

FAIRFIELD SOIL AND WATER CONSERVATION DISTRICT  
REGULAR BOARD OF SUPERVISORS MEETING MINUTES

**Date:** November 9, 2023

**Location:** 831 College Avenue, Lancaster, OH 43130

**Board of Supervisors in attendance:** Linda Claypool, David Ochs, Gregg Pontius, Doug Tenney  
Amber Hoisington was unable to attend.

**District Staff:** Nikki Drake, Jonathan Ferbrache, Molly Gilleland, Chris Holt, Chad Lucht, Josh Troyer, Lauren Vires

**Others in attendance:** Amy Brown-Thompson & Steven Darnell, Fairfield County Prosecutor's Office; Sherry Pymmer, Betty & George Bennett, Francis & Barb Martin, Angela Centofanti, Rose Barker

Meeting called to order at 5:00 p.m. by Chair Gregg Pontius.

**Approval of minutes of October 12, 2023, Board Meeting**

Motion: Doug Second: Linda All in favor

**Approval of financial report for October 1 - 31, 2023**

Motion: David Second: Doug All in favor

RECEIPTS

Star Ohio – interest (September)	\$ 2,194.73	Dist. Fund
Shawn Heimberger – rental of no-till drill (3.7 acres) exempt	44.40	“ “
1 plat book sold (tax exempt)	18.74	“ “
Stilwell Farms – tile as-built only survey	50.00	“ “
Violet Township – DESC funds (April-June; July-September)	<u>21,440.00</u>	“ “
<b>Total Receipts District Fund \$23,747.87</b>		
ODA – Soil & Water Conservation – 2 <sup>nd</sup> state match payment	\$ 71,995.00	Spec. Fund
<b>Total Receipts Special Fund \$71,995.00</b>		

BILLS

Verizon Wireless – Ck#5604 – mthly wireless bill (\$272.57 urban;\$91.72 TSP)	\$ 364.29	Dist. Fund
RMUS – Ck#5605 – Fleet management renewal for drone (1 year) DCF	240.00	“ “
Alloway – Ck#5606 – Buckeye Lake Watershed testing	246.00	“ “
Fairfield Co. Park District – Ck#5607 – transfer of “Clear Creek” funds	2,255.84	“ “
Vinton Co. National Bank – Ck#5608 – Visa (office supplies \$28.46 & annual mtg. food & supplies \$31.67)	<u>60.13</u>	“ “

**Total Expenses District Fund \$3,166.26**

Salaries (10/6 & 10/20)	L-1 32,562.07	Spec.Fund
OT, Overtime	786.72	“ “
Health Insurance	L-13 7,809.92	“ “
Life Insurance	L-13 19.95	“ “
Medicare	L-12a 460.92	“ “
PERS	L-11 <u>4,563.80</u>	“ “

**Total Salaries & Benefits \$46,203.38**

BW Tire Pickerington LTD – PO#6801 – Ford Explorer oil change & tire rotation	L-4 34.95	Spec. Fund
COMDOC – PO#6831 – copier agreement (9/3-12/2/23) and excess color copy charges (6/3-9/2/23)	L-4 795.76	“ “
Fairfield County Auditor – RES#2023-10.03f – share of costs for base mapping project	L-5 725.00	“ “
Vinton Co. National Bank – PO#7020 – Visa (2 tv’s to use as monitors)	L-3 279.98	“ “

Vinton Co. National Bank – PO#7021 – Visa (disposable gloves, lawn & leaf bags)	L-2	37.98	“	“
Vinton Co. National Bank – PO#7022 – Visa (L. Vires to Ohio Educator’s Conference on 11/1-11/2/23 and overnight accommodations)	L-9	213.93	“	“
NACD – PO #7023 – National Dues	L-7	<u>775.00</u>	“	“
<b>Total Expenses Special Fund (Purchase Orders) \$2,862.60</b>				

