



AGENDA  
BOARD OF SUPERVISORS MEETING  
September 19, 2023 @ 7:00 p.m.  
23818 Shortly Road, Georgetown, DE

- I. Call to Order
- II. Agenda Modifications
- III. Approval of Agenda
- IV. Approval of Minutes of Last Meeting
- V. Recognition of Visitors
- VI. Correspondence
- VII. Reports
  - District Account's Report – Dan Lee (P2)
  - Equipment Program Manager's Report – Stephen Gissy (P5)
  - District Conservationist's Report – Ziggy Savage (P6)
  - Sediment & Stormwater Manager's Report – Jessica Watson (P8)
  - DNREC Conservation Program's Report – Tyler Brown (P9)
  - DACD Executive Director's Report – Jen Nelson (P12)
  - Agricultural Program Report – Debbie Absher (P13)
  - District Coordinator's Report – David Baird (P15)
- VIII. Items Requiring Board Action
  - 1) Cost Share Payments
    - a. Large Animal Mortality
    - b. Oyster Aquaculture
  - 2) Capital Purchase- SUV
  - 3) Bid Award- Walston Walk Court-Green Drainage Project
  - 4) SCD Employee Benefits
    - a. Parental Leave Policy
    - b. Sick Leave Payout Upon Retirement Policy
    - c. Updates to Employee Policy Manual
- IX. Adjournment

*Pursuant to 29 Del. C. § 10004 (e) (2), the Agenda items as listed may not be considered in sequence. This Agenda is subject to change to include additional items, including Executive Sessions, which arise at the time of the meeting.*

Sussex Conservation District  
Cash Report  
August 2023

<b><i>Fulton Bank - Checking</i></b>	
Bank Balance Per Statement	\$1,075,090.92
Add: Deposits in Transit	\$0.00
Less: Outstanding Checks	( <b>\$13,720.67</b> )
Balance in G/L - End of Month	\$1,061,370.25
<b><i>Fulton Bank - Payroll</i></b>	
Beginning G/L Balance	\$0.00
Add: Cash Receipts	\$189,982.88
Less: Cash Disbursements	( <b>\$189,982.88</b> )
Ending G/L Balance	\$0.00
<b><i>Citizens Bank - Checking</i></b>	
Beginning G/L Balance	\$1,931,176.26
Add: Cash Receipts	\$0.00
Less: Cash Disbursements	\$0.00
Ending G/L Balance	\$1,931,176.26
<b><i>Citizens Bank - Money Market</i></b>	
Beginning G/L Balance	\$2,238,372.41
Add: Cash Receipts	\$21,827.58
Less: Cash Disbursements	\$0.00
Ending G/L Balance	\$2,260,199.99
<b><i>Fulton Bank - Merchant</i></b>	
Beginning G/L Balance	\$23,640.58
Add: Cash Receipts	\$1,775.00
Less: Cash Disbursements	( <b>\$85.07</b> )
Ending G/L Balance	\$25,330.51
<b><i>Artisans Bank - Certificate of Deposit - 11/01/23</i></b>	<b>\$250,054.91</b>
<b><i>Bank of Delmarva - Certificate of Deposit - 2/28/24</i></b>	<b>\$249,679.56</b>
<b><i>County Bank - Certificate of Deposit - 01/28/24</i></b>	<b>\$248,509.75</b>
<b><i>Community Bank - Certificate of Deposit - 06/12/24</i></b>	<b>\$248,959.00</b>
<b><i>Del-One - Certificate of Deposit - 4/19/24</i></b>	<b>\$490,443.27</b>
<b><i>Hebron Savings Bank - Certificate of Deposit - 04/04/24</i></b>	<b>\$249,138.13</b>
<b><i>Fulton ICS MM Accounts</i></b>	<b>\$500,392.72</b>
<b><i>WTC Investments</i></b>	<b>\$3,631,073.00</b>
<b><i>Petty Cash</i></b>	<b>\$170.30</b>
<b><i>Total All Bank Accounts</i></b>	<b>\$11,146,497.65</b>

