



**MONROE COUNTY CONSERVATION DISTRICT BOARD MEETING MINUTES  
THURSDAY, OCTOBER 19, 2017**

**MEMBERS PRESENT:** Joe Hanyon, Patrick Ross, Heidi Secord, Bob Armstrong, Charlie Garris and Dave Moyer

**DISTRICT STAFF:** Adam Schellhammer, Roger Spotts, Lori Kerrigan, Mike Wilk, Barbara Bistras and Denise Smale

**ASSOCIATE BOARD MEMBERS:** John Lyman, Chuck Gould, Theresa Merli, Janet Weidensaul, and Edith Stevens

**COOPERATING AGENCIES:** Shane Kleiner, DEP., and Evan Makuvek, MCPC.

**SOLICITOR:** Douglas Blazey, Esquire of Elliott Greenleaf, P. C.

**Public:** John Christy, Monroe County Commissioner; Craig Todd, Resident; Jennifer Matthews, NRCS; Joshua Walker, Rep. Rosemary Brown; Kathleen Flynn, Trout Unlimited & Pocono Heritage Lands Trust; Rodney Stark, Trout Unlimited; Jim Hendricks, Lumber-Garick; Paula C. Heeschen, Brodhead Watershed Association (BWA); Don Baylor, Brodhead Watershed Association (BWA), Trout Unlimited & Pocono Heritage Lands Trust; and Tom Van Saint, Resident.

Joe Hanyon, Chairperson, called the regularly scheduled meeting of the Monroe County Conservation District Board of Directors to order for Thursday, October 19, 2017 at 8:03 a.m. Joe introduced Doug Blazey as the new District Solicitor. He is with the firm of Elliott Greenleaf out of Blue Bell Pennsylvania. He is the former Chief Counsel for DEP. Doug was the Regional Counsel for Region Two for the EPA, and is a Professor at Temple University teaching Environmental Law Sustainability.

Public comment on agenda: Joe asked if there was any public comment and there was none.

Joe called for a motion to approve the minutes for September 21, 2017 Pat commented on a spelling correction. Bob made the motion, Pat seconded, the motion passed.

**Technical Report:** Lori, "We currently have 27 applications under review. We received nine new ones this past month. There were two individual permits issued, one in Coolbaugh and one in Chestnuthill. There were also two Chapter 105 permits that were issued. Bob asked about the 9 applications that were received. Discussion was held on stages of the application completeness and reviewed times. Joe asked about general reasons for any incomplete application. Lori and Mike explained the reasons vary. Examples being incomplete project information, missing documents and insufficient information.

**EE Report:** Roger, "You have our report. I can certainly answer any questions on it. I have one thing to highlight on it; just a reminder the Bird Seed Sale is October 28<sup>th</sup> which is next Saturday, we are still taking orders for that. Other than that we have been very busy with fall programs. That's all that's listed on the report." Bob, "On the events on the public Bog Walk, on one of them it has WS on it which is the Watershed Specialist and another one has T which is Technician and that just means who is giving the presentation?" Roger, "Yes, who does the presentation and that just helps people know that we have been using more technical staff for Bog Walks just simply from our short staff."

Joe asked to discuss an agriculture item from the tech report. With the Monroe County famers with a Conservation Plan, how do we determine who needs a Conservation Plan and what's the outline, what are the specs of it." Shane, "I can answer that. Under the Conservation Law it states that under Chapter 102 there needs to be an Erosion Sediment Control Plan for every disturbance over 5,000 square feet except when it's by a High Quality Stream then any disturbance requires a permit for an Erosion Sediment Control Plan. Also, they need a Manure Management Plan if they have any animals on site or is there just spreading manure. So both of those things are what are required by the law in Pennsylvania. A Conservation Plan that is developed by NRCS in general that meets those requirements so that it's an acceptable Conservation Plan." Joe, "So every farmer has to have at least an E & S Plan?" Shane, "Yes." Joe, "Is that an in house E&S Plan that they keep and they develop themselves?" Shane, "There are requirements that an E&S Plan must meet for agriculture because it's a little different then what you would see at a construction site, but they have to meet certain requirements under the E&S Plan with agriculture. Since NRCS has a plan for earth disturbance which also meets the requirements of disturbed areas such as plow tilling and also for heavy use areas which would be where you have your animals that could potentially be denuded and have manure as well those two things would be included in that Conservation Plan. NRCS has worked very closely with the state; we have agreed that if they do certain things that meet the requirements of the E&S Plan so that Conservation Plan can meet their requirements if they are looking for funding." Joe, "That is something the farmer keeps in house?" Shane, "Yes." Joe, "He makes his own plan he has a plan?" Shane, "No a Conservation Plan has to be written by a certified Conservation Plan writer because it's approved by NRCS so they are the ones that hold that and

