

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
November 15, 2021

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:06 AM. Directors J. Wright, P. DeBlock and P. Ruszkiewicz along with K. Sumner, T. Ferry and C. DeGroodt (SWCD) were present.

2021-11-1 DeBlock made the Motion, Ruszkiewicz seconded, to approve October's Board Meeting Minutes as written. All in favor.

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

CORRESPONDENCE

- The bank statements and collateral agreements were available for review.
- There was a draft letter from the District to landowners along the Quaker Creek regarding a possible Quaker Creek Improvement Project.
- Sumner sent a letter to William Rudge, Director of Natural Resources, NYS DEC Region 3, regarding the expansion of the Wallkill Maintenance Program. The District is working on getting landowner approvals but also needs to determine if permits are needed. Sumner passed out a map of the parcels involved in the expansion.
- A draft Drainage and Access Easement Agreement for the proposed expansion of the Wallkill Maintenance Program, prepared by our attorney Richard Hoyt, was presented. One point from the draft easement that was mentioned was that it states that even though the District has the easement, we still agree to provide the owners with prior notice of entry every time we go on their property. A letter was sent out to landowners within the proposed easement area approximately 6 weeks ago and so far several landowners responded in support.
- The Vegetable Growers dinner date announcement was mentioned.
- Sumner received an email from the Orange County Planning Department regarding potential Army Corp projects. They are requesting that potential projects be forwarded to them for the development of a County list. Sumner said that the ongoing flood mitigation work on the Wallkill would be a good project to add. Sumner will reply to them and ask them to add this to the list.

FINANCIAL REPORTS – There was nothing new to report. Sumner mentioned the \$748.00 on the list of Bills to be Paid was the fee for the Callisto Ponds engineering review, which the landowner reimbursed us for. Also, the \$7,565.00 was paid out of the Wallkill Maintenance Fund for the snag removal at the Rutgers/Wallkill confluence.

We are still waiting for our invoice from August for the Carbon Farming Project in the amount of \$9,787.75 to be paid by Dutchess County SWCD.

2021-11-2 Ruskiewicz made the Motion, DeBlock seconded, to file October's Financial Reports for audit review. All in favor.

BILLS FOR BOARD APPROVAL - A bill was added on to the list to be paid in the amount of \$1,548.80 for Russell Smiley's cover crop and residue management, being paid out of the Carbon Farming Project. Photos were available.

2021-11-3 DeBlock made the Motion, Ruskiewicz seconded, to accept the Bills to be Paid. All in favor.

GRANT REPORT UPDATE – The Grant Update Report is updated monthly to reflect changes.

STAFF REPORTS

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

C. DeGroodt (SWCD) – DeGroodt's staff report was attached to the Draft Minutes. There was discussion on the quickbooks program. Sumner recommended contacting other SWCDs to find out how they utilize the program and to see about having Rachel from KKB&N Accounting come back to the office for additional training.

T. Ferry (SWCD) – Ferry's staff report was attached to the Draft Minutes. Ferry has been busy moving no-till equipment. The 4-H Park rented a machine to plant 2.4 acres at the cost of \$150.00 back in September. Ferry asked the Board if they should pay or can their invoice be waived. **2021-11-4 Ruskiewicz made the Motion, DeBlock seconded, to waive the no-till fee for the 4-H Park. All in favor.**

Another farmer had a machine for approximately 25 days and planted 16.1 acres. It was delivered on 10/15 and picked up on 11/10. Ferry asked the Board if there will be an extra fee for being kept so long, as it states in our No Till Agreement that it is \$50/day if you don't plant 5 acres minimum a day. The current bill is \$372.00. Sumner suggested sending a letter with his bill explaining that the equipment can not be kept that long. He also suggested we figure out what a full calculated idle use fee would be, taking into account the wet weather. Discussion followed.

There was discussion on the District's Soil Health Incentive Program.

INTERAGENCY REPORTS

NRCS – There was no one in attendance.

OLD & NEW BUSINESS

K. Sumner (SWCD) – Office Procedures – There are no changes to USDA's covid policy to report. There have been no enhanced security measures installed yet at the building. The District is still parking the trucks close to the building, which may become an issue once it starts snowing and the parking lot gets plowed.

Sumner mentioned that Ben Luskin from the State Office will be coming to the office on Friday to look at projects. He has been in contact with project participants to make them aware.

AEM Round 16 Tier 4 Implementation Projects Update – The metal building for the Vreeland project was not going to arrive in time so Sumner proposed to the landowner to switch to a pole barn with a conventional wood roof structure. We would need the plans to be approved by a PE, so Sumner arranged for B&L to prepare the plans. A

stamped set of plans was received from the engineers. The farmer is reviewing the design and seeking contractor proposals to erect it.

Hudson Valley Carbon Farming Project Update (CFP) – Construction is in progress on the Stewart farm. The Southway project is on a waiting list for engineer assistance. We are waiting on the landowner for the Minkus controlled drainage project.

