

MINUTES

Regular Meeting

August 19, 2008

I. CALL TO ORDER AND INTRODUCTION OF GUESTS

The meeting was called to order by Chairman Rice at 10:05 a.m. at the Mezzanine Conference Room of the Fort Jackson Building, Waynesburg, PA. Directors present included J. Robert Rice, Chairman; Bradley Eisiminger, Vice Chairman; Tom Headlee, Treasurer; Jim Cowell, Secretary; Dave Coder, Commissioner Representative; Archie Trader, Director; Frank Blaker, Associate Director; Greg Hopkins, Associate Director; and William Wentzel, Associate Director. Guests and District staff in attendance were Farley Toothman, Solicitor, Greene County; Ken Dufalla, President, Isaac Walton League; Jerry Howard, Vice President, Isaac Walton League; Chuck Kubasik, Field Representative; Robbie Matesic, Director, Economic Development; Suzy Petery, SDC, NRCS; Chris Hardie, Planner, Economic Development; Lisa Snider, Assistant Manager/Watershed Specialist; Laurel Rush, Ag Manager; Todd Klaner, Resource Specialist; Dustin Teegarden, WNV Surveillance Monitor; Mary Jane Kent, Administrative Assistant to Program Support; Brian Retica, Intern; April VanDruff, Intern; and Becky Salosky, Fiscal Officer. Guests Brian Retica, Ken Dufalla, and Jerry Howard introduced themselves.

II. PUBLIC COMMENTS

Ken Dufalla and Jerry Howard, members of the Isaac Walton League, Greene County Chapter, were present to discuss the requests by Foundation Coal and Consol to downgrade streams in the county. Foundation Coal is requesting a downgrade of House, Hoge, and McCourtney Runs, and Consol for Grinnage Run. Mr. Dufalla said their organization has written to Tony Shaw of DEP opposing the downgrade. He explained that while they are not opposed to mining, he feels that much has been done to improve our water quality and he does not want to take a step backward. He also said that a canoe trail is being proposed and that a trout stocking may be done at Ten Mile Creek. He stressed that the mining can be done without sacrificing the water quality. Mr. Dufalla also mentioned the loss of Ryerson Lake due to longwall mining, and the "Dryerson" event. Commissioner Coder said that it was his understanding that the engineering work has begun and the appropriation made for the lake's replacement. Mr. Dufalla said that he recently spoke to the Park Manager at Ryerson and he said that the project may now be on hold. Commissioner Coder asked Robbie to check with Sharon Willison of Senator Stout's Office for an update on Ryerson for the next meeting.

In closing, Mr. Dufalla requests our support of water quality.

Robbie thanked Mr. Dufalla for his comments and said that all these matters appear on today's agenda for action and that Conservation District staff has been monitoring the coal companies' request for reclassification. She also said that the Environmental Quality Board was scheduled to meet today at 9:00 and their first item of business was the

reclassification of Hoge, House, and McCourtney Runs by Foundation Coal. She said that plans were to attend the meeting, however; after consulting with Farley, it was determined that public comments were not being accepted yet, and that this morning's meeting simply opened the file. Robbie also said that we will continue to follow this matter and that the correspondence from the Isaac Walton League and Waynesburg Borough will be distributed.

III. REPORTS FROM COOPERATING AGENCIES

Suzy Petery – Suzy reported that there is an open signup period for Conservation Programs, with the deadline for the first ranking on August 29th. The emphasis is on the Core 4 programs including no till, cover crops, nutrient management and buffer practices. She also mentioned Bobbi Bailey's resignation and said that the vacancy was posted on August 11th. A program review will be conducted the week of September 15th, so she will not be available for our next District meeting. Laura, who works in the Fayette office, has temporarily been assigned to Northwestern Pennsylvania until the end of September which will require her to spend more time in Fayette County.

Chuck Kubasik – Chuck reported that the State Conservation Commission has determined the allocations under the Conservation District Fund Allocation Program (CDFAP) at their July meeting. The maximum cost share rates are as follows: District Manager, \$27,000; 1st Technician, \$16,500; and 2nd Technician \$5,800. The administrative assistance funding was cut, but since the PA Department of Agriculture had a surplus of funding, it was used for this purpose. Last year, \$8,600 was available for administrative assistance and this year's funding will be \$8,900 with the PDA funding. Also, at the July meeting, PACD voted (21-18) to increase their dues by 5% or \$82.00. As a sixth class county, our dues will be a total of \$1,726.00. Chuck also said that the state's mileage reimbursement rate has increased from \$.515 to \$.585. As discussed at the last meeting, Chapter 217, the Conservation District Law, now known as Act 75, has been amended. He said that the SCC will do a series of strategic planning meetings to discuss these changes with the law taking effect on September 8th. Chuck wished Todd the best and thanked him for his excellent work in his short time here.