have that Conservation Plan. An E&S Plan can be written by the farmer, but it must meet certain things and must also have record retention requirements.”

**District Managers Report:** Adam, “Does anyone have any questions on my report?” Joe asked about CAO and any site complaint MCCD responded to. The need for a manure management plan was discussed as it pertains to various situations. Discussion was had on common agriculture complaints and how the district works to get the farmer into compliance. The criteria to a CAO were reviewed. The Board reviewed the District’s offerings of free manure management plan writing workshops to get them into compliance. The workshops were paid for by grants obtained by the district. Discussion was held on how the District responds to complaints when the District provide notice and how long the District has to respond to complaints.

Pat, “Roger, I meant to ask you, I see on here where we were talking about the Boardwalk that needs repair in the Bog?” Roger, “The original Boardwalk was put in in 1981, which was the first 350ft. It’s becoming an issue where we are constantly doing maintenance on it because the design is a little flawed with the barrels. We are working with the Conservancy to get a new design and replace possibly that 350ft. At this point we are in the preliminary stages. We are looking at designs and possibly funding. We don’t even have prices on it. Twenty five years ago it cost \$20.00 a linear foot.” Pat, “Let me know because I know that our Lions Club helped with the original, see if we can’t get some funding.” Roger, “We are working on the design first and then we will go from there.”

Joe, “Back to the District Managers Report.” Adam, “We are coming into the grant season. We do have some good news. PPL awarded us \$2000.00 in Riparian Buffer Species to conduct a stream buffer restoration project. Currently we are coordinating with Trout Unlimited to select an appropriate property that might be willing to take on the long term maintenance of that buffer. That work will take place in the fall of 2019. We have submitted our financials to become prequalified for a \$50,000.00 Riparian Forested Buffer Grant that’s offered through Penvest. We should hear back in December on whether we are pre-qualified and from there we will go into the project selection, design and location.” Joe asked about species selection for Riparian Buffer. Adam reviewed the species they were awarded through the PP&L Grant. Joe, “What about maintenance?” Adam, “Mostly just mowing and making sure that nothing out there compete with the trees before they become established. Keeping the tree tubes upright and making sure they are working.” Joe, “What about the PENNVEST, do you think we are going to get that?” Adam, “We submitted the financials. They require three years of audits to become prequalified. From there, by December 20<sup>th</sup>, we should know if we are preapproved. After that we will go forward with the rest of the grant process which wraps up in mid-February.” Pat, “Is that free money or with interest.” Adam, “That one is free. There is a DCNR Grant that has a

50/50 match. The PENNVEST Grant has no match." Joe, "Any other questions on the District Mangers Report?" Adam, "I do have a couple others, different projects we have going. We are coordinating with BWA, ESSA Bank and Strauser Nature to take on a much larger Riparian Buffer Restoration Project. We are going to try and tie in a trail system through the Stroud Regional Open Space. BWA also put in to be pre-qualified on several grants. That would get underway in spring 2018. We have been working with Ron Yoblanski on prepping a grant package to address the game lands so we will continue working on that." Christine Dehore from DCNR is coming in this Monday to meet with us and review options for DCNR funding and work on strategies to get projects in the pipeline for us."

**August Financial Report:** Joe, "August financial statement balance sheet as of September 31, 2017." Heidi, "If anyone has any questions. Barbara and I are here." Joe, "I just have one question. We have an accounts receivable for \$2,500.00, who is that from?" Barbara, "Probably billing from a school." Joe, "Do I have a motion to approve the financial statement financial sheet as of 9/31/2017?" Pat made the motion and 2<sup>nd</sup> by Dave, motion passed.

