

**MONROE COUNTY CONSERVATION DISTRICT BOARD MEETING MINUTES**  
**August 20, 2020**

**MEMBERS PRESENT:** Pat Ross, Bob Armstrong, Sharon Laverdure, Roger McFadden, Chuck Gould and Dave Moyer

**DISTRICT STAFF:** Kristina Heaney, Barbara Bistras, Roger Spotts and Lori Kerrigan

**ASSOCIATE DIRECTORS:** John Lyman, Brian Winot and Craig Todd

**COOPERATING AGENCIES:** Ryan Hill, Monroe County Planning Commission; Carl Deluca, DEP; Shane Kleiner, DEP and Jennifer Matthews, NRCS

**PUBLIC:** Rodney Stark, Jack Fossett, residents

**Pat Ross called the meeting to order at 8:00 am**

Roll call for board was taken, all board members were in attendance in person or via zoom except for Randy Rice.

**Public comment:** None

**Board Meeting Minutes:** A motion was made by Sharon Laverdure and seconded by Roger McFadden to approve the July 16, 2020 board meeting minutes as presented, motion carried.

Pat Ross brought up the recent rain event of August 4, 2020 as a topic for discussion. Sharon started the discussion by stating that the Monroe County Commissioners declared Monroe County a disaster in order to assist with damage that had occurred. There is money available and asked that the District get the word out that all damage should be reported to the local townships. Kristina Heaney added that the District had private property owners and local townships contact us regarding the status of stream cleanups, what our role in this is and how the District can assist them. What we had observed last Tuesday was known as a one hundred year storm event, which no bmp's are designed for that concentration of water. What our role as District employees is, is to go out into the county and respond to complaints and to try to look at sites that have had pollution events in the past and make sure those bmp's are holding up to the best of their ability. We also note high flood water areas so in the future we can provide tools to home owners and townships to help prevent those situations. Sharon Laverdure asked about dam damage that we might not be aware of yet, Carl Deluca responded that all high level class dams will

be checked by Chris Kulik and Mike Sammes and many emergency permit requests have come in. Kristina mentioned that the two dams we oversee in the county have been checked and we have been in contact directly with Greg Christine and NRCS civil engineers for a five year project to get the dams up to date. Roger McFadden added that we should remind ourselves that this might have been a 100 year event but this is highly likely that this is not going to be strange and this is going to be happening, forward planning is needed.

Dave Moyer added that no amount of money will take away the pain from residents losing their belongings and home. Kristina added John Motz was out and documented flooded sites and areas. Although stream cleanup is vital to helping homeowners but that speeds the stream up and increases velocity adding to problems downstream. The best way to do that is to slow the concentration of water by reducing the impervious and implement additional best management practices up stream. Carl Decluca added we also need to maintain riparian zones, PCSM, every homeowner to maintain their own property water and floodplain management. Dave agrees, but added the flow coming off the highways really needs to be looked at starting on 380 in Tobyhanna and downward. Craig Todd added we were one of the first counties in the 1980's to enact ACT167, he clarified that floodplain ordinances don't protect floodplains, they protect structures to reduce insurance claims, our damages from storms in Monroe County are negligible compared to other county's and that is direct result on stormwater requirements on the municipal level. If the board feels this is something we need to discuss, we could do that in our strategic planning session, Kristina noted. Shane Kleiner noted that the Growing Greener program has funding available and is being utilized for the Game Lands project which will help some of that material from entering the system. Brian Winot commented that it's the same areas in this county over and over and he feels that public lands could be used to slow down the water and he is disheartened to hear that inspections happened the day of the storm. Kristina cleared up that no inspection reports went out that day and Carl added DEP suggests that districts go out after a rain event. Discussion was held on PennDOT MS4 permit, spraying of pesticides, inlet boxes maintenance and the application of salt on roadways and how that impacts our streams. Discussion was wrapped up by Pat suggesting to have a meeting setup with Penn DOT, DEP, local people and MCCD Board requesting PennDOT bring their maintenance records.

