

By Legislators Dondorfer and Delehanty

Intro. No. \_\_\_\_

RESOLUTION NO. \_\_\_\_ OF 2021

**AUTHORIZING INCREASE TO PER-DIEM RATE FOR MONROE COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. This Legislative body authorizes an increase in the per-diem rate for members of Monroe County Soil and Water Conservation District Board of Directors from \$10 to \$60 per day. This rate increase will not apply to County Legislators who serve as ex-officio members of the District Board, as those Legislators are not entitled to receive per-diem pay.

Section 2. This Legislative body authorizes an increase in the per-diem rate of the Chairperson of the Monroe County Soil and Water Conservation District Board of Directors from \$10 to \$85 per day.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Committee of the Whole; July 1, 2021 - CV: 23-0  
File No. 21-0219

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

**ACTION BY THE COUNTY EXECUTIVE**

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_



# *Monroe County Legislature*

**STEVE BREW**  
MAJORITY LEADER  
LEGISLATOR – DISTRICT 12

June 7, 2021

To the Honorable  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614

**Subject: Authorize an Increase to the Per-Diem Rate for the Monroe County Soil and Water Conservation District Board of Directors**

Honorable Legislators:

Members of the Monroe County Soil and Water Conservation Board of Directors (District Board) provide a valuable service to our community. A Conservation district, such as the Monroe County Soil and Water Conservation District (District) and their District Board, functions as a special government district similar to a school or sewer district. Responsible for protecting the soil and water of Monroe County, the District has undertaken this important task for over 50 years.

From working to improve water quality to controlling soil erosion to assisting agricultural landowners and municipalities, the District's work is essential to the everyday functions of our community. While many of these critical areas of work may go overlooked by the average resident, every community member directly benefits. We must seek to foster the continuing achievement of the District.

As the District has evolved, the onus, demand, and requirements placed upon District Board members have significantly increased. Since 1953, funding and grants to the District have increased nearly 2000%. As a result, the requirements for maintaining such funding have increased with higher training, attendance, and participation demands.

Simultaneously, as demand and stipulations have increased, the compensation for District Board members responsible for upholding these practices has not increased since the District's inception. Coupled with inflation, cost of living increases, and more, the District Board is fearful it cannot ensure the future continuity of its organization. Furthermore, as other neighboring Counties have recently increased compensation, Monroe County has remained flat and on the low side of compensation.

On March 15, 2021, the District unanimously adopted a resolution requesting this Honorable Body to authorize an increase in the per-diem rate. The attached resolution states that the District Board is fearful it may not be able to "retain active members" and that a per-diem increase is necessary to prevent this while meeting the "demands of the position." Increased performance standards, including the extent and sufficiency of District Board activity, including operations, financial oversight, and training, require the board members to participate in annual training policy and programs, which can entail evening responsibilities, travel, and overnight stays.

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Committee Assignment
<b>ENV. &amp; PUB. WORKS.-L</b>

It is imperative to ensure the District Board is stable and secure long into the future. Increasing the per-diem rate for such members will provide the necessary rise to prospective board member interest and stabilize the retention of current board members. The work of the Monroe County Soil and Water Conservation District is incomparable to any other local entity, and its continuity is vital to all residents of our community.

**The specific legislative actions required are to:**

1. Authorize an increase in the per-diem rate for members of Monroe County Soil and Water Conservation District Board of Directors from \$10 to \$60 per day. This rate increase will not apply to County Legislators who serve as ex-officio members of the District Board, as those Legislators are not entitled to receive per-diem pay.
2. Authorize an increase in the per-diem rate of the Chairperson of the Monroe County Soil and Water Conservation District Board of Directors from \$10 to \$85 per day.

This is a Type II Action pursuant to 6 NYCRR 617.5(c) (26) ("routine of continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

Per-diems are paid directly by the District. Therefore, this action will have no impact on the revenues or expenditures of the current Monroe County budget.

Respectfully Submitted,



Steve Brew  
Monroe County Legislature  
Majority Leader



## MONROE COUNTY SOIL & WATER CONSERVATION DISTRICT

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### RESOLUTION

Resolution No.: 21 - 03

Date: 3/15/2021

***Requesting a per diem rate change to \$60 per day for Board of Director members not including those appointed from the Monroe County Legislature (who are not entitled to receive a per diem), and \$85 per day for the Chairman of the Board, to be compensated while performing their duties on behalf of the MCSWCD.***

**WHEREAS**, this resolution replaces Resolution No. 19-16 of 2019, adopted by the Monroe County Soil & Water Conservation District Board of Directors on March 18, 2019 that was submitted to the Clerk of the Monroe County Legislature on November 26, 2019 and not acted upon;

**WHEREAS**, members of the governing body of the Monroe County Soil & Water Conservation District (MCSWCD), not including members appointed by the Monroe County Legislature, may be compensated for performing services as Directors of the MCSWCD;

**WHEREAS**, the compensation rate (per diem) for Directors is a fixed daily rate that is determined by the governing County Board i.e. Monroe County Legislature, and is accomplished by Monroe County resolution per New York State Soil and Water Conservation District Law. Article II. Section 7;

**WHEREAS**, MCSWCD board members believe that this is necessary in order to retain active members to meet the demands of the position put forth by the New York State Soil and Water Conservation Committee per New York State Soil and Water Conservation District Law. Article II. Section 11-a. (c). State Aid to Districts;

**WHEREAS**, this section of the law establishes Performance Standards set by the New York State Soil and Water Conservation Committee and the New York State Commissioner of Agriculture and Markets. Such standards include, but are not limited to, demonstrating the extent and sufficiency of District Board activity including board operations, financial oversight, and training;

**WHEREAS**, due to these set performance standards, MCSWCD Board of Director members have an annual training policy and program that is to be achieved to be eligible to remain as members, which can at times entail evening engagements, travel and some overnight stays to meet these standards.

**NOW, THEREFORE, BE IT RESOLVED** by the Monroe County Soil and Water Conservation District Board:

- 1) That, the proposed per diem compensation rate be put forth to the Monroe County Legislature for consideration;
- 2) That this resolution take effect immediately.

I hereby certify that the foregoing resolution was duly passed and adopted by the Monroe County Soil & Water Conservation District at a meeting held on the 15<sup>th</sup> day of March in the year 2021.

Motion for adoption of this resolution was made by Charles Colby, seconded by Steve Brew.  
Motion Carried.

Signature Rollin Pickering

Title Chairman of the MCSWCD Board of Directors