



**MONROE COUNTY CONSERVATION DISTRICT BOARD MEETING MINUTES
THURSDAY, JULY 20, 2017**

MEMBERS PRESENT: Joseph Hanyon, Chairperson, Dave Moyer, Heidi Secord, Patrick Ross, Mark Sincavage and Charles Garris

DISTRICT STAFF: Adam Schellhammer, Drew Wagner, Lori Kerrigan
Barbara Bistrais

ASSOCIATE BOARD MEMBER: John Lyman, Janet Weidensaul,
Robert Armstrong and Edie Stevens

COOPERATING AGENCIES: Jennifer Matthews, NRCS and Evan Makuvek, MCPC

PUBLIC: Jay Grobelny, Riley & Company, Fran Ferrari, Brodhead Watershed Association (BWA); Rodney Stark, Trout Unlimited (TU); State Representative Jack Rader; James Henricks, Humber Garick; Kelly Stagen, PACD North East Regional Director; Joshua Walker, State Representative Rosemary Brown's Office; Annie Lamberton, Tobyhanna Township; Craig Todd, Tom VanZandt, Jack Fossett and Denis Giffels, Residents.

Joseph Hanyon, Chairperson, called the regularly scheduled meeting of the Monroe County Conservation District Board of Directors to order for Thursday, July 20, 2017 at 7:58 a.m.

PUBLIC COMMENT-Joe asked if there was any public comment on the agenda today and does anyone need a copy of the agenda before they make public comment, hearing none...

Heidi asked the Chair if she could add something to the agenda today, discussion on NOV's. Joe said he sent out a request to all of the board members if they had anything to add in regard to the NOV's earlier in the week but he did not hear anything. Heidi stated that she did not see that email. Joe noted he that was not willing to add it to the agenda today. Heidi stated that it is her right to add something to the agenda. Joe agreed but said he does not want to add to the agenda today. Heidi felt that were still questions up in the air about it, because it was never really finalized. Joe said the board can talk specifics on it next month.

Janet asked about the status of MCCD's situation with DEP and what protocol are we are using, Joe responded that nothing has changed, it is the status quo, whatever existed prior to the boards initiative. Janet voiced concern over the District's relationship with DEP. She stated that there are potential questions about our relationship with DEP as a result of the NOV and Protocol in addressing them because of a letter that Joe wrote on District stationary that was not approved by the board. Joe responded that it was not on the agenda today. Heidi interjected that she had asked to have it added and Janet voiced that this is a public meeting not a dictatorship. Joe explained it is not on the agenda and there is room at the end of the agenda to discuss that. He noted that it was discussed last week and nothing has changed with regard to the manner in which we enforce NOV's and MCCD's relationship with DEP has not changed, status quo.

Jay Grobelny, from Riley and Company, stated that his company performed the audit field work around the middle of May. Jay stated that he will go through the statements and reports briefly. Mark asked if they went in front of the budget and finance committee for review, Adam said no. Jay stated he will start with the financial statements themselves. The first report is the independent auditor report which is similar to prior years. Jay noted that on page 2 there is still the basis for adverse opinion due to the conservation district's component unit, the KCEF, not being presented in these financial statements. Under generally accepted accounting standards those amounts would be included in the financial statements but we havent done that historically, so that does lead to an adverse opinion. However, on page 3 there is an unmodified or clean opinion on the financial statements of the Conservation District itself, that obviously is very good and that is what you want to have. Since KCEF didn't submit financial statements, they cannot have an opinion on that. Normally a component unit would have their financial information included. Joe asked if KCEF has their own independent auditors, Jay responded he didn't believe so, they do file a 990 which is a report for non-profit. Discussion was held on whether KCEF should have an audit and what is acceptable. An audit for the Fund would probably cost thousands of dollars. Jay clarified to Charlie that we are not in violation of any laws, it just needs to be disclosed in our auditor report. Statements of Net Position, Exhibit A, restricted cash increased roughly \$250,000 in 2016 primarily due to dirt and gravel road funds that were received but were unspent at year end, pre-paid expenses increased roughly \$40,000 and that was due to a trip taken in 2017 where the expense was paid for in 2016 but the trip didn't occur till 2017. Liabilities show the unearned revenue increase due to dirt and gravel road projects, the funds come in but don't get recorded as revenues or expenses until they are actually paid out. Unrestricted net position at year end roughly \$480,000 leaving a net position at roughly 1.2 million dollars at year end. Exhibit B, revenues/expenses and changes in net position, the biggest difference is in environmental fees which have increased primarily