**Invoice list:** Charlie, "The Stoney Acres \$4,200.00?" Barbara, "That \$4,200.00 is paid by the Kettle Creek Fund. There's an \$800.00 at the top of that list and that came out of the remaining money that we got in for applications for Conservation Camp." Joe, "Adam just a quick amendment to that motion, there are 30 days in September." Joe, "What is Platinum plus DG Training Hotel Stay. There are three such charges on the invoices?" Heidi, "There's a training that the staff attends." Adam, "That would be just the credit card that they use for travel and the one below would be a combination of the Elk Trip." Joe, "Do I have a motion to approve the Invoice List dated October 19, 2017?" Dave made the motion, second by Heidi, motion passed.

**Out of County Travel:** Adam, "We do have a couple of additions that I sent down. Annie and I will be attending different grant workshops with DCNR to continue working on different strategies to get more grant projects going to Monroe County. Matt does have a few Nutrient Management Trainings coming." Joe, "Do I hear approve?" Pat made the motion, second by Heidi, motion passed.

Joe, "Mark Sincavage has tendered his resignation letter as of October 6<sup>th</sup>. That will create a vacancy on the board. Mark has been on the board for 11 years. He was Chairman for 10 years and he was awarded for that 10 year term. He added something to the board and he helped me along as the chairman. Mark will be missed. It will be up to the Commissioners to appoint a person at some in time in the future." Pat, "I would like to comment on the resignation of Mark. I served with Mark for many years on the board. In fact I was the one who nominated him to Chair of which he did a good job. Mark was a developer and therefore he could see both sides of either situation. I think he was a valuable member of this board. He will be missed by all as

we discuss and make decisions that will affect a lot of people. I am sorry that he is leaving this board because he added a lot to it." Joe, "Mark relayed that he is moving to Florida."

**Other Business:** Joe, "DEP, SCC & MCCD Roundtable. I know we discussed it, one day to try and get something to discuss what I thought was really with regard to the stream erosions." Janet, "I did reference the August 17<sup>th</sup> minutes, you'll see what the comments were by the quorum and I think it was all inclusive. I have been talking about where everyone could attend; Township Supervisors, Public in general, Legislators, and our Board Members so that we understand our relationship with DEP with the Cooperative Agreement and what it does for the community. It should be a universal meeting and an agenda should be established. I think everyone agreed to that. I believe someone at the table suggested that Adam, Shane and I could put an agenda together and it would be added to and we were going to have a meeting. The people from Harrisburg have limitations on their travel. So we set a date when SCC & DEP can be available and we put a proposed agenda together. Send it out for additions & corrections; the meeting was cancelled. It's unfortunate that that happened, but it was a good effort. Certainly Shane and Adam are to be commended and all those people that committed to being here. We had an opportunity to pull a lot of people together. I hope that we can proceed to do something like that in the future." Joe, "I just think to have all those people in and have that many items on an agenda, it is very difficult to accomplish anything with 40 people in a room." Pat, "I disagree; I think that it would be very good. If a Township Supervisor comes out and asks DEP about the procedure that MCCD does, we can ask them the procedure and can get it straight. I thought this could be an open forum; you have to have a couple of things that you can talk about. I think it's a good idea. I don't think it should be one specific subject. Unfortunately I was away and I didn't see these emails until I talked to Adam. It's going to answer questions for all of us. We can agree to disagree but we are going to have to come to an understanding at some point of where we were going and what our priorities are. I don't think it's any question that everybody wants to achieve the same thing. I said a number of times that it's the process. Heidi, "I feel that this meeting was part of that process and part of that transparency." Pat, "It's going to answer a lot of questions for everyone, including us. When you start talking about clean waters and all. We have to go by that scientific data that we have. We have to continue to correct it. Some people are doing it on their own and we have to do that. I think we have the people to do it but just have to get together and have an open mind." Dave, "I think we have to schedule it ahead of time so we can all be there. I think it's a great idea Janet, the roundtable we have clear the Conservation Law that we have, clean streams and we have spent all morning here now on this agenda talking about chickens and all sorts of different things but we haven't talked about some of the serious things that I see every day and everyone in this room sees when you are traveling the highways and the roads. What are you doing about that? Not that we can help that but we are getting tremendous high levels of salts in our streams when you test them. We have miles and miles of ditches that collect water that

