

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
October 24, 2023

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:04 AM. Directors P. DeBlock, J. Wright, P. Ruskiewicz, G. Constable and B. Cheney were present along with K. Sumner (SWCD), E. King (SWCD), and M. Held (SWCD.)

2023-10-1 Wright made the Motion, Cheney seconded, to approve September'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

- Bank statements, Account Analyses and collateral agreements were available for review.
- Letter from the State Committee notifying us that our Round 29 Ag Non-Point Source grant was approved and awarded \$248,211 in state funding.
- Informational newsletter about discrimination financial assistance program through the USDA.
- Notice from Shelter Point which is where our life insurance policy comes out of
- National Association Conservation District Annual Report
- NACD first request for financial support for 2024
- Miscellaneous newsletters were available for review.

FINANCIAL REPORTS The September financial report was presented for review. Overall, there are no big surprises when it comes to the financial report. Sumner noted that we are waiting on one receivable from the CRF Round 6 grant for \$35,000. The intended use of the \$35,000 will be to help cover the cost of the Esch-Drill which was bought earlier this year. Sumner notes that the seeder is working well, but that there were some minor issues with brackets that carry the seed units loosening. Sumner spoke with the sales department where the Esch- Drill was purchased and convinced the company to send us the necessary parts at no cost. Sumner estimates that we have 160 acres so far on the Esch-Drill. Sumner mentioned that no farmers have complained about the rigid frame yet and it has been successful. However, we did receive two payments that we have been waiting on for quite some time for the CRF Round 6 grant. \$195,000 Claim for Payment on Round 5 CRF listed as 'receivable' was received late last week. Sumner reported that the only account in the red is the Carbon Farming Project. Sumner noted that most of the Southway project has been completed, but there are a few loose ends he wants to tie up. The Carbon Farming Project ends at the close of 2023.

2023-10-2 DeBlock made the Motion, Ruskiewicz seconded, to file September's Financial Reports for audit review. All in favor.

BILLS FOR BOARD APPROVAL

Sumner noted he added an additional BMP Payment, #14 on the list, to be approved this morning. The payment in question is for Troy Vellenga's cover crop through the LCSP, local cost share program, and totals \$980. Sumner noted that #10, Hoyt Farms, LLC, and #14 are late sign ups. Hoyt Farms, LLC's payment is \$490. Sumner believes that given the unpredictable weather this fall, we should have enough funding to allocate the late sign ups. Sumner suggested that the board hold off on approving #10 & #14 until the Board formally approves these cost-share sign-ups. The other recipients of the cover crop were already approved under the CRF6 grant or LCSP. Sumner noted that completion is smaller in comparison to previous years. The deadline for cover crop establishment is generally 10/20, but given the current weather conditions leeway is a possibility, if adequate growth is achieved.

2023-10-3 Constable made the Motion, DeBlock seconded, to pay the bills as presented, except for #10 & #14. All in favor.

GRANT REPORT UPDATE – Sumner reported that due to unforeseen circumstances we were unable to update the monthly Grant Report. Per Sumner, there were not many updates for the board to review this month.

INTERAGENCY REPORTS

Although no one from NRCS was present for the meeting, Sumner relayed that Jason Touw, Orange County Farm Bureau president, informed him that he had a meeting with NRCS where NRCS attendance/reporting at SWCD meetings was discussed .. King was instructed to add Oscar Velez-Juarbe, district conservationist from NRCS, to the Board of Director's email chain. This way the staff at NRCS will be made aware of when our meeting date/time is.

Additionally, Erik Schellenberg from CCE was unable to attend, but Sumner did have an update to share from him. Sumner reported that Erik is currently working on conservation innovations grant through the USDA. Sumner described it as a follow up and expansion on the no till squash and pumpkin work CCE worked on previously. Erik is including a request for grant funds to purchase another corn planter that would become SWCD property after completion of the grant work plan. Sumner intends to see how things pan out with Erik's grant, while continuing our plan to purchase a roller crimper through our CRF6 grant.

DeBlock did not have anything to report from FSA. There were no representatives from CCE or NYSS & WCC present at the meeting.

STAFF REPORT/OLD & NEW BUSINESS

Held informed the staff of her various endeavors working with the AEM Tier 3 plans, the various farms that are participating, and shared her findings from the roller crimper research. Lastly, Held updated us on the farmers participating in soil testing with the local cost share program. Held fielded questions from the Board about the roller crimpers she prioritized and the noticeable cost difference from two vendors for the same equipment. Wright requested that Held provide references/reviews from the vendor with the lower price to the Board so they can make an informed decision about the crimper. Sumner explained that we will wait a few months to purchase a roller crimper in case news about CCE's CIG grant affects decisions. Sumner assured the Board that we will continue to update the available information pertaining to the roller crimpers over the next couple of months.