due to dirt and gravel road projects. A large increase in environmental program costs is primarily due to dirt and gravel road program costs. The other large increase was in professional fees in 2016 which was the cost for the website and with Craig retiring there was expenses for the search for the new manager. Non-operating revenues are local government subsidy/wages and benefits less what the district reimburses to the county, so overall a net change in position to \$100,000. Exhibit C: Statement of cash flows, overall in 2016 there was a net increase in cash of about \$230,000. Note 5: Jay pointed out that our unearned revenue amount \$350,000 is made up of primarily dirt and gravel road funds and education tour. Note 7, local government subsidy, shows total amounts paid by the county, the cash allocation the district receives and the amount the district pays back to the county. Note 8: related parties, explains the relationship between the conservation district and Kettle Creek, how the funds were used that were received by KCEF and how it is supposed to be presented. Revenue from KCEF was \$19,400 and the expense lines for KCEF get recorded with the various costs. Yellow Book Report: on page 2 it was noted that there is a material weakness in internal control, which is based on an accounting adjustment that needed to be made based on the dirt & gravel road funds, based on the amount we are required to report it as a material weakness. Jay noted it is not something that is unusual it's just a matter of accounting for dirt and gravel road when you get into the accruals and deferrals. It would be very unusual to have an audit without audit adjustments to make it just so happened that based on the amount we have to report it. It has been discussed with Barbara and procedures have been added to her year-end procedures to help insure that same mistake doesn't happen again. Adjusting audit entries were given to Barbara in writing. Schedule 2: no non-compliance issues were found. Mark questioned the schedule for unrestricted funds, discussion was held on a schedule for unrestricted funds and a new form that will be discussed at the next budget and finance committee meeting. Jay noted that he would like to go over the next two reports briefly, the first one starts with we have audited the financial statements, this discusses various aspects of the district's accounting policies. There were no difficulties performing our audit and there were no disagreements with management. Jay noted that on page 2 there are corrected and uncorrected misstatements and that is where they are required to note that they had a material adjustment to make in relation to the dirt & gravel road. On page 3, other finding and issues, Jay noted again that the district should adopt a formal capitalization policy and Jay thinks that would greatly help Barbara when she is recording those types of expenses to know exactly what needs to be capitalized and what doesn't. The last report is the client rep letter that the district would sign and give to Riley & CO., in which basically states that MCCD has provided all the information Riley & Co. have asked for and that MCCD has not knowingly misled us or provide us with false information. To finalize the audit board approval is needed, the client rep letter needs to be signed

and in the auditors' report, the financial information from the Kettle Creek Environmental Fund is needed. **Mark Sincavage made the motion to accept the audit as presented subject to receipt of the KCEF financial information as stated, Pat Ross seconded, motion carried.**

APPROVAL OF THE JUNE 15, 2017 BOARD MEETING MINUTES -Joe asked for approval of the June 15 minutes. Joe has a few comments with regard to the petition to upgrade the Tobyhanna (Tunkhannock) Creek from HQ to EV at the end of the minutes on page three Heidi said to be clear that the board is going by what was recommended in the 2005 letter and Joe agreed. Joe commented that he can't agree to anything from the board at that point, but since we are not taking any action that the letter will stand. Joe stated that he did not want to speak for the board on whether we are agreeing or not agreeing with the letter from 2005. A motion was made by Charlie Garris, seconded by Dave Moyer, to approve the June 15, 2017 Board meeting minutes. Mark Sincavage abstained. The motion carried.

Technical site status report, Lori noted that the report for June is in your July packet. MCCD received 13 new applications, 2 individual permits were issued from DEP, we had 11 pre-application meetings, 4 plan review meetings and 39 sites inspected. Joe asked regarding the in-complete individual permit applications, what is generally the achilles heel of those applications if they can be generalized. Lori responded there really is no generalizing them, each application comes in, there is a checklist of completeness items when you are submitting that application, and that is generally the things we go over during pre-application meetings and intend to head those off so you can receive a more complete application. It can be any number of things missing. Joe questioned the amount of incomplete applications and if there is ambiguity in our checklist. Drew explained that during a completeness review the checklist is pretty straight forward, is it there and is it complete, it varies per application. He stated that he could not say that everyone comes in with one thing missing or incomplete, it really varies per application. Mark added that these issues were looked at several years ago and the major problem was that professional consultants do not submit the information in a timely manner and is usually not presented properly and that's because a lot of engineering firms are from outside the area and are not familiar with the EV (special protection) waters we have up here. Mark added he has seen the checklist, reviewed it and is not sure how much clearer it can get. Mark asked Lori, about item 29, is that site in compliance and no further disturbance is going on there at this time, Lori responded yes. Joe asked Lori about the 13 post construction stormwater management plan reviews and what is our relationship with Pike county in that regard if any, to post construction stormwater management reviews. Lori responded that we do not review things in Pike County, if there is a project that is cross county, generally whom ever has more project in their county

