

Approved Minutes
Little Compton Agricultural Conservancy Trust
Meeting
December 4, 2024

1. Call to Order: The meeting was called to order at 6:30 pm, by D. McNaughton. Members present were D. McNaughton, M. Steers, N. Cabot, N. Levine, W. Montgomery, A. Wallack, and S. Souza.

Patrick McHugh (Town Council Liaison) present.

A. Wallack left the meeting at 8:50pm.

2.) Executive Session pursuant to R.I.G.L. Section 42-46-5(a)(2) potential litigation:

1.) Potential Litigation

Motion to enter Executive Session pursuant to R.I.G.L. Section 42-46-5(a)(2) potential litigation made by A.W. Second by N.C. 7-0 approve. (Members were polled individually regarding the motion and voted as follows: (D.M. – yes, N.L – yes, N.C.-yes, M.S.- yes, W.M. – yes, S.S. – yes, A.W.- yes).

Entered into Executive Session at 6:03pm.

3.) Return to Public Session: Returned to Public Session at 6:53 p.m. (Waited until 7:00pm to re-start Public Session).

4.) Vote to seal the minutes of Executive Session: Motion to seal the minutes of Executive Session made by A.W. Second by S.S. 7-0 approve.

5.) Dylan Ferreira, Principal Wildlife Biologist, RIDEM: Mr. Ferreira presented a PowerPoint regarding the programs and regulations related to hunting. He explained programs where DEM could partner with the LCACT to allow hunting on LCACT properties. This would open the properties to hunting for the public. It is less labor intensive as hunters do not need individual permissions to hunt each property. It is however possible to have different rules in place for different properties. Mr. Ferreira also discussed the mission of DEM and the Division of Fish and Wildlife.

Ms. Lynn Brousseau suggested getting older hunters from town involved in helping with the process going forward.

D. McNaughton explained that LCACT is trying to be educated on hunting regulations, procedures and processes. The goal is to have something in place for next fall.

Mr. Bill Mackintosh expressed that most hunters want a buck. He suggested an “earn a buck program” where a hunters must take two does before being able to obtain a tag for a buck.

Mr. Adam Yorks thanked LCACT for taking a look at the deer issue. He noted that Oak and Beech trees are being lost due to deer eating the saplings. More deer ticks are prevalent as are invasive species.

Mr. Ferreira acknowledged that deer density directly influences the number of Lyme disease cases.

6.) Minutes: The minutes from the Public Session and Executive Session meeting held on November 6, 2024, were reviewed. N. Cabot noted that a correction is needed to the Executive Session minutes as N. Levine asked the litigation question and not N. Cabot.

Motion to approve the Public Session minutes for the November 6, 2024, meeting made by M.S. Second by A.W. 7-0 approve.

Motion to approve the Executive Session minutes of November 6, 2024, with the correction noted by N. Cabot made by M.S. Second by A.W. 7-0 approve.

7.) Consent Agenda:

- * Email from Kate Sayles dated 11-12-2024, re: Land Trust Leaders Updates – November 2024.
- * Email received from USDA in Rhode Island dated, 10-31-2024, re: Preserve Rhode Island’s Ag Lands, Forestlands and wetlands with USDA Conservation Easements.
- * November 2024 SNEP Newsletter received.
- * November 2024 NOFA-RI E-News received.
- * Rhode Island USDA Service Center November 2024 Newsletter received.
- * Rhode Island Land Trust Council eNews November 2024 received.
- * SNEP Network News: Fall 2024 received.

Motion to accept and file the consent agenda made by N.L. Second by N.C. 7-0 approve.

8.) Correspondence

- Email received from Dane Mainella, dated 11-14-2024, re: Fwd: Land available for local farmer / Little Compton Agricultural Conservancy Trust. It was noted that the current Lease RFP was emailed to Mr. Mainella.
- Letter received from Town of Little Compton Building/Zoning Department, dated 11/19/2024: Notice of a request for a Building Modification Permit is hereby given on the petition of Alexander Kehaya owner of 127 Willow Avenue, Plat 20, Lot 46 to build an accessory dwelling unit.

9.) Finance Committee / Treasurer’s Report

-Account Balances

M. Steers reported that the beginning balance for all accounts in November was \$4,400,324.00. The ending balance as of November 30, 2024, totaled \$4,422,543.00. Currently a total of \$1,315,000.00 is committed leaving a net balance of available funds totaling \$3,107,534.00.

- RILTC Dues: Email received from Kate Sayles, dated 11-14-2024. The Rhode Island Land Trust Council recommends that LCACT pay between \$1,400.00 and \$1,600.00 for dues. N. Levine expressed that Kate Sayles, Executive Director, RILTC provided information and rationale as to the amount suggested. LCACT is one of the most flush land trusts in the state. N. Levine proposed paying \$2,000.00 in dues.

