

**Upper Delaware Council
OPERATIONS COMMITTEE MEETING MINUTES
December 12, 2023**

Committee Members Present: Aaron Robinson, Harold Roeder, Dennis Bernitt, Al Henry, Fred Peckham (Zoom), Ginny Dudko, Larry Richardson, Andy Boyar, Jeff Dexter

Committee Members Absent: None

Staff: Laurie Ramie, Kerry Engelhardt, Stephanie Driscoll

NPS Partner: Lindsey Kurnath, Carly Marshall (Zoom)

Guests: Bill Dudko

The UDC's Operations Committee held its monthly meeting at the UDC office in Narrowsburg, N.Y. on Tuesday, December 12, 2023. Robinson called the meeting to order at 6:47 pm.

Approval of the November 28, 2023 Meeting Minutes: A motion by G. Dudko seconded by Henry to approve the November 28th meeting minutes carried.

Executive Director's Monthly Report: Ramie thanked Randy Robinson, Peggy Richardson and Driscoll for bringing baked goods for tonight's meeting. Even though it's so early in the month she decided to draw down the monthly abstract of bills since she and Poska looked at the usual expenses and anticipated what would be needed for the rest of the month. That leaves a balance of \$90,891.91 in the ASAP account.

The NPS is looking into the discrepancy in the end dates listed in the Cooperative Agreement vs. Award Notice vs. our 5-year plan. She came across some notes from 2020 when it was initiated as to the rationale; it still doesn't make sense to her but Administrative Officer Tara Harbert is looking into it.

Delivery of "The Upper Delaware" newsletter was supposed to be on Monday. The printer that is based in Deposit was not able to get out due to the snow Monday morning. They are trying to find a van driver to deliver to us and the Post Office. If not tomorrow, then they plan to bring it Thursday morning. The newsletter is already posted on the UDC website if anyone would like to view it virtually. Once it is delivered there will be a news release issued.

Planning for the 3rd Annual Upper Delaware Litter Sweep will be added to January's WU/RM agenda. The litter sweep will take place around the 3rd week of April, close to Earth Day. We will discuss specific dates and logistics at that WU/RM meeting.

Kurnath had introduced the UDC staff to the new NPS Community Planner, Carly Marshall, on December 6th, a day before the full council meeting. Ramie welcomed Marshall to her first committee meetings tonight.

New Business

Letter to PA Federal Representatives (referred from 12/7 UDC): Ramie said there was a 1st version and a 2nd version from Robinson, an edited version from herself, and a proposed edit from Richardson. In

the packet is the version with her edits that Robinson approved and the revision Richardson suggested. Robinson said he has no problem altering the letter with Ramie's edits and Richardson's suggestions.

Kurnath said she had a meeting this Friday (12/15) with NPS budget folks in Washington, D.C. in response to the meeting they planned to have with PA federal delegation staffers for Senator Fetterman, Senator Casey and Congressman Cartwright. She will find out more on Friday and will let the council know. She appreciates the changes made to the letter and Richardson's edits.

Ramie said, with regards to the suggestions in the letter to change the funding mechanism, we're asking them to explore that but we need to know what that would entail if our funding was no longer a line-item in the NPS UPDE budget and came directly from the DOI. That may not be as conducive to get advances, adjustments made, etc. We know how the system operates now in terms of the monthly draw downs. It's something to think about. Richardson asked Kurnath if NPS draws their money in a similar fashion? Kurnath said right now they only have what is due to them until February 3rd under a Continuing Resolution.

Kurnath said in the letter it flips back and forth from \$300,000 from Federal Funding to the \$500,000 that would be the total if the states provided their promised portions. Are you talking about the 1988 appropriation of \$500,000 total or from Federal Funds of \$300,000? Maybe it should be separated out. G. Dudko agreed. Robinson said the intent was to show what the budget really should be.

A motion by Richardson, seconded by Roeder to send the revised letter to PA Federal Representatives with Richardson's edits and including the word "combined" to describe the \$500,000 original budget, carried.

Summary of Pending Bills 12/11/23: Motion by Henry seconded by Bernitt to approve the bills and pay them in the normal fashion carried.

Financial Statement 12/31/23: Robinson said the financial statement is for information purposes that can be reviewed. He commented that we've collected a little over \$3,000 in interest up until this reporting period from the Vanguard investment.

Other: None.

Old Business

Letter to DOI Solicitor and Lobbying Citations: Ramie said the letter was approved at the December 7th full council meeting. She sent it to Kurnath who confirmed receipt. Since that was just a few days ago she doesn't expect that we would have heard anything back yet. In addition to that Henry put together a draft of various citations. Henry said it may give some benefit to the letter that will be sent. Ramie said this could be sent as a supplement. Henry said this information is all accessible online. There appears to be a mechanism for 501(c)3's that receive federal appropriations to use those appropriated funds not for lobbying but to contact Congress for the survival of a 501(c)3. Kurnath said you can contact, educate and talk about the impact of the organization but you can't ask for an action.

