

**LANCASTER COUNTY CONSERVATION DISTRICT
BOARD MEETING MINUTES
July 7, 2016**

The 774th regularly scheduled Board Meeting of the Lancaster County Conservation District was held on Thursday, July 7, 2016, at 7:30 PM, in the Conference Room of the Farm & Home Center, 1383 Arcadia Road, Lancaster, PA.

The following Directors were present: Ken Meck, Chairman; Robert Shearer, Vice-Chairman; Herb Kreider, Roger Rohrer, Dick Shellenberger, Jay Snyder, and Commissioner Craig Lehman. Don Robinson, Director Emeritus, was also present.

The following Associate Directors were present: Frank Burkhart, Lisa Graybeal, Ernest Orr, Gregory Strausser and Kent Weaver.

The following District Staff were present: Christopher Thompson, District Manager; Gerald Heistand, Business Manager; Jeff Hill, Ag Program Manager; Kevin Seibert, Ag Compliance Coordinator; Nate Kurtz, E&S Program Manager; and Matt Kofroth, Watershed Specialist.

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

Chairman Ken Meck called the meeting to order at 7:30 PM, and Chris Thompson provided the invocation for the meeting.

Chairman Meck announced that he is pleased that we are starting our third year with Chris Thompson as the District Manager.

There were no guests to be introduced at the meeting.

Additions to the agenda: Chris Thompson reported that he had several informational items that were not listed in the mailing and that an Executive Session would be held as the last item on the agenda.

There was an announcement that Sonia Wasco is recovering from knee surgery.

Opportunity was given for public comment. Commissioner Lehman announced that he would be leaving the meeting at 8:30 PM.

Agency Reports

1. USDA, NRCS

The NRCS report was provided in the mailing. Heather Grove reported that Warren Archibald, a previous District Conservationist for the Lancaster NRCS office, passed away, just two weeks after his wife passed away.

2. PA DEP Field Rep Report

Chris Thompson reported that the DEP Field Rep Report was included in the mailing packet and is self-explanatory.

Consent Agenda

Chairman Meck gave opportunity for directors to withdraw any of the items from the Consent Agenda for additional discussion. Jeff Hill mentioned that directors should note that the requests for Nutrient Management Plan approval remain heavy, and there does not appear to be any let-up with

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plan submission. Robert Shearer moved to approve the Consent Agenda which included the four items listed below. Herb Kreider seconded the motion. Motion passed unanimously.

The Consent Agenda included the following items:

- 1. Minutes of June 1, 2016 Board meeting**
- 2. Technical Assistance Requests/Cancellations**
- 3. Nutrient Management Plan Approvals**
- 4. Conservation Plans Acknowledgement**

Additional Business

1. There were no items removed from the Consent Agenda.

2. Treasurer's Report

Gerald Heistand reported that on the balance sheet, total assets were \$92,000 greater than one month ago. The biggest changes were that the unrestricted funds increased by \$148,000 as a result of reimbursements, and \$77,000 was spent in the restricted category. The auditor asked that the District show face value of our income generating scholarship bonds, so the appropriate line was added to the balance sheet. On the Income and Expense Report, Heistand noted that the only negative column was grants which in 2015 was a positive \$349,000, and now needs to be spent. He reminded the Board that the Awarded/Active Grants Report is scheduled to be published in January and July of each year. The treasurer's report will be filed subject to audit.

3. E&S Committee Report—Compliance Action

Nate Kurtz referred to the E&S report handout that was provided at the meeting with details on the five construction sites that were discussed by the E&S committee.

- On the Christ King site, a meeting was held at the Farm & Home Center with representatives from the District, DEP, and responsible parties. DEP recommended that they take the case and pursue a Consent Order Agreement (COA).
- On the Aaron and Elmer Stoltzfus site, the meeting was heldj and the District will pursue a Consent Assessment of Civil Penalty (CACP). An NPDES permit application was received for the site and is being processed.
- On the Sensenig well drilling site on Raleigh Drive, a meeting is scheduled for mid-August.
- On the Sunoco Blainsport Pump Station site, a Corrective Action Plan (CAP) is being reviewed and DEP will be taking the case as this project is linked to other projects in other counties.
- On the Wildflower Ridge site, a CACP was executed and the case has been settled. An NPDES permit is being processed.

