



# The Rhode Island Rivers Council

## **Minutes of the Rivers Council Meeting held 21 February 2007, 1:00 PM**

Conference Room A  
William E. Powers State Administration Building  
One Capitol Hill, Providence, RI

### **ATTENDANCE:**

#### **A. Members Present**

Joe Baer  
Meg Kerr  
Guy Lefebvre  
Scott Millar  
Kevin Nelson  
Sharon Pavignano  
Will Riverso  
Jane Sherman  
Mike Walker

#### **B. Members Absent**

Kevin Cute  
Patrick Hanner

#### **C. Watershed Councils in Attendance**

Ted Callender, Salt Ponds Coalition  
Ann Morrill, Kickemuit River Council  
Lori Urso, Wood-Pawcatuck Watershed Assoc.

#### **D. Guests in Attendance**

Ames Colt  
Heidi Green, QDC  
Keith Gonsalves, Ten Mile River Assoc.  
Juan Mariscal, WRB  
Arthur Plitt  
Claudia Staniszewski, RI LISC

#### **E. Staff**

Rachel Sholly

## **1. Call to Order**

Ms. Kerr called the meeting to order at 1:04 PM. Ms. Morrill presented an award along with a bag full of goodies to Ms. Kerr for her years of service as Chair of the Rivers Council.

### **Action Items:**

## **2. Report of Nominating Committee and election of Officers**

Ms. Sherman began by thanking Ms. Kerr and Mr. Millar for all their hard work as Chair and Vice Chair of the Rivers Council. The Committee nominated Ms. Pavignano as Chair, seconded by Mr. Nelson, all approved. The Committee nominated Ms. Sherman and Mr. Lefebvre as Co-Vice Chairs. Mr. Millar motioned to approve, seconded by Mr. Nelson, all approved. The Committee nominated Mr. Nelson as Secretary, seconded by Mr. Millar, all approved. The Committee nominated Mr. Baer as Treasurer, seconded by Mr. Millar, all approved. On behalf of the Nominating Committee, Ms. Sherman thanked everyone for their input during the nomination process.

As Chair, Ms. Kerr explained that she tried to focus the Council strengthening the watershed councils. She expressed support for Ms. Pavignano's new leadership and then turned the meeting over to Ms. Pavignano.

## **3. Approval of minutes 10 January 2007**

Mr. Millar motioned to approve the January minutes, Ms. Staniszewski seconded, all approved.

## **4. Approval of the Annual Report**

Draft copies of the 2006 Annual Report were distributed prior to and at the meeting. Ms. Staniszewski alerted Ms. Pavignano and Ms. Sholly that her name was misspelled. Ms. Morrill noted that her e-mail address was incorrect. These corrections will be made for the final copy. Mr. Millar moved approval of the 2006 Annual Report, Ms. Sherman seconded, all approved.

## **5. Approval of RI Foundation (RIF) workplan**

Ms. Pavignano explained that she has added to the workplan that Ms. Kerr developed. Mr. Baer noted that the Council will need to sign a new agreement with RINHS to put this workplan into effect. Ms. Pavignano reminded the Council that the current agreement expires on March 1<sup>st</sup>. Mr. Baer noted that a spending budget has not yet been approved with the exception some funds to pay Ms. Sholly. Commenting on the workplan, Mr. Lefebvre expressed his support for mentoring Watershed Stewardship graduates and felt there should be more focus on that item. Ms. Sherman motioned to approve the workplan, Mr. Millar seconded, and all approved.

## **6. Approval of job descriptions and hiring strategy**

Ms. Staniszewski briefly described the scope of services document outlining the job descriptions for two positions: a program director and a program assistant. Ms. Kerr inquired about a hiring plan for these positions. Ms. Staniszewski responded that Ms. Pavignano and Ms. Sholly are interested in these positions, so the Council needs to discuss whether or not to advertise the positions to the public and what the hiring process should be. She suggested a hiring committee be created. Mr. Baer stated that since the Council already has two people with extensive experience with the job tasks outlined in the scope of

services, it may not be necessary to go public – a more direct route could work. Mr. Millar had reservations about not going public, as these positions will be funded with State and public dollars. He advocated following the proper protocol for hiring employees.

Mr. Nelson asked who these staff would work for. Ms. Kerr said that they would be paid through the Rhode Island Natural History Survey (RINHS), which serves as the fiscal agent for the Rivers Council. Although the Rivers Council pays a fee for the fiscal agent services, RINHS is not responsible for advertising or hiring Rivers Council employees. Mr. Nelson echoed Mr. Millar's comment, questioning whether the Council has the authority to hire people. Mr. Millar felt that the Council shouldn't put the burden to hire staff on RINHS; the Council can do this. Ms. Staniszewski gave an example from her experience in which an organization and its fiscal agent functioned as two very separate entities.

