

**LANCASTER COUNTY CONSERVATION DISTRICT
BOARD MEETING MINUTES
October 5, 2022**

The 845th 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 October 5, 2022 at 7:30PM.

The following Directors were present: Daniel Heller, Chairman; Herb Kreider, Jay Snyder, Kent Weaver, Bob Shearer, Sonia Wasco and Commissioner John Trescot.

The following Associate Directors were present: Greg Strausser, Justin Welk and Lisa Graybeal.

The following District Staff were present: Christopher Thompson, Gerald Heistand, Kevin Lutz, Matt Kofroth, Sallie Gregory, Kent Bitting, Eric Hout, Ben Seldomridge, Adam Stern and Suzanne Kopp.

The following Cooperating Agency representative was present: None present.

Dan Heller called the meeting to order at 7:30 p.m. Dan welcomed everyone both in person and on Zoom. Adam Stern reminded everyone that the meeting was being recorded.

Bob Shearer provided the invocation for the meeting.

Additions to the Agenda: There will be an addition to the Personnel Committee Report, as well as, a PA DEP Field Rep Report and a letter from the Lancaster County Board of Commissioners was submitted after the day of packet was completed.

Bob Shearer moved to add the additions to the agenda as stated. Herb Kreider seconded the motion. Motion passed unanimously.

An opportunity was given for public comment: Chris Thompson introduced Ben Seldomridge, an Ag Compliance Specialist at the District. Chris also stated that after 40 years of service, this was Gerald Heistand's last Board meeting as Business Manager for the District do to his retirement on October 20, 2022.

I. Agency Reports

1. USDA, NRCS

Heather Grove had a death in the family and she was not in attendance. Chris Thompson reported that there are no additions to the submitted report in the board packet.

2. PA DEP Field Rep Report

Chris Thompson highlighted a few items:

1. Different funding opportunities:
 - 2023 CAP Implementation Grand Round. Chris would like to state that we do not know what we are getting from year to year with the CAP program and said that it is hard to plan when we don't know what the future holds. Some of these funds will be allocated to stream restoration.
 - 2023 DEP Environmental Education Grants.
2. The 2021 District Audit is due by December 31, 2022.

3. District Director nominations are due to the SCC by December 1, 2022 – Kent Weaver and Roger Rohrer are both willing to serve again if the Board will do a formal action to retain them. Chris also stated that we still have three Associate Director positions open and recommendations are being accepted.
4. Practice Keeper Third-Party Portal went live on Monday, August 29, 2022. The District is still the gatekeeper as to what information is being recorded in to Practice Keeper.
5. We do not currently have a DEP Field Representative; however, the interviews have been completed and an announcement will be made soon about who is filling the position.

II. Consent Agenda

Chairman Daniel Heller gave the opportunity for Directors to withdraw any of the items from the Consent Agenda in order to have additional discussion.

The Consent Agenda includes the following approved items.

#1 – Minutes of September 7, 2022 Board meeting.

#2 – Technical Assistance Requests/Cancellations

#3 – Nutrient Management Plan Approvals

#4 – Conservation Plan Acknowledgement

#5 – BOD Meeting Dates for 2023

Chris Thompson noted that #5 – BOD Meeting Dates for 2023 – that the February 1, 2023 is the Annual Planning Meeting. There will be a planning meeting in the morning starting at 8:00am followed by lunch and a Board meeting in the afternoon at 1:00pm.

Jay Snyder moved to approve the Consent Agenda as stated. Herb Kreider seconded the motion. Motion passed unanimously.

Requests for Nutrient Management Plan Approval (Lutz) September 2022 Activity October 5, 2022 Board Meeting

To: The Lancaster County Conservation Board of Directors Nutrient Management Plan Review Committee: I respectfully submit these Nutrient Management Plans and/or Plan Amendments to the Nutrient Management Plan Review Committee.

I recommend these plans to be approved by the Board. The plans are for the following operations:

OWNER	TOWNSHIP	OPERATION	DESIGNATION	AEU's/ACRE	REVIEWER	PLAN#
Norman Hoover	Ephrata	Broiler	CAO	45.11	Heigel	68
Randall Yoder	Sadsbury	Broiler	CAO	4.61	Heigel	328
Christ G. Fisher	Paradise	Dairy	CAO	2.77	Goldsmith	1421
Galyn Musser	Rapho, E.Hempfield	Dairy/Pullet	CAFO/CAO	2.39	Hartzok	532
Melvin Huber	Rapho	Layer, Beef Heifer	CAFO/CAO	7.40	Hartzok	316
Brian Nolt	Rapho	Swine	CAO	5.63	Hartzok	141
Bryan Byers	Drumore, E.Drumore	Duck	CAFO/VAO	0.66	Adams	110
Amos B King	Drumore	Dairy	CAO	2.60	Adams	531
Daniel K. Miller	Fulton	Dairy, Swine	CAO	5.13	Adams	298
John Zook	Sadsbury	Dairy	CAO	2.98	Adams	1372

