

**GREENE COUNTY CONSERVATION DISTRICT
MINUTES
June 19, 2012**

I. CALL TO ORDER AND INTRODUCTION OF GUESTS

The meeting was called to order by Chairman Bradley Eisiminger at 10:10 a.m. in the Mezzanine Conference Room, 19 South Washington Street, Waynesburg, Pennsylvania. Those in attendance were 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; J. Robert Rice, Director Emeritus; Greg Hopkins-Associate Director; and Bill Wentzel-Associate Director/Program Associate.

Guests and Cooperating Agencies

Tracy Zivkovich-Human Resources Director; Laura Smith-NRCS; Chris Hardie-Department of Economic Development.

Staff

Lisa Snider-District Manager; Lindsay Kozlowski-Environmental Program Specialist; Jeremy Kelly-Environmental Program Specialist II; Laurel Rush-Ag Technician; Julie Maxwell-Watershed Specialist; Zack Basinger-WNV Surveillance Monitor; and Becky Salosky-Fiscal Officer.

Director Jim Kenney arrived at 10:15 a.m. Prior to his arrival, Correspondence and Old Business were moved forward and discussed at this time.

II. CORRESPONDENCE

a. **PACD/SCC Joint Annual Conference**

The conference will be held July 9th-11th in Scranton, PA. Ms. Snider will be attending to represent GCCD as a voting member. Director attendance is encouraged.

III. OLD BUSINESS

a. **Farmland Preservation – James F. & Pearl Willis Living Trust Easement**

As an update, Ms. Rush noted that the PA Bureau of Farmland Preservation Board met on June 14, 2012. At this meeting the State Board, accepted the Willis Easement for the 101 acre parcel. We now await the paperwork to complete the closing, hopefully, by the end of this year. This will be Greene County's second preserved farm. Mr. Willis is very grateful for GCCD's support through the process.

b. **USACE Monongahela River Watershed Assessment**

Work continues with the Army Corps of Engineers to start the final Watershed Assessment of the Monongahela River Basin. A teleconference was recently

held with representatives of the U.S. Army Corps, Paul Ziemkiewicz of the West Virginia Water Research Institute (WVWRI), Robbie Matesic, and Lisa Snider. They discussed the addition of monitoring locations, everyone's role in the process, and the information that will be obtained. The next step will be to draft a contract between the USACE and the WVWRI. No new information has been received regarding the status of the formal contract process between Greene County and the USACE.

c. **West Nile Virus (WNV)**

At the May 15th, 2012 meeting, the board approved the hiring of an intern for WNV monitoring. Consequently, Zack Basinger was introduced as our West Nile Virus Surveillance Monitor for the summer. He will be monitoring and collecting mosquito samples for testing by PA Department of Environmental Protection (DEP). He has met with Ed Farrell of DEP, who provided training. Chairman Eisiminger welcomed Mr. Basinger.

d. **Envirothon**

As an update from the May 15th meeting, Carmichaels High School competed in the State Envirothon on May 22nd and 23rd at the University of Pittsburgh, Johnstown. They finished 5th in the competition, with a score of 497.3 points, out of a possible 600 points.

IV. **EXECUTIVE SESSION**

A motion was made by Commissioner Trader to enter into Executive Session at 10:15 a.m. to discuss a personnel matter. Tom Headlee seconded. (Motion Passed)

Following the Executive Session, a motion was made by Commissioner Trader to reconvene the meeting at 10:20 a.m. Tom Headlee seconded. (Motion Passed)

Julie Maxwell, Watershed Specialist has resigned from her position effective June 29th, 2012. The Board agreed work to with Tracy Zivkovich, Greene County Human Resources Director, to begin the advertisement of the position and requested that Jim Kenney and Tom Headlee assist with the interview process. Their recommendation will then be sent to the Greene County Commissioners for consideration.

OLD BUSINESS CONTINUES

e. **Ruff Creek/Pumpkin Run Stream Rehabilitation Growing Greener Grant**

Ms. Rush gave an update on the Ruff Creek/Pumpkin Run Stream Rehabilitation Non Point Source Growing Greener Grant obtained in 2010. The grant award totaled \$182,033.00. Approximately half of the funding (\$94,788.32) remains, with approximately \$72,000 for remaining in construction funds. Two of the

landowners, Robert Lynch and Greg Ullom, could not complete the work required by the grant.