Mr. Larry Anderson explained that RILTC has been around a long time. Having them is very valuable. The payback has been enormous, and he would support this level of support to RILTC.

Motion that LCACT pay dues of \$2,000.00 to RILTC made by N.L. Second by N.C. 7-0 approve.

- Letter received from Whelan, Corrente and Flanders, dated 11-14-2024, re 226 John Dyer Road – excess payment.

Bills to be Paid:

Agency Landscape and Planning	\$6,060.51
East Bay Media Group	\$ 369.00
Modern Printing	\$ 14.00
Cheryl Cady	\$ 4,700.00
DeSautel Browning Law	\$16,815.00
Mosaic Land Management	\$ 9,470.00
Able Engineering	\$ 3,700.00
Able Engineering	\$ 3,450.00
Able Engineering	\$ 9,350.00

Motion to pay the bills made by N.L. Second by A.W. 7-0 approve.

Review of Transfer Tax Returns:

- During the period of November 6, 2024, thru November 8, 2024, transfer taxes in the amount of \$9,720.00 were paid to the Trust. This reflects transfer #3440 - 3441. The Transfer Taxes were reviewed.

Motion to accept the transfer tax forms made by D.M. Second by N.L. 7-0 approve.

10.) Sakonnet Vineyards (Plat 22, Lots 8-5 thru 8-9 and 8-11 thru 8-14): 2025

Entertainment Application: The members reviewed the Entertainment Application. D. McNaughton recommended approving the application as presented.

Motion to find the Entertainment License acceptable and in compliance with the terms and conditions of the easement and to approve D. McNaughton’s letter as drafted be sent to the Town Council made by N.L. Second by A.W. 7-0 approve.

11.) Policies and Procedures: No discussion.

12.) Sub-committee reports:

- Communications:

- LCACT website development update: C. Cady is meeting with Kyle from 6Square on December 5, 2024. Some content will be loaded then.

- Annual Report: The current Annual Report is limited in nature. A. Wallack is working on it.

- Presentation to the Town Council: D. McNaughton has asked N. Cabot and N. Levine to assist in developing content to present to the Town Council. The goal is to present it in January 2025.

- Plan for 2025: LCACT needs to do a better job informing the public. A. Wallack and N. Levine to develop a communications plan. Outside assistance may be needed.

- LC 350 Event: The LCACT has committed to hosting “Farmers Day”. The event will be on Sunday, August 23, 2025, from 1pm until 5pm. N. Cabot suggested tours of local

farms.

-Stewardship Committee Update:

- Stewardship update regarding stewardship needs, monitoring reports, baseline documentation reports.
- Peckham (Plat 22, Lot 15-4): No discussion.
- Bissinger (Plat 5, Lots 38-1, 40-2, and 40-5): There has not been a response to the letter LCACT sent.
- Pontes/ Pinebridge Realty (Plat 20, Lots 56-1 and 56-4): Letter received from the Little Compton Community Center, dated 11-27-2024: Requesting a lease for one acre of property for a high tunnel, orchard/perennial fruit garden, community garden beds, outdoor classroom and solar shed.

Amy Mooney from the Little Compton Community Center was present at the meeting. She explained the proposal. Both the Food Bank and the Senior Meal Program have had a profound increase in participation. LCCC would like one acre to farm and do a farm to table program to meet both programs' needs. A possible budget and fundraising prospectus were presented. Ms. Mooney wondered if the land directly behind the Community Center could be used, but it was pointed out that most of that land is not Ag Trust land, and so she would have to reach out to the private landowner.

LCACT has other small properties that LCCC could use. W. Montgomery suggested Ms. Mooney meet with him and N. Cabot about other potential properties.

One bid was received from Arruda/Moniz Dairy Farm. Mr. Moniz proposes a rent of \$3,000.00 per year. The terms of the previous lease will remain the same.

- Costa (Plat 18, Lot 3-9A99): One bid was received from Arruda/Moniz Dairy Farm. Mr. Moniz proposes a rent of \$600.00 per year. The terms of the previous lease will remain the same.

W. Montgomery suggested that on both Pontes/Pinebridge and Costa, LCACT will want to increase the cover crop seeds per square foot.

Motion to award the lease for the Pontes/Pinebridge property and the Costa property to Moniz/Arruda Dairy Farm subject to making modifications to the lease as made by W. Montgomery and N. Cabot made by N.L. Second by N.C. 7-0 approve.

- Ham (Plat 31, Lots 43-1 and 43-4): W. Montgomery noted that the previous farmer has removed the plastic. W. Montgomery is in contact with Able Engineering for a survey of the right-of-way and the easterly boundary.

- Anarumo (Plat 45, Lot 1-3): D. McNaughton is working with Don Medeiros on the boundary question.

- Lease Stewardship: Soil Health: Mosaic Land Management is doing more in-depth monitoring which will include soil health and speaking with lessee about soil health improvement if needed.

