

Draft Minutes
Little Compton Agricultural Conservancy Trust
Meeting
October 2, 2024

1. Call to Order: The meeting was called to order at 7:00 pm, by D. McNaughton. Members present were D. McNaughton, M. Steers, N. Cabot, N. Levine, W. Montgomery, A. Wallack and S. Souza.

2.) Minutes: The Public Session and Executive Session minutes from the meeting of September 4, 2024, and Public Session minutes from the meetings of September 16, 2024, and September 26, 2024, were reviewed.

Motion to approve the Public Session and Executive Session minutes of September 4, 2024, made by A.W. Second by M.S. 7-0 approve.

Motion to approve the minutes of September 16, 2024, made by A.W. Second by M.S. 7-0 approve.

Motion to approve the minutes of September 26, 2024, made by N.L. Second by N.C. 6-0-1 approve. (W.M., abstained.)

3.) Consent Agenda:

* Emailed received from Heather Cook, Deputy Town Clerk, dated 9-4-2024, re: Fw: Rosemary Gately 401-338-7340, LCACT Question.

* Email received from Colin Windham, dated 9-5-2024, re: Agricultural Land.

* Received Rhode Island USDA Service Center September 2024 Newsletter, dated 9-18-2024.

* Email received from RI Green Infrastructure Coalition dated 9-18-2024, re: Last Call for Expo Sponsors & Advertisers!

* Email received from The SNEP Network, dated 9-19-2024, re: Upcoming Webinar: Introducing the Property Owner Guide to Managing Stormwater.

* Email received from Larry Anderson, dated 9-18-2024, re 2023 LCACT Annual Report.

* Email received from Chris Pratt, dated 9-18-2024, re: Hunting Forms Completed.

* Email received from Joy Elvin, Sakonnet Preservation Association, dated 9-19-2024, re: LCACT Website.

* Email received from Amy Mooney, dated 9-19-2024, re October newsletter inclusion.

* Email received from Jake Faber, dated 9-19-2024, re Heading to the Rally?

* Email received from Brendan Buckless, dated 9-19-2024, re: Fw: Fall Stewardship Forum Invitation @ WLCT.

* Email from Don McNaughton to Carol Wordell, dated 9-20-2024, re: Upcoming Land Use Planning Presentation.

* Email from Don McNaughton to Abigail Brooks, dated 9-20-2024, re: Land Use Planning Presentation.

* Email received from Lisa Ellet, Alliant Insurance, dated 9-20-2024, re Endorsement Attached:24-25, Package, Endorsement #06, Effective Date 8/19/2024- Little Compton Agricultural Conservancy Trust.

* Email received from USDA in Rhode Island, dated 9-10-2024, re USDA Launches Online Debt Consolidation Tool to Increase Farmer and Rancher Financial Viability.

* September 2024 SNEP Newsletter received.

* Email received from USDA in Rhode Island, dated 9-10-2024, re USDA Now Accepting Applications for Expanded Emergency Livestock Assistance Program to Help Dairy Producers Offset Milk Loss Due to H5N1.

- * Email received from RI Green Infrastructure Coalition, dated 9-10-2024, re Expo Announcement!
- * Email received from SNEP Network, dated 9-9-2024, re: You're Invited! SNEP Network 5-Year Celebration.
- * Email received from USDA in Rhode Island, dated 9-9-2024, re: USDA Offers Disaster Assistance to Rhode Island Farmers & Forest Managers Impacted by Flooding and Hail.
- * Email received from USDA in Rhode Island, dated 9-6-2024, re: USDA Offers Disaster Assistance to Agricultural Producers in Rhode Island Impacted by Flooding and Hail.
- * Email received from USDA in Rhode Island, dated 9-5-2024, re: Rhode Island NGOs are eligible for FY 2025, funding to permanently protect forestland.
- * Email received from USDA in Rhode Island, dated 9-4-2024, re: USDA Accepts More Than 2.2 Million Acres Through 2024 Grassland, General and Continuous Conservation Reserve Program Offers.
- * Email received from SNEP, dated 9-4-2024, re Press Release: Senator Jack Reed Announces \$11.5 Million for Rhode Island's Regional Environment.
- * Flyer received from USDA re: RI Farms, Forests & Water – NRCS Can Help!
- * Flyer received from Eastern Rhode Island Conservation District.
- * Email received from SNEP Network, dated 9-24-2024, re: Upcoming Webinar: Introducing the Property Owner Guide to Managing Stormwater.
- * Received from Westport Planning Board, Notice of Public Hearing on 9-10-2024, regarding Special Permit Application for property between 1421 Main Road and 1435 Main Road, Westport, MA, for Common Driveway Special Permit.

