

Meeting Notes
Community Involvement Advisory Council
August 12, 2008

Members present (5): Bill Pelham, Pam Meitner, Jay Julis, La Vaida Owens-White, Marvin Thomas

Members absent (6): Bruce Allison, Bethany Hall Long, Bob Frederick, Marvin Truxon, 2 Vacant Positions.

Quorum is not met.

Others Present: David Small, James Brunswick, Christina Wirtz, Terri Brixen, and Vicki Ward, all of the Department of Natural Resources and Environmental Control, Suzan Doorman of TMA Delaware and Charlotte Herbert of the Delaware Association of Realtors.

I. Meeting Called to Order

Good Morning and welcome to guests.

II. Meeting Protocol Review

Bill - Review of protocol. As charged by 29 Del. Code Section 8016A.

We do not have a quorum, meeting will be less formal since no conclusions but we can make recommendations to other council members. We don't have approval of meeting notes on the agenda. Most of meeting agenda is dedicated to a review of our Ombudsman's recommendations for changes in the Community Environmental Project Fund process such as; how proposals will be reviewed, sponsorship requirements, how often to we will make awards, etc.

III. Community Environmental Project Fund

A. Proposed CEPF process revisions

I would like to summarize the changes that we have been discussing as "process changes" and "product changes". The process changes involve:

Implementing a pre-application to improve the process of evaluating and selecting applicants for funding.

Once funded, our standard operating procedure has been to transfer funding and the responsibility for monitoring and fiscal oversight of CEPF projects to "Project Sponsors". Project Sponsors are the DNREC staff in our various divisions who have technical expertise in our CEPF eligible funding areas; environmental enhancement, pollution mitigation and recreation.

One downside to moving funding out of the Office of the Secretary has been the loss of interest income that could remain in the CEPF account. A second is our need to have their technical expertise at the table with us. We need technical experts sitting with us in the grant review sub-committee to help review applications, provide technical input, and determine the feasibility of projects before we make the funding recommendation to the Secretary.

I would also propose that we create a CEPF manual and offer training sessions to residents in each county. The training sessions will help applicants to understand the application process. It also gives us some clues about the applicant organizations and the type of projects that might be forthcoming.

Another important process change would be a single funding cycle. There are several advantages to a single cycle. First, it allows for the accumulation of more penalty funds. Second, we will have a larger pool of applicants and the ability to fund the projects with the greatest impact and the most promising outcomes.

This would also create one year project terms for all the applicants. It would require that applicants give us projects with goals and objectives that can be accomplished in one year. And it gives us the luxury of receiving all of the financial, interim and final reports at the same time.

The Product outcomes are capacity building grants. We would fund two kinds of capacity building grants each year. The Technical Assistance grant would provide funding for groups to get technical expertise and training for their environmental projects. A second capacity building grant is for the development of Collaborative Problem-Solving Partnerships. Too often environmental issues go unresolved because they are nobody's business. Different aspects of the problem are the responsibility of different agencies at the federal, state, county or local government level. They might involve land use and zoning decisions. So communities cannot locate an organization or public official to hold accountable for the problem

- **Pre-Application**

Referring to a handout of a sample pre-application James stated he tried to make it simple. The pre-application asks basic questions covering; who, what, why, how much and when. This would be the entire pre-application. I think that it gives us some idea of the project, the capacity and the history of the applicant. Applicants approved in the pre-application process would be invited to submit a full application.

Pam questioned what effect does having more information on the groups, have on our decision making process?

James indicated it would help to sort out the projects. 1) We have some idea of capacity knowing whether the group has carried out an environmental project successfully. 2) By involving the Subject Matter Experts from DNREC we will have a better idea of the project's feasibility and 3) we would continue to rank or assign a score. Those projects that we determine are not feasible, we would not invite to apply.

Bill questioned; why rank? Wouldn't we sit and talk with applicant to allow them to re-apply? James stated if applicants do not provide enough information, they could apply the next year. We would only invite the best applicants. Pam felt this could be a source of great discontent.

Jay asked; who reviews? James indicated it would be the Grant Review Subcommittee with subject matter experts from DNREC. I can think of a project that we considered seriously but eventually turned down for reasons that did not involve feasibility. The project went on for several years. It required multiple permits that we could not be certain would be obtained. It had to be reviewed by the city planning and zoning committees for its consistency with the county's Comprehensive Plan. The group took the project to Parks and Recreation for funding. Their review determined the project was not feasible. We are in danger of funding projects that we would not know are unrealistic without input from people with technical expertise.

