

Item #1

**LANCASTER COUNTY CONSERVATION DISTRICT  
BOARD MEETING MINUTES  
June 4, 2014**

The 749th regularly scheduled Board Meeting of the Lancaster County Conservation District was held on Wednesday, June 4, 2014, at 7:30 PM, in the multi-purpose room of the Farm & Home Center, 1383 Arcadia Road, Lancaster, PA.

**The following Directors were present:** Frank R. Burkhart, Chairman; Kenneth Meck, Vice-Chairman; Dan Heller, Herb Kreider, Robert Shearer, Dick Shellenberger, Jay Snyder, and Commissioner Craig Lehman.

**The following Associate Directors were present:** Darrell Becker, Lisa Graybeal, Stuart Herr, Don Robinson, and Kent Weaver.

**The following District Staff were present:** Donald R. McNutt, Administrator; Gerald Heistand, Business Manager; Jeff Hill, Agriculture Program Manager; Matt Kofroth, Watershed Specialist; and Andy Hake, Agriculture Conservation Technician.

**The following Cooperating Agency representatives were present:** Heather Grove, Natural Resources Conservation Service; and Rick Hartlieb, Bureau of Forestry.

Chairman Frank Burkhart called the meeting to order at 7:30 PM.

Don McNutt introduced Stuart Herr, the District's newest Associate Director.

Don McNutt introduced the following guests: Dee Dee McGuire, West Lampeter Township Manager, and Ralph Hutchison, East Lampeter Township Manager.

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

News articles and recent correspondence were circulated.

**Revised Agenda:** Don McNutt announced the following additions to the agenda:

Item #12b—Exelon Funding

Item #12c—Letter to the Editor Response

**CONSENT AGENDA**

Chairman Frank Burkhart gave the opportunity for directors to withdraw any of the items from the Consent Agenda for additional discussion. Dick Shellenberger requested that Item # 6 (Revised Ag Fee Schedule) be removed for further discussion, and that Item #6 be placed as the first item under Section B. Hearing that there were no additional items to be removed, Chairman Burkhart stated that all items, with the exception of Item #6, would be considered. Robert Shearer moved to approve all items on the Consent Agenda excluding Item #6. Ken Meck seconded the motion. Motion passed unanimously.

Following are the Consent Agenda items that were approved:

**Minutes of May 7, 2014 and May 15, 2014 Board meetings (Item #1)**

**Requests for Technical Assistance (Item #2)**

**Nutrient Management Plans (Item #3)**

**NRCS Report (Item #4)**

**2014 Tree Sale Report (Item #5)**

Tree Sale Co-Chairs, Sallie Gregory and Matthew Kofroth, and the District Administrator recommend the acceptance of the 2014 Tree Sale Report.

**Additional Chesapeake Bay Technician Funding (Item #7)**

The Ag Program Manager, Jeff Hill, and the District Administrator recommend revising our Bay Technician Agreement from the current five (5) technicians to six (6) technicians.

**DISCUSSION/ACTION ITEMS/AUDIT/ACKNOWLEDGE:**

**Revised Ag Fee Schedule (Item #6)**

Dick Shellenberger requested an explanation of the revised fee Schedule. Jeff Hill responded that the REAP fee had been a flat \$100 in the past, but the State Conservation Commission (SCC) will be considering a variable fee based on acreage at their meeting next week. This is a proposal of the state which would need to pass for our fee schedule to be valid. Dick Shellenberger moved to accept the Ag Fee Schedule as written on the condition that it is passed by the SCC. Jay Snyder seconded the motion. Motion passed unanimously.

**Request by LIMC to reconsider Partnership Opportunity (Item #8)**

Don McNutt referred to pages 15 and 16 of the mailing and mentioned that this request to reconsider an additional partnership with the Lancaster Inter-Municipal Committee (LIMC) has come from several townships. Dee Dee McGuire reported that the LIMC group meets monthly and part of those discussions are how everyone can work together on this issue. She feels that it is a perfect fit for everyone to work together, and the District already has Memorandums of Understanding with the townships in Lancaster County. There is still some due diligence that will need to be done before moving ahead. Jay Snyder mentioned that he saw the geodatabase demonstration and it has many of the elements that will be needed for the MS4 recordkeeping. An important point is that this recordkeeping program deals with the issue of double counting BMPs. Districts understand working on a watershed basis and can easily cross municipal boundaries.