IV. APPROVAL OF MINUTES

On a motion by Tom Headlee, the minutes of the July 15th meeting were approved as mailed. Dave Coder seconded. (Motion Passed)

V. TREASURER'S REPORTS

On a motion by Jim Cowell and a second by Dave Coder, the Treasurer's Reports were approved with the following additions. (Motion Passed)

General Fund:

Ck# 366 Ethan Virgili/Penn State Envirothon Scholarship - \$500.00

Ck# 367 Observer Reporter – RCP - \$844.26

Ck# 368 Laurel Rush – Expenses - \$101.14

Ck# 369 Scotty's Pizza – Meeting Lunches - \$78.00

West Nile Virus:

Ck# 206 County of Greene – Fuel – July - \$257.28

Becky informed the board that approximately \$10,627.66 is owed to the state for unspent funds under the Conservation District Fund Allocation Program (CDFAP). She explained that advanced funding was received for three positions, but since the manager has been on personal leave and the second technician did not work many hours, all the funds were not used. She also said that supplemental funding, which can be applied to the amount we owe, is currently being calculated. **A motion was made by Dave Coder to wait for the final figures. Tom Headlee seconded. (Motion Passed)**

VI. CORRESPONDENCE

- a. **A motion was made by Archie Trader to participate in Waynesburg University's Service Fair on September 3rd from 11:00-1:00. Dave Coder seconded. (Motion Passed)**
- b. **On a motion by Dave Coder, approval was granted to Dustin Teegarden to attend the 102/105 Program Training to be held September 9-11. Tom Headlee seconded. (Motion Passed)**

Questions were raised and Mr. Cowell requested that this matter be tabled until after an Executive Session. Consequently, Mr. Coder withdrew his motion.

- c. Next was the request of the Isaac Walton League for support of their trout stocking and multi-municipal trail. Robbie said that the trail is included in the recently adopted Recreation and Comprehensive Plans and has the support of several municipalities. Farley further explained, stating that as the solicitor for Waynesburg Borough, he is familiar with the multi-municipal trail. The Borough supports the trail and authorized its engineer to work with all the downstream municipalities to the end of Ten Mile's discharge to the river at Greene Cove. All of these municipalities including, Franklin and Morgan Townships, and Clarksville Borough have unanimously voted to support the use of Ten Mile recreationally and have authorized applications for funding for this purpose. Waynesburg Borough also voted unanimously to send a letter to DEP asking that Foundation Coal not reduce the quality of the stream as its impact would erode the opportunity to do the recreational plans. Ken Dufalla added that petitions are being circulated, and he distributed copies supporting these two issues.
After lengthy discussion, Dave Coder made a motion for blanket support of the Isaac Walton League's proposed uses of Ten Mile Creek for the recreational enhancement in the County in accordance with the Comprehensive Plan. Archie Trader seconded. (Motion Passed)
- d. Laurel discussed, "Living Greene" sponsored by the Waynesburg Chamber of Commerce on September 18th from 12:00-6:00 at the First Assembly of God Church in Waynesburg. Since this year's event will focus on our natural resources of the county, she asked for consideration to have a display at the event. She explained that the cost for non-chamber members is \$100 with a registration deadline of August 28th. She checked the web site and found that chamber members may get a discount. **A motion**

was made by Dave Coder to register at the most inexpensive way, not to exceed \$100.00. Tom Headlee seconded. (Motion Passed)

- e. Laurel read the letter from Bobbi Bailey regarding her resignation as RC&D Coordinator effective September 1st.
- f. Laurel presented a letter from the consultant representing the Mason Dixon Riders Association. The Association has received a DCNR grant to prepare a master site plan for their property located in Wayne and Perry Townships. They are requesting that we name a representative to serve as a study committee member which would include 6-12 meetings. **A motion was made by Dave Coder to table this matter until the end of the meeting. Jim Cowell seconded. (Motion Passed)**

VII. REQUESTS FOR ASSISTANCE

John & Terri Davin – Center Township – 52 acres

David & Suellen Lynch – Jefferson & Washington Twps. – 103 acres

A motion was made by Jim Cowell to approve these Requests for Assistance and Dave Coder seconded. (Motion Passed)

