

# Minutes

## Delaware Sustainable Energy Utility Oversight Board Meeting – Zoom September 15, 2022 - 9:00 A.M.

### Welcome

Senator Harris B. McDowell, III called the meeting to order at 9:00 AM. Members present were Senator Hansen, Kristopher Knight, Richie Jones, Ric Moore, Andrew Slater, Public Advocate, Michael Chajes, Robert Underwood (proxy for Secretary Garvin, Department of Natural Resources and Environmental Control), and Secretary Garvin, Department of Natural Resources and Environmental Control. Also present were Anthony DePrima, Frank Murphy, General Counsel, Suzanne Sebastian, Athena Bi, Jim Purcell, Cassandra Rodriguez, Robin Coventry, and Traci Evans.

**1. Approval of Minutes – May 20, 2022** – Senator McDowell made a motion to approve the minutes. Ric Moore Approved the motion, Robert Underwood seconded, and the motion carried unanimously.

### 2. SEU Business

- a. **Extension of Bank of America Master Lease Agreement** – In August 2020 we entered a Master Lease Agreement with Bank of America to finance energy audits and energy efficiency upgrades for school districts and state agencies. The original agreement consisted of \$30 million. In April 2022, we increased the cap by \$10 million to cover the costs of an additional project that was being proposed which would exceed the cap of the original \$30 million. New Castle County has approached us in the recent months with a proposal for a project for the New Castle County Vo-tech. The project is around \$10 million. Tony DePrima is asking the board to put forward a motion to approve a 2<sup>nd</sup> amendment to our Master Lease agreement increasing the cap to \$50 million. Richie Jones made a motion to approve the increase, Ric Moore seconded, and the motion carried unanimously.
- b. **Employee Compensation and Career Paths Policies** - Tony DePrima presented the policies to the board. (see memo on page 8 of board packet). Ric Moore noticed that all positions have degree requirements associated with them. He suggested that some positions have degree or equivalent years of experience instead of just a degree. As for the ranges, Tony DePrima explained that although we are a small staff, it is important for employees to know that there is room to grow in our organization and that career paths have been established for this reason. Ric Moore stated that although we don't have a lot of employees, the SEU is not small in the sense of budget and the number of programs we run. Senator Hansen agrees and believes that the energy industry is only getting bigger, and we need to be willing and able to grow with it. Tony DePrima presented the compensation structure that was created by the Blackwell firm based on the current market and surrounding entities like the SEU. Pay scales were created for each position in order to make the salaries more transparent and aid in the hiring of new employees. Richie Jones feels as though any future conversations about these topics should be held in Executive session. Kris Knight agrees that there can be sensitivity issues with staff and supports Richie Jones' suggestion of having these discussions in Executive Session. Richie Jones would also like to see a legal review of the verbiage prior to voting to ensure that these policies are compliant with Delaware and Federal labor laws. Tony DePrima made a recommendation to table the approval of these policies

until further discussion can take place. The board unanimously agreed to table these policies until a legal review is completed.

- c. **Search Committee Update** – The Search committee chose a search firm, Scion Executive Search, for the purpose of assisting the DESEU with finding and transitioning to a new Executive Director. Ric Moore made a motion to accept Scion as the search firm, Senator Hansen seconded, and the motion carried unanimously.
- d. **Consideration of Statements** – Drew made a motion to approve the bills, Ric Moore seconded and the motion carried unanimously.
  - i. Murphy & Landon
  - ii. NW Financial
  - iii. Young Conaway Stargatt & Taylor, LLP

3. **RGGI Challenge Progress** – Tony DePrima presented the status of the RGGI Challenge. June’s RGGI auction yielded \$6.2 million, and September’s auction yielded \$5.9 million which puts us in line with reaching the \$24 million projected budget. Tony presented a memo highlighting the three-prong approach and the progress of each program that we will be rolling out moving forward (See attached memo). Drew Slater suggested adding a new program for the state Bus Fleet and utilizing the existing canopies to install solar. Tony suggested that a conversation be held offline so that Tony can learn more about Drew’s suggestion. Suzanne Sebastian discussed the increased incentives we implemented for our existing programs as well as the increase in our marketing efforts to drive more customers to our programs. Prong 3 of the RGGI challenge includes increasing staff by adding two new program managers and a Deputy Director.

#### 4. Reports

- a. Executive Director
- b. Program Manager
- c. Communications and Marketing Manager
- d. Budget Report

#### 5. New/Old Business

Public Comment

Meeting was Adjourned to Executive Session

Agenda is subject to change. During the course of the public meeting; the Board may vote on whether to conduct an executive session to consider confidential and proprietary business before the Board, and such executive session will not be open to the public, pursuant to 29 Delaware Code § 1004. The executive session may address matters involving the discussion of the content of documents excluded from the definition of “public record,” or which involve the potential for litigation. Participation by teleconference will be available to Board members.