

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
January 21, 2014

The Meeting was **CALLED TO ORDER** by the Chairman at 9:06 AM. Directors J. Wright, G. Keeton, and P. DeBlock were present, along with K. Sumner, C. DeGrootd and K. Brown (OCSWCD), J. Simpson and Anna Williams, (CCE), Robert Merrill (USDA-NRCS) and F. Barber (FSA). Also in attendance was County Legislator Paul Ruskiewicz.

DeBlock made the Motion, seconded by Keeton, to approve December's Board **MINUTES**. All in favor.

CORRESPONDENCE

A letter was passed around that was written by David L. Darwin, Orange County Attorney, to Christopher Pawelski regarding his FOIL request to the District for a copy of a letter written by Paula DeBlock. The County Attorney advised Mr. Pawelski that the Orange County Department of Law has determined that Orange County SWCD is not required to provide that letter since they do not possess it.

The District received a letter from Assemblywoman Annie Rabbitt regarding the FOIL request from Christopher Pawelski to the Orange County Soil & Water Conservation District. The letter stated the Mr. Pawelski would like a copy of a letter that was written by Paula DeBlock and read by Kristen Brown at the November 12, 2013 Orange County Farm Bureau Meeting. She is requesting that the District respond to the FOIL request within the appropriate time limits imposed by law.

Sumner passed around the material that was subject to the FOIL request for Board review. Much of what was in the correspondence was redacted by the County Attorney's office. Currently, the District has satisfied the initial FOIL request and Pawelski is now appealing to the County Attorney and writing letters to various state agencies as well.

A letter was received from Barton & Loguidice, the engineers that are working with us on the Black Dirt Flood Control Project. No action is needed.

Sumner sent an email to the County Attorney's office. They had asked Sumner to put it in writing that we did not have a copy of the letter written by Paula DeBlock. DeBlock wanted to state that Pawelski is claiming that DeBlock wrote the letter as the District's Treasurer and on behalf of the Soil & Water Board. She stated that this is untrue. Sumner reiterated that as of right now we have fulfilled the FOIL request. He said we did get a call from the County Attorney's office but Brown will report on this. Brown said the Deputy Attorney General contacted the County Law Department to find out what was going on. She said that the top state agencies are saying this is a local matter. Pawelski was charged a fee for the FOIL material but the check had to go to the County Finance Department and none of our staff time could be billed. Sumner is going to look into getting a second opinion on this. Sumner believes the District could respond to the FOIL request without involvement from the County Attorney's office. We may use a private attorney.

The District received an invitation from Cornell Cooperative Extension to attend the Dairy and Livestock Trade Show. We have attended in the past but it depends on what other activities are going on at the office. Sumner suggested tabling any decision to attend for the time being. Simpson added that she would need to know two weeks in advance.

A No Cost Time Extension was submitted for the NEIWPC Grant which covers the work at Seward Avenue and the Warwick High School. Construction work is complete but we are waiting on the signage. We requested the extension until August 2014.

The District received an invoice for a display at the NYS Fair in the amount of \$100. We generally pay this. DeBlock made the Motion to pay the invoice, seconded by Keeton. All in favor.

An invoice for the Envirothon registration was also received. We have not had a team participate recently so the Board voted to not pay.

Sumner pointed out that there is approximately \$23,000.00 in the unobligated fund balance. Disbursements at the end of the year are close to what the District budgeted for. Receipts are over. Wright questioned the Unemployment (\$15,000) and whether or not we have to carry that. Sumner explained the District has to either maintain our own fund or pay into the state for unemployment. It was cheaper for the District to maintain our own fund. It was also mentioned the District maintains separate bank accounts for all of the Ag NPS grants and that it's a lot of paperwork/procedures to shift money from one account to another. We do not get charged bank fees. Ruskiewicz asked if these grants are all from the State and Sumner said that they were.

December Financial Reports were approved by DeBlock, seconded by Keeton. All in favor.

Bills To Be Paid - #9 was for the NYS Fair Assessment which was previously discussed. Hudson River Tractor said the planter should be ready in a few days and they will be looking for a check so Sumner asked for the Board to approve payment for this now. Last week a check for the planter in the amount of \$26,000 came from the County. The planter will cost \$30,727.00. The District is paying the difference. Keeton made the Motion, seconded by DeBlock, to approve and pay all the bills and to write a check for the corn planter. All in favor.

DeBlock asked if the new planter will be kept at O'Dell's Farm. Sumner said yes but he is unsure if we have to re-bid the rental rates and space. Wright asked if a technician is being sent out with the planter to show us how to use it. Brown said she is unsure. Sumner said that we should request this.

STAFF REPORTS

C. DeGroot (SWCD) - DeGroot has been busy working on the end of the year reports, the Tree and Shrub Program, the NYS Ag NPS Grant reports and all of the tax forms (W2s and 1099s). She has also been working with the County Dept. of Human Resources to get them all of the end of the year/beginning of year paperwork that they require. Auditors have been calling and requesting paperwork. Soil Group Worksheet requests have been coming in.