Ramie said we specifically cited the example to the DOI solicitor about the letter writing campaign on the UDC website. It's difficult to separate out staff time for website work that's funded by federal funds. B. Dudko asked if we could change it to be educational instead of asking or could we pay for the UDC website through our unrestricted funds? Robinson said we could count the letters on the page of the website that contains the request for people to write a letter and compare it to the remaining count of the

letters and we could pay that out of our unrestricted funds. Kurnath said if you can pay 10% of the website with unrestricted funds, that may work. Henry said you can use any funding if it's educational, so change it to be educational. Ramie said then we wouldn't include any call to action. Henry said let them make the decision to write and send a letter. Kurnath said if you provide solutions then you are advocating for solutions. Robinson said the RMP says the UDC can't fail. When you look at it from that perspective, we have to approach the people who make the decisions to remedy the problem. He doesn't think it's lobbying to ask for the funds necessary to fulfill the contract. Kurnath said one could say, why doesn't the UDC have access to other funds? Robinson said the RMP says we can generate other funds but we are not a grant-oriented organization. When it was set up there was a budget to perform 80+ tasks, not to solicit grants. Kurnath agrees; she wants to help find a solution. You can't lobby with federal funds, you can with other funds. Henry encouraged everyone to read the Office of Management and Budget that was revised as of 2024 on page 25 A. They talk about lobbying. Kurnath said you can use federal funds to educate, you can't ask them for action at the end of educating. Richardson said in his opinion, it is an unfunded mandate. The funding was never supplied as it was anticipated. He thinks you could appeal for the money that was noted in the original legislation and it wouldn't be called lobbying. Roeder said the citations refer to grants from the Federal Government; we don't receive any grants. Ramie said it's considered an award and Eckersley refers to it as a donor restricted funding in his audits. Richardson said the UDC has been looking since the early 90's for more funding. Robinson thinks it was an oversight not to address inflation in the RMP.

Kurnath said at the next meeting in January she can discuss with the council what the NPS Operational Increase process is. They haven't been asked since 2021 if they needed an increase. She wants to share the process, which has strict guidelines. Richardson said former Superintendent Heister had told the council if we had a project that we'd like to pursue for additional funding, there is money at the end of the year that could go toward a specific task. Ramie said we didn't hear about that until the funds had already been returned. Kurnath said something like that doesn't help the UDC year after year.

FY 2023 Financial Review and Form 990 Comments: Ramie looked through the paperwork that Eckersley put together to make sure all the information listed is accurate. Referring to the 12/1 letter in the packets, she asked Eckersley what the cost would be for the FY2024 Financial Review to list on the resolution at the December 7th UDC meeting. It was cited on page 5; the price is the same as this year (2023). In FY2025 the full audit will take place.

There was a question on the amount of Technical Assistance Grants that Eckersley had reported, not being the same that the UDC had. She and Engelhardt figured out it was because there's a difference on the amounts the council has awarded over the years and what money was actually spent. Sometimes projects come in under budget or don't happen at all. Engelhardt updated the database from 1988-2024 so we're able to verify that what Eckersley listed is correct. The Cooperative Agreement timeline is also being checked on, which she mentioned earlier in her report.

There were some checkboxes listed on the 990 Form that Ramie questioned in terms of titles and the categories listed. Eckersley and his staff will look into those questions and will get back to us before finalizing the tax documents. Everyone thanked Ramie for looking through the review and 990 Form so carefully.

Henry asked if everyone looked at the full bill for the audit of close to \$10,000. Ramie said the cost is over that; the full audit is approximately \$11,000 and comes up every three years. Ramie said the financial review is the lesser cost of the two at \$9,500. Ramie said no one knows the UDC better in terms of our books than Eckersley. His firm is available to us throughout the year and has kept our 35 years of records we needed to consult during the NPS probe. Henry commented it is a lot of money. He thinks we

could compare costs with other companies. Robinson said Eckersley donates back to the UDC. Ramie confirmed that discount. She added that we pride ourselves on the impeccable checks and balances of our financials, and he's a big part of that. Henry said he only brought it up to try to save money.

UDC T-shirt Sales Update: Driscoll said we had sold 11 in person and mailed 7 for 18 t-shirts sold in total through our holiday promotion so far. She had some people stop in and we unfortunately had sold out of the sizes they needed. She has to mail out 7 more t-shirts tomorrow as well. An order was placed with Platform Industries in early December for more t-shirts. Currently the profit is \$287.50 and after tomorrow, with the 7 to be mailed, the profit will be \$410. She's confident we'll be selling t-shirts well into the holiday season as they've been popular. Richardson asked what we charge for shipping. Driscoll said we charge an additional \$2.50 per shirt for shipping plus the cost of the t-shirt of \$15 totaling \$17.50. Richardson asked if that covers shipping. Driscoll said no it doesn't; we can look into charging a higher amount for shipping. G. Dudko asked how much it costs to ship them. Driscoll said it depends on the weight of the package. Typically it's been around \$5-\$10.

Personnel Subcommittee Report: Henry said the Personnel Subcommittee met that night at 6pm for the Performance Review of Resources and Land Use Specialist Engelhardt. He commented she's been doing a "stellar" job and to keep up the good work. He thanked Ramie for being a great supervisor.

Other: None.

There was no Public Comment.

Adjournment: A motion by Roeder seconded by Bernitt to adjourn the meeting at 7:40 p.m. carried.