

CENTER FOR THE INLAND BAYS

BOARD OF DIRECTORS Meeting Minutes

Delaware Center for the Inland Bays
Rehoboth Beach, Delaware

September 21, 2007

IN ATTENDANCE:

Board Members Present	CIB Staff Present
Rick Eakle (<i>Chair</i>)	E.J. Chalabala
Pat Campbell-White (<i>Vice-chair</i>)	Chris Bason
Jim Elliott (<i>Immediate Past-chair</i>)	Sally Boswell
Sergio Huerta, DNREC (<i>STAC Chair</i>)	Eric Buehl
Ron Wuslich (<i>Secretary and CAC Chair</i>)	Jim Alderman
William McGowan	Josh Thompson
David Baker	Loretta Smith
Ed Ambrogio (<i>ex officio</i>) U.S. EPA	Ed Lewandowski
Board Alternates Present	Jess Gordon
Kevin Donnelly	Members of the Public Present
	Carol Bason (<i>CAC</i>)
	Valerie Cloutier (<i>CAC</i>)
Board Members Absent	Martha Keller (<i>CAC</i>)
Secretary John Hughes	
Secretary Michael Scuse	
EPA Representatives	
Suzanne Hall	Press
	Michael Short
	Rachel Swick
	Dan Divilo

Summary of Motions

1. Motion to accept the previous board meeting minutes by Ron Wuslich; seconded by Jim Elliott; passed unanimously.
2. Motion to accept the Treasurer's report by Bill McGowan; seconded by Elliott; passed unanimously.
3. Motion to accept the nominations for officers of the Board of Directors for 2008-2009; Rick Eakle, Chair; Pat Campbell-White, Vice-Chair; Bill McGowan,

- Treasurer; Ron Wuslich, Secretary. The motion to accept the nominations passed unanimously.
4. Motion to accept the CAC recommendation to approve applications for membership of two new voting members of CAC: Valerie Cloutier and Terri Munz by Ron Wuslich; seconded by Pat Campbell-White; passed unanimously.
 5. Dr. McGowan, after hearing the concerns expressed by the Chair and given that the Governor's Advisory County on Planning Coordination has approved Sussex County's request for a 6-month extension to submit its updated Comprehensive Plan, made a motion that the language in paragraphs two and three as well as item 2 in the CAC recommendation be removed and further, that the Board approves and forwards to Sussex County Council for implementation the recommendations contained in and following item 1. The Chair asked all in favor of the motion signify by saying aye. Mr. Baker recused himself. Pat Campbell-White abstained. The motion carried.

Action Items

1. The Board directed the Executive Director and the staff to schedule a meeting for members of the Board and the CAC Management Committee to discuss with Sussex County Council and Sussex County's administration the implementation of the goals, tactic and objectives of the Inland Bays CCMP. Further, the Board directed the Executive Director and staff to schedule a meeting with representatives of the Governor's Council on Planning Coordination to discuss the recommendations of the Citizens' Advisory Committee for the update of the County's Comprehensive Plan.
2. The Chair announced the creation of a "Development Committee" as a new committee of the Board of Directors to advise on fundraising for the CIB and appointed Jim Elliott, Ron Wuslich and Sergio Huerta to serve on that committee. Dr. Huerta will chair the committee.

MINUTES:

Call to Order/Welcome

Chairman Rick Eakle called the meeting to order at 9:05 a.m. and welcomed those in attendance. Meeting participants were asked to join in reciting the Pledge of Allegiance.

Secretary's Report/Approval of Minutes

Ron Wuslich gave the Secretary's Report. Ron Wuslich moved to accept the June 2007 Board meeting minutes as presented. Jim Elliot seconded the motion. The motion passed unanimously.

Treasurer's Report

Bill McGowan gave the Treasurer's report. Bill moved to accept the Treasurer's report as presented. Jim Elliott seconded the motion. The motion passed unanimously.

STAC Update

Scientific & Technical Advisory Committee (STAC): Dr. Sergio Huerta reported that a subcommittee was formed to bring together all parties and develop a recommendation on the Pasture Point project. Dr. Erik Rifkin is chairing that committee and will bring its report to the next STAC Meeting on November 16 at the CMES. Topics likely to be on the agenda at the next STAC meeting include the condition of tidal wetlands in the Inland Bays and Rehoboth Bay dredging. Dr. Huerta also reported that the Marsh Die-back Task Group met.