Sumner described this year's Tree and Shrub Program in more detail. We didn't make money on it last year but it's a good public service. This year we are going to have it at our office so we will not need to use Bergen's Farm. The Nursery we use has agreed to prepackage all the seedlings for us to make it easier for distribution. The Program is scheduled for the first week in May.

K. Brown (SWCD) - Brown worked on getting prices for the rain garden signs for the Warwick High School and Seward Avenue.

Brown, DeBlock and Sumner have been contacting dairy farmers regarding an ag survey.

Brown worked on the Performance Measures Report and Annual Report.

Ag NPS Round 20 proposal is out. Cornell Cooperative Extension announced it for the District in their Newsletter. The proposal is due at the end of March.

There was a Flood Committee Meeting on January 17, 2014.

Brown asked to attend the next Conservation District Employees Association Meeting on February 13 and 14th in Binghamton. The Board gave approval for her to attend.

Kevin added that in the past we had trouble finding affordable sign vendors and we've often gone with Lewis Signs. The new vendors we've contacted can make the signs for around \$75.00 each for 18" x 24" signs that last for 5-6 years.

Brown was working with Jason Touw, a teacher at the Warwick High School. They contacted Brown because their advanced science class wants to go to a dairy farm that has long term manure storage. She recommended Russell Smiley's farm. She contacted Smiley and he agreed to host the class.

K. Sumner (SWCD) - On February 6, 2014 he will be teaching a CESC 4-hour Workshop for the Local 17 Laborer's Union at Stewart Airport. There are discussions about doing one in March at CCE as well.

Legislative Days is February 10th and 11th. This is where a lot of Districts across the state go to Albany and push to discuss legislative issues.

Brown and Sumner went to the Minisink Kiwanis dinner on December 17th and gave a small presentation afterwards.

Sumner said he is looking for more detailed plans and a work scope from B&L Engineers. Wendell was supposed to provide us with a work scope which is needed for the surveyors to provide detailed on the ground survey information at the ledge locations and for the first stretch of the flood plain project. Sumner said there seems to be wide spread support to keep the stump grinding project moving forward. Sumner said he is looking for guidance from the Board as to which way to go to come up with a cost figure. Ruskiewicz said if he has a figure of how much restitution it will cost, he can take it to the County. Sumner said that if we can further the Maintenance Agreement past Pellets Island, then we can more easily maintain it. We need assistance from the County to make this happen. The last action was when Sumner worked with Antoinette, Orange County Law, who said amending the agreement will trigger SEQRA. So someone would have to take the lead and initiate the SEQRA action and there was discussion on whether that should be SWCD or the County. There is only so much a staff of three can do. Brief discussion followed. P. Ruskiewicz said that he requested to join the Ag & Farmland Protection Board, which meets the third Wednesday of every month.

Sumner reported that he is working with our Soil and Water Conservation District Coalition (Lower Hudson Coalition of Conservation Districts) to apply for funding from the National Fish and Wildlife Foundation's Hurricane Sandy Coastal Resilience Grants Program. Up to \$5 million can be requested through this program, with proposals due by the end of January. There will be group proposal, with 5 or 6 of the 11 Coalition counties submitting projects. For the group proposal, Orange County will submit a project proposal for watershed planning in the Monhagen Brook watershed. There will be a separate proposal that will focus on the Wallkill River Black Dirt flood control project, we are proposing to request \$2 million. While there is no match requirement, we hope that citing the \$2 million already 'in hand' from NYS will help to elevate the ranking of this proposal. Since the Coalition does not have the organizational structure to enter into contracts, one of the Coalition Districts will need to act as the applicant and grant contractor if the awards are received. Sumner asked the Board if they were agreeable to Orange County acting in this capacity on behalf of the Coalition. He indicated that there would be ample funding included in the request to cover the administrative and related time commitments and expenses of the grant. On a motion by Gary Keeton, seconded by Paula DeBlock, the Board unanimously approved Sumner's request to allow Orange County Soil and Water Conservation District act as the applicant for the Coalition's group proposal, and to submit a separate application for the Wallkill River flood control project. The Coalition's coordinator, Emily Svenson, will coordinate submission of both proposals.

INTERAGENCY REPORTS

J. Simpson (CCE) - Simpson mentioned that Baglia asked her to attend the Board Meeting this week. Simpson stated that the next five months are going to be very busy. She introduced Anna, who is Maire Ullrich's niece and is from SUNY Morrisville. She is interning until the first or second week in May. She will be assisting Simpson with classes and helping Ullrich with fieldwork once it warms up out.

Hay classes start in February. Even though they are not technically grouped together yet, Ulster, Dutchess and Sullivan County will have a regional team. Dutchess has not had much contact with them yet. They will be putting on hay classes in February. Classes will be on the basics of soil testing and how to read the results, fertilizers and hay testing. CCA credits will be offered. Marketing of hay, equipment and how to seed and maintain fields will also be taught. The May class, taught by Dave Roberts, NRCS, will be a pasture

walk to ID plants and weeds. Brown asked Simpson why she invited Dave Roberts. Simpson said that he does great pasture walks. Brown said she thought they would have asked Troy Bishop over NRCS. This class is just bovine for the pastures.

