

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
January 23, 2023

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:10 AM. Directors P. DeBlock, P. Ruskiewicz, G. Constable, B. Cheney and J. Wright were present along with K. Sumner and C. DeGroodt (SWCD) and E. Schellenberg (CCE).

2023-1-1 Ruskiewicz made the Motion, Cheney seconded, to approve December'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 Conservation District Employee Association Annual Awards Banquet is accepting award nominations through January 27, 2023. The banquet is held at the Water Quality Symposium in March.
- The District received an Engagement Letter from O'Connor Davies for our 2022 annual audit.
- The District received a letter from the Orange County Board of Ethics requesting that all Directors fill out and send back their Annual Statement of Financial Disclosure Form.

2023-1-2 – Cheney made the Motion, Constable seconded, to authorize John Wright to sign the Engagement Letter dated January 9, 2023 from O'Connor Davies for the 2022 audit. All in favor.

Bids for a no till seeder were scheduled to be opened at 9:15 AM. One requirement was that the seeder be delivered to the District by April 15, 2023.

One bid was received from Zimmerman Farm Service, Inc. located in Bethel, Pennsylvania, for a Model ESCH 5162 no till drill in the amount of \$46,200.00 plus \$400.00 for delivery.

2023-1-3 Cheney made the Motion, Ruskiewicz seconded, to accept the bid from Zimmerman Farm Service, Inc. in the amount of \$46,600.00 for a Model ESCH 5162 no-till seeder grain drill upon recommendation from Kevin Sumner. All in favor.

- 2023 Legislative Days will be on Monday, February 27 and Tuesday, February 28th. A packet with information was available for review.
- Jim DeStafeno verbally requested to withdraw from his AEM Tier 4 Round 17 project funding. The District sent him a letter to sign stating his request to withdraw, which he signed and sent back.

ORANGE COUNTY SWCD JANUARY 2023 BOARD MEETING MINUTES

- A dues request was received from the National Association of Conservation Districts. No action taken.
- A dues request was received from the New York Association of Conservation Districts. **2023-1-4 DeBlock made the Motion, Wright seconded, to pay half of the NYACD dues in the amount of \$750.00. All in favor.**

FINANCIAL REPORTS

Sumner noted that the District's 'Unobligated/Other' balance, listed under the Dedicated Fund Summary, fluctuates throughout the year. He updated the 2023 Budget (prepared in June, 2022) to gain better confidence that anticipated revenues and disbursements for 2023 look reasonable and is comfortable with it at this point. We expecting to soon to receive the 1st quarter appropriation from the County and some other funds that will significantly adjust the unobligated balance..

2023-1-5 DeBlock made the Motion, Constable seconded, to file December's Financial Reports for audit review. All in favor.

BILLS FOR BOARD APPROVAL

#3 listed on the Bills to be Paid was to Badabing Pizza for pizza for the Open House event. This was paid for out of the District's credit card reward points.

2023-1-6 DeBlock made the Motion, Cheney 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.

The Carbon Farming Project is ending in April. There are still two outstanding projects.

INTERAGENCY REPORTS

E. Schellenberg (CCE) – 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.

CCE's Stormwater Training Series will be starting the first week in February.

CCE is working on the July 2023 Ag & Family Festival.

The Game of Logging 2023 course will be held on June 3rd and 4th.

Greenhouse Grower's School was on January 18, 2023.

CCE has a grant to hire someone for a Food Safety for Minorities position.

P. DeBlock (FSA) – There are two programs coming out to help anyone with 2020 and 2021 revenue losses, similar to CFAP. One is the Emergency Relief Program (ERP) Phase 2, the other is Pandemic Assistance Revenue Program (PARP). Staff are going to a national training this week.

Next Tuesday will be DeBlock's last work day at FSA.

STAFF REPORTS

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

C. DeGroodt (SWCD) – DeGroodt emailed her staff report prior to the meeting.

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

OLD & NEW BUSINESS

Election of Officers – 2023-1-7 Ruskiewicz made the Motion, Cheney seconded, to retain the current slate of officers. All in favor.

Leave Summaries - The Board reviewed the leave summaries as presented in the meeting materials. There was a brief discussion on staff’s unused leave time and that it was mentioned that staff should make an effort to use it all before the end of the year.

Review of Office Policies –There were no changes to existing policies. There was discussion on doing check deposits weekly.

