

**Delaware Sustainable Energy Utility**  
**Oversight Board Meeting Minutes**  
**Friday, May 19<sup>th</sup> 2023**  
**Zoom – 9:00am**

Members present were Senator Stephanie Hansen, Ric Moore, Kristopher Knight, Richie Jones, Senator Trey Paradee, Michael Chajes, Ruth Price, Sean Finnegan and Robert Underwood. Also present were Frank Murphy, Dayna Cobb, Tom Noyes, Ed Synoski, Brett Swan, and Keri Knorr.

Members absent were Senator Harris McDowell.

**Welcome**

Richie Jones called the meeting to order at 9:02am.

**1. Approval of Minutes – March 17, 2023**

Richie Jones moved to approve the minutes of the March 17<sup>th</sup>, 2023, Oversight Board Meeting Minutes.

**Ric Moore made a motion to approve the minutes, contingent on the minutes being modified to reflect the conflict-of-interest language discussed at the Board meeting. The motion was seconded by Ruth Price, and unanimously carried.**

**2. Green Energy Fund Update – Keri Knorr**

Kerri Knorr, Green Energy Program Manager of DNREC provided a presentation with updates on the Green Energy Fund. This agenda item does not require a vote.

**3. SEU Business**

**a. Budget**

- i. Revised FY 23** – Drew Slater discussed overall changes, cash reserve balance, revenue adjustments, and expenses associated with the revised FY23 budget.
- ii. Proposed FY 24** – Drew Slater discussed proposed changes, cash reserve balance, revenue adjustments, and expenses associated with the FY24 budget.

**Ric Moore made a motion to approve the budgets presented. Richie Jones seconded the motion to approve the revised FY 23 and Proposed FY 24 budget, and the motion unanimously carried.**

- b. Contract Renewals** – Drew Slater explained several of Energize Delaware’s programs and services contracts are ready for the renewal of their one-year contract extensions to continue the delivery of programs. A list of the service providers and their supporting functions were listed in detail and provided to the Board prior to the meeting.

**Ric Moore made a motion to authorize the Executive Director execute contract extensions for programs and support functions once the FY 24 Budget has been approved. Ruth Price**

**seconded the motion, and the motion carried with one abstention.**

- c. **Pending Contracts for Services & Pilot Programs FY 24** – Drew Slater noted there are several new program offerings DESEU would like to pursue as part of the FY 24 Budget. The programs are pilot programs that are still in the development and design phase. Mr. Slater stated the Scope of Work, Budgets and Reporting will be negotiated as part of the procurement and contracting process.

**Ric Moore made a motion to approve the Executive Director to execute contracts for the new pilot programs that are expansions of the existing program offerings by Energize Delaware based on the FY 24 Budget and the Revised Purchasing Threshold Policy. Ruth Price seconded the motion, and the motion unanimously carried.**

- d. **Personnel Policy Amendment** - Drew Slater proposed a flexible work arrangement policy. The proposed policy is one that will be tailored around the State's existing policy dated September 13, 2022. The policy would allow for work from home a day a week and/or flexible scheduling such as working 37.5 hours over the course of four days.

Mr. Slater also presented Replicon, a timekeeping service that will allow efficient timekeeping of compensatory, vacation, and sick time. This service will allow DESEU to move from 9 excel sheets for timekeeping to one application. The application is also web-based, allowing easy access for staff.

**Mr. Slater called for a motion to authorize the Executive Director to initiate a fair and reasonable flexible work arrangement policy that will be tailored around the State's existing policy dated September 13, 2022. Ric Moore made a motion to approve the Personnel Policy Amendment, Senator Hansen seconded the motion, and the motion unanimously carried.**

**e. Financial Policy Amendment**

- i. **Purchasing Threshold Increase** – Drew Slater stated that the SEU's Procurement policy has not been updated since May 18, 2012. He stated that though there are several changes to consider that will be presented later, he asks for the consideration of the following 3 changes: the total threshold cost to be changed from \$10,000 to \$50,000 which would be approved by the Executive Director, total cost between \$10,000-\$25,000 to \$50,000 - \$100,000 which would require approval by the Board, and the total cost greater than \$100,000 would require an RFP process and approval by the Board.

**Ric Moore made a motion to authorize the Executive Director to update the Professional Services Guidelines Policy with the purchasing threshold adjustments noted above (the Board received a memo outlining specific details). Ruth Price seconded the motion, and the motion unanimously carried.**

- ii. **Professional Services Retention Policy** – Drew Slater proposed striking the SEU Policy for the retention of firms and individuals providing professional services to the SEU Board dated March 20, 2014. Mr. Slater stated that the bills that are accumulated for

these services are typically legal and have not been contentious. The purpose of the request is to pay the invoices in a timely manner, rather than wait months to render payments.

**Ruth Price made a motion to authorize the Executive Director to strike and remove the above Professional Services Retention Policy to allow for timely payment of services provided to the DESU. Ric Moore seconded the motion, and the motion unanimously carried.**

**f. Consideration of Statements** – The following statements were presented to the Board for approval:

- i. Murphy & Landon**
- ii. Young Conaway Stargatt & Taylor, LLP**

**A motion to approve the statements presented above was not necessary, as the Professional Services Retention Policy was approved by the Board, thus accepting the statements presented above.**

**4. Reports** – The following reports were presented to the Board:

- b. Executive Director
- c. Energize Delaware Program Activity
- d. Empowerment Program Activity
- e. Communications and Marketing
- f. Budgets

4. New/Old Business – **N/A**

Public Comment – **N/A**

**Adjourn** – **Kristopher Knight called for a motion to adjourn the meeting. Ric Moore made a motion to adjourn the Oversight Board Meeting. Sean Finnigan seconded the motion, and the meeting adjourned at 11:29am.**

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.