VIII. OLD BUSINESS

- a. The Dirt and Gravel Roads Annual Workshop was brought before the board at the last meeting but, was tabled because Lisa was absent. The workshop will be held October 1-3 near Ligonier with a registration fee of \$210 per person and \$80 per night for a room. **A motion was made by Archie Trader to approve the attendance of Lisa and Mary Jane, and they are to share one room. Dave Coder seconded. (Motion Passed)**
- b. Laurel reported that an extension was received for the Environmental Education Grant (Alternative Energy Grant) and we are in the process of organizing a planning committee with the first scheduled meeting to be August 27th. She said that the staff discussed who might serve on the committee and requested that a director be appointed. After discussion, Bill Wentzel volunteered to serve. Also regarding the grant, Laurel asked for consideration for the purchase of a mailing list of local businesses from the Waynesburg Chamber. This was put on hold since we may become a member of the Chamber. Also, Chris Hardie said that a mailing list is available through his office.
- c. Jim Cowell and Laurel gave an update of their attendance of the PACD/SCC Joint Annual Conference held in July in State College. Jim distributed handouts and said that PACD is working on a new logo to recognize Conservation Districts. Items discussed at the meeting included the duties of directors and staff, the chain of command, and the handling of money (how deposits are made). Also discussed was the issue of gas wells and road bonding and the fact that many townships can not afford the engineering fees to bond the roads. He feels that it's something that could be looked at in the future to perhaps help with money from permit fees. He said that conservation district directors and managers praised Laurel for the good job she's been doing. He also recommended that any director attend a future conference as he found it to be very beneficial.

Laurel reported that she attended the agriculture portion of the conference where they discussed agricultural law, gas wells and legal rights. Nutrient Management was also a large part, as they were giving nutrient management credits.

- d. Lisa discussed the Grinnage Run petition for reclassification. She received an update from Rob Reiner of DEP who said that they are not finished with the evaluation and report and that there is nothing new since the last Executive Session. She also said that Laurel, Todd, and she have been working on a letter to DEP and she distributed copies of the letter. She also said that they would like the letter to address Grinnage Run, Hoge Run, House Run, and McCourtney Run. She requested that the board take the draft letter home to review and get back to us in a day or two. **A motion was made by Dave Coder to table this matter until everyone has a chance to review the letter. Archie Trader seconded. (Motion Passed)**
- e. The last item under Old Business was the Rivers Conservation Plan. Lisa reported that meetings were held last week with DCNR, PA Environmental Council (PEC), Washington County, Robbie and herself to review the 12 Requests for Qualifications. After the review, they narrowed the list to 5. They then proceeded to discuss the plan, how beneficial it would be, and if it could be completed in a four month period since another extension was not granted. They felt that it would be very difficult to complete the plan in such a short period. Davitt Woodwell of PEC thought that possibly the match funding received from John Daas could be used to fund a water resources plan. Robbie added that Davitt Woodwell informed them that the conservation plans developed across the state were not as fruitful as DCNR had hoped, and in fact, DCNR acknowledged that they were disappointed in several of the plans the consultants completed. She also said that Mr. Woodwell endorsed our plan to combine our resources for stormwater and floodplain management. Mr. Woodwell also said that if our board agrees to suspend work on the Rivers Conservation Plan, he will personally speak to the Foundation for Pennsylvania Watersheds and request that they partner with us on this water resources program. This plan will be a comprehensive plan that will include all our water resources (surface water, groundwater, abandoned mine drainage). Robbie added that DCNR said that there will be no consequences in suspending work. **A motion was made by Dave Coder to terminate the Rivers Conservation Plan grant agreement with DCNR, return the money and the interest earned and move forward and partner with the Foundation for PA Watersheds in a comprehensive plan. Archie Trader seconded. (Motion Passed)**

Suzy noted a little irony here that we want to make comment on downgrading the streams and that we didn't get it together to do the Rivers Conservation Plan that was signed several years ago. She also said that she feels that we need to do something here since we feel strongly about our watershed protection. Robbie explained that DCNR had staff changes and there was a problem coming up with a match. She also said that after their recent meetings, she did not think a Rivers Conservation Plan was the best way to spend limited staff time.

