

Item II.1
**LANCASTER COUNTY CONSERVATION DISTRICT
BOARD MEETING MINUTES
July 1, 2020**

The 819th regularly scheduled Board Meeting of the Lancaster County Conservation District (LCCD) was held on Wednesday, July 1, 2020, at 7:30 PM via Zoom meeting.

The following Directors were present: Sonia Wasco; Acting Chairman, Jay Snyder, Roger Rohrer, Herb Kreider, Ken Meck, Robert Shearer and Commissioner Lehman.

The following Associate Directors were present: Gregory Strausser

The following District Staff were present: Christopher Thompson, District Manager; Gerald Heistand, Business Manager; Stacey Meyer, Finance Manager; Jeff Hill, Ag Department Manager; Rich Snyder, E&S Department Manager; Kent Bitting, Adam Hartz, Justin Furnia, Greg Heigel, Kevin Seibert, Derrick Fidler, Sallie Gregory, Francesca DePrator, Steven Reiff, Matt Kofroth, and Holly Shaub.

The following Cooperating Agency representatives were present: Heather Grove, Natural Resources Conservation Service and Elwood Blake, Department of Environmental Protection.

The following guests were present: None

Acting Chairman Sonia Wasco called the meeting to order at 7:38p.m. Chris Thompson provided the invocation for the meeting.

The following additions to the agenda were announced:

Sonia Wasco announced three addition to the agenda.

1. Item #10 under Additional Business, Update on the Manure Injection Grant.
2. Item #7 under Reports & Information, Update on Phase II Compliance.
3. Item #8 under Reports & Information, Letter from DEP.

An opportunity was given for public comment. None was offered.

I. Agency Reports

1. USDA, NRCS

Heather Grove announced that Christine Griesemer started on June 22, 2020. Christine joins us from the Berks County Conservation District where she worked as an Ag Resource Conservationist since 2012. She's both a NRCS Certified Conservation Planner and PA Act 38 Nutrient Management Specialist. Heather Grove also reported that Jared Boger has accepted the final job offer and will begin on July 13, 2020. Jared joins us from the Lebanon NRCS Field Office where he worked as a Soil Conservation Technician since 2015.

In addition to the two new hires, it was announced that Kefeni Kejela has accepted a position as a Soil Scientist in the Bedford Office. He will be with us till around mid-August. Heather Grove hopes to advertise for his position in the next few months.

Questions or Comments: None

2. PA DEP Field Rep Report

Elwood Blake reported that a number of the articles have been repeated and not much has changed;

Item II.1

1. DEP Conservation District Support Section is collecting and tracking district COOP plans. This information is updated daily and shared with state agency staff and conservation district managers and also being shared weekly with all district staff.
2. The DEP “Alerts” Webpage can be checked daily for the latest DEP alerts and updated Program guidance during the COVID-19 pandemic.
3. PDA has established a “nightly” communication bulletin to help inform the industry and other in interested parties.
4. DEP and the Commission have distributed guidance through email to districts regarding site inspections and compliance activities under COVID-19 which includes:
 - a. DEP Guidance on Site Inspection during COVID-19
 - b. COVID-19 Chesapeake Bay Ag Inspection Program Interim Procedure
 - c. Nutrient Management Program alternative approach to On-Site Status Review
 - d. Temporary Certification Procedures for Manure Haulers and Brokers during the Covid-19 Shutdown
5. PACD is maintaining a portal on their website to serve as a repository of information related to COVID-19 information that is pertinent to conservation districts. This information includes the above documents, plus other guidance from NACD and PACD concerning, coverage under new federal COVID-19 legislation and Legal Counsel on required procedures to follow when furloughing district employees.

Blake Elwood reported on an upcoming Employment Law Webinar Series for conservation districts hosted by Adam Long of McNees Wallace & Nurick LLC. The webinar series is scheduled for Wednesdays July 8, 2020 and August 5, 2020 from 1:00 pm to 3:00 pm. A follow up session will be scheduled for September. Topics to include harassment training & policy, managing employee absences, wage & employee classification, and best management practices for employee communication, confidentiality, conduct, and performance concerns. There were no question from Board members.