Ms. Sherman felt that the Council needs to expedite the use of funds. The Council has received funding to continue Ms. Sholly's employment, therefore the position really is not open and the Council does not need to go through process. Mr. Nelson stressed that the Council should follow proper procedures. If RIF grant was made to RINHS, then they should hire staff. If Ms. Sholly's grant is expiring, then the Council needs to go through the hiring process again. Ms. Sholly is currently funded through the legislative grant.

Mr. Baer has been talking to David Gregg, Director of RINHS, about these positions and whether they will be contractual or employee arrangements. Mr. Baer disclosed that Mr. Gregg feels the Program Director position should be contractual and the Program Assistant should be an employee of RINHS. This would add to the Rivers Council's expense but would require an interview and some hiring process, including RINHS board approval.

Mr. Lefebvre suggested that the Treasurer and Secretary investigate further and make recommendations on how to proceed. Ms. Staniszewski questioned the need for the employee to be approved by the RINHS board. Generally, the executive director can approve employees for non-profit organizations. Mr. Baer responded that Mr. Gregg wants the board approval on hiring. Mr. Baer added that he questions Mr. Gregg on this process.

Ms. Pavignano asked if there was a motion to approve. Mr. Nelson reiterated his concern about the hiring strategy. Ms. Staniszewski commented that the Council can work on the process. Ms. Sherman asked Mr. Nelson if he sees this position as a new employee, given the history of Ms. Sholly's employment. Mr. Nelson replied that if there are specifically approved hours for her work, then no. Ms. Pavignano stated that there are specific hours set aside for her work, which Mr. Baer supported. Mr. Nelson then questioned whether we have the authority to hire without going through the budget office, emphasizing that the Council should not overstep boundaries. Mr. Nelson felt that the RINHS should take the lead on the hiring process and decide whether or not the position needs to be advertised. Mr. Baer explained that in reality, the Council is identifying recommended candidates and the RINHS is simply a mechanism to move dollars. Mr. Baer also explained that making Ms. Sholly an employee of RINHS will add about 13% to the Council's payroll expenses, which would be a 20% total fee for the Council. He added that RIF dollars are being held by RINHS. Ms. Kerr noted that Ms. Pavignano's position was included in the grant.

Ms. Sherman moved approval of the Scope of Services, deferring a vote on the hiring strategy and empowering Ms. Staniszewski, Mr. Baer, and Mr. Riverso to develop a hiring strategy. Mr. Nelson noted that approval from the Water Resources Board is also necessary. All approved.

## **7. Approval of 2007 grant program**

Mr. Nelson and Mr. Walker explained the new watershed council grant program which they have completed. The Council allocated \$20,000 to the program and the maximum individual grant amount will be \$5,000. Only watershed councils who are in good standing can apply. The reporting processes will be the same as last year's. Ms. Staniszewski suggested that the watershed councils should be asked to identify which people will carry out the tasks described in their grant applications. Ms. Kerr suggested that a few bullets be added to describe the criteria for awarding grants to make the watershed councils aware of how they will be evaluated. Ms. Staniszewski also asked about a timeline for the program. Ms. Pavignano noted that the Annual Reports are due in October. There was some discussion about what dates should be added.

Ms. Sherman made a motion to approve the grant program with the understanding that criteria and dates will be added. Mr. Millar seconded the motion. Mr. Walker suggested that the final report be due no later than 30 days of completion of grant. That change will be made. All approved.

## **8. Disposition of 2005 Grant to the PRA**

Mr. Nelson reminded the Council that at the last meeting, it was agreed that the remaining funds from the 2005 grant to the Pawtuxet River Authority would be revoked unless they could provide reassurance that money will be spent. Mr. Nelson contacted representatives of the PRA, notifying them of the Rivers Council's intent to revoke the unspent funds but has not received any written indication of how they intend to spend the funds. Since the PRA has not followed through, Mr. Nelson felt it would now be appropriate to reallocate that money. Mr. Walker suggested that the Council send a formal notice to the PRA, giving them one last opportunity to keep the funds. Ms. Staniszewski added that the Council should use this opportunity to tighten up the grant program procedures. Ms. Kerr motioned to write a formal letter to the PRA stating that if they do not expend the remainder of their 2005 grant funds by the next Rivers Council meeting, the Council will reallocate those funds. Seconded by Mr. Millar and approved by all.

## **9. Redesignation of NRPA and Blackstone**

Applications for redesignation have been submitted by the Blackstone River Watershed Council and the Narrow River Preservation Association. Mr. Nelson explained the redesignation procedure: A subcommittee reviews the applications, makes a recommendation to the Council, a public hearing is held, and then a formal vote is taken. Ms. Pavignano and Mr. Nelson volunteered to serve as the committee. Ms. Sherman suggested that the public hearing be coordinated with the meeting to approve applicants.

## **10. Policy Plan – Discuss and approve outline for last chapter**

Mr. Nelson reported that he has not received any input from the rest of the Council on how to proceed. He explained that the question is whether or not the chapter should include specific watershed management recommendations. Such a section could link rivers and land use strategies for achieving classification status. Ms. Sherman stated that most river classifications were created by the watershed councils, so perhaps the next step is using the Watershed Stewardship Program to ask watershed councils to take their classification plans to the next step in terms of addressing land use issues that mirror their classifications. Mr. Nelson noted that the last chapter could provide framework for that, describing how land use

changes affect river classification. Mr. Millar felt that while this was a good idea, the amount of detail needed might go beyond what the Council can do.

