

Intervale Farmer Equipment Cooperative, LLC

Policies and Procedures

Updated April 2013

OVERVIEW

IFEC Ownership

The Intervale Farmer Equipment Cooperative, LLC (IFEC or the LLC) has purchased farm equipment and two greenhouses with the sole purpose to give its members access to these vital resources. It is the goal of this organization to maintain the purchased equipment in such a way to allow their full use for the various needs of the members of the LLC. Access to the equipment and greenhouses encompasses both the functional and the financial aspects of the operation of these resources. These policies and procedures are intended to facilitate the group management of the equipment and greenhouse space and to maintain both the physical aspect of these assets and the financial stability of the LLC, in order to allow its continued ability to perform the maintenance role of these and other farm resources.

IFEC Responsibility

The LLC has a responsibility first to its members. It must maintain a financial standing that allows it to continue its function in maintaining and managing the collective resources for its members' use. Its primary responsibility rests in the continued provision of the shared resources at a reasonable cost to its membership. To this end, its members have a responsibility to cooperate with each other to provide the best possible access to the shared resources. Any decisions made by IFEC and/or its membership or management should first take into consideration any option that provides the best possible access to the shared resources for the greatest number of the membership.

Management Summary

The LLC is managed primarily by the Board of Managers. These elected directors and its officers are vested with the authority to make decisions necessary to the smooth and effective operation of the LLC. The Board may elect officers and designate committees in order to perform its duties. Members of the LLC participate through voting for their directors and voting on larger issues as detailed in the policies and procedures for the LLC. The Board may also choose managers of the shared resources who will be charged with the day-to-day operations of the different aspects of the LLC, including the greenhouses and the tractors and equipment. These managers may be compensated for their efforts through reduced cost use of the resources or by monetary payment as decided by the board. Members will participate in management of the resources through coordinating their sharing with other members.

Understanding of Use

Members of the LLC understand that their use of the equipment for their own business purposes is at their own risk. The LLC assumes no liability for

damage to crops or personal property due to equipment failure or unavailability. All members accept the collective risk of equipment failure and understand that, as a member of the LLC, they may be required to provide time or money to endure the continued use of the shared resources. The members understand that the Board is empowered to make decisions in the best interest of the membership of the LLC. It is understood that the board members are not personally culpable for hardships placed upon the membership by decisions made in the best interest of the LLC as a whole. Nor are board members personally responsible for any debts incurred by the LLC in operation for the benefit of its membership.

EQUIPMENT USE POLICIES

Equipment Committee Overview

The equipment committee exists as a subcommittee of the IFEC Board of Managers and is designated by the Board of Managers. It may be dissolved at any point by the Board; its purview may be amended or limited by the Board at any time. It has decision-making power only in those areas granted to it by the Board. The equipment committee oversees that business of IFEC concerned with:

1. Equipment safety and qualification of users
2. Equipment maintenance
3. Setting and monitoring member work requirements
4. Determining and amending procedures of equipment use
5. Tracking and coordinating repairs of damage to equipment
6. Determining extent of responsibility for accidental or negligent damages
7. Resolving equipment conflicts
8. Determining billing amounts for equipment users

Equipment Safety Procedures

Operators of IFEC equipment must be trained by a qualified IFEC member (or an IFEC approved individual) to operate the equipment before use.

Operators must follow basic safety procedures, including:

1. **Personal protection** (wearing hearing protection, wear a seat belt on all tractors with a roll bar, protective shoes and clothing, moving with caution around all moving parts, and operating all equipment with caution).
2. **Community safety** (driving slowly around farms, barns, and on the road; always looking carefully before backing up, etc). Operators should always remember that the Intervale is a shared, multi-use area, with lots of families, children, and pets recreating on the same roads farmers drive on.
3. **Safely operating equipment** to maintain its condition (this includes all pre and post checks, adding grease to necessary parts before use, cleaning equipment after use, and operating all equipment with consideration for the next user).
4. In addition, all users should read tractor and equipment manuals before use, and all manuals should remain easily accessible in Redtop.

5. Training for the equipment use will be provided at the beginning of each season. **All users should attend this training.**
6. All equipment should be carefully checked before use. See specific equipment operations checklist for details.

