM plans for some of the farms. He mentioned that the AEM Year 15 Final Report is due the end of this week.
- Ron O'Dell picked up the row units for the both of the District's corn planters from Pequea Planter in Pennsylvania and picked up the invoice for us in the amount of \$2,664.70. Some of the work included in the invoice was - replacing the brushes and belts on the seed meters, new opener discs, they replaced some of the tine wheels, new bearings and rims on the gauge wheels.
- Ferry has been working on Soil Group Worksheets as they come in.
- Ferry attended the Green Infrastructure class at Cornell Cooperative Extension in Middletown last month.

- **K. Sumner**

- Sumner is working on closing out two Ag NPS Grants. He is putting together the bills and records, some from up to four years ago.
- We had to decide which grant offers made sense for the District to apply for. We are focusing on the Climate Resilient Farming Grant Round 5 proposal right now. The money will go towards extending the bench project from County Route 1 to further upstream.
- All staff worked on the annual reports which were due on February 15th.
- Sumner spent time this past month preparing for Phase 3 of the bench project and the Carbon Farming Project development.
- Sumner worked on putting together educational information for Middletown for their MS4 permit and presented to the Common Council on 2/4.
- Sumner taught the 4-Hour Erosion & Sediment Control Course on February 5th at Cornell Cooperative Extension.
- The Workman's Comp audit requested more detailed information than in prior years. They want to make sure that any subcontractors have insurance, to see what we paid them, and to see their certificates of insurance. Our agent says that if we used a contractor without proper insurance coverage, our carrier could be liable to extend coverage under our policy. Of course, the carriers want to avoid this.
- Sumner gave the Board a little more background on the pending IRS audit. Some advice we got suggested that these audits are normally the result of a complaint, while other reputable advice did not necessarily support this contention. The District requested representation from Rachel, an Accountant from KKB&N who assisted us with Quickbooks, who reviewed the IRS audit notice and will sit in on the scheduled phone audit.
- Jim Delaune, Executive Director of the Orange County Land Trust, met with Sumner to see if the District was interested in assisting them with a large-scale riparian forest buffer planting. They received a grant to plant approx. 17 acres on the Bashakill Preserve (over 6,000 trees). Sumner replied in writing to OCLT after the meeting that we were potentially interested, and posed some questions to better understand the scope of the project and funding. Discussion followed.

- Sumner spoke at a Christmas Tree Growers Association last Thursday at the Hudson Valley Research Lab. He was asked to give attention to AEM and the Grown and Certified Program, in addition to general SWCD programming.
- Legislative Attorney Antoinette Reed organized a meeting regarding the eight-year ag district review which Sumner attended.
- Sumner recently spoke with G. Johnson, who sits on the Cornell Cooperative Extension Board and the building committee for the 4-H Ag Park, about some aspects of the Park development. He suggested there might be some value in a general discussion about the potential for co-locating some of the Ag Agencies as CCE explores construction of office space there.

INTERAGENCY REPORTS

- **A. Armlin-Sorgen (NRCS)**
 - The NRCS has a new system to rank applications and Angelica is learning how to use the ranking tool. They should know who is funded by next month.

OLD BUSINESS

Wallkill Flood Project Update – Army Corp. permits for the Celery Avenue Project and the Bench Project were recently received within two weeks of submission of requested information by us and our consultants (B&L). We had to seek new permits for both these projects because the initial permits expired. We are still waiting on a NYS DEC modification permit for the Bench project, but it will not delay the Phase 3 clearing component expected to commence soon. Keeton asked if we will go in and slash cut trees now. Sumner said that if we do not get things settled with Green Farmland soon we may have to. Sumner said that Green Farmland keeps changing their minds about what they want from the project and changes take longer because everything has to go through attorneys. Among other requests they were making, they were insisting that they wanted wood chips generated from the clearing operation and that they wanted us to deliver the chips to them at our expense. While Sumner was willing to make some concessions in the interest of getting their agreement, he was very reluctant to incur significant costs for the handling of such a low-value material. Green Farmland eventually agreed to drop the chip delivery request. They want all the trees from “area 1” which is the smaller part of the project but still a substantial amount of trees. We agreed we would bring these trees to them. They said they also want an additional 60 trees from a ‘Area 2’ of the project and there is no easy way to get these 60 to their property. Sumner reviewed additional relevant points in the agreement with the Board. There is a set limit of \$5,000 on the cost of moving the 60 additional trees that they want. We agree to pay them \$300/acre for the lower edge of a field we will use as a travel way and where we are placing some of the dirt, approx. 10 acres. We will spread the good soil on their field within those 10 acres and chisel plow once. The agreement does specify that we can use the lower edge of Green Farmland’s field to access the Project site, which is important with the limited access options to get to the work areas. The Board was agreeable to these terms. Sumner emphasized that these are important decisions because they may set a precedent for what adjacent landowners expect as the Project progresses up-river. We will be contracting directly with Gurda Landscaping for the clearing, as previously motioned by the Board. Sumner would like to undertake the excavation portion of the project with an adjacent benefitting farmer sponsoring the project and hiring the contractor, as we did with Phase 2.

