

**GREENE COUNTY CONSERVATION DISTRICT
MINUTES
August 30, 2011**

I. CALL TO ORDER AND INTRODUCTION OF GUESTS

The meeting was called to order by Chairman Eisiminger at 10:00 a.m. at the Mezzanine Conference Room, 19 South Washington Street, Waynesburg, Pennsylvania. Those in attendance are as follows:

Greene County Conservation District Directors and Associate Directors

Bradley Eisiminger-Chairman; Archie Trader-Vice Chairman; Tom Headlee-Treasurer; Jim Cowell-Secretary; Jim Kenney-Director; Greg Hopkins-Associate Director; Bill Wentzel-Associate Director/Program Associate

Guests and Cooperating Agencies

Chuck Kubasik-PA Department of Environmental Protection; Chris Hardie-Department of Economic Development; Laura Smith-NRCS

Staff

Lisa Snider-District Manager; Lindsay Kozlowski-Environmental Program Specialist; Julie Maxwell-Watershed Specialist; Jeremy Kelly-Environmental Program Specialist II; Becky Salosky-Fiscal Officer; Robbie Matesic-Executive Director, Department of Economic Development

Bob McBride, Department of Conservation and Natural Resources, attended a portion of the meeting.

Ms. Snider introduced Jeremy Kelly, who was recently hired to fill the Environmental Program Specialist II position and Laura Smith from NRCS.

II. PUBLIC COMMENTS

There were no public comments.

III. APPROVAL OF MINUTES

A motion was made by Jim Cowell to approve the minutes of the June 21, 2011 meeting. Jim Kenney seconded. (Motion Passed).

IV. TREASURER'S REPORTS

A motion was made by Commissioner Trader to approve the treasurer's reports with the following addition to the General Fund. Jim Cowell seconded. (Motion Passed).

Ck 896 Scotty's Pizza – District meeting lunch - \$59.20

V. EXECUTIVE SESSION

A motion was made by Commissioner Trader to enter into Executive Session to discuss a personnel matter. Jim Kenney seconded. (Motion Passed).

VI. RECONVENMENT

Following the Executive Session, a motion was made by Commissioner Trader to reconvene the meeting. Jim Cowell seconded. (Motion Passed).

In order to keep up with her current workload and to assist in the training of Jeremy Kelly, a motion was made by Commissioner Trader to allow Environmental Program Specialist, Lindsay Kozlowski to work up to 40 hours in a one week period to keep up with the required workload as needed. Tom Headlee seconded. (Motion Passed).

VII. CORRESPONDENCE

- a. Ms. Snider noted that a Certificate of Appreciation was received from the Pennsylvania Association of Conservation Districts (PACD) for the payment of our 2011-2012 dues.

On behalf of the State Conservation Commission, Mr. Kubasik presented to the Board an Appreciation Award for 55 years of service and dedication that was signed by Karl Brown, Executive Director, State Conservation Commission.

- b. Ms. Snider distributed a thank you note received from Mackenzie Metcalf for the scholarship she received to attend the Conservation Leadership School. Correspondence, including an agenda for the program, was also received from the Conservation Leadership School at Penn State University.
- c. Ms. Snider read the thank you note received from Billie and Jim Cowell for our participation in the PA Cattleman's Association (PCA) Field Day.

- d. The recently published, Agritourism brochures were mailed with the meeting packets. A letter was also received from the Greene County Tourism Promotion Agency thanking GCCD and Laurel for assistance with the project.

VIII. REQUEST FOR ASSISTANCE

Krislyn Barnhart – Freeport Township – 8 acres

A motion was made by Tom Headlee to accept this Request for Assistance. Jim Cowell seconded. (Motion Passed).

IX. OLD BUSINESS

- a. Ms. Snider gave a summary of the Compressor Station and Oil and Gas Workshop held on August 23rd. The workshop was very successful with approximately 67 people in attendance, including Municipal, Zoning, Hearing Board officials, Conservation District members and Greene County Planning Commission (GCPC) members.