On the question of what added responsibility the District would have, it was mentioned that the permit holder is the responsible party. On the question of privacy of information, it was mentioned that research is protected and we would always offer to provide grouped data without names attached. Jeff Hill reminded the Board that when information is released to one group, it then becomes available to any other group requesting that same information. There was a consensus that when we are using taxpayer funding, it is always wise to do our best to work towards the efficient use of public resources. Andy Hake reported that if WorldView were selected to work on this project, they would use what has already been developed as the backbone of the new geo-database. Dan Heller moved to have Andy Hake put in up to 20 hours of time to research the options for working with LIMC in this partnership. Ken Meck seconded the motion. Motion passed unanimously. The township representatives then thanked the District for all of the other projects that we have been doing, many of which include Matt Kofroth's work. A Board member asked whether there is anyone at the District who has the technology skills to serve as a backup for Andy Hake.

**Personnel Committee (Item #9)**

Ken Meck reported that the Interview/Search Committee selected Christopher Thompson to be the new District Manager and he has accepted the offer. At this point all further tasks have been turned over to the Personnel Committee. Ken Meck provided information to the Board on the Personnel Committee discussions. The target date for Chris's first day of work will be July 7, 2014. On June 30th, staff and

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directors will have opportunity to meet Chris. There was clarification that the new car will be considered a District car, but will be a car for Chris's business and personal use.

After discussion, Ken Meck moved that the Board accept the resignation of Don McNutt, effective July 5, 2014. Dan Heller seconded the motion. Motion passed unanimously.

Dick Shellenberger moved that the Board purchase a 2015 Subaru Forester, to be used by the District Manager, from Steve Moyer Subaru in the amount of \$22,959, with funding coming from a reserved vehicle account and the remainder from the Transition Account. Dan Heller seconded the motion. Motion passed unanimously.

Herb Kreider moved that a letter be sent to staff from the Personnel Committee with an explanation of why the new District Manager was getting a new vehicle. Robert Shearer seconded the motion. Motion passed. There was one dissenting vote from Chairman Frank Burkhardt.

Dan Heller moved to authorize payment to Don McNutt from the Transition Account for the Leadership Transition Plan, with the cost not to exceed \$9,500 (\$50.00 per hour for 160 hours plus \$1,500 in travel and conference expenses). Ken Meck seconded the motion. Motion passed unanimously.

### **Farm and Home Lease (Item #10)**

Gerald Heistand reported that the Farm and Home Foundation is offering a new lease with the same terms as the last one, three years with an annual increase of 3%. There was a consensus that a 3% increase year after year adds up, so Board members suggested that we ask if we could get a reduction on our room rental costs. The Board was interested in finding out what we pay in room rental costs over a one year period.

### **Millcreek Phase VI (Item #11)**

Matt Kofroth informed the Board that the Millcreek Phase VI project will be a continuation of the work we have been doing in the past. The grant deadline is July 11, 2014. Total cost of the project is expected to be between \$175,000 and \$200,000. The in-kind contribution from the farmers will be to maintain the BMPs that are installed. Dan Heller moved that the Board moves forward with the Millcreek Phase VI project. Dick Shellenberger seconded the motion. Motion passed unanimously.

### **Transportation Bill Funding—Dirt & Gravel Road Program (Item #12)**

Matt Kofroth reported that the Board should be aware of the additional funding that is coming to districts through the Dirt and Gravel Road program. Lancaster will be going from a Dirt and Gravel Road grant of \$20,000 to \$100,000 for FY 2014-15. This will require additional prioritizing and work for both the Dirt & Gravel Road Committee and staff. The new part of the program is the addition of Low Volume Roads, which are defined as roads that carry less than 500 vehicles per day, and will provide \$285,000 in new funding.

### **Exelon Funding (Item #12b)**

Don McNutt reported that we have received the final paperwork on this grant and the news release was in yesterday's paper. This program is expected to run for 16 years and will provide funding for ag and urban BMPs. Administrative costs are limited to 5% per project. Ken Meck moved to accept the Exelon funding proposal as presented. Robert Shearer seconded the motion. Motion passed unanimously. Ranking and other paperwork for this grant will be presented at the July 2, 2014 Board meeting.