King discussed that she is placing more emphasis on learning the responsibilities as the office manager in order to excel at her position. Eventually, King intends on stepping more into the field technician role. King mentioned the recent professional connections that she has made and the shared interest she and Sumner have about using

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QuickBooks for the office. King thanked the Board for allowing her and Held to attend the AEM conference and that it was a great learning and networking experience.

Sumner further explained the challenges he and King experienced with the payroll tax report and how much QuickBooks might have alleviated those difficulties. Sumner does not intend to set an aggressive time frame for the QuickBooks transition, but is hopeful that by next year it will be a reality.

Cheney suggested that we switch to a payroll service. Sumner hopes our investigations into implementing Quickbooks will illuminate our options for a payroll service as well..

While in quarantine, Sumner was able to work in the field keeping track of the tree inventory for the flood control permits. Sumner reported that the current construction area flooded a few weeks ago following the heavy rains. Sumner noted that because of the geometry of the river in this phase of the work, flood flows leaving the constructed bench had more erosive power which resulted in several washouts. The construction crew will repair the washout areas with clay and reinforce the sediment dikes. Sumner confirmed that the project's excavation work is 75% complete. Sumner will be away the week of 10/30, but work will continue while he is gone, with tree planting expected in mid to late November.

Sumner shared the exciting news that a local construction company donated 270 two-to-five-gallon potted saplings that were left over from another project. Some belong to the same species of trees from our planting plan, but the others are still native and suitable for the area.

The Carbon Farming Project ends at the close of this year. The two active projects, the Southway Project and the Debuck Control Drainage Project, still need to be certified before the end of 2023.

Pertaining to the O'Dell project debacle, Ben Luskin sent a copy of Ag & Markets response to the letter written to them by the County Agricultural and Farmland Protection Board which reaffirmed that they do not want the O'Dell residence separated from the farm if it stays in the ownership of Ron and his wife. Ron O'Dell spoke with Brian Steinmuller from Ag and Markets who reiterated that they will not entertain the application unless it is in someone else's ownership. Sumner noted that Ron and Barbara plan to mull the current situation over. Ron & Barbara spend their winters in Florida so they would like to revisit the PDR process in April 2024. Sumner believes that they may look elsewhere besides the Land Trust for a sponsor due to their frustration with the process over the last several months.

Wright explained that his farm is preserved and that two of his neighbors told him that knowing that helped them make the choice to buy their house. For this reason, Wright refutes the idea proposed by Ag and Markets that non-farm landowner adjoining a preserved farm is likely to result in conflicts.. Cheney believes that Ag and Markets is worried that they could be sued. Sumner proposed that it could be helpful to reach out to state elected officials, identifying concerns with this particular stance and policy of NYSDA&M. Cheney agreed, but noted that it would take time to lobby these state officials. DeBlock became frustrated by the absence of protection/advocacy for farmers from local politicians. Sumner explained that PDR, purchase of development rights, is prevalent in Rochester, Albany, Buffalo, Hudson Valley, and Long Island. Cheney expressed that people complain about farming activity regardless and that the alternative is the construction of warehouses.

Sumner reminded everyone about the mandatory sexual harassment training course that must be completed by the end of the year. A link to an on-line training module will be provided to the other directors, who are asked to complete the module and report back to Sumner the date they completed it, or to provided documentation that they completed a sexual harassment training at some other time this calendar year.

Sumner reintroduced the discussion over allowing Hoyt Farms, LLC (#10) and Troy Vellenga (#14) into the cover crop program to the Board. Additionally, Sumner noted that Wright Family Farms is requesting admittance to the cover crop program.

2023-10-4 Cheney made the Motion, Constable seconded, to approve Wright Family Farm, Hoyt Farm, LLC and Troy Vellenga entering the cover crop program through our LCSP. All in favor. *Wright abstained from the vote since he is the owner of Wright Family Farm

Additionally, Sumner asked the board to approve the payments now for Troy Vellenga (#10) and Hoyt Farms, LLC (#14) since they are now in the program.

2023-10-5 Constable made the Motion, DeBlock seconded, to approve the payments for Troy Vellenga (#10) and Hoyt Farms, LLC. (#14) All in favor

DeBlock asked for confirmation that the farmer's with outstanding balances from their no-till rentals were paid. Sumner confirmed that and stated that there may be a few statements on the receivables next month should the recent users not pay by then.