Maintenance

1. Each user must follow pre and post checks for each tractor (see detailed lists in Redtop).
2. The Board will designate specific farms to oversee maintenance of specific tractors. **See Redtop office for updated lists.**
3. After each use of tractors and implements, they must be cleaned with the power-washer for the next user. All soil, weeds, and other debris must be removed from the implement and tractor.
4. If problems or questions arise with regards to the tractors, the designated farm is responsible for directing the course of action with the tractor.
5. The IFEC equipment Committee or a designee must approve any maintenance work that exceeds the cost of \$250 before the work is done.

Uses of Equipment Beyond the Intervale

Use of equipment or implements beyond the land leased or owned by the Intervale Center is prohibited unless the Board of Managers agrees to a case-by-case exception. If an exception is approved, the following regulations apply to the equipment user:

1. The user of the equipment is an IFEC member.
2. The user of equipment is fully liable for any damage off-site from the Intervale.
3. Any use of equipment outside of the Intervale for more than 8 hours requires 48 hours advance notice to other farmers via email and the sign out board.
4. The maximum time limitation for a piece of equipment to be out of the Intervale is 24-hours.

In 2012, the Board of Managers agreed to allow IFEC members to use IFEC equipment on the New Farms for New Americans fields outside of the Intervale (in Ethan Allen Homestead).

Work Requirements

Member Farms are required to contribute work hours to maintain and repair equipment. These work requirements include all routine maintenance (oil and fluid changes) and any repairs that fall within the capabilities of member farms.

- **See Redtop office for seasonal work requirements.**

Mechanical labor above the requirement and approved by the tractor subcommittee will be credited toward IFEC fees.

- **See Redtop office for current rates.**

Procedures for Use

1. Before using a piece of equipment, you must sign up in advance to reserve the tractor or implement.
2. To sign-up, use the large whiteboard in the Redtop and list your farm name and the times you will use it; Please make sure that another farmer does not already have the piece of equipment you want signed out. If a farmer is 30 minutes late to pick up the tractor or an implement, then another farmer may sign out the tractor.
3. When you go to pick up the tractor, go to the clip-boarded paper found under the whiteboard in the Redtop. On the clipboards you need to sign out the tractor and record which implement, if any, you are using and the hours on the tractor at start time. To determine the start hour, you will need to look at the tractor, and look at the odometer. Record this number. The keys for each tractor are found above the clipboards.
4. You need to check the fluids and other maintenance details listed on the equipment checklists before you use it. Please also do a post check of the equipment, recording any damage, breakdown, or quirk that you have found or caused while using it. The Equipment Operator Checklists are found on the clipboards with the sign-out sheets. When you return the tractor, look at the hours on the tractor and record that number on the clipboard so IFEC can bill you accordingly. Always check the dry erase board next to the sign-out board for any notices of equipment malfunctions. Always report any malfunctions to the designated farm responsible for the tractor, and on both the operator checklist and the dry erase board.

Fuel

IFEC Equipment users will record fuel used in the fuel log under the user name "IFEC". Fuel is included in the hourly usage fees for equipment users.

Operator Checklists

Lists for pre and post checks are in the Redtop. All users are responsible for following these guidelines. Failure to do so may result in costly damage to the equipment and is considered negligent use (see "Negligence" below).

Accidental Damages

It is understood by all IFEC equipment users that normal and responsible uses of equipment often results in necessary repairs. IFEC members also understand that accidental damages occur frequently on farm equipment, and the IFEC members accept financial responsibility for accidental damage that costs less than \$250. Any damage that exceeds this amount will be considered by the IFEC board to determine the responsibility for repairs (see "negligence", below).

Negligence

If a piece of equipment requires **\$250** worth of repairs after an operator uses it, the IFEC equipment subcommittee or designee will review the situation to

determine whether or not the damage was a result of negligence on the part of the operator. If the operator is determined to have used the equipment in a negligent or abusive manner, the operator is responsible for the repairs. If the damage was an accident or the result of normal wear and tear, then IFEC will cover the costs (or decide that the equipment is not worth repairing). All users of IFEC equipment will sign an agreement stating that they understand that they may be liable for damages caused by negligence.

