

**LANCASTER COUNTY CONSERVATION DISTRICT  
BOARD MEETING MINUTES  
December 2, 2015**

The 767th regularly scheduled Board Meeting of the Lancaster County Conservation District was held on Wednesday, December 2, 2015, at 7:30 PM, in the multi-purpose room of the Farm & Home Center, 1383 Arcadia Road, Lancaster, PA.

**The following Directors were present:** Kenneth Meck, Chairman; Robert Shearer, Vice-Chairman; Dan Heller, Treasurer; Herb Kreider, Roger Rohrer, Dick Shellenberger, Jay Snyder, and Commissioner Craig Lehman.

**The following Associate Directors were present:** Darrell Becker, Frank Burkhart, Lisa Graybeal, Don Robinson, and Kent Weaver.

**The following District Staff were present:** Christopher Thompson, District Manager; Gerald Heistand, Business Manager; Jeff Hill, Ag Program Manager; Nate Kurtz, E&S Program Manager; Andy Hake and Jenn Ledwich, Agriculture Conservation Technicians.

**The following Cooperating Agency representatives were present:** Heather Grove, Natural Resources Conservation Service, Elwood Blake, PA DEP, and Jeff Schmidt, PA Fish and Boat Commission, were present.

Chairman Ken Meck called the meeting to order at 7:30 PM, and Dan Heller provided the invocation for the meeting.

Dan Heller was commended on receiving the Delp Award at the recent Ag Industry Banquet.

Jeff Hill introduced the following staff members and guests: Jenn Ledwich and Andy Hake, both Ag Technicians who have worked with the District since 2009. Jenn currently works two days a week, and Andy does much of the District's IT work. He introduced Elwood Blake, representing DEP, Keith Hodge of TeamAg, and John Kostenbader, Larry Dull and Phil Julian, representatives of Walnut Run Farm.

Chris Thompson reported that the Pension Committee had a verbal report as an Addition to the Agenda to be placed after Item 6 under the Reports and Information section of the agenda.

Opportunity was given for public comment. None was offered.

**Agency Reports**

**1. USDA, NRCS**

Heather Grove reported that NRCS is starting to move forward with fiscal year 2016 work. They are ranking the EQIP applications that will use 1.6 million dollars in funds. They are expecting another \$578,000 of RCPP funds that will be used for the Pequea and Chickies Creek Watersheds.

**2. PA DEP Field Rep Report**

Elwood Blake highlighted the first two articles of the December 2015 DEP Conservation District Field Rep Talking Points. The SCC, at its November 10<sup>th</sup> meeting, got approval from the Governor's Budget Office to distribute \$3.75 million in UGW funds. There was discussion on the \$500,000 of uncommitted CDFAP funds that are targeted for Ag BMP implementation. It is intended to go to the

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eight counties that are affecting or loading the Bay the most with nutrients or sediment, but most of the counties chosen would rather see the funds go to support of staff. Chris Thompson informed the Board that he will not be requesting any of those funds for BMP implementation unless the Board speaks up to say that we should make such a request.

### **Consent Agenda**

Chairman Ken Meck gave opportunity for directors to withdraw any of the items from the Consent Agenda for additional discussion. Hearing none, Chairman Meck requested a motion to approve the Consent Agenda. Jay Snyder moved to approve the Consent Agenda. Dick Shellenberger seconded the motion. Motion passed unanimously. The Consent Agenda included the following items:

- 1. Minutes of November 4, 2015 Board meeting**
- 2. Technical Assistance Requests/Cancellations**
- 3. Nutrient Management Plan Approvals**
- 4. Conservation Plans Acknowledgement**
- 5. CDFAP Worksheet**

### **Additional Business**

1. There were no items removed from the Consent Agenda.

#### **Walnut Run Farms Manure Storage Waiver (Additional Business, Item #6)**

Chairman Meck moved discussion on this item to this place on the agenda.