OWNER	TOWNSHIP	OPERATION	DESIGNATION	AEU's/ACRE	REVIEWER	PLAN#
Scott Wagner	Little Britain	Turkey	CAO/CAFO	2.84	Adams	603
Shannon Zimmerman	Ephrata	Broiler	CAO	190.34	Lutz	308
William Hynes & Eric Miller	Mount Joy	Broiler	CAFO/CAO	213.03	Lutz	523
Lamar Moyer	East Donegal	Broiler/Goat	CAO	95.37	Lutz	85
Isaac Garman	West Donegal	Layer	CAO	33.32	Lutz	86
Mike Denlinger	West Cocalico	Layer	CAO	55.92	Heigel	304
Lowell Sensenig	Brecknock	Broiler, Swine, Heifer	CAO	3.19	Heigel	270
Alvin Zimmerman	East Earl	Heifer	CAO	2.18	Hartz	542
Marvin Esh	Bart	Beef	VAO	0.73	Jones	2397

III. Additional Business

1. Items removed from Consent Agenda

None Removed.

2. Treasures Report

Gerald Heistand reported that there was a decrease on the Balance Sheet with the total assets dropping from \$10.3 million last month to \$9.5 million this month.

Gerald stated that the Income and Expense report has nothing unusual to report this month.

Chris Thompson explained that INVEST is a program from the State and these funds do not need to be insured due to that fact.

3. Personnel Committee Report

Sonia Wasco reported after a recent review of the District Vehicle Use Policy, some changes were needed. Sonia is asking board members to review the policy. The attached policy will be presented at the November 2022 BOD Meeting for final approval. Chris Thompson stated that there will be an addition made to the policy that states "no driving company vehicles for personal use" and the following statement "unless approved by the Board of Directors" will be added.

Interviews were held for four open positions at the District – Data Coordinator and two Resource Conservationist I positions, as well as, an E&S Program Manager. The following candidates are being put forward for the Board's consideration for approval:

- Jarred Hayes – Resource Conservationist I
- Ryan Riebling – Resource Conservationist I
- Noelle LaFaver – Data Coordinator

Sonia Wasco moved to accept the Personnel Committee report, as well as, approval to hire the candidates as stated. Bob Shearer seconded the motion. Motion passed unanimously. The start date will be October 17, 2022 for all new hires.

Sonia also reported on Program Updates and New Positions for the District. The Personnel Committee is requesting to advertise to hire an Assistant District Manager, as well as, advertise to hire another Nutrient Management Position and an Ag Engineering Technician Position.

Sonia Wasco moved to advertise and hire three new position as stated. Herb Kreider seconded the motion. Motion passed unanimously.

Sonia reported that there will be an E&S Program Manager and an E&S Technical Manager. Adam Stern is being recommended as the E&S Program Manager and Eric Hout is being recommended as the E&S Technical Manager. Herb Kreider questioned if there was enough money to support having two managers and Chris

Thompson assured everyone that there was appropriate funding available. Sonia stated that early in 2023, there will be an opportunity put in place to also have a Lead Technician position developed. Sonia Wasco moved to approve the restructure of the E&S Management team and recommends hiring Adam Stern and Eric Hout for the positions stated. Jay Snyder seconded the motion. Motion passed unanimously.

4. Nutrient Management/Expiring Plans Pre-Approval

Kevin Lutz reported that Act 38 Nutrient Management Plans approved for Crop Years 2020-2022 expired on September 30, 2022. The LCCD, as required by the Nutrient Management Delegation Agreement, started to notify 45 Act 38 operators in April 2022 with a series of three SCC approved form letters stating their plans were expiring and needed to be revised by a commercial planner and submitted to the District by September 30, 2022. The following operator currently has not submitted a revised plan to the District. SCC guidance states the District may refer these operators to SCC for potential enforcement and follow-up. However, Kevin has been in touch with Lester and his planner and updated the Ag Committee about Lester's extenuating circumstances. The Ag Committee recommends giving Lester Weiler until November 1, 2022 to submit his plan before submitting his name.

<u>Operator</u>	<u>Municipality</u>
Lester Weiler	Earl Township

Kent Weaver moved to approve granting Lester Weiler until November 1, 2022 to submit his plan. Bob Shearer seconded the motion. Motion passed unanimously.