**Sussex Conservation District  
Cash Report  
August 2023**

<b>2023</b>	<b>UNRESTRICTED FUNDS</b>			
	Sussex Conservation District Funds		<u>\$3,544,567.05</u>	<b>\$3,544,567.05</b>
	<b>RESTRICTED FUNDS</b>			
	Stormwater Management Funds	restricted	\$4,215,558.47	
	Stormwater Cash Bonds Held	Liability	\$1,928,726.26	
	Cost Share Funding	deferred	\$719,897.38	
	3921 Funding	deferred	\$278,610.36	
	Sussex County Drainage Funding	deferred	\$37,948.13	
	Stormwater Management Funds	deferred	\$7,500.00	
	Prothonotary Items	deferred	\$7,270.00	
	Various projects - 2	deferred	<u>\$406,420.00</u>	
				<b>\$7,601,930.60</b>
	<b>TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END</b>			<b>\$11,146,497.65</b>
<b>2022</b>	<b>UNRESTRICTED FUNDS</b>			
	Sussex Conservation District Funds		<u>\$3,028,059.66</u>	<b>\$3,028,059.66</b>
	<b>RESTRICTED FUNDS</b>			
	Stormwater Management Funds	restricted	\$3,567,714.05	
	Stormwater Cash Bonds Held	Liability	\$1,928,726.26	
	Cost Share Funding	deferred	\$994,708.81	
	3921 Funding	deferred	\$100,112.09	
	Sussex County Drainage Funding	deferred	\$54,789.72	
	Stormwater Management Funds	deferred	\$7,500.00	
	Prothonotary Items	deferred	\$5,315.00	
	Various projects	deferred	<u>\$417,100.00</u>	
				<b>\$7,075,965.93</b>
	<b>TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END</b>			<b>\$10,104,025.59</b>
<b>2021</b>	<b>TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END</b>			<b>\$ 7,743,839.00</b>
<b>2020</b>	<b>TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END</b>			<b>\$ 7,120,374.63</b>
<b>2019</b>	<b>TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END</b>			<b>\$ 8,764,749.05</b>
<b>2018</b>	<b>TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END</b>			<b>\$ 8,946,103.25</b>
<b>2017</b>	<b>TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END</b>			<b>\$ 9,195,408.89</b>



## SUSSEX CONSERVATION DISTRICT FINANCIAL HIGHLIGHTS FOR AUGUST 2023

August had a net profit (loss) of (\$111,717) compared to a net profit (loss) of \$123,654 for the same period in 2022. Year to date, the District has a net profit (loss) of \$851,778 compared to a net profit (loss) of \$355,462 for 2022. The following is a net profit (loss) summary by department:

Department	August		Year To Date	
	2023	2022	2023	2022
Equipment	\$15,276	\$66,810	\$177,924	\$137,725
Agriculture	(\$90,602)	(\$53,519)	(\$156,410)	\$58,764
Stormwater	\$13,536	\$133,000	\$464,428	\$684,740
Administrative	(\$50,722)	(\$22,725)	\$63,643	\$57,234
Project Design	\$795	\$88	\$1,321	\$11,467
<b>Operating Profit (Loss)</b>	<b>(\$111,717)</b>	<b>\$123,654</b>	<b>\$550,906</b>	<b>\$949,930</b>
Investments	\$0	\$0	\$300,872	(\$594,468)
<b>Net Profit (Loss)</b>	<b>(\$111,717)</b>	<b>\$123,654</b>	<b>\$851,778*</b>	<b>\$355,462</b>

(\*) Year to Date Net Income:

Total Revenue	\$ 10,314,114
Cost of Sales	<u>\$ 1,853,379</u>
Gross Profit	\$ 8,460,735
Expenses	<u>\$ 7,608,957</u>
Net Income (Loss)	\$ 851,778*

### COST SHARE DOLLARS

Department	Paid Out August		Paid Out Year to Date	
	2023	2022	2023	2022
General Cost Share	\$21,373	\$45,930	\$4,222,706	\$2,860,735
3921 Funds	\$21,825	\$11,528	\$222,505	\$172,477
County Drainage	\$7,308	\$8,483	\$93,296	\$64,945
<b>Total Cost Share Dollars</b>	<b>\$50,506</b>	<b>\$65,941</b>	<b>\$4,538,507</b>	<b>\$3,098,157</b>

Department	Cash Balance	
	2023	2022
General Cost Share	\$719,897	\$979,159
3921 Funds	\$278,610	\$139,584
County Drainage	\$37,948	\$46,307
<b>Total Cost Share Dollars</b>	<b>\$1,036,455</b>	<b>\$1,165,050</b>

