

GREENE COUNTY CONSERVATION DISTRICT
MINUTES
June 21, 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; Pam Snyder-Commissioner Representative
Jim Kenney-Director; J. Robert Rice-Director Emeritus; Greg Hopkins-Associate Director; Bill Wentzel-Associate Director/Program Associate

Guests and Cooperating Agencies

Chris Hardie-Department of Economic Development; Bob McBride-DCNR Bureau of Forestry; Suzy Petery-NRCS

Staff

Lisa Snider-District Manager; Lindsay Kozlowski-Environmental Program Specialist; Julie Maxwell-Watershed Specialist; Laurel Rush-Ag Technician
Becky Salosky-Fiscal Officer; Caitlin Davin-Intern; Robbie Matesic-Executive Director, Department of Economic Development

Chairman Eisiminger noted that the New Business will be moved forward on the Meeting Agenda to allow Board Members with other commitments to depart from the meeting when needed.

II. APPROVAL OF MINUTES

A motion was made by Commissioner Trader to approve the Minutes of the May 24, 2011 meeting. Jim Cowell seconded. (Motion Passed).

III. TREASURER'S REPORTS

A motion was made by Jim Cowell to approve the Treasurer's Reports with the following additions to the General Fund. Jim Kenney seconded. (Motion Passed).

Ck 864 Pitney Bowes – Term Rental - \$161.72

Ck 865 Scotty's Pizza – District Meeting Lunch - \$55.00

IV. REQUEST FOR ASSISTANCE

David Shipman – Washington Township – 52 Acres

A motion was made by Commissioner Trader to accept this Request for Assistance. Jim Kenney seconded. (Motion Passed).

V. CORRESPONDENCE

There was no Correspondence to bring before the Board.

VI. NEW BUSINESS

- a. The Morris-Miller Mini Grant Application requesting \$1,000 for the development of a spring as part of their Rotation Grazing System was presented. Ms. Rush noted that William and Kathleen Miller received a grant in 2009 and requested that approval be made pending a July 1st start date. **A motion was made by Tom Headlee to approve the application. Commissioner Snyder seconded. (Motion Passed with One Abstention – Jim Cowell).**
- b. One application was received for the scholarship to attend this year's Conservation Leadership School held in State College, PA. An annual contribution of \$500.00 was made by Alpha Natural Resources to sponsor a Greene County Student to attend the school. Mackenzie Metcalf of Carmichaels High School submitted an essay which was forwarded to the Education/Outreach Committee for their review. **Upon their recommendation, a motion was made by Commissioner Snyder to approve the scholarship for Mackenzie Metcalf. Tom Headlee seconded. (Motion Passed).**
- c. Lisa presented and discussed three grant applications, in the order they were ranked and recommended by the Quality Assurance Board (QAB) for the Dirt and Gravel Roads Program 2011.

The number one ranked project was Beagle Club Road in Morgan Township, at an estimated cost of \$22,702.15. This project will consist of the installation of 28 cross drains and two stream crossings on approximately one mile of road. The cost estimate includes funding for the services of an engineer to assist with permitting for the project. **A**

motion was made by Commissioner Trader to approve the contract for the Beagle Club Road Project, Morgan Township in the amount of \$22,702.15. Jim Cowell seconded. (Motion Passed)

The second ranked project was Creek Road in Monongahela Township at an estimated cost of \$20,679.00. This project will be considered in 3 phases, Phase 1 consists of the installation of seven cross drains, four stream crossings and stabilization on two miles of road. Personnel from the Dirt and Gravel Road Program will assist with the project to ensure that backflow from Whiteley Creek is not diverted to a neighboring farm and that the project is completed properly. Phase 2 and 3 will consider streambank stabilization, increasing the road bed height and road surface stabilization. Mr. Headlee asked if this is the road leading to the site of Dana Mining Company's proposed new mine. Lisa confirmed that it is, however, Dana Mining officials have assured her that they do not plan to use that section of the road during construction. **A motion was made by Jim Kenney to approve the contract for Creek Road, Monongahela Township, in the amount of \$20,679.00. Tom Headlee seconded. (Motion Passed).**

