

**Upper Delaware Council
OPERATIONS COMMITTEE MEETING MINUTES
January 28, 2025**

Committee Members Present: Jim Rodgers, Ginny Dudko, Aaron Robinson, Al Henry, Fred Peckham (Zoom), Larry Richardson, Harold Roeder, Jeff Dexter

Committee Members Absent: None

Staff: Laurie Ramie, Kerry Engelhardt, Stephanie Driscoll

NPS Partner: Carly Marshall

Guests: Bill Dudko, Evan Padua (Zoom), Tom Shepstone, Rick Lander (Lander's River Trips), Amy Salvia (Indian Head), Rocco Baldassari (Kittatinny Canoes), Danielle Crouthamel (Silver Canoe), Allen Crouthamel (Silver Canoe)

The UDC's Operations Committee held its monthly meeting on Tuesday, January 28, 2025. Chairperson Dudko called the meeting to order at 7:33 pm.

Election of Committee Chair and Vice-chair: G. Dudko reminded the committee that it is standard procedure for the UDC Chairperson to chair the Operations Committee, making Jim Rodgers (Town of Fremont) the appropriate chair. A motion by Richardson, seconded by Robinson, for Rodgers to be elected Chairperson of the Operations Committee, carried. A motion by Henry for Aaron Robinson (Shohola Township) to remain as Vice-chair, seconded by Dexter, carried.

Approval of the December 17, 2024 Meeting Minutes: A motion by Richardson seconded by G. Dudko to approve the 12/17 meeting minutes carried.

Executive Director's Monthly Report: Ramie deferred to New Business b. Request to Add CUA Fee Structure Changes Analysis to 2/6 UDC Meeting Agenda, to allow the guests for that topic to leave after any discussion if they choose. Ramie said her written report is extensive, since the Operations Committee met a week earlier in December with a lot of deadlines happening since then. In light of the number of topics on tonight's agenda, she asked the committee to read the report at their leisure.

New Business

Request to Add CUA Fee Structure Changes Analysis to 2/6 UDC Meeting Agenda: Ramie said this is on tonight's agenda to consider approving of this topic for the 2/6 full council meeting. It is a procedural request that we take this up at the 2/6 UDC meeting to first vet it through the appropriate committee. In advance of this meeting information was sent around via email in the form of a request for the UDC to open a discussion about the CUA changes. Included was a letter from several of the local liveryies as well as Consultant Tom Shepstone's analysis. A motion by Henry to add the CUA fee structure changes analysis to the 2/6 UDC meeting agenda, seconded by Dexter, carried. Shepstone said the UDC needs to be involved in CUA activity. That is why they are requesting the discussion be added to the 2/6 UDC meeting agenda. The guests for this topic then departed the meeting.

Temporary Pause of Federal Financial Assistance Programs: Ramie reported that the UDC has no access to Federal funding at this time. An order from the Office of Management and Budget (OMB) issued a spending freeze on all Federal Assistance programs, which fund the UDC. She sent out an email earlier this afternoon that this all happened very quickly on Monday (1/27), that she couldn't get into the UDC's ASAP account. There was no explanation except an error messaging stating "no accounts" on Monday. She eventually got through to the Help Desk and found all ASAP accounts are temporarily suspended. We learned today from Henry just prior to the meeting that a Federal Judge has temporarily blocked the freeze from happening. This block only pertains to open, existing programs that receive Federal funding. She is unsure on the timing and when the account will be unfrozen. The block was in response to a lawsuit that the Council for Nonprofit Associations had brought along with about 20

states who argue that it's not constitutional. She plans to log into the ASAP account tomorrow morning to see if we can get our funding for this month. They are saying that the memo fails to offer a legal basis and targets organizations on their viewpoints as being against the Constitution. New York State Attorney General Letitia James was quoted saying: "There is no question this policy is reckless, dangerous, illegal, and unconstitutional." the Federal judge's decision basically places a restraining order on that directive through Monday, 2/3.

Ramie looked into what we could do if there was any amount of time we had to go without the source of 99% of our funding. Our \$300,000 for Fiscal Year 2025 has been allocated to the UDC and is sitting in the ASAP account. She asked the UDC bookkeeper for the current on-hand balances. Our most easily accessible funds are in our Jeff Bank Checking and Money Market accounts. In June of 2023 we took \$120,000 out to invest in our Vanguard account to draw interest. That money is unrestricted funds, however getting into that account isn't something we've had to do before and has proven to be difficult to access in the past due to the number of signatories involved. We did find a workaround; putting the money temporarily into the Litter Sweep Jeff Bank account since Ramie is the only signatory on that account. It seems Vanguard has a hard time with multiple signatories. Our Vanguard account currently has a balance of \$161,843.46, which is an excellent cushion, although she isn't sure how quickly we could access it. That amount was most recently boosted by our anonymous benefactor and the Upper Delaware Scenic Byway donations for a combined \$21,500. That deposit took almost two weeks to clear. It seems moving money around from the Vanguard account is not instantaneous. Henry has just signed the month's the checks at this meeting, but she is reluctant to distribute them. The bookkeeper said between the checks signed tonight and the electronic fund for payroll, the \$3,871.25 has already been paid of the \$22,313.82 due in January month plus payroll on Monday, 2/3.