Chris Thompson commented for the Director’s benefit that the Employment Law webinar will be hosted by PACD for the next three months. This is in place of what is normally a statewide manager meeting. PACD has been very beneficial and helpful and this is one of the many things they do to help Districts during this time.

II. Consent Agenda

Acting Chairman Sonia Wasco gave the opportunity for Directors to withdraw any of the items from the Consent Agenda in order to have additional discussion. Hearing none, Jay Snyder moved to approve the Consent Agenda which included items numbered one through four. Roger Rohrer seconded the motion. Motion passed unanimously. The Consent Agenda included the following approved items.

The Consent Agenda includes the following approved items.

- #1 – Minutes of June 3, 2020 Board meeting**
- #2 – Technical Assistance Requests/Cancellations**
- #3 – Nutrient Management Plan Approvals**
- #4 – Conservation Plan Acknowledgement**

III. Additional Business

1. Items removed from Consent Agenda

There were no items removed from the Consent Agenda.

Item II.1

2. Treasurer's Report

Gerald Heistand reported that many of the numbers have not changed from last month, but the Unassigned Funds have increased due to a half million dollars that we were waiting to collect. The end of June is the end of the DEP funding fiscal year and we ran short on some programs. For example, with the Bay Engineer program, there was a shortfall with the benefits costs. Plans are to use the Bay Engineer Separation reserve fund to close a gap of a little over \$8,000 in that category. Using these funds instead of Commissioner money to make up that difference should increase the end of year operating balance. Also, when Nate Kurtz left the E&S department it took more than the \$5,000 that is under their separation reserve fund category under E&S. These lines will drop off of the report when those transfers are made.

A Bond did come due under scholarship account. At one time we had 8 bonds worth \$55,000, and now we have \$35,000 in bonds. The Invest program is paying half of a percent. Gerald called the bond dealer and the best that he could do was with a 1% bond for 7 years. It was felt that the additional half percent was not worth it when in 7 years interest rates could go up.

Gerald Heistand also reported that the Banquet Committee who runs the annual fund raising auction, has informed businesses that one option is to donate their banquet sponsorship funds to the District's Ann Brown fund. Other options given were to have the funds returned, or carry them over to next year's banquet. When Gerald asked if there were any questions on the Balance sheet, Jay Snyder questioned the use of separation funds. Gerald Heistand responded that separation costs are a benefit payout for unused vacation and sick leave.

Gerald reported that on the Income & Expenses sheet under General Operations we should always expect a positive number in 2020. He reminded that Board that there are about \$150,000 from the 3rd quarter of 2019 which is additional income that was not in the 2020 budget. Therefore if the budget were perfectly balanced and all of the funds came in on time, the end of year balance would be a positive 150,000. Under E&S there is a negative balance but it is less negative than last month. In Activities, the balance has increased quite a bit due to receiving a check for \$11,000 from the Bay Foundation for trees which they purchased. The other columns have not changed that much so the Income & Expense report has nothing unusual at this time. There were no additional questions or comments.

3. Personnel Committee Report

Chris Thompson reported an update on our current phase of the COOP plan. We have extended our continuity plan to the end of July and will probably extend the COOP plan again. We have staff rotating and only 1/3 of the staff are in the office at any one time. The rest of the staff are working from home or in the field doing their work. The idea behind minimizing how many are in the office is to make it easier to track back to who has come in contact if an infection should break out. Heather Grove reported that NRCS has not seen any progress and the USDA has certain criteria that must be met before moving forward.

Sonia Wasco reported that the Personnel Committee was reluctant in the past to replace all ag staff vacancies. They are now requesting permission from the board to go ahead and advertise for two vacant positions. Ken Meck made a motion to proceed with advertising and Jay Snyder second the motion. Motion passed unanimously.

Questions or Comments: None

4. Chesapeake Bay Program Tech Agreement

Jeff reported that for the current year's technician agreement, which runs from 7/1/2020 to 6/30/2021, we again requested full funding for six technicians. We are allowed an additional \$1,000 per technician for travel. The total grant amount will be \$393,000. The District also has an engineering contract for the Bay

Item II.1

program that includes the Engineer specialist (Kent Bitting) and the Engineering assistant (Adam Hartz) with an agreement worth \$165,000.