The Moreford Road Project in Aleppo Township is the third ranked project. It involves the installation of two cross drains, one of which is a stream crossing, at an estimated cost of \$4,026.65. **A motion was made by Jim Cowell to approve the contract for Moreford Road, Aleppo Township in the amount of \$4,026.65. Jim Kenney seconded. (Motion Passed).**

Additionally, Lisa discussed the Dirt and Gravel Roads Project on Hartley Hill Road, Greene Township. After a visit to conduct the final inspection, the QAB recommended that officials from the Center for Dirt and Gravel Roads be consulted regarding the drainage problem at the site. Lisa explained that she and the supervisors met with Dave Creamer, Center for Dirt and Gravel Roads. An excessive amount of water is flowing on to the road from an access road on an adjacent parcel just up slope and a rock outcrop and pipeline is making it difficult to control the volume of water. As a result of the meeting, the Township will speak to the landowner for permission to grade the field and divert the water into the existing drainage pipe. If this cannot be accomplished, the installation of another pipe and/or additional material may be needed just downslope of the access road. Consequently, Lisa is requesting approval to cancel the original contract and enter into another contract to include these additional

costs if needed or to increase the contract 10% if needed based on the Townships findings. **Approval was granted on a motion by Jim Kenney. Commissioner Trader seconded. (Motion Passed).**

Also, several requests have been made by Township Supervisors for Greene County to host an Environmentally Sensitive Maintenance Workshop. The workshop would be held early in 2012 to allow newly elected Supervisors to attend. Lisa noted that funding is available and the Board granted permission for the matter to be researched and will expect a report at the next meeting.

- d. The 2011-2012 Conservation District Fund Allocation Program application was presented to the Board. **On a motion by Commissioner Trader, approval was granted to make application for the Conservation District Funding Allocation Program for fiscal year 2011-2012. Commissioner Snyder seconded. (Motion Passed).** The program provides cost sharing for the salaries of the District Manager and Erosion and Sedimentation Control Technician. The signature of Chairman Eisiminger will be obtained upon the completion of the salary information.

VII. OLD BUSINESS

- a. Planning continues for the Compressor Station and Oil and Gas Workshop. All elected municipal officials, zoning hearing board and municipal planning commission members are being invited to participate. Plans are to hold two workshops, tentatively on Thursday, August 4th and Saturday, August 6th. Lisa is working with Nathaniel Manchin of EQT to organize a tour of their Jupiter Compressor Station in Morgan Township and, if we choose, to a well site. Plans are to have the site visits in the morning followed by lunch, and a workshop in the afternoon. Lisa and Chris Hardie have been working with CNX Representative, Dan Bitz, to organize the tour of the McQuay Compressor Station in Center Township, as well. It is hoped that the workshops can be held in close proximity to the sites, possibly at the Fire Hall, Township Building, or Community Center. Company officials would like to limit the number of people to 20 at each site and all visitors will be required to wear safety equipment. CNX has offered to provide transportation to their site; however, EQT did not, so it may be necessary to rent a van and/or a bus. Other expenses could include facility rental, speaker fees, travel, hotel expenses and meals. Lisa noted that \$12,000 is included in the budget for workshops.

Plans are to have John Harper of the Natural Gas Institute give the opening remarks. The Pennsylvania State Association of Township Supervisors (PSATS) will provide information, contacts, and model ordinances for the workshop; however, since they are planning their own event, they may not be able to take part in this local workshop. Lisa has been in contact with Mickey Dikun, President, Greene County Association of Township Officials and will be attending their meeting on July 11th to discuss co-sponsorship of the workshop.

Chairman Eisiminger gave a word of caution regarding pipeline rights-of-way and said that some leases may also include permission for future construction of compressor stations. Leases need to be carefully reviewed by landowners.

