

Item II.1

**LANCASTER COUNTY CONSERVATION DISTRICT
BOARD MEETING MINUTES
December 1, 2021**

The 836th 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, December 1, 2021, at 7:30PM.

The following Directors were present: Dan Heller, Roger Rohrer, Herb Kreider, Bob Shearer, Jay Snyder, Ken Meck, Kent Weaver and Commissioner Ray D'Agostino.

The following Associate Directors were present: None present.

The following District Staff were present: Christopher Thompson, Gerald Heistand, Kevin Lutz, Rich Snyder, Kevin Seibert, Matt Kofroth, Sallie Gregory, Maddie Klein, Bryce Workman, Eric Hout, Adam Stern and Suzanne Kopp.

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

The following guests were present: None present.

Dan Heller called the meeting to order at 7:33 p.m. Dan welcomed everyone both in person and on Zoom. Dan expressed his gratitude of thanks to all the employees and the board of directors for their hard work. Adam Stern reminded everyone that the meeting was being recorded.

Ken Meck provided the invocation for the meeting.

Dan Heller recognized Ken Meck on his retirement from the Board of Directors effective January 2022. He served on the Board since 1998. Ken served on all the Board Committees and also served three terms as Chairman of the Board. He was a lifelong farmer. Tonight, is Ken's last official meeting as a Director on the Board. Chris Thompson presented Ken with a plaque of appreciation for his years of service.

Matt Kofroth introduced Bryce Workman, LCCD's Watershed Resource Technician.

Additions to the Agenda: Chris Thompson stated that under the recently amended Sunshine Act any action item the Director intend to deliberate and vote on must be listed on the agenda 24 hours prior to any actions can be taken. There are a few exceptions to this requirement: 1) Issues involving a clear and present danger, 2) Items that arise within 24 hours of the meeting that are de minimis in nature and not involving funding or entering a contract, 3) Business that is brought to the attention of directors by a guest of the public.

The final exception allowed is when the Board of Directors, by a majority vote, add a matter of business to the agenda. The reason for the addition needs to be communicated prior to any actions taken and then posted the next following business day in the amended agenda on our website and public access to our building/offices.

Two items we are proposing to add to tonight's agenda are:

1. Cessation of the 105 Program
2. Acceptance of the 2022-2023 CAP allocation

Herb Kreider moved to add these items to the agenda. Roger Rohrer seconded the motion. Motion passed unanimously. The items were added to the agenda under Additional Business (#5 & #6 respectively) for discussion.

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An opportunity was given for public comment: None were offered

I. Agency Reports

1. USDA, NRCS

Heather Grove reported that the only addition to the report in the agenda, is they are hiring a new conservationist. The plan was originally to hire an intern, however, the plan changed and they will be hiring the person fulltime starting in 2022.

2. PA DEP Field Rep Report

Elwood Blake reported that there is nothing to add to the talking points already presented in the agenda.

Chris Thompson wanted to highlight the new PAG-01 program that will be going into effect in March 2022. It will serve as an alternative means for NPDES coverage for earth disturbance activities less than 5 acres of disturbance. The primary benefit to the PAG-01 is that a site-specific stormwater analysis for PCSM will not be required.

II. Consent Agenda

Dan Heller gave the opportunity for Directors to withdraw any of the items from the Consent Agenda in order to have additional discussion. Hearing none, Ken Meck moved to approve the Consent Agenda which included items numbered one through four. Bob Shearer seconded the motion. The vote was taken and the motion passed unanimously.

The Consent Agenda includes the following approved items.

- #1 – Minutes of November 3, 2021 Board meeting**
- #2 – Technical Assistance Requests/Cancellations**
- #3 – Nutrient Management Plan Approvals**
- #4 – Conservation Plan Acknowledgement**

III. Additional Business

1. Treasures Report

Gerald Heistand reported that the Balance Sheet has another \$700,000 being added under restricted funds. Total for the General Fund is the same as October 2021.

Health 2021 is a new account which has \$25,000 as a result of staff in our self-funded plan not using all the RX funds that were budgeted.

There is a new Chesapeake Bay Action Grant for \$310,000 that is new for this month. It is funding that National Fish and Wildlife Foundation awarded to Penn State for LCCD to help administer the grant and disperse to the farmers to put in BMP's on the ground. Each project can only be \$20,000 towards BMPs on their individual farms.

The question was posed to the cause of why the line item 560 Grant Administration is so much lower than budgeted? The reason given was because we cannot claim the administrative costs until the grant is paid out. As soon as it is paid out to the recipients then we will collect those administrative fees.

2. Budget & Finance Committee Report

• 2022 Budget Presentation

The County provided \$326,000 for 2022 which is \$50,000 less than requested, so changes in the budget needed reviewed. The changes that were made are as follows:

1. Moving to a local HR support company that will result in a cost savings
2. Cost savings due to personnel status changes such as Dennis Eby's retirement and his position not being refilled, along with a staff member dropping spousal coverage and another staff member joining Medicare.

