

**MINUTES**  
**ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT**  
**BOARD OF DIRECTORS**  
**February 16, 2021**

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:04 AM. Directors J. Wright, P. Ruskiewicz, K. Stegenga, P. DeBlock and G. Constable along with K. Sumner, T. Ferry and C. DeGrootd (SWCD) and A. Armlin-Sorgen (NRCS) and E. Schellenberg (CCE) joined remotely.

**2021-2-1 DeBlock made the Motion, Wright seconded, to approve January's Board Meeting Minutes as amended. All in favor.**

**ACTIONS TAKEN BETWEEN MEETINGS** – There were no actions between meetings other than paying the District's credit card bill which is listed on the bills to be paid.

**CORRESPONDENCE**

- The bank statements and collateral agreements are available for review at the District office.
- The District received the 2021 New York Association of Conservation Districts Annual Invoice for the amount of \$1,500.00. Discussion followed. **2021-2-2 Wright made the Motion, Ruskiewicz seconded, to Table the NYACD annual invoice. All in favor.**
- The New York Association of Conservation Districts Legislative Day booklet was discussed and is available for review at the office.
- The District received official notifications of John Wright's notice of re-appointment on the SWCD Board and Kathy Stegenga's notice of appointment on the SWCD Board from the Orange County Legislature.

**FINANCIAL REPORTS** – Sumner mentioned that the District received a check from the County of Orange covering the first two quarters of the District's 2021 appropriation.

Sumner noted that under the "Dedicated Fund Summary", as was decided at a prior Board Meeting, we applied the entire 15% reduction in our County appropriation to the amount that we normally earmark for the Walkkill Flood Project. Each time we get a payment from the County, we will assign the appropriate amount to the Walkkill Flood Project.

There was a brief Board discussion on "Receivables". There are a few outstanding receivables for our Performance Measures, the Carbon Farming Project and one delinquent no-till user. This particular no-till user was mailed a "Request for a Fee Waiver" months ago and has not signed it and sent it back to us yet. The Board suggested sending him a reminder that if he does not sign it and send it back, he is responsible to pay the bill in full and will also have to pre-pay next year if he wants to use the equipment again.

**2021-2-3 Wright made the Motion, DeBlock seconded, to file January's Financial Report for audit review. All in favor.**

**BILLS FOR BOARD APPROVAL** – Sumner reviewed the bills for approval with the Board.

**2021-2-4 DeBlock made the Motion, Ruskiewicz seconded, to accept the Bills to be Paid. All in favor.**

At last month's Board Meeting the Board approved purchasing two new computers for Sumner and Ferry up to amount of \$1,000/each. The District ended up purchasing three new laptops for \$1,658.00. A copy of the bill was sent to the Board prior to the meeting.

**Grant Update Reports** – There was not a lot of activity to report.

**STAFF REPORTS**

Written staff reports were emailed to Board Members prior to the Meeting for review.

**C. DeGroot (SWCD)** – DeGroot’s staff report was attached to the Draft Minutes. DeGroot and Sumner met with two IT companies at the office to see what the cost would be to update our computer equipment and allow us to have remote access to a server.

**T. Ferry (SWCD)** – Ferry’s staff report was attached to the Draft Minutes. Ferry has been taking training webinars for the Certified Crop Advisor exam, which he took last Wednesday. Results are pending.

Soil group worksheets have been coming in.

The District received a letter of no impact for the Phase 4 Bench project from the State Office of Historical Preservation.

Ferry has been working on the AEM Round 16 projects and we will hopefully get the 65% advances submitted soon. He is also working on getting the money switched over from two landowners that dropped out to the two new landowners.

Ferry mentioned that the District was able to get new ArcGIS licenses thanks to NRCS. ArcGIS is our mapping software that allows us to do a lot of the work here making soil maps for the soil group worksheets, etc.