A draft District Project Ranking Procedures Policy was presented for Board review and approval. The main funding source we’ve had for projects has historically been the Ag Non-point Source Grant program which is water quality driven. Projects are ranked based on their water quality benefits. Now we are getting into these other programs like Climate Resilient Farming where it’s not necessarily water quality driven, it could be ecological benefits, resiliency on the farm, carbon sequestration, etc. Sumner tried to develop a policy that would accommodate all different kinds of projects. Discussion followed. Sumner said that the ranker would assign point values and comments that justify the points. There are currently four project applications which were available for review. The first application is for a livestock exclusion to keep cows out of a pond. The second one is for cropland erosion control (approx. 2-3 acres). The third is for barn roof runoff control and secondary settling basin. The fourth is for the purchase of irrigation equipment for use on 600 acres of black dirt. Sumner reviewed each application’s ranking with the Board. Cheney mentioned adding on the estimated cost of the project to the ranking sheet.

Sumner recommended that the AEM Round 17 Tier 4 money for the DeStafeno project be switched over to the Hoyt project. Also presented to the Board was an Agricultural Conservation Project Financial Assistance Inquiry form which will be added to the District’s website.

2023-1-8 Cheney made the Motion, DeBlock seconded, to adopt the District Project Ranking Procedures Policy as presented. All in favor.

2023-1-9 Constable made the Motion, Ruskiewicz seconded, to allocate the DeStafeno AEM Round 17 Tier 4 project money to the Hoyt project. All in favor.

Sumner mentioned as he has in the past that he would like to look towards diversifying the types of environmental projects for which funding under the Board’s authority, such as Part C, is used for over the next several years. There was board discussion on using Performance Measures Part C money on Green Infrastructure projects.

AEM Round 17 Tier 4 (Implementation Projects) – These projects have to be completed by the end of 2023. Three of the four farm projects in this program are not currently active. 1-The O'Dell project is complete. 2-The Dean Ford project will be starting soon. 3-DeStafeno withdrew. 4-The Ewanciw project has a design completed and participant indicated that he had started work.

Floodplain Bench Phase 4 (CRF 5) – Sumner obtained the signed Access License from the north side landowner. Complete JAP was submitted to the NYS DEC before the end of last year. Sumner is hoping that if all required NYS permits are not secured by early March we could get approval to cut trees before the end of March in advance of getting the full permitting. Otherwise, we could be delayed by another full year to bat protection tree cutting restrictions.

Flood Plain Bench Phase 3, Area 2 – The final payment was made. Sumner is working with the County Surveyor and Attorney on Conservation Easements on the phase 3 areas. The District will be seeking easements from Green Farmland and Davandjer Farms.

There will be monitoring requirements that will go on beyond the permit for the benching work that was already completed. The District is supposed to install monitoring wells and provide documentation that we have created mitigation wetlands, which require significant skills. You have to know how to do a federal wetland delineation in order to provide the NYS DEC and the Army Corps. of Engineers with the information to document that you've created wetlands to mitigate what was taken out by the project. In addition to vegetation monitoring to demonstrate tree survival and that you don't have more than 5% invasives, etc. Up until now, we have been able to consider all that work to be in support of BMP installations so we can charge our time to the AEM contract. Sumner has been trying to reach Barton & Loguidice to get some guidance on all these monitoring requirements.

Pellets Island Reach Maintenance Program – The District received fully signed easement paperwork from the County of Orange and Querner Family Farm.

Legoland EBP (\$50,000) - The \$35,000.00 to be used on a boundary survey for the Sugarloaf Mountain Project is moving forward. The remainder of the money, \$15,000.00, is for materials for a foot bridge on the Schunnemunk Trail, to be installed by cadets that are participating in an engineering course.

New Hire – The vacant District Technician position was relisted on Indeed. We received several resumes, most from out of our area.

(E. Schellenberg left the Meeting at 10:55 AM)

Sumner mentioned that he had received inquiries from the Orange County Farm Bureau regarding the filling of black dirt in the Town of Goshen. Discussion followed.

A draft letter to NYS Legislators from the District was discussed. 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. Some edits to the draft letter were discussed. Sumner will make the edits and bring it back to the Board next month.

DeGroodt gave an update on the District's IT contract with The Computer Shop. She was told by the shop that if crucial updates are not performed, the District would be locked out of the server. She will contact them again and see if we can have updates to our server changed from every month, to every other month and get a written report from The Computer Shop.