Marvin asked if the pre-applicant would require sponsor identification. Marvin then questioned what would happen if a pre-applicant does not have a sponsor? He also questioned if the DNREC expert would be or have the possibility of serving as the sponsor?

James replied that we would have to find a subject matter expert to serve as project sponsor. We have a SME (Subject Matter Expert) listing and we have SIREN (Staff Information and Resource Exchange Network) to find people with the proper expertise to review projects. James added that if we look at the schedule, it allows time to look at pre-applications, recruit or consult with and the subject matter experts. If they say that the project is feasible and they are willing to serve as a sponsor, we invite you submit.

Bill asked, if the CIAC says lets go with a project, then finds no sponsor is available; we still have the challenge - any way you look at it.

Marvin stated he was under the impression the application would not be approved without a departmental sponsor.

James replied; yes, this will give us the responsibility, if we don't have people that can serve as a project sponsor to reject applications that we don't have the capacity to monitor. But once again, with the proposed schedule we have the opportunity to work ahead of time to make sure the sponsor is available.

Moving on, James stated that after the Oct 2008 meeting we would make pre-application available online. Pre-application training sessions could be held on Oct 27, November 3

and November 10. As applications come in, we can look for SMEs in October and November and then have December to review.

Marvin asked for clarification whether the pre-application process meeting was so we would know what divisions in DNREC will participate or not? Bill questioned if James was coming to this meeting with a buy-in from the department. James stated this would give the department the lead-time; we did not have in the old process.

David stated in response to Marvin's concern; the leadership of the agency understands supports and makes expertise available. We want to take back to the leadership a change to get our experts into the process sooner. Enhance our ability to spend the money wisely and get projects done on time, and enhance our capacity to get project support.

James reminded the council that several DNREC divisions are pressed with personnel shortages and budget cuts and are to maintain programs. The addition of CEPF sponsorship can be more than they can sometimes handle.

Pam voiced her understanding of the problems with sponsors but was not clear why a pre-application is necessary. Just send in the full application, but two or three months earlier. My concern is with the pre-application. Is the subcommittee in conjunction with the Department making a decision, saying this is a bad project? I think this will create controversy and concern. If the purpose is to explain the shortcoming so they could improve the application, the public would accept this. Who makes this decision? It may create dissatisfaction if applications are declined. If the problem is getting information and sponsors sooner, we can still get a full application. A pre-application may cause some preconceived misconceptions. I'm not sure it will help.

Bill asked, what is the central purpose of sponsorship?

James replied that it is primarily to screen projects up front and determine if they are feasible for CEPF funding. James also added that applicants are always sent letters informing them of the shortcomings and suggesting changes.

Bill questioned if Pam was looking for a more friendly application?

Pam said her concern is about a process that cuts applicants before they hit the full committee. Reality is subcommittee will do a lot of work, but public perception will create discontent and unrest. We can deal with in two ways; 1) Not in a pre-application – but over a longer review period; or 2) Have a pre-application, and if it does not look good, we must sit down, explain and help them to get good.

La Vaida asked, we have an established criteria, the only reason for a pre-application is to match the project with a sponsor?

James replied in the old process, we don't always know if a sponsor is available and in some cases, with follow-up, find there is not a dedicated sponsor, someone with significant time to oversee the project properly.

La Vaida questioned with the pre-application and sponsor identification, if no one is able to give the time, and then there is no point in proceeding. James agreed that we need to assure a sponsor with any procedur

James reiterated that this is an opportunity to pick the project with the biggest bang. We have the opportunity to determine which are the better projects with the input from technical staff.

Marvin questioned if this determination could be made from a pre-application. James positively assured an assessment could be made. Pam reiterated her concern with the impact of a pre-application and a subcommittee making decisions before a full hearing.

James asked the council to follow that path forward as it happens in real time, applicants make a presentation at a CIAC meeting, and we must make a decision on face value, which places us in a situation where we place tens of thousands of dollars on the line with limited knowledge.

Pam questioned how this is changed with a pre-application?

James said we have time to get information, to speak with applicants, and to get subject matter expert advice.

James said you could weigh other factors, such as requiring matching funds. If we look at other grants in the department, there is a minimum of 25% match requirement. Look at the Trust Fund in Parks, the Non Point source, and Coastal programs, all have 50% or more match requirements. Some Parks Division projects produce a 350% match. We can turn around and say we got the biggest bang. We can also consider the added value that.

Pam stated; my concern is I feel as a net result we will fund more educated peoples, richer projects, losing the people that do not know where to go, it will lessen the funding to small grass roots projects and underserved communities.

