

**-LANCASTER COUNTY CONSERVATION DISTRICT  
BOARD MEETING MINUTES  
January 4, 2023**

The 848<sup>th</sup> 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 January 4, 2023 at 7:30PM.

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

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

**The following District Staff were present:** Christopher Thompson, Kevin Lutz, Kent Bitting, Sallie Gregory, Emma Findeisen, Allyson Gibson, Ben Seldomridge, Eric Hout, Ryan Riebling, Stacey Hertz, John Cox, Amanda Goldsmith, Adam Stern and Suzanne Kopp.

**The following Cooperating Agency representatives were present:** Heather Grove, Natural Resources Conservation Service and Lauren Shaffer, DEP Field Representative,

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.

Kent Weaver provided the invocation for the meeting.

**Introductions:** Chris Thompson introduced Amanda Goldsmith, Ben Seldomridge, Heather Grove, Emma Fienstien, Ryan Riebling, Allyson Gibson and Jennifer Engle.

**Additions to the Agenda: no additions**

**An opportunity was given for public comment:** none offered.

### **I. Agency Reports**

#### **1. USDA, NRCS**

Heather Grove reported that there are no additions to the submitted report in the board packet. A correction to a previous announcement is that they are not advertising a position that they previously posted, because they offered the job to someone within the NRCS system.

#### **2. PA DEP Field Rep Report**

Lauren Shaffer highlighted points on the submitted report in the Board packet – but reported no additions to the submitted report.

Chris Thompson stated for Directors that increasingly the new delegation agreements from DEP are requiring our staff to do more reporting and record keeping which keeps the staff out of the field and Chris asked Lauren to report back to DEP our concern so that they realize that our goal is to have the staff in the field more not in the office more.

### **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.

Jay Snyder moved to approve the Consent Agenda as presented. Bob Shearer seconded the motion. Motion passed unanimously.

The Consent Agenda includes the following approved items.

- #1 – Minutes of December 7, 2022 Board meeting.
- #2 – Technical Assistance Requests/Cancellations
- #3 – Nutrient Management Plan Approvals
- #4 – Conservation Plan Acknowledgement

**Requests for Nutrient Management Plan Approval (Lutz)  
December 2022 Activity  
January 4, 2023 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.

The plans are for the following operations:

| OWNER             | TOWNSHIP       | OPERATION     | DESIGNATION | AEU's/ACRE | REVIEWER    | PLAN# |
|-------------------|----------------|---------------|-------------|------------|-------------|-------|
| Benjamin Blank    | Providence     | Dairy         | CAO         | 2.42       | Adams       | 2523  |
| Dwilyn Beiler     | Bart           | Swine         | CAO         | 24.66      | Seldomridge | 235   |
| David K Stoltzfus | Leacock        | Dairy         | CAO         | 3.29       | Heigel      | 145   |
| Lynn Royer        | Mount Joy      | Dairy/Poultry | CAFO/CAO    | 3.71       | Hartzok     | 171   |
| Clair Hurst       | Little Britain | Swine/Dairy   | CAFO/CAO    | 5.86       | Schoch      | 36    |

### **III. Additional Business**

#### **1. Reorganization of the Board**

Chris Thompson stated this will be tabled until the February Board meeting.

#### **2. Items removed from Consent Agenda**

None removed.

#### **3. Personnel Committee Report – Summer Intern Request to Advertise**

Sallie Gregory and Matt Kofroth requested the opportunity to advertise for a Summer intern for 2023. The intern will be paid \$14.00/hour and be on staff from May to August 2023.

Sonya Wasco moved to approve advertising for the Summer Intern. Herb Kreider seconded the motion. Motion passed unanimously.

#### **4. Ag Resource Committee Report – Compliance Referral**

Kevin Lutz reported that there are two compliance referrals that the SCC is aware of and involved with:

1. Melissa Horn, an equine operation in Warwick Township. Staff have invested substantial time to work through compliance concerns since April 2021 with little movement towards compliance by the operator.
2. Samuel Stoltzfus with a dairy operation in Colerain Township was identified as a potential CAO. He was notified 3 times requesting either a planner submit a calculation demonstrating the farm is not CAO or an Act 38 NMP for review. He is working with a consultant now, but nothing has been submitted to the District.

