

**LANCASTER COUNTY CONSERVATION DISTRICT
BOARD MEETING MINUTES
May 7, 2014**

The 748th regularly scheduled Board Meeting of the Lancaster County Conservation District was held on Wednesday, May 7, 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, Dick Shellenberger, Jay Snyder, and Sonia Wasco.

The following Associate Directors were present: Lisa Graybeal, Don Robinson, Roger Rohrer and Kent Weaver.

The following District Staff were present: Donald R. McNutt, Administrator; Gerald Heistand, Business Manager; Nate Kurtz, E&S Program Manager; Jeff Hill, Agriculture Program Manager; Kevin Seibert, Agriculture Compliance Coordinator; and Kent Bitting, Professional Engineer.

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

Chairman Frank Burkhart called the meeting to order at 7:32 PM.

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

Don McNutt introduced Kent Bitting as the District's new Professional Engineer.

News articles and recent correspondence were circulated.

Revised Agenda: Chairman Burkhart announced that Item #7 and Item #10 are being removed from the Consent Agenda in order to provide updated information. Items #7 and #10 will be handled as the first two items under Section B of the agenda.

CONSENT AGENDA

Chairman Frank Burkhart asked Directors if there were any additional items that they wanted to remove from the Consent Agenda (other than Items #7 and #10) for additional discussion. Hearing that there were no additional items to be lifted, Dick Shellenberger moved to approve the items on the Consent Agenda excluding Item #7 and Item #10. Herb Kreider seconded the motion. Motion passed unanimously.

Following are the Consent Agenda items that were approved:

Minutes of April 2, 2014 Board meetings (Item #1)

Requests for Technical Assistance (Item #2)

Nutrient Management Plans (Item #3)

NRCS Report (Item #4)

Banquet Committee Report (Item #5)

Scholarship Committee Endorsements (Item #6)

The Scholarship Committee requests Board approval to grant a 4th scholarship for 2014, as the original budget was for three scholarships.

Alcoa Foundation Concept Proposal (Item #8)

Sallie Gregory and Matt Kofroth request District Board of Directors approval to submit a proposed project entitled Sustainable Stormwater Management Education for \$25,000 upon approval of concept paper.

NFWF Grant Proposal—Field Days for Manure to Energy Projects (Item #9)

Don McNutt, District Administrator, is requesting approval to submit a final proposal to NFWF in the amount of \$10,000 to cover all costs associated with Field Days (2) to showcase manure to energy projects in Lancaster County.

DISCUSSION/ACTION ITEMS/AUDIT/ACKNOWLEDGE:

NMP/Cost Share Committee Recommendation (Item #7)

Don McNutt referred to revised Item #7 in the meeting handout packet that was provided by Jill Whitcomb. The handout listed options of two payment rates (one with a grassed waterway and one without the grassed waterway) for projects planned for the Simeon Stoltzfus farm in Paradise Township through the Chesapeake Bay Special Projects grant. A concern was expressed about whether the contractor knows how much a landowner is getting in cost share funding. Jeff Hill reported that we do not control or monitor what the farmer tells the contractor. Jay Snyder moved that the full \$10,615 be made available for this project as needed. Dick Shellenberger seconded the motion. Motion passed unanimously.

NFWF Grant Proposal—Chesapeake Bay Stewardship Fund Small Watershed Grant (Item #10)

Don McNutt reported that Kent Bitting is taking the lead on this project. In a final review of the application, it came to light that the District cannot apply for indirect costs, so those costs were removed and replaced with equipment (total station). The modified number for the District's request for this grant is now \$119,660. Dan Heller moved that the District take the next step for this project and submit an application requesting \$119,660 in funding. Ken Meck seconded the motion. Motion passed unanimously.

Report—Search/Interview Committee (Item #11)

At 7:45 PM Chairman Burkhart announced that, as per the agenda, the Board would adjourn to Executive Session for a Personnel related matter. At 8:03 PM the Board reconvened, and a summary report was given by Sonia Wasco. She announced that a special Board Meeting would be held on Thursday, May 15, 2014, at 12:30 PM.

NFWF/Altria No-Till Tobacco Planter Program Funding (Item #12)

Don McNutt reported that the NFWF/Altria grant includes a District owned planter that is to be made available to farmers that want to transplant into no-till cover. The question to the Board is whether they feel comfortable with the liability that comes with equipment ownership. After discussion, Dick Shellenberger moved that the District accept the \$65,000 grant with the consideration that a third party picks up the liability that comes with planter ownership. Ken Meck seconded the motion. Motion passed unanimously. Ideas that surfaced were to have Penn State or Altria own the planter.

