

**LANCASTER COUNTY CONSERVATION DISTRICT
BOARD MEETING MINUTES
June 1, 2022**

The 841st 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, June 1, 2022 at 7:30 PM.

The following Directors were present: Daniel Heller, Chairman; Herb Kreider, Roger Rohrer, Jay Snyder, Dale Herr, Kent Weaver, Sonia Wasco, and Commissioner Ray D'Agostino.

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

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

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

Dan Heller called the meeting to order at 7:35 p.m. Dan welcomed everyone both in person and on Zoom. Adam Stern reminded everyone that the meeting was being recorded.

Kent Weaver provided the invocation for the meeting.

Additions to the Agenda: Nomination for Director Emeritus.

Dale Herr moved to approve the addition to the agenda for discussion. Roger Rohrer seconded the motion. Motion passed unanimously.

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

I. Agency Reports

1. USDA, NRCS

Heather Grove offered no additions to the report this month. No questions were raised.

2. PA DEP Field Rep Report

Chris Thompson highlighted a few talking points in the agenda packet on page 2 of the report – The Spring Webinar Series on Leadership specifically for Directors to attend. Registration is necessary to attend.

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. Gerald Heistand requested the May Meeting Minutes be removed from the Consent Agenda to correct an amount that is stated was invested at FFA from \$635,000 to \$750,000.

Jay Snyder moved to approve the amended Consent Agenda. Dale Herr seconded the motion. Motion passed unanimously.

The Consent Agenda includes the following approved items.

- #1 – Minutes of May 4, 2022 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

Gerald Heistand requested the May Meeting Minutes be removed from the Consent Agenda to correct an amount that is stated was invested at FFA from \$635,000 to \$750,000.

Dale Herr moved to approve the corrected meeting minutes from the May 2022 Board meeting. Sonia Wasco seconded the motion. Motion passed unanimously.

2. Treasures Report

Gerald Heistand called attention to the shaded box on the Balance Sheet, these amounts are what is being withdrawn out of individual funds and being invested with Fulton Financial. Currently, the market is being so volatile, the current loss is -2.7%.

3. Watershed Specialist Delegation Agreement

Matt Kofroth reported that the PA DEP Conservation District Watershed Specialist contract needed to be renewed. This contract pays for a portion of the salary for the Watershed Specialist. The contract amount will be the same as it has been since 2018 at a maximum of \$45,250/year. Deliverables and project goals remain unchanged except for a greater emphasis of completing data collection and recording into the Practice Keeper system.

Sonia Wasco moved to approve renewing the Watershed Specialist Contract. Dale Herr seconded the motion. Motion passed unanimously.

4. Nutrient Management/Manure Management Delegation Agreement

Chris Thompson reported that the Nutrient and Manure Management Programs were combined under one 5-year Delegation Agreement in 2011. Last year a workgroup of Agency and District staff was formed to suggest and review proposed changes to the 2022-2027 Agreement. The final document shared with the SCC at their May 10, 2022 Commission meeting included several additional changes the Workgroup had not reviewed. The changes were designed to make the Manure Management program more regulated and the responsibility for carrying out those duties were included in the revised Required Output Measures (ROM). Additionally, there were several issues that were still lacking detail including technician funding and the inspection protocols.

The exercise has solidified districts state-wide in opposition to the progressive slide toward more regulatory responsibilities. Several District Managers attended the SCC meeting and petitioned the Commission members to table approving the Delegation Agreement until the additional questions could be answered and the district directors could discuss the proposed changes. By unanimous vote the Commission voted to table action on the NM/MM Delegation until their July meeting.

LCCD staff were relatively neutral about the added inspection responsibilities, but the Delegation revisions, and the process by which they were made, had exposed several other concerns:

- **Compromised Mission** - More compliance responsibilities negatively impact our reputation in the community making it difficult to provide technical and financial assistance to the local land owners so they can be good stewards of our county's natural resources.
- **Staff Retention** - The funding for almost all of the state programs are inequitable and insufficient. The operational deficit it creates limits what we can pay for salaries which leads to the significant, and on-going staff, turnover.
- **Operational Independence & Sustainability** -The direction of the state programs continues to minimize Director authority and leadership for local issues.