Over the past month, the equipment program has completed various projects. Work is wrapping up on the Frankford Library Drainage Project, and we will start the Greenwood H Street Drainage project for RC&D work. We completed a small RC&D project in Kent County in August for the State Fairgrounds outfall. Weed Wiping has started and will continue over the next couple of months. We have started various tax ditch maintenance work with hand spraying and debris removal before mowing will begin later this fall and on noncrop related tax ditch work. Larry Lynch retired at the end of August, and we are actively looking for another operator to backfill Doug Sapp's position when he retires at the end of October.

Total Estimates for 2023: 240

Total Estimates for August: 9

**Recently Completed Projects:**

- Holly Ridge Terrace- Drainage improvements
- Jones Branch- Dip-Out
- Blackpool Rd- Drainage Improvements
- State Fair Grounds- Outfall
- Bay Crossing- Drainage Improvements
- Cedar Rd- Drainage Improvements
- Nanticoke Tax Ditch- Debris Removal
- Bee Branch Tax Ditch- Debris Removal
- Warren Tax Ditch- Debris Removal
- Forest Landing- Drainage Improvements
- Seagull Village- Drainage Improvements
- Bailey- Hand Spraying
- Phillips Hill Tax Ditch- Hand Spraying
- McGee Tax Ditch- Hand Spraying
- Hearn- Private Mowing
- City of Seaford- Mowing

**Recently started or Projects starting soon:**

- Town of Frankford- Drainage Improvements- WIP
- Greenwood H Street- Drainage Improvements
- St Georges Tax Ditch- Pipe Installation
- Denton Manor- David Rd- Catch Basins and Pipe Installation
- Twin Maple Farms- Pond Cleanout
- Union Cemetery- Grading
- Seward Circle- Basin Installation
- DE Coastal Airpark- Mowing
- Weed Wiping- Various Tax Ditches

EQIP

- NRCS is working on program guidance for FY-24
- Funding level to remain at FY-23 allotment of \$3.4M.
- We are accepting applications for FY-24

EQIP/CIC

- These are 5-year contracts. Applications are being accepted.

EQIP/IRA (Inflation Reduction Act)

- Funds are targeted towards Climate Smart Ag. Practices. The categories are Soil Health, Nitrogen Mgt., Livestock Partnership, Grazing & Pasture, Agroforestry, Forest and Upland Wildlife habitat, Energy, and Wetlands. The funding level for FY-24 is expected to be \$4.9M.
- At the state office level, processes are taking place to expand the list of eligible practices.

AMA/RMA

- Unsure of this program's funding level, but I expect it to remain at past levels of approximately \$ 92K -\$100K.
- Accepting applications for FY-24

CSP/IRA

- Like EQIP/IRA, but it is for participants that sign up through CSP for the same targeted Climate Smart Ag. Practice categories.
- We are accepting applications for FY-24.

CSP

- NRCS is currently reviewing existing contracts for calendar year adjustments and payments.
- Contract modifications will take place for current participants who involuntarily lost land.
- We are accepting applications for FY-24. We are also working with producers who wish to renew expiring contracts.
- Efforts are being made to enhance the program to make it more attractive to landowners and participants.

WRE

- We are accepting applications for FY-24.
- Field staff are directing participants to Elena Stewart (Program Manager) and Emily Palmer (Program Coordinator) for the specific details of the program.

## **1. Inspections and Site Visits**

- **Conservation Practice Installation and Completion Inspections:**

Reed and Korey continue working with landowners and contractors to complete project installation/inspections for past/present contracts.

## **2. Surveys/Designs**

- Reed and Korey are finishing up surveys and designs for FY-23 projects.

## **3. Other Business**

- Planners continue reviewing prior year management practice records for payment and reporting progress.
- Reviews/management of current contracts are taking place to ensure contract compliance.
- The State Technical Committee meeting was held on September 7, 2023.
- Planners will receive conservation planning and contracting training on September 13 at the Dover S.O.
- We will have our Farm Bill/EQIP program roll-out training on October 5 at the Dover S.O. conference room.
- There are a variety of jobs being advertised for Delaware NRCS positions. District Conservationist and Soil Conservationist (Dover/ New Castle F.O.), Program Specialist, Resource Conservationist, and Outreach Coordinator (Dover S.O.).