**BLANKET PURCHASE ORDERS**

WEX Bank – Blanket PO#6609	L-2			
10/9		Monthly fuel bill	\$487.94	
			<i>Current Balance \$712.06</i>	
Charter Communications – Blanket PO#5035	L-5			
10/10		Monthly internet service	\$124.98	
			<i>Current Balance \$249.96</i>	

**DISTRICT FUND BALANCES AS OF 10/31/23**

\$660,548.92	Total balance in District Account	
	\$485,650.22 - Balance in Star Ohio	
	\$174,898.70 - Balance in District Checking Account	
\$398,455.51	Amount to be used only for the following programs/grants/etc.:	
	\$200,063.09 - Sediment & Erosion Control Inspection Fees – RPC projects	
	(Any unused amount is returned) <b>Restricted Funds</b>	
	\$26.81 – Land Lab Funds (Quail Unlimited donation) <b>Assigned Funds</b>	
	\$17,800.00 – Farmland Preservation Stewardship Fund – <b>Committed Funds</b>	
	\$83,520.91 - Current Staff Liabilities (comp & vacation leave) <b>Assigned Funds</b>	
	\$97,044.70 - Contingent Staff Liabilities (Unemployment–25% of prior year’s salaries) <b>Assigned Funds</b>	
\$262,093.41	Total undedicated funds	

**CHANGE FUND CASH - \$50**

**PETTY CASH**

Beginning Balance \$10.17  
Ending Balance \$10.17

**RECEIPTS**

None

**BILLS**

None

**SPECIAL FUND BALANCES AS OF 10/31/23:**

Balance in Budgeted Appropriation Account - \$170,687.13  
Balance in Special Account – \$421,137.03 (Actual Cash)

**2023/2024 STATE MATCH**

Amount allocated - \$287,981.00                      Outstanding balance (to be received in 2023/2024) - \$143,991.00  
Received to date - \$143,990.00

### Special Fund Account Balances

L-1 Salaries \$73,870.58	L-11 PERS \$13,193.14
L-2 Supplies \$4,186.73	L-12 Worker's Comp. \$3,420.91
L-3 Equipment \$4,598.44	L-12a Unemployment \$10.00
L-4 Repair & Maintenance \$849.72	L-12a Medicare \$1,563.52
L-5 Contract Services \$7,755.74	L-13 Health Insurance \$37,154.26
L-6 Rentals/Lease \$0	L-13 Life Insurance \$119.05
L-7 Specialized Services \$4,125.00	Vacation Payout \$8,231.00
L-8 Scholarship \$0	Overtime, OT \$8,240.06
L-9 Travel Reimbursement \$633.13	Comp Payout \$0
L-10 Advertising & Printing \$2,735.85	

### Vacation, Sick & Comp Leave Balances (as of 10/20/23)

	<u>Sick Leave</u>	<u>Vacation Leave</u>	<u>Comp Leave</u>	<u>Personal Leave</u>	<u>Personal Wellness</u>
Nikki Drake	1694.09	599.9822	20.03	24	0
Jonathan Ferbrache	541.10	430.686	2.14	10	0
Molly Gilleland	87.20	37.138	7.13	24	0
Christina Holt	1267.53	553.872	2.27	15.5	0
Chad Lucht	2795.16	572.044	.04	19.75	0
Josh Troyer	423.12	195.87	.88	0	0
Lauren Vires	40.94	27.62416	23.75	24	0

## “Dedicated Conservation Fund”

Vinton County National Bank

#### RECEIPTS

Vinton Co. National Bank – checking account interest (September) \$ 99.14

#### BILLS

None

#### DEDICATED CONSERVATION FUND BALANCE AS OF 10/31/23:

\$249,652.54 Total Cash Balance  
 \$4,124.69 - Interest Earned  
 \$14,917.37 – GPS/GIS Service Funds from Fairfield County Utilities (Water Valve) **Assigned Funds**  
 \$23,646.11 – Pesticide Application **Assigned Funds (changed from Committed – per Audit)**  
 \$82,758.70 – Engineering Program Funds **Committed Funds**  
 \$124,205.67 - Urban Program Funds **Committed Funds**

