

Item II.1
**LANCASTER COUNTY CONSERVATION DISTRICT
BOARD MEETING MINUTES
January 6, 2021**

The 825th regularly scheduled Board Meeting of the Lancaster County Conservation District (LCCD) was held via Zoom Call-In only on Wednesday, January 6, 2021, at 7:30 PM.

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

The following Associate Directors were present: Greg Strausser.

The following District Staff were present: Christopher Thompson, District Manager; Jeff Hill, Ag Department Manager; Rich Snyder, E&S Department Manager, Kent Bitting, Matt Kofroth, Kevin Lutz, Samantha Adams, Greg Heigel, Adam Stern and Suzanne Kopp.

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

The following guests were present: None

Chairman Dan Heller called the meeting to order at 7:35p.m. Chairman Heller offered up thoughts of optimism looking towards a new beginning with the start of 2021. Dan also wanted everyone to know that the meeting was being recorded and offered a thank you to Adam Stern for doing the technical part of the Zoom call and the IT for the meeting.

Dan Heller welcomed Ray D'Agostino to the Board meeting and to the Board of Directors as the new Commissioner to the Board. Ray D'Agostino introduced himself and wanted everyone to know that he has a passion for public service and loves Lancaster County and wants to help preserve the land here for future generations.

Roger Rohrer provided the invocation for the meeting.

Additions to the Agenda:

1. CAP Funding for 2021
2. Phase 2 Compliance Dollars awarded on 12/31/20
3. Growing Greener
4. State of the Bay Report issued on 1/5/21
5. Civil Action against the District updates

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

II. Agency Reports

1. USDA, NRCS

Heather Grove reported that the NRCS position for a soil conservationist will start in two weeks.

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2. PA DEP Field Rep Report

Chris Thompson gave an update for Elwood Blake. He reported that on page 3 the 4th paragraph down in the board packet, references a welcome to new directors' website. It has always been available but was not highly advertised as being available. It talks about PA Leadership and really underscores responsibilities of Directors and the responsibilities and authorities that the directors have at our Board meetings and oversight for the District.

102 E-Permitting is well underway with trainings. The launch date is tentatively set for January 25, 2021.

CAFO Annual Reports are due February 15, 2021.

The Ag Plan Reimbursement still has funds available to be spent to help get new plans or get existing plans updated.

PACD Executive Counsel meeting is next week. Directors and Staff are invited to attend virtually this year. This year it is free because it is being held virtually due to covid. Other years it has been very costly to attend. This is a good opportunity for everyone to attend. Chris is encouraging all Directors and Staff to attend this year.

III. 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. Hearing none, Herb Kreider moved to approve the Consent Agenda which included items numbered one through four. Ken Meck seconded the motion. Motion passed unanimously.

Chris Thompson wanted attention brought to page 14 of the board packet, the nutrient management plan for Harold Merky was not compliant for years and he was not easy to work with over the years. He was turned in to the SCC for further action and after a year they have an amended plan for Harold Merky and action from the Board is requested later in the meeting.

The Consent Agenda includes the following approved items.

- #1 – Minutes of December 2, 2020 Board meeting**
- #2 – Technical Assistance Requests/Cancellations**
- #3 – Nutrient Management Plan Approvals**
- #4 – Conservation Plan Acknowledgement**

IV. Additional Business

1. Items removed from Consent Agenda

There were no items removed from the Consent Agenda.

2. E&S/NPDES Monthly Projects Report

Rich Snyder reported that the total plan submissions were low for the month of December, however, 26 plans came in before the end of the year after the books had been closed for the month. These plans will be put into the January totals and will be reflected at the end of January 2021.

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Majority of the complaints were in the southern end of the county and are being inspected by the technician for those areas.

Litigation update on Schott's Garage Project is that it is at DEP being reviewed.

Jay Stauffer enforcement will be presented to the Board in February. DEP asked for more revisions before we present the final information to the Board for final actions.