NEXT MEETING DATE - The next **MEETING** is scheduled for **Tuesday, February 21, 2023 at 9:00 AM.**

2023-1-10 DeBlock made the Motion, Constable seconded, to go into Executive Session at 11:19 AM to discuss matters leading to the promotion of a particular employee. All in favor.

2023-1-11 The Board came out of Executive Session at 11:35 AM on a Motion by Cheney, seconded by DeBlock. All in favor.

2023-1-12 Cheney made the Motion, Wright seconded, to increase the part-time Technician's hourly wage to \$30.50 an hour. All in favor.

ADJOURNMENT

2023-1-13 The Meeting was Adjourned at 11:37 AM on a Motion by DeBlock, seconded by Ruszkiewicz. All in favor.

Minutes Prepared By:

Christine DeGroodt, Secretary to the Board

Report to Board KMS

January, 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 – waiting for suitable weather for construction

DeStafeno- withdrew. Requesting Board approval to switch funding to Hoyt Farms (discussed below).

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.

Minkus controlled drainage project – no schedule for construction.

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

Floodplain Bench

Phase 4 (CRF 5)

Obtained signed Access License from north side landowner. Complete JAP submitted to NYSDEC.

Phase 3, Area 2

Final payment has been made. Working with County Surveyor and attorney on Conservation Easements.

Other Flood Mitigation

Pellets Island Reach Maintenance Program – Continuing to follow up with remaining 5 parcels that have not signed the easement. Received fully signed easement paperwork from County for the parcel they own.

Round 27 ANPSACP

Brady construction complete, contractor payment and participant reimbursement completed.

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

Other

Legoland EBP – Received DEC approval for use of \$35,00 payable to OCLT for Sugar Loaf Mountain project boundary survey. Waiting for request letter for Schunemunk Trail bridge project.

Pulaski Culverts – no new updates

New Hire – Relisted on Indeed, received new list of resumes. I am currently reviewing and making some contacts.

Meat Processing Facility – It has been reported that New Windsor facility discussed previously has received full USDA certification. I have not reliably confirmed this information. I am not aware of any activity of the Meat Processing working group created by the Ag Board in November.

2023 Local Conservation Practice Incentive Program

I am recommending a change in the name of our local cost-share program we currently call 'Soil Health Incentive Program' to make it more broad. I also am presenting a 2023 Project Inquiry Form, Ranking Procedures document and Ranking Procedures Policy for Board review/approval. Reviewed examples from NYSSWCC and other counties.

We have three Project Inquiry/funding requests in hand. I am recommending that we approve the Hoyt Farm application and transfer DeStafeno's AEM Rd17 Tier 4 project funding in the amount of \$40,950 to this project.

Past Project O&M Discussion

Streams bill recently vetoed by governor has been re-introduced

Discussions and meetings continue on the changes to NYS Soil and Water Law proposed by a Coalition that does not include Soil and Water. See draft letter to OC legislators from OCSWCD Board.

Received inquiries from OCFB about town of Goshen Filling of Black Dirt.

Prepared Sealed Bid documents for new seeder purchase with assistance from attorney

Worked on annual reports for NYSSWCC

Review updated 2023 Budget/Dedicated Fund Summary Discussion

Recommending Review of District Field Technician Grade/Step

C. DeGroodt

Board Meeting Activities December 16, 2022 – January 20, 2023

- We have \$543 cash awards on the rewards credit cards.
- Sent out Employee W-2s and producer's 1099s. Called our attorney to inquire about the 1099s.
- Completed the draft 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 said it can be done, but will take him longer to do the updates and if an update does not get done in time, the server is designed to lock us out of it as a failsafe until the update is completed. He said we can discuss a different maintenance plan and he's able to provide us with a schedule of when updates are done and what it includes.
- Placed the legal ad for the bid for a seeder.
- Completed my 2022 Leave Summary.
- Worked on the Shelterpoint report which determines fees for disability and workers comp.
- Contacted O'Connor Davies for an Engagement Letter for them to give us a price to complete the 2022 audit.
- Sent out a reimbursement request to the County for the Wallkill Maintenance Project.
- 2022 mileage reports for Directors sent out via email for review.
- Updated the District's technician vacancy on Indeed.com. Received several responses.
- The District received the final DASNY/SAM Grant reimbursement.
- **MISC/MONTHLY:** Payroll, taxes, mail, phones, walk-ins, office supplies ordered, type minutes/board meeting documents/financials, pay bills, computer backup, bank deposits, etc.