

Watershed Agricultural Council

Agriculture ♦ Forestry ♦ Conservation Easements ♦ Economic Initiatives

33195 State Highway 10, Walton, New York 13856-2500 phone: 607-865-7790 fax: 607-865-4932 www.nycwatershed.org



Minutes of the Watershed Agricultural Council Meeting June 23, 2009

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

Directors Present:

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

Others Present:

Dan Palm
Thomas Artale
Cheryl Marion

I. Approval of Minutes

Motion to approve the minutes of the May 26, 2009 WAC meeting.

Motion: Dave Cammer

Second: Joe Eisele

Approved

II. Executive Director Reports – Dan Palm

A. Program Approvals or Resolutions

Motion to accept the USDA NRCS Cooperative Conservation Partnership Initiative (CCPI) funding for a total budget of \$200,000 (\$50,000 per year over the four year period of FFY '09 – FFY '12) and authorize the WAC staff to carry out the work plan as written.

Motion: Linda DeWitt

Second: Joe Eisele

Approved

Motion to approve Amendment #1 to Contract #302 between the WAC and Greene County Cornell Cooperative Extension for a total of \$77,622 for the

period of July 1, 2009 through June 30, 2011.

Motion: John Verhoeven

Second: Tom Hutson

Approved

Motion to approve the subsequent approval request for Marc and Eric Haynes - Large Farm– DEC-028 –BMP# 24b CREP Alternative Water System Modification for additional funding of \$5,737.00 paid by WAC.

Motion: Dave Post

Second: Tom Donnelly

Opposed: John Verhoeven

Approved

Dan reported that all but one performance evaluation has been completed and that one needed to be re-scheduled because of an illness.

B. SWCD contract update

The Delaware County SWCD contract was finalized on Friday, May 28th and will be in place for the next 19 months. Technical responsibilities have now been specifically defined. A dispute resolution policy is in place. Brian LaTourette and Graydon Dutcher will be responsible for working out differences. If they are unable to do so it will go to their Executive Directors. If at that level the disagreement cannot be worked out it will go to the two Boards of Directors. At no time will staff be allowed to take the issue to the outside for support i.e. the County, DEP, another agency etc. Incorporated into this contract is a clause obligating employees to report any and all unethical behavior. Dan Palm and Rick Weidenbach will review the G.I.S. position formerly held by Magda Day and a WAC engineer specialist position this week to determine in which organization they would be best suited.

C. EoH Program Work Plan

Motion to approve the EoH work plan dated 2009-2010.

Motion: Barbara Howard

Second: Dave Cammer

Approved

D. Update on Database Project

Dan reported that Phase II of the PAR contract was to have been completed by April 30, 2009. It was not completed and the deliverables are not nearly finished. Thomas, Amy and Dan met with George Washburn PAR Project Manager to discuss the issue. PAR was asked to provide a revised timeline for completion of Phase II. The revised timeline was the completion of Phase II set for September 30, 2009. Phase III which is scheduled for a nine month period will remain so but be delayed by the extension of Phase II. The contract will be amended to reflect this. Since part of the funds for this contract were encumbered from WAC 08R which will be closed out June 30, 2010 and then audited WAC cannot extend the contract any longer as the completion date for PAR is now June 30, 2010.

PAR made a presentation to staff regarding the project and although progress has been made there are remaining concerns. The following actions have been taken:

1. The contract will be amended to reflect the new timeline.
2. Contact has been made with Thomas Harding, Vice President of PAR, advising him of the issue and indicating that if the next milestone of July 15, 2009 is not met WAC will request action be taken (replacement of project manager for example).
3. Examination of the penalty clause in the contract resulted in the conclusion that it doesn't seem to offer any leverage to address this issue.

Dan will keep the Directors informed.

E. Recommendation #1 plan of action from the DSA report

Dan Palm and Fred Huneke presented the following plan of action to address recommendation #1 of the DSA report:

1. Refocus the Board and Committees – This effort should focus the Board's role of policy development, governance and oversight. To do so the following actions are recommended:
 - a. Policy –
 1. Reach consensus on the definition of policy, guideline and standard operating procedures.
 2. In the context of a. above review/revise the policy manual.
 3. Identify areas where the Council may need to develop policies
 - b. Governance –
 1. Review the by-laws and revise to incorporate changes in Executive Director and Chairman's roles, consider changes to qualifications for council membership, etc.
 2. Review committee make up and charges in light of recommendations set forth in DSA report – focus charge on guidance and oversight.
 - c. Oversight –
 1. Conduct board training regarding oversight and the tools used to conduct oversight.
 2. Develop oversight tools for fiscal, contract deliverables, and other areas as identified by committees and council.
2. Shift the Role of the Board Chair
 - a. Redirect the Chair's role with respect to committee participation to that of overseer of process and integration of various committee activities from direct involvement in programmatic issues. Consider that the Chair may not exercise his right to vote at committee meetings.
 - b. Review committee makeup in light of the new role for committees.
 - c. Develop a process for regular Chair – Executive Director discussions regarding policy, strategic issues, etc but not programmatic issues unless they affect the bigger picture. Insure the flow of information to ensure both have full information to properly carry out their responsibilities.

