

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
July 17, 2023

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:06 AM. Directors P. DeBlock, J. Wright, P. Ruskiewicz, B. Cheney and G. Constable were present along with B. Luskin (NYS Ag & Markets) and K. Sumner and C. DeGroodt (SWCD).

2023-7-1 DeBlock made the Motion, Cheney seconded, to approve June’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.
- NYACD Annual Meeting information available for review.
- The cover letter that was submitted to the Orange County Division of Budget with our proposed 2024 budget was presented for review. The District is requesting a one-time request of \$600,000.00 to cover the bulk of the construction costs of Phase 4 North of our ongoing Wallkill River Flood Mitigation-Floodplain Benching project.
- The NYS Soil & Water Conservation Committee Meeting Agenda was available for review. It will be held on July 18th in Albany.
- The National Association of Conservation Districts dues request was received. No action taken.
- The NYS SWCC 2022 AEM Annual Report was available for review.
- The NYACD 2023 Annual Meeting will be held October 24th – October 26th at the Hampton Inn in Penn Yan, NY. Information to register was included.
- Various newsletters were available for review.

FINANCIAL REPORTS

Under the Dedicated Fund Summary, there is a negative balance under the Climate Resilient Farming Round 6 grant. We are waiting for our contract to submit a reimbursement request.

Sumner said we are waiting for Southway to complete some final project work before submitting for reimbursement through the Carbon Farming Project.

2023-7-2 DeBlock made the Motion, Cheney seconded, to file June’s Financial Reports for audit review. All in favor.

BILLS FOR BOARD APPROVAL

Cheney asked what was the \$40.00 charge on the credit card to Monhagen Wine & Spirits. Sumner said it was an accident and he already reimbursed the District.

A bill was added to the list to be paid for Hollow Hill Farm/Sam Zylstra for his Grazing System, through the District’s Local Cost-Share Program, in the amount of \$4,269.27.

2023-7-3 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. Climate Resilient Farming soil health/reduced tillage payments are currently being made.

INTERAGENCY REPORTS

P. DeBlock – mentioned that the acreage reporting deadline is today and if there was any crop damage due to the storms, they should be reported to the Farm Service Agency.

B. Luskin (SWCC) – Districts can receive up to \$205,000 this year for meeting their Performance Measures.

Governor Hochul announced a statewide educational listening tour to advance the \$4.2 billion Clean Water, Clean Air and Green Jobs Environmental Bond Act. July 20th tour will be at University at Albany and July 26th is a virtual meeting from 6-8 PM.

Climate Resilient Farming Program Round 8 will be announced in the next round of funding hopefully the end of this year.

The State Committee Meeting is tomorrow. Anyone interested can call in to it. This can count towards the Performance Measures. Greg Albrecht will be there to review the AEM Base Year 18 program. The hourly rate reimbursement is going from \$48/hr up to \$51/hr.

CRF applications are due August 7, 2023.

STAFF REPORTS

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

C. DeGroodt (SWCD) – DeGroodt submitted her staff report via email to Directors prior to the Board Meeting.

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

OLD & NEW BUSINESS

Floodplain Bench Phase 3 Area 2 – This area flooded again. The District will assess plant survival and decide what to do. We already expended some money to repair it once.

Floodplain Bench Phase 4 – The contractor relocated farm roads that were within the proposed bench footprint. He was planning on doing stumping this week but the water is too high.

Quaker Creek – Previously, “Sumner had met with Rob Schreiber and Frank Dagele. Sumner explained to them that we can not hire an excavator to trespass through everyone’s property to dredge the Quaker Creek. The biggest challenge is the number of landowners, approximately 24 landowners (40 parcels). It is a non-regulated stream so we probably do not need any permits. Sumner drafted landowner letters to see how many would support this project. We would want a buffer bench on each side of channel, not trees but maybe grass. Sumner sent a draft of the letter to Frank because he said he would help us get the landowner permissions, but Sumner hasn’t heard back.”

Update: Sumner was contacted by Rob Schreiber from the County Exec’s office this morning to request that Sumner accompany him to tour Quaker Creek flooding issues resulting from this weekend’s storm. Sumner plans to meet him this afternoon. Sumner said that if there was a concerted effort to come up with some funding for this project quickly, then it could be a possibility. But the funding would have to come from some readily available sources. Discussion followed.

