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**LANCASTER COUNTY CONSERVATION DISTRICT
BOARD MEETING MINUTES
August 4, 2021**

The 832nd 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, August 4, 2021, at 7:30PM.

The following Directors were present: Daniel Heller, Herb Kreider, Jay Snyder, Ken Meck, Roger Rohrer, Bob Shearer, Sonia Wasco and Commissioner D’Agostino.

The following Associate Directors were present: Frank Burkhart and Deb Seibert.

The following District Staff were present: Christopher Thompson, Gerald Heistand, Kevin Lutz, Rich Snyder, Kent Bitting, Matt Kofroth, Sallie Gregory, Amanda Grube, Britton Hartzok, Amanda Goldsmith and Suzanne Kopp.

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

The following guests were present: Breana Beers – Summer Intern.

Chairman Dan Heller called the meeting to order at 7:36 p.m. Dan welcomed everyone and asked if there were any introductions to be made, Matt Kofroth introduced the Summer Intern – Breana Beers. Sallie Gregory reminded everyone that the meeting was being recorded.

Jay Snyder provided the invocation for the meeting.

Additions to the Agenda: Chris Thompson stated there are four additions to the agenda:

1. PennVest/Levi & Barbie Fisher
2. MEB Grant Application
3. PAFBC Cooperative Agreement
4. Copier purchase for the E&S Department

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.

2. PA DEP Field Rep Report

Chris Thompson reviewed highlights from the DEP Field Notes: The District Director Nomination Process has started and we are currently awaiting responses from the directors whose terms will expire at the end of 2021, as to whether they are willing to serve another term. There is intent from both the SCC and DEP to enter into another joint 5-year delegation agreement from 2022-2027 for the Nutrient Management Program. They specifically asked Kevin Lutz to be on that committee to review/update the delegation agreement. The Sunshine Act amendment require all agencies to post an agenda of

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agenda items to be deliberated or planned official actions to be taken, at least 24 hours prior to any regular or public meetings. This change becomes effective on August 29, 2021.

3. Summer Intern Presentation

Breana Beers grew up in Lancaster County and then went to Cedar University in Ohio where she obtained a degree in Biology. While here at the LCCD she shadowed the Ag and the E&S programs and worked along side of Matt Kofroth and Sallie Gregory in the Watershed and Education departments. Breana shared a slide presentation of her experience at LCCD and said she learned a lot and enjoyed her time here working with LCCD staff. She was grateful for the opportunity to be our Summer Intern.

II. Consent Agenda

Chairman 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, Bob Shearer moved to approve the Consent Agenda which included items numbered one through four. Jay Snyder seconded the motion. To avoid the potential of a conflict of interest, Herb Kreider abstained from the vote. The vote was taken and the motion passed unanimously.

The Consent Agenda includes the following approved items.

- #1 – Minutes of July 7, 2021 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.

2. Treasures Report

Gerald Heistand reported that the numbers on the balance sheet remained relatively the same since last month.

The Income and Expense report is in good standing this month, with the General Operations, E&S and Activities only changing less than \$1000 since last month.

3. Conservation Excellence Projects

Kent Bitting reported on two applications being presented for approval that have been reviewed by District staff and are ready for Board action. Project total costs are \$24,217.09 for conservation practices and the funding being requested is \$18,162.82. Ervin Martin of East Earl Township - \$12,390.67 and James Stahl of Manheim Township - \$5,772.15.

Roger Rohrer moved to approve the funding for the two applications being presented. Sonia Wasco seconded the motion. Motion passed unanimously.

4. E&S Committee Report

Rich Snyder reported that there was no E&S Committee meeting in July. However, there were developments with the Jay Stauffer enforcement case. The forms and penalty amounts due, were sent by certified mail to Mr. Stauffer with a deadline of July 26, 2021 to return signed forms and pay the penalty. Jay Stauffer did not sign and return the documents or pay the fine by the deadline. Mr.