**K. Sumner SWCD)** – Sumner attended the Office of the NYS Comptroller webinar. The District will continue with the way we do the Treasurer’s Report with no changes.

Sumner discussed computer upgrades in more detail. Sumner estimates that upgrades are going to end up costing the District less than \$2,000.00. The IT person the District met with at the office last Saturday determined that the server that we have is not going to be able to work for remote access, so we’re going to have to purchase a new server which will probably cost approximately \$1,000.00, and also a new router and then a few hours of his time. Afterwards, we should have all our hardware updated to current standards.

**Office Procedures** – The District is still working on a rotation, where one out of the three employees will work from home every work day as an effort to ensure that reasonable precautions are being followed. Sumner is hopeful that there’ll be continued improvements in this situation to where we could consider going back to the regular office staffing sometime within the next month or so.

## **INTERAGENCY REPORTS**

**Armlin-Sorgen (NRCS)** - NRCS has been working on doing the assessments and ranking for the 2021 EQIP applications.

Staff had a training last week on the new highly erodible land tool that they have for GIS. Armlin-Sorgen is learning how to use ArcPro, which is a combination of Arcmap, Arcglobal and another Arc System. They are getting a new system and need a determination tool to do offsite wetland determinations for the Food Security Act.

**E. Schellenberg (CCE)** - Schellenberg mentioned that he is on an Open Spaces and Land Use committee with Kate Schmidt. Schmidt asked Schellenberg to ask the District if she could get statewide Soil and Water District support for a new Community Preservation bill that’s being proposed to the New York State Senate. Senator Skoufis did not support an older version of this bill in the past. Sumner mentioned that the State Association of Conservation Districts has a fall meeting, and that’s the time when someone could present a Resolution. Discussion followed. Sumner said that if Orange County wanted to put forth a Resolution proposal to the State Association, we could do that. He is not really sure what the most effective way would be to address this and thinks that if you’re going to put a bill through it should be for all communities because it would be inefficient to do one at a time.

CCE is trying to pivot a lot of their programs to online. Schellenberg just finished up four out of five online Greenhouse School sessions. He is teaching a series of forestry sessions that are coming up soon.

CCE has been moving ahead with the rainwater harvesting system and may be able to break ground and have the system installed at the park this coming spring.

**P. DeBlock (FSA) -** The CFAP 3 has been put on hold. She mentioned that it had opened up to sod.

Quality Loss Adjustment (QLA) update – DeBlock said the only quality loss year they can include is from year 2018. And that disaster declaration was for excess moisture for most of the growing season in 2018. So if someone had a quality loss that they can prove, some sort of test/verifiable third party test done on whatever commodity you had within 30 days of harvest, you could apply for this. There is only a certain amount of money in QLA that will get divided by however many applications they have.

## **OLD BUSINESS**

**AEM Round 16** – The District assigned this project funding to some Moodna watershed farms, and two of those farms have withdrawn due to issues on the farm. Since they voluntarily relinquished their funding, Travis and Sumner are in the process of switching that funding over to two other farms -Brian Browne in Warwick and Freedom Hill Farm in Mount Hope. The District is poised to officially make that change once the Board approves the Resolution that's on the agenda today. Sumner sent the Board a ranking document for review prior to today's meeting so they knew that we developed a procedure to compare the farms based on water quality benefits, and that procedure reinforces our choice of those two farms to make the substitution.

**2021-2-5 Wright made the Motion, DeBlock seconded, to accept the AEM Round 16 Resolution. All in favor.**

Sumner told the Board that if Ferry passes the Certified Crop Advisor exam then that will make us eligible for an additional \$20,000.00 a year in the AEM contract. That extra money could mean giving Ron O'Dell more hours to help us with other projects besides just the no-till equipment, or it could potentially involve hiring another part time person.