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3. Changes in the grants budget relative to projected pass through expenditures
4. Delaying the bi-annual Ag Mid-Atlantic NMP Training from 2021 to 2022
5. Reducing 105 clean water fund fee income as a result of curtailing the 105 responsibilities.

Roger Rohrer moved to approve the 2022 budget as presented. Kent Weaver seconded the motion. Motion passed unanimously.

• Policy Update

Chris reported that last month the Board voted to allow the Financial Committee to make investment decisions for our reserve funds, pending a review of S.C.C. policy/approval. The changes are in red on the policy statement in the agenda that was distributed. Guidance provided by the S.C.C. and DEP is that the District should have an established policy that ensures investments are low risk and short term.

Ken Meck moved to approve the changes to the investment policy statement. Herb Kreider seconded the motion. Motion passed unanimously.

3. Personnel Committee Report

• Human Resource Contract Update

Chris Thompson reported that a new Human Resources service is being recommended. Kimberly Patrick at Frameworks Consulting was recommended by a Board Director. The contract for Framework Consulting is in the agenda packet. Roger Rohrer moved to approve as presented. Bob Shearer seconded the motion. Motion passed unanimously.

• Summer Intern

Matt Kofroth reported that a Summer Internship position is being requested for approval. The funding for the intern is in the 2022 budget and the request is to advertise for the position.

Roger Rohrer moved to approve as presented. Herb Kreider seconded the motion. Motion passed unanimously.

4. E&S Committee Report/Compliance Update

Rich Snyder reported on the Minutes from the E&S Committee Meeting as stated in the agenda that was distributed. The Committee recommends the applicable fee for a multi-story apartment building/complex shall be in accordance with the current E&S control plan review fee schedule. The Committee continues to exhaust all efforts in cessation the Chapter 105 program. The Committee denied the request to waive the current E&S Control Plan review fees for Schreiber Pediatric project. Jay Snyder moved to approve the E&S Committee report as stated. Bob Shearer seconded the motion. Motion passed unanimously.

5. Cessation of the 105 Program

DEP has reviewed our minutes from last month and the agenda for tonight and felt that they don't adequately express the Boards plans to terminate the 105 Program. They have requested that directors take a final action to terminate the delegation agreement without any qualifications and that the motion also include plans to notify the Department of the termination which will take affect after 60 calendar days of the notification.

Jay Snyder moved to approve the cessation of the 105 Program as presented. Roger Rohrer seconded the motion.

Elwood Blake commented that the DEP asked that eight points be read before a vote is taken. (A copy of the eight points is attached at the end of the minutes). Elwood read the eight points out loud. Chris stated that dropping the 105 Program has more to do with staff capacity to administer the 102 Program, but it could be the first of other programs that get returned to DEP and SCC if the staff funding issues are not addressed. The funds to run the programs has not been increased for several years and is out of line with what it actually costs to run the programs. DEP cannot continue to ask the District to do more with less
Motion passed unanimously

6. Acceptance of the 2022-2023 CAP allocation

This afternoon LCCD received advanced notice of being awarded additional funding from the Department of Environmental Protection for the CCWAPC/CAP Implementation Grant. The total to be received is \$3,583,216 which is divided among several different projects/programs, each with a different deadline. Some as early as

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Sept. 30, 2022 and as late as June 30, 2023. A vote to receive these funds tonight will allow staff to process the remaining paperwork and begin working with the various partners to begin planning and promoting implementation for early in 2022.

Roger Rohrer moved to accept the 2022 2023 Cap Allocation. Jay Snyder second ed the motion. Motion passed unanimously.

IV. Reports/Information

1. Correspondence, News and Updates

7. Flyer – Lancaster County Conservation District – Manure Injection Outreach Meeting – December 6, 2021
8. Post Card Mailing – Lancaster Chamber – 2021 Ag Industry Summit – November 11, 2021

2. E&S/NPDES Monthly Projects Report:

Rich Snyder reported 18 total projects were received in November as compared to 25 projects in November of 2020. We had to close the books early for November due to the holiday.

3. Extraordinary Give Update:

Sallie Gregory thanked everyone who donated to the Conservation Foundation. The LCCD received \$7,135.00 to go towards the Youth Conservation School and the Lancaster County Envirothons.

4. PACD/SCC Report and Winter Mtg. Registration:

Chris Thompson reported that all the PACD Winter Meetings will be held virtually this year from January 5, 2022 thru January 27, 2022. Registration is free but required to attend.

Additional Public Comment:

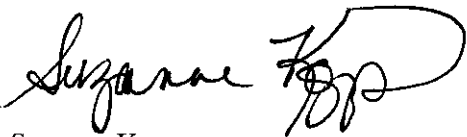
The next Board of Directors/Annual Planning meeting will be held at the Farm Credit Office in Mount Joy on January 19, 2022 at 9:00am.

Roger Rohrer shared that his son shot a 10-point white tailed deer.

Meeting Adjourned:

Dan Heller adjourn the meeting at 9:20pm.

Respectfully submitted,



Suzanne Kopp
Recording Secretary