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Stauffer requested an in-person meeting with DEP because he stated he had some questions for them. DEP denied the requested in-person meeting, but extended the deadline for Mr. Stauffer to August 13, 2021. If Jay Stauffer does not adhere to the new deadline of August 13, 2021 then the maximum penalty will be executed. Chris Thompson requested that the Board of Directors not delay acting until the September meeting, but instead vote to allow staff to forward compliance related information to DEP immediately if Mr. Stauffer does not comply by the August 13, 2021 deadline. Ken Meck moved to give staff authority to proceed with the Jay Stauffer case and implementing maximum penalty if he does not pay the current fine and sign the paperwork and return the forms by the August 13, 2021 deadline. Jay Snyder seconded the motion. Motion passed unanimously.

5. Grant Management Solutions, CARGAS

Sallie Gregory reported that we are searching for a company to develop software to manage the grants we have at the LCCD. The committee researched four companies, all but one of the companies charged a maintenance fee as much as a \$10,000 yearly. The Grant committee selected CARGAS One, a local firm with a proven track record, to make a custom software program to manage our grants. The estimated expense for this custom program is \$24,238. We currently have \$18,000 to pay for phase 1 of the project. The committee stated that we could offer this product to other Districts for a fee, to manage their grants as well, which will create income. The committee requested the Board to agree to approve and move forward with CARGAS and the estimated amount of \$24,238. Chris Thompson stated that this is a component to Grant management along with the position to hire the Grants Coordinator to manage the grants that the Board already approved previously. Roger Rohrer moved to approve going forward with the contract with CARGAS. Sonia Wasco seconded the motion. Motion passed unanimously. Chris stated that he would like to start the interview process for the Grants Coordinator position by the end of September.

6. PennVest/Levi & Barbie Fisher

Levi and Barbie Fisher applied for funding early in 2020 in the amount of \$202,000, however when they began to sign all the paperwork it was discovered that they were delinquent in back taxes and so everything was put on hold until the taxes were paid. The Fishers have satisfied the tax lien and PennVest is willing to go forward with the original funding as of August 10, 2021. Chris is requesting that a motion be made for LCCD to agree to be the fiscal agent for the principal forgiveness loan in the amount of \$202,000. Chris is also asking for a series of signers for the loan consisting of Dan Heller, Bob Shearer, Kent Weaver and Chris Thompson.

Herb Kreider moved to approve the request for LCCD to act as a fiscal agent for the loan and also for the signers to be authorized to sign for the loan going forward. Roger Rohrer seconded the motion. Motion passed unanimously.

7. MEB (Most Effective Basins) Grant

Matt Kofroth reported that the LCCD was requested to sponsor a new National Fish and Wildlife Foundation fund called the MEB Grant. Penn State is working with Kirby Nissley in Rapho Township and is requesting that the District sponsor the MEB Grant for this work. The LCCD would be the fiscal agent only of the Grant. TeamAg Inc. would be doing the work on the Nissley farm. The Grant is for \$223,043.89 of which \$10,621 would be used by the District for administration costs associated with the Grant. Jay Snyder moved to approve as stated. Sonia Wasco seconded the motion. Motion passed unanimously.

8. PAFBC Cooperative Agreement

Matt Kofroth reported that the LCCD Watershed Program is working with the PA Fish & Boat Commission on a Cooperative Agreement for the removal of two small dam structures on the Melvin Beiler property, 225 North Holland Road, Gordonville. The PAFBC has funds through the Muddy

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Run Exelon funding program to remove fish impediments and dam structures in Lancaster County. It was determined that the Beiler farm qualified as a fish obstruction and is eligible for their Exelon funds. The PAFBC is asking the District to sign a Cooperative Agreement for these funds and removal of the structures. The Agreement states that PAFBC will pay the District to hire a contractor for \$6,000 to remove the dam structures. Once the dams are removed the District has other grant dollars to pay for the fencing and riparian buffers on the farm. The request is being made to the Board to approve as stated. Sonia Wasco moved to approve as stated. Bob Shearer seconded the motion. Motion passed unanimously.