Ag NPS Round 27 – The District found out that Round 27 was approved. Two of the RD 27 projects are compost facilities. Sumner is exploring the idea of a generic design that can be used on all three projects, the two in Round 27 and the Southway project, to economize on engineering fees. The Carbon Farming money was supposed to end next April but all indications are that it will get a time extension, which would give the District all winter to work with the engineer to try and get a design package that everybody is happy with.

Roller Crimper and New Seeder Update – There was discussion at October's Ag & Farmland Protection Board Meeting to allocate \$5,000.00 of their remaining budget to the District for the new seeder purchase. And the District had gotten approval to use approx. \$6,000 out of the Carbon Farming Project towards the purchase of a roller/crimper. There was discussion on potential uses of the roller/crimper including to facilitate no-till/reduced spray cropping systems field-level research. Sumner had researched costs and vendors. The desired model cost approximately \$10-\$12,000.00. Regarding the seeder purchase, some growers hoped we would purchase a 10 foot model, but we have concerns about the travel width with the frequent road travel that is required with the program. A local farmer contacted Sumner and suggested the District look into a seeder with a swinging tongue. One manufacturer's 12' seeder reduces to under 9 feet for travel width. They only make a 12' with swinging hitch but the farmer that contacted Sumner suggested that a custom build of a 10' seeder with a swinging hitch could probably be explored. The 10 foot option was suggested because 12 might be too wide for some of Orange County's uneven fields. The District could sell our current 7' seeder worth approx. \$8,000. It's possible the equipment purchases could be folded into a Climate Resilient Farming grant under the Soil Health category. Discussion followed.

There was a brief discussion on T. Ferry going on paternity leave in December and possibly working from home 1-2 days a week.

Flood Plain Bench Phase 4 Update – There was nothing new to report.

Pulaski Culverts - Sumner mentioned that Barton & Loguidice billed us for \$5,000 for the Pulaski Highway Culvert study. Over the past month, Sumner said he received a few calls over it. Assuming that there is a good report in our near future that says the culverts can be lowered, Sumner suggests that the next step would be to get on the Physical Services Committee agenda. It would be great if we could get the money to cover the consultant fee, but Sumner thinks we should ask the Committee to direct County DPW to replace the culverts themselves rather than allocating funding to hire a private contractor.

Bench Phase 3, Area 1 – Smaller trees (#2 containers) should be planted on the bench this week.

Bench Phase 3, Area 2 – There was nothing new to report.

Quaker Creek Update – There was discussion on the concept of a 'mini bench' /buffer area, as described in the letter on the list of this month's correspondence. The buffer aspect is expected to increase the chances of getting funding for a project in programs that emphasize environmental benefits – such as the CRF program. Sumner has not yet directly engaged any of the landowners or growers in the area. He wants to make sure the Board is in favor of sending the letter and progressing the idea, because the large number of landowners will make this a complex and time-consuming effort. Sumner has proposed the area from Big Island Road to Pumpkin Swamp Road as the initial

ORANGE COUNTY SWCD NOVEMBER 2021 BOARD MEETING MINUTES

focus area because of the more extensive and frequent flooding that has been observed in this reach. More study would be needed to gain confidence that benefit would be derived from working on this reach without extending improvements from Big Island towards the Wallkill. The Board was in favor of sending the letter.

Chester Ag Center Pumping Plant - Sumner had received a call from NYS SWCC regarding the Chester Ag Center pumping plant upgrade concerns. It was reported to Sumner that at a meeting (that the District was not invited to), all attendees thought it would be a good idea for the District to apply for a CRF grant for the pumping plant upgrades. Someone at the meeting said that the County is willing to contribute \$200,000.00. When asked, the County told Sumner they knew nothing about this. Sumner's opinion was that we should have firm commitment on local match before committing to preparation of a CRF grant proposal. Sumner said that he will reach out to stakeholders to see if ample local match support can be identified. It likely would not be feasible for us to prepare a proposal for both the pumping plant and the Quaker Creek project.

Legoland Update – The District has not yet received the \$50,000.00 check from Legoland.

AG NPS RD 28 Request for Proposals - will be released soon.

Callisto Vineyards Ponds – This project started this fall. The engineer reviewed and approved the design.

NEXT MEETING DATE - The next **MEETING** is scheduled for **Monday, December 20, 2021 at 9:00 AM.**

2021-11-5 Ruszkiewicz made the Motion, DeBlock seconded, to go into Executive Session at 11:17 AM to review employee performance appraisals. All in favor.

(DeGroodt and Ferry left the Meeting at 11:17 AM)

2021-11-6 The Board came out of Executive Session at 11:40 AM on a Motion by Ruszkiewicz, seconded by Wright. All in favor.

It was noted that Performance Appraisals for Sumner, Ferry and DeGroodt were reviewed and accepted by the Board, and signed by the Chairman.

2021-11-7 DeBlock made the Motion, Ruszkiewicz seconded, to gift Ferry \$100 out of the District's Credit Card reward points towards a baby gift. All in favor.