ends in our streams. We have shoulders that are cut back right into the bank for hundreds of miles. We don't talk about any of that. We are supposed to clean up our streams and get clean water but we are talking about chickens. We need to start where the mud is really starting from and one of the big areas and I know its PennDOT. Dave, "Well no one has done anything about it." Janet, "There are things being done. It takes a ton of money and there's where you are talking to your legislator. It's a political issue." Dave, "Maybe put some matting down and things like that when they are working. Those things aren't being done at all." Heidi, "I would like to get back to the roundtable discussion. One of the discussions that Joe, you and I, have had over the phone was about if we were going to cancel it or if we were going to postpone it until a time in November. A lot of work was done on Janet's part; a lot of work was done on Shane's part and Adam's, as well as the time that people had scheduled from Harrisburg. It would be great if we could get something in November or early December." Joe, "The issue was that at least 3 or 4 directors could not be there and we weren't involved in the process. It's really to help educate the board as well as the public and to have that roundtable without subsequent members of the board and not having an agenda that we agreed upon was the issue up front." Pat, "We have to set the priorities down, what is the goal of this Monroe County Conservation District. You list the three or four that you can get accomplished. If its stream erosion do that and continue to do the technical work. You have to set priorities." Dave, "It's very clear in conservation law on what you should be doing and those are the little points we can talk about. There are four items in there that spell it out."

**Cooperating Agency Reports- Shane Kleiner, DEP;** Shane, "A couple of things that I want to bring up. One is the stuff that keeps coming up in regards to roads. You do have the Dirt & Gravel Low Volume Road Program. You are doing some stuff from what authority you have. You also have the E&S Program. We at the department have been working on trying to address issues that you are talking about with PennDOT. The other thing is in order to go forward with some of the other things you want to there is a lot of confusion that I see here on what authority you have and how you can address them. That's why I was so supportive of doing it the way we were going forward so we can get that basis to build on for the strategic plans and to go forward with what other authorities you have and where funding is coming from. The board has authority to address those things that are concerns within your County. I think knowing the process is important. To get the people that I was able to get for this roundtable Meeting is not an easy task. With the things that are going on with the state right now, with the lack of funding, and with the changes that are going on with the delegation agreements, contracts, agreements with EPA. Take that with the number of people from DEP, my regional director, heads of the department in Harrisburg it is very difficult. The 18<sup>th</sup> was the only day that I could find in a two month period. The State Conservation Commission needs to be here to discuss how those processes work and what authorities are there, because both of those work hand in hand with finances. What type of grants what type of monies you can go for. That

is the process we were trying to get together for this.” Joe, “We have been to director meetings and seminars that teaches about director responsibilities and governance.” Shane, “In my personal opinion, I really think you need to go through that process, all of it.” Joe, “The process, yes, I agree with that.” Shane, “I have explained that already in the past and a lot of that stuff has not been followed by some of the recommendations I have made. To hear it straight from the State Conservation Commission who is the entity that oversees finances, process and procedure of delegation agreement discussions, I think that’s very important. I really think that it’s something the board here should go through, as well as the staff to be able to see how those things tie together and to build those communications between both the Board and the staff. There are strains between the Board and the staff here right now and the community. I think going through that process would bring all those people to the table, I think that’s important.” Joe, “I think that’s a huge subject and more for a seminar, but if we have our objectives I would rather tackle our objectives. The stream erosion is a big objective. Those resources are available by phone call. Roundtable discussion, I have seen a Roundtable discussion and really nothing gets accomplished. There are too many ideas in one session.” Shane, “You have met with some of these people, a lot of the process started with what I am talking about right now.” Heidi, “And to develop relationships with people, have the good will of the community working alongside with them.” Heidi, “Who on the Board is against a roundtable?” Joe, “I don’t think that’s the question, the question is what is the priority of that meeting and what can we accomplish?” Shane, “The staff is doing what they are supposed to do. We had a meeting with the Commissioners here a few weeks back and through that discussion we showed that your staff has done what we would have done at the department based on what is set out on regulation and policy.” Joe, “Shane we are obligated to question the staff.” Shane, “I know you are obligated but I have explained some of this stuff before and you still question what the delegation agreement is and what the requirements are.” Joe, “We don’t know what your delegation agreements are.” Shane, “You had two letters sent to you from the Department of Environmental Protection that you were overstepping bounds associated with your questioning and what you were telling your staff to do. That is a perfect example of what I am talking about. You could lose your delegation agreement if you don’t follow those things.” Joe, “There was no discussion with the state on inspection protocols. There was none.” Shane, “Yes there was, I was in three meetings that you were at.” Joe, “None of those people contacted us. They said if we have any questions.” Shane, “I have the emails that went to you, Joe, which said I was the one that was going to be sitting on those committee meetings in order to discuss those issues. I sat on three program meetings that were run by Heidi. Here in this office and then what happened was we went through all that and with the direction that we were going and before the meeting, before you could even approve it by the board you sent the letter to Harrisburg saying this is the protocol that we want to follow.” Joe, “I don’t think I said that.” Shane, “Yeah you did.” Joe, “The letter asked Harrisburg twice “Were