A letter outlining these concerns was reviewed by the LCCD Executive Committee and sent to the SCC, DEP and PACD, and a response was received. A joint meeting between SCC/DEP and Districts was held on May 23, 2022 to review and discuss the proposed changes. Additional details were reviewed at that meeting, which included an increase in the reimbursement rate and a softening of some of the Agreement language. It is expected that we will have an updated copy of the finalized NM/MM Delegation Agreement for Board review, but Districts have asked PACD to draft a letter requesting flexibility in the ROMs that each District can review and sign prior to the July 20, 2022 SCC meeting.

The proposed increase in State program funding for the NM/MM Delegated Conservation Districts is going from \$60,000 to \$70,000.

5. ACT/CDFAP Agreement

Gerald Heistand reported it is anticipated that at the July 2022 SCC meeting, formal action will be taken to allocate funds through the CDFAP/UGWF programs. That funding provides partial support of the salary/benefits costs for the following positions: \$22,350 for the District Manager, \$16,225 for the 1st E&S Technician, \$16,225 for the ACT selected position, and \$27,874 of UGWF funds to be used at the discretion of the District. These funding levels are the same as last year. On May 20, 2022 the CDF AP application for funding was submitted for the District Manager, 1st E&S Technician using DEP GreenPort. For the ACT funding tied to Keven Seibert's position, they are looking for Board action with an additional paper application. As in the past with the UGWF funds, administration proposes to use those funds to help support the Business Manager position held by Gerald Heistand. Positive Board action is being requested to formalize the details of these funding applications.

Kent Weaver moved to approve the ACT/CDFAP Agreement as stated. Sonia Wasco seconded the motion. Motion passed unanimously.

6. Personnel Committee Report

Sonia Wasco reported that there are currently five open positions; three on the Ag Team, one with E&S and the new Data Coordinator. Two candidates being put forward to fill the open Ag Tech positions are: Patrick Kidd and Emma Findeisen and upon Board approval, their expected start date would be June 20, 2022.

The new E&S Technician candidate being put forward for hire is Stephen Wyld and upon Board approval, his expected start date will be July 5, 2022.

The Data Coordinator candidate Katelyn Amspacher declined the position. The Data Coordinator is being left unfilled at this time.

Sonia Wasco moved to formally request to hire the three candidates as stated. Jay Snyder seconded the motion. Motion passed unanimously.

Sonia stated that the E&S office AC has been broken and the temperature has been reading 85 degrees. The E&S staff have been offered to work from home or move their workspace to the other side of the building.

7. Outstanding Cooperator

Kevin Lutz reported the Outstanding Cooperator Committee met on May 19, 2022 to review candidates selected by District staff for the Outstanding Cooperator Award. Committee members Bob Shearer (Director Member), Gerald Heistand (staff member), Heather Grove (NRCS), and Kimberly Merlau (FSA) attended the meeting. Staff who submitted names were at the meeting to present material and answer questions. The committee proposes honoring Mark & Paul Miller, Cedar Valley Farm, as our 2023 Outstanding Cooperator.

The Committee also recommends presenting the Soil Stewardship Award to Levi Fisher in 2023.

Kent Weaver moved to approve granting the 2023 Outstanding Cooperator Award to Mark & Paul Miller, West Donegal Township and the Soil Stewardship Award to Levi Fisher, Paradise Township. Dale Herr seconded the motion. Motion passed unanimously.

8. E&S Committee Report

Richard Snyder reported that Florin Hills, Mt Joy Borough requested a 2-week extension to the current compliance date and Board approval is needed to grant the 2-week extension.

The E&S Committee is pursuing an enforcement for the 48 Prospect Road complaint and the committee is asking for approval to pursue the enforcement action. Chris Thompson stated that DEP does not support this enforcement action, but the committee felt that the owner is not taking actions to be compliant. However legal counsel will be our responsibility and not DEP's if we go to enforcement.

The E&S Fee Schedule has been revised and proposes a 3-year incremental fee increase and approval is needed for the fee schedule to become effective 1/1/2023, 1/1/2024 and 1/1/2025 respectively.