IX. NEW BUSINESS

- a. Laurel reported that only one bid for the lime spreader was received, from King & Sons Equipment of Morgantown. The bid was received on time, accepted by the Controllers Office, and reviewed by Farley, County Solicitor. Their bid of \$12,557.13 met all the specifications and the estimated delivery time is 6-8 weeks. **A motion was made by Jim Cowell to accept the bid that the Controller and Solicitor offices approved. Dave Coder seconded.**
Farley added that with this new role of purchasing equipment comes the liability with its use. He asked the board to consider that issue. Mr. Coder said this has been discussed previously. Laurel said other Conservation Districts have found that it is covered under the farmer's insurance. Mr. Trader requested that insurance certification be required before leasing the equipment. Mr. Cowell said because the equipment will be stored on his property, he checked with his insurance company and they informed him that his policy would provide coverage while it is at his place.
Dave Coder made a motion to have the staff responsible for the leasing to require the lessee to provide proof of insurance, and that they work with Gene Lee and the County to determine whether or not the equipment may have some coverage under the county. Archie Trader seconded. (Motion Passed)
- b. Lisa reported that she has been working with Mackin Engineering who has applied for Growing Greener funds for the Grigsby Project. They have received notice from the Foundation for Pennsylvania Watersheds to apply for \$20,000 of matching funds and need our approval to proceed. Lisa said that she has already spoken to Gary Stokum and Bobbi Bailey about holding these funds, but she also must attend the next Penn's Corner RC&D to formally make this request. She also said that the \$20,000 funding will be pending approval of the Growing Greener funding. **A motion was made by Archie Trader to grant approval to apply for these matching funds. Bradley Eisiminger seconded. (Motion Passed)**
- c. Lisa presented the Watershed Protection Grant from DEP which provides funding for her position. She said that the grant remains the same and that the application was approved at a previous meeting. **A motion was made by Archie Trader to accept the grant, and Tom Headlee seconded. (Motion Passed)**
- d. Laurel discussed the Nutrient Management 2008/2009 Agreement and Budget. She explained that they amended the agreement and it will now run on a fiscal year. They have also reduced the funding, changing the allocation from \$14,700 to \$13,500. **A motion was made by Tom Headlee to accept the agreement and Jim Cowell seconded. (Motion Passed)**
- e. Laurel read the letter from Gene Lee regarding nominating organizations that are no longer active. The letter states that they have not received any correspondence from the Purebred Breeders Cooperative Association or the Sheep and Wool Growers Co-Op Association, and therefore, they are requesting that they be removed from the

nominating list. **A motion was made by Dave Coder to remove these two associations from the nominating list and Tom Headlee seconded. (Motion Passed)**

Also regarding nominating organizations, Lisa reported that Becky and she met with Gene and Cookie to discuss this process. She said that the current list is really outdated and Gene thought that a meeting could be held with a couple directors to discuss potential organizations that could be invited to participate. **A motion was made by Dave Coder to have Mr. Headlee work with Gene and report back to the board. Jim Cowell seconded. (Motion Passed)**

Chuck suggested that once the list is compiled, that potential nominating organizations be invited to attend a luncheon to learn what their obligations are.

- f. Todd discussed the technology initiative reminding the group of the draft he had written last spring to replace staff computers. He has not yet finished the policy; but it's about time to make a purchase. He recommends that since the District Manager's computer is not being used, that we replace the E&S Technician's computer first. **A motion was made by Archie Trader to approve the computer purchase. Dave Coder seconded. (Motion Passed)**
- g. **To comply with the state and county mileage rate, a motion was made by Tom Headlee to increase the mileage rate from \$.505 to \$.585 effective August 1st. Archie Trader seconded. (Motion Passed)**
- h. Laurel suggested that we start to plan the awards luncheon earlier this year. Mr. Trader volunteered to assist. Suzy asked about the nominations for the Outstanding Cooperator Award and said that she felt that the farm visits worked well last year.
- i. Robbie reminded everyone that the Water Resources Program is the merging of stormwater and floodplain management. She also said that municipalities are being visited with a checklist to determine their water problems. Robbie said that Brian Ratisca will be staying with us through the fall to complete this work. The County Commissioners are hosting a Municipal Officials' Workshop on September 11th at the 4-H Building of the Greene County Fairgrounds and she invited everyone to attend.
- j. **A motion was made by Dave Coder to table action on the stream reclassification.**
- k. Robbie said that in light of all the oil, gas, and coal mining activity, Lisa proposed that we organize a meeting with Fayette, Washington, and Greene County Conservation Districts. A date will be set, and a report made at a future meeting. Farley asked if the Conservation District would support the building of a facility in Greene County to handle water used by the gas and oil industries. He said that this is a significant issue, and DEP has asked Waynesburg Borough to expand their facility or build a new facility exclusively for oil and gas. The group agreed and will schedule the summit as soon as possible.

