

**LUZERNE CONSERVATION DISTRICT  
BOARD OF DIRECTORS  
325 SMITHS POND ROAD, SHAVERTOWN, PA 18708  
November 19, 2020**

**REGULAR MEETING MINUTES**

Timothy Ference, Chairman, called the meeting of the Luzerne Conservation District Board of Directors to order at 6:01 PM, noting that the meeting was being held via video/phone conference and that it was being recorded.

**ROLL CALL - BOARD MEMBERS:**

Timothy Ference	Chairman	Present via phone
John J. Wilkes, Jr.	Vice-Chairman	Present via video
Tracey Chonko	Secretary/Treasurer	Present via phone
Leonard J. Burger, Jr.	Member	Present via phone
Walter Griffith	Member	Present via phone @ 6:19 PM
John P. Hanish, Jr.	Member	Present via phone
Gary A. Moyer, Sr.	Member	Present via phone

**DISTRICT EMPLOYEES:**

Hunter Bednarczyk, Conservation Specialist (E&S/NPDES Program)	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	
Joshua Longmore, Executive Director	Present via video/written report submitted
Michael Schlauch, Conservation Specialist (Ag & Roads Programs)	written report submitted

**AGENCY REPRESENTATIVES:**

Andrew Kears	NRCS	Present via phone
--------------	------	-------------------

**ORDER OF BUSINESS**

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

**PUBLIC COMMENT:** None

**MINUTES:** Submitted by Josuweit.

**\*\*Motion by Hanish, seconded by Wilkes to approve the September 17, 2020 meeting minutes as submitted. The motion carried unanimously.**

**FINANCIAL REPORTS:** Submitted by Josuweit.

Longmore noted E&S fee revenue is trending higher due to a few larger development projects which will require work going into next year for the E&S program.

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

Ference noted the meeting will begin with Cooperating Agency Report from Andrew Kears so he could attend the Carbon Conservation District's board meeting too.

NRCS – Kears provided a written report and a verbal report via phone.

**ACTION ITEMS:**

**2021 District Budget – Draft Presentation**

Longmore provided an overview of the draft 2021 budget but explained that he is awaiting some revenue and expense amounts which are not yet known. For example, the final state budget amounts are pending action by the legislature. He explained his approach was to maintain the status quo for district operations with programs

continuing as they are currently run, with no intention to add or cut positions. The only deviation from 2020 operations would be to hire two seasonal staff members for the Mosquito-borne Disease Control Program instead of one. He doesn't anticipate adding any new programs or any new funding sources, and he doesn't anticipate significant expense increases or new categories. On the income side, state and federal income amounts are as accounted for in current agreements and grant applications. The county allocation is in the draft budget at \$15,000, the same as the district received this year. That doesn't include the additional \$5,000 request he made to help offset the costs of administering the Farmland Preservation Program. He included a transfer of \$27,000 from the General Fund Reserve to balance this budget so far, but that amount might change when state budget decisions are finalized. The amount may shrink if the state provides more money in CDFAP Administrative Assistance. The good news is the district is doing well in 2020, and there will be minimal to no need to use reserve funds for the current fiscal year. He did adjust the E&S/NPDES Program fee income upward about 6.7% based on the trend over the last 12 months, which amounts to about \$15,000 more projected in 2021. On the expense side, the wages amount includes a 1.3% COLA increase, based on the 2021 Social Security increase. Also included is anticipated performance-based step increases on staff anniversary dates. Health Insurance includes an 1.4% increase for the current "grandmothered" pre-ACA high deductible plan, with the continuation of the district's deductible coverage policy out of the Payroll/Benefits Liability Reserve account. This approach continues to result in considerable savings over the previous plan or transitioning to ACA marketplace plans. The payroll tax percentage was adjusted from 10.9% down to 8.6% to reflect the actual rate in 2020. Operational expenses are estimated based on 2020 usage, with adjustments for reasonable expectations for 2021. The 2021 budget does not include and transfers going into reserve accounts, but the good news is those accounts are healthy. Longmore invited any input from the board.

### **2021 Health Insurance Renewal**

Ference referenced Longmore's previous explanation of the health insurance renewal in his budget presentation and the letter from Highmark included in the board packet.

**\*\*Motion by Moyer, seconded by Wilkes to authorize Longmore to renew the current health insurance plan with Highmark. The motion carried unanimously.**

### **HVAC Air Purification Proposal**

Ference referenced Item 3c in the board packet. Longmore reminded the board of the HVAC unit that was installed a few years ago. He became aware of air sanitizing units that The Luzerne Foundation purchased for their offices. He contacted the HVAC contractor who installed the district's system and asked for a quote on fresh air exchanger and an air sanitizer unit. The system would not only improve air quality, but it would also make for safer working conditions given the current concerns about the coronavirus pandemic and any similar concerns in the future. The quote in the board packet included the installation of both units for \$3,482.