Jay Snyder moved to approve the entire committee report as presented. Sonia Wasco seconded the motion. Motion passed unanimously.

9. Director Emeritus nomination

Chris Thompson reported on the nomination for naming a Director Emeritus. A Director Emeritus is a title granted to a former member of Lancaster County Conservation District's Board of Directors who has exemplarily served for many years, setting overall policy and overseeing the actions of the District, but wishes to step back from regular service. Ken Meck, who retired at the end of 2021 after 25+ years of service to LCCD, is being nominated to join Don Robinson and Bob Wagner as LCCD Directors Emeritus. If approved they will be recognizing him at the district banquet next week.

Sonia Wasco moved to approve Ken Meck as Director Emeritus. Kent Weaver seconded the motion. Motion passed unanimously.

IV. Reports/Information

1. Correspondence, News and Updates:

- Newspaper Article - Lancaster Farming - Love from the Vineyard Keeper - May 28, 2022
- Save the Bay Journal - Chesapeake Bay Foundation - Spring 2022
- Thank You Card - Lancaster Conservancy - May 17, 2022

2. E&S/NPDES Monthly Projects Report:

Rich Snyder reported that there is a third page to the E&S report. This is a list of outstanding projects that have 120 day offset. This new report is being added per Commissioner D'Agostino's request to better identify projects that are exceeding expected time-line due dates. There are no additions to the report that was submitted in the Day of Packet.

Chris Thompson stated that Commissioner D'Agostino asked for a way to manage the progress of where the E&S team is in their review process of projects. Chris feels that we need to refine the report to show exactly where we are in the process of the review.

3. Tree Sale Update:

Matt Kofroth reported that in 2022 there were 556 orders received and filled. Total money received was \$46,087 with the net profit for 2022 being \$10,033.

4. PACD/SCC Joint Meeting Registration Announcement:

Chris Thompson stated that all Conservation District directors are invited to register for the 74th PACD/SCC Joint Annual Conference. The conference will take place July 20-21, 2022 at the Red Lion Hotel in Harrisburg. Committee meetings are open to all to attend virtually this year.

5. Scholarship Report:

Gerald Heistand reported there were ten applications this year. The committee decided to interview eight of them. On May 10, 2022 the committee, consisting of Shelly Dehoff, Suzanne Kopp, Adam Stern, and Gerald Heistand, held in person interviews. There were four students that rose to the top for different reasons. We advertised to provide two \$1,000 scholarships, but a review of an updated finance sheet for 2022 indicated that we could provide three and still keep above our self-imposed fund balance of \$65,000. The Scholarship Committee decided to grant three \$1,000 scholarships for 2022. Even though we have a limited number of scholarships to grant, the committee believes that the interview experience is an important benefit for each of the students.

The three winners for 2022 are as follows: Connor Eisenbach plans to major in Conservation Biology at ESF State University of New York., Mary Weiss plans to major in Wildlife Biology at Ursinus College and Chloe Ryan plans to major in Environmental Science with a minor in Wildlife Conservation at the University of Delaware.

6. Required Audit Standards Letter:

Gerald Heistand reported that Smith Elliott Keams & Company were in our District office during the first week of May to carry out the 2021 calendar year audit. New this year is a requirement for auditors to prepare an audit planning letter alerting the governing board of areas which require special attention on their part. The four areas of special interest as having a potential for weaknesses are as follows:

- Revenue could be materially misstated
- Journal entries could result in material misstatement
- Grant activity may not be accurately reported
- Payroll could be materially misstated

If any concerns are discovered, they will be identified and described in the management letter.

Gerald asked the Board if they wanted him to put bids out for a new auditor for next year, however, Chris Thompson stated that he would support keeping these auditors for another year. Chairman Heller stated that not hearing any disagreements to keeping them, we will keep them another year.

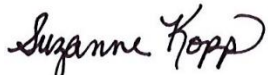
Additional Public Comment:

None Offered

Meeting Adjourned

Chairman Heller adjourned the meeting at 9:25pm.

Respectfully submitted,



Suzanne Kopp
Recording Secretary for the Board of Directors