



MINUTES
SUSSEX CONSERVATION DISTRICT
Board of Supervisors Meeting
October 24, 2023

CALLED TO ORDER BY: Joel Wharton, Board Chair
TIME: 7:00 P.M.

IN ATTENDANCE:

BOARD MEMBERS	
Roland Hill	Vice Chair
Dale Ockels	Treasurer
Cory Whaley	Supervisor
Mark Nardi	Supervisor
Joe Booth	Supervisor
John Rieley	Sussex County Council Rep
Will Carlisle	Supervisor
STAFF	
David Baird	District Coordinator
Dan Lee	District Accountant
Debbie Absher	Director of Ag Programs
Holly Givens	Administrative Coordinator
Jessica Watson	Sediment and Stormwater Program Manager
Tyler Brown	DNREC
Ziggy Savage	District Conservationist
Jen Nelson	DACD

APPROVAL OF AGENDA

Moved by Joe Booth and seconded by Dale Ockels to approve the October 24, 2023, agenda. Motion passed unanimously.

APPROVAL OF MINUTES

Moved by Mark Nardi and seconded by Joe Booth to approve the September 19, 2023, meeting minutes. Motion passed unanimously.

VISITORS: None

REPORTS:

District Account's Report	Agriculture Program Report
Equipment Program Manager's Report	District Coordinator's Report
District Conservationist's Report	
Sediment and Stormwater Report	
DNREC Conservation Program's Report	
DACD Executive Directors Report	

ACTION ITEMS

1a. Cost Share Payments- Large Animal Mortality

Received the following request for cost share payment to John Kohout for Large Animal Mortality pickup:

SEPTEMBER

Total Cost- \$5,000 Cows: 12

SCD Cost- \$5,000 Horses: 3

SCD Admin- \$1,080

Moved by Dale Ockels and seconded by Roland Hill to approve the cost share payment to John Kohout for large animal mortality pick-up in the amount of \$5,000. Motion passed unanimously.

1b. Cost Share Payments- Oyster Aquaculture

Received the following cost share funds requests from the oyster aquaculture pilot program:

Name	No of Oysters	Amount
Mark Casey - Delaware Cultured Seafood, Inc.	150,000	\$ 7,500
Jordan Nally - Nancy James Oyster Queen, LLC	150,000	\$ 7,500
Subtotal	300,000	\$ 15,000

Moved by Mark Nardi and seconded by Joe Booth to approve the oyster aquaculture cost-share applications. Motion passed unanimously.

1c. Cost Share Payment- Special Project

Received request for cost share payment to Ann Hobbs for a wildlife pond habitat improvement on Dirickson Creek Road, Frankford, DE:

Wildlife pond habitat improvement was identified through coast migration planning. The scope of the work includes the following:

- Fall herbicide application to control phragmites in and around the pond.
- Selective mechanical brush management of other vegetation growing around the pond.
- Leaving beneficial trees and large shrubs that support wildlife.

Total cost = \$715.00

Cost share = \$536.25

Landowner portion = \$178.75

Moved by Mark Nardi and seconded by Joe Booth to approve a cost share payment to Ann Hobbs for a wildlife pond habitat improvement for \$536.25. Motion passed unanimously.

2. SCD Building Expansion Proposal

Received request to accept the proposal presented by Beacon Engineering for site plan design, related activities, and associated approvals for additional office space to the District Office on Shortly Rd. As part of the ongoing discussion about future office space for the SCD Ag Program, a proposal was requested from Beacon Engineering for services related to site plan design, related activities, and associated approvals at the Shortly Rd. Site. This activity and expense have been anticipated, and \$50,000 was included in the current budget for this activity. The current proposal from Beacon Engineering totals \$68,900.00. While this amount exceeds the current budget, we plan to include additional funding for the SCD Facility Expansion Proposal in the District's 2024 budget.

Moved by Joe Booth, seconded by Dale Ockels, to accept Proposal 2023-27 from Beacon Engineering dated October 10, 2023, as presented. Motion passed unanimously.

3. Baston Branch TD Petition for Amendment

The DNREC Drainage Program received a Petition for Amendment to the Batson Branch Tax Ditch on September 13, 2023. The Petition is dated September 11, 2023, and was submitted by Ms. Lisa F. Hahn, Parcel #533-6.00-82.00. The Petition is for the investigation into eliminating a portion of Prong 10 of the Batson Branch Tax Ditch due to a Resource Conservation and Development (RC&D) Project completed in this area, which the requestor feels makes a portion of Prong 10 obsolete. The Petitioner attempted to eliminate this portion of the Tax Ditch via a Court Order Change (COC), but all affected landowners were not agreeable to signing the document. As a result, a Petition for Amendment is being pursued.

Per § 4121 of the Tax Ditch Law, the DNREC Drainage Program recommends that the Board of Supervisors accept the Petition submitted (copy included) as it has been executed properly in the prescribed form.

In addition, in accordance with § 4120 of the Tax Ditch Law, the DNREC Drainage Program recommends the Board of Supervisors to request a deposit from the Petitioner for \$2,617.00 to cover estimated expenses to process the Petition (see attachment). It is recommended that the Petitioner be notified in writing by letter sent via Certified Mail or Certificate of Mailing with a deadline of November 30, 2023, for receipt of the deposit.

Should the deposit not be received by November 30, 2023, it is recommended that the Sussex Conservation District (SCD) return the Petition to the Petitioner and notify the DNREC Drainage Program (Melissa Hubert) to inform the Managers of the Batson Branch Tax Ditch that the Petition is closed/void. The officers may consider enforcement action for a rights-of-way (ROW) obstruction on the Petitioner's parcel.

Moved by Joe Booth, seconded by Will Carlisle, that the Petition for Amendment to the Batson Branch Tax Ditch, dated 9/11/2023, be accepted in accordance with § 4121 of the Tax Ditch Law. Motion passed unanimously.

Moved by Mark Nardi and seconded by Joe Booth, a letter be written and sent via Certified Mail requesting a deposit for \$2,617.00 due to the Sussex Conservation District by November 30, 2023, or the Petition will be returned/void in accordance with § 4120 of the Tax Ditch Law. Motion passed unanimously.

4. Board Nomination – Roland Hill

Received request to nominate Roland Hill to a four-year term effective January 1, 2024-December 31, 2027, and invite other nominations through November 10, 2023, at 4:30 p.m.

Roland Hill's four-year term as Supervisor expires on December 31, 2023. In accordance with 7 Del. C. §3906 (a) and the established "Rules and Procedures pertaining to the Election of Members of County Board of Conservation District Supervisors," the Board may nominate qualified candidates, including current supervisors, and invite additional nominations for others interested becoming an SCD Supervisor.

Moved by Dale Ockels, seconded by Mark Nardi, to nominate Roland Hill to a four-year term effective January 1, 2024-December 31, 2027, and invite other nominations through November 10, 2023, at 4:30 pm. Motion passed unanimously. Roland Hill abstained.

Motion to adjourn was made at 8:17 p.m. and was passed unanimously.

The next board meeting is scheduled for November 28, 2023, at 6:00 P.M.