will take the lead on that application and the two counties will coordinate on that. Joe pointed out that one designation where we do something in conjunction with Pike County as to stormwater management. Lori explained that MCCD did a training with them. Joe asked Lori about #35, do we consider just about every residential construction has to come in some kind of E&S plan. Lori responded that in special protection they are required to have an E&S plan onsite and implemented at all times. MCCD does not review all of those, it depends on if there is a land development application, variances, whatever the particular site situation happens to be, if they need a 105 permit, they will need a signed/sealed E&S Plan onsite. If its non-special protection waters they need to have the plan onsite and implemented if it is over 5,000 square feet of disturbance. Joe added that it's just not generally that if you have earth disturbance over 5,000 square feet you need an E&S plan. Lori responded stating they need to have one onsite and implemented but MCCD doesnt necessarily have to review it. Joe clarified that they need to comply voluntarily with the statute and provide their own BMP's. Lori agreed they need to have that plan onsite, a lot of times if it's a small lot or homeowner, MCCD will bring them in for a technical assistance meeting and help them develop a plan. In special protection there is no earth disturbance limitation and 95% of Monroe county is special protection waters, so they would be required to have a plan that regardless of the acreage of disturbance.

KCEEC, Adam noted that Roger is at conservation camp, 26 campers, couple things he wanted me to highlight, Family Day is this Saturday, July 22 from 12pm - 3pm at Stony Acres. Elk Trip update, September 18-20 (one space left) and October 9-11 is completely sold out. Joe questioned the amount of people on the Elk trip, Adam responded 14 fit in the bus and we use our own vehicle, it is just an EE Center trip, not in conjunction with the Fund, discussion was held on pricing and overnight accommodations. Bug Fest, two Saturdays ago, our most successful Bug Fest to date and had 425 people attend. Ryan Lechey from WNEP had come in the Friday before to do some promotions for Bug Fest.

District Managers Report, Adam asked if there were any questions on his district managers report. Joe asked about the collaboration between Pike County, Adam responded that Roger & he met with Pike's EE Coordinator and District Manager to discuss if there are ways we can collaborate on education opportunities. There are schools that lie right on the county border and Pike does not have the capacity to carry out environmental education, so there are opportunities for us to expand our programs. It was a good meeting and Pike is going to discuss the ideas with their board.

2018 objectives and budget update, Adam noted we are finalizing the budget now and would like to schedule a budget and finance committee meeting to go over the 2018 budget and at that time to go over the objectives, although he doesn't think much is going to change. Joe

asked that we check and see if we don't have a quorum at that meeting do we need to advertise it. Adam responded typically any committee meeting that influences district operations has to be advertised. Joe questioned the word influence and asked what if no board members are there. Adam responded, that it still is discussion on district operations. Joe asked Adam to send him something in the rules of order or wherever we get that from, Adam responded it's the sunshine law.

Aquashicola stream cleanup report, Adam sent out the directors newsletter a little while ago but we did a fairly successful stream cleanup on the Aquashicola. There were 13 people which included 8 staff and 5 volunteers, with over 32 hours of volunteer time, got quite a bit of rubbish and debris out of the floodplain of the Aquashicola. The next cleanup is scheduled for Friday, August 4 from 9am to 12pm at the Minisink Park along the Brodhead, if anyone can make it. A blast email will go out on this today to our volunteers, directors, associate directors, watershed groups and everyone on the mailing list.

Stream Erosion Update, Adam mentioned that with help from Commissioner Christy MCCD is developing a couple of options to re-focus on the game lands. There are several grant opportunities that MCCD is not eligible for because the stream is not impaired. Some grants that we found require the stream to be on the impaired list in order to get the money to get it off the impaired list. There are some grant sources that are only available to 501(c)(3) organizations, but with Commissioner Christy's help we are going to try to coordinate a county wide effort to get the 501(c)(3)'s needed involved, get the local governments involved, get MCCD involved, and to put together a package that would get the funding to fix that problem. As the board has said, it is perhaps the biggest issue stream erosion wise in the county. Joe mentioned he was going to talk to the young lady from PACD. Last month we noted that they weren't offering funding for stream cleanup, Adam asked if Joe was referring to Growing Greener and yes that funding is going toward the Bay right now but there is still discussion. Discussion was held on availability of Growing Greener Funds and PACD engineering services. Pat added approaching foundations in Monroe County that would be interested in helping cleanup the stream, Adam responded that we are open to all contributors to this effort. Adam commended Commissioner Christy for assisting with this.

Volunteer Insurance, Adam advised that we are now switched over to the county's volunteer insurance plan which will save the district \$400 per year.