Since this grant was written for non-point source (NPS) pollution, Rita Coleman, PA DEP Regional Manager and Grant Advisor for this project, suggested that an attempt be made to work within approved Total Maximum Daily Loads (TMDL) study area or on a project that had been seeking funding in the past. Greene County has 3 watersheds that have the study for a TMDL developed; they are Whiteley, Dunkard and Pumpkin Run Watersheds. Of the three, only one has this study developed for the pollution load of sediment which is Whiteley Creek.

Work began with PACD's Technical Assistance Grant (TAG) Engineer to identify two new projects. The service of the TAG Engineer is free for Conservation District projects and Growing Greener Grants through funding from PACD. Two landowners expressed interest, Gary Taylor, Morgan Township and Bradley Eisiminger, Whiteley Township (GCCD Board of Directors, Chair).

The proposed Taylor project is located in Morgan Township and involves stream bank stabilization that will ensure the protection of both the stream bank from erosion and a current garage that is being threatened by stream bank erosion. The proposed Eisiminger project involves the installation of Best Management Practices. This will enhance other work completed under the past NPS Growing Greener Grant awarded for the Whiteley Creek, Pumpkin Run and Muddy Creek on August 7, 2002. Mr. Eisiminger is located within the Whiteley Creek TMDL study area that was established for sediment. Once the cost estimates are received from the TAG engineer, the scope of work and budget can then be amended if the landowners can contribute the required 25% match for their project.

f. Watershed Specialist Grant Agreement

At the April 17th, 2012 meeting, the Board approved the submission of the Growing Greener Grant Contract to PA DEP for the Watershed Specialist position for the July 2012-June 2014 period. The maximum grant, for the two year period is \$64,000 and would cover 80% of the salary and benefits for the position with Greene County paying the remaining 20%. This grant agreement has been received by the District and will need signed by the Chairman and returned to PA DEP for execution.

g. Act 13, the Natural Gas Impact Fee

At the last several meetings, updates have been given; however, Ms. Snider noted there is nothing new to report regarding the courts and the fee. Commissioner Trader indicated that it is anticipated that the court actions will have no bearing on the distribution of the fees to be received by December 1st.

Ms. Snider added that Conservation District will be receiving a portion of these funds and she hopes to learn more at the upcoming PACD/SCC Joint Annual Conference in July.

h. Dirt and Gravel Road Program

At the last meeting on May 15th, 2012, several projects, for a total of \$61,868, were approved for funding in Aleppo, Greene, and Gilmore Townships. Approximately \$83,080.26 is available for construction, leaving a balance of approximately \$21,212.00. At the State Conservation Commission meeting held on May 15th, they approved an allocation of \$67,079.00 for the Greene County Program for fiscal year 2012-2013. These additional funds will not be available until after the state budget is adopted.

I. Agricultural Security Area Program

Currently, Cumberland and Greene Townships are adding parcels to their Agricultural Security Areas (ASA's). Ms. Rush noted that Franklin Township has received an application for an ASA, however, it does not contain the required 250 acres and other properties would need to be included to meet the required acreage to create an ASA.

V. PUBLIC COMMENTS

There were no public comments.

VI. APPROVAL OF MINUTES

A motion was made by Tom Headlee to approve the minutes of the May 15, 2012 meeting. Jim Kenney seconded. (Motion Passed).

VII. TREASURER'S REPORTS

A motion was made by Jim Cowell to approve the treasurer's report. Jim Kenney seconded. (Motion Passed)

VIII. REQUEST FOR ASSISTANCE

Richard A. Phillips - Cumberland Township – 107.6 acres

A motion was made by Jim Kenney to approve this Request for Assistance. Jim Cowell seconded. (Motion Passed)

IX. NEW BUSINESS

- a. **Vehicle Purchase** – Two quotes were included in the meeting packets for review. One from Day Automotive Fleet Sales for a new 2012 Chevrolet Silverado 1500 4x4 Crew cab 1LS with Leer Cap. This quote of \$28,436 is

through the municipal “piggy-back” system, which allows the County to purchase vehicles at the lowest possible price. Also included in this quote, is the 2013 Estimated Price Increase. Should a 2012 model not be available, an extra \$780 would be charged for a 2013 model. This is a competitive bidding program across the Commonwealth, so GCCD would not need to solicit bids.

