

Watershed Agricultural Council

Agriculture ♦ Forestry ♦ Conservation Easements ♦ Economic Viability

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Minutes of the Watershed Agricultural Council Meeting November 24, 2015

I. Meeting called to order at 1:13 p.m.

Directors Present:

Larry Burgin	John Verhoeven
Dave Cammer	Tom Hutson
Fred Huneke	Sally Fairbairn
Chris DiBenedetto	Steve Reed
Jennifer Grossman	John Riedl
Jason Coleman	Karl Gockel
John Schwartz, NYC DEP	

Directors Absent:

Richard Giles	Bud Gladstone
Ken Smith	Patrick Rider

Others Present:

Craig Cashman
Suzie Seymour

Sally asked for modifications to the Agenda, none were mentioned.

II. Approval of Minutes

Motion to approve the minutes of the October 27, 2015 meeting as written.

Motion: Tom Hutson

Second: Dave Cammer Approved

III. Executive Director Report - Craig Cashman

Craig distributed the November Executive Director Report.

A. Operational Report

Contract negotiations have been completed for Forestry and are continuing for Ag and EV with the current focus on EV. We anticipate completing them in June and giving them to DEP for a July 2017 inception.

Craig has been contacted by Dean Frazier from the Delaware County Department of Watershed Affairs with a request to meet with a group to address concerns regarding unanimous consent.

Craig and Sally are willing to meet with Dean simply to explain that unanimous consent will remain as part of our Easement Program governance structure and as a Board we have agreed to move forward with this in place per the Stewardship Endowment negotiations. Fred pointed out that easements are in perpetuity which commits DEP in perpetuity. Unanimous consent allows both DEP and WAC to retain veto power. Craig added that the Governance structure functions more effectively now that we have guidelines in place. There was agreement that there is not a need to focus our attention going forward on this issue.

The Appellate hearing for the Argyle case in Albany was held on November 19th. Sally will provide details in her report. Craig will keep the Board informed regarding any further outcome.

Updates include the hiring of Wendy Hanselman as the Administrative Assistant for the Watershed Agricultural Programs and the resignation of Stewardship Coordinator, Brandon Tennis.

B. Programmatic Report

The Annual Report is scheduled to be mailed the third week of December. The Easement Program is moving forward with Forestry easements; guidelines are posted on the website as they are approved. Pure Catskill Marketplace has been officially “soft” launched. Membership guidelines for Pure Catskills are currently being updated. Forestry Program’s MYWOODLOT is now available online. The EoH office has received the Soil and Water Conservation Achievement Award: “Watershed Agricultural Council for Faraway Farm Compost Facility and Vegetated Treatment Area”.

An RFP will be released in December for a contractor to assist WAC in developing a Strategic Plan update and a business analysis of the Agricultural Program.

The Advisory Council met on November 11, 2015 to gather input and feedback from key stakeholders on WAC’s programs and priorities.

IV. Chair's Report – Sally Fairbairn

Sally’s chair report was distributed to the Council.

Sally, Fred and Ryan Naatz attended the Appellate Division of the NY Supreme Court on November 19, 2015 to hear the Argyle case. She felt that Bob Feller did a good job representing WAC. It will be a few months before we know the Court’s decision.

The Advisory Committee met on November 12. Michael Chamberlain facilitated the meeting and will have a summary for us soon. Sally was disappointed that some organizations that usually attend were missing and noted that DEC did not send a representative. She asked if there might be a better way to obtain input. John V. said he feels the stakeholders were looking more at our accountability rather than at economic viability. He added that it would be interesting to hear from farmers and contractors.

A meeting held on November 13, attended by Sally, Fred and Craig and facilitated by Paul Rush with Dave Warne will be discussed in Executive session.

As Craig mentioned, we are starting to negotiate the next contract for Ag, Forestry and EV.

A brief discussion focused on the challenges with CREP funding from FSA and the impact on the budget for the organization. Sally and Craig will keep the Board up to date going forward.

Sally enjoyed attending WAC's All Staff Day on November 3.

Chris DiBenedetto will provide an update on today's Governance meeting.

V. Finance Committee - John Riedl

A. September Financials

Motion to accept the September Financial Statements on the recommendation of the Finance Committee.

John asked if anyone had questions regarding Thomas Artale's memo dated November 10, 2015 regarding possibly drawing on the line of credit. John Schwartz explained DEP's process and procedures and resulting payment delays, a delay in July at the beginning of our fiscal year and an insurance delay in October, which has now been changed to July to coincide with our fiscal year. Draws on the Line will be done on an as-needed basis.

Motion: John Riedl

Second: Dave Cammer

Approved

VI. Easement Committee - John Riedl / Tom Hutson

A Purchase & Sales contract has been signed for Farm # DEC-SF172a for 105 acres in the Town of Meredith. Purchase price is \$1,550.00 per acre for a total purchase of \$162,750.00.

VII. Governance Committee – Chris DeBenedetto

- Council and committee member attendance was discussed.
- Seven members have terms expiring in December.
- Discussed changing the Directors Only meeting to February

VIII. Agricultural Committee – Steve Reed

Two motions were voted on and approved by the Ag Committee at their 11/10/15 meeting and need to be voted on by Council.

Motion was made to approve that the FSA Notice CRP – 795 is not modified and cost share for failed BMPs is not available for the 47 CREP re-enrollment contracts that are to be developed in 2016, the Ag Program Committee recommends to the WAC that sufficient funds to pay 100% of the implementation cost of these BMP projects be made available as soon as budgets allow.

Discussion: Craig explained that there is money available under the Expense line to pay for the implementation of CREP. John Schwartz said we can re-budget current money from new CREP to those that re-enroll. Our hope is that FSA will re-interpret the contract to do a 50% cost share for those that re-enroll. WAC is planning ahead to move forward whether or not FSA changes their interpretation.

Motion: Steve Reed

Second: Fred Huneke
Approved

Motion to recommend that the Watershed Ag Council “hold” their recommendation of termination of Dennis Bevins from the Watershed Ag Program at this time.

Discussion: Dennis has addressed the safety and is currently in suspension. John Schwartz asked why he wants to buy his own backhoe when WAC offered to pay for it and why the process has taken so long. Sally said she would like our attorney contacted to find out our legal liabilities if we terminate a participant. Fred added that we also need to be clear as to what suspension means for him.

Motion: Steve Reed

Second: Chris DiBenedetto

Nay Votes: John Schwartz and Jason Coleman

Approved

IX. Forestry Committee – Dave Cammer

MyWoodLot is no longer password protected. Dave encouraged people to check it out.

X. Economic Viability Committee

Pure Catskills Marketplace is live and a large purchase has been made. Membership guidelines have been updated.

XI. Resource Development – Jennifer Grossman

The Resource Development Plan is being completed. Meetings are scheduled to reconvene in January to reconsider our priorities. We have discussed reaching out to large landowners in the Watershed with primary residences in NYC for the first event. Craig added that the Annual Report coming out in December will have a large focus on Resource Development.

XII. NYC DEP Report - John Schwartz

No formal report – but John mentioned that this year’s Rockefeller Center Christmas tree came from Gardiner in Ulster County.

XIII. Executive Session

Motion to go into Executive Session at 2:25 pm to discuss legal matters and contract negotiations.

Motion: Karl Gockel

Second: Tom Hutson

Approved

Motion to come out of Executive Session at 3:15 pm.

Motion: Fred Huneke

Second: Dave Cammer

Approved

Meeting adjourned at 3:17 p.m.