The next step in the process is to send the CBP Technician, and CBP Engineering funding application requests to DEP for processing. As soon as the final agreements are assembled by DEP, approving this agreement gives Chairman Heller authority to sign the final two agreements. Roger Rohrer moved to approve the submission of the applications to DEP for processing and final signatures. Ken Meck seconded the motion. Motion passed unanimously.

5. E&S Compliance Committee Report

Richard Snyder reported under Chapter 102 E-Permitting that after a few glitches all of the computer hardware has been received by the District. Richard Snyder's monitor had to be sent back twice because both monitors were broke. All the hardware is now operational at this point and ready for the E-Permitting. We are being proactive and looking at the programs set up in the structure. We are also looking at staffing and who will be receiving the applications when they come in to our office and who will serve as backup staff. We are also looking at how projects are going to be assigned in the programs.

It was also reported that the day of June 9, 2020 the E&S department received an email after 3:30 pm indicating what DEP's expectations are for the training and testing. After reviewing DEP's expectation Richard Snyder concluded that the sum of hours expected of the District to commit to testing the program was unreasonable and unachievable based upon the current work load. After the first week of testing DEP went quiet and no emails or any other information about the system was received for a week and a half to two weeks. Chris Thompson reported that PACD wrote a letter to DEP that represent all the districts expressing their frustrations.

Richard Snyder stated that there was an appeal of a permit that was issued to the Melhorn Drive Basin in Mount Joy Borough on behalf of Schatz Garage. We gave an update to the E&S Compliance Committee and we have another conference call scheduled with DEP for Wednesday July 15, 2020. We will be discussing an update on litigations as well as an update that a complaint was received regarding the Florin Hills Development. A comprehensive complaint investigation is scheduled for Monday July 13, 2020. A third complaint has come in on the property at 950 Square Street which was issued a NPDES permit and a Chapter 105 general permit. Chris Thompson reported that the E&S team are very busy even with the Covid-19 epidemic. Ken Meck motioned to approve the Compliance Committee report and Jay Snyder seconded the motion. Motion passed unanimously.

6. RC&D Report & Dues

Gerald Heistand spoke with Sam Adams who reported that everything is going forward as usual and they are doing the RC&D meetings using Zoom. The report describes what is happening and their progress. Gregory Strausser reported on some highlights from 2020 thus far: There was a Cover Crop Grazing project that was funded by NFWF and the Chesapeake Bay Foundations Carbon Fund. It funded 16 individual projects this spring at 50% cost share. Capital RC&D was also applying for a new NFWF Small Watershed Grant to provide additional cost share for rotational grazing infrastructure. Recently there was a Tillage Survey conducted in the Chesapeake Bay counties to estimate cover crop use, crop residue and tillage practices.

Since the beginning of the year, Capital RC&D has also been working hard to expand their social media presence and develop new outreach opportunities. At the beginning of May, a Dues Request was sent out to all participating counties requesting annual dues for all active memberships in the amount of \$300. Pending approval, this payment would be due by June 30, 2020.

Roger Rohrer motioned to approve continuing our membership with RC&D and Jay Snyder seconded the motion. Motion passed unanimously.

Item II.1

7. WIP/CAP Update

Jeff Hill discussed that the District has received funding from DEP through the County's Action Plan that can be used for BMP installation. It is on a tight timeline for usage, but the staff have come up with projects that could utilize the funds and improve local water quality. The money is to be spent by September 30, 2020 and although we like to bring more project information before the board for approval, the timelines and current events do not allow that at this time. These projects will all be below a \$25,000 limit so that the District does not come under the Prevailing Wage requirements that will be part of the other upcoming programs. These projects most likely will not utilize all of the funding and we may be bringing additional projects to the August BOD meeting. The Ag Program Manager and District Manager request approval of the listed projects.

Jay Snyder motioned to accept projects as presented and Roger Rohrer seconded the motion. Motion passed unanimously.