The IFEC equipment subcommittee reserves the right to consider any damages as negligent on a case-by-case basis.

Conflict Resolution

Similar to those outlined in Intervale Farmer Program Policies, the IFEC equipment use conflict resolution policy seeks to solve internal membership conflicts to the satisfaction of both parties. The IFEC members agree to mediate all problems by:

1. A face-to-face meeting so that all parties can try to resolve conflict among them.
2. If any party is unsatisfied, he/she must provide a written notification to the individuals involved. This notification should occur with 15 days of the face-to-face meeting.
3. A member of the board will provide a trained mediator/facilitator to attempt to resolve the conflict. The conflicting parties will provide compensation for the mediator/facilitator.
4. Mediator will provide a written summary of the conflict to the board.
5. If mediation fails, the board will work to come to consensus on a decision regarding the resolution of the conflict. Any board member with an interest in the any side of the conflict should be recused from the discussion. If the board cannot come to consensus, the matter shall be decided by a majority vote of the board members.

Billing

Equipment users will be billed on a monthly basis based on the recorded hours on the clipboard. The IFEC Board reserves the right to change the fees at any time during the season, as the true costs of equipment maintenance are realized.

On a monthly basis, the equipment logs are collected by a designee of the equipment committee or the bookkeeper for monthly billing. Payment must be received by IFEC within 14 days of billing, as indicated in the IFEC Administrative Policies and Procedures.

GREENHOUSE OPERATION

Parameters of Greenhouse Use

Use of the LLC greenhouses will be under the guidance of the board, or a committee formed for this purpose. This committee may choose to designate a greenhouse manager for the season, to be compensated as determined by the committee. Greenhouse opening date, determination of the use of space within the greenhouses, greenhouse temperatures, etc. will be determined by the manager with the input from the membership using the greenhouses. Members are encouraged to take steps to utilize the space in the most efficient ways possible. Any major alteration to the space within the greenhouse must be brought as a proposal to the board and or its management committees. The board will make the final decision on any proposal for alteration to the space. The members are also required to follow certain protocols regarding the use of the space. Any conflict should resolve through a process similar to other processes associated with farming at the Intervale.

Allowable Uses of the Greenhouse

The greenhouse space is available for many different types of use to enable greater financial viability for both the membership and the LLC. The primary use of these spaces has been in the to start and grow plants for field use and/or sale. This use should be one of the primary considerations for as long as this continues to be a need for the membership. These spaces are also available for use for in-ground winter production, table winter production, in-ground summer production, table summer production, drying of field crops, storage space and covered workspace. This list is not exhaustive, but gives a sample of the other uses possible for the space. Proposals for any of these other uses should be submitted to the IFEC board or to any relevant committee dealing with the greenhouses formed by the board. These proposals should be submitted allowing enough time for ample consideration before the intended use date. The board should consider the impact of the proposed use on the resource and its availability for the uses of other members. The board may determine an appropriate fee for the proposed activity.

Rules Regarding Greenhouse Practices

Recognizing that the shared space is subject to many different needs by different users, some amount of agreement on rules guiding the use of the shared resource is necessary. The rules guiding the use of the space are as follows:

1. All users will respect the needs and property of their fellow users of the shared resource.
2. All users will respect the decisions of the greenhouse manager as assigned by the board.
3. The greenhouse manager will respect and work to accommodate the needs of all users as best as possible.
4. Users will maintain their space in a clean and orderly fashion avoiding interference with other users.
5. Users will utilize cultural practices that do not jeopardize in any way the Organic certification of any of the greenhouse users.

6. Users will utilize cultural practices that minimize threats of disease or pest infestation in the greenhouse.
7. Users will not intentionally, or by negligence, endanger the integrity of the greenhouse structure or any of its constituent parts.