Act 38, Adam stated that the only update he has for Act 38 is that Matt is signed up for all the trainings now that will take place from August through October there are several training sessions and MCCD will receive the first round of funding in 2018. Joe asked if Matt will get a certificate, Adam confirmed. Charlie asked if the

board was going to act on Act 38 today. Joe responded that anyone can make a motion if that's the rule of the board. It's on the table to discuss and if there is a motion, we will entertain motions. Charlie explained that he has done a little bit of research and what ACT 38 covers goes back to May of 1945, where the commonwealth setup a law. One of the things is that the state conservation commission assists with the development methods of managing excess manure, then questioned if Act 38 is a step beyond that. Adam responded that it is the Nutrient Management Program, it's not in excess of. We have the manure management program here now, Chapter 91, but ACT 38 deals specifically with confined animal operations and confined animal feeding operations, meaning more animal units on smaller acreage. If they can't account for their manure and safely store it, it creates pollution potential and Act 38 is designed to address that pollution potential. Charlie added that you can have an acre of ground and 500 chickens it would probably upset the nutrients, that's the problem. Adam replied yes and they would need a plan. Charlie stated that going back to 1945 is the control measures in the District, that the District seek written consent of the owner/occupier of the lands before going onto the persons property. Act 38's second to last paragraph more or less allows anybody from the government, you might say, to go on to a property. Charlie stated that he is in favor of ACT 38 but doesn't don't know how you could ever get that changed unless we talk to our state senators and representatives, to have them correct that aspect. Private property is a sacred trust in this country and he doesn't think government rules and regulation should invade someone's space. Charlie stated that if we could act on it, it is the law and its required, we should act on it and carry it forward but I do think we should, in our District, ask for permission to go onto a person's property. Adam said we would. Mark added that government entities come onto his property without authorization from him personally and he was told by the Army Corps of Engineers, as well as DEP that when he makes an application they have absolute right to come on. Charlie interjected that a farmer may not have made an application, so if you are seeking permits, I assume the person in which you are making a permit from has the right to come see you. Mark added that if they gave notification as the Act said in 1945 that is respectful of property owners rights however, they don't do that. However, the conservation district has always been very good about contacting me prior. Charlie added that he can see when Monroe County gets more built out and if we have 9 people who get involved in this category and they will probably disappear in the next 10 years. Joe mentioned that traditionally the state has been doing this and they are asking the counties to delegate this. Adam explained that we essentially have a quarter delegation, where as a county like Lancaster would get 100% of the funding because of the amount of agriculture there. The amount of funding we get is calculated based on the amount we have here, which gets re-calculated every three years by the SCC, currently it is \$15,000. Charlie stated to Joe that he would like to move that we act on this this morning, we can't re-write the law, only representatives and senators, but he

would like to make a part of his motion, that the Conservation District be considerate of going onto people's properties with written notification. Joe asked if we can make a motion in abrogation of the law. Adam said we will give written request and will make every attempt to get permission before we enter. Mark asked Charlie if he would be willing to expand that to email notification, Charlie agreed to bring it up to 21st century. Discussion was held on whether we have their emails and if they are up to date and Charlie added fax to his motion. Adam said we will also try to make phone contact, Heidi agreed and said some emails are defunked and aren't used anymore. Pat questioned that we voted on this before, Joe added that we voted to adopt the delegation in April and Charlie's motion would be to amend that adoption, prior to our adoption in April the state forced Act 38, they can delegate it to the conservation districts to do it or remain the same. Heidi and Adam added that MCCD does currently have a policy and that we will make every attempt to make contact. We currently have made contact with every CAO documented so we will issue written notification and a phone call prior to going out to inspect the site. We are going to do it on a regular schedule so CAO's will get inspected on a regular schedule. Joe asked, at what point do you become a CAO, Adam replied if you have too many animals on too small a piece of ground. Joe questioned if that is zoning and Adam responded it is statewide, the SCC sets animal weights. Pat reiterated that it is already in the policy that we contact people before we go out there, Adam said yes and we don't want to send anyone in blind either so we want to make sure they know we are coming. Charlie agreed to amend his motion to add email as notification, so Joe summarized that Charlie wants written notification and email notification prior to scheduling inspections. Heidi added that we already had it in place and discussion was held on if our policy is written or just a courtesy. Dave Moyer 2nd motion. Joe wants to understand the motion, the motion will be that district staff prior to entry onto property with respect to act 38 CAO shall give fair and reasonable notice by several methods prior to entry upon the land to make the inspection.

JUNE financial report, Heidi nothing to highlight, Adam doesn't have anything on the balance sheet, Joe asked what the building improvements for \$266,000 on the balance sheet is, it was explained it is a fixed asset. Joe questioned the other asset of a prepaid trip was that for Costa Rica, Adam responded yes. Joe asked about the \$144,000 in environmental fees through June, we budgeted \$470,000 again is that dirt & gravel, Adam acknowledged it would be dirt & gravel.

Adam highlighted on the invoice list the first series of invoices for camp, there is a large \$1260.00 for Dirt & Gravel road that was for the demonstration day that Middle Smithfield helped out on. That was heavy equipment and operators from Middle Smithfield going to Tobyhanna to fix the road and demonstrate the proper way to lay down materials and how to properly compact it. Adam noted that he was

excited about the last item which is for a grant for a rain simulator. It will have bare soil, pervious surface and pervious pave and is a great demonstration piece. It can be used with our kids programs and even for green infrastructure programs. Joe asked about the price of the stream gage, if that is a new stream gage, Adam explained it was for the operation and maintenance on the stream gage. Pat asked if we still get contributions from municipalities, etc... Adam explained that we do but without the Sanofi contribution most of it falls on us. Sanofi was covering the difference of about \$10,000. Each year the cost of O&M seems to be going up about \$250 or so, that is something he would like to discuss at the budget and finance committee meeting.