- d. Discuss/resolve recommendation regarding Vice-chair chairing Council meetings.
3. Strengthen the Executive Director's Role
 - a. Develop and initiate process to remove Council and Committees from the programmatic decision making process and focus their efforts on oversight, policy and governance by:
 1. Focusing Committee activity on development of guidelines by which staff makes decisions.
 2. Developing oversight tools specific to committee program.
 - b. Hold Executive Director accountable for development and implementation of work plans.
 - c. Hold Executive Director accountable for integrating work plans with personal goals and personal evaluations.
 4. Empower the Staff to Make Program Decisions –
 - a. Develop direct link between strategic plans, work plans, staff goals/performance using the personal evaluation process – assigning responsibility and holding each staff member accountable.
 - b. Through development of guidelines allow staff to make programmatic decisions with only the “exception” rising to the Committee or Council level for consideration.
 - c. Revise budget/fiscal management to give program managers increased role in decision making regarding expenditure of budgeted funds.
 - d. Increase focus on the work plans as the tool for oversight of programs and deliverables.
 5. Coaches –
 - a. Determine if a coach for the Board and/or Executive Director should be engaged and if so solicit proposals.

This plan is not all inclusive but covers what they currently believe WAC needs to focus on to implement Recommendation #1. As WAC proceeds the focus can be modified to respond to the situation

Motion to begin implementing 1c1 (Conduct board training regarding oversight and the tools used to conduct oversight.) and have training at the August Board meeting.

Motion: Richard Giles

Second: Darby Hartwell

Approved

F. Office Repairs

Motion to request that the DEP accept Building Dynamics as the sole source provider for installation of concrete stucco on exterior of foundation to include replacing the present porch with pressure treated lumber.

Motion: Sally Fairbairn

Second: Bill Coleman
Abstained: Ed Blouin
Approved

III. Chair's Report – Fred Huneke

A. DC Economic Impact Assessment Report

Dan Palm, Jeff Graff and Fred will attend a meeting in Delhi on the 25th where the report will be discussed. The originators of the report will be asking various local agencies/organizations if they can attend their meetings to make a presentation. Fred has invited them to a WAC Directors meeting.

B. Congressman Murphy's Ag Advisory Meeting

Fred attended Congressman Scott Murphy's first Agricultural Advisory Committee meeting which was held yesterday.

IV. Policy Committee – John Verhoeven

A. Transparency Policies – First Reading

1. Dissemination of WAC Policies, Guidelines, Criteria, and Procedures

Motion to approve for a First Reading the Dissemination of WAC Policies, Guidelines, Criteria and Procedures Policy on the recommendation of the Policy Committee.

Motion: John Verhoeven

Second: Tom Hutson

Approved

2. Program Input From General Public

Motion to approve the Program Input from General Public Policy on the recommendation of the Policy Committee.

Motion: John Verhoeven

Second: Sally Fairbairn

Approved

V. Governance Committee – Bill Coleman

A. Changes to By-Laws

Motion to approve for a First Reading that the Audit Committee be changed to "Audit and Regulatory Oversight" Committee in the WAC By-Laws with new charges on the recommendation of the Governance Committee.

Motion: Dave Post

Second: Dave Cammer

Approved

Motion to approve for a First Reading that the By-Laws be changed to reflect that the responsibility of all contract negotiations be conducted by the Executive Director and not the WAC Chair on the recommendation of the Governance Committee.

Motion: Dave Post

Second: Tom Donnelly
Approved

VI. Finance Committee – Bill Coleman and Thomas Artale

A. April Financials

Motion to approve the WAC Financials dated April 2009

Motion: Bill Coleman

Second: Dave Cammer

Approved

B. WAC 09 Budget for Fiscal Year 2010

Motion to approve the WAC 09 Budget for Fiscal Year 2010

Motion: Joe Eisele

Second: Linda DeWitt

Approved

VII. NYC DEP Report – Ed Blouin

Nothing to report at this time.

VIII. Human Resources

A. Executive Director Position Description

Motion to approve the Executive Director position with the addition of Responsibilities A. Leadership – “Provide dynamic organizational leadership” and under Liaison – “Actively cultivate a relationship and dialogue with our local communities thru promotion of WAC programs” on the recommendation of the Executive/Human Resources Committee.

Motion: Dave Cammer

Second: Tom Hutson

Approved

B. Agriculture Engineer Specialist Position Description

Motion to approve the WAC Engineering Specialist position with the change in years of experience from 10 to 5 on the recommendation of the Executive/Human Resources Committee.

Motion: Dave Cammer

Second: Bill Coleman

Approved

IX. Endowment Document

Dan Palm had asked the Directors to review the Endowment Document with specific attention paid to the 1. Name of the fund. 2. Purposes – Section 5 on page 3 setting for the purposes and 3. Conflict of interest statement set forth in Appendix B. The Endowment document will need to be reviewed by the DEP prior to its submission. An RFP will be issued to find a trust to manage the funds. The document has been written to meet the general demands of a NYS Trust. Now the details will be in the contract.

Motion to approve the Endowment Document dated 6/16/09 and submit to

the NYC DEP for review.
Motion: Dave Cammer
Second: Tom Hutson
Approved

X. Other

Prior to the July WAC meeting Directors and staff will have the opportunity to participate in a Silent Auction along with WAC and agency staff on various items we need to dispose of. A list will be emailed out prior to the event. Dan encouraged Directors to stop by and bid on their way to the 6:30 meeting in Walton.

Thomas Artale encouraged all Directors to submit their reimbursement sheets before the end of the fiscal year.

Meeting adjourned at 9:45 p.m.