The Ag Committee is recommending potential referral to the SCC for further action.

Herb Kreider moved to approve referring these two compliance referrals to the SCC for further action. Bob Shearer seconded the motion. Motion passed unanimously.

**5. PennVest Funding Agreement – Amos Esh Project**

Chris Thompson reported that since the Lebanon Conservation District declined to sponsor the project, the Lancaster Conservation District has been authorized by PennVest (PV) to act as the “fund recipient” for the Amos and Mary Esh project in Jackson Township, Lebanon County. PV has approved a principal forgiveness loan of \$606,823 to fund construction and facilities improvements to improve water quality. Board approval is needed to approve the transaction and to authorize Dan Heller and Kent Weaver to sign the funding agreement.

Commissioner Trescot moved to approve the transaction and to authorize Dan Heller and Kent Weaver as signers for the funding agreement. Dale Herr seconded the motion. Motion passed unanimously.

**6. E&S Committee – 12/15/22 Meeting Report**

Adam Stern reported that the E&S Committee met on 12/15/22 and discussed the L-S Early Childhood Center project which is an active construction site in West Lampeter Township and is found to be in violations which include proceeding with site construction prior to installation of a sediment basin that resulted in a sediment pollution event to Big Spring Run. The E&S Committee stated their approval of staff taking the next steps to pursue a potential enforcement action and is presenting their approval before the Board of Directors for concurrence.

Jay Snyder moved to approve E&S staff taking the next steps to pursue a potential enforcement action on the L-S Early Childhood Center. Kent Weaver seconded the motion. Motion passed unanimously.

**7. Exelon Project Approval**

Amanda Goldsmith reported that the District received five applications for grant funding through the Ag and Watershed programs. All five projects below are being presented for Board approval pending DEP approval.

| LAND OWNER           | TECHNICIAN       | 2023 INCENTIVE PAYMENT | ADMIN COST | TOTAL GRANT REQUESTED |
|----------------------|------------------|------------------------|------------|-----------------------|
| Reuben Fisher        | Greg Heigel      | \$5,273.60             | \$263.68   | \$5,537.28            |
| Kim Rubincam         | Tyler Keefer     | \$56,580.00            | \$2,829.00 | \$59,409.00           |
| Ernie Saniga         | Amanda Goldsmith | \$60,200.00            | \$3,000.00 | \$63,200.00           |
| Brittany Commons HOA | Matt Kofroth     | \$71,250.00            | \$3,750.00 | \$75,000.00           |
| Melvin Landis        | Matt Kofroth     | \$71,250.00            | \$3750.00  | \$75,000.00           |
| <b>TOTALS</b>        |                  |                        |            | <b>\$278,146.28</b>   |

Jay Snyder moved to approve the five projects using Exelon funds totaling \$278,146.28 contingent upon DEP approval. Sonia Wasco seconded the motion. Motion passed unanimously.

**8. CB Phase II Project Approval**

Kent Bitting and Kevin Lutz reported that the Chesapeake Bay Ag Inspection Program Phase II Grant (CBAIP) has four applications being presented below for Board approval.

| LAND OWNER       | MUNICIPALITY      | TOTAL PROJECT COST | TOTAL GRANT REQUESTED |
|------------------|-------------------|--------------------|-----------------------|
| Levi King        | East Lampeter Twp | \$255,341.00       | \$197,506.00          |
| Lester Stoltzfus | Leacock Twp       | \$187,658.47       | \$140,743.85          |
| Leon Ressler     | Fulton Twp        | \$22,325.13        | \$16,743.85           |
| John Wanner      | Salisbury Twp     | \$170,742.98       | \$62,681.30           |
| <b>TOTALS</b>    |                   |                    | <b>\$417,675.00</b>   |

Bob Shearer moved to approve Phase II funding for multiple applications in the amount of \$417,675.00. Commissioner Trescot seconded the motion. Motion passed unanimously.

