



MINUTES
SUSSEX CONSERVATION DISTRICT
Board of Supervisors Meeting
September 19, 2023

CALLED TO ORDER BY: Joel Wharton, Board Chair
TIME: 7:01 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
STAFF	
David Baird	District Coordinator
Dan Lee	District Accountant
Debbie Absher	Director of Ag Programs
Stephen Gissy	Equipment Program Manager
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 September 19, 2023, agenda. Motion passed unanimously.

APPROVAL OF MINUTES

Moved by Joe Booth and seconded by Roland Hill to approve the August 22, 2023, meeting minutes. Motion passed unanimously.

VISITORS: None

- REPORTS:**
- District Account's Report
 - Equipment Program Manager's Report
 - District Conservationist's Report
 - Sediment and Stormwater Report
 - DNREC Conservation Program's Report
 - DACD Executive Directors Report
 - Agriculture Program Report
 - District Coordinators Report

NOTED DISCUSSION:

SCD met with the Stormwater Advisory Committee on September 14th. The committee consists of approximately 20 stakeholders, including engineers, developers, homeowners, contractors, and government partners. An Expedited Review Policy was presented to the committee along with a Fee Schedule increase of 10%. The intent of the Expedited Review Policy is to get ahead of HB101. New Castle has an expedited review policy, and KCD adopted one this July 2023. SCD is the only delegated agency without a policy. We are hoping this will negate the need for regulations. The policy allows SCD to manage/dictate the conditions and eligibility of expedited review. Overall, the Stormwater Advisory Committee agreed with the policy and fee increases; however, additional modifications are needed before it is ready to be presented to the Board for approval.

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:

AUGUST

Total Cost- \$8,765 Cows: 10

SCD Cost- \$8,765 Horses: 11

SCD Admin- \$2,940

Moved by Dale Ockels and seconded by Joe Booth to approve the cost share payment to John Kohout for large animal mortality pick-up in the amount of \$8,765. 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
Jesse Atkinson	150,000	\$ 7,500
Dan Fosnocht	150,000	\$ 7,500
Samuel Thorpe - Shuckit Oyster's & Clams LLC	150,000	\$ 7,500
Alan Davis	150,000	\$ 7,500
Subtotal	600,000	\$ 30,000

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

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

Moved by Joe Booth and seconded by Dale Ockels to approve the oyster aquaculture cost-share applications. Motion passed. (6 yes, 0 no) Mark Nardi abstained.

2. Capital Purchase- SUV Stormwater Program

Requested approval to purchase a new SUV for the Stormwater Program with a purchase price of up to \$40,000. The 2016 Jeep Liberty in the Stormwater Program was sold via employee bid due to repairs costing close to the Jeep's value; therefore, this vehicle needs to be replaced.

Moved by Dale Ockels and seconded by Roland Hill to approve the purchase of a new SUV for the Stormwater Department with a purchase price of up to \$40,000. Motion passed unanimously.

3. Bid Award: Walston Walk Court-Green Drainage Project

Received request to award the bid for the Walston Walk Court-Green Drainage Project to Common Sense Solutions in the amount of \$182,104.16. SCD requested letter bids in August, with bids due September 1. This project will improve a storm drain system in a subdivision off Kent Avenue in Bethany Beach, DE. Only one bid was received.

The work under this project will consist of removing and replacing a 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.

Moved by Mark Nardi and seconded by Joe Booth to award the bid for the Walston Walk Green Drainage Improvements Project in the amount of \$182,104.16 pending DNREC's review. Motion passed unanimously.

4a. Parental Paid Leave Policy

Received request to approve a new Paid Parental Leave Policy effective January 1, 2024. This policy will be used as a stopgap until the Delaware Paid Leave Program goes into effect on January 1, 2026. 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.

Moved by Mark Nardi and seconded by Joe Booth to approve the SCD Parental Paid Leave Policy effective 01/01/2024. Motion passed unanimously.

4b. Sick Leave Payout Upon Retirement Policy

Received request to approve a new Sick Leave Payout Upon Retirement Policy effective January 1, 2024. Currently, SCD does not pay out any unused sick leave upon retirement. Highlights of the policy include:

- ❖ 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.

Moved by Dale Ockels and seconded by Roland Hill to approve the Sick Leave Payout Upon Retirement Policy. Motion passed unanimously.

4c. Updates to Employee Policy Manual

Received request to approve updates and clarifications to the SCD Employee Policy Manual. The most recent manual was published 01/01/2018 and SCD had some policy and benefits changes over the last 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.

Moved by Mark Nardi and seconded by Joe Booth to approve the updated Employee Policy Manual effective 01/01/2024. Motion passed unanimously.

Motion to adjourn was made at 8:12 p.m. and was passed unanimously.

The next board meeting is scheduled for October 24, 2023, at 7:00 P.M.