Motion to place correspondence on file made by M.S. Second by A.W. 7-0 approve.

D. McNaughton explained that consent agenda emails and newsletters will no longer be included in the paper agenda package for members but will be available in the public file at Town Hall. They will be available in the digital format for members and the public via the LCACT website.

4.) Correspondence

- Inquiry from Website received from Conor Murphy, dated 9-16-2024, re: Hunting.
- State of Rhode Island Judiciary Superior Court – Notice of Hearing and Invitation for Competing Bids – Petition to Sell Real Estate and Assets Free and Clear of Liens and Encumbrances – October 7, 2024, at 9:30 am (RL Flounders).

5.) 2025 Meeting Calendar: The dates for meetings to be held in 2025 was reviewed.

Motion to approve the 2025 Meeting Calendar made by N.L. Second by N.C. 7-0 approve.

6.) Annual Report: Data for the Annual Report has been requested from the Treasurer's Office.

7.) Finance Committee / Treasurer's Report

-Account Balances

A narrative report of the accounts was not available.

Bills to be Paid:

- Mosaic Land Management \$ 560.00
- Mosaic Land Management \$11,650.00
- Meadow Mowing \$ 810.00
- Whelan, Corrente & Flanders \$ 3,800.00

- Agency Landscape & Planning \$ 7,473.44
- Cheryl Cady \$ 6,200.00
- Indian Rock Farm \$ 600.00

Motion to pay the bills made by M.S. Second by W.M. 7-0 approve.

Review of Transfer Tax Returns:

- During the period of September 3, 2024, thru September 23, 2024, transfer taxes in the amount of \$88,960.00 were paid to the Trust. This reflects transfer #3416- #3421.

8.) Presentation by Don Medeiros, Able Engineering: Mr. Medeiros was invited to explain to members the various types of surveys the Trust may obtain and their uses. Mr. Medeiros explained the historically the Trust has utilized two classes of surveys as they pertain to easement and fee properties.

- Class I Surveys: The engineer takes careful measurements on the property. This type of survey always results in permanent boundary markers being placed on the property.

Class I surveys should be utilized when:

- installation of permanent markers are wanted,
- creating new lot lines or easement lines,
- delineating building envelopes,
- if there is a question of encroachment,
- when there are unmarked boundaries.

- Class IV Surveys: This is a paper survey. In this survey deeds and other documents are researched. It may involve visiting the property.

Class IV surveys should be utilized when:

- putting a plan on record when a previous plan has not been recorded,
- no measuring,
- no comparison to other property deeds,
- can be supplemented with field reconnaissance.

9. Update from the Chair on Operational Priorities: D. McNaughton discussed his view of current operational priorities. They are:

- 1.) Establish land acquisition priorities,
- 2.) Redrafting of Standing Rules,
 - a. Committee for review?
- 3.) Bring into the mainstream the Land Protection Process
 - a. 2-ship policy,
 - b. Defined list of transaction steps and deliverables, with Landscaping tracking,
 - c. Weekly (Bi-weekly) check-ins from all negotiating teams,
 - d. Full Trustee approval of Purchase and Sales agreements and easements,
 - e. Executive Committee oversight of work assigned to our legal team.
- 4.) Improvement to financial processes
 - Tax Collections: D. McNaughton to talk with B. Mushen regarding this.

Attorney Browning is reviewing this also. M/ Steers is working with Amy Galinelli for access to accounts.

- 5.) Appropriate hunting processes

- S. Souza is working on the process and policies. For the 2024-2025 season hunters and properties were kept the same as the 2023-2024 season.
- Need to determine how to accept applications,
- Number of hunters per property
- Properties where hunting will be allowed,
- etc.
- 6.) Public Outreach/Communications planning
 - Improvement is needed in this area,
 - People need to understand what we do and how we do it.
- 7.) Reconsideration of sub-committees
 - a. Any to add or drop?
 - b. Assignment of Trustees.

It was noted that the Advisory Counsel (Attorney Browning) will be involved in the redraft of the Standing Rules. The Executive Committee will oversee her work, the financial processes and LCACT rights and obligations.

Motion to approve the list of Operational Priorities made by N.L. Second by N.C. 7-0 approve.

10.) Policies and Procedures Update:

- N. Cabot reviewed the first draft of the Standing Rules and Regulations structure. He noted that hunting needs to be added. He suggested that Trustees review existing Standing Rules and Regulations as well as the new draft.

11.) Sub-committee reports:

- Public Outreach:

- LCACT website development update: A. Wallack reported that 6Square has worked on incorporating edits and additions. They are waiting for news information, which A. Wallack will supply. The map works but there is a question regarding the use of Google links and fields from Landscape. The hunting application needs to be removed from the site.