A motion by Robinson to empower Ramie to order a wire transfer from the UDC Vanguard account to our Jeff Bank account if necessary, seconded by G. Dudko, carried. Robinson said it would be the fastest way to get the money from our Vanguard account. He has found Vanguard to do well with wires, personally, and should work well for our structure. We may have to produce a set of minutes so that Ramie has the power to perform a wire transfer, or she may already have the authorization as a signatory. Richardson said he thought that when we were investing money into Vanguard that we were keeping some money locally, but it seems we aren't keeping enough locally. Enough should be transferred into our Jeff Bank account that would cover a month's worth of funds. Robinson asked what is in the Jeff Bank accounts? Ramie said around \$45,000; everything comes into the checking account when she does the drawdown from ASAP. Our typical monthly expenses are \$20,000-\$25,000. G. Dudko said another month could bleed us out. Robinson said we don't need to transfer anything then. G. Dudko said there is no protection if needed.

Henry said NPS will need to help in this situation. They "control the purse strings". He read today that even if the funding freeze was going to happen, it wouldn't go into effect until Monday. We should be able to go in and take money out of our ASAP account. He asked what the limitation is on what we can take out at a time? Normally we take out what's operational for a month, but is there a limit? There shouldn't be. Richardson said there used to be a limit, that you could only draw down a month at a time. He thought at one time the previous UPDE Superintendent changed it so we could take out more than a month at a time. Henry said if Ramie says we are funded to the full extent (\$300,000 for FY25), why not take out more than a month's worth and put it in our Jeff Bank account, especially if people are concerned about accessing our money in the Vanguard account. Why would it be limited? Ramie said that has come up before and we were told we couldn't, though she doesn't remember the reason why. She will ask UPDE Administrative Officer Tara Harber for the policy on that.

Henry said he read that the Federal funding freeze could need a 90-day review. It doesn't give a guideline, but does say it's temporary. If we gain access to the funds before it's shut down, we should make an attempt to do so. Ramie read an article that said: "The full scope of the administration's review was spelled out in a 51-page spreadsheet sent to federal agencies and viewed by The Associated Press. Each line was a different government initiative, from pool safety to tribal workforce development to special education. Officials were directed to a series of yes or no questions for every item on that list, including "does this program promote gender ideology?" Or "does this program promote or support in any way abortion?" Responses are due by Feb.7." The agency responsible for funding needs to justify the reason they need the funding. She would hope and assume that NPS is doing that for us, showing that we aren't using the funding for any other purpose than what is intended. Robinson said he doesn't remember reading anything in the River Management Plan (RMP) on the timing and distribution of the \$300,000. From a contractual standpoint why couldn't we access more money than the monthly bills? Henry said if the NPS says we can't do it, then we

can't. But we should make every effort to try to get the money out. If you read page 2 of the memo included in tonight's packet it says the OMB can grant exceptions on case-by-case basis if there is a law that requires payments be made. We are an Act of Congress and that might be another avenue to explore. Not all organizations that get Federal funding are Congressionally mandated.

Rodgers said, when we say we have money in the bank, whose bank? Is it in the federal account or NPS budget? Ramie said it's in our ASAP account; a federally controlled Treasury account that we can access. Rodgers agreed that if we can get the money out of there then we should. He remembers the pain when the UDC had a thorough audit done. He doesn't want us to have to go through that again. Ramie said yes, taking out more than a month at a time would be a bookkeeping nightmare for reporting purposes. Richardson said we should try to get everything we can from the ASAP account. In the early days of the UDC, we got our funding upfront and could make money on it. The federal government ended up changing that. B. Dudko suggested that the staff be first priority to get paid if this goes on long. Rodgers said the timeline of 90-days has come up. Henry said by 2/10 they wanted agencies to submit detailed information on their programs subject to this clause. As Ramie mentioned, there are thousands of organizations affected by this. No one can respond within 10 days. He hasn't read anything in the memo pertaining to 90-days; that's just something he's heard. This funding freeze has been the top of all local news channels. It's created an awful lot of concern. Ramie said Nadia Rajsz called today, she has been in touch with US Senator Chuck Schumer who said it is trickling down to Head Start and other similar organizations like Meals on Wheels and various federal assistance programs. They are saying it can't affect individuals, but affecting someone's childcare, etc. certainly affects individuals.