**Detailed Plan Review/Approval:**

Staff continue to process plan submittals, pre-app/engineering meetings, and technical support. Staff reviewed 33 plans and approved 5 for the month. Staff also had 5 pre-application meetings.

**Standard Plan Review/Approval: 3 Total**

- 1 Non-Residential
- 1 Demolition
- 1 Agriculture

**As-Built Plan Review:**

Staff reviewed 11 as-built surveys.

**Inspection: - 380 Inspections**

Field staff continue to be busy in the field. New projects continue to contact us for pre-construction meetings. Pre-construction meetings – 11

**Maintenance Inspection – 59**

Closed-out stormwater projects are inspected, and reports that provide routine/preventive maintenance information are generated. The goal is to ensure the continued function of the stormwater facility.

Buddy Griffith provides compliance inspection on single-family lot construction. He works with builders on the requirements under the Residential Standard Plan (silt fence and stone construction entrances). He and Faith work together on home construction complaints and contacting non-compliant builders.

**Drainage/Construction Complaints: - 32**

**Other News:**

- Upcoming Stormwater Workshop Series Sept – Nov – on various topics.
- Sept 13<sup>th</sup> – The first Stormwater 101 Workshop was held at the District Office. We had approximately 30 registers for in-person – and 46 virtually.
- Sept 14<sup>th</sup>- Stormwater Advisory Committee Meeting



**District Operations**

- Several District Agreements including the 3921 Funds, Supplemental Tax Ditch Funds, and Conservation Cost Share have been submitted to OTS and Fiscal. The Districts should receive the purchase orders soon if they haven't already been received.

**Tax Ditch and Drainage Programs**

- Staff are working on processing environmental permit needs for tax ditch maintenance work from cost share sign up. Be sure Karyssa Gortz is in receipt of project scopes for determination and processing of permit needs.
- Staff are working on getting an enewsletter out to the tax ditch officers. Melissa Hubert will be reaching out to District staff for updates in the "District Corner".

**Staffing Updates**

- Public Ditch Program Manager II – Interviewing applicants

**Sediment & Stormwater Program**

- The 2023 Certified Construction Reviewer (CCR) Recertification training has been scheduled for October 4 & 11 from 8 am – 12 noon. CCRs who are due for recertification but have not received registration information, please contact the program at [DNREC.Stormwater@delaware.gov](mailto:DNREC.Stormwater@delaware.gov).
- The Sediment and Stormwater Program – Expedited Review Pilot. Two projects have been selected to follow an expedited review tract in Sussex County and one in Kent County. A second project is being sought for the Kent County region. Of the selected projects, the review process has not begun and is waiting for the applicants to schedule project application meetings.

**Staffing Updates**

- Administrative Specialist II – Joy Jenkins
- Sediment and Stormwater Program Manager II – Interviews held, following up on applicants.

**Nonpoint Source**

- The NPS Program is still waiting for the release of the remaining FY23 Nonpoint Source Section 319 grant funds from EPA. The NPS Program followed up with EPA Grant Project Officers at the end of August and was advised that funds should be released to Delaware anytime. FY24 grant application was submitted in May and Delaware will be receiving a partial award as of 10/1/23 that corresponds with the new Federal fiscal year.
- The NPS Program is collaborating with the State of Delaware Office of Management and Budget and the Delaware Center for the Inland Bays to install vegetated filter strips and reforest approximately 30 acres on state owned ground in Sussex County.

### **Chesapeake Implementation Programs**

- Chesapeake Implementation Program (ChIP) has recently finished submitting the Quality Assurance Project Plans (QAPPs) for both NonPoint Source and Point Source Best Management Practices carried out by partners who work withing Delaware's Chesapeake Bay Watershed.
- ChIP is currently wrapping up final grant agreements for all the Conservation District Cover Crop Cost Share Programs for the last RFP period. All purchase orders should be cut before the end of this month if not done already.
- ChIP staff will begin reaching out to Delaware Chesapeake Bay partners for 2023 annual Progress reporting starting in mid-September. Since there have been some staffing changes this will allow more time to collect and organize data while we train new staff.