The second from Fox Ford, Inc. for a pre-owned 2011 Ford F150 Super crew with 22,000 miles, and no cap for \$27,700.

Large purchases must have three bids, if buying outside the “piggy-back” system. A recent change to the law regarding municipal procurements for any item over \$18,500.00 must be publicly advertised for bid.

The annual insurance premium would be approximately \$750 per year and the vehicle would need at least 1 inspection and 4 services throughout the year at an approximate cost of \$200.

Ms. Snider noted that approximately \$4,000 of administrative funds could be used from the 2011-2012 Dirt and Gravel Roads Program.

Vehicle maintenance would be handled by the County’s Maintenance Department; including the placement of a sign identifying it as a County of Greene, Conservation District vehicle. Warranty work can be done at the local dealerships if needed.

A motion was made by Commissioner Trader to approve the purchase of the new truck, the Chevrolet Silverado. Jim Cowell seconded. (Motion Passed).

b. CDFAP Application Funding Application for Manager and First Technician F.Y. 2012-2013

PA DEP is requesting the F.Y. 2012-2013 anticipated salary and related costs for the manager, E&S technician and second technician. The funding request is due June 26, 2012. Currently, funding is not available for the second technician’s position; however, Ms. Snider included it, in case that would change. Information was obtained from the County Controllers office to submit and is summarized below. The figures are for the entire salary and would be reimbursed at a rate of 50%.

District Manager Total Salary Related Costs--\$50,844.34
E&S Technician Total Salary Related Costs--\$35,454.71
Second Technician Total Salary Related Costs-\$39,335.16 (this includes medical insurance benefits)

A motion was made by Commissioner Trader to submit the CDFAP Application for Funding. Jim Kenney seconded. (Motion Passed).

- c. **Conservation Leadership School (CLS) Scholarship – Floretta Chambers**
The annual award of the scholarship is sponsored by Alpha Natural Resources. Only one application was received by GCCD from Floretta Chambers a student of Carmichaels High School. The application was included in the mailing package. This year’s program will be July 8-14th at the Stone Valley Recreation Area, Petersburg, PA.

A motion was made by Jim Kenney to provide the CLS Scholarship to Floretta Chambers. Jim Cowell seconded. (Motion Passed).

- d. **James Willis Conservation Plan (101 ac)**
This conservation plan is an update for the 101 acre home farm which was accepted into the Farmland Preservation Program at the June 14th state board meeting. The approval of this plan by GCCD is a requirement of the agricultural easement program. At closing, a conservation plan agreement must be signed and then recorded along with the deed of easement.

A motion was made by Tom Headlee to approve the Willis Conservation Plan. Jim Cowell seconded. (Motion Passed)

- e. **PACD Proposed Bylaw Resolutions**
- Proposed PACD Resolution on DEP’s Proposed Model Agricultural Compliance Policy
 - Proposed PACD Bylaws Amendment-Regional Director Eligibility and PACD Bylaws Amendment Process.

PACD is seeking comments for each of the resolutions and bylaw amendments. Comments will be received at the PACD/SCC Joint Annual Conference in July. Ms. Snider requested that if any directors had any comments to give those comments to her prior to her departure for the conference. The two amendments involve technical changes.

PACD and PA DEP have been receiving complaints by both landowners and EPA regarding the lack of consistency in the enforcement process concerning agricultural complaints. These complaints have been filed primarily in the Chesapeake Bay Watershed. The adoption of the PACD Resolution on DEP’s Proposed Model Agricultural Compliance Policy is the first step to provide cooperation and uniformity within the regulated agricultural community.

Also, House Bill 1659 has been introduced, which if passed, PACD believes that this law could limit Conservation Districts in regards to the current permitting responsibilities. HB 1659 would allow PA DEP to hire outside reviewers to review projects and approve permitting. Ms. Snider will forward additional information regarding this bill.

X. DISCUSSION OF STAFF REPORTS

Staff reports were mailed with the meeting packets. Additional comments follow.

