

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
February 21, 2023

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:08 AM. Directors P. DeBlock, B. Cheney and J. Wright were present along with K. Sumner and C. DeGroodt (SWCD) and E. Schellenberg (CCE).

2023-2-1 DeBlock made the Motion, Cheney seconded, to approve January's Board Meeting Minutes as written. All in favor.

ACTIONS TAKEN BETWEEN MEETINGS – Some bills were paid and are listed on the Bills for Board Approval.

CORRESPONDENCE

- The bank statements and collateral agreements were available for review.
- Ben Luskin, NYS Soil and Water Conservation Committee (SWCC), sent us a written report of general updates on NYS SWCC activities. The 2023 AEM Leopold Conservation Award was discussed. It's an award that recognizes landowners who inspire others with their dedication to ethical land, water, and wildlife habitat management on agricultural land. New York's recipient will be awarded \$10,000. The deadline for applications is May 27, 2023.
- The 2023 Legislative Day Guide that showcases what Districts are doing throughout the state to protect New York's soil and water was available for Directors to review. There was a brief discussion regarding the Envirothon.
- The Cornell Cooperative Extension 35th Annual Dairy, Equine Livestock Day & Trade Show on May 6, 2023 will be held from 5:00 PM to 8:00 PM.
- The District received questions from the NYS Retirement System regarding Sumner's and DeGroodt's SEP plans. Sumner spoke to our attorney regarding the wording of our response. Discussion followed.

2023-2-2 – DeBlock made the Motion, Cheney seconded, to authorize Kevin Sumner to send the requested answers regarding staff SEP plans to NYS Retirement. All in favor.

(P. Ruskiewicz joined the Meeting at 9:25 AM)

FINANCIAL REPORTS

2023-2-3 DeBlock made the Motion, Cheney seconded, to file January's Financial Reports for audit review. All in favor.

DeBlock mentioned that the District's auditor was in and chose DeBlock this year to fill out a questionnaire.

BILLS FOR BOARD APPROVAL

2023-2-4 Cheney made the Motion, DeBlock seconded, to pay the bills as presented. All in favor.

GRANT REPORT UPDATE – The Board reviewed the monthly Grant Report. The Grant Report is updated monthly to reflect changes.

INTERAGENCY REPORTS

E. Schellenberg (CCE) – CCE is part of a Climate Stewards Training Program. Schellenberg had to complete a seven week training series on real science for climate change from Cornell. It will be a similar program to the Master Gardeners program where volunteers go through a 12-week training series so that they become able to represent Cornell's views on climate change. The program starts the 2nd week of March 2023.

CCE's Stormwater Training Series has started. The first training was three weeks ago. The next one is tomorrow.

Schellenberg said that CCE is still unsure if the CCE fair and the Otisville County Fair will combine.

CCE is working on a field day on April 7, 2023 with Soil and Water where Sumner will talk about black dirt flood control mitigation.

P. DeBlock mentioned that the Farm Service Agency staff attended a training on the Emergency Relief and the Pandemic Assistance Revenue Phase 2 Programs. The deadline to sign up for the programs is in June.

STAFF REPORTS

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

C. DeGroodt (SWCD) – The audit was from February 13-15, much earlier than previous years. So far, everything seems to have went smoothly.

DeGroodt emailed her staff report prior to the meeting. There was discussion on the IT Computer Maintenance Plan that the District has with The Computer Shop. DeGroodt will contact the Computer Shop and ask more questions about the monthly updates, such as what happens if a critical update falls on a month we didn't pay for, who exactly gets notifications of updates needed, and if an urgent update falls on an "off" month, do we have to pay extra for it. The Board decided to enter into a trial bi-monthly maintenance plan with The Computer Shop as long as we are notified immediately of any "off" month updates and to let us know if there are fees involved.

K. Sumner (SWCD) – See "Old and New Business".

OLD & NEW BUSINESS

AEM Round 17 Tier 4 (Implementation Projects) – There was discussion on AEM formal Resolution 2023-1 which would switch funds from the DeStafeno Farm to the Hoyt Farm. **2023-2-5 Wright made the Motion, Cheney seconded, to approve formal Resolution 2023-1 to switch AEM Round 17 Tier 4 funding from the DeStafeno Farm to Hoyt Farm. All in favor.**

Hudson Valley Carbon Farming Project – The Southway Compost Facility is close to accepting a proposal for March construction. The Minkus Controlled Drainage Project does not have a schedule for construction and Sumner does not expect it to get completed at this point in time. There was some discussion on the projects. The original budget for the Southway project was \$20,000.00 and then the Carbon Farming management team increased it to \$30,000.00. The budget for the Lain Project is \$30,000.00. \$6,000.00 of this is coming from the landowner,