X. DISCUSSION OF STAFF REPORTS

Staff reports were distributed with the meeting notices. Additionally, Laurel said that the REAP application period closed on August 15th and they received 448 applications for over \$14 million in tax credits. She also gave an update on the Farmland Preservation Program, reporting that the farm being considered for preservation has been placed on the agenda of the Farmland Preservation Board's August 28th meeting.

Chris Hardie distributed the listing of public notices and new permits they received. He said that both the Comprehensive and Recreation Plans were adopted by the County Commissioners on August 14th. West Greene and Southeastern Greene continue with their planning efforts. Two active land developments will be brought before the Planning Commission at their September meeting. They are a DD-17 Compressor Station in Wayne Township, and the 502 Substation (TrailCo) project.

Robbie stated that the Planning Commission has invited the Conservation District to a monthly workshop to be held between meetings and that a letter will be mailed. Robbie said that the recent electronics recycling event held during the Greene County Fair was successful and she thanked Lisa and Becky for their assistance. Robbie also said that their office has received numerous calls from the oil and gas industry interested in relocating to Greene County. She said that there is a proposal for an additional privately owned water treatment facility at Meadow Ridge Park.

April thanked the board for the opportunity to serve as an intern with the Conservation District. She also thanked the staff, and said that she got to experience many different issues.

Since this is Todd's last meeting, Chairman Rice thanked him for his service.

Regarding the West Nile Virus Program, Dustin reported that the number of mosquitoes found in traps has been increasing. On July 17th, a mosquito testing positive for the virus, was found in a trap located in Amwell Township, Washington County, so he had increased his number of traps near that area. Four barrier treatments, a procedure to kill adult mosquitoes, were performed by DEP and himself. They were done at the fairgrounds, Waynesburg Borough and Reeseman's Mobile Home Park Sewage Treatment Plants, and Wana B. Park. He feels that they have been effective. Ninety-two mosquitoes were found prior to the barrier treatment, and only five after treatment of Wana B. Park.

XI. THE NEXT REGULAR MEETING WILL BE SEPTEMBER 16TH.

XII. CHAIRMAN RICE RECESSED TO EXECUTIVE SESSION AT 12:00 P.M.

XIII. RECONVENEMENT

A motion was made by Dave Coder to reconvene the meeting at 12:40 p.m. and Jim Cowell seconded.

A motion was made by Bradley Eisiminger to regretfully accept Todd's resignation and Jim Cowell seconded.

A motion was made by Archie Trader to place Dustin Teegarden in the position of Environmental Program Specialist and to reimburse him for his travel to the 102/105 Training the Week of September 9th. Bradley Eisiminger seconded. (Motion Passed, 4-1 with Jim Cowell dissenting)

The board also granted approval to Martin to attend the 102/105 training, should he return.

A motion was made by Dave Coder to recommend Brian Ratica to fill the West Nile Virus Coordinator's position for 2008. Archie Trader seconded. (Motion Passed)

Chairman Rice will appoint a committee to review the Memorandum of Understanding after the September meeting.

On a motion by Archie Trader, the meeting was recessed to Executive Session. Tom Headlee seconded. (Motion Passed)

A motion was made by Archie Trader to reconvene the meeting at 12:45 p.m. and Jim Cowell seconded. (Motion Passed)

After discussion, a motion was made by Tom Headlee to appoint Mary Jane Kent to serve on the Mason Dixon Riders study committee. Archie Trader seconded. (Motion Passed)

Regarding the stream reclassifications, a motion was made by Tom Headlee to have the staff monitor the activity, respond in writing as needed, and attend meetings to assure the protection of water quality and quantity of the water resources of Greene County. Also, they are to investigate the possibility of conducting independent monitoring and report back at the next meeting. Bradley Eisiminger seconded. (Motion Passed, with Archie Trader Abstaining Due to a Possible Conflict)

A motion was made by Archie Trader to adjourn the Executive Session and Bradley Eisiminger seconded. (Motion Passed)

A motion was made by Archie Trader to reconvene the Regular Meeting and Jim Cowell seconded.

XIV. ADJOURNMENT

On a motion by Archie Trader, the meeting was adjourned at 2:15 p.m. Bradley Eisiminger seconded. (Motion Passed)

Respectfully submitted,

Rebecca K. Salosky
Fiscal Officer

