

Watershed Agricultural Council

Agriculture ♦ Forestry ♦ Conservation Easements ♦ Economic Initiatives

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Minutes of the Watershed Agricultural Council Meeting September 22, 2009

I. Meeting called to order at 6:30 p.m.

Directors Present:

David Cammer	Fred Huneke
Linda DeWitt	Tom Donnelly
Sally Fairbairn	Darby Hartwell
William Coleman	Tom Hutson
Ken Smith	Richard Giles
Barbara Howard	Joe Eisele
Dave Post	John Schwartz, NYC DEP
John Verhoeven	

Others Present:

Dan Palm
Thomas Artale
Cheryl Marion

II. Approval of Minutes

Motion to approve the minutes of the August 25, 2009 WAC meeting.

Motion: Dave Cammer

Second: Tom Hutson

Approved

III. Executive Director Reports – Dan Palm

A. Program Reports/Approvals

1. Trust Agreement Approval

In May/June DEP was asked for comments on the Trust Agreement. None were received until yesterday when DEP's arrived. The only changes which WAC could make in this document were for the Name of the Trust, and the purposes we identify.

Motion to approve the Trust Agreement dated June 16, 2009 and for Dan to issue an RFP to seek a trustee.

Motion: Barbara Howard

Second: Bill Coleman

Approved

2. Subsequent Approval

Motion to approve the subsequent approval request for the Richard Schmidt – Large Farm – DEC – 251 – WFP2- Revision 2 – December 2004 – BMP#7 Animal Trail & Walkway – Crossing Slat Repair & BMP #8 Spring Development – Fence Modification for additional funding of \$9,779.00. WFP remains under cost guidelines.

Motion: Dave Cammer

Second: Joe Eisele

Approved

3. Easement Motion

Motion to authorize the Watershed Agricultural Council to execute a contract for the expenditure of sixteen hundred dollars (\$1,600.00) per acre for the purchase of a conservation easement of approximately 128.15 acres on lands included in the whole farm plan under farm number DE-C-282 located in the Cannonsville Basin.

Acres under easement: 128.15

Appraised “before” value: \$3,000.00/acre

Appraised “after” value: \$1,400.00/acre

Appraised easement value: \$1,600.00/acre

Total Purchase Price (approx.): \$205,040.00

Motion: Tom Hutson

Second: Darby Hartwell

Approved

4. Farm to Market Grant

Motion to accept the Digital Community Foundation/Firespring Inc. award of \$5,000 and use WAC 09/04 funds as approved by NYC DEP to match the award and move to direct the Farm to Market Program to carry out the tasks incorporated in the scope of work for the grant.

Motion: John Verhoeven

Second: Sally Fairbairn

Approved

B. PAR Update

Seth has received a request from PAR for a three month extension to complete Phase II of their contract. In exchange they will add 3 additional staff persons to the project. One is presently working at the DEP in Kingston who is familiar with WALIS. George Washburn will no longer be the program leader. WAC has responded requesting a formal letter for the extension stating that the additional three persons need to be assigned until next June and the set of their staff sent to de-bug the program need to be in addition to the ones conducting the next portion of the project. Seth is to be commended for taking an immense amount of time to help set this up and make this “his” system.

C. Program Updates

Dan is trying to resolve the matter of the \$157,000 that NYSERDA owes WAC before the end of his appointment. WAC has addressed all 10 of the high risk

elements of the Risk Management Assessment. One of the medium elements has been completed and Thomas Artale is analyzing the remainder of the mediums to determine if they are worth addressing.

A proposed cooperative agreement with NRCS would provide for five NRCS FTEs dedicated solely to the WAP. This agreement has been drafted and forwarded to DEP for review and approval. Upon receipt of DEP approval the agreement will be sent to the NRCS. The majority of funding for this agreement will come from federal sources, and the remaining funds will come from the WAC 09 contract.

The last building project at the Hamden office to be completed is the repair of the lawn. A contractor has been selected but may not be able to complete the project until spring as spreading grass seed is part of the contract. The sealing of the basement to keep out snakes and rodents has been completed by Michael DelBaso and it should prevent the freezing of the water system.

The building projects in the Walton office are nearing completion. The equipment to be installed in the new first floor storage room for climate control should be completed this week as well as the area which will house the database server.

The last storage pod at the Hamden office will be removed on October 20th and all boxes of records retention materials moved to the storage area at 44 West Street. The fireproof safes from the Hamden office as well as those from another offsite storage unit will be moved to 44 West Street on October 16th.

IV. Chair's Report – Fred Huneke

Fred attended a meeting called by Congressman Scott Murphy and Congressman Peterson's offices in regards to milk production control and the need for a pricing system overhaul. Fred will be writing a written response to the meeting and questions asked.

On September 16th a Coalition of Watershed Towns and NYC DEP meeting was held. Jeff Graff, Dan Palm and Fred Huneke attended. Fred stated that we are not members of this committee and sit on the sidelines but will need to do what is determined. Hamlet designation was discussed and some Towns have now settled with the Regulators.

On the 17th Fred and his wife represented WAC at the Delaware County Chamber of Commerce Dinner at which WAC was a sponsor promoting Pure Catskills and WoodNet.

V. Policy Committee – John Verhoeven

A. Policies – Second Reading

1. Dispute Resolution

Motion to approve for a second reading the Dispute Resolution Policy.