Climate Resilient Farming Grant Round 7 – John Wright recused himself from this discussion at 9:36 AM.

We are proposing to submit three applications for three irrigation projects. Although this will require more work than submitting one application that includes all three projects, the advantage is that each application can focus specifically on each project. When multiple applications are being submitted, NYSSWCC procedure is that the applications shall be ranked in priority order. Sumner proposed the following ranking and justification. Wright Family Farm has a six year old Irrigation Project cost sharing contract with the Natural Resources Conservation Service (NRCS). But that project has not moved forward due to engineering workload issues and project costs have almost doubled since then. NRCS has indicated that increasing the budget attached to this contract is not an option. Completing the project with the existing NRCS budget is not feasible for Wright Family Farm. There is also no indication when they would get to preparing a design/construction plan. Since the request for assistance by Wright Family Farm is over six years ago and completion through NRCS is not feasible, Sumner proposed making the Wright project priority one. Sumner proposed ranking the other two projects in the order assistance was requested. Ranking the projects by other means such as is done for programs like AgNPS where water quality benefits are more easily quantified is difficult since the primary benefits in these projects is increased resiliency/adaptability of the farms.

Sumner then reviewed the Potential Conflict of Interest Form developed by NYSSWCC and read the evaluation and justification he entered on the form regarding the Wright Family Farm project/application and any real or potential conflict of interest concerns based on John Wright being on the Board of Directors. The completed Form is appended to these minutes.

2023-7-4 Cheney made the Motion, Constable seconded, that the Soil & Water Conservation District Board does not find real or potential conflict of interest in sponsoring the Wright Family Farm for an Irrigation Project through the Climate Resilient Farming Grant Round 7. All in favor. Opposed – None.

1-page budgets for each of the three projects were passed out to the Directors with the proposed ranking.

- 1- **John Wright** - Irrigation Water Management – ranked #1. State requested \$57,000. Sponsor Contribution - \$15,060.00. Total project cost = \$84,060.00.
- 2- **Shuback Farms** – Irrigation Water Management – ranked #2. State requested \$66,380.00. Sponsor Contribution - \$18,000.00. Total project cost = \$93,680.00.

- 3- **Crist Orchards** – Irrigation Water Management – ranked #3. State requested \$109,000.00. Sponsor Contribution - \$28,000.00. Total project cost = \$150,580.00.

2023-7-5 Cheney made the Motion, DeBlock seconded, to accept the Climate Resilient Farming Grant Round 7 Resolution No. CRF-2023-7-17, and the priority order proposed by Sumner. All in favor.

Ben Luskin added that if the NRCS funding ever came through, it could potentially be used with the CRF funding.

Sumner pointed the Board’s attention to the proposed sponsor (SWCD) cash contributions in the three CRF proposals. He believes these contributions contribute significantly to the strength of the proposals since cost effectiveness is a key consideration in the ranking process. But we also need to closely monitor our proposed commitment of local funds to avoid ‘over-matching’ beyond our means based on anticipated near-term revenues. We have discussed before the goal of balancing our funding contributions to the Wallkill flood mitigation work with other ‘upland’ farm projects. Funding Analyses, focused largely on ‘Part C’ appropriations, have been prepared and updated, and discussed with the Board in the past in effort to address this concern.

It was further noted in the course of this discussion that the priority order assigned by the sponsoring SWCD has limited influence on which projects get funded since all applications are ranked by a ranking committee selected by NYSSWCC and that ranking determines which projects ‘make the funding cut’.

Wright returned to the Meeting at 10:08 AM.

District Technician Vacant Position Update – The person most recently interviewed sent in an email to Sumner. Email passed around to the Board. There have been no new prospects so the vacancy was re-listed.