there deficiencies in the protocol?" it never came. We had a one page piece of paper with protocol on it. One piece of paper. Never anything substantive came from Harrisburg. The one thing that did come from Harrisburg that was substantive was a decision from our solicitor at the time and I forget the gentleman's name from Harrisburg, said that there was really nothing wrong with the protocol." Continued discussion was held on the Districts most recent attempts to amend DEP inspection Protocols and the need to refocus staff priority.

Adam, "The Grants that I spoke about earlier." Is that not the direction that we were told to go, getting funding for restoration projects?" Dave and Bob, "Yes." Dave, "Shane's looking at maybe with DEP some basins that can try and pull out some of the salt chemicals out before it goes into our streams off the interstates. When you drive home look at the really bad areas that are entering our streams." Adam, "I did send some pictures when there was some discussion on whether we had that issue. As far as the basins go, as the District Manger I am a little confused, are we supposed to design, pay for and install these basins to address the salt. I don't know what action you want me to take to install structures for PennDOT." Dave, "I think that is something you can talk about at the roundtable and get DEP involved in that." Adam, "We have had several discussions on the budget and I think everyone is aware of what our budget is. So I don't know where it is that the funding comes from for projects for PennDOT. Dave, "I don't know if you can do that Adam. I don't think it's something we can do." Joe, "Shane, let's get back to that point. I did not write that letter unilaterally. I did have the support from the board. Only one board member objected to that letter." Shane, "Was that presented at the Board meeting?" Joe, "I did have a discussion, not in the form of a Board meeting with other Board members. They supported that letter."

Shane, "Does your staff talk with the individual when they are walking around that site?" Joe, "I understand they do, but the issue is that they put it in writing at that time. We talked about three page stenographic document or if they had an iPad they could email it. You could write it up and give it to them on the spot. This way it gets done that day. You don't have to come back, if you come back in a week it's done, instead of coming back and putting letters in the mail. CCing it to everyone in the county. It doesn't make any sense that we have that structure. I'd like the structure just like any inspector comes out, he writes it up and says "fix this" and hands it to you, and your recommending it and we can't get our county to do it because of the push back we got on that protocol. If that's one of the things that survives from the protocol that was suggested then let's put that in our protocol. Do you agree?" Shane, "I think this was discussed before and I agree with some of that stuff." Joe, "Any other comments?" Bob, "I think that there is a consensus to have a roundtable. I think there is a time constraint for everybody on the Board and the public. I'd like to see for maybe three months down the road or something like that. That we pick maybe three or four days that is good for the Board and then they can go back to the DEP and everyone else involved to see if any of those days are good so