Keith Hodge, TeamAg, and John Kostenbader, Larry Dull and Phil Julian of Walnut Run Farm were present at the meeting to request a waiver from the District to locate a new freestall dairy barn addition with under-house manure storage within a hundred feet of their private drinking well in Penn Township. It was noted that if this waiver is granted, the 10 foot deep under-house storage will be within 33 feet of an existing well. TeamAg's timeline for installation of several suggested BMPs was reviewed. Jenn Ledwich, District Ag Technician, provided historical information on the farm's compliance issues. She mentioned that uncontrolled runoff from the calf hutch area was not considered to be a critical item at this time. Relative to the hoop stacking building, the committee raised the concern that the facility should be located in such a way that it could be expanded in the future. There is an application with the EQIP program to help with BMP funding.

It was announced that the Board would continue discussion on this item later on the agenda.

#### **2. Treasurer's Report**

Gerald Heistand reported that the General Operations balance is down from an all-time high of \$412,000 at the end of September this year. According to our records, the District would have received \$134,000 from the state by now if the state budget had passed. There has been little change in the assigned, committed, and restricted funds of the balance sheet. The two indicators on the Income and Expense report that show the delay in state funding are the Program Contracts row and the General Operations net income column. Heistand reported that due to bank acquisitions and the proposed use of Charles Schwab for some of the Scholarship bond holdings, the list of places that can hold District funds has been updated as listed in the mailing packet. It was clarified that this list is for the District only, as the Foundation financial records are separate from the District's records. Dan Heller moved to approve the updated list of depository accounts. Roger Rohrer seconded the motion. Motion passed unanimously.

### **3. Budget and Finance Committee Report**

Dan Heller reported for the Budget and Finance Committee that Union Community Bank was chosen as the District's source for a line of credit. The committee did review two other options. Dan Heller moved that the District accept the Line of Credit offer from Union Community Bank. Robert Shearer seconded the motion. Motion passed unanimously. There was discussion on whether the state will reimburse non-profits for financing costs due to state budget issues.

Committee members accepted the proposed \$231,941 that is being offered by the Lancaster County Commissioners for 2016.

### **4. E&S Committee Report**

Nate Kurtz reported that the E&S Committee reviewed three candidates for the 2016 Conservation of Natural Resources Award to the Building Industry and would like to recognize Paradise Township officials. Jay Snyder moved that the District recognize Paradise Township at the annual banquet in March 2016 with the Conservation of Natural Resources Award to the Building Industry. Roger Rohrer seconded the motion. Motion passed unanimously.

### **5. Personnel Committee**

Dan Heller reported that Carol Harnish's job of entering BMP information into the geo-database did not get completed before she left, so the ag team is requesting that we hire an intern to complete the job over their winter class break. Dan Heller moved that the District rehire former intern Leslie Weller over the winter break, as detailed in Item III.5 of the mailing, to continue the job that Carol Harnish was unable to finish. Dick Shellenberger seconded the motion. Motion passed unanimously.

### **6. Walnut Run Farms Manure Storage Waiver**

There was further discussion where Jenn Ledwich mentioned that obtaining compliance is difficult when a farm is classified as a CAFO, but does not meet the criteria of a CAO. Since the Nutrient Management Plan under Act 38 identifies the operation as a volunteer, the State Conservation Commission has no jurisdiction for enforcement. She mentioned that she has been working with Walnut Run Farm on several satellite operations where critical issues have been addressed.

Roger Rohrer moved that the Lancaster County Conservation District grant a conditional waiver, where construction on the new dairy facility does not begin until Walnut Run Farm has implemented the three corrective BMPs proposed by TeamAg which will address critical environmental concerns to the District's satisfaction: 1) a bulk silage leachate low flow collection system, 2) a hoop building for accommodating stacking manure, and 3) a silage leachate high flow basin and irrigation system. Motion seconded by Robert Shearer. Motion passed unanimously. Additionally, the Board advised that Walnut Run Farm must have a plan in place within a year that will address the concern of runoff from the calf hutch heavy use area.

### **7. LCCD Nominees to the Foundation BOD**

Chris Thompson reviewed the process for nominating Foundation Board members, stating that the first step is to recommend a list of candidates to the Foundation. Three District directors have agreed to serve as of January 2016, for the length of terms as listed below:

- Roger Rohrer—1 year
- Jay Snyder—2 years
- Herb Kreider—3 years

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Commissioner Lehman moved that the District Board submit the above slate of nominees (Roger Rohrer, Jay Snyder, and Herb Kreider) for Foundation Board member consideration. Dan Heller seconded the motion. Motion passed unanimously.

