

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
September 18, 2023

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:10 AM. Directors P. DeBlock, J. Wright, P. Ruskiewicz, G. Constable and B. Cheney were present along with K. Sumner (SWCD), Ben Luskin (NYSSWCC) and Eric Schellenberg.

Sumner pointed out two corrections in the draft minutes at the bottom of page 2. The corrected version is “..derail a very desirable PDR project. They agreed..”

2023-9-1 DeBlock made the Motion, Ruskiewicz seconded, to approve August’s Board Meeting Minutes as written. With the corrections noted above. 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.
- Ben Luskin, NYS Soil and Water Conservation Committee (SWCC), sent us a written report of general updates on NYS SWCC activities.
- Miscellaneous newsletters were available for review.
- Letter from M&T alerting us to a cybersecurity breach. No action recommended or required on our part.
- Notice from Selective Insurance regarding certain changes to our commercial insurance policy
- Copy of ‘Narrative’ Sumner submitted to the County Budget department to accompany our 2024 Budget Request

FINANCIAL REPORTS The August financial report was presented for review. Sumner noted that the \$195,000 Claim for Payment on Round 5 CRF listed as ‘receivable’ was received late last week. Two unpaid equipment rental bills from the same user were discussed. If not paid by the next billing cycle, the user will be contacted to determine if a payment plan is desired. If so, the proposed payment plan details will be presented to the Board at the October meeting.

2023-9-2 Wright made the Motion, Constable seconded, to file August’s Financial Reports for audit review. All in favor.

BILLS FOR BOARD APPROVAL

Sumner noted that October’s NYS Health Insurance bill still included DeGroot. After inquiring, he was told that DeGroot was notified by phone in August that a letter she sent reporting her resignation was not adequate to remove her from our Health Insurance, and that she needed to go into the State’s online health insurance site to

complete the removal process. She did not do so. Sumner then followed the required procedure on the State site. He has been informed that we will be credited for DeGroot's premium payments for September and October on November's bill.

2023-9-3 Ruskiewicz made the Motion, DeBlock 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. Sumner noted that he put this month's changes to the Report in red in order to facilitate review of the report.

INTERAGENCY REPORTS

Erik reported for CCE:

A summary of the Country fair was presented. Wetness was a challenge. This was the first year of co-sponsoring with Otisville Lion's Club. Several of the 2023 Stormwater education sessions were postponed due to delays in NYSDEC's issuance of the new Stormwater Permit. The sessions are expected to take place in November. Based on calls he has fielded, Erik thinks a pond management seminar is warranted. He reached out to NYFOLA but has not received a reply. Sumner suggested trying to reach the NYSDEC staff scientist who assists NYSFOLA. The no-till pumpkins/squash trials (focused on organic soils) was worthwhile, and CCE is interested in finding ways to continue the work. Sumner noted that we have plans to do a roller/crimper no-till demonstration project. A collaboration might be considered for 2024.

Ben Luskin summarized items from his monthly Region 5 report. 2024 Part B proposals due 11/1. AEM Round 18 Annual Action Plans due 11/1. 2024 APW due to him 11/1. Draft 2024 APW should be put on the agenda for October so directors can review/approve it before submission to NYSSWCC.

It is expected that Round 29 ANPSACP rankings will be reviewed at the NYSSWCC meeting tomorrow. CRF 7 is expected to be on the October agenda. An administrative conference is planned for 11/6 and 7 in Syracuse. NYACD annual meeting is mid-October.

STAFF REPORT/OLD & NEW BUSINESS

Sumner covered both old and new business and his staff report following the written Report to the Board distributed to the directors today (unfortunately, directors did not receive the meeting documents distributed by email last Friday for some reason).

On the PDR Update item, there was discussion. The O'Dell project was the lead ag project of the OCLT, but since the ownership of the O'Dell's residence became an issue, OCLT's attention has shifted to other projects. Sumner expressed his frustration that the O'Dell PDR project support letter approved by the OCAFPB at their August meeting has still not been sent (see the draft letter, composed by Sumner, for more background on this matter). AFPB Chair Len DeBuck reported to Sumner that he was told by OC Planning Commissioner Sorenson that all support letters need to be reviewed by the County Law Department. Apparently, this process is still in progress. Ruskiewicz reports that he is on the 'County Endorsement Committee' that is reviewing the letter. Paul says he has voted yes to allow sending the letter, and that the County Attorney has voted no, with the reasoning that he sees nothing in the Ag Board 'charter' that allows them to lobby. SWCD Board members questioned the categorization of this support letter as lobbying. Paul did not know what the votes of other Committee members was going to be, and it was unclear what the remaining time frame of this process was. During this discussion, Ron and Barbara O'Dell joined the

ORANGE COUNTY SWCD DRAFT AUGUST 2023 BOARD MEETING MINUTES

meeting. Among other frustrations with the application process, Ron expressed that he had requested several times to be told in writing the reasons that their primary residence could not be subdivided from the farm easement and retained in their ownership, but never received the requested response. Efforts to date to inquire about this matter made directly to NYS A&M's staff have not resulted in any explanation of the purported A&M position on the matter. Cheney agreed to contact OCLT Director Jim DeLaune in effort to understand and hopefully resolve the confusion and the stumbling block regarding ownership of the O'Dell residence, and to report back. The O'Dells left the meeting.