Four speakers participated in the program including:

- Consultant, John Harper, who discussed oil and gas development from the ground to the consumer.
- Jay B. Irwin, Manager of Operations and Technical Service for William Midstream Services topic of discussion was geared to that of how a compressor station operates.
- Ross H. Pifer, Professor and Director of the Dickinson School of Law, discussed the legal issues for municipalities. Mr. Pifer focused on Pennsylvania Statutes, Regulatory Agencies and Case Law Addressing Municipal Regulation of Oil and Gas Operations.
- George Jugovic, Jr., Regional Director and Alan Eichler, Environmental Program Manager from PA DEP reviewed PA DEP permitting and air quality.
- Greene County Planning Commission Solicitor, Kevin O'Malley, facilitated the meeting and kept the questions in an orderly manner throughout all presentations.

Ms. Snider noted that Mr. Pifer was very helpful in explaining to the municipalities how they could use the law to draft their own ordinances.

Mr. Hopkins added that he felt that the workshop was very beneficial with a lot of information shared. He also said that the municipalities, who deal with the industry on a daily basis, took the lead by asking more questions while overall, it exposed everyone to the “nuts and bolts” of the industry. He commended the engineer who conducted the tour of compressor station for his job of explained its function in “laymen’s” terms.

Ms. Matesic also found the workshop to be very informative and commended the speakers for the job they did. She added that Mr. Jugovic did not defend the status of the regulations and was pretty clear that the laws are currently deficient. Mr. Pifer also acknowledged their deficiency and said that most of the laws were written to address shallow wells, and do not address today's technology.

In conclusion, issues such as air and water quality, and noise reduction could be further addressed at future workshops. Commissioner Trader stressed the importance of these issues.

Mr. Hopkins also added that he was surprised to learn how few municipalities have ordinances in place. This began a discussion regarding the noise of compressor stations and the effort by the county to write and adopt a county-wide ordinance to address the problem. This would alleviate the need for each municipality to adopt their ordinance. The GCPC can ensure that the ordinance is followed. At the workshop, Mr. Pifer indicated that a noise ordinance must apply to all industry and not just a one in particular.

Mr. Kenney stressed the importance of this matter and Robbie indicated that updates will be given at each meeting as the GCPC progresses with an ordinance.

Additionally, Ms. Snider noted that with the exception of the payment for the hotel room; Mr. Pifer did not charge a fee to speak at the workshop. He did suggest that we make a donation to the Dickenson School of Law.

Consequently, a motion was made by Jim Kenney to donate \$500 from the General Fund to the Penn State University, The Dickenson School of Law. Commissioner Trader seconded. (Motion Passed).

- b. Ms. Snider gave an update on the Farmland Preservation Program. Provided that the affidavit needed for the Willis Trust Easement is filed with the Register and Records office, the Board will meet on September 1st at 10:30 a.m. to discuss and act on the encumbrance package.
- c. The Board welcomed Jeremy Kelly, as our new Environmental Program Specialist. In another personnel matter, Ms. Snider noted that an intern was not available to conduct the monitoring for West Nile Virus Program. Julie Maxwell, Watershed Specialist is performing those duties as her time allows.
- d. Ms. Snider gave an update on the golden algae and a recent report of it being found in a private pond. A copy of two newspaper articles obtained by Ms. Matesic regarding this matter was distributed. The PA Department of Environmental Protection (DEP) does not believe it is impacting the streams

and no outbreaks have been confirmed or reported. One of the articles states that the algae was not found at the pond.

X. NEW BUSINESS

- a. Ms. Snider presented the Mini Grant Application of Dave Shipman. She provided full disclosure stating that the applicant is her uncle. The application is for the installation of a stream crossing for equipment and animals. This site has been visited by both Laurel Rush and NRCS staff. NRCS staff has surveyed and provided the District with plan drawings for the site. District staff has reviewed the information and a GP-6 has been obtained for the work. Work is planned for September of this year.

A motion was made by Commissioner Trader to approve the Shipman application for \$1,000. Jim Cowell seconded. (Motion Passed).

- b. The next two Mini Grant Applications from Travis Kirby and Dave Kindervater involved emergency situations as a result of recent flooding along Sugar Run. The payment of \$1,500 for each project was tentatively agreed to by the Board via phone conversations. Both applicants have completed the work and the sites were inspected by Ms. Snider and Ms. Kozlowski.

A motion was made by Jim Kenney to formally approve these two applications. Tom Headlee seconded. (Motion Passed).

These Mini Grants along with the Morris-Miller grant, brings the total of this year's awards to \$5,000, the maximum amount per year allowed under the guidelines. Since there were many years we did not spend \$5,000, Mr. Cowell thought that we should still accept any applications that may be received.

