

**MINUTES**  
**ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT**  
**BOARD OF DIRECTORS**  
**October 21, 2019**

The **MEETING** was **CALLED TO ORDER** by the Vice-Chairman at 9:07 AM. Directors P. DeBlock, G. Keeton and P. Ruszkiewicz were present, along with K. Sumner, T. Ferry and C. DeGroot (OCSWCD) and J. Heller, A. Armlin-Sorgen and D. Mortensen (NRCS).

**2019-10-1 DeBlock made the Motion, Ruszkiewicz seconded, to approve September's Board Meeting Minutes as written. All in favor.**

**ACTIONS TAKEN BETWEEN MEETINGS** – None.

**CORRESPONDENCE**

- Bank account statements and Collateral Agreements from M&T Bank were available for review.
- The District sent a letter to Scott Lenart, Wallkill River National Wildlife Refuge, regarding the possibility of a collaboration between the District and the Refuge which would extend the Wallkill Bench Project work on to the Refuge property. It would restore the area of the Refuge to a more natural, historically accurate condition as well as complement many of the goals of the Refuge CCP.
- The District received a letter along with a check for \$2,500.00 from Hodgson Russ Attorneys, regarding the EBP Settlement Agreement between Riverkeeper and Orange County Ironworks, LLC which happens to be in the Moodna Watershed. Sumner told the Moodna Coalition that if they could come up with a project, they can use the money. Their idea is to use it for some educational kiosks.
- The schedule for the 2020 Budget Hearing was received. It will be on Monday, October 28, 2019 at 2:00 PM.
- The New York Association of Conservation Districts update was available for review.
- The District received a copy of a Notice to Extend Deadline for Submission of Comments on Proposed Stipulations regarding the Application of Danskammer Energy, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 for Approval to Repower its Danskammer Generating Station Site Located in the Town of Newburgh.
- The District sent a letter last week, with support of the Ag & Farmland Protection Board (AFPB), targeting some of the County's younger dairy farmers to see if they were interested in a get-together to discuss ideas to support the Orange County dairy industry.

(J. Wright joined the Meeting at 9:16 AM)

**FINANCIAL REPORTS**

There will be some updates to the District's Dedicated Fund Summary on next month's financial report. We received the second half of the tire money from the County of Orange so the Performance Measures Part C fund will be replenished to \$99,000.00.

The National Association of Conservation Districts Request for Dues was Tabled.

A local orchard agreed to a 50/50 split with the District on the cost of the removal of their farm tires as discussed at last month's Board Meeting.

The District received the 4<sup>th</sup> quarter appropriation check from Orange County, which puts \$12,500.00 back into the Wallkill Flood Project fund.

**2019-10-2 Wright made the Motion, DeBlock seconded, to file September's 2019 Financial Report for audit review. All in favor.**

**2019-10-3 DeBlock made the Motion, Keeton seconded, to accept the Bills to be Paid. All in favor.**

Dave Mortensen, NRCS Area Conservationist, discussed the “Memorandum of Agreement Between the NRCS and the SWCD”. There are two parts to this, the first is the “Memorandum of Agreement” and the second is a “No Cost Contribution Agreement” where NRCS is trying to define and separate what the District contributes to NRCS. The No Cost Contribution Agreement will come later on. For now the focus is on the Memorandum of Agreement. Sumner had made some suggested changes to this Agreement prior to the Board Meeting. Mortensen said MOU’s signed by districts without changes would move forward quickly. It may take a while to get reviewed and approved with the changes. NRCS would like to have it submitted before the end of this year. Mortensen said that this document is similar to the old one we had in place. The Board decided to delay decision on the MOU until next month’s meeting.

**Ag Grant Update Report** – A copy of the third quarter report was mailed to Directors prior to the meeting. All three of our currently active Ag Grants expire at the end of this year. Round 20 which has two active participants had been extended previously. Only one Round 22 project has activity currently.

## **STAFF REPORTS**

- **C. DeGroot**

- The District’s new rewards business card has to-date accumulated \$316 in cash awards.
- DeGroot has been working on the Tire Removal Project paperwork.
- DeGroot worked on the Draft 2020 Annual Plan of Work which is due by November 1<sup>st</sup>.
- The Ag NPS Interim Reports were completed and sent in to B. Luskin.
- Third quarter FICA/FIT and NYS income tax reports were filed.
- DeGroot assisted with a tree planting along West Main Street in Middletown with Sumner and Ferry.

- **T. Ferry**

- Both seeders are now back at the O’Dell Farm.
- Ferry attended the Conservation Skills Workshop and took the GPS class and Wetland Delineation.
- Ferry assisted at the Walkkill River/Black Dirt Region Flood Mitigation Steering Committee meeting.
- Ferry coordinated a Trees for Tribs planting project along the streambank at the West Main Street riparian tree planting site. He picked up the trees last week in New Paltz and they were planted last week.
- He has been working on irrigation training he took earlier this year. The State Committee put that up for their conservation approval authority.
- Ferry has been working on the AEM Round 16 Annual Action Plan which is due November 1st.
- Ferry had spent time on the Walkkill River Maintenance. Spring inspection items are complete.

## **INTERAGENCY REPORTS**

- **A. Armlin-Sorgen (USDA NRCS)**

- Angelica also attended the Conservation Skills Workshop and took Basic Surveying course, the GPS course and a course on Cropland Conservation.
- NRCS has completed 991 Food Security Act updates in the office.

