

Item II.1

**LANCASTER COUNTY CONSERVATION DISTRICT
BOARD MEETING MINUTES
October 6, 2021**

The 834th regularly scheduled Board Meeting of the Lancaster County Conservation District (LCCD) was held in person at the Farm and Home Center for Directors and also via Zoom Call-In on Wednesday, October 6, 2021, at 7:30PM.

The following Directors were present: Daniel Heller, Herb Kreider, Jay Snyder, Ken Meck, Roger Rohrer, Sonia Wasco and Kent Weaver.

The following Associate Directors were present: None present.

The following District Staff were present: Christopher Thompson, Gerald Heistand, Kevin Lutz, Rich Snyder, Kevin Seibert, Kent Bitting, Matt Kofroth, Sallie Gregory, Kaylyn Gordon, Alex Flurry, Dave Bednar, Adam Stern and Suzanne Kopp.

The following Cooperating Agency representative was present: Heather Grove, Natural Resources Conservation Service.

The following guests were present: None present.

Chairman Dan Heller called the meeting to order at 7:34 p.m. Dan welcomed everyone both in person and on Zoom. Adam Stern reminded everyone that the meeting was being recorded.

Roger Rohrer provided the invocation for the meeting.

Dan welcomed the two new employees and asked Rich Snyder to introduce Kaylyn Gordon and Alex Flurry to the Board. Kaylyn and Alex are the two new E&S Technicians. Kaylyn shared that she graduated from E-Town College in May 2021 and before she was hired at the District she worked in a water testing lab. Alex shared that she was a Lancaster native and she has a degree in Geography with a concentration in Environmental Science and she also has a background with MS4's.

Additions to the Agenda: Chris Thompson added one item under Additional Business – a District Board approval is needed to approve a new Board member for the Foundation.

An opportunity was given for public comment: None was offered

I. Agency Reports

1. USDA, NRCS

Heather Grove reported that there were no additions to the NRCS report. NRCS is finalizing the 2021 fiscal year. Deadlines for the first sign up for Equip will be November 1, 2021. Heather stated that even with dealing with Covid guidelines – NRCS is just as busy as they always are and things are still moving forward.

Item II.1

2. PA DEP Field Rep Report

Chris Thompson reported that there were no additions to the report. If anyone has questions on the report provided please contact Chris Thompson directly.

II. Consent Agenda

Chairman Dan Heller stated that it was requested to pull the Minutes of September 1, 2021 from the Consent Agenda in order to have additional discussion. Item numbers #2 through #5 on the Consent Agenda will be addressed first. Sonia Wasco moved to approve the Consent Agenda which included items numbered two through five. Roger Rohrer seconded the motion. Herb Kreider is abstaining from the vote due to a potential conflict of interest by being related to one of the operators whose Nutrient Management plans was being approved. The vote was taken and the motion passed unanimously.

The Consent Agenda includes the following approved items.

- #2 – Technical Assistance Requests/Cancellations**
- #3 – Nutrient Management Plan Approvals**
- #4 – Conservation Plan Acknowledgement**
- #5 – BOD Meeting Dates for 2022**

III. Additional Business

1. Items removed from Consent Agenda

#1 – Minutes of September 1, 2021 Board meeting

Sonia Wasco read the print out of the changes to the September Board Meeting Minutes on page 11. Sonia Wasco moved to replace the original minutes with the following statement:

III.3 Personnel Committee Report amendment Pages 11 & 12

Sonia also updated the Board about an active case of Covid-19 in the LCCD offices. Sonia reported that on Friday morning Chris Thompson tested positive for the virus and that two other employees had also tested positive. Sonia thanked members of the Operations Team for working together to close the office and send staff home to work until Sept 7th.

Sonia said she would entertain any questions or concerns.

Kevin Seibert voiced a concern to the BOD stating that we have rules we were supposed to follow for this virus and they were not followed by the person responsible for enforces those rules. Kevin specifically cited that Chris came into the office sick for 3 days and then on the 4th morning, Friday Aug 27th, he went to be tested for Covid. After going for the test Chris came back into the office and possibly infected even more employees. Later that morning, after receiving results that he tested positive, Chris left the office to quarantine at home. He activated the Administrator In Charge (AIC) schedule, but he did not instruct them to close the office. On Monday morning staff showed up at work, but as the Operations Team learned of someone else testing positive, they decided to close the office and send everyone home to work. Kevin stated he felt this was an absolute failure the way this was handled.

Item II.1

Chris acknowledged that he misjudged his symptoms and said he was wrong to come to work while sick and wrong to hold everyone else in the District to a higher standard than he held himself and for that he was sorry.

Sonia responded that lessons were learned and correctives will be taken.

Roger Rohrer seconded the motion.

Ken Meck and Herb Kreider stated they felt what was originally in the Minutes was sufficient detail for a non-actionable item.

Chris Thompson stated that adding in the new additions to the September Minutes is an attempt to remain transparent.

A vote was taken and the motion passed unanimously.

2. Treasures Report

Gerald Heistand reported that we continue to increase the total assets of the District. We increased the assets by \$366,000 with a majority of that funded by an Exelon Check for \$225,000. The General Operations fund increased by \$696,568.55. The E&S Account was minus \$18,000 when the Board packet was printed, but by the end of the month \$22,000 was received and recorded. Under the Reserve Section we have three Health accounts with reserves. Gerald and the Financial Committee will be discussing those funds and how to use them appropriately.

