

Monthly Board Meeting Minutes

Mission Statement: "Dedicated to the encouragement and instruction of the wise stewardship of the soil and waters of Berks County so the present and future generations may have healthy land on which to live and work, and clean water for drinking and recreation."

Date and Time of Meeting - Wednesday, August 30, 2023 at 1:00 p.m.

Location of Meeting - Berks County Agricultural Center, 1238 County Welfare Road, Leesport, PA

The Chair called the meeting to order at 1:05 p.m.

Pledge the Flag

Public Comment

Attendees

Directors

Larry Kehl, Joseph Rosenbaum, Glenn Seidel, Piper Sherburne

Associate Directors

David Beane, Geoff Price

Cooperating Agencies

Natural Resources Conservation Service (NRCS) – Nicholas Ramsey

Farm Service Agency – Jessica Gerhart, Victoria Behm

Berks County Department of Ag – Kim Fies

NRCS – Nicholas Ramsey

Berks County Conservation District Staff

Tammy Bartsch, Dean Druckenmiller, Joshua Hanna

Approval of Minutes of Previous Board Meeting

A motion was made to approve the minutes of from the July 26, 2023, Board Meeting by J. Rosenbaum, seconded by L. Kehl, motion carried with no comment.

Approval of the Payment of Bills

A motion was made to approve payment of the bills by L. Kehl, seconded by J. Rosenbaum, motion carried with comment.

G. Seidel asked what is the amount of outstanding reimbursements from DEP that have not been received; D. Druckenmiller gave a summary, G. Seidel directed D. Druckenmiller to contact DEP if payment is not received in the near future.

Correspondence

Cooperating Agency Reports

NRCS - N. Ramsey explained there is a potential of 7 or 8 projects in the County stemming from the flooding rain event on July 9, 2023, and asked if the BCCD would be interested in being the sponsor for the projects. A motion was made for the BCCD to write a letter agreeing to be a sponsor for the projects by L. Kehl, seconded by J. Rosenbaum, motion carried with no comment.

BCCD Committee Reports

Admin Tech – Glenn Seidel and Dean Druckenmiller

Awarding of Don Hartman Scholarship

The committee is requesting the Board of Directors give the Admin Tech Committee the authorization to award and/or approve the scholarship recipients. A motion was made to give authorization to the Admin Tech Committee to award and/or approve the scholarship recipients by J. Rosenbaum, seconded by L. Kehl, motion carried with no comment.

Lawn Conversion Program

Additional information is needed, take it to the Admin Tech meeting then bring it to the Board Meeting

RMC – no meeting

Workshop Conference Call – no meeting

Dirt, Gravel, Low Volume Committee – no meeting

Legislative Committee - Larry Kehl



ACAP Committee – Dean Druckenmiller

One of the previously approved landowners decided not to move forward in the program. The committee would like to award those funds to Larry Dean Martin, Tulpehocken Township, for \$296,262.00. A motion was made to approve the request for Larry Dean Martin in Tulpehocken township in the amount of \$296,262.00, by L. Kehl, seconded by J. Rosenbaum, motion carried without comment.

Special Meeting

Approval of the Special Meeting minutes is needed. A motion to approve the minutes from the Special meeting held on July 31, 2023, was made by J. Rosenbaum, seconded by L. Kehl, motion carried with no comment.

Old Business

SWAG Bus

New Office Space / Floor Plan

New Business

Berks County Conservation District Board of Directors

Director Openings

Committee Member Openings

Associate Member Openings

Beech Leaf Disease Treatment Plan for District Township Park

D. Druckenmiller is to put together a presentation with information available about the Ohio program, take it to the September Admin Tech meeting, and then bring it to the September Board Meeting.

PACD Update

PACD is asking for suggestions of topics or items of interest that would encourage you to attend the PACD Winter and Summer Meetings

PRISM program

Signatures Needed

Cold Run Habitat Restoration – Watts Farm Contractual Agreement

A motion is needed to sign the agreement. A motion was made to sign the agreement by L. Kehl and seconded by J. Rosenbaum, motion carried with comments. What is the use of the funds and what is the dollar amount, the Scope of Work was read aloud and the amount was provided (\$94,500).

Affiliate Memberships

Team Reporting (monthly) by Staff Members

2024 Annual Awards and Scholarship Dinner

A request was made to select the date and location for 2024. The direction was given by the Board of Directors to hold the event on Monday, July 29, 2024, at the Oley Fairgrounds. If that date is not available, then hold it on Monday, August 5, 2024.

DEP Memo – “Conservation District Delegation Clarification”

Upcoming Events, Conferences, Trainings

September 17 through September 20, 2023 – NACD Northeast Regional Conference in Portland ME

October 6, 2023 – Envirothon Clay Shoot

October 18, 2023 – Township Officials Annual Dinner

October 26, 2023 – PACD South East Region Meeting, Harleysville, PA

Conservation Plans

Name	Municipality	Acres	Tract #	Planner
Adam Light	Bethel Twp.	125	39	Overstreet
Adam Light	Bethel Twp.	17.6	10622	Overstreet

A motion was made to concur with both Conservation Plans of Adam Light by J. Rosenbaum, seconded by L. Kehl, motion carried without comment



SC-1 Requests

Name	OP/OW	Coop	Municipality	Watershed	Acres	Reason
Jeffrey Zimmerman	OP	Yes	S Heidelberg Twp.	Tully	336	Cons Planning
Don Allaband	OW/OP	No	Hereford Twp.	Perkiomen	106	Cons Planning

A motion was made to approve the SC-1 requests of Jeffrey Zimmerman and Don Allaband by J. Rosenbaum, seconded by L. Kehl, motion carried without comment.