Henry said whatever the outcome is, we should send this out to all our elected officials; with a list of all the positive things the council does. We aren't doing anything we aren't supposed to. We should get that list together and send it out to enlighten our elected officials that this won't affect operations of the council and the towns and townships on the river. Robinson emphasized that the UDC is congressionally mandated. We should get at least one quarters worth of funding out.

Social Engineering Fraud Supplement Insurance: Ramie said this would be a \$202 premium increase, bringing it to \$2,153 a year. It was requested we receive a quote for this after the payroll snafu last year. This quote is through our brokers Mike Preis from Travelers Insurance. A motion by Henry to add the fraud supplement insurance to our current insurance plan, seconded by Robinson, carried.

Select Date & Venue for 37th Annual River Valley Awards, Discuss Keynote Speaker Invitation: Ramie said since we are at the start of the year, she would like to get the date booked for our 37th Annual River Valley Awards. Central House Family Resort has been a great venue for us, in a central location for all the towns and townships, east to work with, and has excellent food. She reached out to The Central House for availability and they responded with three fall Sundays open: Sept. 14, Oct. 25, and Nov. 2. We typically opt for a mid-September date. She asked if September 14 would work for everyone? Everyone on the committee agreed that Ramie should book the Sept. 14th date for the 37th Annual River Valley Awards banquet.

Ramie said we need to start thinking about who to invite as our Keynote Speaker. We went with a non-elected official last year, Pennsylvania Director of Outdoor Recreation Nathan Reigner. Given that we have quite a few newly elected officials, we could look into inviting one of them. Henry recommended we invite the Secretary of the Interior to be our Keynote Speaker. Ramie said we should be realistic and aware of timing. If we invite one person and give them an appropriate amount of time to respond and they decline, we have less time to find someone else. Dexter said we could invite PA Governor Shapiro.

Summary of Pending Bills 1/28/25: A motion by Henry to pay the bills in the normal fashion conditioned upon the receipt of funds to pay them, seconded by Richardson, carried. Henry said the motion is contingent on fund availability. Robinson asked if we should put bill payment on hold until we get Federal funding or until we transfer money from our Jeff Bank Money Market Account? Henry said the UDC has about \$45,000 combined; that is enough to take care of the pending bills. We can wait and see what happens with the ASAP account, but we need to pay these bills now. The committee agreed to leave the decision up to Ramie. The motion was amended to add that Ramie do whatever needs to be done to secure funding from the Jeff Bank account or the ASAP account.

Financial Statement 1/31/25: Included in the packet for review.

Other: None.

Old Business

Personnel Subcommittee Recommendation: Ramie said it was a recommendation from the Personnel Subcommittee to seek advice from Certified Public Accountant Dick Eckersley to eliminate the \$2,000 cap on the UDC's retirement contribution and their proposal to change the rate from 6% to 5%. Eckersley's recommendation was to lift the \$2,000 cap but not to lower the percentage amount since that wouldn't be fair to the contract the employees signed. He also suggested we stop calling it a match since that's not what it is and have been using that term wrong, but it's been perfectly acceptable the way we've been doing it through contributions to employees' Simplified Employee Pension Plans. Rodgers said a memo had been sent to the Personnel Subcommittee via email. Richardson said he disagrees; the plan has been based on a match. Henry said it's never been a match. Richardson said if the employee puts in 5% the employer can then put in that amount, it's based on whatever the employee puts in. Ramie said we have always put in the 6% and the employee puts in up to 9% of their compensation. That has never been an equal match. Henry said our CPA has reviewed it; it should go to full council. A motion by G. Dudko to forward the approval of the employee retirement plan contribution policy change to the 2/6 full council meeting, seconded by Henry, carried with Richardson opposed.

Proposal for Sexual Harassment Prevention Training at 3/6 UDC with 6:30 pm Start: Ramie said this is a proposal to start the 3/6 UDC meeting at 6:30pm with the Sexual Harassment Prevention training. We weren't able to find any alternative to the NYS Department of Labor video. Richardson had suggested a group setting to get more participation. This training method completion results in a completion certificate with interaction. It takes about 50 minutes to complete. Members who have taken the training elsewhere or plan to can forward to certificate to the UDC staff for proof and skip this training. A motion by Henry to start the 3/6 UDC meeting at 6:30 pm to complete the Sexual Harassment Prevention training, seconded by Robinson, carried. Henry said we should send the link out for the training via email ahead of time, so people have the option to do it at their leisure or if they are absent.