### **9. Ag Conservation Assistance Program (ACAP)- Delegation Agreement**

Kent Bitting reported that the LCCD has been invited to participate in the ACAP and enter into a delegation agreement with the State Conservation Commission for the implementation of the program. The delegation agreement will provide \$5 million to Lancaster for three years to implement BMP's. A final copy of the delegation Agreement passed through legal review but final questions (ie Bidding requirements, Buffer/Extension area requirements) need to be answered and approved by the S.C.C. at their January 24, 2023 meeting before staff will recommend approval.

Herb Kreider moved to approve accepting the Delegation pending favorable answers to staff questions. Dale Herr seconded the motion. Motion passed unanimously.

Kent Bitting also reported that the current cost share percentage was 75% with the additional funding from ACAP. In order to get the money allocated and spent by December 2026 he requested the cost share be set at 90%.

Commissioner Trescot moved to approve the cost share percentage increase. Sonia Wasco seconded the motion. Motion passed unanimously.

### **10. Banquet Committee Report:**

Chris Thompsons reviewed the details from the last Banquet Committee meeting, including the list of award recipients. The cost of the tickets to attend are \$25.00.

Sonia Wasco moved to approve all the banquet details as stated in the Board report. Bob Shearer seconded the motion. Motion passed unanimously.

## **IV. Reports/Information**

### **1. Correspondence, News and Updates:**

Thank you notes and Christmas cards from staff were circulated to thank the Board of Directors for the \$50 gift card to Amazon for a Christmas gift to staff members.

Sonia Wasco reported that one of the scholarship recipients Andrew Rajam wrote to say thank you for the support and say he finished his third semester with a 4.0 from Penn State.

### **2. Conservation Foundation Report – CWP/LCCD Update:**

Allyson Gibson, Chris Thompson and John Cox reviewed steps that have been taken to create a Limited Liability Company (LLC) for the Clean Water Partners. Meeting and discussions between the staff and leadership of the Conservation Foundation and the Clean Water Partners (CWP) have been occurring over the last 18 months. Chris reviewed the history of how CWP got started and Allyson reviewed the purpose and recent activities of CWP. CWP, the District and the Foundation share a common goal to have clean water by the year 2040. This LLC will spell out the clear rolls of what the District will be responsible and what the CWP will be responsible going forward.

Sonya Wasco questioned if there was a stop-gap in place to stop competition and the Districts best interest. John Cox responded to this and said that there have been numerous conversations about that and that discussions will continue. He stated that there is a clause in the paper work that the District can do away with the LLC if they see it is not beneficial.

Jay Snyder stated that the Foundation Board has been supportive of CWP developing the LLC to gain greater efficiency and autonomy to continue to pursue our common goal of cleaning up Lancaster local waters. With this LLC in place it will allow the CWP to move forward at a fast rate to get things accomplished to clean up the waters.

Another key point of discussion was the service agreement that governs daily information for staff interaction between each organization. It is expected that this will be voted on at the February board meeting.

**3. E&S/NPDES Monthly Projects Report:**

Adam Stern reported that there were no additions to the reports that were submitted in the Board packet. Adam did review that a \$30,000 PPL pole replacement project was received in December.

**4. PACD/SCC Winter Meeting Registration:**

Chris Thompson highlighted the announcement of the virtual PACD meeting dates. Registration is required to attend and is open to all directors, staff, partner agency staff and invited guests.

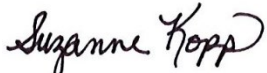
**V. Additional Public Comment:**

It was questioned why there was no financial report for the January Board meeting. Chris Thompson responded and said that as in years past, there will be two financial reports given at the February Board meeting because end of the year financial work is still being completed.

**Meeting Adjourned**

Chairman Heller adjourned the meeting at 9:30pm.

Respectfully submitted,



Suzanne Kopp  
Recording Secretary for the Board of Directors