### **Staffing Updates**

- Planner IV positions (Chesapeake Implementation Program) have closed, interviews have been concluded, and paperwork for selected candidates has been submitted. There will, hopefully, be two new Planner IVs in ChIP as we had a good candidate pool to assist with Data Management and GIS applications. We are hoping to be able to bring on both candidates should they accept by the end of September or the beginning of October.

## Spotlight

On August 22nd members of the CPS staff attended a tour of best management practice (BMP) installations hosted by the Nanticoke Watershed Alliance. This tour visited the site of several stormwater BMPs that were implemented utilizing funds from The Chesapeake Bay Implementation Grant (CBIG). These funds provided support to Nanticoke Watershed Alliance and the City of Seaford to improve stormwater management on Conwell Street. This partnership resulted in the installation of practices that reduce the flow of excess nutrients into the Nanticoke River, provide habitat for pollinator species, and improve the curb appeal of Conwell Street.



Updates:

- **Delmarva Land and Litter Collaborative Watershed Approach Webinar Series**- working with Michelle Koenig at the Center for the Inland Bays to coordinate a webinar series focused on watershed-scale restoration approaches. The goal is to learn about methods from across the country that could potentially improve water quality in our region. The webinar series will feature three initiatives:

  - Producer-Led Watershed Groups (Wisconsin)
  - Batch & Build Model and working with Ag Retailers to Share Conservation Agronomist Positions (Iowa)
  - Lancaster Clean Water Partnership’s Rapid Stream Delisting Strategy (Pennsylvania)

Each webinar will also include time to discuss if/how the concepts from each initiative might be applied on Delmarva. The Watershed Approach Subcommittee will also plan a session at Delaware Ag Week to get producer feedback on some of the ideas with the greatest potential.
  
- **2024 DACD Annual Meeting**- As we plan the logistics for a DACD Annual Meeting in January 2024, we seek to confirm a slate of nominees for DACD’s Executive Board and supervisor training needs.

Important Dates:

<i><b>DATE</b></i>	<i><b>EVENT</b></i>
<i>Feb 6 - 7, 2024</i>	Delmarva Soil Summit
<i>Feb 10 – 14, 2024</i>	NACD Annual Meeting in San Diego, CA

**Grants**

- SCD received approval from NRCS for one of two no-cost extensions requested on our agreements. The Agreement for the RCPP Project – Protecting the Delaware Bay and Inland Bays with Cover Crops was approved; however, we are still awaiting approval for the second– Coastal Migration agreement.
- SCD also approved an amendment to the NRCS Cooperative Agreement for Soil Health and Outreach. This amendment added \$130,000 to promote Farm Bill programs, such as climate-smart practices, the Black Duck Program, and cover crops and soil health. These funds will cover the airtime for the TV commercials running on the local TV stations. Also included in this agreement is \$10,000 to support the 2024 Delmarva Soil Summit.
- The NRCS Conservation Easement Monitoring agreement we have had since 2018 ended August 31, 2023. We will be submitting final reports and billings this month.
- There has been a lot of discussion with DNREC over the District’s Chesapeake Bay Implementation Grant (CBIG) proposal that will support the Delmarva Soil Summit coordination and the event itself. The outcome was to revise our request for general conference support only. We have updated our work plan and are awaiting the agreement for \$49,500.

**Cost-Share**

- Approval letters were mailed out to cover crop participants on August 24, 2023.
- Postcards encouraging producers to plant and report all their cover crops were mailed on September 13<sup>th</sup>. Another reminder postcard will be mailed in October.
- The oyster aquaculture program is kicking off. We have contacted growers in the Inland Bays about enrolling in the pilot program.



**3921 Funds**

- Approval letters were mailed to tax ditch officers on August 24, 2023.

**Soil Health**

- Planning continues with the Delmarva Soil Summit scheduled for February 6-7, 2024, at the Wicomico Youth & Civic Center in Salisbury. Mark your calendars! Requests for sponsors and exhibitors will be coming out soon.

**Miscellaneous**

- Lyndsie Mikkelsen of Milford started her new position as a conservation planner on September 1, 2023. We are now fully staffed.