### Account Balances for October 2023

SPECIAL FUND - Cash Balance		DISTRICT CHECKING ACCOUNT - District Fund	
<b>Beg. Balance 10/1/23</b>	\$ 398,208.01	<b>Beg. Balance 10/1/23</b>	\$ 156,511.82
Receipts	\$ 71,995.00	Receipts	\$ 21,553.14
Expenses	\$ 2,862.60	Expenses	\$ 3,166.26
Salaries & Benefits	\$ 46,203.38	<b>End Balance 10/31/23</b>	\$ 174,898.70
<b>End Balance 10/31/23</b>	<b>\$ 421,137.03</b>		

<b>SPECIAL FUND - Budget Appropriations</b>		<b>DEDICATED CONSERVATION FUND - District Fund</b>	
<b>Beg. Balance 10/1/23</b>	\$ 219,753.11	<b>Beg. Balance 10/1/23</b>	\$ 249,553.40
Expenses	\$ 2,862.60	Receipts	\$ 99.14
Salaries & Benefits	\$ 46,203.38	Expenses	\$ -
<b>End Balance 10/31/23</b>	\$ 170,687.13	<b>End Balance 10/31/23</b>	\$ 249,652.54

<b>STAR OHIO - District Fund</b>	
<b>Beg. Balance 10/1/23</b>	\$ 483,455.49
Receipts	\$ 2,194.73
Expenses	\$ -
<b>End Balance 10/31/23</b>	\$ 485,650.22

Amy Brown-Thompson, Civil Division Chief, and Steven Darnell, Assistant Prosecutor, with the Fairfield County Prosecutor's Office were in attendance to discuss the process of intervening on solar to the Ohio Power Siting Board. Steven explained the process that the Board would take to intervene in the process for the proposed solar projects in Fairfield County. A packet of information was passed around explaining the intervention process. The Board can intervene after the application is complete and accepted. Unfortunately, the way the administrative code is written, it does not allow the SWCD the right to intervene, but it would be allowed to intervene by process of preparing a motion and showing good cause, which the prosecutor's office can assist on. A draft version was provided in the handout. The SWCD intervention would be at the discretion of the Ohio Power Siting Board, but in the cases Steven has looked at, they have been willing to allow it due to the unique knowledge, position, and insight that SWCDs have compared to other government entities.

Jonathan mentioned that back in 2021, Fairfield SWCD supported an OFSWCD resolution to encourage SWCDs to intervene in FERC and Power Siting Board projects because of the importance of it. Jonathan stated that the draft document speaks to requirements that are above and beyond what the Power Siting Board currently has within their requirements. Many of our earlier concerns in 2021 (tile damage, setbacks, stabilization requirements, etc.) have been adopted by the Power Siting Board. The current concerns in the draft are above and beyond but with justification based on the infiltration and compaction studies done at Denison University with Licking SWCD and at South Central Power, as well as research within the confines of the toxicity of solar panels and staff concerns based on federal and industry literature, as well as a study of ground water in one proposed area where static water levels in drinking water wells in neighboring properties are within three feet of the surface. Activities done nearby could alter drinking water quality and/or present a pollution concern in the future.

Several members of the public were in attendance. Sherry Pymer who resides in Walnut Twp., spoke on the Eastern Cottontail project. Angela Centofanti, a Walnut Twp. resident, stated that she appreciated the FSWCD Board of Supervisors for being proactive regarding the future solar farms in the county. Betty Bennett stated that Jonathan Ferbrache has been the only person listening to those who are concerned about the effects of the solar farms.

There were no standing committee reports.