David added we are trying to get people invested in this up front.

Pam expressed understanding of volunteer work and matching funds, however the absolute of criteria of matching funds is suspect.

David suggested this is to create a more iterative process, to screen so when we get a full application and you see the full package. We have learned, though we have decent criteria, these are complex projects some which are millions of dollars; we are trying to create a mechanism to get the best result. There are different ways to address, Pam's

concern of building in time up front, here are the holes lets fix it. There are various ways we can do this, this is one way we though it out.

Jay asked if the committee and the subcommittee would see the rejected applicants. James stated it would be the same process. Yes, the CIAC would receive a listing of all projects and their rank as it does now.

Bill questioned David; in the pre-application we are looking for those that do not qualify, if there is a cut somewhere, those who do not make it, we can communicate these are the problems, if they want to resubmit they can?

David answered; the latter, here is the frame of what we consider to be an application. There is an opportunity for the subcommittee and the department to identify problems. This is what you need to bolster this project. There are very few projects that did not qualify. It will be a collaborative iterative atmosphere. That's what we are trying to fix.

Bill asked for discussion and comments. This is not set in stone.

Marvin questioned if the workshops would include pre-applicant persons? James replied, yes, that would be the purpose of the workshops, to inform and assist applicants.

Marvin stated some of those questions raised would be answered at the workshops. This training would be supportive. With the training, applicants would get comments from the participants that would provide changes that would work.

Pam questioned if there was no pre-application by the deadline, and then a group cannot submit. Yes, James replied

La Vaida questioned when will a sponsor be identified? James stated that if needed, we could assist as we do now, when Vicki and I review the application upon receipt, and there would be another opportunity with the Grant Review subcommittee, when we sit down with the subject matter experts. As shown on the proposed timeline, by the Jan 11 meeting, the DNREC sponsor would be identified.

Bill observed we would prefer applicants to come to workshops to be better informed, but they could submit a pre-application without benefit of a workshop.

- **One Annual Grant Award**

James addressed the concept of an annual grant award and reiterated the advantages he mentioned earlier; a common baseline for evaluation, ability to utilize the funds better, we would accumulate more funds. We might also be able to address the equity problem – the fact that that Kent and Sussex Counties do not have much in the way of penalty funds, through the Secretary's discretion. It also allows us to take a long view; projects can be

compared to see which give taxpayers the best bang for their buck. It also creates an opportunity to have the interim and final reports all due at the same time.

Bill asked the council if there are any problems with one event.

Jay questioned if it could be done in one day? Pam felt it would not be possible in one day. Bill suggested we might need to devote a daylong review. Pam questioned if all were available and able to do a day review? All day is a bigger time commitment and if there is no quorum, we will be unable to vote.

James offered that Coastal Programs has a similar annual award cycle and completes their review with staff and subject matter experts all in one day.

Pam observing the schedule, said; we should be aware that a lot of environmental work gets done in the summer, earth moving for example. If award memo is on May 1st, is there time to get contractors? Is this based on seasonal projects, are we shortchanging other non-seasonal projects? What is the optimal time for applicants?

James stated that might to be changed somehow, but I'm not certain how. One year funding cycles are not unusual in the funding world. Groups with experience plan and anticipate their funding needs.

Pam returned to her example of projects with earth moving. Are we giving enough time for the projects? I'm a lawyer; I'm trying to look at the other side. Is the timing based on anything? James replied he had anticipated council would want to get on with funding as soon as possible but this schedule coincides with the fiscal year, and terms of reporting for the legislature.

Bill asked and James answered that we could accommodate to any time. Jay noted that April and May are planting months and traditionally June is drought.

David requested to make an editorial comment on once a year funding. James has evolved from ombudsman to grants manager. We want to free up more time in involving the public in how we communicate with communities.

Bill stated additional time could be useful for board members, including me, we can learn more.

James asked for clarification Does the council does want me to come back with alterative timelines in March? Jay: yes in March. Pam: The earlier in the year the better, and perhaps plan for next year, and perhaps following up earlier. Bill and Jay agreed. If you can change, change. Pam also suggested moving one month now and moving up one more month the following year. James stated; we need to consider the fiscal year.

Bill asked if James was working with applicants now. James replied there had been no advertisement of grants, even so we have received a few applications. We have informed

them that we are revising the process and we would consider them when we start up. Pam stated we were out of time for this year.

- **Electronic submission of applications**

Bill asked about electronic submissions. James informed we have always received electronic submissions but with the database, applicants can actually fill them out online. Bill asked if this would be available by October to which James replied yes, if we can meet and make the needed decisions. Pam confirmed that paper copies are still accepted.