- SCD planners continue to be busy with numerous mandatory training courses by NRCS. They have attended five mandatory training courses, with more slated to occur in the coming weeks.
- Ben Coverdale with the DNREC Nonpoint Source Program came down to give the planners an overview of the EPA grant funding he manages and discuss the projects that could be funded under those grants. His conversation nicely tied in with an overview I provided the day before at our staff meeting on the different funding pots and how they worked.
- As soon as the NRCS – DACD Contribution Agreement is finalized, we will begin advertising for a conservation technician who is part of the agreement.

**House Bill 246--Buffers**

Rep. Jesse Vanderwende, Rep. Rich Collins, and Sen. Hocker have recently raised concerns with this bill. Additionally, Sussex County Administrator Todd Lawson recently met with two of the sponsors of the bill, Rep. Sophie Phillips and Sen. Russ Huxtable, where he shared the County's concerns as well as the recent work that was done in developing an updated Sussex County Buffer Ordinance. The consensus is that a buffer bill in some form will be worked on when the General Assembly returns in January, and the Districts will be asked for its position. We are currently working with a few partners to identify the bill's impact on agricultural operations and related conservation activities.

**NRCS State Technical Advisory Committee Meeting-September 7**

NRCS Delaware held its State Technical Advisory Committee Meeting on Thursday, September 7, to receive input from stakeholders on natural resource conservation needs throughout the state and feedback on the implementation of farm bill programs.

**Cost Share Recipients Notified**

Over the past week, notices have been mailed to everyone receiving cost-share funding for cover crops and tax ditch work. We are currently working to set up a time to meet with the oyster farming community to provide more details on that program and how to enroll. Over \$5.4 million in cost share funding was awarded in these three programs by your actions at last week's Board meeting. Congratulations!

**Crabs and Conservation Set for October 12**

The District's Crabs and Conservation event has been set for Thursday, October 12, from 11:30 a.m. until 2:00 p.m. in the District's Equipment Shop on Shortly Rd. This year's event had to be pushed back two months due to other scheduling conflicts, but hopefully, the cooler weather will be worth the wait. I realize that this may conflict with harvest operations for some, but hopefully, people can slip away for a few hours that day. As we have done in the past, this event is used to foster relationships with our legislators and funding agency personnel.

**Stormwater Workshop Series**

SCD's Stormwater Workshops returned earlier on Tuesday, September 12, with over 75 attending (in person and online) the "Stormwater 101" session. The series of workshops by SCD is intended for landowners, homeowners, HOAs, and the public to learn more about the basics of stormwater management and other related stormwater issues. Two more workshops will discuss Ditches and Invasive Species (Oct 11) and Community Enhancement & Funding Opportunities (Nov. 8). [Registration is available through the SCD website.](#)



Join SCD, and our cooperating farmers, to highlight the success of conservation programs that improve farms and water quality in Sussex County over fresh steamed blue crabs.

Thursday, Oct. 12, 2023  
11:30 a.m. - 2:00 p.m.

SCD Equipment Shop  
23818 Shortly Rd., Georgetown, DE

Please RSVP by Monday, Oct. 2  
(302) 856-2105, x122 or  
siebhan.kelley@sussexconservation.org

### **NRCS Contracts**

We are still waiting for the Statewide NRCS Agreement with DACD to be finalized. We learned last week that the NRCS Grants and Agreements staff returned the agreement to Delaware with questions, and we are working to address them. We are hopeful all of this can occur before the end of the Federal Fiscal Year on September 30, especially given the probability of a government shutdown. We are in conversation with NRCS on the status of all our contracts if this happens, and we will continue to provide updates as more information becomes available.

With this said, we will meet with NRCS later today regarding their request to increase our outreach contract scheduled to begin Oct. 1 (finalized and signed).

### **SCD Personnel Committee Meeting**

The Board's personnel committee is scheduled to meet on Tuesday, September 19, at 5:30 p.m. to review the District's Personnel Policy updates. Most of the changes are minor updates and clarifications. Still, other changes include a proposal to pay for up to 240 hours of sick leave upon retirement from SCD (currently, there is no payout for sick leave) and a proposal to include a paid parental leave benefit in advance of the enactment of a recently passed state law requiring paid parental and family leave. Finally, the Committee will be discussing my annual performance review. Members of the Personnel Committee are Joel Wharton (Chair), Dale Ockels, Cory Whaley, and Joe Booth; however, the committee meetings are open to all Board Members.

