

**LUZERNE CONSERVATION DISTRICT
BOARD OF DIRECTORS
325 SMITHS POND ROAD, SHAVERTOWN, PA 18708
September 12, 2019**

REGULAR MEETING MINUTES

Timothy Ference, Chairman called the meeting of the Luzerne Conservation District Board of Directors to order at 6:20 PM at the district's office and noted that the meeting was being recorded to aid in the preparation of the meeting minutes. The meeting began with the pledge of allegiance to the flag of the United States of America.

ROLL CALL - BOARD MEMBERS:

Timothy Ference	Chairman	Present
John J. Wilkes, Jr.	Vice-Chairman	Excused
Timothy J. Connolly, Jr.	Treasurer	Excused
Tracey Stevens	Secretary	Present by Phone
Leonard J. Burger, Jr.	Member	Present
John P. Hanish, Jr.	Member	Present
Chris Maylath	Member	Excused
Gary A. Moyer, Sr.	Member	Excused
Matthew Vough	Member	Present by Phone

DISTRICT EMPLOYEES:

Hunter Bednarczyk, E&S/NPDES Program Technician	written report submitted
Heather Graham, E&S/NPDES Program Coordinator	written report submitted
Deborah Josuweit, Office Administrator	Present/written report submitted
Jennifer Lauri, Ag Conservation Specialist	written report submitted
John Levitsky, Watershed Specialist	Present/written report submitted
Joshua Longmore, Executive Director	Present/written report submitted
Amber Martin, Conservation Specialist (MDC Program)	written report submitted
Michael Schlauch, Conservation Specialist (Ag & Roads Programs)	written report submitted
Ryan Sotelo, Program Technician (MDC Program)	written report submitted

AGENCY REPRESENTATIVES: None present.

ORDER OF BUSINESS

(Denotes motion or action taken by the district board)**

PUBLIC COMMENT: None

MINUTES: Submitted by Josuweit.

****Motion by Hanish, seconded by Burger to approve the August 15, 2019 meeting minutes as submitted. The motion carried unanimously.**

FINANCIAL REPORTS: Submitted by Josuweit.

Longmore noted there is a lull in E&S fee income, but it is too soon to know if this will be the trend for the remainder of the year.

****Chairman Ference ordered the Financial Reports to be filed for audit.**

ACTION ITEMS:

2018 Audit Presentation

Ray Knaub, CPA, of Ray Knaub & Company P.C., thanked the board for the opportunity to work with the district in preparing the 2018 audit. He presented the audit to the board and reviewed his findings with no significant issues noted. The report will be on file at the district office, and a copy must be submitted to the State Conservation Commission (SCC) no later than December 31, 2019.

****Motion by Hanish, seconded by Burger to approve payment and accept the 2018 audit as presented by Ray Knaub, CPA. The motion carried unanimously.**

Knaub presented the board with a proposed engagement agreement for the 2019 audit, which includes an increase of \$175 over the fee for the 2018 audit.

****Motion by Burger, seconded by Hanish to enter into an engagement agreement with Ray Knaub & Co. to perform the 2019 audit for a cost of \$7,200. The motion carried unanimously.**

Change Order for Glen Oaks Stream Stabilization Project

Ference reminded the board of the approval for the Glen Oaks project at last month's meeting. Longmore noted that the project was awarded to the low bidder, Neal-Lynn Construction for \$92,594.22. Shortly after beginning excavation of the streambank they hit unexpected mud sludge and spring seeps. After consulting with Bill Kcenich, DEP engineer with the Stream Improvement Program, and Bob Deecki, NRCS Engineer, Levitsky made significant revisions to the project design to address the unforeseen problems. Neal-Lynn revised the scope of work and presented a change order based on the revisions. The additional work is estimated at \$105,101.48, which will increase the project total to \$197,695.70. Longmore noted that funds are available in the Growing Greener grant that was received for projects in the Nescopeck Creek watershed.

****Motion by Hanish, seconded by Burger to approve the change order on the Glen Oaks project for \$105,101.48. The motion carried unanimously.**

2019/2020 CDFAP Allocation Worksheet Acknowledgement

Ference explained that the CDFAP UGWF allocation worksheet for 2019-2020 is an indication to the SCC on how the funds will be used in the state fiscal year. Districts can either allocate the funds for various staff positions or to cover administrative expenses. The district is eligible to receive \$26,768 for the current fiscal year. An acknowledgement by the Board is needed to submit the worksheet to the SCC documenting the district's intentions for the use of the funds. Longmore's recommendation is to continue using the funds to cover general administrative expenses, which is documented on the worksheet that was presented to the board.