Roger Rohrer moved to accept The E&S Committee report where two of the five cases will be handed over to DEP. Commissioner Lehman seconded the motion. Motion passed unanimously.

4. Pension Committee Report—Resolution to Amend and Restate the LCCD Section 457(b) Deferred Compensation Plan

Gerald Heistand reported that Fulton is asking the LCCD District Board for a resolution stating that Fulton has been asked to take over the District's retirement plan, and that the plan is to be amended and restated. It also authorizes the Pension Committee to execute in behalf of the Board and that the Board of Directors be considered Trustee of the plan. It was clarified that the committee would come to the Board with any plan policy changes, but not for routine decisions on individual loan or emergency withdrawal requests. The main reason for moving to the Fulton Financial Advisors

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company was to lower the investment/recordkeeping fees that were being paid to Standard by employees. As a result of making this move, the District discovered that they had lower administrative fees, so the District is now picking up the \$32 per member annual recordkeeping fee. Jay Snyder moved to have Pension Trustees sign the LCCD Pension Resolution in behalf of the Board. Roger Rohrer seconded the motion. Motion Passed unanimously.

5. Nutrient Management Plan Delegation Agreement

Jeff Hill reported that the yearly delegation agreement amount of \$448,000 has not changed over the past few years. Modifications are expected for the next five-year agreement that will start July 1, 2017. Dick Shellenberger moved to accept the Nutrient Management Delegation Agreement along with its responsibilities. Robert Shearer seconded the motion. Motion passed unanimously.

6. Act 38 Technical Assistance Policy

Jeff Hill reminded the Board that this is their second review of the Act 38 Technical Assistance Policy which was not modified from last Board meeting. Jan Snyder moved to approve the NMP Act 38 Technical Assistance Policy as presented in the mailing. Dick Shellenberger seconded the motion. Motion passed unanimously.

7. Amendment to Watershed Specialist Contract

Matt Kofroth reported that the amendment to the Watershed Specialist Contract needs to be approved by August 1st. The purpose is to extend the agreement for an additional seven months, so there is time for DEP to determine what modifications they want to make with job descriptions. Roger Rohrer moved to approve the extension of the Watershed Specialist Contract. Dick Shellenberger seconded the motion. Motion passed unanimously.

8. Ag Compliance Review Committee Report

Robert Shearer reported the following information from the Ag Compliance Review Committee:

- On the Dana Good property, a conservation plan was received this week, so staff will need to continue to monitor the site.
- On the Clair Garman property, a Notice of Violation (NOV) was sent to the owner on 3/17/2016, asking for a written reply of how the violation would be corrected. Nothing has been received and an inspection on 6/17/2016 did not show any marked improvement. The committee is recommending that this be sent to DEP so the next step in compliance can be taken.
- On the Clarence Garman property, Seibert reported that a conservation plan was received by the District at the beginning of the week. The submitted plan does not meet state requirements, and the committee is recommending that an NOV be sent to request a plan that meets state requirements.

Dick Shellenberger moved to accept the Ag Compliance Review Committee's report as presented. Jay Snyder seconded the motion. Motion passed unanimously.

Reports/Information

1. Correspondence, News and Updates

The following correspondence, news and update items were circulated at Board meeting:

- News Article – Budget, Bay Reboot, Economic Development Top Pa. Ag Agenda – Lancaster Farming, June 11, 2016
- News Article – Chesapeake Bay Cleanup Starts With Improving Local Water Quality – Lancaster Farming, June 11, 2016

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- News Article – Lancaster Among Counties to Get Bay Reboot Under Way – Lancaster Farming, June 11, 2016
- News Article – Students Win Scholarships – Penn Manor Advertiser, June 29, 2016
- Auditor Representation Letter – to Zelenkofske Axelrod, LLC, June 21, 2016
- Resume – Eric Knoll – Agriculture Conservation Technician Position
- Resume – Kathryn Clark – Agriculture Conservation Technician Position
- 2016 No-Till Transplanter Report – Updated July 6, 2016
- 2016 Lancaster County Ag Week – Sponsorship Opportunities
- Thank you Note – from Quarryville Presbyterian Retirement Community for donation in memory of Marion E. Rohrer.
- Chesapeake Quarterly – Watching the Bay & Beyond

2. E&S/NPDES Monthly Projects Report

Nate Kurtz referred to the E&S report that was provided as a handout at the meeting. He noted that the 2016 numbers are above last year for both plans and fees. It was noted that the two new E&S employees are doing well.

