

**Special Meeting  
With Representatives Of:**

**Pennsylvania Fish & Boat Commission  
Department of Conservation and Natural Resources  
Cumberland County  
Lower Frankford Township  
Friends of Opossum Lake Conservancy**

**August 4, 2006**

The meeting with representatives from the Pennsylvania Fish & Boat Commission (PA F&BC), Department of Conservation and Natural Resources (DCNR), Cumberland County (CC) Lower Frankford Township (LFTWP), and Friends of Opossum Lake Conservancy (FOLC), convened at 1:00 pm at the Lower Frankford Township Building.

In attendance:

Tom Shervinskie	PA F&BC	814-359-5228	tshervinsk@state.pa.us
Jim Hazel	PA F&BC	814-359-5187	jhazel@state.pa.us
Mark Mitchell	PA F&BC	814-359-5221	mmitchell@state.pa.us
Cindy Dunlap	DCNR	717-772-432	cydunlap@state.pa.us
Stephanie Williams	Cumberland Co.	717-240-5383	sjwilliams@ccpc.net
David Bachman	LFTWP Supervisor	717-249-2209	mbach46481@aol.com
Morton Fegley	LFTWP Supervisor	717-258-6376	
Craig Houston	FOLC	717-243-8941	houstona@epix.net
Jan Ruby	FOLC	717-323-1002	jrruby@ship.edu
Mary Franco	FOLC	717-243-9863	mfranco99@comcast.net
Cindy Criswell	FOLC	717-486-8904	gc_criswell@peoplepc.com
Ed Franco	FOLC	717-243-9863	efranco99@comcast.net
Steve Fealtman	FOLC	717-977-1625	steve@sdf-consulting.com
Hal Gardner	FOLC	717-258-6932	hrlldgrdnr@aol.com

**General Discussion**

**A. Community Conservation Preservation Program (C2P2)**

Cindy Dunlap, Regional Advisor for DCNR discussed C2P2 grants. C2P2 grants are dedicated funding for conservancies and are typically for property easements. To qualify, an organization must have 501c(3) status, be registered with the Bureau of Charitable Organizations, and be in existence for at least five years.

LFTWP can apply for a C2P2 grant now; FOLC must wait for five years.

LFTWP can apply for a small community development grant, which is funded on an 80/20 basis. This grant could be used to develop a township park. Requirements would include the following:

- LFTWP would need a “long term lease agreement” (25 years or more) with the PA F&BC.
- DCNR could do maintenance and operation of the area through a lease-back from LFTWP.
- Terms would be \$1/25 yr+ lease.
- The property could be used for special events; would be OK to close property for these events.
- DCNR will not keep a close eye on how the property is managed.
- 20% of 20% of LFTWP contribution can be in-kind; the rest must be cash.
- Development requires a site plan – detailed with parking area, pavilion, walking paths, exact location of leased area. LFTWP needs plans for recreation plans for the whole park (should indicate the Angler Access trail on site plan).

Applications must be submitted in September of each year. Keystone 93 is a plan to purchase real estate based on a percentage of real estate transfer tax – a funding source for C2P2.

In order for LFTWP to purchase adjacent property, they must first get a detailed real estate appraisal (takes approximately six months). Acquisitions can be applied for in April of each year. DCNR will fund up to 50% of the value of the appraisal. If land can be purchased for less, the property owners will get a tax break. DCNR will still fund up to 50% of the appraised value of the property even though it is purchased for less.

LFTWP may apply for acquisition funding at the same time as application for development funding.

DCNR needs to know who will be responsible for maintenance and repair of the parking lot at the lake including the access road. LFTWP will need to negotiate with the PA F&BC on these maintenance issues. FOLC may also approach a paving contractor and use FOLC funds to assist with paving and maintenance costs.

Liability insurance was discussed. LFTWP will assume liability through the lease agreement. LFTWP was concerned over liability issues involving the lake (water areas). FOLC will check into liability insurance and officers insurance for FOLC officers.