****Motion by Hanish, seconded by Burger to accept Longmore's recommendation to allocate the funds for administrative expenses and to acknowledge the CDFAP UGWF Allocation Worksheet. The motion carried unanimously.**

November Meeting Date Change Request

Longmore requested a date change from November 14th to November 21st.

****Motion by Stevens, seconded by Burger to change the November 14, 2019 Board Meeting to November 21, 2019. The motion carried unanimously.**

Accounting Needs for Existing Grant Projects

Longmore informed the board that grant bank accounts would no longer be needed for the following grant projects because the grants would close soon or working capital would soon be exhausted: 2013 Stream Restoration Project, 2014 Ag BMP Project, 2015 Ag & Stream Project, and 2015 Frances Slocum Lake Project. The district's practice is to open new accounts with each new grant to manage the working capital, but once the capital is exhausted the accounts are not needed. He requested the board's approval to close the accounts that have exhausted their working capital. Also, as multiple projects are finishing in the near future, it may be necessary to temporarily transfer funds from district reserve accounts until grant reimbursements are received to manage cashflow. In the past, the board approved similar use of reserve funds for projects instead of applying for construction loans from the bank.

****Motion by Hanish, seconded by Stevens authorize Longmore to close the grant bank accounts that have exhausted their working capital, as discussed. The motion carried unanimously.**

****Motion by Burger, seconded by Hanish to authorize the transfer of funds from the district's discretionary reserve accounts to cover upcoming grants expenses on a temporary basis, as needed. The motion carried unanimously.**

Upcoming Growing Greener Grant Applications

Longmore was informed by Kleiner that the state should be announcing a Growing Greener grant application round within a month or so. This will give staff a month or two to complete applications. Levitsky is considering several projects within the Toby Creek watershed in the Back Mountain. One project is to repair a district project that was completed in 2011 that has impacted by flooding shortly after construction was completed. Another

project is to stabilize erosion on the streambank that is threatening a home. DEP was originally going to fund that project through the Stream Stabilization Program, but Bradford and Susquehanna Counties had major flooding last year and funding was diverted to those areas. Lauri and Schlauch put together a list of erosion control and water diversion projects on agricultural operations instead of undertaking large HUA and manure storage facilities, like recent grant projects. Longmore will ask Lauri reach out to Rick Stevens about the status on his previously-planned project which was postponed because of funding needs on other projects. The board was invited to provide input on the upcoming grant applications.

Employee Step Increase Notification

Ference informed the board that Lauri successfully achieved a step increase within the district's Employee Pay Schedule.

Additional Items:

Ference noted the Spotted Lanternfly informational meeting that is being planned. Hanish will contact the presenters to discuss last minute points for the program and request copies of the material they will use. Longmore wants to get the word out to agriculture community, landowners and commercial businesses that travel in the quarantine zones. Penn State Extension and the PA Department of Agriculture will be presenting the information. The program is scheduled for Friday, October 18th at 10:00 AM at the Butler Township Building, with light refreshments provided.

COOPERATING AGENCY REPORTS:

NRCS – Kears provided a written report.

PA DEP – Kleiner forwarded a written report from DEP's Central Office.

PA DEP – Tarby provided a written report.

PACD – Written report provided. Ference noted proposals that will be discussed at the regional meeting and invited input from any interested board member. Listed are the potential PACD policies considerations:

1. PACD Conservation Committee supports legislation to raise PA's clean fill standards to be in line with NJ, NY and other neighboring states.
2. Legislative committee proposed PACD opposes legislation allowing for unreported discharges, spills or releases into the waters of the Commonwealth that are not authorized by a DEP permit.
3. At the North East spring meeting a motion was passed PACD opposes legislation such as House Bill 414 (2019-2020) that reduces the allowable timeframe for permit approvals or disapprovals, regardless of the entity submitting the permit application.

Longmore noted that the opposed policies are related to bills being proposed to change the process of reviewing permitting, which would streamline permits without them going through the typical technical reviews and change the water pollution rules to relax the definition of pollution. These are all part of a packet of bills being discussed in the Legislature that would likely weaken environment regulations that are currently in place.

CORRESPONDENCE & ANNOUNCEMENTS:

- PACD Northeast Region Meeting in Wilkes-Barre – 9/27/19 @ 10:00 AM. Board members interested in attending should let Longmore know.
- October LCD Board of Directors Meeting – 10/17/19 @ 6:00 PM.

****Motion by Hanish, seconded by Burger to adjourn the meeting. The motion carried unanimously.**

The meeting adjourned at 7:15 PM.

This meeting was recorded on a digital recorder to assist in the preparation of the official written minutes.

Respectfully Submitted by: Deborah Josuweit, Office Administrator

Approved by action of the Luzerne Conservation District Board of Directors on November 21, 2019.



Chair or Vice Chair



Treasurer or Secretary