- Commons Foundation presentation: LCACT has been invited to be a presenter at the Commons Foundation presentation on October 5th at the Community Center. The meeting is about housing.

M. Steers explained that the Planning Board has been asked to talk about Zoning and the number of small lots in town. The Planning board developed a handout regarding the Zoning Regulations.

A. Wallack will be representing the Conservation Commission at the meeting. The message she will deliver will be that the Conservation Commission is willing to help in any way they can.

An audience member suggested that LCACT could explain how they go about deciding the pieces of property they want to preserve.

M. Steers expressed that the mission of LCACT to buy development rights and keep an owner in their house should be explained.

N. Levine stated that LCACT has hired counsel as requested by Town Council.

Motion to authorize N. Cabot to represent LCACT at the Commons Foundation

presentation/meeting on October 5th and to speak about LCACT activities made by N.L. Second by W.M. 7-0 approve.

-Stewardship Committee Update:

- Stewardship update regarding stewardship needs, monitoring reports, baseline documentation reports.

- Ratcliffe (Plat 1, Lots 275 & 276):

- Signage update – Approval of COT Design estimate: The estimate was reviewed.

Motion to authorize an amount not to exceed \$2,000.00 for the sign for the Ratcliffe property made by N.L. Second by W.M. 7-0 approve.

- Email from Paul Clifford, dated 9-2-2024, re: Inquiry from Website – sign.

- Email from Paul Clifford, dated 9-2-2024, re: Inquiry from Website – Ratcliffe Management/Oliver Lane.

- Email from Paul Clifford to Don McNaughton, date 9-2-2024 re: Fwd: Ratcliffe/Oliver Lane.

- Email received from Carol Trocki, dated 9-24-2024, re Ratcliffe Trail Counter Data Summary: The data from the trail counter was reviewed.

- Peckham (Plat 22, Lot 15-4): A meeting with Carolyn’s Sakonnet Vineyards is needed to discuss the lease.

- Cole (Plat 14, Lot 42): Lease status: The property was leased to Josh Rego. Mr. Rego has entered the Police Academy and no longer has time to farm the property.

Motion to send a letter to Mr. Rego terminating the Cole property and BHS property leases made by N.C. Second by W.M. 7-0 approve.

- BHS (Plat 38, Lot 16-2): Lease status: The property was leased to Josh Rego. Mr. Rego has entered the Police Academy and not longer has time to farm the property.

Motion to send a letter to Mr. Rego terminating the Cole property and BHS property leases made by N.C. Second by W.M. 7-0 approve.

- Brooks/Cannon (Plat 45, Lot 28): Baseline Documentation Report.

- Goosewing Farm Trust (Plat 34, Lots 1-1 & 34-1-2 (now 34-1-3): Baseline Documentation Report.

- Bruce & Karen Clarke (Plat 35, Lot 8-1): Baseline Documentation Report.

- The Nature Conservancy (Goosewing Beach) (Plat 35, Lot 8-2): Baseline Documentation Report.

- Almy (Plat 22, Lot 3): Baseline Documentation Report.

Motion to have Mosaic Land Management accomplish the Baseline Documentation Reports (for Brooks/Cannon, Goosewing Farm Trust, Clark ,The Nature Conservancy and Almy) made by N.C. Second by A.W. 7-0 approve.

- Bissinger (Plat 5, Lots 38-1, 40-2, and 40-5): The annual monitoring of Hawkfeather Farm owned by Mr. Hudner has been completed. It shows several new buildings have been erected. Some of the structures are temporary and others are permanent. It is possible that Mr. Hudner could argue that the buildings are being used for agriculture. The easement is being researched and there will be an update next month. Debris from digging a pond is also present. A meeting with Mr. Hudner may be needed to explain the easement.

- Peckham – Fraud Farm (Plat 2, Lot 11-5): Letter received from NRCS dated 9-19-2024, re: Farm and Ranchland Protection Easement 7311060700HDW Parcel 01SLH Fraud Farm –

Utility project violation: A notice has been received from NRCS regarding a violation on the property. N. Cabot has tried to contact Joe Bachand at NRCS regarding the violation. LCACT has 90 days to respond. Attorney Browning is reviewing the violation notice and will advise LCACT. LCACT will work with NRCS to resolve the violation.

- Monitoring Reports: Monitoring reports for some properties identify cover crops as an issue. Cover crops are being planted but not rooted before they are either washed away or eaten by geese.

- Land Protection Committee:

- **Ryan (Plat 31, Lot 55-1):** N. Levine and A. Wallack have been in contact with the owners. The owners have been given sample easements. The easements are being revised so this property can move forward.

- **Rice Farm (Plat 3, Lot 7-2):** This property is being made inactive.