Shuback Bridge Deck – Background info: *The farm bridge known locally as the ‘Shuback Bridge’ is in need of maintenance on the bridge deck. There has been increased wear and tear on this bridge from our floodplain bench projects, but the bridge is also used regularly by adjacent farms. Sumner had discussions with the two main users of the bridge, Shuback Farms and Pine Island turf Nursery, about possible sources of funding for this maintenance work. Requesting assistance from NYSDEC (the bridge is within the Federal Flood Control Project area) was not productive. Sumner estimates the cost of materials to install all new driving surface planks (over existing wood stringers which would remain) to be \$2,000.00. Shuback Farms has indicated that they would do the installation. A more limited project that replaced only the worst planks could probably be done for around \$500.00 in materials.* **UPDATE:** It was agreed at last month’s meeting to have the District provide the materials to repair the Shuback Bridge, with the Shubacks agreeing to do the work, providing that the four towns/partners in the Wallkill Maintenance Agreement agree to reimburse the District. If the partners did not want to reimburse the District, then it will be discussed at July’s board meeting for approval to pay for it out of the District’s budget. Warwick voted yes to replace the deck with Wallkill Maintenance funds. There was no response from Goshen, Wawayanda or Minisink, despite efforts to follow up. Ruskiewicz said that he will call Minisink. Cheney suggested that Sumner contact the Wawayanda Town Clerk to ask.

Other

Sumner said that he received a call from Emma at Senator Skoufis’ office. She had spoken to Jason Touw, who told her that Soil and Water could use more equipment to rent out to farmers. He mentioned harvesting equipment. He also more specifically suggested that we could use two more planters and one more seeder so farmers would not have to wait as long for the equipment. Apparently, the Senator is able to request funds for equipment purchases of this nature. Sumner said he was caught off-guard since it had not been discussed with him beforehand. Sumner told Emma that he needs to discuss it with his Board before making any requests. Sumner suggested that we follow

through with a request for two corn planters and one seeder, with the understanding that if the funding is provided we might not keep all the existing and new equipment in service due to logistical issues with storage, servicing, and related staffing limitations. But even if the older equipment was taken out of service, wait times and equipment break-downs would be reduced as a result of having newer equipment. The Board was in agreement to make the request to Skoufis' office with the stated parameters.

Since the last Board Meeting, there has been a new project sign-up. Rick Vreeland/Freedom Hill Farm would like to expand a manure collection/loading area off the end of the covered barnyard. Sumner estimates the full cost of the project to be under \$5,000.00. Since this is an enhancement of a previously approved project, and since we have a balance of \$26,000 in our Local Cost Share Program, and since there are no other project applications in hand that are not being pursued through other funding avenues, Sumner suggests the Board approve 75% cost sharing for this project from the 2023 Local Cost Share Program not to exceed \$3,750.00. **2023-7-6 Wright made the Motion, Constable seconded to approve the new Local Cost Share Program project signup from Rick Vreeland/Freedom Hill Farm in the amount of \$3,750.00. All in favor.**

Sumner mentioned he is eligible for Medicare Part B. If a business has under 20 employees then the employee has to sign up for it, and then the District has to reimburse him for it. **2023-7-7 Cheney made the Motion, Ruskiewicz seconded, to reimburse Sumner for his cost of Medicare Part B. All in favor.**

2023-7-8 DeBlock made the Motion, seconded by Ruskiewicz, to go into Executive Session at 10:55 AM to discuss the promotion of one or more employees. All in favor.

2023-7-9 On a motion by DeBlock, seconded by Ruskiewicz, the Board came out of Executive Session at 11:20 AM. All in favor.

2023-7-10 Cheney made the Motion, Ruskiewicz seconded, to create a new grade (11) for the Office Manager position. All in favor.

NEXT MEETING DATE - The next **MEETING** is scheduled for **Thursday, August 17th at 9:00 AM.**

ADJOURNMENT

2023-7-11 The Meeting was Adjourned at 11:30 AM on a Motion by Cheney, seconded by Constable. All in favor.

Minutes Prepared By:

Christine DeGroot, Secretary to the Board
And Kevin Sumner, Conservation District Manager

C. DeGroot

Board Meeting Activities June 17, 2023 – July 14, 2023

- We have \$624 cash awards on the rewards credit cards.
 - Soil Group Worksheet requests are still coming in.
 - Worked on the Climate Resilient Farming Round 7 proposal paperwork.
 - Submitted our 2024 budget to the County.
 - Submitted our quarterly tax reports: FICA/FIT and NYS.
 - Received our audit booklets, made a minor revision. We are waiting for the revised books.
 - Updated staff time in the AEM timesheet.
 - Assisted with no-till program re: insurance, billing
 - Scanning and loading archived Board Meeting Minutes to our share drive as time allows.
 - Tech job re-listed on Indeed. Received several resumes.
 - Field visit to Stap Farm to take photos of fields receiving funding for Residue Management practice for CRF 6. Payment documentation prepared. On list of bills to pay.
 - Wagon Wheel Farm Residue Mgt photos received. Payment documentation prepared. On list of bills to pay.
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- **MISC/MONTHLY:** Payroll, taxes, mail, phones, walk-ins, office supplies ordered, type minutes/board meeting documents/financials, pay bills, computer backup, bank deposits, etc.