we are all in agreeance. I think a roundtable is needed. I don't see any harm in it. You have to stay focused if you have an agenda and you just can't go off. I would love to see Janet involved in that." Joe, "So let's make a final plan. I will work with Shane and Janet over an agenda. We'll get that to the Board for comments and in some kind of parallel fashion we will get some dates. Who's going to do that, Adam?" Adam, "May I participate in that process?" Joe, "Ok." Dave, "Should we look at some dates while we are all here?" Joe, "Not all of us have our technology to set a date now." Dave, "Should we go back to the protocol and revisit that and clean that up?" Shane, "I think that should be a separate discussion from the roundtable." Dave, "I understand that, but should we set a date for that?" Shane, "Yes I do, because that's specifically towards a specific thing in a delegation agreement. Heidi, "Are you talking about a separate discussion?" Dave, "A meeting that we had to just clean up the protocol that we talked about. Shane could be there." Shane, "I am here to help wherever I can. If you want to have another meeting with that I'd be more than happy." Charlie, "I suggest we have a meeting and stay focused on the points. We recently met with Shane and he invited some people from Wilkes-Barre and Harrisburg and three Commissioners. Can we limit it to the three Commissioners? I know from years of experience that with too many people in the room, you don't stay focused you wonder all around the issues. We have seven items. Shane knew the seven items in advance. We spent two or three hours with them." Shane, "I thought it was very productive." Charlie, "It was very productive I think it allowed the Commissioners to get their head around the issues. I thought it was very productive. That's the trouble with large meetings; it's very hard to keep the crowd focused on what you really want to talk about." Pat, "Can we get a summary of what you talked about and the conclusion you came to?" Shane, "It was a call from the Commissioners. I think they are the one presenting it." Joe, "I don't care who types up the report." Shane, "I am going to have Charlie and those guys. I don't know if there is anything that you felt was confidential or anything like that. I would rather that stuff come from the Commissioners." Joe, "Is that subject for the roundtable?" Shane, "There was a lot of discussion on the same things you had on the agenda." Pat, "We should be informed on it if it affects us. Did it affect us?" Joe, "Okay, we are settled on it then. We will work together and I am going to ask the solicitor who has tremendous experience on this, he was Chief Counsel for DEP so he knows all this stuff probably better than any of us. I think that's the resolution we'll make."

**Cooperating Agencies:** Shane, "Just a couple of things that I want to highlight, there is going to be a PACD Meeting on the 20<sup>th</sup>, which is tomorrow at the Regional Office. There is going to be some discussion on distribution of funds that are Act 13, which is the Unconventional Gas Well Funds that goes through the State Conservation Commission. On November 7<sup>th</sup>, there is a listening session for Districts and the Department at the regional office. I believe most of you are signed up for that already. They will discuss some of the issues on the general permit process. From what I understand the general permit acceptance has been reviewed but has not been approved yet or set. Discussion was held on current issues regarding the state budget.

Joe, "Legislators representatives and anyone else?" Jen Matthews, "You have a copy of our report. The deadline for our first round from our signups for our bundle programs is tomorrow. The second round will be the 3<sup>rd</sup> Friday in December. Once we hit our deadline we are hoping to get our ranking form from our State Officer to start ranking our applications. I can give you the number of application from Monroe County at our next board meeting."

**Public Comment:** Craig Todd, "With the resignation with Mark Sincavage, I know internally you have had discussions with the Commissioner's Office for filling unexpired terms. I think the Commissioners have sent out letters soliciting nominations. Just for point of clarification, I want to make sure that everyone is on the same page and Shane is here so I will take this opportunity to clarify the process." Shane, "They can send out letters requesting nominations to fill an unexpired terms?" Shane, "Yes." Craig, "The other options are to pick from that last list of nominations for public director and or appoint an associate director, right?" Shane explained the director nominating process as well as options for selecting directors to fill unexpired terms. Craig, "I only have one more comment and I think it speaks to a lot of the issues that are occurring at the Board meeting. I don't know if the Board has done the objectives for 2018 yet, but for your 2017 objectives and previous to that there were initiatives by the District Board direction to staff to pursue, among other things to maintain Level 3 delegation to also pursue the memorandum of understanding with the municipalities for technical assistance for MS4 compliance as well as for assumption of MCCD Review of post construction storm water management plans for municipalities in the name of one stop shop; for the frame work here in Monroe County an inspection protocol was not on your check list. One of the problems I see is that obviously there are new Board members that are changing the direction of the District. The legislative process that occurs at the District provides for that to happen. A lot of the initiatives from 2017 that the Board voted on (Level 3) never went to the committee and was never discussed publically nor was it on the agenda when a motion made to get out of the Level 3 and downgrade to a Level 2. What's happening is there's an initiative to change the direction of the District in Monroe County, whether I agree with that or not is totally irrelevant. As a Board, you get to do that under District law. What I would urge you to do is to formalize and be transparent about that and the direction you want to go and to memorialize that direction in your planning document. Craig also spoke to the need for predictability for the District, the Commissioners, local organizations and the staff. Craig, "The other problem is a lot of meetings going on, like the Commissioners' meeting with DEP to discuss Conservation District issues. You get to do that, I am not saying that was a bad meeting the Commissioners had. I do remember the day when the Commissioners were getting calls about the District would come and sit with the District Board and staff to find out what the District is supposed to be doing. Typically in the past the staff has been a resource for the Board." Craig also spoke to the need of meaningful dialogue then is transparent and involves all parties. Joe, "What part of the Board is not transparent, we open public meetings, we answer questions, we have open public comment