Conflict Resolution

Similar to those outlined in Intervale Farmer Program Policies, the IFEC greenhouse conflict resolution policy seeks to solve internal membership conflicts to the satisfaction of both parties. The IFEC members agree to mediate all problems by:

6. A face-to-face meeting so that all parties can try to resolve conflict among them.
7. If any party is unsatisfied, he/she must provide a written notification to the individuals involved and cc: greenhouse manager, greenhouse committee members, and board members that the issue is unresolved. This notification should occur with 15 days of the face-to-face meeting.
8. The greenhouse manager or a member of the board will provide a trained mediator/facilitator to attempt to resolve the conflict. The conflicting parties will provide compensation for the mediator/facilitator.
9. Mediator will provide a written summary of the conflict to the board.
10. If mediation fails, the board will work to come to consensus on a decision regarding the resolution of the conflict. Any board member with an interest in the any side of the conflict should be recused from the discussion. If the board cannot come to consensus, the matter shall be decided by a majority vote of the board members.

BILLING

Greenhouse Billing Plan

Greenhouse use will be recorded by whole tables on a weekly basis. No half-tables will be counted. Utilities will also be recorded on a weekly basis. At the end of the month the Intervale Center (who receives the bills for both gas and electricity and splits the bill already for ICN and ICF) will bill IFEC for the utilities on each House.

IFEC will be responsible for billing each farm on a percentage basis for greenhouse use for the month.

In addition to the utility cost, greenhouse users also must cover the fixed cost of the greenhouse. These include the purchase loan payment, basic maintenance and repair costs, lot lease cost, IFEC administration cost and a replacement fund. It is prudent to attempt to cover these fixed costs during the time of greatest use, being the months of March through June. These costs will also be divided up on a percentage of use basis. There is a possibility of these costs being staggered, causing them to be billed later in the season, but while trying to avoid the large greenhouse bill for each farm at the end of the year.

Any use later in the year may be handled by charging a flat rate fee for large use of the greenhouse space such as onion drying, fall plant starts, seed production, winter squash storage, or covered tractor repair.

Any non-member use of the greenhouse space may be considered in order to reduce costs for the LLC membership. Any outside use requires a proposal to be reviewed by the board. Fees determined for these uses should consider cost savings for the member greenhouse users as well as the potential additional maintenance and repair cost associated with the proposed use.

Invoices should be sent to greenhouse users by the end of the first week of each month and should be collected on a 14-day net basis. Non-payment or late payment should be handled as outlined in the Administration Policies and Procedures.

Recording Use and Utilities

Use will be recorded by the individual greenhouse users on a weekly basis. The table use is recorded as tables in active use for growing purposes. Tables are recorded as whole tables, and any fraction of table use counts as the whole table. Weeks are counted from Monday to Monday. Table use should be considered as the number of tables used for the majority portion of the week. Any use of the floor or overhead space is considered within the space of the table either above or below the space.

Utilities are recorded each Monday and on the first of each month by both the greenhouse manager and by a staff member of the Intervale Center. Records should be kept in the greenhouses as well as a copy in the managers possession. Electricity is recorded in kilowatt/hours and gas is recorded in cubic feet. IFEC is billed by the Intervale Center and the quantities of electricity and gas used and billed for should be checked by the greenhouse manager. The manager should then add up all the tables used in the greenhouse over the use period and divide the bill by percentage for each user.

Billing Schedule

Due to the lack of cash reserves at this stage of the LLC, the billing schedule for the greenhouses in the spring is somewhat short. The Intervale Center should provide the greenhouse manager with the utility bills within 3 days of the beginning of the month. The greenhouse manager should then divide the costs by percentage of use and send the bills to the users by the 7th of the month. The users then have 14 days upon receipt of the bill to remit payment. The LLC may have the ability to pay the Intervale Center also within 14 days of receipt of its invoice, but may at this early stage be forced to await full remittance of payment from the users.

Billing Duties

Billing duties are given to the greenhouse manager and the IFEC bookkeeper. The greenhouse manager is responsible for the recording of the utilities and for table use. The manager is also responsible for determining the percentage of use and the billing amounts for each user. The bookkeeper is

responsible for receiving these numbers from the manager and for generating and sending individual invoices to the users. The bookkeeper is also responsible for receiving and recording payments and for sending payment to the Intervale Center as soon as possible.