8. Penn Vest Project Sponsorship

Chris Thompson report that the District has been asked to sponsor Penn Vest applications for projects proposed by Team Ag Inc. and Red Barn Consulting. Additional details will be shared at a later date. The projects that are being pursued are:

- a. Mervin Stoltzfus at 183 Quarry Road in Leola
- b. Levin Fisher at 5778 Buena Vista Road in Gap
- c. Andy III at 2143 East Mt. Hope Road in Manheim

If Penn Vest approves the application they will then identify if they are willing to grant a loan or grant funding and the LCCD Board will have a chance to review the full details of the project and whether or not you would support going to the next step in the process.

Jay Snyder motioned to move forward in obtaining more information on the projects and Roger Rohrer seconded the motion. Motion passed unanimously.

9. PACD Annual Meeting

Sonia Wasco discussed that PACD asked the membership to review the following items at the local level and be ready to vote on them during the PACD Executive Council meeting.

- a. All six PACD regions voted to support the Invasive Species Funding policy, which was proposed by the PACD Executive Board on January 21, 2020, and supported by the PACD Conservation and Legislative Committees on January 22, 2020. PACD encourages the PA Department of Agriculture and related agencies to develop a delegated agreement with conservation districts to provide funding and authority to battle invasive species.
- b. Armstrong Conservation District move to PACD North West Region. On November 20, 2019, the Armstrong Conservation District board passed a motion to move from the PACD South West Region to the North West Region. All six regions voted to support this change, which requires a PACD Bylaws amendment and requires member approval at two PACD Executive Council meetings. July 2020 will be the first Council review.

Ken Meck motioned to accept the PACD report and Herb Kreider seconded the motion. Motion passed unanimously.

10. Update on Manure Injection Grant

Chris Thompson reported on a grant we applied for to try a pilot project similar to the No-Till Planter. We will use the funds to build an injector specifically horse drawn. We will be creating an incentive program where both the English and the Amish can participate and receive an offset of the cost. We will be working with Penn State, Team AG and Red Barn to accomplish this as well as ELS who has agreed to build the injector. The grant total is just under \$100,000. The Keith Campbell Foundation is sponsoring this grant.

IV. Reports/Information

1. E&S/NPDES Monthly Projects Report

Richard Snyder reported there was 39 plans received for the month of June compared to 33 last year as well as an increase in the amount of complaint and site inspections. Total plan acres were significantly up from last year as well as the total disturbed acres. Since our county has gone from yellow to green and things have been opening back up, E&S has been very busy. Everything has been going very well with the work load. Richard Snyder highlighted the Reamstown Cocalico Trans Line Rebuild project of 41.1 acres with a payment of \$5,100. Also mentioned was continued work at the White Horse Business Center with 13 acres of work for another commercial industrial project. Also discussed was Worthington in Manheim Townships continuation of 75 acres of a multi-phase residential housing project. The only other large project is the Kento Martin Poultry Operation in Elizabeth Township with 22.8 disturbed acres. The total fees for this project was \$4,430.

Questions or Comments: None

2. Scholarship 2020

Gerald Heistand reported that twelve scholarship applications were received, as was reported last month. The committee chose to interview seven of the twelve candidates using Zoom. As planned, on June 9, 2020 the committee of Sonia Wasco, Deb Seibert, Shelly Dehoff, Suzanne Kopp, Adam Stern and Gerald Heistand held interviews for six of the seven remaining applicants. The committee chose the two strongest candidates who will receive the advertised two \$2,000 scholarships. During the discussion of who would receive the District's scholarships in 2020, it became clear that each committee member had a third candidate that they felt was worthy of receiving a scholarship. As mentioned in the May update report, in 2019 the District granted three \$2,000 scholarships. One of the three failed to collect his first year \$1,000, so it is assumed by the committee that the second \$1,000 obligation will be unclaimed. Since committee members had two next in line to be recognized, there was a unanimous decision that we would also grant two unadvertised \$1,000 scholarships. As a result, the four winners for 2020 are as follows:

- A \$2,000 scholarship to Nathan B. Brubaker, a senior at Donegal High School
- A \$2,000 scholarship to Harrison Booth, a senior at Conestoga Valley High School
- A \$1,000 scholarship to Deanna Phillips, a senior at Garden Spot High School
- A \$1,000 scholarship to Daniel Horning, a senior at Garden Spot High School

District scholarship funds are sent directly to the college as soon as we receive a copy of the tuition bill from the student. In order to receive the second \$1,000, both Nathan and Harrison will need to complete their first year of study with a 3.0 GPA or higher, and verify that they are still engaged in an environmental field of study. The second-year fund's request will need to be received by the committee chair on or before July 1, 2020.