before and open public comment after. Our minutes are typed out right to the last letter. Which I have never seen on any Board.” Craig, “I don’t want to have that type of discussion like you did with Shane right now. If you want to have that conversation I would be happy to have a meeting and talk about some of what has happened over the last two years. My example would be the Level 3 Delegation. There’s other but I’ll just throw that out there.” Joe, “You’re not happy that you were not involved in the Level 3 discussion.” Craig, “I am telling you that there is a process set up for you to govern and it’s a process that was set up by the Conservation District with support by the state and it’s something that you should follow. I think it would make things a lot better.” Joe, “I think the Conservation District is doing a terrific job. We are functioning very well. We have our reports, we have a big staff and they work very well. These incidental things that we are trying to do we are very open with.” Craig, “I don’t think the Level 3 downgrade is incidental. The Level 3 downgrade doesn’t affect the staff what so ever.” Craig, “Well it does affect the staff.” Joe, “It doesn’t, I will ask Adam to give me any evidence that a downgrade Level 3 hasn’t affected our compliance level. The general public and development don’t have a any clue whether they are within their rights of a Level 3 enforcement or Level 2. They don’t know what they are talking about. Its only us that know what we are talking about.” Craig, “I don’t want to get into it with you here.” Adam, “I have to say that acting as a Level 2 takes a lot more of the staff’s time at Level 2 then it does at a Level 3. We have to make frequent trips now to Wilkes-Barre just to discuss whether or not we are going to move to enforcement or seek additional voluntary compliance, whereas before we would have been given extra opportunities for voluntary compliance. Now we have a set procedure and after we don’t achieve the first time we have to refer to Wilkes-Barre for enforcement. Now we have to bring DEP in a lot sooner than we would have had to before. All of our enforcement meetings are in Wilkes-Barre; we take the staff for a two hour trip. We have to go to Wilkes-Barre to meet with the applicant and meet with DEP. We have to coordinate these meetings and so in the pure sense of time spent on enforcement, we spend more time now and we can’t do as much to seek voluntary compliance as we once were able to. Continued discussion was held on workload at Level 2.

Tom VanSaint, “You have a Board opening now?” Joe, “Yes.” Tom, “The County Commissioners in the past publically admitted that they loaded the Board in favor of developers. Does everybody remember that?” Joe, “I don’t remember that personally. Do you have evidence of that?” Tom, “The County Commissioners admitted it in a Commissioners’ meeting. So that’s a fact. Now you have an opening and to even things out and go the other way and get some Conservationists. This is a good opportunity to correct past misdeeds.” Pat, “Why are you addressing us to that?” Tom, “They can hear me can’t they?”

Joe, “Can you please check the status of the airport application approval from the State.”  
Shane, “Yes.”

Meeting adjourned at 9:30 am

Respectfully submitted,



Denise Smale

Recording Secretary

**THE NEXT MCCD BOARD OF DIRECTORS MEETING WILL BE HELD ON THURSDAY, NOVEMBER 16, 2017 AT 8:00 A.M. AT THE MONROE COUNTY CONSERVATION DISTRICT OFFICE IN BARTONSVILLE, PA.**