**Carbon Farming Project** – The District is waiting for reimbursement from Dutchess County SWCD. Discussion followed.

**Walkill Flood Project** – Things are moving along with Phase 4. The archaeology report has been completed and accepted by SHPO. And as reflected by the last two bills we got from B&L, they are working on their part of it, including the endangered species report, wetland report and the draft project construction plan. Ferry and Sumner are jumping in wherever they can to fill in and get things done. The District's goal is to be prepared to ask for a pre-application meeting with DEC in the April/May timeframe. Hopefully that will give us enough time to work through the permit process and be prepared to cut trees in the fall of this year in preparation for construction work in 2022. This is all dependent on the required funding falling into place.

**Climate Resilient Farming Grant** – The District is hopeful to get notice regarding our round five climate resilient farming grants proposal, which was designed to support the Phase 4 project.

**Phase 3, Area 2 Project** – We will be using the SAM grant money for Phase 3, Area 2 if it comes in this summer. Sumner wanted to make the Board aware that Green Farmland contacted Sumner and asked about getting soil from this project. Sumner reminded the Board that the plan that was developed for this phase of the project, the cheapest and most practical means of dealing with the soil from this project, was going to be to build a temporary crossing on Pochuck Creek and then take the soil to farmland along Iris Road. The good material would go on land owned by Pine Island Turf Nursery, and we identified two or three places that we could go with the clay soil without having to build any new roads, or have dump trucks going out on public roadways. Sumner believes that Green Farmland thinks that since a lot of the project is on their land, that they're entitled to the soil. So Sumner suggested to them that they submit a proposal to us on exactly how much of the soil they want and where they would want it put. So far, they haven't submitted a proposal. Sumner doesn't know if we're legally obligated in any way. Although the material is on land that they own, most of it is within an existing flood control easement, which places extensive authority with DEC on doing any work there required for flood mitigation.

**Phase 3, Area 1 Tree Planting Project** – The excavation and herbaceous plantings were completed last fall, but we still have to complete the tree planting component. As discussed last month, we have a low bid in-hand for completing that work in the amount of just over \$50,000.00. We have enough in our leftover 2020 Performance Measures Part C Dedicated Fund to cover that. The contractor is going to start ordering trees soon because we're hoping to be able to get the plantings done in April. Sumner asked for Board approval to enter into a contract with Pine Island Turf Nursery for that amount of money. At which point, Pine Island Turf Nursery would actually hire and pay the contractor and we would reimburse them.

**2021-2-6 Ruskiewicz made the Motion, DeBlock seconded, to enter into a contract with Pine Island Turf Nursery in the amount of \$50,000.00 for the Walkkill Flood Project/Phase 3, Area 1 Tree Planting project. All in favor.**

Sumner gave the Board an update on the Chester Agricultural Center, the nonprofit that purchased a lot of the Chester muck lands. They've requested over forty soil group worksheets to try and get the agricultural assessment on their land. Unfortunately, they are a nonprofit that owns the land and they rent it to different farmers. The ag assessment program requires that if you're renting your land to someone else, that they have to independently qualify on land that they own. So even though the intent is there, and this land is all being used for agriculture, they're kind of constrained by the wording in the laws. It's an unfortunate situation because they're trying to do a good thing there, making land and shared services and equipment available to new farmers. A complicating factor there for determining soil class for agricultural assessment is the flood plant that's not performing as it was originally intended. There are three pumps there, and one of them is out of commission, another on its last legs. So that complicates trying to determine what the level of flood protection and drainage that land has. The County DPW has been trying to look for funding sources to upgrade the plant and Sumner thinks they have some preliminary design ideas that they want to put in place to make the plant up to date and more efficient. Sumner has been spending a fair amount of time trying to sort those issues out. And we'll get something to them before the March 1 deadline.

