

UPPER DELAWARE COUNCIL SPECIAL MEETING MINUTES November 2, 2017

The Upper Delaware Council held a special meeting on Thursday, November 2, 2017 at the Council office in Narrowsburg, NY. The meeting was called to discuss the UDC's response to an Oct. 30 letter from the National Park Service (NPS) regarding "the origination and proposed use of the UDC unrestricted fund", given that NPS included a Nov. 13 deadline to submit documentation. Chairperson Jim Greier called the meeting to order at 6:30 p.m.

In attendance: Town of Hancock-Fred Peckham, Town of Fremont-Jim Greier, Town of Delaware-Harold G. Roeder, Jr., Town of Cohecton-Larry Richardson, Town of Tusten- Susan Sullivan, Town of Highland-Debra Conway, Town of Deerpark-Ginny Dudko, Damascus Township-Jeffrey Dexter, Berlin Township-Alan Henry, Lackawaxen Township-Doug Case, Shohola Township-Aaron Robinson, State of New York-Bill Rudge. Participating via phone: UDC Auditor Dick Eckersley. Staff in attendance: Executive Director-Laurie Ramie, Resource Specialist-Pete Golod, Secretary-Cindy Odell. Guests: Roger Saumure.

Draft Letter to Gay Vietzke, Regional Director, National Park Service Northeast Region: Extension Request for NPS Inquiry into UDC Unrestricted Fund: Ramie told members it is her opinion that we need to act on a response to the NPS's request for "copies of all documentation that relates to where the money in this account originated" and she hopes to accomplish that tonight as the clock is ticking on their deadline which allowed only nine business days. She said that while she understands everybody's frustration with this probe, the potential repercussions for not answering the question are very serious.

Eckersley joined the meeting via phone at 6:35 p.m. Eckersley stated that our audits for the last 29 years have been properly presented. He believes that most of the information is in the Park Service's hands already. He added that we need to know what time frame they are inquiring about specifically as that will direct how much information we gather for this effort. He said there are indications in the regulations for three years and the record retention period is indicated as three years.

Eckersley stated that he has "believed all these thirty years that the partnership between the Council and the local communities and the Park Service has been to the benefit of the Upper Delaware River and what we want there, all of us, and that's why I'm so annoyed with this accusatory approach because I think it harms the collegiality that's been developed over the years and I don't know what possible monetary benefit there could be to that damage." He is unsure what their reasoning for this inquiry is; he feels it is specious, but he also feels it is in our best interest to continue the transparency that we've always had with the Park Service.

A brief discussion about whether to retain an attorney or not took place.

Robinson asked Eckersley about the time frame for providing records. Eckersley contended that there is a three-year limit in the regulations regarding federal awards in this instance. He said he would like to compel them to give us a limit to provide direction for what to assemble for them.

Sullivan suggested responding to the NPS with three years of information. Eckersley said he would not object to that process to start the "ball rolling."

Robinson suggested requesting all of the Park Service's commentary documentation on all of our audits. Ramie said that she was advised that they have not officially approved the audits, although they are provided each year, as there is a \$750,000 threshold at which a federal audit is required. Eckersley said that is a new standard. He explained that when the threshold was \$300,000 and we were subject to the Single

Audit Act, the audits were submitted to the federal authorities. When the threshold was raised to \$500,000, that is when we stopped following the Single Audit procedure. Robinson asked when the \$500,000 threshold went into effect. Eckersley said he did not have that information immediately available, but thinks it was in the early 2000's. He suspects that certainly the first 15 years of the Council's existence should have been subject to the federal authority's review.

Eckersley suggested the Council provide to the NPS the three-year period of records that their requirements seem to indicate, but be prepared to submit more if they determine that inadequate.

Rudge suggested the draft letter be edited to reflect the proposal to provide three years of records. Eckersley feels this is a reasonable approach. Sullivan asked if the proposed December 1 deadline extension would be enough time to pull those records together. Ramie said she believes it is.

Eckersley listed the records he has started gathering to date in order to prepare a summary of sources of accumulated unrestricted funds.

A discussion about the costs the UDC will incur as a result of this investigation took place. Ramie said the draft letter asks whether the unanticipated costs associated with responding to the inquiry will be allowable expenses to charge to our federal funds. She also advised them that we are currently drawing down from our unrestricted fund to operate while awaiting approval of our Fiscal Year 2018 Application for Federal Assistance based on our 2015 - 2020 Cooperative Agreement. Members suggested requesting that the costs be covered by the National Park Service as a supplement to our \$300,000 budget. Ramie noted we certainly did not budget for this which justifies that change of wording.

Ramie asked members if they had any other suggested edits for the letter. She said that Henry had recommended directing the letter to the Northeast Regional Director Gay Vietzke who is the UDC's official representative and copying all of our federal and state elected officials. She said the letter will request the extension to Dec. 1, 2017 to prepare our formal response and advise them that we intend to submit the past three years of records for review. A motion to send the letter to Regional Director Vietzke with the suggested edits was made by Henry and seconded by Dexter. Eckersley wanted to be sure that the person who signed the letter be copied on the UDC letter. Ramie said that individual and 18 others are on the cc list. A vote was taken and the motion carried.

Eckersley asked the Council for their permission, should he have the opportunity, to speak with one of our Pennsylvania Senators about the issue at hand. Members agreed. Eckersley said he would like to provide him with the history of what has transpired in the Delaware River valley. He feels there is institutional history missing at the NPS level. Richardson asked Eckersley to update Ramie if he does have the opportunity to speak with the Senator.

A motion to adjourn the meeting at 6:59 was made by Dudko, seconded by Sullivan and carried.