### **Stormwater Advisory Committee Updates**

SCD's Stormwater Advisory Committee met on Thursday, September 14, to discuss HB 101, which calls for an expedited review of sediment and stormwater plans. The Committee disagreed with the language and approach of HB101 but agreed there is a place for an expedited review process that is put in place by SCD or other delegated agencies. Based on the committee's comments, we will revise the current proposal and present it back to them in time to recommend it to the Board this fall. Additionally, the committee reviewed a proposed 10% increase to the stormwater fee schedule and provided unanimous support for this proposal. This will be presented to the Board for consideration at a future meeting.

### **Frankford Library RC&D Project**

The Equipment Program is wrapping up the final phases of this project, where we have installed new drainage components while rehabilitating some of the existing drainage systems. The last step will be completed after crop harvest in the coming weeks when we clean out the ditch at the lower end of the project.

### **Upcoming Events:**

- The next board meeting will be held Tuesday, October 24, at 7 p.m., at 23818 Shortly Road, Georgetown, DE.

**DESCRIPTION:**

Cost-Share payment for Large Animal Mortality to John Kohout.

August

Total Cost- \$8,765	Cows: 10
SCD Cost- \$8,765	Horses: 11
SCD Admin- \$2,940	

**RECOMMENDATION:**

Approve cost-share for payment for Animal Mortality.

**MOTION:**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_, to approve cost-share payment to John Kohout.  
Motion \_\_\_\_\_.

**BACKGROUND:**

Received the following requests for Oyster Aquaculture Cost-Share Assistance:

Name	No of Oysters	Amount
Jesse Atkinson	150,000	\$ 7,500
Mark Casey	150,000	\$ 7,500
Carol Friend	150,000	\$ 7,500
Dan Fosnocht	150,000	\$ 7,500
Norris Hurley	150,000	\$ 7,500
Charles Gifford	150,000	\$ 7,500
Alan Davis	150,000	\$ 7,500
<b>Subtotal</b>	<b>1,050,000</b>	<b>\$ 52,500</b>

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to approve the oyster aquaculture cost-share applications. Motion \_\_\_\_\_.

Name	No of Oysters	Amount
Mark Nardi	150,000	\$ 7,500

<b>Grand Total</b>	<b>1,200,000</b>	<b>\$ 60,000</b>
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Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to approve the oyster aquaculture cost-share application. Motion \_\_\_\_\_.

**RECOMMENDATION:**

Approve Oyster Aquaculture Cost-Share applications as presented.



**BACKGROUND:**

The 2016 Jeep Liberty in the Stormwater Department was sold via employee bid due to repairs costing close to the value of the Jeep; therefore, this vehicle needs to be replaced. We are requesting approval to purchase another SUV for up to \$40,000.

**RECOMMENDATION:**

Approve the purchase of a new SUV.

**MOTION:**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to approve the purchase of a new SUV with a purchase price up to \$40,000 for the Stormwater Department. Motion \_\_\_\_\_.

**BACKGROUND:**

SCD requested letter bids in August, with bids due September 1, for a drainage project known as Walston Walk Court-Greene. This project will improve a storm drain system in a subdivision off Kent Avenue in Bethany Beach, DE. Only one bid was received from Common Sense Solutions, LLC, for \$182,104.16.

The work under this project will consist of removing and replacing @ 270lf outfall pipe that traverses through private lots, removing and replacing 9 driveway culverts, and re-grading @ 420lf of roadside swales along Walston Walk Court. The contractor will restore all disturbed pervious and impervious areas to their in-kind condition.

**RECOMMENDATION:**

Award bid to Common Sense Solutions for the Walston Walk Court-Green Drainage Improvements Project for \$182,104.16. This will be a conditional approval pending DNREC's review.

**MOTION:**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to award the bid for the Walston Walk Greene Drainage Improvements Project for \$182,104.16, pending DNREC's review. Motion \_\_\_\_\_.

