

**LUZERNE CONSERVATION DISTRICT
BOARD OF DIRECTORS
325 SMITHS POND ROAD, SHAVERTOWN, PA 18708
May 20, 2021**

Item 1

REGULAR MEETING MINUTES

Jay Wilkes, Vice Chairman, called the meeting of the Luzerne Conservation District Board of Directors to order at 6:00 PM, noting that the meeting was being held via video/phone conference and that it was being recorded.

Wilkes called for a moment of silence in memory of Carol Ference and expressed the district's condolences to Tim and his family.

ROLL CALL - BOARD MEMBERS:

| | | |
|------------------------|---------------------|-------------------|
| Timothy Ference | Chairman | Excused |
| John J. Wilkes, Jr. | Vice-Chairman | Present via video |
| Tracey Chonko | Secretary/Treasurer | Excused |
| Leonard J. Burger, Jr. | Member | Present via phone |
| Walter Griffith | Member | Absent |
| John P. Hanish, Jr. | Member | Present via video |
| 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 | Present via video/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 Kears | NRCS | Present via phone |
|--------------|------|-------------------|

ORDER OF BUSINESS

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

PUBLIC COMMENT: Tom Herbert introduced himself as a member of the community interested in the conservation district's work.

MINUTES: Submitted by Josuweit.

****Motion by Hanish, seconded by Moyer to approve the March 18, 2021 meeting minutes as submitted. The motion carried unanimously.**

FINANCIAL REPORTS: Submitted by Josuweit.

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

COOPERATING AGENCY REPORTS:

NRCS – Kears explained a review of the NRCS Civil Rights Responsibilities for Partners Checklist that was provided in the board packets is to comply with USDA and NRCS civil rights requirements and was developed to serve as an internal guide to assist with responsibilities and expectations between NRCS and its partners. This is an annual review that requires board members to acknowledge that it was presented to the district. Longmore will list the present board members' names on the form, and Wilkes will sign and date the Affirmation of Review.

****Motion by Hanish, seconded by Moyer to acknowledge the NRCS Civil Rights Responsibilities for Partner Checklist. The motion carried unanimously.**

Kearse also gave a verbal and written report.

DEP – Wilkes noted a written report was included in the board packet.

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

Wilkes noted staff reports were included in the board packet under item 4.

BUSINESS ITEMS:

NRCS Civil Rights Responsibilities Checklist Acknowledgement

Previously addressed under Cooperating Agency Reports.

Plainsville Borehole Growing Greener Grant Application

Levitsky proposed applying for a Growing Greener Grant for about \$150,000 for a feasibility study for abandoned mine drainage (AMD) treatment concepts for the Plainsville Borehole, which discharges approximately 1.5 million gallons of water contaminated with high levels of iron and sulfates into the to the Susquehanna River daily. Since this is such a large discharge, the first step will be to thoroughly assess treatment options and their feasibility. Levitsky contacted Mike Korb, a local engineer with extensive experience with abandoned mine reclamation, and he suggested consulting John Dietz, another engineer with specialized expertise in AMD treatment. Longmore explained that the grant application would be written for the district to hire Dietz for this feasibility study if the board is in agreement with that approach. With these grant requests, it can take many months to over a year to hear whether DEP will approve or deny the funding. With the board's consensus, the application would be submitted and if it is awarded, the contract will be brought to the district board for formal approval. Levitsky noted that Dietz will attend a meeting on June 3rd to review the site.

Wilkes noted there was consensus of the board to authorize the grant application.

Wilkes noted a second GG grant application for an agricultural BMP project on the Venesky Farm in Hollenback Township. Longmore discussed potential agriculture grant projects with Schlauch and Lauri, and Schlauch suggested the Venesky project since we have most of the information needed to get the grant application in by the deadline. Longmore explained the district completed an agricultural BMP project on the farm about 7 years ago which included a roofed manure storage and heavy use area next to the barn. Over the years Mr. Venesky has found it difficult to manage his herd and nutrient management needs on the farm due to oversights in the design of the original project. This project would allow the district to improve a project that was already invested in but is not functioning as intended. The estimated cost from PACD/NRCS is in the range of \$70,000 for an additional manure storage facility, new compacted laneways, fencing, and some drainage work. Common practice is to adjust the engineer's estimate by a factor of 1.5 to 2 times because prevailing wage rates and other factors usually increase the costs. The application will probably range around \$100,000.

Wilkes asked if the board had any questions on this specific grant application, and then noted there was consensus of the board to authorize the grant application.

Landscaping Proposals

Wilkes noted item 5c in the board packet regarding landscaping for the district property. The Executive Committee held a virtual meeting and asked Longmore to seek proposals. Landscaping would be for the beds around the building and along the driveway.

The quotes are:

1. R. Heritage Landscape – Quote from fall of 2020 to clean the beds and use district-supplied composted mulch from DAMA = \$4,497.
2. Foltz Landscaping – 1st approach would be to clean the beds, trim plants, put down underlayment, and place river rock in all the areas = \$7,300.
 - a. Section A – building/parking lot area - \$3,900
 - b. Section B – driveway area - \$3,400

3. Foltz Landscaping – 2nd approach would be to clean the beds, trim plants, and mulch the entire project = \$4,570.

Longmore also requested a quote from Constantino Landscaping but did not receive one. Longmore recommended accepting the bid from Foltz Landscaping for the river rock over the entire project area. Even though it is a higher cost, it is a lot of area to cover and will be a permanent solution. He noted that the district's finances are doing well with above-budget E&S program fees and a Capital Improvement Reserve fund balance of over \$19,000.