A motion was made by Pat Ross to approve the invoices to be paid as presented and approve the financial statements, seconded by Dave Moyer. The motion carried.

Out of county travel, Joe questioned the overnight river paddling that is coming up, Adam explained it was a popular program to take families out on the river to teach them the ins and outs of camping for those who might be interested but are hesitant to take their families out for the first time and get them acquainted with safety on the river and how to setup a tent. It's an introductory overnight paddling trip for families. Joe asked if we paid two staff members for two days to do this, Adam said that is correct. Discussion was held if families sign up and how many signups we have, the fee for the program, the fact that the canoes and food are included and we act as guides. Joe asked if this is something we want to do or something we have done, Adam explained it is a great way to introduce people into nature who might be a little apprehensive it gives you an experienced person to help. Joe commented that there are a lot of private entities that have all that wrapped up all over the Poconos and Northeast Pennsylvania, Adam interjected that he feels our staff might be a little bit better suited to giving a deeper appreciation for the natural world given their knowledge base on wildlife. Joe asked for the business numbers on the trip, Adam did not have those with him. Pat commented that we should continue doing it. Dave added the benefit to get the kids out of the house, we should do more of that. Pat made a motion to approve the out of county travel and Heidi seconded. Adam stated he has some updates, he has a pre-application meeting that we had to go to Wilkes-Barre yesterday, On August 10th Adam, Lori, Mike, Drew and Annie have been requested to attend a round table meeting at DEP in Wilkes-Barre, discussion was held on what is a round table, then there is the annual dirt & gravel road training Adam to attend all three days and John to attend two days as a refresher in Bradford County. A motion was made by Dave Moyer to approve the out of county travel and was seconded by Pat Ross. Motion carried (see attached list).

Jeff Durney Resignation Letter, Joe stated that we do have a letter

from Jeff Durney resigning from the board, Joe has taken some initiative to contact and start putting feelers out there as to other solicitors. Adam stated he had received an email from Jeff yesterday after a request if he wanted to stay on as an as needed basis and he has declined. Joe suggested that if the board would like he could gather resumes. Pat added that we should advertise, Joe said he didn't think we should advertise and that there is a plethora of different firms that have municipal solicitors and it would be easy to send out an email/contacts. Joe stated he could do that very easily and could probably get 5 or 6 for the next meeting. Pat and Heidi both agreed that it should be advertised. Discussion was held on advertising in the Pocono Record and Joe prefers to look to other counties in order to get an independent person in here. Charlie offered that we should hang a notice in the bar associations where lawyers hang out and discussion was held on advertising in the legal reporter and where. Joe would like to advertise outside the county and Pat disagreed and would prefer to have someone locally. Joe is still going to reach out and get some resumes none the less. Adam suggested that PACD does offer solicitor services on an as needed basis, if that is something you would like him to get more information on, he would be happy to do that, they are on retainer from PACD and have a pretty good understanding of district operations. Adam will forward that information to Joe.

Associate Director Committee Updates, Pat indicated that last Friday several of us were able to get together and we discussed some things about the Associates and that anyone that wasn't there can send him something. Adam and Pat are going to sit down and have a list to go over and they are going to come up with a policy that we will give to the Board and Associates for them to make comments on and we will go from there. Pat stated that if anyone has anything they want to be in the policy should send it to him with a copy to Adam. The week after next they will sit down to go over that and have something to the board a week or so before the August meeting, so it can be discussed and a decision made.

Joe introduced Kelly Stagen, the PACD Northeast Regional Director, she is also on the Pike County Conservation District Board of Directors. Kelly thanked Joe for the introduction and stated that those are some of her credentials and she is also very active in conservation in Pike County and the northeast region. It looks like she will be getting more and more involved with PACD too. She is coming around to all the regions to get to know the boards and the staff a little better and see the facilities. She continued explaining her background as she started as an associate director at Pike County Conservation District, she became very engaged. On the initiation of our former employee, she decided to get more involved with PACD as an Associate Director and was eventually appointed the Northeast Regional Director. This year she became a District Director because of the involvement initiative she took and there is a lot to say about good Associate Directors. Kelly stated it can really do a good thing for your district. If anyone has any

questions, she would be happy to answer them and would stay a little bit after the meeting. Joe said he would like to speak with her about grant opportunities for stream cleanup. Kelly suggested a great place for Joe to take those concerns is your regional meeting and that is the place for board members to come and share that kind of information, Kelly noted that she would not be able to tell us which grant is available for what off the top of her head, but she would love to see participation from board members at regional meetings, it will give them a birds eye view on what is happening at the larger region and you can see what other districts are doing. She would be happy to talk to him but that would be her recommendation. Thank you.