- Letters to any new (successor) owners of easement properties: N. Levine and A. Wallack are working on a letter to successor owners that have LCACT easements on their properties. This is part of the Communications Plan.

- Annual letter to easement holders with monitoring report: N. Levine and A. Wallack are working on a letter to be sent to easement holders along with a copy of the monitoring report. This letter is part of the Communications Plan.

The letter to successor owners and the annual letter to easement holders will be included for review at the January 2025 meeting.

- Crop Cannons: W. Montgomery explained that LCACT has banned crop cannons on the Almy property. The farm next door to the Almy property uses crop cannons. He suggested creating a two-person committee to review/study the procedures for the use of crop cannons and the question of monetary assistance to purchase equipment. W. Montgomery and N. Cabot will work on this.

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

-Signage: The signage graphics and information were reviewed. The format of the sign may change but the information and graphics will remain the same.

-Data from the trail counter was reviewed for the dates September 9th thru December 4th. Daily totals ranged from just 1 visit on 11/21/24 (a rainy Thursday) to 36 visits on 10/20/24 (a warm, sunny Sunday), with an average of 12.5 visits per day.

- Land Protection Committee:

- **Ryan (Plat 31, Lot 55-1):** Attorney Marion has drafted the easement. It has been given to the owners. The baseline documentation report visit has been scheduled.

- **Couto (Plat 40, Lot 40-4):** This property is in process. The owner is working with her counsel.

- **Manchester/Alvernes (Plat 22, Lots 2-1 & 2-2):** The survey has been received. There was a slight error on the survey. The baseline documentation report is being completed as is the easement language. When these are finalized, the trustees will review them prior to closing.

Debra Alvernes was present at the meeting. She explained that she is all set with the draft. She has reached out to her attorney with the okay and is waiting for a return call. Attorney Allott had questions for the title company.

- **Byrne (Plat 2, Lot 11-9):** D. McNaughton explained that he is waiting to hear from NRCS regarding LCACT potentially accepting the fee interest in this property.

13.) Standing Rules Update: No discussion.

14.) New Business:

- Officer elections in January: D. McNaughton explained that officers elections will take place at the January meeting.

- Land Trust Alliance:

- Terrafirma – S. Souza explained that most land trusts are involved with Terrafirma Insurance. This insurance defends easements. LCACT is not a member of the Land Trusts Alliance (LTA) and therefore cannot participate in Terrafirma Insurance. To be a member of LTA the land trust must be fully accredited or answer thirteen eligibility requirements. The application period is from December 1, 2024, thru February 1, 2025. The cost to belong to LTA is based on operating costs. Terrafirma has a \$5,000.00 deductible. The cost is based on the number of properties covered. The annual cost is \$67.00 per property.

LCACT's current insurance coverage provides for defense if LCACT is named in a suit. There is no coverage if LCACT brings the suit.

N. Levine suggested that the thirteen requirements be sent to the trustees along with a proforma of cost. S. Souza will send the information to C. Cady for distribution to trustees.

- Directors and Officers Renewal Application: The application was reviewed. Motion to authorize D. McNaughton to sign the application and submit it made by N.L. Second by N.C. 6-0 approve.

- Non-Disclosure Agreements for Mosaic Land Management and Cheryl Cady: D. McNaughton explained that he has been looking at confidential processes and thought it would be good to have non-disclosure agreements for Mosaic Land Management and Cheryl Cady. N. Cabot is revising the Standing Rules that would include information securities. W. Montgomery expressed that this is a small town. Most involved with the LCACT grew up together and trust each other. They are friends working together and he would not be voting for the non-disclosure agreement.

- Creation of Easement Templates: Creating an easement template for open space and another for agricultural property would be beneficial to trustees when considering the appropriate content for new easements. The easement could be customized for individual properties. N. Levine will work with Attorney Allott on the templates.

- Public Access Properties: How to handle public access on LCACT properties was discussed. An initial list of properties with access has been developed and will be published on the LCACT website.

Foraging: D. McNaughton has emailed with Ted Hayes regarding foraging on LCACT fee properties. The season is over for this year.

15. The Nature Conservancy: No discussion.

16.) 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) and potential litigation per R.I.G.L. Section 42-46-5(a)(2) made by N.L. Second by S.S. 6-0 approve. (Members were polled individually regarding the motion and voted as follows: (W.M. – yes, N.L – yes, N.C.-yes, M.S.- yes, D.M. – yes, S.S. - yes)

Entered Executive Session at 9:13pm.

15.) Return to Open Session: 9:47pm.

16.) Vote to seal the minutes of Executive Session: Motion to seal the minutes of Executive Session made by N.L. Second by M.S. 6-0 approve.

17.) Adjournment: Motion to adjourn made by W.M. Second by S.S. 6-0 approve.

Adjourned 9:48pm.

Respectfully submitted,
Cheryl Cady