**\*\*Motion by Hanish, seconded by Wilkes to approve a contract with Comfortable Climate Heating and Air Conditioning, LLC for the fresh air energy recovery and air purification units at a cost of \$3,482. The motion carried unanimously.**

### **Scope of Work Change for 2015 Ag & Stream Growing Greener Grant**

Longmore explained that this grant had three agricultural projects planned. One project included partial funding for the agricultural BMPs and stream work at The Lands at Hillside Farms that has been completed. Another project was on the Martin Smith Farm in Hollenback Township, which was finished a year and a half ago. The third proposed project was the Bronson Farm, but the landowners have since indicated they don't need any more practices on the farm. Lauri and Longmore discussed other projects on the district's list, and the Conyngham Ag BMP Project was one that was planned but unable to be funded under a previous grant because of cost overruns on other projects in that grant. Longmore spoke with Shane Kleiner, DEP, to confirm that funding from the 2015 grant could be transferred from the Bronson project to the Conyngham project. This grant contract currently ends on December 31, 2020, but the district can request an extension. Longmore requested board approval to amend the grant scope of work for the Conyngham project in lieu of the Bronson project and to request the extension of this grant contract.

**\*\*Motion by Hanish, seconded by Chonko to approve the Scope of Work Change for 2015 Ag & Stream Growing Greener Grant to include the Conyngham project and to request a grant contract extension from DEP. The motion carried unanimously.**

### **Approval of Abraham's Creek Watershed BMPs Grant Contract**

Ference referenced item 3e in the board packet. Longmore explained that Lauri applied for the grant through DEP's Section 319 Program, which provides federal money to help remove waterways off the impaired waters list. The Abrahams Creek Watershed is one of two watersheds in Luzerne County that are on the list. A previous grant covered the planning phase for agricultural BMPs on the Martin Murray Farm, and this grant is for implementation. The project includes an agricultural heavy use area and manure storage facility on the farm in Franklin Township. DEP has provided notice that the grant was approved. Longmore requested board approval to contract with DEP for the funding. Ference noted the grant request shown on the cover sheet is for \$355,732. Hanish asked if the district has been working on the TMDL that was mentioned in the grant application package. Longmore noted that the district has been working on the watershed for 10 years or more, which started with a watershed assessment for Francis Slocum Lake. One of the identified needs of that assessment were agricultural BMPs. Last year the district completed the Krispin Farm and the Idle-Acres Farm projects, and this grant will continue working towards the goal of improving local water quality and removing Frances Slocum Lake off the impaired waters list.

**\*\*Motion by Griffith, seconded by Hanish to authorize Longmore to approve the Abraham's Creek Watershed BMPs grant contract in the amount of \$355,732. The motion carried unanimously.**

### **Roads Program Quality Assurance/Quality Control Visit Report**

Ference noted item 3f in the board packet, a Quality Control/Quality Assurance preliminary report on the district's DGLV Roads Program. At the end of the report are the commendations and recommendations. Longmore stated that the report is in draft form and open for questions or comments. The QA/QC team will meet with Schlauch and Longmore to discuss the report and make any corrections, as needed. Hanish pointed out a spelling error with his name within the report.

### **PACD Committee Membership Openings**

Ference referenced item 3g in the packet and explained PACD is looking to fill committee openings as listed in the email. Anyone interested in becoming involved as a volunteer for the mentioned committees should contact Brenda Shambaugh.

### **Additional Items**

#### **COVID-19 Office Procedures**

Ference noted some recent changes in office procedures. Longmore explained that district staff have reverted to more remote working given the current status of high numbers of cases in Luzerne County and recommendations from the state Department of Health. He implemented a slightly different approach than last spring by setting up a schedule where no more than two people are in the office at any given time. Staff can work from home but will have assigned time in the office to accomplish tasks that can only be done in the office. Josuweit will be in the office most of the time, each day. Another staff member may be in their own separate location in the office building each day. Staff will implement protocols that are outlined in the previously approved COOP.

#### **2019 Audit**

Longmore explained that the audit is usually completed by September or October but due to pandemic related issues, Knaub has been delayed in completing it. Knaub started the audit in the summer by picking up necessary information from the district office to work remotely, and he has since spent some time in the office reviewing records. Knaub is hopeful he will be able to complete the audit and present it at the December board meeting, but he advised Longmore to request an extension to the 12/31/20 deadline from the State Conservation Commission. Longmore made the request to the SCC but has not yet heard if it has been approved.