There will be a corn field day in September. Sumner asked who is on the Dairy Advisory Committee. Simpson said she will email Sumner a complete list but said she knows S. Myruski, R. Smiley, G. Gibbs and B. Ford are on it.

Ag Literature Week is March 17-21st. She said to let her know if anyone is interested in participating. CCE is looking to purchase 12 additional books for the program. Debbie Lester is in charge.

Dairy Day is March 12th. Letters went out to venders.

There is a cheese making class March 30-31st and April 1st. It is \$375/person and dairy farmers get a discount.

There will be a full day dairy field trip to see a plant that makes ice cream and bottled milk when the weather warms up, sometime in June.

They are teaming up with Cornell and do an Ag & Markets class for anyone looking to do value-added products such as yogurt, cheese, ice cream and milk.

A Cow and Goat Milk Soap Class will be on October 30th. Master Gardeners that do the regular soap making class will teach this.

The Calf Sale will be on May 10th.

Saturday meetings - The Dairy Challenge is the 1st Saturday every month until June. This Saturday will be the first meeting.

Dairy Discovery is in March. This is where the kids get to go Cornell for two days. This year's topic is Herd Health.

R. Merrill (NRCS) - Merrill handed out the NRCS Anti-Harassment Policy.

Application deadlines are in the priority phase now. They are waiting for ranking questions to move forward but it's being held up by the Farm Bill.

Irrigation funding - These have been under the Ag Management Program for the past several years. But the last two years have had nothing funded. Merrill said that Heller secured a pool of money that he believes will target irrigation. They have 6-8 applications from last year that they will roll forward and this money could potentially fund these. An announcement will go out again for this pool of money. NRCS will keep us updated.

OLD BUSINESS –

The Reorganizational Meeting will be scheduled for February. All District policies can be reviewed at that time. No changes to our policies. We will email existing policies to Directors for review.

Sumner mentioned that our Board Meetings are posted on our website. We state on the website that anyone interested in attending should call our office ahead of time.

Equipment Replacement Fund - it was mentioned that there had been past discussion on raising the rental rates. Sumner said he believed the consensus was that we could charge an additional \$5/acre and bump up the delivery charge but it's

still not going to cover costs associated with this program. We need approx. \$20,000/year budgeted for all of our equipment. On paper we can try to save money for an equipment replacement line (added to the dedicated funds). DeBlock made the Motion, seconded by Keeton, to move \$6,000.00 into an Equipment Replacement fund. All in favor.

NEW BUSINESS –

Corn Planter Repairs- Should we do 30" or 34" rows? Brief discussion followed. Rock Stream Planter is familiar with our machine and submitted a quote for \$3,000-\$5,000 plus transport costs.

Binkly and Hurst quoted \$4,096.00 which included transport costs.

Hudson River Tractor (HRT) quoted \$4,000.00 if we bring it to them.

Jesse Fredericks/Top Notch had requested that we remove his quote. His concern was that he was told that farmers are rough on the equipment.

Sumner recommended that we go with Hudson River Tractor. Brown passed around the quotes for Director review. Ruszkiewicz stated that 30" rows are the standard row size that most farmers use.

The Board approved fixing the old planter and changing it to 30" rows using HRT. Brief discussion followed on to whether or not adding row cleaners. It would cost approx. \$2,600 extra. The Directors decided to hold off on row cleaners. A Motion was made by Keeton, seconded by DeBlock, to have Brown ask HRT to hold their price quote of \$4,000 and to change the rows to 30" on the old planter since we are purchasing our new planter from them.

Cover Crop Policy - Brown said that some Districts want to pay producers 75% of the total cost to put down cover crop. Others pay the recommended rate. We pay \$20/acre which sometimes won't cover the cost of seed. Sumner said that although the \$20/acre is an outdated figure, it is not meant to cover the cost of their cover crop, it is an incentive payment that is limited to three years. He said that sometimes we have to coordinate with NRCS because they could be funding the same fields that we are. Sumner stated that the SWCD follows NRCS's standards. If you get your crop in by the recommended date and with the recommended rate, you get paid. Otherwise if you plant it weeks late and the practice fails, they should not get paid. Merrill added that it has to be a successful established cover crop in order to be paid by NRCS. Discussion followed on rates for upland and black dirt.

No-Till Rental Rates - The new rates will be \$20/acre plus \$150 for delivery and the first 5 acres. Directors were in agreement.

Brown mentioned that L. DeBuck approached the District to have the District purchase soy bean cup attachments which cost approx. \$800. Directors agreed that if DeBuck will be the only farmer using these, then purchasing them can not be justified. They suggested DeBuck ask the Ag & Farmland Protection Board for the funding. Wright said we could revisit this in the future.

SWCD Leave Summaries were presented for Board review.

The **NEXT MEETING** is scheduled for Monday, February 24, 2014.

The **MEETING** was adjourned at 11:35 AM on a Motion by Keeton, seconded by DeBlock. All in favor.

Respectfully submitted,

Christine DeGroot
Secretary to the Board