- b. The 2011 Pennsylvania State Envirothon was held on May 24 and 25 at Susquehanna University and Shikellamay State Park. Carmichaels High School place 4th in the competition with a total score of 493.30 points.
- c. At the May meeting, the Board requested that the Southwest Woodlot Owners Association be invited to become a Nominating Organization. Lisa has checked with the State Conservation Commission (SCC) and has found that they are already approved. Action was taken in May to remove PA Cleanways of Greene County as a Nominating Organization, since the group has dissolved. Lisa notified Jeff Marshall, Chief Clerk, and the SCC by letter and they have been removed as a Nominating Organization.
- d. The Floodplain Management Program was also discussed at the May meeting. The original PSATS contract has been closed and \$9,716.95 was received for work completed up to 2011. Work continues with Dan Fitzpatrick of the PA Department of Community and Economic Development on a new contract.
- e. Lisa gave an update on the West Nile Virus Program. A mosquito trapped on June 2nd at Reeseman's Mobile Home Park tested positive for the virus. On June 6th, Lisa and Lindsay treated an area including the wetlands, sewage beds, and a yard with evidence of acid mine drainage. The Park owners were contacted to discuss the drainage problem in the resident's yard and the WNV positive. A visit to the site found that a "One Call" had been completed to locate utilities and may indicate that work is

planned (possibly the installation of French Drains to correct the problem). The park owners indicated that they were aware of the complaint and they were planning on working on the problem in the very near future.

Lindsay added that she spoken with Ed Farrell of PA Department of Environmental Protection (DEP's) West Nile Virus program prior to the meeting. Mr. Farrell indicated that since there have been no positive results from subsequent trappings throughout the county or at the trailer park, there are no plans to conduct any spraying at this time. Mr. Farrell and co-worker Brian Diehl have also treated the area. Trapping will continue and the situation will be monitored.

In response to calls received regarding dead birds, an area of concern near Kirby was also treated by Lisa and Lindsay. One bird found was "of interest"; however, after it was picked up, the specimen was determined to be in the first stages of decomposition and would not be acceptable to the PA DEP Laboratory. Mr. Kenney asked if public outreach was being done. Lisa confirmed that it was; information was faxed to all Physicians' and Veterinarian's Offices and notice appeared in the newspaper and on the radio. He suggested that we include this information in our Spring Newsletter.

In closing, Lisa said that the GCCD can currently only treat for larvae/pupae. PA DEP is responsible for the treatment of adult species.

- f. An update was given regarding Senate Bill 1100, the Natural Gas Impact Fee, and an outline of the Bill (attached) was distributed. Word was recently received that the Bill is now "Out of Committee" and is moving forward. The Bill includes additions to Title 58, the Oil and Gas Act, and calls for an annual impact fee on the production of unconventional gas wells. The fees would be assessed for a ten year period using the following scale:
- \$40,000 in year one
 - \$30,000 in year two
 - \$20,000 in year three; and
 - \$10,000 per year for years four through ten.

Revenues from the fees would be designated for support of low income housing and rental assistance programs, Conservation Districts, and Local

Governments. Conservation Districts will receive allocations through the State Conservation Commission (SCC), based on the following formula:

- 2.5% the first year of production,
- 5% the second year, and
- 7.5% the remaining eight years.

Local government allocations will be based as follows:

- 36% to counties with producing wells;
- 37% to municipalities with producing wells, and
- 27% percent for use throughout the impacted counties based on population and miles of road.

The bill requires that municipalities desiring to receive funding must develop a zoning ordinance following a model that will be developed by the Pennsylvania Public Utility Commission (PUC). This may prevent municipalities from developing their own ordinances which could be more restrictive than the model based if based on the municipal needs and the loss of funds. Mr. Hopkins asked if current zoning ordinances would be “grandfathered” and remain in place. That answer is no; not if the municipality wishes to be eligible to receive an allocation from the well fee revenue.

Mr. Hardie commented that from the planning perspective it eliminates the municipalities’ ability to plan and zone.

Robbie noted that document states that Municipalities can continue to regulate actions under the Municipal Planning Code (MPC), their Subdivision and Land Development Ordinances and by enforcing the conditions of the Stormwater Management Act.

Chairman Eisiminger inquired regarding the status of the mapping of pipelines and well sites. Robbie said that it is difficult to obtain some of this information, especially regarding gathering lines. David Craft, GIS Coordinator, is currently working to complete this task.

VIII. DISCUSSION OF STAFF REPORTS

Staff Reports were mailed with the meeting packets or distributed at the meeting.