The Income and Expense report has no red flag. Sonia Wasco questioned why some of E&S expenses were under a different account and Gerald explained that the E&S Department receives their own funds to sustain the department separately from the Ag Department.

3. Personnel Committee Report

Sonia Wasco reported that the Employee Manual is being brought before the Board of Directors for final approval. Chris Thompson has hard copies if anyone wants a hard copy. Sonia Wasco moved to approve the Employee Manual in its final stage. Herb Kreider seconded the motion. Motion passed unanimously.

4. Nutrient Management/Expiring Plans Report

Keith Lutz reported that a few operators have not submitted their Nutrients Management Plans by the deadline of September 30, 2021. However, there are only three outstanding operators instead of the five reported in the Board packet. The Elmer Martin and Clair Hurst plans have been received. The John Lapp, Eli Stoltzfus and Paul Burkholder plans are said to be in the mail but we have not received them in the office to date. Kevin is requesting that the Board approve forwarding the operators that do not have the plans in by the October 18, 2021 deadline to the State Conservation Commission. Jay Snyder moved to approve submitting the names to the State Conservation Commission. Kent Weaver seconded the motion. Motion passed unanimously.

5. Ag Conservation Excellence Program

Kent Bitting reported there are currently seven applications that have been reviewed by District staff and are ready for Board action. It is being recommended that a positive action for approving \$317,973.10 worth of CEG funding for the seven applications. Project total costs are \$417,594.56 for conservation practices and the funding being requested is \$317,973.10. Harold Brubaker of Mount Joy Township - \$15,435.00; Ervin Martin of East Earl Township - \$4,373.10; Carl Musser of Clay Township - \$54,881.94; Gerald Metzler of Sadsbury Township - \$53,808.51; Todd Hess of East Donegal Township - \$12,020.32; Brain Eckman of Fulton Township - \$174,435.47; and Dale Graybill of Rapho Township - \$3,371.76 Jay Snyder moved to approve the CEG funding as presented. Roger Rohrer seconded the motion. Motion passed unanimously.

Item II.1

The CEG has one additional application, however, the CEG Grant funds for this year have been fully allocated. It is anticipated that we will be receiving additional funding in July 2022. The additional application is for Alvin Esh of Leacock Township requesting \$197,947.27 towards a total project cost of \$263,929.70. It is being recommended that a positive action for approving this funding contingent upon receiving additional CEG funding. Roger Rohrer moved to approve this CEG funding contingent on receiving more funds. Ken Meck seconded the motion. Motion passed unanimously.

6. RC&D Crops Survey

Chris Thompson recommended positive action for participating in the RC&D Crops Survey. Chris explained that the purpose of the survey is to measure the residue left on the field and the results will be used to adjust/update the Chesapeake Bay Model. Kent Weaver moved to approve participating in the survey. Sonia Wasco seconded the motion. Motion passed unanimously.

7. The Conservation Foundation

Jay Snyder reported that the Conservation Foundation has two open Director positions. According to their By-Laws a new member must be approved by LCCD Directors before being seated. The Foundation received interest and an application from Linda Ferich. Chris Thompson circulated a copy to the directors. Jay moved to accept her appointment to the Foundation Board. Kent Weaver seconded the motion. Sonia Wasco stated that she would like to see more information and background earlier for any other Foundation Directors that are brought before the Board for approval, Jay Snyder said he would get that information for them. The vote was taken and the motion passed unanimously.

IV. Reports/Information

1. Correspondence, News and Updates

- **Article** – Lancaster Newspaper – Bob Wagner – September 8, 2021
- **Article** – Lancaster Newspaper – Frank Burkhart September 8, 2021
- **Flyer** - Lancaster County Ag Council – Denim & Pearls Fundraising – November 3, 2021
- **Booklet** – Chesapeake Bay Journal – 2020 Annual Report – December 31, 2020
- **Arconic Foundation Grant Update** – 75th Anniversary Citation Presentation – Sallie Gregory – October 1, 2021

2. E&S/NPDES Monthly Projects Report:

Rich Snyder reported that the E&S department complaints are high again for the month due to significant rain events in the area. Four of the complaints were for the same site in Strasburg Township.

E&S will be looking into revising and discussing the fee schedule for mixed use projects where there is a combination of residential and commercial use and a recommendation will be brought before the Board before the end of 2021.

3. 2022 Budget Update:

Gerald Heistand reported that the 2022 budget has been drafted and will be reviewed by the Budget and Finance Committee on October 19, 2021. Gerald stated that a short-term solution could be to dip into the reserve funds we have at the District but we will be petitioning the County for an increase in our grant Chris stated that he will not be laying any of the employees off due to this because in reality more staff is needed to get the work done. The funding from the County is essential and Chris will be attending the next commissioner planning meeting to fight for more funds to sustain our budget.

Item II.1

4. Chesapeake Bay Phase II Compliance Update:

Kevin Lutz reported that last year's 2020/2021 CBP technician agreement payment was projected to be \$32,566 less than anticipated due to the required number of CBP inspection visits not being completed due to the loss of 2/3 of the staff that conduct the visits and Covid restrictions. In discussion with DEP the District was able to secure full reimbursement of the contracted amount by agreeing to add the 107 inspection-shortfall onto the current 2021/2022 year's 150 required visit.

Meeting Adjourned:

Chairman Heller officially adjourned the meeting at 9:10pm.

Suzanne Kopp
Recording Secretary