ADJOURNMENT

2021-11-8 The meeting was Adjourned at 11:15 AM on a Motion by Ruszkiewicz, seconded by DeBlock. All in favor.

Minutes Prepared By:

Christine DeGroodt, Secretary to the Board

C. DeGroodt

Board Meeting Activities October 16, 2021 – November 10, 2021

- We have \$472 cash awards on the rewards credit cards.
- Updates to the District website. Adding projects.
- Sent out the District's 2022 Annual Plan of Work.
- Worked on identifying landowners for the Wallkill Maintenance Expansion.
- Organizing project files.
- Sent out our quarterly NYS and Federal tax reports.
- Discuss Quickbooks with Directors. Where to go from here.

TF November Board Meeting Activity Summary

- Both seeders have been out and working, no issues so far.
 - Old seeder back at O'Dells
- Working on checking cover crops for Carbon Farming and District Soil Health Program.
- Participated in the Carbon Farming outreach webinar on 11/9. Video footage from Smiley farm was shown during that event as well.
- AEM Round 17 Annual Action Plan was submitted and accepted by NYSSWCC.
- Worked on some documents for the website.
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Report to Board KMS

November, 2021

Office Procedures – Nothing new to report on office procedures. No evidence of any enhanced security measures yet.

AEM/AEM Round 16 Tier 4 (Implementation Projects) [Must be completed by 12/31/21]

Browne project mostly complete. Close-out before end of year expected without complications.

Vreeland – draft design for timber roof structure received from B&L. Farmer is reviewing design and seeking contractor proposal to erect.

Van Aken project is mostly complete. Close-out before end of year expected without complications.

Hudson Valley Carbon Farming Project [contract ends 4/30/2022]

Keith Stewart – Construction in progress.

Matthew Southway – on waiting list for engineer assistance. Continuing to do research on facility design, including Aerated Static Pile aspects. Draft plans that include active aeration have been shared with landowner. He wants to include the aeration capability.

Minkus Controlled Drainage – Waiting on landowner .

Roller-crimper discussion to continue at November meeting.

Floodplain Bench Phase 4

Nothing new to report on P4. Still waiting on B&L for design/construction plan.

Phase 3, Area 1

Planting of #2 containers planned for week of November 15th.

Phase 3, Area 2

Nothing new, still hoping for 2022 construction with DASNY funds.

Other Flood Mitigation

Pellets Island Reach Maintenance Program – Three landowner responses to letter so far, all three in favor. Letter sent to NYSDEC attempting to obtain their position on the proposed expansion.

Quaker Creek – Flooding along the Quaker Creek corridor through the Black Dirt occurred again after the storms of 10/25-26. Previously, I have reported to the Board that our flood projects engineer Buckman and I have undertaken preliminary evaluation of the potential for a ‘mini-benching’ project on Quaker Creek. A draft letter to Quaker Creek landowners is included in you meeting materials for review/feedback. It is not yet known what level of landowner support such a project would have. Landowners may be more interested in a dredging/deepening project which can be expected to be more difficult to fund and of more questionable benefit. If there is landowner interest/support, we will need

to discuss the commitment that would be required to take on the project and how it would fit into the office workload, as well as how project costs would be approached.

Round 27 ANPSACP

Awaiting official release of funded projects approved at October NYSSWCC meeting.

Other

Legoland EBP – Still waiting for \$50,000 check from LLNY.

Pulaski Culverts – Waiting for B&L analysis. 10/25-26 rain event showed damming effect of Hoopstick culverts, with ditches on upstream side of Highway full to the top.

Callisto Vineyards ponds – contractor pulled out with pond berm too low on one end and spillways not built. Owner working on fixing.

Masker Orchards – Received reply to 8/27 inquiry on 10/25 after re-submitting original inquiry on 10/22. The response was a standard letter that did not evaluate the site, but refers the inquiring party to the DEC website. It appears that the only way to determine if a permit is needed is to apply for one.

Cover cropping under our new Soil Health Incentive Program is progressing well. Many acres planted before ‘last planting date’.

No_till Equipment Rental Program

Drill has been ordered from low bidder – Salem Farm Supply. Great Plains initially told Salem that delivery to them was expected October, 2022. Salem is trying to work with them to get that date expedited.

Storm of 10/25-26 caused extensive flooding in the Black Dirt – more so than the Ida storm. Benches were full and spilling out in places.

Attended OC Farm Bureau annual dinner 10/21, and presented a short Powerpoint on recent projects/activities. New president – Jason Tauw.

Budget Hearing with Legislative Committee 10/25 uneventful.

Performance Appraisals completed week of 10/25, to be reviewed by directors at November meeting.

We assisted Warwick landowner with PDR soils evaluation and other PDR considerations.

Received call from NYSSWCC regarding Chester Ag Center/pumping plant upgrade concerns. Apparently at a meeting with which we were not involved, ‘everyone’ thought it would be a good idea for us to apply for a CRF grant for the pumping plant upgrades. I suggest we discuss this at the November meeting.