**NEW BUSINESS** – No new business.

The next **MEETING** is scheduled for **Monday, March 15 at 9:00 AM.**

**2021-2-7 The meeting was Adjourned at 10:12 AM on a Motion by DeBlock, seconded by Wright. All in favor.**

Minutes Prepared By:

Christine DeGroodt, Secretary to the Board

Report to Board            KMS

February, 2021

OSC webinar was probably more confusing than helpful. We have not had issues with them in the past so we assume we have been doing the annual reports to their satisfaction. The Treasurer's Report, along with all the other NYS Soil and Water Conservation Committee reports, were submitted in advance of the 2/15 due date.

Three new laptops were purchased from Staples. Cost of all three was less than the amount approved by Board last month for two new laptops. We are in the process of getting them set up. A group MS Office license was purchased for \$100. The license allows use on 6 machines and lasts for 15 months. Previously, we were all using different and fairly old versions. We have met with two IT consultants and hope to have network upgrades in place by time of February Board meeting.

NRCS is again providing us with ArcMap, our computer mapping software, to load on the new computers under their license. This is a valuable cost savings for us to not have to purchase the ArcMap software.

Office Procedures – We are continuing with the rotation of 1 SWCD staff person working from home every day (unless no NRCS staff will be in), as discussed at last month's meeting. This has been difficult to manage without remote access to office shared files. Even with remote access, it is not a situation I would want to continue once COVID concerns subside. I am watching for improvements in the situation that would warrant returning to regular staffing at the office.

#### **AEM/AEM Round 16 Tier 4 (Implementation Projects)**

We are moving forward with substituting B. Browne for Windfall as discussed last month. I developed a ranking procedure to add more justification to projects selected for funding. I applied the ranking to the projects in our Round 26 ANPSACP proposal (the status of which is unknown due to grant program delays at the State level). The procedure supports the choice of the Browne project and also places the Vreeland-Freedom Hill Farm project as a high priority. We would like the directors to review this process, and approve if they find it acceptable. **See attached Ranking.**

Ferry's expected CCA accreditation will make us eligible for an additional \$20K annually in our bi-annual AEM funding contract with NYSSWCC. Our goal is to request this additional amount and add staff resources. This could be in the form of a new full or p/t position (f/t would require identification/allocation of additional funding beyond the AEM contract), or possibly increasing p/t technician O'Dell's hours, depending on nature of tasks attached to the new AEM funding. There is expected to be an ongoing and substantial workload associated with completed and new floodplain benching projects. Ideally, all or much of this work can be considered eligible under the AEM contract.

#### **Carbon Farming Project**

As of the writing of this report, we are still waiting for reimbursement from Dutchess County for the Pine Island Turf Nursery Controlled Drainage project expenses. The reimbursement request was originally submitted on 1/11.

Soil Health Test results from samples collected in the fall were received. So far, the test results have not provided any observable relevant trends.

Not much other activity since last month. Waiting on engineer to provide draft plans for Southway compost facility.

#### **Floodplain Bench Phase 4**

Archeology report completed and accepted by SHPO. No significant findings to work around. As in previous phases, 'Unanticipated Find Protocol' must be followed if project construction reveals any findings.

We sent out 'Lead Agency' letters to involved and interested parties. The 'unlisted' status of the project (as confirmed during the SEQR process for previous phases) allows use of EAF Short Form, and does not require a Coordinated Review. But we will follow the Coordinate Review process anyway to demonstrate more openness and communication about the Project.

We are continuing to develop materials for the Joint Application for Permit (JAP), in coordination with B&L. A goal is to be ready to ask for a pre-application meeting with NYSDEC in April-May. The longer-range goal is to have permits in hand in time for tree cutting in the Oct/2021 to March/2022 'bat window' to allow for potential construction in 2022, if funding allows.

Still no news on SAM grant for **Phase 3, Area 2**.

I was contacted by Green Farmland with regards to providing them with soil from the Area 2 project. I suggested they submit a proposal of how much of the soil they would like to receive and where they would want it delivered. I cautioned that cost considerations might prevent us from providing them with more soil.