MAINTENANCE, DAMAGE AND REPAIRS

Mandatory Hours

As part of the membership duties to maintain ownership and reduce costs, each member is required to do a certain number of hours of work in maintaining and/or repairing the greenhouse structures and area. These hours are determined by percentage of use. The board has set the total number of hours to be divided among the users at 50 hours. These hours are recorded by the greenhouse manager and may be performed on any task determined by the manager, the greenhouse committee or the board including the following list of maintenance responsibilities.

Maintenance responsibilities

The membership of IFEC is responsible for the maintenance and repair of the structure and all components of greenhouses #9 and #10. This includes all electrical, gas and water components above where they emerge from the ground. Other responsibilities include:

1. Greenhouse plastic and any threat posed to these layers including snow removal, wind and hail.
2. Grass maintenance around the greenhouses #9 and #10.
3. Ground cover within the greenhouses and the any weed removal needed inside greenhouses.
4. Greenhouse tables.
5. Hoses and irrigation components.

Accidental Damages

Damage that occurs due to minor accidents and/or normal wear and tear is to be repaired by the LLC from an appropriate budget line. Users who are responsible for minor damage should take steps to repair the damage as quickly as possible to minimize any future compounding of the damage. Individual users are not expected to pay for minor accidental damage, but are expected to notify the greenhouse manager that the damage occurred. Damage that is more serious and is possible to have been caused by severe negligence or malice may be determined by the consideration of the greenhouse manager, greenhouse committee or the IFEC board.

Damage through Malice or Negligence

Damage determined by the board or its committees to have been caused by actions outside of minor accident or normal wear and tear will be subject to remediation by the individual responsible. The board retains the right and ability to require a responsible party to take steps to repair and make right any damage

they have caused. Failure to remediate the problem by the responsible party is subject to contingencies covered in the Administration Policies and Procedures for handling members in poor standing.

Responsibility for Repairs

Members of IFEC are collectively responsible for the maintenance and repair of the greenhouses and their components. There is no one person to call on to perform these duties. It should be understood that the manager and board members are to function as an administrative body, coordinating the efforts of the collective membership. To this end, members should take steps to take minor maintenance measures and make small repairs as needed, requesting if necessary the assistance of their fellow members. It should be recognized that there is no one person in charge of handling any problem that may arise. Any member or combination of members can accomplish any major or minor repair, though any expenditure should be passed through the manager, committee and the board in order to coordinate all maintenance efforts.

IFEC FACILITIES—REDTOP MAINTENANCE POLICIES

Background

In August of 2011, IFEC signed a lease with the Intervale Center for the former Intervale Compost building (now called "Redtop"), the pole barn, the driveways and the 4.35 acres east of the building. IFEC also signed a sublease with the Intervale Community Farm (ICF) for a portion of the building and office and a sublease with Arethusa Farm for the pole barn. The lease of Redtop provided IFEC members with access to a heated shop, office, and bathroom.

Roles and Responsibilities

IFEC is responsible for maintaining financial standing to pay the fees associated with Redtop. Each member is required to pay a shop access fee and a portion of the building utilities. Failure to do so within payment terms jeopardizes IFEC membership.

Redtop Maintenance

IFEC members are responsible for basic cleaning and upkeep of Redtop (as specified in the lease agreement). Major repairs needs or damages should be reported to the Intervale Center.

Bathroom/ Office and Shop Cleaning

IFEC members are scheduled to clean the bathroom/office and shop on a monthly rotation each week. The schedule is posted in the office, shop, and bathroom with a list of required duties. **Shop cleaners are responsible for the removal of trash and hazardous materials each month.**

Shop Use

IFEC members are required to sign out the shop on the white board located in the Redtop Office from April – October, and on the Redtop google calendar from October – April. After each shop use, members must return tools to their proper locations and leave the shop tidy for the next user. **Be sure to dispose of all fluids properly.**

Out of Shop Small Tool Use

If an IFEC member removes a tool from the shop, it must be noted on the clipboard located just above the large red tool storage box. Tools must be returned by the end of each work day. If a tool is lost, it is the responsibility of the farm who last borrowed it to replace it.

Large Tool Use

The IFEC shop is outfitted with several large and potentially dangerous pieces of equipment. **IFEC members should be oriented before using any mechanical equipment. IFEC members are also required to properly maintain tools before and after each use.**