### **Reports/Information**

#### **1. Correspondence, News and Updates**

The following correspondence, news and update items were circulated at Board meeting:

- Commissioner Craig Lehman Director Reappointment Letter
- Sonia Wasco Director Reappointment Letter
- Dan Heller Director Reappointment Letter
- Emily Neideigh Thank You Letter to Ann Brown Scholarship Committee—thanking the committee for the scholarship she was awarded in 2011.
- Derick Weaver Thank You Letter—thanking the District for the scholarship he was awarded for the 2015-2016 school year.
- From Sallie Gregory—Reflections from students who attended a Lebanon-Lancaster Intermediate Unit School Enrichment Experience.
- Trent Loos—Speaker at March 8, 2016 Farm and Home Foundation fundraising Banquet
- Ag Week Schedule—Nov. 8, 2015—Supplement to LNP
- Pilot program to train students for ag tech—LNP—November 10, 2015
- Ag Careers—Equipment Dealers Launch Apprenticeship Program—Lancaster Farming—November 14, 2015
- Ag Summit—Ag Industry Must Confront Market Shifts, Development—Lancaster Farming—November 14, 2015
- Ag Week Clean Water Forum Focuses on ‘So Much to Do!’—Lancaster Farming—November 21, 2015
- Poultry Farmer (Dan Heller) Receives Delp Award—Lancaster Farming—November 21, 2015
- Program—Agriculture Industry Banquet—November 12, 2015

#### **2. E&S/NPDES Monthly Projects Report**

Nate Kurtz referred to the E&S Report on page 20 of the mailing and remarked that the Year-to-Date number of plans and funds are both up as compared to last year. For this year pipeline projects have skewed the statistics. Staff expect to use a new format for the E&S report at the next meeting.

#### **3. Fisher Compliance Action Update**

Jay Snyder reported that the information in the mailing is current and up to date. The District will work with Ben Fisher to see that BMPs get installed.

#### **4. Mill Creek Phase VI Update**

Chris Thompson reported that the District is working with the U.S. Fish & Wildlife Service and the Millcreek Preservation Association to continue work with stream bank stabilization and riparian buffer establishment along the Mill Creek. Atlantic Sunrise Pipeline project funds will be used for implementing the BMPs and \$10,000 will go to the Watershed Specialist’s time for design and permitting.

**5. Extraordinary Give Update**

Thompson thanked all who participated in the Extraordinary Give fundraising effort for the Envirothon and Youth Conservation School. County wide approximately six million dollars were raised for non-profit organizations, which is two million more than last year. Approximately \$1,650 was raised for the Envirothon and YCS.

**6. Williams Community Grant Update**

The Foundation received a grant for \$9,500 from the Williams Atlantic Sunrise Community, and a second educational grant for \$3,000 just came in from the Brossman Sweigart Foundation.

**7. Pension Committee Report** (Addition to the Agenda)

Kent Weaver reported that at the November 4, 2016 Board meeting the Pension Committee was given the authority to move forward with Everence but did not act because Fulton Bank learned of our effort to lower pension fees and contacted their financial investment division, Fulton Financial Advisors, and asked if they could make a presentation to the Pension Committee. A meeting is planned for December 4, to review their proposal.

**Additional Comments:**

Frank Burkhart mentioned that the pipeline companies are able to keep their projects moving, even with federal red tape.

Commissioner Lehman reported that the County has a budget which should get approved on time.

Jeff Schmidt appreciated the opportunity to be at the District Board meeting and reported that plans are to reopen the Speedwell recreation area sometime next year. He plans to have more information in time for the Annual Planning Meeting.

Chris Thompson reminded Board members that plans are to have the Annual Planning Meeting start at 8:30 AM on January 6, 2016. More information will be sent out by email later this month.

**Meeting Adjournment**

Ken Meck officially adjourned the meeting at 8:56 PM.

Gerald M. Heistand  
Recording Secretary