July, 2023

10. Old Business

a) Wallkill Flood Projects – Environmental Scientist from B&L was here 6/28 and 29 to work on monitoring program, primarily mapping of areas that appear to meet criteria for wetland mitigation requirements. I plan on installing the piezometers that are part of the monitoring program after I get the wetland mapping from B&L.

Parts of watershed, including Pine Island, received over 5 inches of rain in several hours Sunday 7/9. River peaked at Phase 4 early Monday, but then went steadily down (while level at Oil City Road continued to rise).

i. Floodplain Bench Phase 3 Area 2 – Flooded again 7/10-7/12 or so.

ii. Floodplain Bench Phase 4 – Relocation of farm roads that were within the proposed bench footprint was completed 7/12 – 14. Stumping week of 7/17, full construction late July or early August.

iii. Wallkill Maintenance Area Expansion – No new reports

b) Carbon Farming Project – Some work remaining to be done on Southway compost project. No indication if Minkus controlled drainage project will get completed.

c) AEM Round 17 Tier 4 – Two of 4 projects completed. Deadline is e-o-y.

d) PDR Update – Continue to provide support to OCLT, also assisted Town of Wallkill with a farm property they are considering submitting.

e) Tech Position – No good prospects currently. Will discuss more at meeting.

f) AgNPS Round 27 – Project work progressing slowly. See Grants Report.

11. New Business

a) CRF 7 (Chairman Wright to recuse himself from this discussion)

I propose to develop three separate applications for the three irrigation projects that we have sign-ups for. This will take more time, but will allow each application to focus specifically on each project, and for each project to stand on its own merits. We will need to rank the three applications in priority order. I propose to discuss the ranking and justification at the July meeting. I will also present the proposed budget for each project at the meeting.

We need to revise resolution passed last month to reflect three separate proposals.

Bridge Deck (from last month) – Yes vote from Warwick, and from Paul. No response from Goshen, Wawayanda or Minisink despite efforts to follow up.

Farm Tires - nothing new

Skoufis Call

Received call from Emma at Senator Skoufis' office. She was talking to Jason Touw, who told her that Soil and Water could use more equipment to rent out to farmers. Specifically, he mentioned harvesting equipment, and that we

could use two more corn planters and 1 more seeder so farmers wouldn't have to wait as long for the equipment. I was caught off-guard somewhat by the call, since Jason had not discussed this with me. She indicated they could request funding for this equipment through some capital program, but it wouldn't be in 6 months or a year.

I told her that we appreciated the offer, but that I wanted to discuss it with my Board before making a specific request. I noted the concern with staffing we are facing.

I would like to discuss this with the Board at July meeting before responding back to Skoufis's office.

Call With Ryan's office 7/14, regarding potential collaboration with Wallkill River National Wildlife Refuge.

New project sign-up – Received request for project assistance from Rick Vreeland – Freedom Hill Farm. We assisted them with Covered Barnyard project using AEM Round 17 funds. They would like to add/expand a manure collection/loading area off the end of the CBY. I estimate the full cost of the project to be under \$5,000. Our project sign up period is open, though deadline dates are established corresponding with grant rounds to avoid late sign-ups without adequate time to develop applications. Since we do not have any other sign-ups in hand that are not planned for other grant rounds, and since this is an enhancement of a previously approved project, and since we have a balance of \$26,000 in our LCSP budget, I suggest we approve 75% cost sharing for this project from 2023 LCSP not to exceed \$3,750. This will still leave us over \$20,000 towards fall cover crop sign ups out of the \$50,000 approved for the LCSP by the Board for 2023..

I updated the 2023 Project Ranking Sheet to reflect new projects (Wright, Vreeland).