State and Federal Funding Updates / Government Officials Liaison Subcommittee Meetings: Ramie said anyone who would like to participate in the Government Officials Liaison Subcommittee can do so. We have often based if off of NY or PA. It's been a loose membership and you don't have to declare intentions. She sent the Operations Committee the letters that went out on 1/15 and 1/16 to newly elected officials. That included US Senator Dave McCormick, Congressman Josh Riley, Congressman Rob Bresnahan, and NY Assemblywoman Paula Kay. They all received the UDC funding fact sheets as well. We haven't gotten any responses back yet, but we didn't send them long ago. Those are the people the subcommittee would target for visits. We've talked about having one meeting and inviting them all to attend such as the Funding Summit held when Robinson was chair. We only got one elected official and one aide to attend that. She isn't sure if all the work that went into that paid off. Approaching them individually might be better. She asked the committee if they would like her to start reaching out to the newly elected officials? Rodgers asked if that was considered lobbying? Ramie said we are only providing information, not asking anything of them. Robinson said she should start setting up meetings. Ramie said she will inform everyone of a date and time to see who can attend. Ramie said on Nov. 7, under Chairperson G. Dudko, we also sent letters to the budget directors in NY and PA. There have been no responses.

Ramie saw a newsletter notice about the Coalition for the Delaware River Watershed's "Hill Day" to take place on March 12. There they advocate for the Delaware River Watershed priorities in Washington D.C. It only gives a name and email address to register. She doesn't know any details other than the date. This isn't something we've traditionally attended. We don't consider ourselves to be a "hat-in-hand" agency. They aren't advocating for UDC funding specifically, but the entire Delaware River Watershed. They make appointments with various representatives and visit offices. Robinson said we should form an external committee for funding within the council that can hold power sessions on funding strategies. It's time consuming for regular UDC business. Maybe we could have a lobbyist come in to give some ideas? Ramie said there would also be a follow up on our Five-Year Plan workshop where we discussed actionable items. Robinson asked how many Superintendents the Upper Delaware has had? Ramie said she believes eight since the inception of the UDC. Robinson said every time we have a new Superintendent, they only look at the UDC at a certain level. The UDC does everything we need to for \$300,000;

they don't look back to see what we used to be able to offer. Ramie said we could put that on the full council agenda, to invite any UDC representatives to participate.

On 1/14 Ramie attended the River Management Society Roundtable: "Managing Our Rivers with Less." There were 39 participants, including Marshall. They had NPS or retired speakers from Cuyahoga Valley National Park, Bridger-Teton National Forest, Grand Canyon National Park, and Jackson Hole. When does doing more with less becoming doing less with less and when does that become too little was the existential question. They said the reality is that Congress is not funding national parks adequately while costs keep increasing. Is austerity the new normal? One of the topics they focused on was how to maximize capacity; trying to leverage partners and friends groups. Find mentors to build support for the organization or cause. Look for funding matches to get projects started even if they can't be completed. They suggested getting organizations like American Rivers involved in advocacy. They suggest groups always offer status reports, be as inclusive as possible in the community, and seek out different sectors on how they can help in addition to trying to get money outside of the government. They said this is a part of the new reality; the new administration is hyper-focused on cutting programs and funding. They ended the roundtable on a case study on the Tuolumne River: they started a project estimated to cost \$4 million and got it done for \$75,000, relying heavily on other organizations and donations. The River Management Society has a website with over 200 webinars of various topics. Marshall said we are all in the same boat right now, trying to find private partnerships since federal funds aren't likely to be opened up. Rodgers said a lot of these options seem like they are more for National Parks.

Robinson asked how it relates back to towns and townships? If you took the UDC budget and took out staff cost and divide the rest between the 13 towns/townships, you wouldn't have much left. Anyone with a mind knows we won't be able to perform all our responsibilities. We will be able to retain our staff, but won't be able to efficiently do things. A lot of the town/township Supervisors do not know the funding situation the UDC is in. Shohola does. The guys on that board have been around long enough to remember the UDC's struggles. There has been so much turnover in towns and townships that most don't know what the UDC is or what we do. Rodgers said we had just done the UDC/NPS Road Show this past year, so the people were reminded we are here. G. Dudko said if the UDC goes away, there is no one to advocate for the towns and townships. They will have people knocking on their doors looking to take their property, or making rules on what they can and cannot do with their property. People are going to get upset. Roeder said we should go back to see what each town supervisor made in 1988 and ask them if they would work for that amount in 2025. He agreed that the Road Show was helpful.

News Release: "Individual Donations Fortify Mission of the Upper Delaware Council": This press release on 2023-2024 donations and how people can contribute is included in the packet for review.

Other: None.

There was no Public Comment.

Adjournment: A motion by Roeder seconded by Henry to adjourn the meeting at 8:53 p.m. carried.