3. Youth Conservation School Update

Sallie Gregory reported that we are offering a virtual program this year and have ten students who are registered so far. We are offering different activities along with different video tours. The students will have access to excellent educational experiences through virtual field trips and live-streamed activities and instruction. The school will run from 9:00 to 11:00 am daily on July 20-24, 2020. There is no cost but registration is required. Youth Conservation School kits containing printed materials and activities for the week will be mailed to each participant registering by July 6, 2020.

4. Tree Sale Report

Matt Kofroth reported that this year's tree sale was quite different than previous years. We did make some funds, but that is not the ultimate goal of this program. We just want to get green native vegetation on the

Item II.1

ground here in Lancaster. It is however a small fundraiser for the Watershed and Education programs. We did make some profit this year but we also had some additional refunds due to Covid-19. Sallie Gregory discussed that the Drive Thru pick up went well and was made possible by 3 groups of 8 staff working 4 hour shifts to completely fill over 500 orders that includes pre-orders and FFA orders. She gave special thanks to the staff who were part of the Drive Thru packing, pickup, and cleanup.

5. Chesapeake Bay Compliance Program Update

Kevin Seibert reported that by the end of this fiscal year we made our 300 inspections despite Covid-19 pandemic. Each staff person tries to do 100 each but some were falling short. Francesca DePrato stepped up and did 145 which helped the others reach the District's goal. We are currently cleaning up information in the data base and Justin Furnia is getting ready to pull our next 300 for this year.

6. Update on Phase II

Chris Thompson reported that Phase II is to support farmer implementation of BMPs to comply with state and federal environmental regulations within the Chesapeake Bay Watershed, consistent with Pennsylvania's 2016 Chesapeake Bay Restoration Plan and the Pennsylvania Phase 3 Chesapeake Bay Watershed Implementation Plan. This program is a pilot program that will support farmer actions in select counties by providing block grants to select CBAIP Phase 2 Pilot County Conservation Districts that participate in the Chesapeake Bay Agricultural Inspection Program. The select CCDs will distribute funding to farmers using eligibility criteria provided by the PA Department of Environmental Protection. The funding will be capped at a limit of \$20,000 per landowner per year. Reimbursement of private engineering costs will be capped at \$6,000 or 20% of the total project cost, whichever is less. Reimbursement of in-house engineering costs will be capped at up to 5% of the total project costs. Over the next two years we are expecting 1.3 million for BMPs. BMPs are expected to be entered into the PracticeKeeper database, with the appropriate funding source selected, within 10 days of implementation. This information will be pulled as part of the CBP-23 quarterly report. No further reporting should be required.

Roger Rohrer motioned to approve Phase II and Herb Kreider seconded the motion. Motion passed unanimously.

7. Letter from DEP

Chris Thompson discussed a letter that was received from DEP. Dan Heller and Sonia Wasco were already briefed on the letter. Essentially it was a reprimand of Chris Thompson for not following proper procedures or proper channels of communication between the District and EPA. With the deadline of September 30, 2020 in the CAP funding, we have been asking for an extension for about 6 or 7 weeks and were not getting anywhere. So, Chris Thompson went to EPA directly and tried to get an answer. Word got back to DEP so they sent a reprimand for not following the correct channels. We did however get the extension. There is a follow up meeting with DEP to sort out how we are moving forward.

Additional Comment: None

August 5, 2020 will be the next Board meeting which will be conducted through Zoom meeting.

Acting Chairman Sonia Wasco officially adjourned the meeting at 9:45 pm.

Stacey Meyer
Acting Recording Secretary