****Motion by Moyer, seconded by Hanish to authorize Longmore to contract with Foltz Landscaping for \$7,300 for improvements to the landscaping. The motion carried unanimously.**

New Lawn Tractor

Wilkes stated the committee also discussed the need to replace the district's lawn tractor. Longmore looked into the COSTARS purchasing program and contacted Bartron Supply and CW Waltz for quotes. Waltz could not get Cub Cadet lawn tractors at this time. Bartron provided a quote for a John Deere X394 series, four-wheel steer, 48-inch deck with a snowplow option. It has a hydraulic raising deck which also includes a hydraulic raising front blade, chains, and weights. The total price is \$5,558.90 which includes the 24% discount through the state's COSTARS purchasing program.

****Motion by Moyer, seconded by Burger to authorize Longmore to purchase the John Deere lawn tractor from Bartron Supply for \$5,558.90. The motion carried unanimously.**

Third Party Permit Review Legislation

Longmore explained this relates to the Erosion and Sediment Control/NPDES permitting program. Some state legislators have been pressuring DEP, which administers the program and delegates the authority for the program to the district, to streamline the permitting process. Complaints from the development community, engineers, and consultants who develop plans and permit applications say the process takes too long. DEP has rolled out an e-permitting program that is intended to help shorten the time. However, recent bills passed in the house and senate which would compel DEP to develop a process where private consultants and engineers would be hired to review permit applications that are not processed and approved by DEP/districts within 30 days. The bills do not include conflict of interest provisions. PACD has written letters of opposition noting concerns with the proposed bills, and they also reached out to legislators offering assistance in writing bills that would address problems and help expedite the process without jeopardizing natural resources or conflicting with other laws or federal permit regulations. Longmore explained the process that occurs once an NPDES permit application is received by the district. He asked if the board would like him to respond to such proposals on behalf of the district and if the district should support PACD's position of opposing this approach on permit approvals.

****Motion by Burger, seconded by Moyer to authorize Longmore to express the districts position consistent with PACD's recommendations on third party permit review legislation. The motion carried unanimously.**

Invasive Species Council Involvement

Wilkes noted item 5f in the board packet and the possibility of future funding for invasive species control. Longmore explained the PA Dept. of Ag, Dept. of Conservation & Natural Resources, Penn State Extension, and others have been involved with the increasing concerns of plant, animal, and insect invasive species. PA established an Invasive Species Council a while ago, and Hanish has been involved and keeping the district informed on the issue. PACD has been advocating for funding for local entities (possibly conservation districts) to help coordinate education, outreach, and control activities through local Partnerships for Regional Invasive Species Management (PRISM) that would organize stakeholders who cooperate on dealing with regional invasive species issues. PACD wants to know if districts support the effort for them to advocate for conservation districts to be that local entity. Longmore asked for the board's input and interest in case the question comes up at the PACD Executive Council meeting to have PACD advocate for districts and possible funding. This is preliminary, as there is no formal agreement being proposed. The state association is asking which districts might be interested in proceeding with this item. Wilkes asked if there was a consensus of the board to have Longmore gather more information and express the district's interest in being involved with possible invasive species cooperative programs.

****Motion by Hanish, seconded by Moyer to authorize Longmore to gather more information and express the district's interest on this matter. The motion carried unanimously.**

Watershed Specialist Grant Extension

Wilkes noted that DEP has notified the district of the need to request funding for the Watershed Specialist position for the next state fiscal year. Longmore stated this is a yearly formality that covers a portion of Levitsky’s position as a one-year extension on the current contract.

****Motion by Burger, seconded by Moyer to authorize Longmore to submit the application for the Watershed Specialist Grant Extension for \$45,250. The motion carried unanimously.**

Update on Countywide Action Plan for Clean Water

Longmore reported to the board on the Countywide Action Plan for Clean Water. A stakeholder “kickoff” virtual meeting was held on April 28th that was coordinated by Josh Glace of Larson Design Group. The stakeholders provided preliminary input on the main areas of interest that the plan will focus on. Those areas are:

- Agriculture
- Urban and Suburban Stormwater
- Wastewater
- Watershed Health

The next step will be to invite stakeholders to participate in breakout groups where they can provide input on water quality issues related to specific areas of interest and help identify potential projects and efforts to include in the plan. Focus group meetings will be scheduled for the near future. Board members with an interest in serving on any of these groups were asked to let Longmore know.

Employee Step Increase Acknowledgment

Wilkes acknowledged that Josuweit has successfully achieved a step increase within the district’s Employee Pay Schedule.

Additional Items: None

ANNOUNCEMENTS:

- Congratulations to Luzerne County Envirothon Winners MMI Prep
- June LCD Board of Directors Meeting – 6/17/21 at 6:00 PM


Public Comment: Tom Herbert expressed appreciation for his involvement in the development of the Countywide Action Plan for Clean Water.

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

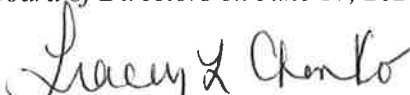
The meeting adjourned at 7:05 PM.

Respectfully submitted by Deborah Josuweit, Office Administrator.

Approved by action of the Luzerne Conservation District Board of Directors on June 17, 2021



Chair or Vice Chair



Treasurer/Secretary