

**LANCASTER COUNTY CONSERVATION DISTRICT
BOARD MEETING MINUTES
November 2, 2016**

The 778th regularly scheduled Board Meeting of the Lancaster County Conservation District was held on Wednesday, November 2, 2016, at 7:30 PM, in the multi-purpose room of the Farm & Home Center, 1383 Arcadia Road, Lancaster, PA.

The following Directors were present: Ken Meck, Chairman; Robert Shearer, Vice-Chairman; Dan Heller, Treasurer; Herb Kreider, and Jay Snyder.

The following Associate Directors were present: Lisa Graybeal, Stuart Herr, Gregory Strausser and Kent Weaver.

The following District Staff were present: Christopher Thompson, District Manager; Gerald Heistand, Business Manager; Jeff Hill, Ag Program Manager; and Evan Martin, Assistant E&S Program Manager.

The following Cooperating Agency representatives were present: Heather Grove, Natural Resources Conservation Service, and Elwood Blake, PA DEP.

Chairman Ken Meck called the meeting to order at 7:30 PM. Dick Shellenberger provided the invocation, and then needed to leave the meeting for a family obligation.

There were no guests to be introduced at the meeting.

One Addition to the Agenda was announced by Chris Thompson: RC&D Board Appointments for Lancaster County, to be addressed as #8 in the Additional Business section.

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

Agency Reports

1. USDA, NRCS

The NRCS report was provided in the Board mailing packet. Heather Grove was in attendance at the meeting and had no additional comments.

2. PA DEP Field Rep Report

Elwood Blake referred to the November 2016 DEP Conservation District Field Rep Talking Points as he gave his report. He said that Frank Snyder, director of the NMP Delegation program announced that there are significant changes occurring in the Ag industry that triggered a proposal to change the standard animal weights. The SCC is seeking comments on the new weights that are being proposed. Jeff Hill mentioned that he will send out to directors the information that the District received from Andrea Blosser. Comments on the proposal can be forwarded to Frank Snyder. Elwood Blake also informed the Board of an opportunity to apply for a grant under the Ag Land Conservation Successive Planning Assistance program that could provide up to \$3,000 in funding. The Regional DEP office has hired new staff: Megan McLaughlin, Ag Inspector, and Dan Martin, CAFO Permitting Engineer.

Consent Agenda

Chairman Ken Meck gave opportunity for directors to withdraw any of the items from the Consent Agenda for additional discussion. Dan Heller moved to approve the Consent Agenda. Robert Shearer seconded the motion. Motion passed unanimously.

The Consent Agenda included the following items:

- 1. Minutes of October 5, 2016 Board meeting**
- 2. Technical Assistance Requests/Cancellations**
- 3. Nutrient Management Plan Approvals**
- 4. Conservation Plans Acknowledgement**

Additional Business

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

2. Treasurer's Report

Gerald Heistand reported that there were no significant changes to the Balance Sheet, and that the District continues to close the negative gap on the General Operations account. The treasurer's report will be filed subject to audit.

3. Budget and Finance Committee Report

Budget and Finance Committee Chair Dan Heller opened the discussion by referring to the Board's request, at the October 5th meeting, that staff modify the original draft budget to reflect expanding the Ag Department so the District could meet the goal of having a conservation plan on every farm in Lancaster County within the next five years. Gerald Heistand added that in order to expand the Ag department, the E&S department would need to move and rent some new front office space at the Farm & Home Center. Chris Thompson reported that he, Jay Snyder and Dick Shellenberger attended a County Commissioners meeting to request their assistance to help make this possible. In addition, Thompson spoke with several other private funders (Campbell Foundation, Altria, etc.) and DEP, all of who are interested in supporting this initiative. Jeff Hill reported that he recently met with a private sector Ag consulting firm who is willing to cooperate with the District in this effort. The County has formed a committee to work on promoting improvements to clean up Lancaster County streams. This effort will also assist with the "Get the Red Out" campaign. Dan Heller moved that the Board approve the proposed 2017 budget as presented with the understanding that it will be modified as additional funding is located to close the deficit. Jay Snyder seconded the motion. Motion passed unanimously. Dan Heller informed the Board that the District still has an open line of credit of \$500,000, and that this expansion project can be staged throughout the year.

4. Personnel Committee Report

Chris Thompson reported for the Personnel Committee as Chair Sonia Wasco was not able to attend the meeting. The Personnel Committee met before the Board meeting to review the Fair Labor Standards Act (FLSA) changes. The FLSA Employee Acknowledgement Form that was distributed to employees was provided to Board members and reviewed in detail by Thompson. Staff members are being asked to select a work schedule which they will be able to change each quarter. An important goal will be to maintain a 40 hour work week, which should help Program Managers to better monitor any needed comp time. Robert Shearer moved to approve offering the new flex schedule for employees. Dan Heller seconded the motion. Motion passed unanimously. Chris Thompson added that the FLSA program flex schedule will be implemented November 14, 2016. The Personnel Committee also discussed the move of going from a semi-monthly to bi-weekly pay schedule, effective December 25, 2016.