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\$19,500.00 from the state and \$4,500.00 from the District. Looking at the contractor proposal, we may be \$3,000.00 over budget. Sumner spoke with the landowner about splitting the difference with him. If the Board approves, we would like to increase the District's contribution to the Lain Project by \$1,500.00, which could come out of our Ag Contingency Dedicated Fund. Sumner also asked if we could do the same on the Southway Project. **2023-2-6 Wright made a Motion, seconded by Cheney, to increase the District's contribution to the Lain and Southway projects by \$1,500.00 each for their projects in the Hudson Valley Carbon Farming Project grant. All in favor.**

Floodplain Bench Phase 4 (CRF 5) – Sumner was contacted by the NYS DEC. They looked at the permit package and had some questions. It appears they were reviewing the version that was submitted in May 2022 and not the updated version that was sent in December 2022, which specifically addressed the questions they're asking. On the previous version, the bat issue seemed to be the primary concern of the permitting agency. Partially because of the changes in the status of certain bird species since then, they now have heightened concerns not only about the bats but also the Short Eared Owl and Northern Harrier. There are contradictions. Do they want more trees for the bats or do they want more grasslands for the birds. Sumner has a call scheduled with them for next Thursday. In the meantime, Sumner re-sent them the newer permit package version. The scope of this project has to have a 15 day public review and the trees need to be cut before 3/31, or the project will be delayed another year.

Floodplain Bench Phase 3, Area 2 – Sumner is working with the County surveyor and attorney on the Conservation Easements.

Flooding of the bench appears to have floated out some of the smaller containerized plantings. We will schedule to re-planting/straightening of trees with the contractor in the spring. It's a challenging area to maintain. Sumner has been speaking with Barton & Loguidice (B&L) about having them help us develop a monitoring plan. We are only required by permit to create two acres of mitigation wetlands and have a monitoring plan to demonstrate that the mitigation areas meet the requirements. Sumner is confident that of the ~20 acres of floodplain bench we created, 10-15 acres would meet wetland criteria. Sumner discussed doing delineation on the entire ~20 acres with B&L.

Legoland EBP – The District submitted the request letter to the DEC to use the remaining \$15,000.00 for the Shunemunk Trail bridge project. We are now waiting on the DEC's approval.

New Hire – We have been reaching out to colleges about the tech position.

(E. Schellenberg left the Meeting at 10:00 AM)

Meat Processing Facility – It was reported that the Sullivan County facility is processing poultry and expanding. The status of the beef side is unclear.

Four new project applications were received since what was reviewed with the Board in January. Sumner handed out a spreadsheet to the Directors. Projects are: 1-Livestock Exclusion Fencing, 2-Cover Crop, 3-Barnyard Improvements, 4-Covered Barnyard. February 20th was set as the deadline for project applications that would be included in our upcoming grant opportunities. There is a little over \$400,000 in estimated project costs, which would come from a variety of sources.

A letter to NYS Legislators from the District was presented to the Board for approval. The District has serious concerns about proposed changes to the NYS Soil and Water Conservation District Law and Agriculture and Markets Law being proposed by a group known as the NYS Watershed Health Coalition without any District involvement. Discussion followed. Cheney suggested sending a copy of the letter to several additional Assemblymen and Senator Rob Rolison. As far as Sumner knows, this still does not have a sponsor.

The stream bills are back, with sponsors.

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The District's new seeder was delivered on February 16th and the old corn planter rebuild (rebuilt by Pequea and cost \$3,725.00) is complete. There was discussion on selling the old 7' seeder. After discussion, it was decided that Sumner will do some research on the seeder and list it for sale, which would include a minimum bid amount, with bid assistance from Richard Hoyt, our Attorney.

The District received a call from John Ruskiewicz who wants to fill in two acres of black dirt that is shallowing out. He wants to use it for some other purpose. John was told by the Town Attorney and Building Inspector that he can fill in ¼ acre per year without going to the Planning Board. But they would allow him to fill 2 acres at once if he gets a prepared plan from the District. So Sumner contacted the town supervisor, who told Sumner the same thing, that ¼ acre requires no permit and anything over that would go in front of the Planning Board. Sumner has concerns with the District being put in this position and would like guidance from the Directors. Discussion followed. Cheney stated that we are here for the best interest of the farmer and the Board agreed that we would need more information on this.

Sumner received an email from the Orange County Budget Analyst asking if we anticipate the 2023 state budget having any impact on our budget. Based on what we know, there should be no impact to our budget.

Sumner is teaching a 4-Hour Erosion & Sediment Control Course tomorrow night for the Local 17. James Beaumont, who is on the Town of Montgomery Planning Board, met with Sumner a few times. He developed an Enhanced Erosion & Sediment Control Plan for the Town of Montgomery to try to address some of the sites that are not doing a good job with their controls. The compliance on these sites is dismal. Which is one of the reasons Sumner does not like teaching this course. He teaches a room full of people for four hours, and the next day they go out and install things incorrectly. So Sumner stated that he would like to stop teaching the course. Currently, Soil and Waters are the only approved entities to give these classes, or they can take the classes online.