Ms. Kerr suggested that the Council could look at constructive criticism received in regards to the classification plan and think about what the plans could be doing at a local level. Perhaps it could be incorporated into notice rules, although these ideas are too big for this iteration of the plan. Mr. Nelson and Ms. Sherman agreed that it may be too big for now. Mr. Lefebvre noted that the Council could learn from WRB reports. Ms. Staniszewski commented that the Council could partner with another organization that has the resources to do something this detailed.

Ms. Sherman made a motion to approve the draft of the last chapter of the policy plan as submitted by Mr. Nelson. Ms. Sherman then asked if the Council members could have the opportunity to review all chapters and approve it as a whole. Ms. Kerr seconded and all approved. This topic will be on agenda for the next meeting.

### **Reports:**

#### **11. 2006 RC Grants to WCs and annual reports**

Ms. Pavignano sent out a table which shows the status of all watershed council grants and annual reports. In most cases reports were wonderful. The Buckeye Brook Watershed Council has not spent any money. The Pawtuxet River Authority did not provide any information. Three groups have extensions to do work.

#### **12. Review RC Notebooks**

Ms. Kerr, Ms. Pavignano, and Ms. Sholly have created and distributed notebooks for Rivers Council members. The notebooks include information on the Rivers Council operating procedures, finances, programs, etc. Council members should keep them up-to-date by adding new hand-outs as they are distributed. Any suggestions for additions to the notebook are welcome.

#### **13. Past Chair and Land and Water Partnership Reports (M. Kerr)**

Ms. Kerr reported that Bruce Hooke will have the Blueways website up and running by the March 24<sup>th</sup> Land & Water Summit. Over the summer, a Rivers Council intern located many canoe launch areas and that data is being compiled with GIS by volunteer and WSP graduate, Terry Meyer. All bay access sites will also be put on website. A Blueways steering committee has been established and anyone can be added to list. On March 14<sup>th</sup> Kate Williams, ED of the Northern Forest Canoe Trail, will have a presentation about trails at the RICA meeting. From April 28<sup>th</sup> to May 2<sup>nd</sup> planning charrettes will be held at Riverside Mills. Watershed councils are being encouraged to hold paddling events in June, which will be added to a separate calendar. Registration is open for the Land & Water Summit to be held at URI on March 24<sup>th</sup>. The shared volunteer coordination is going well. It is funded by the UPS grant and will eventually include 18 organizations. The coordinator is communicating with these organizations to publicize volunteer opportunities in monthly newsletters and is also helping with volunteer management.

#### **14. Program Committee (S. Pavignano)**

Planning continues for the 2007 Watershed Stewardship Program. The website is now up-to-date with all presentations and information from the 2006 class available electronically.

The first WSP Advanced Training is scheduled for April 16<sup>th</sup> at the North Kingstown Library. Alyson McCann will give a presentation for the Healthy Landscapes Program and Beverly O'Keefe will present on rainwater harvesting. Participants will learn what practices they can use in their everyday lives to protect their watersheds. Planning continues for the fourth annual Environmental Awareness Day at Narragansett Beach to be held on July 21<sup>st</sup>. Ms. Pavignano and Mr. Callender are developing notice rule training for watershed councils.

#### **15. Funding Committee (J. Baer)**

Mr. Baer reported that the only two changes to this month's financial report are payments to Ms. Pavignano and Ms. Sholly. He also reported that a request to transfer funds to the RINHS has been made, however the request seems to be stalled. Mr. Mariscal stated that the WRB still has the money and will check on the status of the request. Ms. Kerr noted that in the past, the WRB has been responsible for getting the money to watershed councils. Mr. Baer commented that having a fiscal agent creates an administrative impediment, as the Council now risks not being able to employ people for the number of hours needed due to fiscal agent fees. He questioned whether having a fiscal agent is in the best interest of the Council. Ms. Kerr responded by reminding the Council that this was discussed. The WRB tried to pay Ms. Sholly, but it did not work and the money had to be sent back to RINHS. She stressed that it is a complicated situation. Mr. Lefebvre will work with Mr. Baer to investigate budget procedures in the assembly.

#### **16. Policy Committee**

This committee's report came with Mr. Nelson's policy plan report above.

#### **17. Legislative Committee**

Mr. Riverso will bring legislation of interest to next meeting. He asked other members to inform him if they know of any legislation that they would like to bring forward.

#### **18. Other business**

Mr. Callender briefly described Mr. Millar's Conservation Development Seminar, commenting that it is a very worthwhile experience.

Mr. Nelson distributed copies of the Executive Summary of the State's Land Use Plan.

#### **19. Adjournment**

The meeting was adjourned at 3:00 PM.

**Next meeting – March 14th at 9:00 AM in Conference Room C**