

**LUZERNE CONSERVATION DISTRICT
BOARD OF DIRECTORS
325 SMITHS POND ROAD, SHAVERTOWN, PA 18708
June 18, 2020**

Item 1

REGULAR MEETING MINUTES

Timothy Ference, Chairman, called the meeting of the Luzerne Conservation District Board of Directors to order at 6:01 PM.

ROLL CALL - BOARD MEMBERS:

Timothy Ference	Chairman	Present via phone
John J. Wilkes, Jr.	Vice-Chairman	Excused
Tracey Chonko	Secretary	Present via phone
Leonard J. Burger, Jr.	Member	Present via phone
Walter Griffith	Member	Present via video
John P. Hanish, Jr.	Member	Present via phone
Gary A. Moyer, Sr.	Member	Excused

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 via video/written report submitted
Jennifer Lauri, Ag Conservation Specialist	written report submitted
John Levitsky, Watershed Specialist	written report submitted
Joshua Longmore, Executive Director	Present via video/written report submitted
Amber Martin, Conservation Specialist (MDC Program)	written report submitted
Michael Schlauch, Conservation Specialist (Ag & Roads Programs)	written report submitted

AGENCY REPRESENTATIVES:

Andrew Kearse	NRCS	Present via phone
Brenda Shambaugh	PACD	Present via video

ORDER OF BUSINESS

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

PUBLIC COMMENT: Ference noted that no members of the public called in to participate in the meeting.

MINUTES: Submitted by Josuweit.

****Motion by Griffith, seconded by Hanish to approve the May 21, 2020 meeting minutes as submitted. The motion carried.**

FINANCIAL REPORTS: Submitted by Josuweit.

Longmore reported the final reimbursement request for the 2014 Ag BMP Projects Growing Greener grant, which will be for over \$100,000 due to the general account, will be submitted to DEP soon. He also noted that the district should be receiving the PUC Unconventional Gas Well Fund allocation by the end of July, and although E&S fee revenue has been under budget, several new plans for larger projects have been received recently.

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

ACTION ITEMS:

Update on District Operations During Pandemic

Ference noted that Longmore is keeping the staff and board members updated on the district's operations during the pandemic. Longmore reported that Luzerne County will move into the green phase of the Governor's Reopening Plan on Friday, June 19th, and he has prepared a reopening plan for the staff's return to the district office beginning Monday, June 22nd. Longmore discussed the plan with the staff during a video conference the

day before. He reviewed the proposed plan, which includes requirements to follow recommended safety guidelines set by the CDC and PA Department of Health. The office would remain closed to the public, and notices would be posted on the door and the district's website stating that appointments are necessary. Visitors would be required to follow recommended safety measures such as wearing face coverings and answering questions pertaining to their health before being allowed to enter the building.

****Motion by Hanish, seconded by Griffith to approve the reopening of the district office as outlined by Longmore. The motion carried unanimously.**

A brief discussion was held on the status of the Governors' COVID-19 Disaster Declaration.

Hanish asked about cybersecurity for the district. Longmore indicated that he hasn't had an opportunity to obtain additional proposals from IT companies yet.

Update on Tax Reporting Issue Regarding Retirement Plan

Longmore reported on the issue regarding the treatment of federal taxes on employees' voluntary contributions to the retirement plan. He contacted attorney and CPA John McGovern, from Scranton, and reviewed the issue with him. McGovern provided guidance that the statute of limitations for revising W-2s would only require making corrections for the past three years, and he suggested the district ask its payroll company to issue corrected W-2s for 2017, 2018 and 2019. He did not recommend that the district pay any taxes due from the employees, since they would have originally been paid by the employees if the reporting error wasn't made. However, he did recommend that the district reimburse employees for any preparation costs for filing the corrected W-2s and any penalties that may be assessed.

Ference tabled action on the item until after an executive session later in the meeting.

Building Maintenance Issues

Longmore reported an issue that occurred pertaining to bat bugs in the upstairs office and attic. Terminix was contacted and after inspection they confirmed the existence of the bugs. They submitted a quote of \$6,572 to address the bats and bat bugs, but they requested an inspection for black mold be done prior to remediation due to discolored staining on the sheathing in the attic. Longmore will meet with another company, Pest Master, on 6/19/2020 for another proposal. He also contacted ServPro regarding a quote for mold remediation, but they will not do an inspection until the bat/bat bug issue is addressed.

Longmore also reported that he recently conducted follow up radon tests, and the report showed that the mitigation project that was completed in March was effective in lowering the levels significantly.

Ference asked for the board's input on authorizing Longmore to move forward with addressing the bat/bat bug and mold issues. Griffith suggested that Longmore work on obtaining additional quotes and that the board give him approval to authorize the necessary work as long as it does not exceed \$7,000.

****Motion by Griffith, seconded by Stevens to authorize Longmore to engage contractors to address the bat, bat bug, and mold issues for an amount not to exceed \$7,000.00. The motion carried unanimously.**

Ference noted that technical difficulties with the recording of the meeting had been corrected, and the meeting was now being recorded to aid in the preparation of the meeting minutes.