- c. As instructed at the June meeting, Ms. Snider spoke to officials at the Center for Dirt and Gravel Roads and they are willing to assist us in conducting an Environmentally Sensitive Maintenance Workshop early next year (tentatively March 21st & 22nd). Funding for the training is available through the Districts program Education and Outreach funding. She added that many supervisors are interested in attending and that many municipalities will be losing their trained personnel due to election results.

A motion was made by Commissioner Trader to allow Ms. Snider to proceed with the training. Tom Headlee seconded. (Motion Passed).

- d. Also regarding the Dirt and Gravel Roads Program, Ms. Snider presented an application from Aleppo Township. The project involves correcting an

emergency situation on Guthrie Road caused by a storm on July 29th. The event washed out much of the watershed in the township including the road and a crossing. They have temporarily fixed the problem; however, the road surface is still in bad shape and will not be suitable for traffic in the very near future and it may need to be closed. Aleppo Township's funds are limited, and since the project would qualify under the Dirt and Gravel Roads Program Emergency Provision, Ms. Snider suggested they submit the application. The total amount requested is \$3,796.80 and would include the installation of stone, railroad ballast, and a 40' section of 42" pipe.

After discussion, a motion was made by Tom Headlee to approve the application under the Emergency Provision of the Program. Jim Cowell seconded. (Motion Passed).

Ms. Snider noted that the project must follow the program guidelines and be inspected by the Quality Assurance Board (QAB). The QAB members have been made aware of the situation through email and personal contact.

- e. The Dirt and Gravel Roads Annual Maintenance Workshop will be held September 27th and 28th at the Woodlands Resort in Wilkes-Barre, PA. The registration cost is \$230 per person with the hotel room cost of \$77 per night and would require 3 nights' stay. The workshop will provide a more "hands on" training, with much of the time spent outdoors at project sites. Ms. Snider requested approval to allow at least Lindsay, Julie, and if possible, herself to attend.

A motion was made by Commissioner Trader to approve the attendance of all three employees. Jim Kenney seconded. (Motion Passed).

- f. The Agriculture Conservation Technician (ACT) and Nutrient Management Funding Requests were presented for review and approval. These programs provide funding for the Ag Technician's position. A total of \$22,425 is requested under the ACT Program and \$11,575 under the Nutrient Management Program.

A motion was made by Jim Kenney to submit the above applications for funding. Jim Cowell seconded. (Motion Passed).

- g. Chairman Eisiminger directed Ms. Snider to meet with the Budget Committee to begin preparing the 2012 Budget.
- h. Ms. Snider presented the Postage Meter Lease Agreement with Pitney Bowes. The agreement, for a five year period, is an extension of our previous agreement. The monthly charge will be \$49.14.

After a brief discussion, a motion was made by Jim Cowell to approve the agreement. Tom Headlee seconded. (Motion Passed).

- i. Ms. Snider also presented an agreement with the Pennsylvania Association of Townships Supervisors (PSATS) and the Greene County Conservation District (GCCD) for work under the Floodplain Management Program. The agreement, from September 1, 2011 to October 31, 2012, will provide \$20,000 to GCCD to assist municipalities with floodplain ordinances. The time frame of the agreement was changed in order to allow for FEMA map revisions to be made.

Robbie noted that the delay in the map revisions has caused a problem for Municipal Officials in Cumberland Township. A developer has proposed construction in a floodway and without these revisions; the Township cannot act on the matter. Consequently, she requested that the GCCD Board endorse a letter to the Federal Emergency Management Agency (FEMA) and the PA Department of Community and Economic Development (DCED) urging there prompt response.

A motion was made by Commissioner Trader to approve entering into the agreement with PSATS and the endorsement of a letter regarding the map revisions. Jim Cowell seconded. (Motion Passed).

XI. DISCUSSION OF STAFF REPORTS

Written staff reports (attached) were mailed with the meeting packets or distributed at the meeting. Additional comments follow.

Lindsay Kozlowski – Ms. Kozlowski noted that 28 erosion & sedimentation plans were received since the last meeting for approximately \$20,000. Some were exempt from fees as they were from townships and landowners. To date, about \$100,000 was received in plan review fees.