**Technical Report:** Lori gave a brief review of the tech report noting 3 individual permits were issued, they fielded 400 phone calls/correspondence, responded to 12 complaints, 10 Chapter 105 inspections were performed and 10 emergency permits were issued. There is a guide to a stream maintenance booklet that DEP puts out that is located on our website to help the public understand the measures that can be taken to maintain a stream on your property without a permit and the projects that would require permits. We are working through a Growing Greener Grant to remedy an erosion and sediment source on the headwaters of the Pocono Creek in State Game Lands 38. MCCD and PAGC had our pre-application meeting with DEP and Northampton County Conservation District who will be reviewing our NPDES to avoid conflict. We are also working with PACD to send all of our staff to a fluvial geomorphic training on natural stream channel design techniques. We are

working with the county Planning Commission on ACT 167 and on the mapping on NPDES post construction stormwater management controls into a public database that can be utilized for stormwater management, MS4 and O&M..

Ryan Hill stated that the county has 120 farms in the ag preservation program, there are plenty more farms than that in the county but mapping all the farms in the county will be difficult. Discussion was held on what is considered a farm and minimum acreage required to be purchased in this program.

**EE Report:** Roger Spotts reported that we had our summer day camp the last two weeks at 16/17 kids here every with most programs outside with masks following covid-19 protocols and CDC guidelines. The EE staff is fully up to speed with educators and our goal now is to come up with a menu of programs we can provide to schools whether it be virtual, live stream, zoom, package programs we drop off at the building or even some schools might allow us to do some outdoor programs on school sites. Schools are still changing their plans as we speak, our plan is not to charge for these programs since we have grants in the pipeline that will hopefully cover the costs no matter what program they come on board with this fall. We are still hoping that starting January we might be able to do some of those programs like we normally would have. We are also going to offer programs here during the week on the hybrid school days for hands on programming.

**District Managers Report:** Kristina announced that we are a go for the Spotted Lanternfly mitigation project in Eldred Township and she has been keeping a log of high concentration areas in case additional funding becomes available, she has worked with townships for permitting and questions after the storm event, Barbara and I have been working on the budget and had attended many meeting on funding and grants for the 20/21 fiscal year. There will be a DGLVR certification watch party where we are going to offer to municipalities virtual training and at the end they will receive their certifications.

**Building and Site Committee Recommendation for ADA Ramp:** In order to keep the project on our time line, we would like the board to approve the building and site committee recommendation on the ADA ramp after bid opening. A motion to the fact that board will approve the recommendation of the building committee with regard to the ramp, Sharon made the motion and Roger seconded, motion carried, Dave abstained since he has volunteered to do the site work.

**ACT 38 Program:** MCCD currently has a delegation agreement with the State Conservation Commission for the ACT 38 Nutrient Management Program which takes a very long time for training and takes up 40-50% of their time for only 5 Concentrated Animal Operations in this county. To eliminate this program would not be a significant loss to the District, we have only had the program for about three years. The last two people in that position left the position after training and it doesn't offer a lot of benefit to the county or the taxpayers.

Kristina asked for a motion from the board to either keep the program and move forward with the delegation agreement or to start the termination process. Dave made the motion that with the current status of our income that we opt out of ACT 38, Bob asked for clarification on the sites we currently oversee and Kristina explained the state will go back to taking care of them. Bob Armstrong seconded the motion, motion carried.

ACT 38 Final Notice to Northridge Equestrian: There is a plan that expires in 2020 and SCC requires board approval to send this final letter notice. A motion was made to send the letter by Sharon Laverdure and seconded by Roger McFadden, motion carried.

Recommendation to Hire Resource Conservation Specialist: This would replace the Agriculture/Chapter 105 technician who left. Pat added that he wants to make sure she is aware of what her position is and that there is no opportunity for advancement. A motion was made Roger McFadden and seconded by Sharon Laverdure to hire the Resource Conservation Specialist, motion carried.

Request to advertise for 2 Office Assistant Sr. positions: we have no office assistants at this moment and no one to fill those duties at quite some time. A motion was made by Bob Armstrong to approve the advertising of the positions, seconded by Roger McFadden, motion carried.