CAC Update

Ron Wuslich reported that there were two preliminary meetings of CAC in August to begin preparations for the first public meeting in September; each was attended by fifteen members. A CAC responsibility statement and four sub-committees were approved at the CAC meeting on September 11. The four sub-committees are: Stakeholder Concerns, Public Policy, Outreach/Education, and a Management Committee.

Nominating Committee

Jim Elliott presented the nominations for officers of the Board of Directors for 2008-2009:

- Rick Eakle, Chair; the nomination was seconded by Dr. Huerta. The chair asked if there were any nominations from the floor. There were none.
- Pat Campbell-White, Vice-Chair; the nomination was seconded by Dr. Huerta. The chair asked if there were any nominations from the floor. There were none.
- Bill McGowan, Treasurer; the nomination was seconded by Mr. Wuslich. The chair asked if there were any nominations from the floor. There were none.
- Ron Wuslich, Secretary, the nomination was seconded by Ms. Campbell-White. The chair asked if there were any nominations from the floor. There were none.

The motion to accept the nominations passed unanimously.

Board Updates

Sussex County Administrator

Mr. Baker reported that the *Land Use Plan*, the first element of the 2007 Update of the Sussex County Comprehensive Plan, is available in draft form on the County website for public consideration and that two public meetings were held in the Inland Bays watershed, one in Rehoboth Beach and one in Bethany Beach, to present the plan to the public for comment and questions. He said that the drafts of the remaining elements will soon be released and that public meetings will be scheduled for those as well. He noted that before the process is completed, that the County Council and Planning and Zoning will also hold public meetings.

Mr. Baker also reported that three major wastewater projects are in the approval process; Oak Orchard Sanitary District expansion; Johnson's Corner, east of Roxanna; and Angola, and that the Millville Miller Creek project is under construction.

He reported that there have been 57,000 public sewer hook ups in the Inland Bays watershed in the county's continuing effort to reduce the number of private septic systems.

Environmental Protection Agency (EPA):

Ed Ambrogio reported that the the FY 08 Budget is still pending and that we will be operating under a continuing resolution through late November or early December. If the House Bill prevails, the NEP budget will increase next year. Funding for the NEP in the House Bill is \$27.2 million; in the Senate Bill, \$24.5 million. Both are higher than the President's request at \$17.2 million. The House Bill contains language giving each NEP \$600 thousand; the Senate Bill doesn't specify an amount for each program. Suzanne Hall reported that grants overlap years and are in three-year cycles. Old grants must be drawn down to zero within a year. A draft of the new Implementation Review Document will be dicussed at the NEP meeting in Puerto Rico next month.

Sussex Conservation District (SCD): Bill McGowan reported that a workshop and tour of storm water management projects is being planned for this fall.

Old Business

The *CAC Subcommittee Report* presented at the Board of Directors meeting in March was amended by the Executive Committee to address concerns expressed by the Board. The Chair moved to accept the CAC Subcommittee Report as amended by the Executive Committee. It was seconded by Bill McGowan.

New Business

CAC Subcommittee Presentation: Review, Evaluation and Recommendations to the Board regarding the 2007 Update of the Sussex County Comprehensive Plan draft of the Land Use Element released July 31, 2007.

CAC Chair, Ron Wuslich, CAC members, Valerie Cloutier and Martha Keller, led by CAC Subcommittee Chair, Carol Bason presented their report. It is attached to the minutes. Carol Bason noted that after careful consideration and with reference to the CCMP, that the sub-committee concludes that the 2007 Update of the Land Use Element as it is presented in this draft is weaker in terms of protections to the Inland Bays and its watershed than the 2003 SCCP. Concern was also expressed that less than 50% of the ordinances that the county committed to complete when the 2003 SCCP was signed off on by the State, have been written and codified. Valerie Cloutier, an attorney, reported that much of the language in the draft of the Land Use Element is unenforceable as written and provides no legal assurance that what is contained in the element will be done. They ask that the Board accept their recommendations as the position of the Center for the Inland Bays and forward them to the county.

The Chair thanked the Committee for its work. Bill McGowan commended the sub-committee for its good work, commenting that it is consistent with the directives of the CCMP, and that he was extremely encouraged.