Wallkill River National Wildlife Refuge – Sumner was on a call with the Refuge Manager and the Federal DOT people who have to approve switching money from the sheet piling project to the bench project (see previous Board meeting minutes for more background on this).

Sumner has been exploring options for the various professional consulting services we will need to move to the next upstream phases of the floodplain benching. He has had some preliminary meetings, and was able to secure support letter from some of them for the CRF 5 grant proposal.

Tire Project Update - One producer did not complete the project yet. It was mentioned that the tire removal company, Casings, accidentally backed up and hit a center post under a barn on one farmer’s property. They reimbursed him \$500 for the post.

Senator Metzger had a meeting with the NYS DEC Region 3 Director and was going to inquire about the HABS funding in the amount of \$200,000.00 that has been under discussion for several months. Sumner received a call from her agricultural liaison Deborah DeWan who told Sumner they will get him a contact person at the NYS DEC to talk to.

State and Municipal Facilities Capital Program Update – nothing new to report.

NYS Retirement Update – The District received assistance from Max Cordello, District Director of Senator Jen Metzger’s office. Apparently the NYS LRS made an error when calculating Ferry’s deficiency payment. NYS LRS said they do not normally do cost estimates for individuals but made an exception in our case. The employee will also have to make a payback for his two years of service. The NYS Retirement Representative offered to do a conference call at our next Board Meeting to answer questions. DeBlock asked about finding someone who has experience in dealing with the NYS Retirement System and how much would they charge to help us. Wright indicated that Maire Ulrich from CCE mentioned a private firm in Middletown that assisted in such matters. Wright was going to try to follow up on this and get us contact information. The decision to join will be postponed until the March Board Meeting.

Envirothon Update - The Monroe-Woodbury High School registered a class for the Regional Envirothon. We do not yet know if the Warwick High School registered. We still have time to pay the Invoice. **2020-2-6 DeBlock made the Motion, Ruskiewicz seconded, to rescind Motion 2020-1-3 (to pay the \$500.00 Regional Envirothon invoice if two or more teams register). All in favor.**

2020-2-7 DeBlock made the Motion, Wright seconded, to pay the Regional Envirothon fee in the amount of \$500.00. All in favor. It was brought up that Dutchess County had an Envirothon Coordinator but he left the position. No one has replaced him yet.

Carbon Farming Project Update and MoA – Senator Metzger and other State legislators helped make this funding available to five lower Hudson counties. There may be \$50,000 or more we can use towards farm projects – to take a look at soil health and carbon sequestration. Each County will submit project proposals to Dutchess SWCD – the District that is handling the contracting with NYS. Our proposal includes two cover crop projects, two composting projects (one of which wants to do an aerated compost pile), and two Black Dirt water table management projects. There is a Memorandum of Agreement (MoA) for the Carbon Farming Project to facilitate the arrangement between Dutchess County SWCD and the other four counties for sharing of services, funding reimbursements, etc.

2020-2-8 DeBlock made the Motion, Ruskiewicz seconded, to enter into the MoA for the Carbon Farming Project. All in favor.

The MoA for Carbon Farming Project was signed by Chairman Wright.

SWCD Director terms were discussed. Wright’s term was up at the end of 2019. Sumner contacted Legislative Chairman Stephen Brescia about re-appointing John and he said that he would fully support Wright in this position. The District has not received any news in regards to J. Kulisek’s replacement on the Board.

NEW BUSINESS

CRF Round 5 Grant Application - There is \$1 million dollars available in the Water Management track. The District is applying for \$300,000.00 for extending the floodplain bench project further upstream. The grant only requires a 25% local match but we are putting in almost a 50% match. There was discussion on the project. A map showing the area proposed to be covered by “Phase 4’ of the floodplain bench was passed around. It is approx. 15 acres in total.

2020-2-9 Keeton made the Motion, DeBlock seconded, to pass the CRF Round 5 Resolution. All in favor.

There was discussion on a new hire to assist with equipment moving, maintenance and repair, and with other field tasks. There are a lot of different projects going on right now that he can help with as well as moving the no-till equipment. Sumner is evaluating the option of a contractor as opposed to a regular employee. A contractor would need commercial liability insurance and would have to use his own vehicle. DeGroodt will find out from the County Personnel Dept. what

would be involved in creating a new p/t position in case that route is determined to be the better option. The Directors said they are in favor of adding more human resources with either option if it can be worked out.

The next **MEETING** is scheduled for **Monday, March 16, 2020 at 9:00 AM.**

2020-2-10 The Meeting adjourns at 11:30 AM on a Motion by DeBlock, seconded by Keeton. All in favor.

Minutes Prepared By:

Christine DeGroot, Secretary to the Board