Jonathan stated that the Ohio Department of Health issues a "white paper" with every solar project that comes forward to the Power Siting review. They site literature that is of the industry's own study and is also not a negative representation. The toxicity of panels has become a concern of Fairfield County residents. EDF was asked to provide broken panels for independent testing, and they stated that they are meeting the minimum standards of testing. The USEPA website states that the toxicity of panels varies from panel to panel, even within the same run from the same manufacturer (old and new technology). The Fairfield Co. Farm Bureau passed local policy to encourage the sampling independently of solar panels to better understand long-term.

Jonathan has been in contact with Arizona State University regarding method of testing and cost. An alternative to us independently testing solar panels with a laboratory would be to utilize the intervention process to require additional samples to be taken within the array itself, as it is being built. This American Society for Testing and Materials (ASTM) testing mimics the weathering of the panels. Testing pros and cons were discussed.

**Approve the testing of solar panels at a cost not to exceed \$10,000.**

Motion: Doug Second: Linda All in favor

Nikki will be on vacation from December 4-20, 2023, and would like the board to designate Chad Lucht as acting District Manager in her absence.

**Approve Chad Lucht as acting District Manager from December 4-20, 2023.**

Motion: Linda Second: David All in favor

The hiring of an additional urban staff member was discussed. The Fairfield Co. Commissioners approved an additional \$40,000 to our allocation for 2024. This amount will be state matched and will allow us to hire an additional staff member.

**Approve the hiring of additional urban staff member.**

Motion: Linda Second: David All in favor

Job descriptions have been reviewed and updated. Molly Gilleland and Chad Lucht had minor changes to their job descriptions. No changes were made to Nikki Drake, Jonathan Ferbrache, Chris Holt and Josh Troyer's job descriptions.

**Approve the job descriptions for all staff (except Lauren Vire's which was done earlier this year).**

Motion: Linda Second: David All in favor

The OFSWCD dues need to be paid before the end of the year.

**Approve the payment of the OFSWCD dues at \$3,943.**

Motion: Doug Second: Linda All in favor

The MS4 web software license is due for renewal at a cost of \$6,728. This cost has been added to agreements with all our MS4 communities.

**Approve the renewal of the MS4 Web Software at a cost of \$6,728 for 2024.**

Motion: Doug Second: David All in favor

The 2024 Level 4 final budget was discussed. Chris explained the increases to the Level 4 budget.

**Approve the 2024 Level 4 final budget as presented.**

Motion: Linda Second: Doug All in favor

Chris explained that money needs to be transferred between accounts to pay upcoming expenses prior to the end of the year.

**Approve the following fund to fund transfers:**

**\$18 from L-5 Contract Services to L-7 Specialized Services**

**\$3,000 from L-13 Health Insurance to L-3 Equipment**

**\$8,000 from L-13 Health Insurance to L-1 Salaries**

Motion: Doug Second: Linda All in favor

**Into executive session to discuss personnel reviews at 6:21 p.m.**

Motion: David Second: Doug All in favor

A roll call vote was taken: Linda – yes; Doug – yes; David – yes; Gregg – yes

**Out of executive session at 7:40 p.m.**

Motion: Doug Second: Linda All in favor

A roll call vote was taken: Doug – yes; David – yes; Gregg – yes; Linda – yes

**Approve the following staff increases effective the pay period beginning December 16, 2023. This follows the County Compensation Plan adopted by the Board at the August 8, 2019, board meeting.**

**Nikki Drake – 5%, Jonathan Ferbrache – 5%, Molly Gilleland – 5%, Chris Holt – 5%, Chad Lucht – 5%, Josh Troyer – 5%**

Motion: David Second: Doug All in favor

A roll call vote was taken: David – yes; Gregg – yes; Linda – yes; Doug - yes

**Motion to adjourn at 7:41 p.m.**

Motion: Doug Second: Linda All in favor

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Gregg Pontius, Chair

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Doug Tenney, Vice-Chair

Minutes & Financial Report by:

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Christina Holt, Fiscal Coordinator