Joe asked if we have any reports from cooperating agencies...

Jennifer Matthews, NRCS, reported that she will go over her report first, she believes everyone has a copy of it. She pointed out that NRCS is still working on our first round of contracts. So far we have 4 contracts from Monroe county, totaling \$171,206.38. There is a second round of money coming in to the state office and they will see how they divvy that out per the rankings. She just scheduled her local workgroup for August 3 in Mayfield at 9:30am. That is all she has for her report. She noted she is required to do a presentation to highlight their technical assistance program. Jen reviewed the slide presentation. Joe asked if there is any funding in there to clean-up our streams. Jen responded not through CTA, that is just their conservation technical assistance program.

Evan Makuvek, MCPC, No report

Kelly Stagen asked if she could jump in again, there is something she would like to say. Joe agreed. Kelly commented that she had a chance to work with Adam at PACD meetings, regional meetings, etc.. and the board should be proud to have such a highly engaged staff member. She thinks he is a really worthwhile asset to Monroe county and would like to say something about one of MCCD's board members, because she feeds her family, Heidi Secord has an incredible farm, incredible initiative to preserve land, her and Gary do an amazing job up at that farm and she gets all of their food from Monroe county. Kelly thanked Heidi for that.

Adam noted that he has a certificate that MCCD received that was presented by the Commonwealth for 70 years of service for MCCD. Kelly added it was through the State Conservation Commission and she was there when it was presented, and encouraged the board to attend those too.

Joseph Hanyon called an executive session, a member of the public asked why the executive session was placed before public comment and no reason was given, so public comment was opened up.

PUBLIC COMMENT-Joe asked if there was any public comment. Craig

noted that as far as the solicitor was concerned, he would like to make a suggestion that the board advertise and in that advertisement they be specific about what professional services the board is really looking for. Craig added that he thinks when you hired the last solicitor that wasn't clear and it caused a lot of confusion on the part of the board and also on part of the staff. Also, typically what happened with the district was for matters of human services/employee matters obviously the county solicitor handled those because the district employees are county employees, for purposes of delegation agreement, regulatory and resource management matters MCCD was involved in, DEP's office provided legal assistance which is spelled out in the delegation agreement. So there is a very narrow amount of services that he thinks that the district needs from a legal perspective, if you wanted a solicitor to review contracts or those sorts of things and he thinks it would be good to specify what services you are looking for. In the past the solicitor the District hired was asked to look into regulatory matters, the legality of those and the delegation agreements, and Craig stated he has to be honest, the solicitor didn't have expertise in that area and he generally consulted staff on those matters unless he was directed by the Chair or another board member to contact DEP, which is also why MCCD has a DEP Rep. It is Craig's suggestion that the board talk about the services you really need, that you don't have, and advertise for those services. The other thing is that the board needs to make a distinction between stream clean-up, stream restoration or stabilization, they are three different things and I think the board is lumping them together as stream cleanup under that one big heading and it is going to get confusing if they are trying to pursue monies, grants and local contributions.

Janet said she is very concerned about our status, the relationship with DEP and why the board says it's in limbo and nothing has changed that doesn't mean that something isn't brewing and she would ask that the board seriously consider a roundtable/open meeting right here in Monroe County that is open to each and every one of us because there is so much to lose by not having clarity and transparency. We talk about creation of jobs, Janet totally supports family sustaining jobs, totally supports the work that this board does from an environmental aspect as it's all important to the quality of life in Monroe County and it is something that she is accustomed to, transparency, openness, round table discussions so that not only small groups of special interest people get an opportunity to sit down and talk to DEP. There needs to be a better understanding of the pros and cons of MCCD's delegation agreement. We have downgraded it from a level III to a level II, we are talking about changing protocols, there is a lot going on and everything you have talked about is important including cleaning the streams. I don't know why we aren't pounding on the doors of our legislators, because it is public land, to get the money to clean up the streams. We have our responsibility here and I'm not saying that isn't a part of it but I am suggesting that this board be pro-active, schedule a

meeting with DEP, it should be very well organized and civilized so the people can understand where everyone is coming from, that is her request.