Julie Maxwell – She received an update on Dunkard Creek at a meeting she attended last week hosted by the Upper Mon River Association (UMRA). The WV Departments' of Environmental Resources and Conservation and Natural Resources have both completed valuable monitoring of the stream. A restoration plan for fish and mussels is in place and can be viewed on their website or upon request. There is water treatment plant being constructed near Mannington, West Virginia by Consol should be up and running by January, 2013. The new plant will treat water from three of their mines, including, Blacksville #2, where the problem was thought to originate. The current plants only treat iron and manganese; however, the new plant will also treat the total dissolved solids (TDS). The treated water will be used for commercial purposes or discharged back into the streams.

Bill Wentzel – The Primary Care Center near Mt. Morris and the Lamar Prospect Site in Franklin Township have both shown improvement in the last few inspections. Additional inspections made were the Wisecarver Dam Rehabilitation Project, the Pursley Substation, and several logging sites. He welcomed Jeremy’s assistance in conducting inspections.

Robbie Matesic - The Tri-County Oil and Gas Expo will be held October 2nd through the 4th at Nemaquin Woodlands. An Energy Policy Summit on Marcellus Shale will be held on the 3rd and 4th. Vendors will show their displays on the 2nd with Greene County Tourism and GCCD sharing a space. Additional information will be provided as it becomes available.

Ms. Matesic clarified a matter discussed at a previous meeting; the Public Utility Commission (PUC) pipeline and eminent domain. The Attorney from Dickenson Law School discussed this matter at the workshop indicating that the PUC did not give the pipeline company the authority to use eminent domain. The PUC gave the entire opinion back to the Administrative Law Judge to further examine whether there was a public service provided by the pipeline company. The PUC is further evaluating this matter before a final decision is made.

XII. REPORTS FROM COOPERATING AGENCIES AND GUESTS

Bob McBride – Russell Gibbs was hired as the new Service Forester for Greene and Washington Counties. He will begin his new position on September 9th his office will be located in Washington County. The Forestry Service has turned over stewardship planning to NRCS and a training session for consultant foresters will be held on October 12th in Greensburg.

Chris Hardie – The Planning Commission held their meeting on August 1st with preliminary approval granted on five projects. The Commission is working on 15 ongoing projects and 5 proposed projects. They include 2 mine portals, 2 Dollar General Stores, 9 gas compressor stations, and 7 other projects (commercial or retail). Their next meeting will be held September 12th.

Laura Smith – NRCS staff has been busy with construction activities under the Farm Bill Program. Practices installed include fencing, spring developments, and stream crossings. Forestry Stewardship Planning is new under the program and provides costing sharing for plan development. Nutrient Management planning is also available through the program. Local resource concerns were discussed at the Local Work Group Meeting held on July 20th. These concerns were forwarded to the Harrisburg Office last week. She reminded everyone that EQIP applications are accepted at anytime and urged anyone interested to contact their office.

Chuck Kubasik - Actions taken at the July 12th meeting of the State Conservation Commission were discussed. DEP's budget was reduced by about \$29,000, from Governor Corbett's original budget proposal making adjustments in the Conservation Fund Allocation Program (CDFAP) necessary. Costing sharing of the District Manager's and First Technician's positions will remain the same (a maximum \$27,000 for the Manager and \$16,600 for the Technician). The cuts were made to the Administrative Assistance portion of the program with a \$490 reduction making the total allocation of \$1,120. Through the Growing Greener Program, the Watershed Specialist position was funded for another 3 years or until 2014 (a maximum of \$32,000). The Resource Enhancement Protection Program received \$10 million dollars and the total allocation was exhausted in a matter of days. The National Envirothon was held in New Brunswick with the Pennsylvania Team of Delaware County placing 13th out of 54. Ontario won the competition. In closing, Chuck announced that Jim Kennedy, a former Butler County Commissioner and farmer, will replace John Scott as the Southwest Regional Director of the Pennsylvania Department of Agriculture.

XIII. The next regular meeting will be held on **September 20th**.

XIV. ADJOURNMENT

With no further business to discuss, a motion was made by Commissioner Trader to adjourn the meeting at 11:40 a.m. Tom Headlee seconded. (Motion Passed)

Respectfully submitted,

Rebecca K. Salosky
Fiscal Officer

<u>MEETING MINUTES CERTIFICATION</u>
We, the undersigned, agree that the minutes taken above were approved in their entirety by the Greene County Conservation District on _____, 2011.
Chairman, Greene County Conservation District
Secretary, Greene County Conservation District