5. E&S Committee Report—Non Compliant Site

Evan Martin reported that last month the E&S Committee proposed an “out of the box” remediation project to address a compliance situation in lieu of the traditional penalty. E&S staff presented the proposal to DEP, who responded that based on the District’s current agreement with DEP, the remediation project is not an option. Lancaster District is being asked to follow standard procedures. The E&S Department is looking to address the issue on this site (Lancaster Laboratories in Upper Leacock Township) as soon as the NPDES permit is issued. The contractor has ceased working at the site and the permit is under review. There are no outstanding issues at the site at this time. Jay Snyder moved that the District now pursue this compliance issue using the typical enforcement civil penalty as soon as Lancaster Laboratories obtains their NPDES permit. Robert Shearer seconded the motion. Motion passed unanimously.

6. LCCWC Streamside Project Grant

Chris Thompson mentioned that the Lancaster County Clean Water Consortium (LCCWC) has spent most of the \$100,000 in the Streamside Project grant, with \$3,000 still remaining in available grant funds. The LCCWC submitted a funding recommendation to the Board in order to spend the remaining \$3,000. Dan Heller moved to approved Ephrata Township’s water quality basin project with a grant amount of \$3,000. Robert Shearer seconded the motion. Motion passed unanimously.

7. Center for Dairy Excellence Agreement

Chris Thompson explained that the Center for Dairy Excellence and Center for Beef Excellence are providing \$11,000 in funding to assist with program planning, marketing and facilitation of workshops to help farms develop conservation and manure management plans that will meet baseline ag compliance. Shelly Dehoff, LCCD Ombudsman, will coordinate six outreach training or workshop exercises across the state. Jay Snyder moved to move ahead with this project. Herb Kreider seconded the motion. Motion passed unanimously.

8. Capital RC&D 2017 Commissioner Representative

Gerald Heistand reported that the County Commissioner Representative on the Capital RC&D Board is vacant, and the District is seeking a volunteer. John Bingham is Lancaster’s Member-at-Large (term expires 11/2018) and Kate Bresaw is the Conservation District representative (term expires 11/2017). Gerald Heistand (renewed annually) served as the Alternate this past year. The Alternate Director can sit in and vote for any of the other three directors. Anyone with recommendations for the Commissioner Representative should contact Chris or Paula. The Capital Region RC&D covers Adams, Cumberland, Dauphin, Franklin, Lancaster and York Counties, and expended over a million dollars in 2015.

Reports/Information

1. Correspondence, News and Updates

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

- Thank You letter to Sallie Gregory, from Library System of Lancaster County, for presenting at local libraries during countywide Summer Reading Program – Oct. 12, 2016.
- Thank You letter to Ken Meck, from Office of the Governor, for recommending Patrick McDonnell to serve as Secretary of PA DEP - October 20, 2016.
- Letter from Glenn Seidel, PACD President, challenging every conservation district to send at least one director to a PACD statewide meeting each year.
- Thank you notes from Mechanic Grove Church of the Brethren and the Herb Kreider family expressing thanks for the memorial donation in memory of Herb’s mother, Jean Kreider.

A PA Public Official and Employee Ethics Act brochure was provided to each of the directors.

2. E&S/NPDES Monthly Projects Report

Evan Martin reported that EPA is requesting that districts provide additional information on NPDES permits. He noted that Lancaster processes an average of 125 NPDES general permits each year, and it takes approximately one half hour to put each permit into Practice Keeper. The E&S October financial report and list of projects was provided as a meeting handout.

3. IRS Audit Report

Gerald Heistand referred to the report detail in the mailing concerning the IRS District audit. There were several interviews with Chris, Gerald and Paula on how the District does its business relative to payroll and taxation. It appears that government/nonprofit entities are being targeted whenever an employee takes on a consultant role and the entity issues them a Form 1099. The bottom line is that if the IRS determines that a Form 1099 was not appropriate, the payer will be assessed the payee federal withholding liability in addition to the Social Security/Medicare liability for both parties; regardless of whether the payee reported the 1099 income on their Form 1040. Since the IRS gets to collect the taxes twice (assuming that the payee reported the 1099 income on their Form 1040), this bill can be viewed as a penalty. The Budget and Finance Committee will be appraised of the findings as soon as the District receives the IRS narrative report.

4. Bay Compliance Inspection Updates

Jeff Hill reported that the three employees working with this program are generating work for others. They are finding farms that do not have the required plans, along with some undocumented CAO operations. DEP will be sending out letters of non-compliance if a plan is not submitted within 90 days.

Additional Public Comment:

Greg Strausser announced that this is the month of the Extraordinary Give (Nov. 18), and everyone was encouraged to spread the word.

Chris Thompson announced that the Ag Industry Banquet is on November 10, and anyone interested in attending should see him before leaving the meeting. Dave White, retired NRCS Chief, will be the speaker. Thompson reported that the Farmers' Breakfast with Representative Fee and Senator Aument will also be held on November 10.

Lisa Graybeal thanked everyone who supported or participated in Ag Week. She welcomed any suggestions for next year, as they are already starting the planning process.

Meeting Adjournment

Chairman Ken Meck officially adjourned the meeting at 9:07 PM.

Gerald M. Heistand
Recording Secretary