

MINUTES
SUSSEX CONSERVATION DISTRICT
Board of Supervisors
March 21, 2023

The meeting was called to order by Chairman Joel Wharton at 11:02 a.m. at 23818 Shortly Road, Georgetown, DE.

Also present were:

Joe Booth	David Baird
Mark Nardi	Debbie Absher
Will Carlisle	Stephen Gissy
Cory Whaley	Holly Givens
Roland Hill	Dan Lee
John Rielely	

Motion was made by Will Carlisle and seconded by Roland Hill to approve the March 21, 2023, agenda. Motion passed. (7 yes, 0 no)

Motion was made by Will Carlisle and seconded by Roland Hill to approve the addendum to the agenda. Motion passed. (7 yes, 0 no)

Motion was made by Mark Nardi and seconded by Joe Booth to approve the minutes of the January 17, 2023, board meeting. Motion passed. (7 yes, 0 no)

Correction to the agenda: Action Item 1b, name correct to the special cost share project submitted for approval, should be Fitzgerald Farm Black Duck Project and not Clendaniel Farm.

Recognition of Visitors: Members of the Sussex County Council were present to review goals and funding requests between the County and SCD for FY 2024.

Items Requiring Board Action:

1a. Cost-Share Payment: Large Animal Mortality

Received request for the following cost share payment:

January	
Total Cost- \$7,070	Cows: 10
SCD Cost- \$7,070	Horses: 8
SCD Admin- \$1,980	
February	
Total Cost - \$6,280	Cows: 7
SCD Cost - \$6,280	Horses: 7
SCD Admin - \$1,200	

Moved by Mark Nardi and seconded by Joe Booth to approve the Sussex Conservation District requests for cost-share payment to John Kohout for animal mortality pick-up. Motion passed. (7 yes, 0 no)

1b. Fitzgerald Farm Black Duck Project

Received request to approve funding for the Fitzgerald Farm Black Duck Project. This project combines an NRCS Black Duck Project that established habitat on the upper end of the project and a County Drainage Project that provided an outlet for the Black Duck Project and adjacent areas. The County Drainage portion of the project fell short of funding, and an additional \$3,795 is needed to complete the project.

Moved by Joe Booth and seconded by Roland Hill to approve \$3,795 in funding from the Special Projects portion of the Conservation Cost Share account. Motion passed. (7 yes, 0 no)

2. Sussex County Tax Ditch Warrant Changes

The following Tax Ditches have requested an **Increase** in their maintenance tax. The increase in funds is necessary to complete known maintenance needs over the next few years. Their current collection rate is not adequate to meet the anticipated costs. The Delaware Department of Natural Resources (DNREC), Division of Watershed Stewardship, and Tax Ditch Program recommends approval of these requests. Each of these Tax Ditch organizations has on file with our office a copy of their most recent meeting minutes, including the warrant rate change approved by the taxable present, confirmation of bonding, and their audited 2022 Financial Statement (with Pass or Pass with Immaterial Deficiencies Rating).

Tax Ditch	Current Rate & Type	Proposed Rate & Type
Little Bay	30% AM	50% AM
Middleford	3% AM	4% AM
Redden	8% AM	12% AM
Jones Mill Branch	10% AM	12% AM
Jackson Branch	10% AM	15% AM
Horse Pound	2% M	15% AM
Deep Hole	6% AM	100% AM
Derrickson Canal	14% AM	19% AM
Cart Branch *Dual County*	12% AM	13% AM
Pepper Creek	5% AM	10% AM
Ward-Cordrey	5% AM	8% AM
Indian Drain	2% M	4% AM

Moved by Mark Nardi and seconded by Will Carlisle to approve the tax ditch warrant increases as presented. Motion passed. (7 yes, 0 no)

3. **Board Member Nomination – Mark Nardi**

Mark Nardi’s three-year term as a Board of Supervisor expires on May 26, 2023. Mark is interested in serving another term.

Moved by Roland Hill and seconded by Joe Booth to nominate Mark Nardi to a three-year term as SCD Supervisor and forward his name for reappointment by DNREC Sec. Garvin to serve another three-year term from May 26, 2023 – May 26, 2026. Motion passed. (6 yes, 0 no) Mark Nardi abstained.

4. **Governor’s Conservation Award Recipients**

This year, SCD is putting Guy Phillips as our Agricultural Award winner and Rich Rishel as our Urban/Suburban Award Winner. The Board should vote to approve these winners that will be recognized at a ceremony on Tuesday, May 2, at the Delaware Agricultural Museum in Dover.

Moved by John Rieley, seconded by Joe Booth, to name Guy Phillips as the Governor’s Conservation Award Winner for Agriculture in Sussex County and Rich Rishel as the Governor’s Conservation Award Winner for Urban/Suburban Projects in Sussex County. Motion passed. (7 yes, 0 no)

5. **Mackenzie Peet - Legal Representation for SCD**

Over the past few years, SCD has seen increased legal activity related to the Sediment and Stormwater Program. These have usually resulted from disputes between landowners over stormwater improvements, conflicts between developers and landowners, bonding requirements, and developers not completing required improvements. We have found that we need an attorney more familiar with stormwater issues. After contacting Mackenzie Peet, we propose adding her as a legal representative for the district on an as-needed contractual basis. We will continue to utilize the services of our current attorney, Mike Smith, on an as-needed contractual basis.

Moved by Roland Hill and seconded by Will Carlisle to appoint Mackenzie Peet as legal representation for SCD. Motion passed. (7 yes, 0 no)

Being no further business, the meeting was adjourned at 12:56 p.m.

The next board meeting will be held Tuesday, April 25, 2023, at 7 p.m. at 23818 Shortly Road, Georgetown, DE.