DEP's E-permitting Initiative for NPDES Permits

Longmore provided some information on the district's NPDES permitting program for stormwater discharges related to construction activities and explained PA DEP's E-permitting initiative for permit. DEP has been working on an electronic permitting program for a few years and is nearly ready to implement it starting for NPDES general permits. They initially proposed a start date of June 18th. Conservation districts statewide are supportive of the concept but are concerned there won't be enough time to test the system under the current unique circumstances. Brenda Shambaugh sent communication to the DEP's Deputy Secretary explaining the concerns and that districts needed more internal testing and training. DEP has since pushed back the start date to July 1st to allow for some internal testing that will involve district staff members. With the issues districts are facing working remotely and many making plans to reopen their offices, most district managers are concerned with DEP's previous lack of communication about the roll out of this initiative and the demanding tone of their recent communications mandating that districts participate in extensive testing of the program over the next week.

Longmore wanted the board to be aware of the issue as these concerns may need to be addressed through letters from PACD or from local district boards to DEP executive staff. Shambaugh stated that she sent a letter regarding these issues today to the Secretary and the Executive Deputy Secretary.

Employee Step Increase Acknowledgments

Ference reminded the board of the detailed pay schedule that is in place, and stated there are two employees who, based on the schedule, are eligible for step increases. Longmore noted that Graham, the E&S Program Coordinator, who has been with the district since 2002 and is coming up on her 17th anniversary, is the longest serving staff member of this conservation district since its inception in 1964. She has achieved a step increase from a Program Coordinator Step 19 to Step 20. He also noted that Bednarczyk, currently an E&S Program Technician, has performed very well since he was hired in 2019. Longmore recommended that he be promoted from Conservation Technician, Step 10 to Conservation Specialist 1, Base Step.

****Motion by Burger, seconded by Hanish to approve the recommendation to promote Bednarczyk to a Conservation Specialist 1 at the Base Step. The motion carried unanimously.**

Ference noted staff reports are included in the board packets.

COOPERATING AGENCY REPORTS:

NRCS – Kearsse gave a verbal report on the operations of NRCS during the COVID-19 pandemic. Longmore asked how the office will function with Schlauch and Lauri integrating back into the office. Kearsse stated they would like everyone to start coming back into the office 2 to 3 days out of the week, perhaps along with some telework. Longmore asked Kearsse to keep him updated as NRCS moves into the next phase.

PACD – Ference thanked Brenda Shambaugh, Executive Director of PACD, for joining the meeting. Shambaugh explained what PACD does and stated the mission is to assist the 66 conservation districts across the Commonwealth. PACD partners with NRCS, DEP, and PDA and advocates for all districts by reaching out to the General Assembly. The preferred statewide approach is to send letters, talk with legislators, and have District Directors and Associate Directors send correspondence directly with their legislators. She reported on the approval of a 5-month state budget that includes district funds through PDA and DEP that go until the end of November, which is after the general election. The PA General Assembly technically is not in session between November 30th and the first Tuesday of January, so a lot of decisions will be made in just a few short weeks and this is where we will have to be diligent in making sure the legislators understand the importance of funding for conservation districts. The state budget will have to be balanced, and there is going to be about \$4 billion short fall. Other programs that are offered to PACD members are leadership development programs that are funded by SCC. PACD created a tab on their website that provides updated CDC guidelines and other COVID-19 resources for districts to easily find information as it becomes available. They also offer numerous trainings for conservations staff.

Shambaugh noted the Executive Council Meeting that will be held in July is normally held as joint annual conference in State College. At this time PACD has decided not to hold face-to-face meetings, and instead it will be held virtually. She wanted the board to be aware of what will take place and encouraged all directors, associate board members and staff to register to attend the statewide conference this year, since they may not have been able to attend in the past. Registration can be done by going to www.pacd.org.

Griffith asked if they have heard anything on funding for conservation districts for expenses that have occurred because of the COVID-19 pandemic. Shambaugh has not heard of any funding specifically for districts. She did state districts should be receiving all the state money that they normally would receive.

CORRESPONDENCE & ANNOUNCEMENTS:

- PACD Employment Law Webinar on 7/8/2020 at 1:00 PM.
- July LCD Board of Directors Meeting – 7/16/2020 at 6:00 PM.
- PACD Executive Council meeting web conference on 7/23/2020 at 10:00 AM

EXECUTIVE SESSION:

The board entered executive session at 7:15 PM for the purpose of discussing personnel issues.

RETURNED TO REGULAR SESSION:

The board returned to the regular meeting at 7:25 PM.

****Motion by Griffith, seconded by Hanish to authorize Longmore to instruct the district's payroll service to issue corrected W-2s and authorizing the payment of any expenses involving tax preparation and/or interest or penalties which maybe incurred by those affected the tax reporting error. The motion carried unanimously.**

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

The meeting adjourned at 7:26 PM.

This meeting was recorded 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 July 16, 2020.



Chair or Vice Chair



Treasurer/Secretary