Lisa Snider – At the May 15th meeting, she informed the Board that PA DEP was working to revise the Chapter 105 Program, including permitting fees. The Independent Regulatory Review Commission has reviewed the changes and a copy of their comments was distributed.

An update of the GCCD budget and expenditures was also distributed.

Laurel Rush – The REAP Application for 2012-2013 is now available. The application deadline has changed and is August 1st for completed projects and August 29th for new projects. At the Penn's Corner RC&D meeting held on May 14th, action was taken to hire a part-time Executive Director. She and other representatives from Penn's Corner RC&D will be meeting with the River Alert Information Network (RAIN) to discuss funding.

Julie Maxwell – She has resigned from her position and her last day of work will be June 29th. Her husband has accepted a teaching position at Alderson-Broadus and they will be relocating to Philippi, West Virginia. She thanked GCCD for the employment opportunity.

As discussed at the last meeting, she was referred to a contractor who could install the fish habitat structures for the Whiteley Creek Fish Habitat/Streambank Restoration project. She will be meeting with contractor, Paul R. Atkinson and Son, Inc. of Kittanning, PA, who is interested in completing the project.

Lindsay Kozlowski – She noted that 13 plans were received last month with 8 of those being accelerated. She thanked Ms. Snider and Mr. Kelly for their help in reviewing these plans.

It was noted that several mosquitoes have tested positive for the West Nile Virus in Pennsylvania, but fortunately none have been found in Greene County.

Jeremy Kelly – Construction of the Dollar General in Dry Tavern is nearly complete. Stallion Oil Field Service at Paisley Industrial Park is progressing well.

Remediation continues on EQT's Sunrise project, located in Franklin, Freeport, Gilmore, Jefferson, Wayne, and Whiteley Townships. Seeding has been established on most of the Sunrise project, with the exception of about ½ of a mile, which is probably due to slippage that needs to be corrected.

Dominion's Appalachian Gateway project, located in Center, Franklin, Jefferson, Morgan, and Richhill Townships are also in remediation on most of the project line.

As reported at previous meetings, several issues involving ponds, belonging to private property owners, have been encountered on both the Sunrise and Appalachia Gateway projects, EQT and Dominion respectfully, however most have been corrected.

To update a matter discussed at the May 15th meeting, Precision Pipeline, contactor for Dominion Appalachian Gateway Project had begun creating an unpermitted residual waste area. The contractors have been illegal dumping construction waste from Dominion's Appalachian Gateway Project, Ms. Snider noted that the construction debris and solid waste has been cleaned up and photographs were taken. Also, due to the site disturbance acreage an NPDES permit is required to be submitted to GCCD. Mr. Kelly has been out to inspect the site and sent a report to Dave Planinsek, PA DEP Waste Management, concerning the waste removal at the site.

XI. CONSERVATION DISTRICT OUTREACH

Ms. Snider noted that news articles regarding GCCD related items continue to appear in the Observer-Reporter once or twice a week. The most recent was regarding the West Nile Virus Program.

XII. REPORTS FROM COOPERATING AGENCIES AND GUESTS

Laura Smith – Greene County applications for NRCS programs were down significantly this year and she encouraged program outreach. Assistance is available for nutrient management and forestry stewardship planning, forestry implementation and the Conservation Stewardship Program. Additional funding was acquired for the Environmental Quality Incentives Program (EQIP).

Ms. Snider offered to provide program outreach in the "Conservation Corner" in the Observer Reporter and also in the GCCD newsletter.

Chris Hardie – The Planning Commission remains very busy, with 7 pending land development approvals. They include an oil and gas project, a subdivision, 2 storage units, and 3 commercial projects. To date; about 432 public notices have been received and mapped, 25 lot splits, and 29 tax abatements were approved. Also, 3 agricultural security areas were approved.

He thanked GCCD for their cooperation in working with the Planning Commission.

XIII. The next regular meeting will be **July 17, 2012.**

XIV. ADJOURNMENT

With no further business to discuss, a motion was made by Tom Headlee to adjourn the meeting at 11:15 a.m. Jim Cowell seconded. (Motion Passed)

<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 _____, 2012.	
Chairman, Greene County Conservation District	
Secretary, Greene County Conservation District	