Jack Fossett, stated that he belongs to a lot of organizations in the area but is here representing himself and as a member of The Nature Conservancy, he found it very interesting the last magazine they sent out was the blue revolution, rethinking water on a thirsty planet. In terms for water for life, it's time to manage water like it is a precious resource that it is. He thinks it behooves this board to concentrate on what the needs are of the mountain, people come to the beautiful Poconos, let's keep it that way. TNC is a world class organization that we have right here in our backyard in Long Pond, they work with government, they work with states, and they would be more than willing to come to this board and make a presentation and find out what they have going on around the world because without water we are all going to be dust in the wind. Jack handed out copies to the board, he asked that they read it, it has a lot of good information in it. It is a resource that is right at your fingertips, they work with Conservation District, but we have to protect what we have they don't make any more of it. It is the Conservation Board plain and simple, so lets protect what we have. Dave commented that since 1996 he has brought his issues here as a citizen of Monroe County, he works in the state of Pennsylvania, he work in 5 states and he flies, since 1996 he has seen the kind of dirt and mud we have in our streams here and it has fallen on deaf ears for 22 years, and we are still sitting here today, he agrees with what Jack is saying. We need to get out on the ground and get out there and start to take care of things not sitting around roundtables that's great, but who is going to get out there and do the work and start on it, that's what really needs to be done, not talking about it for the last 22 years. Dave stated he has tracked every storm for the last couple of years, he tracked two in June and July, the degradation and the mud we have going into the Delaware and Lehigh it is unbelievable, he has pictures and everyone just ignores it. He doesn't think we can ignore it anymore because Jack is exactly right, everyone needs clean water. Jack added that it all starts at the head waters, if it increases up there it decreases the flow and destroys everything. The people in this building know what they are doing and in conjunction with the TNC we can do really good things and they have done great things. Jack continued with when he was developing soccer fields down by Burnley Workshop, they didn't know what we were doing, how far would could cut the grass, Jack called Craig and asked if MCCD could help them out, MCCD came out with a guy and an auger and kept testing and said you can't cut any further than here and after a major storm came Jack and Gary Olson the president of ESSA we went down there and right where MCCD told us to stop cutting the water stopped and we looked at each other and said the guys at MCCD really know what they are doing and they do know what they are doing. Dave said absolutely, he totally agrees with Jack and has asked that we all join together, this board is here to protect our waterways and cleanup and to relook at some

things that haven't been looked at in many, many years. We need to start looking at things that are out there polluting our waters. Joe interjected that we would like to come up and make a presentation to the TNC board, Heidi tried to clarify that it would be Adam making the presentation and Joe responded no, he is not talking about Adam making the presentation. Pat asked Jack what has this board done to not do what you are saying. Jack responded that he was saying get as much information as you possibly can through an organization like TNC that will give you a better education as far as making good decisions that is going to benefit everybody not just special interests. Pat commented that there are a lot of people out there saying that that's all that some of the members of the board are doing, but we are all here for the same purpose, it's the procedure that we have been talking about, not the result. Everybody wants the result, when he was a Supervisor in Pocono Township 40 years ago, they were the first in the county to start testing creeks quarterly to make sure they were staying up to where they were in Pocono township. Pat worked with Mr. Cook to get a lot of land where the bog is. We aren't only here for the development part of it, we are here to clean-up the streams, get the mud out of it, get the debris out of it, we are here to do that and that's all part of it, it's not just one thing. Jack added it's the big picture and regulations and common sense has to prevail. Dave interjected, that is what is needed, common sense. Janet followed up that the bottom line is MCCD needs money and when she said to the board that the knock needs to be on the door of the representatives of this good state, that doesn't only mean our own, our water goes downstream and we should be knocking on the doors of Bucks, Montgomery, Northampton and Lehigh all of them because that's where the water goes and they need that. Joe added if they saw what we are sending them, they would be engaged. Janet continued, we don't have the money here locally to do it and we are not getting it. Let's get the money and that is where the campaign is, it's not a small grant here or there. Mark would like to make a comment on what was just said, he would like to comment that the waters coming out of Monroe County are very clean and are very high quality and because of that we have very high quality environmental protection, however the communities Janet just mentioned downstream do not have to follow the same standards. Monroe County is at an extreme disadvantage for commercial/industrial development, or any development, because they can get away with it downstream. What should happen is downstream communities should be giving MCCD money to protect the headwaters if that is what they want. We can only do what we can do and this board, for as long as he has been sitting here has always come from the balance perspective. Charlie asked the chair if he can make two comments. Charlie stated that John Moyer was at the state planning commission meeting last week and brought back information and one of the things Charlie noted that is across the state DEP is down 440 employees, so what that means to Monroe County is if we want policing of our county we are going to have to share a bigger burden and with the way the budgets are going in Harrisburg these days we might even have to share a larger

burden. Charlie noted his second point is that he wanted to let Edie know that the ducks are no longer the problem in the Brodhead Creek, that is the Papermill Bridge in Minisink Hills. On the fourth of July, people came up in buses and were going to Stroud park and BCRA where he sits on the board, we are having to bring in people to keep folks away from where the drinking water comes from, he has been told by Smithfield Supervisor, Brian Barrett, that they go down on a Monday morning and they are cleaning up fecal matter, broken glass and trash that are all being left behind by the people who do not want to pay the fee to get into the national parks so they are squatting on our streambeds on the Brodhead.