- **CEPF Database management**

James needs to go to Access II training. This does not affect the grant schedule.

B. Proposed CEPF product revisions:

- **Capacity Building Small Grant**

The purpose of the technical assistance grant is to allow a group funding that helps them to build capacity to address environmental problems in their communities. They can use the funds to hire technical expertise, training, perhaps even organizational development.

James suggested to council to give upstart organizations at least \$25,000 initial funding. That is sufficient to consult with an expert. We would also require the groups have a plan for leveraging additional money.

Bill stated originally this was \$10 to \$15,000. James informed that the amount is relatively small. For comparison, the Environmental Support Center network has a minimum of \$25,000 for capacity building grants. EPA has offered a Superfund technical assistance grant of \$50,000. New York State has a minimum of \$50,000. Arkansas offers capacity building grants of \$50K - \$75,000.

Bill asked if this is the same process of pre-application and application. James said for efficiency they would all be evaluated all at the same time.

Pam felt they need to be competing for the funds. With a small group, this will help to support them and get them organized. I think \$25,000 is high, small groups would be happy with \$5 to \$10,000.

James offered Star Hill as an example of a community with an environmental problem that goes unresolved because the problem overlaps agency jurisdictions. The community has a long standing drainage problem. DNREC and DELDOT were involved. County government is involved. The community also needs to have the ability to get the project into the Kent County comprehensive plan. Star Hill needed to contract someone for a schematic drawing for what a drainage system would look like. With funding they could

build the Collaborative Problem-Solving Partnership they need, and have resources for planning and training.

Pam asked; what is the minimum?

James stated this is a *maximum* amount, apologizing for the mis-statement.

Pam clarified; so the other organizations were the maximum amount.

Jay stated; this is the maximum for planning not installation.

James agreed. We aren't capable of funding a sewer project. But this might be an example of why we might want to this rule out capital development projects. Not consider any at all for CEPF funding.

Jay stated and James confirmed this would enable communities to hire a designer.

James continued the major methodology is a collaborative problem-solving framework. Find partners to identify and assess the problem. Produce a plan at the end of the grant period. This is one way to build capacity of communities, and increase the possibility of solving problems.

One requirement is to implement collaboration the problem solving framework. It also requires that the group educate and involve community, form partnerships with multiple stakeholders. It is usually essential that groups engage state county and local government. Sometimes academic institutions. The process results in leveraging more resources. By bringing more groups to the table, more funds and technical resources will be available.

Jay asked James if we have funded this in the past. Bill stated we have shied away from funding staff and consultants.

James stated we would need to have measurable outcomes, and evaluation as funding criteria.

Bill asked if there were any problems with a \$25,000 maximum. There were no objections from council.

Bill questioned; other than the capacity of small and large organizations, what are the differences. Is there a separate application form for efficiency purposes?

James replied that the purpose is different. We would like to see an environmental problem resolved. But as important as solving a problem, one important measure of success is seeing that the community builds a following of people who understand environmental concepts and issues. And know the decision-making process.

Jay questioned if there is a DNREC sponsor on the little ones? James replied yes. James asked the council to consider supporting three initial demonstration projects one in each county. This would allow us to get closer to the 33 recommendations working with impacted communities in each county and getting people actively involved at the ground level.

Bill clarified the first three to come one from each county.
Pam stated; as long as they are worthwhile projects. They must be legitimate.

James we would use the same decision- making process. Jay questioned if it was necessary to separate the small grant from the regular CEPF grant? James informed with the smaller grants a specific methodology would be utilized, Collaborative Partnerships or technical assistance and planning.

Pam asked if council would know to whom the money is going, and would council vet that? James advised on page two; a technical assistance provider must meet the criteria, they must have expertise.

La Vaida asked if a list would be provided to organizations. James said he had struggled to find a list. The Philadelphia Foundation is one example of a funder that provides a list of technical assistance providers, but he could not find any in Delaware.

Bill preferred to avoid a list as people think these may be mandated. La Vaida stated with a small group they may be unaware of whom to contact. James suggested the sponsor could hopefully assist in this endeavor. La Vaida asked for recommendations of technical personnel to which James advised that Parks has a list and makes recommendations, but they are pretty limited to parks issues

La Vaida said neighborhood-planning councils would be a resource for looking to technical assistance. James stated it could come from whoever is appropriate.

Marvin questioned; how will the community be informed? James advised it would be the same process; advertisement and by putting online on the CIAC DNREC web page.