Motion: John Verhoeven

**Second: Dave Cammer
Approved**

The following Whole Farm Plan Development Approval Policy for a First Reading: All Whole Farm Plans (WFPs) will be developed in accordance with approved WAC polices and Agriculture Committee guidelines. A Whole Farm Plan that is no more than \$10,000 or 15% over cost guidelines, whichever is larger, can be approved by the Agricultural Program Manager WoH and Program Coordinator EoH. All Whole Farm Plans not covered by the above criteria can be approved by the WoH and EoH Agricultural Committees. Information regarding such approvals will be distributed to Council Directors 10 days prior to the Council meeting.

Motion to accept the above policy as a First Reading keeping in mind that limits for Program Managers will be set by each committee and further discussion needs to be held on the maximum and the percentage.

Motion: Dave Post

**Second: John Verhoeven
Approved**

VI. Governance Committee – Bill Coleman

This committee is developing a slate of Directors for the coming year. WAC is at the minimum 15 Directors as reflected in our By-Laws. This group will be looking at non-Director committee members as potential Directors. Committee Chairs need to look for additional members for their committees. If there is a decrease in the number of Directors it could mean an increase in the number of committee assignments per Director.

VII. Audit Committee – Ken Smith and Thomas Artale

Agency Audit Report: - submitted by Ken Smith

“Charge to Audit Committee: As part of the fiscal year end process, the committee is charged with having “internal audits” completed for the agencies that WAC contracts services (Cornell Cooperative Extension and Delaware County Soil and Water District). These audits should be completed prior to the WAC audit by our CPA’s who complete our financial statements and tax returns.

The committee worked closely with staff to select two billing periods at random, which we then examined more closely to verify that WAC was charged correctly according to the contract agreements. The purpose of our work was strictly Financial, and NOT Program Evaluation.

The CCE review was completed August 4th. Thomas and I would like to thank committee member Tom Donnelly as well as Ed Blouin from DEP for attending. Since the billing periods we intended to review had been randomly selected prior to the meeting, copies of the backup information for the billing periods were provided to us in advance, which we could then verify against original bank statements and payroll records. During the review, we discovered a mistake that

resulted in an overbilling. The parties involved agreed to adjust with the next billing cycle. We also discussed potential ways to simplify the billing and reimbursement process between WAC and CCE. Follow up discussion between Thomas and CCE will be occurring. There was also discussion whether the Administrative Expense line is to be based on the total contract or actual amount billed. This should be clarified for the next contract.

The review of DCSWCD was conducted on August 21st. Thomas and I would like to thank committee members Tom Donnelly and Tom Hutson as well as Ed Blouin from DEP for attending. Two monthly billing periods were randomly selected in advance and detailed copies provided to us. Based on the information provided, it was apparent that the records would be very complete and organized. It was somewhat disheartening that the meeting started out with a lengthy monologue by Rick Weidenbach regarding his perception of Programmatic issues. Once that was behind us and we convinced him our purpose was purely financial, his staff was very cooperative and answered all of our questions fully. At the conclusion of the review, Thomas asked if there was a listing of capitalized property (meaning initial cost above \$1000, which is being depreciated rather than directly expensed) that had been purchased with WAC funds. Rick explained that the information would not be available to us since it also contained DCSWCD information which we are not entitled to see. It was apparent during the audit that a listing does exist because if a capitalized item is sold or disposed of, any proceeds are credited back to the proper agency. Following our discussion, we again heard another speech by Rick, complementing his staff and their efforts to make all the information transparent even though we are not entitled to see it.”

Motion to accept a commendable audit report.

Motion: John Verhoeven

Second: John Schwartz

Approved

On October 8th a joint Audit/Finance meeting will be held in the Hamden office at 9:00 a.m.

VIII. Finance Committee – Bill Coleman and Thomas Artale

As there was no business to conduct with it being the first month of the calendar year this month’s Finance meeting was cancelled.

IX. NYC DEP Report – John Schwartz

John has been corresponding with Ms. Helga Hissa, Technical Coordinator for the Rio de Janeiro Sustainable Rural Development Program, a government agency. This program aims to “enhance small farmers’ productivity and competitiveness through promoting more sustainable production processes. She will be bringing 5 or 6 persons here for a tour October 19-23. John is working with Tara to set this up.

John stated he was meeting the next afternoon with DEP officials to discuss Dave Post’s passionate plea to support the present concern regarding the current pricing structure for milk and the difficulties that dairy farmers are facing.

He will try to move it up through the chain of command.

X. Human Resources

A. Conservation Planner Position

Motion to approve the position of Conservation Planner based on the recommendation of the Executive/HR Committee.

Motion: Dave Cammer

Second: Sally Fairbairn

Approved

AWEP monies have freed up other funding thus allowing up to three of these positions. This will help with the workload left from deficit of NRCS employees.

XI. Other

Sally Fairbairn reminded everyone of Saturday's Cauliflower Festival and Tractor Parade and also encouraged Directors to join up with the By-Local Pledge as advocated by Tara.

XII. Executive Session

Motion to go into Executive Session to discuss personnel matters.

Motion: Barbara Howard

Second: Joe Eisele

Approved

Motion to come out of Executive Session.

Motion: Bill Coleman

Second: Joe Eisele

Approved

Motion to accept the recommendation of the Executive/HR Committee to offer the Executive Director position to Craig Cashman.

Motion: Joe Eisele

Second: John Verhoeven

Approved

The consensus of the Board of Directors was that Fred should be given the ability to negotiate the salary with Mr. Cashman within the allotted funding.

Meeting adjourned.