**B. Land Partnership Grant**

Stephanie Williams of Cumberland County discussed the Land Partnership Grant. There are two glitches: FOLC must have general liability insurance and 501c(3) status. Because FOLC has neither, Cumberland County would be willing to pass the awarded funding through LFTWP (using LFTWP as the applicant). These funds must be spent by September 30, 2008. LFTWP will check with their insurance carrier on the ramifications of using the township's liability insurance already in place.

Cumberland County will wait to hear from FOLC on their 501c(3) status. If necessary, FOLC will go to LFTWP for assistance in processing through the funds.

**C. Angler Access Trail**

The Angler Access Trail was discussed as well as the up-coming FOLC work day at the lake. PA F&BC representatives were given a tour of the trail by Hal Gardner prior to the meeting.

It will be necessary to obtain three DEP stream bank permits for the footbridges across the marshy areas. This requires a 130-day review period. A general permit could be obtained more quickly, but would require another meeting with DEP representatives. The DEP permitting process is as follows:

- Contact Don Welty of DEP. He must visit the site and check the proposed crossings.
- FOLC must do a PANDI (PA Natural Diversity Inventory) search on the Internet. This must be done through DCNR and PA F&BC sites and determine whether threatened or endangered plants and/or animals are present on the lake property. Hal Gardner will conduct this search.
- Since minor crossings are involved, a general permit may suffice.
- FOLC will need to present their search results when applying for permit.

In the meantime, FOLC may work on the "dry" parts of the trail doing trash pick-up, brush cutting and brush trimming. FOLC should inform the local WCO (Don Lauver at Newville). FOLC was cautioned that no construction should be undertaken without the lease agreement with PA F&BC in place.

**D. PA Fish & Boat Commission Lease Agreement**

Mark Mitchell of the PA F&BC discussed the proposed lease agreement. FOLC will be the lessee. The trail can be a license agreement – as opposed to a lease agreement – and give FOLC the right to do a specific thing (put the trail in and maintain for a specified period of time). The lease will allow property rights. FOLC cannot hinder fishing and boating with any construction activities. It was discussed that road improvement and maintenance can be shared between all parties. The road and parking lot should be maintained at their current state. It was noted that no improvements should be done until the dam construction is finished due to the presence of heavy equipment and construction traffic using the access road and parking lot.

Mark Mitchell will check if the trail can be covered by this license agreement. The license agreement can be added on to a lease agreement with new projects in the future. He noted that it would be preferable to have the lease agreement with LFTWP. What LFTWP would be responsible for would be negotiable with PA F&BC. The lease agreement with LFTWP would be for the entire property; it would not include maintenance of the dam or responsibility for the water portion of the property. It may include liability for the lake – this issue was questioned by LFTWP and FOLC.

**E. Specifications for FOLC/LFTWP-Supplied Equipment**

Mark Mitchell stated that there are no “standard specifications” for equipment supplied for PA F&BC properties. This equipment would include park benches, pavilions, and picnic tables. He did supply information on PA F&BC’s preferred construction on these items. It was given to Jan Ruby to pass on to Ruben Lao.

If FOLC/LFTWP maintains these items, the items submitted can be supplied. A certain type of park bench is preferred when it is visible; benches along the Angler Access Trail may be more rustic.

Mark Mitchell will provide FOLC with information/specifications on pit toilets.

Information will also be provided on making the trail handicapped accessible as much as possible.

**F. The Next Steps**

FOLC needs the DEP stream bank permits.

PA F&BC must draft the lease agreement. It must also be determined whether the agreement will be a license or lease agreement.

Stephanie Williams needs FOLC's proof of general liability insurance and FOLC's 501c(3) status.

**G. FOLC Board of Directors Meeting**

A very brief FOLC Board of Directors meeting was held at the conclusion of the special meeting. Jan Ruby was given approval to have the Shippensburg University Press print 15,000 bookmarks on glossy card stock at a cost of \$240. The Art Department of the University will be reimbursed for this expense.

**H. Corrections and Additions**

The above summation is our interpretation of the items discussed and the agreed decisions at the time of this meeting. Any person desiring to add to or modify these minutes is advised to submit comments in writing to the attention of the Secretary no later than five (5) days after receipt; otherwise, these minutes will remain as issued.

Respectfully Submitted,

Cynthia E. Criswell  
Secretary