**BACKGROUND:**

SCD recognizes the importance of maintaining a healthy workforce and providing economic stability for employees during initial caring for and bonding with children. This proposed Paid Parental leave benefit will assist SCD in retaining its current workforce and attracting new employees to public service. Some of the critical components of this policy are as follows:

- ❖ 6 weeks paid parental leave for birth or adoption of a child six years or younger.
- ❖ Can take leave in increments of 2 weeks within 12 months of birth or adoption of the child but no more than 6 calendar weeks total.
- ❖ Must be employed with SCD in a full-time position and employed for 12 or more months before the birth or adoption of a child.
- ❖ Cannot be used for a reduced leave schedule; must be taken in at least 2-week increments.
- ❖ Not for fostering or surrogate.
- ❖ Runs concurrently with FMLA.

**DELAWARE PAID LEAVE PROGRAM COMING IN 2026**

A new mandatory program was passed into law in May of 2022, and SCD will be required to participate in the program. We do not qualify to be “grandfathered” into the program with our own policy, as we did not already have a policy in place when the law was passed.

- District must start contributing at a rate of .8% of wages in 2025.
- Claims can be filed with DOL beginning in 2026.
- Minimum payout is 80% of wages, not to exceed \$900 per week.

**FOUR TYPES OF LEAVE:**

- **Parental Leave:** Care for a new child due to birth, adoption, or fostering (up to 12 weeks per year)
- **Family Caregiver Leave:** Care for a family member with a serious health condition (up to 6 weeks, every 24 months)
- **Medical Leave:** Address a personal serious health condition or injury. (up to 6 weeks, every 24 months)
- **Qualified Exigency Leave:** Assist while loved ones are on overseas military deployment. (up to 6 weeks, every 24 months)

**Employees are limited to 12 weeks of total combined leave per year.**

**RECOMMENDATION:**

Approve the Parental Paid Leave Policy effective 01/01/2024 and use the policy as a Stopgap until the new mandatory Delaware Paid Leave Program is enacted in 2026.

**MOTION:**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to approve the SCD Parental Paid Leave Policy effective 01/01/2024. Motion \_\_\_\_\_.

**BACKGROUND:**

Upon retiring from SCD, we do not pay out any unused sick leave upon retirement. SCD is proposing the following:

- ❖ Any unused sick time will NOT be paid unless the employee is retiring under the State of Delaware County/Municipal General Employee Pension Plan with a minimum of 15 years of service to SCD and filing for said pension while still employed with SCD. The maximum number of hours the retiring employee will be paid under this benefit is 240 hours. See Sick Leave Payout Upon Retirement Policy for more details.
- ❖ In the event of death, while still employed with SCD, payments shall be made at the rate of one hour's pay for unused sick leave up to a maximum of 240 hours. No maximum years of service requirement are needed for this benefit.

**RECOMMENDATION:**

Approve the Sick Leave Payout Upon Retirement Policy

**MOTION:**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to approve the Sick Leave Payout Upon Retirement Policy effective 01/01/2024. Motion \_\_\_\_\_.



**BACKGROUND:**

The following updates and clarifications are being proposed to the SCD Employee Policy Manual. The most recent manual was published on 01/01/2018, and we've had some policy and benefits changes over the five and half years that need to be reflected in an updated manual. They are as follows:

- PG 13 Inserted marijuana into prohibited drug use language
- PG 16 Work schedule update to include four ten-hour day language and makeup days on Fridays due to weather.
- PG 17 Comp time in increments of 15 mins
- PG 18 Holidays/closing early, earn comp time.
- PG 24 Include Juneteenth
- PG 25 Updated vacation chart language to reflect "from hire date" on year one of employment.
- PG 26 Updated Sick Leave to include in-laws.
- PG 27 Bereavement: include grandchild, in-laws, spouse's child, grandparents (3 days)
- PG 28 Health, Dental (immediate enrollment), Vision first of the month following employee hire date and added vision to language.
- PG 30 Flex spending changed the language to "determined by IRS each year."
- PG 30 401k added more details regarding the new plan and adjusted qualifications to participate to 6 months of employment and 18 years or older.
- PG 30 added Sick Leave Payout Upon Retirement Policy.
- PG 33 Status of benefits upon termination updated, including 401k and payout sick leave at retirement or death.
- PG 34 Added Parental Leave Policy
- PG 53 Included non-harassment policy in acknowledgement language.

**RECOMMENDATION:**

Approve updates to the SCD Employee Policy Manual as presented.

**MOTION:**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to approve the updated Employee Policy Manual effective 01/01/2024. Motion \_\_\_\_\_.