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### **Letter to Editor Response (Item #12c)**

Don McNutt reported that this item is the result of a letter to the editor regarding the application of manure on farm fields in the June 1, 2014 Sunday News. Lisa Graybeal crafted a response that was provided as a handout at the meeting. The question to the Board is whether a response letter should be sent to the editor. After discussion and the fact that conservation districts were not mentioned in the letter, Robert Shearer moved that we do not send a letter of response to the editor. Herb Kreider seconded the motion. Motion passed unanimously. It was suggested that we keep a copy of the letter crafted by Graybeal on file for later use.

### **District Policy—Dirt and Gravel Road (Item #13)**

Matt Kofroth informed the Board that this policy was drafted by the Dirt and Gravel Road Committee and had been missed when the packet of policies was assembled and presented earlier this year. The policy was crafted in 2005 when the Dirt and Gravel Road program was audited by the state. This policy is being presented as a first time read and will be added to the official policies when approved at the July 2, 2014 Board meeting.

### **NRCS—Civil Rights Review (Item #14)**

Heather Grove reminded the Board that the District, as a cooperating agency of NRCS, is bound to follow the provisions of Titles VI and VII of the Civil Rights Act of 1964, as amended. This is an annual review of that part of our agreement which has not changed from last year.

### **Treasurer Report—Filed Subject to Audit (Item #15)**

There were no comments or questions on the treasurer's reports.

### **Conservation Plans--Acknowledgment (Item #16)**

Jeff Hill reported that staff are ahead of their planning goals at this point. Meeting the goal of 10,000 acres for the year will depend on how much other work will need to be done in the fall. The Board acknowledged the conservation plans listed in Item #16 of the mailing.

### **UPDATE/INFORMATION:**

#### **NFWF/Altria No-Till Tobacco Planter Program Funding (Item #17)**

It was reported that the National Fish and Wildlife Foundation (NFWF) has been made aware that Lancaster's Board is uncomfortable with liability concerns with the direct ownership of the no-till tobacco transplanter. There were no additional comments on this item.

#### **Joint Annual PACD/SCC Conference (Item #18)**

The PACD/SCC Joint Conference will be held on July 9 and 10 in Altoona. Don McNutt asked that directors contact Chairman Burkhart, Paula Harnish or Don McNutt if they would like to attend.

#### **Monthly E&S Projects Report (Item #19)**

The monthly E&S Projects report was provided in the mailing packet. There were no comments on this item.

### **PARTNERSHIP REPORTS:**

**PA DEP:** June 2014 DEP Conservation District Field Rep Talking Points were provided in the meeting handout packets.

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**Bureau of Forestry:** Rick Hartlieb reported that he was recently promoted to Assistant District Forester for the nine county area to manage Private Forestland Stewardship and State Forest Management. The Bureau will interview for the vacant position on Monday. The extra seedlings from the District's tree sale were used as handouts at Arbor Day events in Denver, Ephrata, Columbia and the Lehigh Valley. The PA Game Commission did a 100 acre burn on State Game Lands in Brickerville.

Hartlieb reported that the Bureau of Forestry is working with Lancaster City and Denver to craft a strategy to manage the Emerald Ash Bore problem as it has not yet been detected in Lancaster County. It has been detected in Berks, Lebanon, and Susquehanna Counties this year, and Hartlieb is conducting an ash salvage timber sale on about 100 acres of the Department of Corrections Training facility in Elizabethtown this summer to get the trees before the insects have a chance to do their damage. There was also discussion on how this past winter has affected some of the southern type plants such as Crepe Myrtle and Mimosa.

Ken Meck informed the Board that the Personnel Committee is inviting Chris Thompson to the July 2<sup>nd</sup> Board meeting.

Gerald Heistand mentioned that the Outstanding Cooperator Award committee will be meeting on June 11, at 9:00 AM, to choose the next award winner. Anyone with suggestions should contact Jeff Hill before the meeting.

Robert Shearer moved to adjourn the meeting at 9:30 PM. Ken Meck seconded the motion. Motion passed unanimously.

Gerald M. Heistand  
Recording Secretary