Last year, NRCS had money for new projects, so the District decided to submit the Wallkill Flood Project. The draft study is complete. Sumner asked the Directors, does the District want to continue to sponsor this? Sumner will email the report to the Directors. Discussion followed. This will be included on next month's agenda for discussion.

Director 2023 Training Plans were handed out. There was discussion on training items for Performance Measures.

Barry Cheney already took a Sexual Harassment Training and will give DeGroodt a copy of the training certificate.

We will try to schedule a District Law Training to be held at next month's Board Meeting.

NEXT MEETING DATE - The next **MEETING** is scheduled for **Monday, March 20, 2023 at 9:00 AM.**

ADJOURNMENT

2023-2-7 The Meeting was Adjourned at 11:20 AM on a Motion by DeBlock, seconded by Cheney. All in favor.

Minutes Prepared By:

Christine DeGroodt, Secretary to the Board

February, 2023

AEM/AEM Round 17 Tier 4 (Implementation Projects) Deadline for Completion – 12/31/2023

O'Dell project is complete except for final grading/seeding in spring

Dean Ford – completed week of 2/13

Hoyt- design complete. Participant seeking contractor proposals

Ewanciw – Design complete. Participant indicates he has started.

Hudson Valley Carbon Farming Project [contract extended to 4/2023]

Southway Compost Facility – Final design delivered, seeking contractor proposals. Close to accepting proposal for March construction.

Minkus controlled drainage project – no schedule for construction.

Final Soil Health tests have been collected, and results received.

Floodplain Bench

Phase 4 (CRF 5)

Waiting on DEC/ACoE permits. Trees need to be cut before 3/31, or project will be delayed another year.

Phase 3, Area 2

Working with County Surveyor and attorney on Conservation Easements.

Flooding of the bench appears to have floated out some of the containerized plantings. Will schedule with contractor to re-plant as needed in spring. Only one of the larger trees can be seen tipped over. Most of the area appears extremely wet, survival of trees may be challenged as it has been on opposite side of river (phase 1).

Other Flood Mitigation

Pellets Island Reach Maintenance Program – Continuing to follow up with remaining parcels that have not signed the easement. Owner of parcel fronting on Maple Avenue on Wawayanda side is refusing to sign the easement. But says he will grant permission for access as needed.

Round 27 ANPSACP

Keziah Lain compost shed scheduled to start construction 2/27.

CRF 6 Work Plan submitted and approved, waiting for contract package to request initial payment on contract.

Other

Legoland EBP –Submitted for request letter to use remaining \$15,000 for Schunemunk Trail bridge project to DEC.

New Hire – Reaching out to NY colleges about job postings

Meat Processing Facility – It has been reported that Sullivan County facility is doing poultry and already expanding. Status of beef side is unclear.

Ag Conservation Project Applications

Four new project applications since January meeting

Tunis Sweetman – Livestock Exclusion Fencing

Tom Owens – cover crop

Mike Miedema – Barnyard Improvements

Mike O'Dell – Covered Barnyard

Letter from Board about SWCD Law change proposal is presented at February meeting for review/approval.

Esch seeder delivered 2/16.

Old planter re-build completed

Warwick fill issue for discussion

OSC inquiry about SEP's

C. DeGroodt

Board Meeting Activities January 21, 2023 – February 16, 2023

- We have \$722 cash awards on the rewards credit cards.
- Completed and submitted the 2022 Treasurer's Report.
- Worked on Soil Group Worksheets.
- Contacted The Computer Shop to inquire about bi-monthly updates on our server instead of monthly. He can offer us a bi-monthly maintenance plan at \$95/month. Which will include a written report of updates completed.
- Audit was the week of Feb. 12th. Still finishing up some requests for paperwork.
- Annual personnel paperwork sent to OC Human Resources.
- Annual reports uploaded to Sharepoint and received by B. Luskin.
- Finished and mailed out 2022 1099s.
- Claim for Payment for Perf. Measures Part A submitted.
- Worked on some AEM 17 contracts and an AEM advance for two projects. Sent to B. Luskin.
- Prepared some DEC 4-Hour Course paperwork for the Feb. 22nd training.
- The District's technician vacancy was listed on the SUNY Orange site.
- Made calls to remaining landowners that did not sign Maint. Exp. Easement. Mailed out additional copies for signatures.
- Worked on our insurance company's, SIDLE, annual questionnaire.
- **MISC/MONTHLY:** Payroll, taxes, mail, phones, walk-ins, office supplies ordered, type minutes/board meeting documents/financials, pay bills, computer backup, bank deposits, etc.