

**OPEN SPACE COUNCIL**

**September 14, 2016**

9:00 a.m.

Legislative Hall

Senate Hearing Room, Second Floor

Dover, Delaware

**ATTENDANCE**

Council Members:

Mr. John R. Schroeder, Chairperson

Senator Bruce Ennis

Paul Boswell, Esq.

Mrs. Lorraine M. Fleming

Mr. David Humes

C. Porter Schutt III

Ex-Officio:

Raymond E. Bivens, State Liaison Officer, LWCF, DNREC

Advisory To:

David S. Small, Cabinet Secretary, DNREC, State of Delaware (present)

Staff:

William Kassab, Esq., DOJ

Timothy Slavin, Director, HCA

Matthew Chesser, Parks & Recreation, DNREC

Ron Vickers, Parks & Recreation, DNREC

Michael Valenti, State Forestry Administrator, DDA

Kyle Hoyd, Delaware Forest Service, DDA

Elena Stewart, Parks & Recreation, DNREC

Richard Phifer, Fish & Wildlife, DNREC

Patrick Emory, Director, Community Services, DNREC

Visitors:

Brenna Goggin

Virginia C. North

Sarah W. Cooksey

**I. Call to Order/Introductions/Announcements**

John Schroeder called the meeting to order. He told everyone it was Ron Vickers's last meeting and many Open Space Council (OSC) members expressed their gratitude and appreciation for Ron's service.

**II. Minutes of June 8, 2016 Meeting**

John asked for a motion to approve the June 8, 2016 minutes. Motion was made, seconded and unanimously approved.

### **III. Financial Report**

Ron presented the Financial Report:

#### **CURRENT FUNDS**

- Realty Transfer Tax \$ 6,909,874.02

#### **PREVIOUSLY APPROVED PROJECTS / ANTICIPATED REIMBURSEMENTS**

- 5 Projects ( 2,938,630.00)
- 3 Project Reimbursements \$ 135,100.00

#### **BALANCE AVAILABLE THROUGH 12/15/17**

- \$ 4,106,344.02

#### **SETTLEMENTS SINCE LAST MEETING**

- Nanticoke Wildlife Area Wilson et al. (Wilson Heirs)

#### **OPEN SPACE INVENTORY**

- 401 Projects 57,727.2631 acres
- Open Space Funds \$265,316,264.94
- Other Funds \$ 86,052,526.44
- Total Funds \$351,368,791.38

### **IV. Old Business**

#### **A. Projects Completed Since June 8, 2016**

- Nanticoke Wildlife Area Wilson et al. (Wilson Heirs)
  - F&W inventory
  - Funding - Chesapeake Conservancy \$70,000; OSC \$110,000; potential \$100,000 reimbursement from REPI funds

#### **B. Land Protection Act – signed August 3, 2016**

Discussion over the new requirements and path forward

- OSC – in conjunction with the State agencies and with public input – shall develop an Open Space Program Plan for OSC's consideration and approval.
  - Goals, and priorities of funds
  - Analysis and discussion of various creative and innovative methods for protection
  - Shall review every 5 years and update as necessary

- DNREC created landowner permission form and will get written permission prior when meeting landowner on site
- Evaluation system must go through Administrative Procedures Act
- DNREC shall create Protected land maps available electronically – public and privately protected lands
- August 3, 2021 have a 5 yr plan for Governor and General Assembly on the status and accomplishments of the Open Space Program with recommendations regarding continuation of the program  
Ron working on last 5 yr plan and drafting maps of what's already protected
- Secretary and Open Space Council shall file annual reports with the General Assembly detailing the accomplishments and activities of the Open Space Program

C. Open Space Program Report

- John assigned Porter Schutt and Lorraine Fleming to be on the subcommittee to work with DNREC to develop the Open Space Program Plan.

V. New Business

A. Council Open Discussion

- Status of Joint Sunset Committee recommendations
  - Inventory needs to be posted online
  - Diversity issue on OSC needs to be addressed

B. Public Comments

- None

VI. Executive Session

A. Discussion of Site Acquisitions

VII. Open Session

A. Council Project Recommendations

Based on discussion in Executive Session, the Council recommended the following:

- Division of Parks and Recreation
  - *Great Marsh Properties, Sussex County*  
Motion to hold up to \$2M for an easement on the Groome Church Property subject to the contingency that negotiations be conducted and those negotiations result in a contract be brought back to the OSC – time limit being the December OSC meeting
    - Mr. John R. Schroeder, Chairperson - Y
    - Senator Bruce Ennis - N
    - Paul Boswell, Esq. - Y

- Mrs. Lorraine M. Fleming - Y
- Mr. David Humes - Y
- Porter Schutt III - Y
- Delaware Forest Service
  - *Hesseltine Property*  
Motion to purchase the Hesseltine property. \$1M was already approved to put towards the purchase and the motion is to authorize the remaining \$931,000 for the remainder of the purchase price.
    - Unanimous - Y

**VIII. Next Meeting Date/Adjournment**

The next meeting of the Open Space Council is tentatively scheduled for December 7, 2016 in Legislative Hall, Second Floor, Senate Hearing Room, Dover, DE 19901, starting at 9:00 a.m.

Mr. Schroeder thanked everyone and asked for a motion to adjourn.