New Nutrient Management

Name	Municipality	Animal Type & Numbers	Acre	Plan Type	AEU	AEU / Acre	Reviewer
Leon Burkholder	Maxatawny Twp.	80 Steer, 1 Horse	65.5	VAO	77.1	1.18	Johanson
Quentin Horst	Bethel Twp.	123 Dairy Cows, 80 Heifers, 73 Calves	1.8	CAO	293.66	163.14	Overstreet

A motion was made to approve the Nutrient Management plans of Leon Burkholder and Quentin Horst by J. Rosenbaum, seconded by L. Kehl, motion carried without comment

The delegated conservation district shall approve, modify or disapprove any NMP within 90 days of receipt of the complete plan.

- *The district's action on the plan requires a formal action of the board.*
- *If a NMP operation plan is disapproved, the NMP operation submitting the plan for the first time shall have 90 days after receipt of a written notice explaining specific reasons for the disapproval to resubmit a revised plan.*

Nutrient Management Plan Requesting Removal

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU / Acre	Reviewer
Daryl Weaver	Perry Twp.	50,000 Broilers	86.2	CAO	142.97	1.66	Hanna

A motion was made to approve the Request to remove the Nutrient Management Plan of Daryl Weaver by J. Rosenbaum, seconded by L. Kehl, motion carried with no comment.

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Nutrient Management Plan Amendments

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU / Acre	Reviewer
Anthony Oberholtzer	Bethel Twp.	144,000 Broilers, 40 Sheep	210	CAO / CAFO	450.51	5.79	Overstreet
Jay Paul Nolt	Centre Twp.	8,000 Ducks	51	CAO / CAFO	115.5	2.27	Hanna
Ryan Rutt	Marion Twp.	108,000 Broilers, 4,800 Swine	200	CAO / CAFO	1038.66	9.59	Seidel
John Kissling	Penn Twp.	97,000 Broilers	12.4	CAO	200.36	200.36	Johanson
Ryan Rutt	MarionTwp.	600 Swine	3.3	CAO	85.444	85.44	Johanson

A motion was made to approve the Nutrient Management Plan Amendments for Anthony Oberholtzer, Jay Paul Nolt, Ryan Rutt (2), John Kissling, by L. Kehl, seconded by J. Rosenbaum, motion carried without comment.

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Urban Team Summary July 2023

# of Projects this Month	Item	+/- Compared to Last Month
13	102 Applications Received	-14
2	105 Applications Received	0
17	Plan Reviews	-13
15	Inspections (5 NOT)	-6
16	New Complaints	+5
13	E&S Plan Approvals issued	-6
7	102 Permits Issued	--3
7	105 Permits Issued	0
6	PCSM Reviews	-1
102 Projects Disturbed Acres		
	Project Acres	Disturbed Acres
Total Disturbances	7.68	7.68
PennDOT 102 Projects	0	0

Enforcement and Potential Enforcement Actions

102/105 Enforcement and Potential Enforcement Actions

- 401 Madison St., Shillington Borough (CM-06-00303): Arthur Turaj. Floodway Encroachment. As of May 11, 2023, DEP and BCCD met with Mr. Turaj's attorney. DEP is now drafting a consent Order against Mr. Turaj.
- Longview Rd., Earl Twp (CM-06-00386): James Smith (Farmer). Stream, Floodway, Wetland Encroachments. As of April 14, 2023, the BCCD received a payment of \$1,427.00 worth of administrative costs generated from working on the Chapter 105 compliance and enforcement case from Mr. Smith. The restoration plan is moving forward now to implementation.
- Green Hills Estates, Robeson Township (PAI030616004). The homeowner downstream at 465 Green Hills Rd pond is constantly stained and sediment will not settle out. There is not a



constant sediment discharge from the site but the soil types do not promote settling. DEP and PFBC are aware of the pond situation and have been in touch with the developer and homeowner. 2/13/23: Received a copy of a 60 Day Notice Letter from the property owner's attorney to the developer and contractor. DEP is working on a Consent Assessment of Civil Penalty (CACP) for non-compliance items on 4/12/22, 6/2/22 and 10/6/22. On 4/4/23 notice was provided by the developer, 2000 Perkiomen Ave, LLC, that a resolution has been agreed to with the downstream pond owner. The agreement is unknown at this time. On 4/10/23, DEP proposed a Consent Assessment of Civil Penalty ("CACP") in the amount of \$10,968.00. An agreement between the Pennsylvania Department of Environmental Protection ("DEP"), Nick & Les, Inc. ("Nick & Les"), Lyons and Hohl, Inc. ("Lyons and Hohl"), and 2000 Perkiomen Ave., LLC ("2000 Perkiomen"), for non-compliance items on 4/12/22, 6/2/22 and 10/6/22. The District requested \$967.77 in cost recovery. CACP was executed on 5/17/23 and the cost recovery check was received on 5/22/23

- Bollinger Road/341 Hickory Road, Marion Twp (CM-06-00600) (Preserved Farm): Paul Sonnen, the property owner, reported that Marion and Jackson Townships were discharging fill along the Tulpehocken Creek without his permission. The BCCD has reviewed and commented on the draft site assessment plan. The restoration plan submitted is due next.
- 313 Bowers Road/Burkholder-Sauder Earthen Dike Removal, Maxatawny Township, (ESP-06-03219) (CM-06-00394): The restoration plan has been submitted and approved, and will now be implemented.

Reports

Comments

A motion was made to adjourn at 2:31 p.m. by J. Rosenbaum, seconded by L. Kehl, motion carried with no comment.

Respectfully submitted,

Tammy L. Bartsch

Secretary to the Board of Directors