There was much discussion following the presentation of the report. Dave Baker noted that this was the first draft of the Land Use Element and that the consultants would be producing another draft that may address some of the issues of concern. He commented on a number of issues: He said that the consultants would be providing ordinances after the plan is approved; they have 18 months to complete that work; that the overlay issue is a legal issue at the state level and may have to be addressed by the General Assembly; that the definition of Open Space is too broad in the code; that the Growth Map most likely will be changed during this process; that the County is moving ahead aggressively to bring central sewage to the county and has committed \$200 million in their five-year plan to do so. He said that a draft ordinance is being brought to the County Council to clarify the definition of ‘forested buffers.’

Mr. Baker also said the the Council is considering an additional ‘bonus density ordinance’ that would require a fee to the county for increased density over base density, with the fee earmarked for the purchase of additional open space. He noted the competing demands of environmental protection and economic growth. He said that the Planning staff and consultants producing the 2007 Update of the SCCP welcomed input and would be glad to meet with the staff of the CIB to discuss their recommendations and concerns.

Jim Elliott said that he had never heard a clear definition of ‘open space’ and asked if a golf course, street or sidewalk would be considered under county code to be ‘open space.’ Mr. Baker deferred this question to his colleague, Shane Abbot, County Planner, who said that under the current code, ‘open space’ is not specifically defined and that the Planning Committee asked the consultants to produce a definition of ‘open space.’ Ed Ambrogio asked if during the comprehensive plan process, the county has gotten feedback or recommendations regarding ‘green infrastructure’ as a more progressive approach to land use planning. Mr. Baker responded that it is part of this draft process for Council to look at this and that there has been some discussion related to ‘green infrastructure’ approaches to storm water management. It was confirmed that under the present code, developers cannot use many of the progressive storm water management practices. Dr. McGowan said that they are working on a design manual related to the use of green infrastructure practices and technologies.

Dr. McGowan, after hearing the concerns expressed by the Chair and given that the Governor’s Advisory County on Planning Coordination has approved Sussex County’s request for a 6-month extension to submit its updated Comprehensive Plan, moved that the language in paragraphs two and three as well as item 2 in the CAC recommendation be removed and further, that the Board approves and forwards to Sussex County Council for implementation the recommendations contained in and following item 1. The Chair asked all in favor of the motion signify by saying aye. Mr. Baker recused himself. Ms. Campbell-White abstained. The motion carried.

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County Council and Sussex County's administration the implementation of the goals, tactic and objectives of the Inland Bays CCMP. Further, the Board directed the Executive Director and staff to schedule a meeting with representatives of the Governor's Council on Planning Coordination to discuss the recommendations of the Citizens' Advisory Committee for the update of the County's Comprehensive Plan.

Presentation on the CIB Volunteer Program

Sally Boswell and Pat Drizd made a presentation on the 'Volunteers for the Bays' program, a formal program they began two years ago to oversee the recruitment, placement, training, 'staying in touch with' and recognition of CIB volunteers. Sally reported that a notable achievement of year two has been the placement of volunteers into leadership positions in projects such as the Schoolyard Habitat Project and the Oyster Gardening Program. In addition to those projects, volunteers are involved with CAC, native plant demonstration gardens, citizen water monitoring, community outreach events, the TERP project, as well as administrative work at the CIB. Sally reported the dollar value of volunteer time given to the Center for the Inland Bays, using the federal government volunteer hour value of \$18.77/per hour. In the first nine months of 2007, CIB volunteers have worked about 3,900 hours in the first nine months of 2007, for a dollar value of \$73,203. They also reported on volunteer training events and invited the board to attend the 1st CIB Volunteer Recognition Event on Thursday, October 25th from 5-7 p.m.

Ed Lewandowski congratulated Pat for being recognized as a 2007 Governor's Outstanding Volunteer in Delaware. She will be honored at an event in Dover on Thursday, October 18.

Development Committee

The Chair announced the creation of a "Development Committee" as a new committee of the Board of Directors to advise on fundraising for the CIB and appointed Jim Elliott, Ron Wuslich and Sergio Huerta to serve on that committee. Dr. Huerta will chair the committee.

Adjournment

Jim Elliott moved to adjourn the meeting. Ron Wuslich seconded the motion. The motion passed unanimously.

Respectfully submitted,

Ron Wuslich, Secretary
JHE/sb