- **J. Heller (USDA NRCS)**

- Heller’s position as Acting District Conservationist ended last week. The new Acting District Conservationist is Oscar Velez-Juarbe.
- NRCS is working on an easement that is closing, 2020 EQIP applications and construction projects in the field.

## **OLD BUSINESS**

Wallkill River Flood Project Phase 2 South Update – The District is still waiting on a permit modification request that would allow us to grade the riverbanks while we are doing the bench planting. We may have to do the planting that was allowed by the current permit conditions without the bank grading since it is getting late in the year to get vegetation established if the bank was disturbed.

Wallkill River Flood Project Phase 3 Update – On September 30<sup>th</sup> Sumner had a meeting with Green Farmland representatives and the County Law Department along with a translator, regarding the benching projects on Green Farmland property. Sumner felt that there was effective communication and now their attorney is working with the County attorney. We are now waiting on Green Farmland to sign the Access License and the phase 2 Conservation Easement. Green Farmland is interested in getting paid for the easement at the rate of \$2,500/acre for approx. 1.7 acres. **2019-10-4 Keeton made the Motion, DeBlock seconded, to pay \$4,400.00 to Green Farmland for the easement. All in favor.**

The Wallkill River/Black Dirt Region Flood Mitigation Steering Committee meeting with Senator Metzger, the District and the black dirt farmers went well. The Senator wanted feedback from Black Dirt farmers about the flood control projects that have been installed already, and to discuss the SAM grant she is working to secure for the floodplain bench project. She also discussed a NYS-funded Carbon Farming Project she helped to shape and enhance.

Wallkill HABS Project (\$200,000) Update – Sumner has still been unable to find out how or when this NYS funding will move forward. Several months ago, we were informed that the funding would be made available for work in the Wallkill watershed. Apparently, NYSSWCC and NYSDEC each have roles in how the funding will be handled.

(J. Heller left the Meeting at 9:58 AM)

As previously mentioned the District sent a letter to the Wallkill River National Wildlife Refuge. The Refuge manager contacted Sumner shortly after he received the letter. They were getting ready to do a project installing sheet piling along the Wallkill River to stabilize the bank. The manager, Mike Horne, liked the idea of the bench but was under the impression that removing an existing dike on the refuge property would meet with resistance. Sumner told him the dike there is not even working to protect farmland and taking it out and replacing it with a bench will do far more to protect the farmland. The bench project could also be designed to address the active bank erosion. Sumner said that the Refuge is working with federal DOT engineers and their budget is \$4 million. The existence of a trail, which largely follows the existing dike, apparently makes a project in this location eligible for federal transportation funding. Out of 4 miles of river from Oil City Road to County Route 1, one mile of it is on refuge property. Sumner and Horne discussed other enhancements that they might want to have for example some low berms running parallel to the river, so if you did get a flood event that flooded the whole property and overtopped the low dikes they would have some water control structures that would potentially hold that water in those impoundments. Horne was going to investigate the possibility of switching the funding for the sheet piling project to the enhanced bench project he and Sumner discussed.

## **NEW BUSINESS**

**2019-10-5 Keeton made the Motion, Ruskiewicz seconded, to authorize the Chairman to sign the New York State and Municipal Facilities Capital Program (SAM) paperwork and enter in the Agreement. All in favor.**

Ben Luskin, NYS SWCC, offered to teach the District Law training for Directors at November's board meeting. We need to confirm that all Directors will be attending.

The year 16 AEM funding update – The District has heard back from two out of the three Moodna farms we are going to use the implementation money on. **2019-10-6 Wright made the Motion, Keeton seconded, to use AEM Year 16 money for projects on three Moodna Farms. All in favor.**

**2019-10-7 DeBlock made the Motion, Keeton seconded, to approve the District's 2020 Annual Plan of Work. All in favor.**

The District received a call from M. Pillmeier regarding the possibility of the District assisting with farm hazardous waste disposal. Discussion followed. No action taken.

(D. Mortensen left the Meeting at 10:25 AM)

**2019-10-8 Wright made the Motion, Ruskiewicz seconded, to have Rachel Wieboldt from KKB&N come back to the District office for additional Quickbooks training for DeGrootd. All in favor.**

**2019-10-9 Wright made the Motion, seconded by Ruskiewicz, to go into Executive Session at 10:30 AM to discuss employment history of one or more employees. All in favor.**

(DeGrootd and Ferry left the Meeting at 10:30 AM)

**2019-10-10 On a motion by Ruskiewicz, seconded by DeBlock, the Board came out of Executive Session at 11:05 AM. All in favor.**

**2019-10-11 On a Motion by DeBlock, seconded by Ruskiewicz, the Board moved to join the NYS Retirement System at the earliest opportunity with the understanding that Sumner and DeGrootd will “opt out”, and to begin funding SEP plans for Sumner and DeGrootd using the contribution percentages in “Scenario 2” as presented in the “Retirement System Considerations” memorandum from Sumner to the Board of Directors dated 9/9/2019, and to add the SEP plans to the list of policies that will be reviewed annually at the Board of Directors annual reorganizational meeting. All in favor.**

The next **MEETING** is scheduled for **Monday, November 18, 2019 at 9:00 AM.**

**2019-10-12 The Meeting adjourns at 11:10 AM on a Motion by Keeton, seconded by Wright. All in favor.**

Minutes Prepared By:

Christine DeGrootd, Secretary to the Board