5. PACD Plan Reimbursement Program

Kevin Lutz stated that PACD was awarded a \$500,000 Growing Greener Grant from DEP to offer an Ag Plan Reimbursement Program for Conservation Districts from 2022-2024. This program is a benefit to the Ag Community; however, some questions still remain unanswered as to how the LCCD could most efficiently run the program. LCCD has two outstanding questions that need answered sufficiently before taking on the program responsibility:

1. Plans for properties previously paid for by the DEP reimbursement program are ineligible for this funding. LCCD has requested a list of participants of the previous program from DEP to properly assure this requirement is met.
2. Plans are only required to be reviewed for administrative completeness rather than a technical review as part of the program. However, the District is asking if DEP would allow a technical review of the participating plans to be counted as a Phase I inspection for the Bay Program. (This would ensure quality plans being entered into Practice Keeper as well as efficiently utilizing staff to meet multiple goals).

The Ag Program Manager is requesting positive action for LCCD to participate in this program pending appropriate answers to the two questions.

Sonia Wasco moved to approve LCCD to participate in the program pending appropriate answers to the questions as stated. Jay Snyder seconded the motion. Motion passed unanimously.

6. Conservation Foundation Report:

Jay Snyder reported that there were two potential Foundation directors who applied to be Foundation Board Members. They are Donald Murphy Jr. and Mark Herman. Their applications and biographies were circulated for review

Jay Snyder moved to approve accepting the potential Foundation Board Member's as stated. Sonia Wasco seconded the motion. Motion passed unanimously.

7. 2021 Audit Report

Gerald reported that there were no findings reported from the 2021 Audit. He noted that the District was subjected to the Simple Audit because we had \$750,000 in Federal funds and that resulted in many extra hours of Gerald's time to provide program details and documents. A motion to accept the Audit will be on the November Board agenda.

IV. Reports/Information

1. Correspondence, News and Updates:

- Post Card – Chesapeake Bay Foundation – Keystone 10 Million Trees Partnership – August 26, 2022.
- Flyer – Lancaster County Ag Council – 8th Annual Denim & Pearls – November 2, 2022
- Flyer – Purdue University – Connecting with Amish and Other Plain Communities – November 1-3, 2022
- Email Mail – Chester County Conservation District – 75th Anniversary Event – September 30, 2022

Sonia Wasco moved to have the November Board meeting moved to Thursday, November 3 2022 due to a conflict with the Denim & Pearls event. Bob Shearer seconded the motion. Motion passed unanimously.

2. E&S/NPDES Monthly Projects Report:

Adam Stern reported that our review fees have exceeded the 2022 budgeted amount. Adam also stated that after the disputed review fee amount for 1376 Campus Road project had been remedied and a final check for the review fee for the total amount due was received.

3. E&S Committee Report:

Adam Stern reviewed the highlights from the committee meeting. He reported that the E&S vehicle that was approved for purchase, is expected to be here in November 2022. He reviewed work being done to update fees to be presented to the Board in November with the goal that they would be in place for the beginning of 2023 calendar year.

Eric Hout updated the Board of Directors on Florin Hill subsurface infiltration facility which has now been installed and grass is beginning to grow. LCCD is planning to move toward an enforcement action over the next few months once vegetation is more established and the site is ready for closeout.

4. 2023 Draft Budget Review:

Gerald Heistand reported that the Budget Finance Committee is presenting a \$13.2 million balanced budget. At the end of 2023 the Operations Balance should be \$28,226.00. Gerald explained that more funding is being brought into the District now through Grants than in past years.

Gerald stated that when this budget is passed, it means that the E&S budget and the Education budget is included in that positive vote. We expect to carry over project dollars from 2022, so the goal is to spend a million and a half more than what we actually bring in this year.

5. Foundation Executive Committee Meeting:

Jay Snyder reported that the Executive Committee has been meeting with Clean Water Partners leadership to review the process of forming an LLC. Jay showed three documents describing the interrelationships of the District, Foundation and Partners, similarly to how they are currently operating and will be formalized in

more developed writings to cover them all legally. Chris Thompson is asking that the Board review these three documents and questions will be answered at the November Board of Director meeting.

6. PACD Director Meeting Update:

Sonia Wasco reported on the October 5, 2022 meeting highlights. The winter meeting will be held totally virtually and the summer 2023 meeting is being planned as a hybrid meeting. Sonia is requesting that a range of \$350-\$500 per Conservation District be donated to the PACD to help fund a wages and benefits survey, county by county so that they can get real comparisons across the State.

7. Commissioner Representative Transition:

Chris Thompson presented a letter received from the County Commissioners, outlining Commissioner D'Agostino's desire to step down from the LCCD Board, citing too many duties as President Commissioner and appointing Commissioner John Trescot to complete his term. Commissioner Trescot will be sworn in at the November 3, 2022 Board meeting. Commissioner Trescot will also need to be reappointed at the January 2023 meeting.

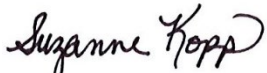
Additional Public Comment:

None offered.

Meeting Adjourned

Chairman Heller adjourned the meeting at 9:35pm.

Respectfully submitted,



Suzanne Kopp

Recording Secretary for the Board of Directors