E-Permitting update – staff has been in trainings on the January 5th and 6th and will again be in trainings on January 19th and 20th. Not many good comments were heard about the trainings. DEP was contradicting themselves during the trainings and DEP was also heard stating that they didn't know how this whole process worked themselves. DEP will continue to accept paper copies and also electronic copies well into the future. DEP stated they don't have any dates to train the public at this point. Huge workload increases for the whole E&S Team and Management.

3. Personnel Committee Report

Sonia Wasco reported that there were six interviews held to fill the Ag Technician open positions and three candidates rose to the top. Ben Seldomridge from Leola, Adam Sites from York County and Amanda Grubb from Manheim.

Chris Thompson is asking the Board to approve these candidates and call to hire with tentative start dates of February 1, 2021 and June 1, 2021. Funding through DEP is needed to hire these three candidates and discussions with DEP are in progress to work out the details to provide more funding in order to hire them. Roger Rohrer moved to hire the candidates that were presented as it is being presented. Sonia Wasco seconded the motion. Motion passed unanimously.

Herb Kreider asked if we make a commitment to hire them and then can't hire them due to funding not being approved – do we then have a commitment to hire them? Chris stated we do not have a commitment to hire if the funding is not available from DEP.

Sonia Wasco announced that on December 31, 2020 Francesca DePrator turned in her resignation. She is going to work at the Dept of Ag in Maryland.

4. Exelon BMP

Matt Kofroth reported that we received Exelon funding in the amount of \$225,000 per year. Typically, they have an Ag Round and a Watershed Round – this year the Ag Round was cut short. Watershed had eight projects and the ones that rose to the top were Ammon Martin, Douglas Diffenbaugh and Alvin Fisher along with the 2 Ag Projects. After the District Board approves these projects they will be sent to DEP to approve them. These projects are slated to start in the Spring of 2021.

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

V. Reports/Information

Additions to the Agenda:

Chris Thompson reported on the following additions to the agenda:

Chris reported that 2.1 million dollars will be used for the CAP (County Action Plan) Projects to utilize the plans that were written and to get the BMPs on the ground.

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Chris reported on the Phase 2 Compliance funding which is part of the Chesapeake Bay Program. DEP awarded us 2.2 million dollars added to our budget for 2021. These funds need to be used on farms that have a phase 2 compliance check and help the farms become complaint on schedule. There is a \$20,000 cap on each farm to get the farm complaint.

Chris reported on the Growing Greener list in the County. DEP released their Growing Greener list across the state on December 31, 2020. Lancaster County has the lions share of these funds totaling 6 million dollars. There will be three new funding sources coming into the County from 2021 through 2023. Most of the money is being given for project on the ground but very little money is being awarded or funded for more staff to do the work. Talks are going on currently with DEP about the fact that they continue to give money for projects but very little money is given to get the staff hired to do the work.

Chris reported on the Chesapeake Bay Report – stating that it received a D- in the paper last week. Progress is being made on the farms with a decrease in nitrogen and phosphorus levels, but not where they need to be in order to achieve a healthy bay.

Chris gave a litigation update on the civil litigation brought against the LCCD. A Manheim area stream restoration was done in 2018 by a willing land owner who wanted to restore a stream and the work was done successfully. In August 2018 we received a storm and flooding occurred and a farmer down field from this stream that was restored had his land flooded and he accused the LCCD for the damage from the 500-year storm that occurred. Mr. Gantz's complaint was refuted and he had a deadline to answer the courts and he didn't comply or reply by the deadline. The Lancaster Courts are closed due to the covid virus and therefore the case will still be heard but by a zoom meeting. Chris is hoping the judge will dismiss the case as a fraudulent case.

Dan Heller proposed that we usually have a combined annual planning meeting along with a board meeting but given the current conditions with the covid virus it is making it impossible to hold it as normal. Since the strategic plan was put in place, Dan felt that the need to have an annual planning meeting was not as great a need this year. He questioned if we could push the February meeting to the middle of February and combine the February and March Board meetings together. It was proposed to move the next meeting to February 10, 2021 at 7:30pm via Zoom and then have an abbreviated March Board meeting on March 3, 2021.

Additional Public Comment:

None was offered.

Meeting Adjournment

Chairman Dan Heller officially adjourned the meeting at 8:50pm.

Suzanne Kopp
Recording Secretary