Revised District Policy--Design Minimum for Waste Storage Structures (Item #13)

Ken Meck moved that the motion to update the minimum waste storage structure size be removed from the table. Herb Kreider seconded the motion. Motion to remove from the table passed unanimously. Jeff Hill pointed out a grammatical correction that will be made in the final policy. In addition, Heather Grove mentioned that she spoke with state personnel who verified that NRCS staff can design manure storages for less than six months, when the smaller size is called for in the nutrient management plan. This makes NRCS's concurrence in the exception part of the policy unnecessary. There was a consensus was that even though having this policy does not prevent pollution issues when there is poor management, it does put us in the right direction as we move into the future. There was a motion by Ken Meck that the decision on this policy be postponed until the next Board meeting (which is currently scheduled for May 15). Dick Shellenberger seconded the motion. Motion passed unanimously.

Addendum—Chesapeake Bay Special Projects Funding (Item #14)

Don McNutt reviewed that this grant is being made available through DEP's Chesapeake Bay Special Projects Grant program at the request of EPA to assist with groundwater protection in four Lancaster County townships. The main staff persons that would work with this project are Kara Kalupson, Kent Bitting and Dennis Eby. Sonia Wasco moved that the District go forward with whatever facilitates taking this \$75,000 EPA project to the next step. Dan Heller seconded the motion. Motion passed unanimously.

Individual NPDES Permitting Process and Options (Item #15)

Nate Kurtz reported that Districts have the opportunity to help DEP better expedite NPDES permit processing. NPDES permits can now be reviewed for errors or omissions before they are sent to Harrisburg. The workload would be considerable for Lancaster as the District receives over 140 general permits each year. The E&S committee will be asked to look into what would be involved if we move forward and include this additional Delegation agreement requirement with the new 102 Delegation agreement. Don McNutt reported that this question will come to each county that has a current 102 Delegation agreement before the end of 2014.

Act 167 (Item #16)

Nate Kurtz mentioned that the deadline for townships to enact their stormwater ordinance has arrived. Those who have not done so will come under the County Act 167 ordinance. The District has been named in some of the local ordinances for verifying farm conservation plans. Don McNutt shared his experience of working with the Warwick Township ordinance, and Jeff Hill and Nate Kurtz went to a Zoning Officers meeting on April 29, 2014 to do an educational session on conservation plans.

Consideration by LIMC (Item #17)

Don McNutt mentioned that townships need to track MS4 information and Andy Hake has shown the LIMC group our geo-database system. Jay Snyder reported that his township set up a record keeping system to take care of documenting their MS4 work. After discussion there was a consensus that for the District to spearhead a development like this may be outside of our mission. When staff are approached about assisting they should point townships to look to those neighboring townships that have already set up a successful system.

Exelon Funding Proposal (Item #18)

Don McNutt informed the Board that Jay Snyder will be going along with him and other staff to York County Conservation District to work on details for this funding. He emphasized that the Exelon funding does not have the same parameters as the PPL funding that has been difficult to spend. Jeff Hill remarked that there will be more Ag Cost Share Priority Committee work in the future to rank the projects with this funding.

Treasurer Report—Filed Subject to Audit (Item #19)

Gerald Heistand reported that the total District fund assets on the Balance Sheet were down by about \$140,000 from last month, but the one and three month projections for General Operations (page 20) look good. He stressed that the Net Income line on the Income and Expense report includes transfers and it is always year to date. There was a question of whether the difference between the budgeted and actual net income of \$62,000 was due to timing or actual shortages. Heistand will follow-up with details on the answer to this question, as he noted that it was not due to third party grant payments.

Conservation Plans--Acknowledgment (Item #20)

The Board acknowledged the conservation plans listed in Item #20 of the mailing.

UPDATE/INFORMATION:

Ag E&S Complaint Follow-up (Item #21)

Kevin Seibert reported that he had a positive report on the Christian and Marlin Becker complaint where he is doing monthly inspections.

Monthly E&S Projects Report (Item #22)

The monthly E&S Projects report was provided in the mailing packet.

PARTNERSHIP REPORTS:

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

Ken Meck moved to adjourn the meeting at 9:26 PM. Jay Snyder seconded the motion. Motion passed unanimously.

Gerald M. Heistand
Recording Secretary