Joe asked the gentleman who asked to change the order, if he had any comments, he responded no. We will make Craig the last comment due to time limitations. Craig mentioned that Janet talked for a roundtable and that's an interesting concept, there is a lot of information that is thrown around these meetings that are somewhat confusing to those who are trying to figure out what exactly a conservation initiative should include. Craig said that he will give you an example, Dave talks about the metric tons of pollution and mud that are pouring into our streams with every storm event, Craig doesn't see that. Joe asked that you don't visually see it? Craig responded that he has looked at streams for thirty something years and he is not seeing that. Craig said he is not calling Dave a liar. Joe responded Dave has the photos. Craig responded by saying that there is a good roundtable, let's talk about what is polluting our streams and what isn't and lets use good data to have a reasonable discussion which then can trigger action. He added that as a district board member, if you see a muddy stream, you should really report it to somebody. Craig stated that Dave knows, Dave is a contractor, knows the county very well, knows how to track down sediment pollution to its source. As a board member it's on you to find out what that source is and come back to the district staff and say here's where it is coming from. Joe said in Dave's defense he has tracked all these events. Craig asked Joe to let him comment and stated that the other problem is this, and I just saw it happen, where you asked whether the district could come and do a presentation to the TNC, typically who does presentations on conservation district matters, science and studies is staff, they have the degrees, they have gone to school for it, you have hired them to do that and you have hired them to give you counsel on the direction of the program based on their expertise but yet when Adam asks if he can go to that, Joe says no. Craig questioned who is going to do that presentation, the board? Craig stated that there is a lot of technical information that is coming out of the board that is not true. Craig would love to take the slide show that Dave did on stream pollution in Monroe County and percent of open space and would like to present that same slide show with what Craig knows. This is where roundtables come into play because you can get people in a room and talk about an issue and people that are there from the public will leave with a better understanding. Craig noted that he looks at every stream he goes over every day, he'll do it on

the way home, it's from working on this job and he spent years tracking down pollution in its source and Craig is not seeing all the tons of mud that Monroe County is said to contribute to the streams and the Delaware River. Dave commented that he asked while Craig was here as Director that the staff needs to start at each river Lehigh, Delaware, and start getting the cross sections, start GPSing, look at the depth of the sedimentation, sandbars, trees, that's where we need to start tracking with our people here building a case so we can get money. Craig added that there are spots that we have identified to be in special protection water, where you need that in stream function cross section habitat and water quality to make and meet that regulatory designation. Monroe County's program has focused on prohibiting pollution and degradation from happening, Bucks County's program focuses on cleaning up because they didn't do that while they were growing, so we do not have those problems that a lot of those other counties have because we are special protection headwaters and we are trying to maintain quality. There are spots, but to say that we need to do transects, cross-sections of streams, there is no money for that, we can't do that. Dave added we should save our money in some other areas, Craig said there is the key, take money from what to do what.

Joe interrupted that he is losing staff for this executive session but he appreciates his comments.

Joseph Hanyon adjourned for an executive session, whereas only Board Directors and Adam were permitted. After a few minutes, the board returned, Joe announced that the executive session was cancelled and rescheduled till August, the meeting stands adjourned. Craig asked what was the purpose of the executive session and Joe responded it was the annual review of Adam Schellhammer's tenure with the district. We stand adjourned.

ADJOURNMENT—Joseph Hanyon, Chairperson adjourned the Board meeting at approximately 9:42 am.

Respectfully submitted,



Barbara Bistras
Administrative Coordinator
Filling in for Vacant Recording Secretary Position

THE NEXT MCCD BOARD OF DIRECTORS MEETING WILL BE HELD ON THURSDAY, AUGUST 17, 2017 AT 8:00 A.M. AT THE MONROE COUNTY CONSERVATION DISTRICT OFFICES IN BARTONSVILLE, PA.

Out of County Travel Requests for MCCD Board Approval on Thursday, July 20, 2017

7/11/17 (2017-0230)

Meeting at PEEC on Mt. Nebo Park
Dingmans Ferry, PA

RS

6/27/17 (2017-0236)

PACD NE Regional Meeting
Wilkes-Barre, PA

AS

8/22/17-8/23/17 (2017-0239)

Overnight Public Delaware River Paddling Trip
Pike County, PA

BC & RS

9/18/17-9/20/17 (2017-0237)

Public Elk Viewing Field Trip
Elk County, PA

RS

10/9/17-10/11/17 (2017-0238)

Public Elk Viewing Field Trip
Elk County, PA

RS

Updated 7/18/17

7/19/17 (2017-0258)

Pre-Application meeting
Wilkes-Barre, PA

LK & DW

8/10/17 (2017-0253)

DEP NERO County Conservation District Round Table Meeting
Wilkes-Barre, PA

AS, LK, DW, MW, AM

9/26/17-9/28/17 (2017-0254)

2017 Dirt, Gravel and Low Volume Roads Annual Maintenance Workshop
Sayre, PA

AS

9/27/17-9/28/17 (2017-0255)

2017 Dirt, Gravel and Low Volume Roads Annual Maintenance Workshop
Sayre, PA

JM