Bill noted guests present at the council meeting and questioned if they would like time to speak. The two individuals present were not interested in speaking.

- **CEPF Manual**

James has collected information and has outlined a manual. He wanted to look at it in the September meeting. So when we meet in October people will have the information.

Bill asked if there were any problems with a September meeting. None were voiced.

David stated it is important to have approved by the full committee.

Pam asked when the subcommittee meets to please notify the entire committee so they may attend.

- **CEPF training session**

Bill stated there would now be training up front.

James stated in capacity building grants some organizations may not have 501c3 status. The number one requirement is that the fiscal office cannot process a Purchase Order without an EIN number. Unincorporated nonprofits would need a fiscal sponsor.

Marvin questioned if a community group can get an EIN number in addition to 501c3? Bill stated there are tax considerations for 501c3. James stated that in Delaware a group can incorporate as a State of Delaware nonprofit and get an EIN. Fiscal requires the EIN. We prefer that a group has a fiscal sponsor rather than just being incorporated in Delaware. A 501c3 assures that there is accounting and reporting.

C. Discussion

III. Community Ombudsman Report

- **Asthma Action Project**

Asthma Action now has a fiscal sponsor. I met with the Delaware Ecumenical Council On Children and Families. This is a good match with organization and mission. Their mission is health care. The Ecumenical Council is a network of churches. They have relationships with organized groups of churches and agencies state-wide.

I have also met with the Department of Public Health. Jill Rogers is the Section Chief for Health Promotion and Disease Prevention. She is very excited about project and will bring in a staff person perhaps, Fred Breukelman, who has experience working with communities in environmental health projects.

Public Health looked at the budget for the asthma project and they may be able to leverage as much as \$21,000 for the project by doing the sample analysis in DPH labs. They have developed a community level health survey that could help establish a baseline health status for the target area. Other stakeholders include the American Lung Association and the Delaware Asthma Consortium. Debbie Brown is Executive Director of the American Lung Association. I believe that she chairs the asthma committee for the Delaware Asthma Consortium. The Consortium has identified the Asthma Action Partnership as a pilot project that it wants to partner with.

I also like this project because there is a lot of potential council interaction, La Vaida, Marvin are involved. We may be able to recruit Bethany Hall Long to involve the University of Delaware Nursing program. Bruce Allison has a grant involving community level GIS mapping. The asthma project will require us map the point, mobile,

and stationary sources in the target area. Perhaps Bruce could help provide GIS training. We will have to revisit that when I can meet with him. It should be a good learning experience for the Council too.

Bill questioned if there are any council members involved in a non-profit that would be taking funds though this and benefiting personally? James clarified that there are no CIAC members in paid roles.

Marvin stated that one of the bylaws of 501c is no benefit of board members.

James stated that time would not allow for full reports on the following projects but he would try to give each a brief mention.

Urban Heat mitigation, completed, but we are waiting on the documentation of their expenses.

Village of Ardentown. The CEPF provided \$4,500 and they more than matched it with near total volunteer labor for the project.

Sussex County Habitat has gotten their project off ground and provided an initial report.

Bill asked at the October meeting to take 30 minutes and run through the projects funded in the last 2 years and where they are and positive results. James agreed a summary would be good.

Pam called for an update of the vacant council positions. James stated he and David had met with Lydia Prigg of the Governor's Boards and Commissions office. We have two vacancies in Kent County, so we need to fill them with Kent County individuals. Lydia gave suggestions of people to write to and to speak with. We have a draft letter and will be getting it out as soon as possible. They would like to have applications prior to their Sept 16th Commission meeting..

David stated we took liberty of geographic balance, Lydia felt it was a good way to proceed by reaching out to state and county elected officials. I will call and follow up with letter.

Bill asked and James stated the set number for the Community Involvement Advisory Council is 11 members. Bill called for any suggestions on participation from Council members. Jay felt the absence and lack of quorum was due to summer time and vacation schedules.

The subcommittee meeting was scheduled to follow the 2nd Tuesday of the month, and will be set for September 9th.

David stated October is a significant meeting.

Bill questioned if there was anything else members would like to discuss. The subcommittee will be able to review application, requirements for a match, etc and bring recommendations to the next meeting. The subcommittee will review drafts of documents.

IV. Open Forum

V. Adjournment

Bill asked for a motion to close the meeting. Pam moved to adjourn, La Vaida second the motion, all approved and the meeting was adjourned.

**Respectfully submitted,
Vicki E. Ward
Administrative Specialist III, DNREC**

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Community Involvement Advisory Council members and the public in supplementing their personal notes and recall for presentations.