#### **Phase 3, Area 1**

As noted last month, we still need to complete plantings on Phase 3, Area 1. Since the contractor will need to pre-order trees approximately 6 months in advance and we are hoping to do the plantings in April, I would like to ask the Board to approve entering into a contract with Pine Island Turf Nursery to reimburse them for completing the plantings. They would then enter into a contract with CEC Excavating, the low bidder on the Project. The anticipated costs can be covered by our 2020 'Part C' Dedicated Fund. The amount of the PITN-SWCD contract would be \$50,430. The 2020 'Part C' dedicated fund balance is \$54,275.

#### **Agricultural Assessment Issues - Chester Muck/Chester Agricultural Center**

The non-profit Chester Agricultural Center, which owns a large portion of the Chester Muck area, is trying to qualify for Agricultural Assessment. Because the NP owns the land and rents it to farmers who do not own land that independently qualifies for AA, they may not be able to qualify. Soil and Water does not have a formal role in addressing such eligibility issues, but I wanted to summarize the situation for the Directors since the CAC is generally considered to be a favorable addition to the County agricultural landscape – providing opportunities and shared services/equipment for new/small-scale farmers. They own over 40 parcels – each of which requires a Soil Group Worksheet to apply for AA. We

normally charge \$40 per Worksheet, but offer a per-hour option for multiple parcels which usually reduces cost to the applicant. We are trying to complete the work as efficiently as possible for the CAC.

In working on this project, it has reminded me that we previously identified some inequity in the way some of the Chester Muck parcels are classified for AA purposes. Some parcels were classified in the past as low-value "D" muck (reflecting poor drainage or flood protection or both), while adjacent and assumedly similar parcels do not share this lower classification. The age and inconsistent performance of the pumping plant that services the Chester Muck is a complicating factor in this matter. I am trying to work with the CAC to collect flood damage information and other documentation that would potentially help us in establishing a fairer and more uniform approach to classifying the Chester Muck parcels for AA. While I think this needs to be done, it could result in some parcels being 'upgraded' which could increase the parcel's assessment. Obviously, this could cause concern for landowners with parcels that got upgraded.

It could be noted in this conversation that if upgrades are not made to the pumping plant, the likelihood of complete failure of the existing equipment increases, which could result in it being unfeasible to farm much of the Area. The fix options are expected to be very expensive, and we know that County DPW has explored some grant funding options. A grant proposal to upgrade/modernize the plant could potentially be eligible for one or more of the funding opportunities available to SWCD's. However, it becomes an issue of staffing levels and priorities, and which areas of agriculture and natural resource programming the District chooses to emphasize.

## **C. DeGroot**

### **Board Meeting Activities January 19, 2021 – February 10, 2021**

- We currently have \$324 cash awards on the rewards credit cards.
- Typed last month's Board Meeting transcript/minutes.
- I worked on the end of the year reports, Treasurer's Report, etc. All have been uploaded to sharepoint and/or emailed to the State Committee and they confirmed everything was received.
- I am working on the 2020 Hartford Workers Comp. audit.
- We purchased new computers and are scheduling an IT company to work on updating/installing the District's computer equipment.
- Worked on soil group worksheets.
- Attended an online Treasurer's Report training on 1/26/21.
- Mailed out the 2020 1099-NEC tax forms to participants.



## **TF February Board Meeting Activity Summary**

- Been rotating working from home.
- Worked on webinars and reviewing materials for CCA tests coming up in February.
- Took CCA regional and international tests last Wednesday (2/10).
- Soil group worksheets are coming in, working on them as they get here.
- Received our letter of no impact from NYS SHPO for bench phase 4.
- Worked on AEM implementation projects. In the process of getting 2 landowners switched over to new projects. Resolution for new farms needed.
- Working on AEM plans (Tier 1 & 2) with a few new farmers that want in the NYS Grown & Certified program.
- Worked on getting new ArcGIS licenses for new computers and got that software installed, as well as other software.
- Signed up for Water Quality Symposium.