

Essex County Natural Resources Conservation District Board Meeting

December 17th, 2025

Meeting was called to order at 12:30 PM

Board attendance: Tim White, Terry Williams, Chris von Alt

District staff: Sam Mayne, Clara Fernandez Odell, Sean Willison

Public: Dave Blodgett (NRCS)

Opening remarks

Sam remarked on Tim's long tenure at the board and presented him with a notebook containing meeting minutes from his early days at the District. The notebook was found in the District files and appeared to be from 1980, though a year was difficult to determine. He will be greatly missed when he steps down May 1, 2026.

Chris welcomed Terry to the board. Terry became a board supervisor after submitting the required petition and running unopposed for the seat. Terry is a Selectboard member and Road Agent for the Town of Granby, and is excited to learn more about the District and support our mission.

Approval of meeting minutes:

Tim moved to approve the November meeting minutes, Chris seconded, and the motion passed unanimously.

Financials

- Chris asked about the stability of grant funding. Sam reported that grant agreements were in hand for the next year or so. He noted that there is a general uncertainty about the level of funding available in the coming years, but that those effects have not appeared to impact the District yet and were still unclear.
- Chris noted that an independent audit would be a good thing to do, and all agreed.

Accomplishments/Updates:

- Grant Updates
 - o Sam asked that grant applications be discussed later based on the time. All agreed.

Meeting Topic(s)

- Chris von Alt's term expires at the end of December if not reappointed. Sam noted that Terry's election meant that Chris's existing seat would be filled but that Chris could be appointed to the preexisting vacancy.
 - o Tim moved to appoint Chris to the existing vacancy on the board, Terry seconded, and the motion passed unanimously.
- Construction Contract for the culvert replacement on Mink Brook and Baptist Hill Rd in Lunenburg
 - o Sam introduced the existing situation. The construction contractor that was hired to complete the work, Austin Construction, LLC, is continuing construction. Having begun construction on Aug. 25th, the contracted completion date was November 23rd (90 days after start). Sam noted, referencing communications from the town and the school district, that the extended timeline was having major impacts on the community. Although there have been several weather-related delays as described by Austin Construction in communications, the total amount of delays did not amount to the more than

two month delay expected. Sam acknowledged that he is leaning heavily on the expertise of the engineer contracted to oversee the project, East Engineering, PLC in determining the reasonableness of delays and standard practices relating to construction projects like this one. In the interest of ensuring prompt completion of the project, Sam recommended invoking the Liquidated Damages clause of the contract, beginning 12/18/25, to subtract from the total award amount \$500 per day or the real costs incurred by the school and town each day, whichever is lower. He noted that this payment is in lieu of damages, and referenced communications with the town and the letter submitted by Sean McMannon, Superintendent of Kingdom East School District, which is entered into the minutes below.

- From Sean McMannon: "Dear Essex County Natural Resources Conservation District (ECNRCD) Board, we are grateful for your work in service of our communities and Sam Mayne has been incredibly responsive and understanding throughout the Baptist Hill culvert project in Lunenburg. This project has caused significant access issues for a few families that attend the Lunenburg School. The bus can no longer go up Baptist Hill Road near Route 2 and the drive around the long way is too long as a feasible alternative. Several students have missed school 10-15 days during the project due to this access problem. School staff have resorted to picking up and dropping off students just to ensure they can attend school regularly. We have been patient and creative, and it seems like this project has taken far past its estimated completion date. I would highly encourage you to activate any levers at your disposal to ensure this project is completed as soon as possible so the students impacted can get back to accessing their education on a regular basis."
- o Terry noted his personal relationship with George Austin, the owner of Austin Construction, LLC and offered to recuse himself from making remarks due to this relationship. The board did not ask him to do so, and Sam noted that having Terry's perspective may be beneficial.
- o The board and Sam discussed the importance of ensuring students were able to get to school and the impact on the town, noting the change in road plowing cost and potential for increased response times from emergency services. They also noted the significant financial blow that invoking the Liquidated Damages clause would create for Austin Construction and its employees. They voiced that the largest impact that they see is the loss of school attendance by students, and that financial compensation wouldn't necessarily fix that issue. For that reason, they thought the most important thing was to get the road open as soon as possible. They were unsure whether a financial penalty would speed up the construction at this point and noted that the added cost of continuing construction under winter conditions was likely to bring significant financial pressure already. They discussed the best way to ensure completion of the project as early as possible without inflicting an unreasonable financial harm on the construction company. They suggested that the District notify Austin Construction that beginning 12/18/2025 they would begin setting aside \$500 per day out of the retainage on the contract, as allowed under Liquidated Damages. They would ask the school and town to invoice the District for actual costs incurred due to the continued road closure. If construction is completed by January 30th, the current estimated completion date by Austin Construction, only the actual costs invoiced to the District would be removed from the final retainage contract (not to exceed \$500/day). If completion is further delayed, the full \$500 per day would be deducted from the retainage. If Austin Construction believes the January 30th date is unattainable, they may submit an amended construction timeline which if deemed appropriate by East Engineering would be adopted as the new completion date.

Other Business

- Dave Blodgett of NRCS gave an update

- o An updated Memorandum of Understanding and Unfunded Cooperative Agreement was sent to Districts for comment. These agreements include updated language by national and VT NRCS. Comments may be submitted until 12/19/25.
 - He and Sam noted the main comments thus far are that this agreement adds significant unfunded requirements to Districts without adding required services provided by NRCS. These include the Locally Led Conservation community input process and annual and 5-year plans.
- o The application deadline for NRCS programs has been shifted to January 15th, which is the case nationally. Going forward a single, national NRCS deadline is expected, though it is unclear whether it will continue to be January 15th.
- o A new program is coming out with a focus on whole-systems improvements, instead of a practice-by-practice approach. Producers can receive an additional incentive payment to implement a bundle of related practices instead of just a small number. This initiative is focused on soil health.
- o Chris asked if there was any effort at increasing education. It was noted that currently producers can apply to work with specialists as part of the EQIP program. Chris advocated for helping producers access whole-farm education opportunities to reevaluate their approaches with a broader than financial lens.

Next Meeting

The next meeting will be held at 12:30 PM January 21st in the conference room at the US Fish & Wildlife Service Silvio O. Conte Refuge Nulhegan Basin Welcome Center in Brunswick, VT.

Tim made the motion to adjourn at 2:10 PM. Terry seconded. Motion carried unanimously.