Sumner noted that the budget hearing went well yesterday, but he knows that the full legislature has not approved the entire budget yet. Sumner would like to have the construction bid for Phase 4 North of the Wallkill Floodplain Benchready by early 2024 to avoid the pressure to have the trees cut by the end of March. Cheney stated that he will know definitively by December if the budget was approved in case Sumner wanted to move it sooner.

Sumner does not know who they will approach to sponsor the project. Sumner explained that the process we follow based on NYSSWCC procedures and policies, is for the farmer to hire the contractor.. Then the farmer needs to get three bids from contractors of his choice. We then reimburse the farmer after the contractor has been paid by the farmer. Per Sumner, it could be done with the landowner or with the farmer that rents the property.

Sumner reported that the AEM Round 29 proposal was approved. The proposal ranked #1 out of 96 submissions. The deadline for the project's work plan is 12/1/23. Additionally, Sumner stated that the state committee is expected to vote on 10/31/23 to determine the ranking of the three irrigation projects we submitted under the Climate Resilient Farming Round 7.

Furthermore, Sumner requested the Board's approval for the 2024 Part B Project Request. Sumner explained that we are asking for the maximum funding request of \$6,000. Sumner stated that the proposal's parameters are broad enough and mainly want it to relate to natural resource conservation or farm drainage. Sumner intends on using the funds towards the planting plan for the Phase 4 North Flood Plain Bench Project. Sumner explained that the funds cannot be added to a project for which you are receiving state funding. Therefore, since the Phase 4 South flood control project is supported by the CRF5 grant it cannot take funding from Part B. Fortunately, the Phase 4 North Flood Plan Bench Project is supported by money from the county and the SWCDso there should be no issues with applying the 2024 Part B Project funding to Phase 4 North.

2023-10-6 Cheney made the Motion, Ruszkiewicz seconded, to approve the 2024 "Part B" Project of which the funding request is \$6,000. All in favor. *DeBlock was initially absent from the vote, but gave her approval a few minutes later

Sumner explained that the annual work plan draft is due by 11/1 to the State Committee. The annual work plan draft was sent to the directors ahead of time and they were presented with a physical copy at the meeting. Sumner used a

work plan from the previous year as a template, but updated it according to new staff hires, the end/start dates of various grants, and the status of other existing and anticipated projects and programs .

2023-10-7 Constable made the Motion, Wright seconded, to approve the annual work plan draft which is due to the state committee by 11/1. All in favor.

Sumner explained the AEM Round 18 Action Plan which is a non-competitive, two-year contract. The applicant can request up to \$180,000 which would be used for the staff over the two-year period. Sumner reported that if you consistently do not earn a majority of the staff time funding you request then you may not be approved for the full amount in the future. Sumner plans to request \$179,930 and does not expect that we will encounter issues with charging that time given our revised staffing plan which has all three staff members working on AEM activities. Sumner proposed to allocate \$5,000 to the various testing services offered. Such services include soil testing, compost/manure testing, and heavy metal testing, which is new. Overall, 60% of funds are going towards implementing projects as opposed to writing plans.

Sumner noted that the other piece of the non-competitive contract is the Tier 4 Implementation money which started in the last couple of rounds. Sumner explained that previously the cap on funding was \$100,000 and each farm was limited to \$50,000. However, Tier 4 now has no cap so, in theory, the board could choose one farm to receive the \$200,000 in round 18. Ultimately, this would allow the board to approve projects using locally developed ranking and approval criteria. Sumner wants to ask for the full \$200,000 in round 18. There are a few projects in AEM Round 17 that may not be completed by the end of 2023, due to difficulty in finding contractors willing to do farm projects and other factors. But Sumner is hopeful that projects can be identified and completed utilizing the full \$200,00 round 18 allocation. Sumner noted that we do not have to specify the projects at this point only how much Tier 4 implementation money we want to request. Sumner reported that we have until 5/1/24 to tell them what our projects will be. Sumner hopes some of the Tier 4 funding can be used for maintenance of riparian forest buffers and replanting on our flood plain bench projects. Sumner will not replant on the more challenging sites where the trees have fared poorly, but intends to demonstrate our genuine efforts to have survival rates where the permit conditions wants them.

2023-10-8 Cheney made the Motion, DeBlock seconded, to accept the AEM Round 18 Action Plan Resolution No. 23-10-24, and to request \$179,930 in the staff time category and \$200,000 in the Tier Implementation Category. All in favor.

Next meeting date: November 20th

Sumner wants to have the performance appraisals ready for board review at the November meeting.

ADJOURNMENT

2023-10-9 The Meeting was Adjourned at 10:23 AM on a Motion by Cheney, seconded by Wright. All in favor.

Minutes Prepared By:

Emily King, Secretary to the Board