9. Copier Purchase for the E&S Department

Rich Snyder reported that with the E&S Department adding another technician to the team and the fact that the copier/printer is becoming increasingly harder to find parts to repair, the Team would like to purchase a new printer. Cost effective research was done by Suzanne Kopp to compare pricing on a newer used model or a brand-new model versus the current model we are using. It was decided that purchasing a new 4515 Copier with a significant reduction in the maintenance contract was the most cost effective/cost savings purchase. Herb Kreider motioned to purchase the new 4515 Copier/Printer. Sonia Wasco seconded the motion. Motion passed unanimously.

IV. Reports/Information

1. Correspondence, News and Updates

- **Correspondence** – Blakinger/Thomas Law Firm – Act 65 of 2021 Sunshine Law Amendments – July 20, 2021.
- **Post Card** – Lancaster Farmland Trust – Save the Date – October 19, 2021.
- **Booklet** – Center for Rural Pennsylvania – Rural Perspectives – July/August 2021.

2. E&S/NPDES Monthly Projects Report:

Rich Snyder reported that the E&S department had 26 incoming plans for month of July 2021 and 13 new complaints. Program income is more than \$100,000 in comparison to July 2020 revenue. Rich also reported that, DEP has requested the E&S Department to get the current status of over 100 Individual projects in Lancaster County. DEP amended the request three times. This project will help pave the way for DEP to assess a new annual fee for all Individual projects that are not completed from year to year. DEP will be invoicing these fees, as well as, collecting and keeping the fees for these projects each year.

The District has received 38 applications so far for the new Resource Technician position in E&S.

Chris Thompson requested the Board to approve overtime to be paid to the E&S Department technicians. Due to the increased plan submittals and extra projects from DEP that must be accomplished, this puts the technicians behind in meeting their timelines for reviews. Work is backed up and technicians will need to work extra hours to get their work timelines up to date. The parameters for the overtime will be capped at five hours extra per week for each technician through September 31, 2021 and will be paid at time and a half. It is meant for those that have taken on extra projects in addition to their current workload to be able to get their timelines for reviews back on schedule. Herb Kreider moved to temporarily put overtime into effect for the E&S Technicians. Sonia Wasco seconded the motion. Motion passed unanimously.

3. Youth Conservation School Update

Sallie Gregory reported that Conservation School was a success being held partially online and partially in person. There were a couple challenges that they had to deal with for certain attendees and

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their style of learning – but Sallie and the committee worked with the parents to come up with solutions.

4. PACD Annual Meeting Report

Sonia Wasco reported that the PACD budget was approved for the year and new officers selected. Awards were also presented at the annual meeting.

5. 2020 Audit Review/Management Report

Gerald Heistand reported that Smith-Elliott Kearns and Company has completed the District's 2020 Audit. There were no significant findings for 2020. One concern noted was that 81% of funds that the LCCD uses are from State funding. A few directors commented that they greatly appreciate that the auditor use pie charts to visually express their findings.

6. Website Updates

Sallie Gregory reported that we currently have three websites that are maintained at the LCCD. They are: LCCD Website, Ombudsman Website and Watershed Website. Greg Strausser recommended Albright Design Studio as a company to research for maintaining our websites. Through securing funding through a Grant, the District was able to have Albright Design Studio start renovations on the website. Larry Albright estimated that it will cost the District approximately \$300 a year to maintain the websites.

Additional Public Comment:

Sonia Wasco reported that the Elizabeth Farms property sites are going up for public sale.

Gerald Heistand gave an update on the charging stations for electric vehicles. The Farm and Home Center directors met and said if the LCCD wanted to put in the charging stations, they would expect LCCD to assume full responsibility for the installation costs and management of the docking stations. More details will be available next month.

Chris Thompson stated that as of August 5, 2021 the District will be enforcing wearing masks whether vaccinated or not vaccinated while in the building at all times and while driving fleet vehicles. This is enforced until further notice.

Meeting Adjourned

Chairman Heller officially adjourned the meeting at 9:42 pm.

Suzanne Kopp
Recording Secretary