3. Audit Report

Gerald Heistand referred to the required letter from the auditor, on pages 26 and 27 of the mailing. A summary report was requested from the auditor in lieu of a Board meeting visit, and the resulting email was shared on page 25 of the mailing. The financial statements were reported as materially correct, there was an increase in the Net Position/Fund Balance for the year, and there were no other matters that needed to be reported. Paper bound copies of the audit were provided to directors at the meeting.

4. CDFAP Funding Application

Gerald Heistand reported that the chairman is being asked to sign the CDFAP form that lists the anticipated next year fiscal expenses for those staff that will be supported by the program. For the Lancaster District, the CDFAP program supports the District Manager, Education Coordinator and the Business Manager. In addition, we expect to apply for ACT funding that helps support a staff person to assist the Ag Preserve Board with status reviews. Jay Snyder moved to sign the CDFAP application. Roger Rohrer seconded the motion. Motion passed unanimously.

5. No-till Planter Update/Report

Chris Thompson reported that it has been a great year for Dennis Eby. There has been a significant increase in the number of farms he has been on. The program is being funded by Altria, a tobacco company, and it has been a great success. The interest in the new planter has been sufficient for Joe's Machinery to make two additional transplanters. The current planter has been handed over to Penn State.

6. Envirothon Report

Chris Thompson mentioned that the Envirothon details are in the report. There was an effort to get a Middle School Envirothon up and running, but it will need to be revisited next year. We have good sponsorship and this is a great opportunity to get the District's name out in the public.

7. Youth Conservation School Update and Invitation

This is the 36th year of the Youth Conservation School. It will be held the last week of July, with a venison dinner on Wednesday evening. Please RSVP by July 15 if you are planning to attend the dinner.

8. Tree Sale Report

Matt Kofroth mentioned that the main purpose of the tree sale is to get green on the ground, but it does provide some extra funds for the District. The day of sale activity provided about an extra \$2,000 in total sales. Matt and Sallie were thanked for their leadership with the sale.

9. 2016 Growing Greener Awards

Matt Kofroth reported that the Growing Greener applications are sent to the District so we can see what is being funded in our county. Most of the projects will start in 2017, or in late fall of 2016.

10. Bay Program Update

Chris Thompson reported that 21 Districts opted to support the reboot efforts by signing a DEP agreement, and 10 Districts indicated that they do not plan to sign. Four trainings will be held in the PA region and Lancaster plans to move forward as soon as staff receives their training. It was reported that our staff will be training Penn State Extension staff on how to do the 10% voluntary field checks of the farmers submitted BMP survey.

Additional Public Comment:

Chris Thompson reported that York County farmers are being inspected by EPA, and the effort appears to be much broader than the Watson Run project in Lancaster County. Letters will be sent to farmers and those not responding will be sent to DEP for an expedited compliance review.

It was announced that the Lancaster County Clean Water Consortium (LCCWC) is having their annual Clear Waters Golf Tournament fundraiser at the Conestoga Country Club on Sept. 26. Interested directors should visit the LCCWC web site, www.lccwc.com, for more information.

It was announced that tickets to Ag Night at the Barnstormers were still available.

Ag Week for Lancaster County will be October 9-15. Governor Wolf is expected to proclaim Ag Week state wide.

11. Personnel Committee Report

Chairman Ken Meck called an Executive Session at 9:15 PM to discuss the Personnel Committee Report. The meeting was reconvened at 9:33 PM. Dick Shellenberger made a motion to accept the Personnel Committee recommendation to offer the remaining Ag Conservation Technician position to Eric Knoll with a starting date of July 11, 2016, and to offer all staff who have been employed more than one year a mid-year performance bonus. Robert Shearer seconded the motion. Motion passed unanimously.

Meeting Adjournment

Motion to adjourn was made by Roger Rohrer, second by Robert Shearer, and the meeting was adjourned at 9:39 PM. Motion passed unanimously.

Gerald M. Heistand
Recording Secretary