Mr. Cowell reported on his attendance of yesterday's meeting of the Penn's Corner Executive Council. A quorum was not present for the meeting and no business could be conducted. They discussed changing the By-Laws to allow fewer members for a quorum. They also discussed the funding, approximately \$90,000, being held by the Charitable Trust for GCCD and Mr. Cowell suggested that we check into this matter. Lisa explained that these funds are to be used for the treatment of acid mine drainage at the Grigsby Site once developed. Penn's Corner can currently be contacted through the Beaver County Conservation District.

Bill Wentzel – On behalf of Bill, Lindsay noted that since the last meeting, he visited the Lamar Site three times and conducted inspections of the Wisecarver Dam Project and the Mt. Morris Primary Care Center.

Lisa Snider – Lisa will be attending a meeting regarding long wall mining and Act 54 on June 22nd in Nineveh. Sponsors of the meeting include Citizens Coal Council, Greene County Watershed Alliance, Buffalo Creek Watershed Association, Wheeling Creek Watershed Conservancy, Upper Wheeling Creek Watershed Association, Izaak Walton League, and Pennsylvania Chapter of the Sierra Club. She will also be attending a meeting sponsored by the Pennsylvania State Association of Township Supervisors (PSATS) regarding managing secondary impacts of gas development and practical steps for local government.

Laurel Rush – She has prepared a folder with the status of all of her projects for the staff to utilize during her maternity leave.

IX. REPORTS FROM COOPERATING AGENCIES AND GUESTS

Suzy Petery – She noted that construction season is well underway on Farm Bill Program sites. With the assistance of Service Forester, Bob McBride, information was mailed to woodlot owners regarding forestry assistance programs through the Farm Bill. Open signup is available for all Farm Bill Programs with evaluations to be completed in the fall and she encouraged participation in the program. She also noted that she, along with other members of the Field Team; provide service to Greene County landowners. NRCS participated in a National EEO/Civil Rights review of program delivery

to the community and the adequacy of their facilities. In closing, Suzy reminded everyone of the PA Cattleman's Association Summer Field Day on July 2nd at the Jim and Billie Cowell Farm, Frosty Springs.

Chris Hardie – The Planning Commission has 10 pending projects including: a Museum in Cumberland Township, six compressor stations, the Lower Ten Mile Sewer Authority project upgrades, construction of a Dollar Store, and the upgrade of silos at Consol's Bailey Mine.

Robbie Matesic - Extensive work is being done to advance housing in the county. A survey is underway with about 30 of the extractive industries to determine what size mortgage families can handle, etc. Work is also taking place at the County Airport with a solicitation for development on the frontage of the property. She noted that it would not change the status of the airport. Robbie commented that the Planning Commission and Conservation District have been working very well together on all projects.

Bob McBride - Bob noted that the Pellet Fuel Company has reorganized in the Garards Fort area. Costs and delivery are \$26.00 per ton. A tour was recently sponsored by the Woodlot Owners Association with about half of the 70 attendees being from Greene County. He also participated in a program sponsored by the Warrior Trail Association. He gave a word of caution regarding a product, Imprelis, manufactured by DuPont. The product, a broadleaf herbicide, is also harmful to sensitive plants and problems have occurred throughout the state. Mr. McBride announced that he will be retiring and his position has been posted. His successor will service Greene and Washington Counties and will be housed at the Washington County Conservation District Office. He will continue to attend meetings, etc. until his replacement is named.

Mr. Hopkins inquired about the recent report regarding the possible outbreak of Golden Algae in a private pond near Dunkard Creek. Lisa said that the PA Department of Environmental Protection (DEP) is investigating the matter. Thus far, no toxic reaction has occurred.

X. NEXT REGULAR MEETING

Provided there is no business that would require Board action, the July 19th meeting was cancelled. The August meeting will be held on the 16th.

XI. ADJOURNMENT

Prior to adjournment, Mr. Kenney stressed the importance of water treatment facilities for the oil and gas and coal industry. He suggested that we monitor the situation.

Mr. Cowell learned at the Penn's Corner RC&D meeting, that effective July 15th, John Scott will no longer be serving as the Regional Director with the PA Department of Agriculture.

Also, Mr. Cowell welcomed everyone to his farm for the field day on July 2nd.

A motion was made by Jim Cowell to adjourn the meeting at 11:10 a.m. Commissioner Snyder seconded. (Motion Passed)

Respectfully submitted,

Rebecca K. Salosky
Fiscal Officer