#### **Proposed Countywide Action Plan for PA's Chesapeake Bay Phase 3 Watershed Implementation Plan**

Ference reminded the board of the proposed Countywide Action Plan (CAP) that has been previously discussed. Several planning meetings have been held with Ference, Longmore, Levitsky, and Griffith participating. Longmore explained that part of Pennsylvania's effort to meet the federal requirements was the development of a statewide Watershed Implementation Plan. A component of that plan is to have CAPs written to address local water quality concerns, which will in turn add up to meet the federal pollution reductions requirements placed on the state. DEP approached representatives from the district and county government in the summer to request participation in a Luzerne County CAP. They requested that the "county" identify an entity to be the primary local contact for development of the CAP. As it turns out, DEP's use of the term county was meant generally and collectively to include any department of county government, the conservation district, or other local entities. A

steering committee of county, district, and DEP representatives has formed to begin the process, and later input will be sought from stakeholders from multiple sectors including industries, agriculture, development, conservation, government, and local municipal governments. The larger group would come up with a plan to meet targeted goals to reduce nitrogen, phosphorus, and sediment pollution going into local waterways. The consensus of the steering committee, including Ference, Griffith, Longmore, representatives from the county government, the regional DEP office and the Chesapeake Bay office in Harrisburg (who is giving guidelines for how this will be done), is to proceed with the CAP. Counties have been approached on a tiered basis depending on estimated pollutant loads, starting with Tiers 1 and 2 and then Tiers 3 and 4. Luzerne County is in Tier 4. Video and phone conferences have been scheduled about every two weeks. In September, the board approved moving forward as the main county point of contact contingent upon county leaderships' agreement. At the board's direction, Longmore sent a letter in September to the County Council Chairman and the County Manager explaining the willingness for the district to take this on and offering them the opportunity to provide us any input and guidance as to whether or not the effort should move forward. On November 16<sup>th</sup> DEP requested a formal decision to be made on partnering with Lackawanna and Susquehanna Counties on a grant application for funding for a coordinator to develop the plan. Longmore explained to DEP that we haven't received any formal indication from the county regarding the district acting as the main point of contact. After the call, Longmore reached out to county officials to inquire about county input on the matter. The County Manager sent an e-mail indicating he was inclined to allow the district to move forward in this capacity and invited input from council. Griffith responded requesting that it be brought before county council. DEP is concerned that delay could derail the effort in the three counties. Joe Buczynski, assistant regional director for DEP, indicated that the Lackawanna Conservation District expressed willingness to be the formal grant sponsor and write the grant request. Griffith noted that he reached out to Mr. McGinley and Mr. O'Neill and requested to have this topic added to an upcoming council meeting agenda. He wants county council to be aware and support the district moving forward with this plan. Ference added that some DEP representatives seem to lack understanding of the different types of conservation districts, with our district being independent of county government, and that the district cannot act on behalf of the county. Wilkes agreed that this needs to go before county council, and he expressed concerned that it could become a political issue. Ference requested a supplementary motion that would clarify the situation and where the board stands. Longmore and Ference suggested the board could approve moving forward to cooperate with Lackawanna and Susquehanna Conservation Districts in the grant application for the plan coordinator and to enter into an MOU with those districts. The approval would be subject to agreement by the county or a determination that such agreement is not necessary. Griffith requested that a deadline of November 30<sup>th</sup> be included in the motion and that it be sent to Mr. McGinley, Council Chair. Discussion was held. Wilkes suggested that the motion be communicated to all county council members, Mr. Pedri, and copied to each district board member. Griffith suggested copying Mr. O'Neil and the Planning Department, and Longmore suggested a copy to Joe Buczynski also.

**\*\*Motion by Wilkes, seconded by Moyer to approve the district's cooperation with the Lackawanna and Susquehanna County Conservation Districts and enter into a Memorandum of Understanding with those districts to pursue grant funding for a CAP Coordinator, subject to Luzerne County Council's agreement or the determination that their agreement is not necessary. If the district doesn't hear otherwise by November 30, 2020, the district board will consider that council does not object to its decision to proceed with leading the effort to develop a CAP for Luzerne County. The motion carried unanimously.**

Ference noted the staff reports were included in the board packets.

#### **COOPERATING AGENCY REPORTS:**

DEP – Written report included in the board packet.

PACD – Ference noted a written report was included in the board packet.

#### **CORRESPONDENCE & ANNOUNCEMENTS:**

- December LCD Board of Directors Meeting – 12/17/2020 at 6 PM

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

The meeting adjourned at 7:27 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 December 17, 2020

  
\_\_\_\_\_  
Chair or Vice Chair

  
\_\_\_\_\_  
Treasurer/Secretary