- **Summer Farm, LLC (Plat 3, Lot 6):** This property is being made inactive.

- **Smith (Plat 46, Lot 48):** No discussion.

- **Fiorile (Plat 2, Lots 11-11 & 11-12):** W. Montgomery reported he spoke with the owner. W. Montgomery will follow-up.

- **Merrow (Plat 45, Lot 31, Plat 46, Lots 50 & 51):** Expected to close within the next five days.

- **Couto (Plat 40, Lot 40-4):** N. Levine reported that Attorney Marion has communicated with both owners. He cannot represent them as a single attorney for both parties. D. McNaughton will contact Ms. Couto.

- **Charles B. Almy (Plat 2, Lot 9-9):** A Phase 1 Environmental Assessment proposal has been received from Prime Engineering. The cost is \$3,500.00.

Motion to authorize \$3,500.00 for the Phase 1 Environmental Assessment made by N.C. Second by N.L. 7-0 approve.

- **Manchester/Alvernes (Plat 22, Lots 2-1 & 2-2):** Counsel is working on the easement. Able Engineering is preparing the survey.

- **Anarumo (Plat 39, Lot 27 and Plat 44, Lot 1):** N. Levine reported that he has spoken with Michele Sheehan at RIDEM. He and Ms. Sheehan will be visiting the property on October 21st. RIDEM would like to discuss their preferred use of the property and LCACT's preferred use. N. Levine suggested obtaining a Qualified Value Opinion of the property.

Motion to approve \$1,000.00 for a Qualified Value Opinion made by N.L. Second by A.W. 7-0 approve.

Maps have been complete on the property. Scoring will be completed. It was noted that the two lots are owned by separate people. One application has been submitted with both owners' signatures.

12.) New Business:

- ESRI's Conservation Grant program for ArcGIS licenses and software: C. Trocki explained that ESRI has a grant available to assist small land trusts in purchasing ArcGIS licenses and software. She would like to apply for the grant on behalf of LCACT and herself.

Motion to authorize Carol Lynn Trocki to submit the grant application made by A.W. Second by N.C. 7-0 approve.

- Hunting (Plat 22, Lot 3): Tallia Houle and Seth Beaulieu hunted this property last year and would like to hunt it again.

Motion to allow Tallia Houle and Seth Beaulieu to hunt this property subject to receipt of their full hunting application package made by N.L. Second by N.C. 7-0 approve.

- Approval to order office supplies: C. Cady explained that office supplies are needed.

Motion to approve ordering of office supplies made by NL. Second by A.W. 7-0 approve.

13.) Advisory Counsel Project Update: Attorney Browning has begun her work for LCACT. She is working on five items currently including:

- Code of Conduct
- Fraud Farm Violation
- LCACT participation in transactions
- Easements and Deeds – Limits and conditions
- LCACT authority to spend money on equipment.

14.) The Nature Conservancy: No discussion.

15.) Executive Session: Motion to enter Executive Session for the purpose of discussing land acquisitions/negotiations per R.I.G.L. 42-46-5(a) (5) made by A.W. Second by M.S. 7-0 approve. (Members were polled individually regarding the motion and voted as follows: (A.W.- yes, W.M. – yes, N.L – yes, N.C.-yes, M.S.- yes, D.M. – yes, S.S. - yes)

Entered Executive Session at 8:59pm.

16.) Return to Open Session: 9:04pm.

17.) Vote to seal the minutes of Executive Session: Not needed.

18.) Adjournment: Motion to adjourn made by N.C. Second by A.W. 7-0 approve. Adjourned 9:04pm.

Respectfully submitted,
Cheryl Cady

Approved Executive Session Minutes
Little Compton Agricultural Conservancy Trust
Meeting
October 2, 2024

Executive Session: Motion to enter Executive Session for the purpose of discussing land acquisitions/negotiations per R.I.G.L. 42-46-5(a) (5) made by A.W. Second by M.S. 7-0 approve. (Members were polled individually regarding the motion and voted as follows: (A.W.- yes, W.M. – yes, N.L – yes, N.C.-yes, M.S.- yes, D.M. – yes, S.S. - yes)

Entered Executive Session at 8:59pm.

1.) Acquisition Strategy: D. McNaughton explained he would like LCACT to identify properties around town worth targeting. He asked Trustees to make a list of priority properties.

Motion to exit Executive Session made by N.L. Second by W.M. 7-0 approve. (Members were polled individually regarding the motion and voted as follows: (A.W.- yes, W.M. – yes, N.L – yes, N.C.-yes, M.S.- yes, D.M. – yes, S.S. - yes)

Return to Open Session: 9:04pm.

Respectfully submitted,
Cheryl Cady