Sumner continued with his report. He and DeBlock shared their impressions of the new employees Emily King and Mary Held (DeBlock has been assisting Sumner in helping the employees with orientation). Sumner reports that he has officially enrolled both employees in NYS Retirement, and will attempt to do the same with NYS Health Insurance once each employee's 1-month wait period is completed. Both are at a 4-day training this week. Sumner has reported his intention to send both employees to this training previously but requested formal Board approval for their attendance and the cost.

2023-9-4 – Ruskiewicz made the motion, seconded by DeBlock, to approve attendance at the Conservation Skills Workshop this week for Held and King along with any associated costs out to \$1,000. All in favor.

Training and Performance Measures topics were then discussed. All employees and directors should complete sexual harassment training annually. Cheney has already completed and provided documentation to this office. 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.

SWCD Law training is required every three years to maintain full completion of Performance Measures. All directors except Cheney received the training from Luskin in March, 2023. Cheney completed the training by reviewing the official NYSSWCC Powerpoint presentation yesterday (9/17/2023). (Cheney remained after the official close of the meeting today, at which time clarifications and further explanations of several topics from the Powerpoint were provided to Cheney by Luskin.)

Regarding the PM requirement that at least three directors attend an approved 'regional meeting', it was noted that Deblock attended the Manager's meeting in Millbrook on 6/15/2023, which is a 'pre-approved' regional meeting. Constable attended a NYS Environmental Bond Act on line webinar on 7/26/2023, which Luskin reports has already been approved for other directors. Ruskiewicz attended the NYSAC state meeting in February, 2023, and is on the NYSAC Ag Committee which meets periodically. Luskin indicated this should qualify. Wirght attended a Hudson Valley Vegetable Grower's regional meeting Albany. One of these meeting will be used satisfy the third director regional meeting attendance requirement.

The DRAFT 2024 PM requirements include new policies that many districts do not currently have in their official policies. We should review these draft requirements and be prepared to discuss and adopt new policies at our 2024 organizational meeting (Jan) in order to stay in compliance with NYS Law and meet PM requirements.

Local Cost Share Program Update – The list of 2023 fall cover crop approvals included in Sumner's Report to the Board (appended to these minutes) was reviewed.

2023-9-5 Ruskiewicz made the Motion, Cheney seconded, to approve the cover crop funding list and to increase the 2023 Local Cost Share Program funding from \$50,000 to \$60,000 to cover these approvals. All in favor.

Next meeting date: October 16th.

ADJOURNMENT

2023-9-6 The Meeting was Adjourned at 10:35 AM on a Motion by DeBlock, seconded by Cheney. All in favor.

Minutes Prepared By:

Kevin Sumner, Conservation District Manager

Sept, 2023

Wallkill Flood Projects –

Monitoring Plan – Mary collected additional materials to prepare for installing piezometers. We hope to complete the installations this fall.

Floodplain Bench Phase 4 South – Two of three floodplain bench areas have been fully excavated and seeded/mulch. A change was made in the construction plan, which originally called for all the good soil to be stockpiled for the landowner's use. With the agreement of the contractor and the landowner, we began placing the good soil on crop fields adjacent to the river, and shaping the field surface. The farmer will be responsible for 'conditioning' the new soil. I believe this is the best use of the soil generated by the project. We are anxious to see how this practice works for the farmer.

Carbon Farming Project – Received approval from Project managers to allocate \$20,000 to a controlled drainage project for DeBuck Sod Farms. We will need to complete the project by the end of the year.

PDR Update – Still waiting for Ag Board to send out O'Dell PDR project support letter that was approved by the Board at their August meeting. I wrote and distributed the letter draft the day after the meeting.

Staffing – The technician and office manager positions have been filled. Mary Held started in the tech position on 9/5. Emily King started in the office manager/secretary to the Board position on 9/13. They will not be at the Board meeting because they will both be attending 4-day technical training in Auburn Monday – Thursday.

Made presentation to County Physical Services Committee 8/28. Subsequently, was contacted by reporter from Epoch Times who requested an interview. Met with her 9/14.

Training

All staff and directors should complete a Sexual Harassment training before end of year so we can document it. Barry has already submitted his documentation. Do we want to complete this at a Board meeting, or will all directors agree/prefer to complete it on their own? We can send a link for a reasonable length on line training module.

All directors need to complete SWCD Law training every three years. This was completed at March Board meeting for all directors except Barry. We can provide the Powerpoint to Barry if he can view and self-certify. He email from Ben with guidance on ensuring that the self training procedure meets NYSSWCC minimum requirements.