**OCT:** Approval for the out of county as provided by the EE for a kayak trip, a motion was made by Roger McFadden and seconded by Dave Moyer to approve the travel as presented, motion carried.

**Financial Report:** Kristina explained information was provided in the board packets and any updates for board approval were provided at their seats.

Financial Statement/Balance Sheet as of 7/31/20: A motion was made to accept the Roger McFadden and seconded by Dave Moyer, motion carried.

Invoice List as of 8/14/20: Barbara mentioned that the invoice list is actually as of 8/20/20, motion was made by Roger McFadden to approve the invoice list seconded by Sharon Laverdure, motion carried.

Recommendation to implement a Returned Check Fee \$25: Kristina went over that the \$25 is an industry standard, we charge the fee from the bank back to the applicant but we don't get paid for our time. A motion was made by Dave Moyer to accept the \$25 fee, seconded by Bob Armstrong, motion carried.

District Budget for 2021: Pat noted that the committee met, Kristina highlighted the committee meeting minutes that were distributed to the board. At the end of 2019 we were income over expenses, since we had a shortfall for 2020 mostly due to Covid-19 and

the circumstances surrounding that, we were able to use the excess to cover the remaining expenses for 2020 and anticipate to be able to do that again in 2021 due to CARES Act funding or some of the grants we have applied for. We were extremely conservative in the way we budgeted for the next fiscal year because we do not know where our state funding or grant funding will be so we worked out a safe strategy and hopefully have a little buffer room to put funds away in our reserves to eventually replace the roof which is a mounting issue. Pat asked for a motion to accept district budget for 2021 as recommended by the budget and finance committee, Roger McFadden reiterated that we did go through the budget on a line by line item basis with Kristina and highlighted that uncertainty with some of the funding in the state so the budget is obviously going to be reflecting that uncertainty, Roger McFadden made the motion to accept the budget as presented, Sharon Laverdure seconded the motion, motion carried.

2020/2021 ACT Budget & Staff Sheet: Kristina explained that we received Agricultural Conservation Technical assistance funds from the State Conservation Commission every year. We are receiving \$16,225 and we need to provide a sheet explaining where these funds are going and we are going to put that toward the Resource Conservation Specialist we just hired before. Kristina asked for a motion to approve that we can request these funds, Roger McFadden made the motion, Bob Armstrong seconded, motion carried.

#### **Cooperating Agency Reports:**

**DEP:** Carl Deluca thanked the board and everyone in the audience for a great discussion on stormwater today, he added that he sent the August talking points and there is a link in there for DEP Covid-19 updates, alerts and program guidance.

**NRCS:** Jennifer highlighted that Monroe County ended up with 7 Equip contracts this year totaling \$149,000 and one CSP contract totally \$8,561, they should be wrapped up with contracts by the end of September and then prepping for the start of their next fiscal year October 1<sup>st</sup>.

**Public Comment :** Jack Fossett commented on the importance of the district and the work that we do along with the need for us in the county and the responsibility of this board to look forward to the future and put in place everything we need to do in order to protect the county from the damage that was done recently.

Pat called an executive session just for the board at 9:36am, regarding personnel.

**The board meeting reconvened at 10:04 am**

**Pat adjourned the meeting at 10:07 am**

John Lyman made a statement, he explained that there was an agreement that the associate board members were to be included in all executive sessions, Pat noted he did not recall agreeing to that and this is the first time he has done this and felt it necessary to do so and has the authority under the delegation to do that. John responded that is why he respected it and respects Pat and followed his lead.

**Pat adjourned the meeting at 10:08am.**

Respectfully Submitted,

Barbara Bistras  
Administrative Coordinator

**THE NEXT MCCD BOARD OF DIRECTORS MEETING WILL BE HELD ON THURSDAY,  
September 17, 2020 AT 8:00 AM AT THE MONROE COUNTY CONSERVATION  
DISTRICT OFFICES STROUDSBURG, PA.**