

Meeting Notes
December 1, 2009

Community Involvement Advisory Council

Members Present: Robert G. Frederick, Dr. Jay Julis, Pamela Meitner, LaVaida Owens-White, William Pelham, Harold Truxon. Six members present, 5 members absent, **quorum met**.

Members Absent: Dr. Bruce E. Allison, Douglas Corey, Dr. Bethany Hall-Long, Brian E. Lewis, Marvin Thomas

Others Present: Keith Rudy of Landmark/JCM, James Brunswick, and Vicki Ward of DNREC

I. Meeting called to order

Mr. Pelham called the meeting to order welcoming all.

II. Meeting Protocol Review

The protocol was mentioned as in evidence on the backside of members' nameplates.

- **2010 Terms**

Members with expiring terms in 2010 are Dr. Bethany Hall-Long, Pamela Meitner, LaVaida Owens-White, and Harold Truxon.

- **Meeting Schedule.**

Council agreed to keep the schedule of bi-monthly meetings held on the third Tuesday of the month with the exception of the December meeting, which will be held on the first Tuesday. With this in mind, 2010 meeting dates would be February 16, April 20, June 15, August 17, October 19, and December 7. It was agreed the CEPF Subcommittee Meeting would be held on February 4 at 10:00 AM.

Phone call capability change

Doug Corey – suggestion Bill will call as chair, suggest he come to some meetings. Bill suggested that perhaps Harold could also call. Harold agreed.

III. Approval of Meeting Notes

MOTION by Pam with second by Bob to approve the meeting notes of October 20, 2009, all approved, motion carried.

Bob expressed gratitude that Secretary Collin O'Mara attended the last meeting. This allows a good line of communication with the Secretary.

James stated that time limits did not allow Secretary O'Mara to elaborate more about the re-organization planning that is taking place within the Department. The re-organization is driven by two trends, the economic downturn, and the Secretary's vision for a 21st Century Department. The financial reality is that last year we saw a 14% reduction in General Funds allocated to the Department. The workforce was reduced by 70 positions through attrition. Bill asked if the intent was to initiate consolidation if the economy does not turn around. James replied that all of the state's Departments are making contingency plans for additional budget cuts of five to ten percent if the economy continues to decline as projected.

In terms of moving towards increased economic efficiency, the Department may be re-organized. Our five divisions may be re-aligned to create just two divisions. One Division would focus on natural resources, combining Parks and Fish and wildlife. The other Division would be focused on environmental protection. That would include the Division of Air and Waste Management and Water Resources. For this body, the most significant impact would be the consolidation of all the community-oriented programs into a Community Services section. All of the ombudsmen are moved into one office that focuses on community services and environmental protection. There would be a lot more focus on a sustainable green economy in the restructured DNREC.

IV. Community Ombudsman Report

- **2010 CEPF Workshops**

James explained that two CEPF workshops were held. There were eight organizations at the Nov. 2 workshop in Dover. Representatives from nine organizations showed up for the November 16 Workshop in New Castle County. Unfortunately, we were locked out of the Lukens Drive office. I damaged my identity card several months ago. The replacement card that I received was not programmed to allow me to enter the building. Everyone signed the attendance sheet. I emailed the PowerPoint presentation to every group, and informed them that we had re-scheduled the workshop for November 30. The public notices were placed in the News Journal and Delaware State News, but only two groups attended on November 30.

Some of the applications we can expect to see:

- The Ellendale Mayor, Mrs. Dolores Price was present. The Town of Ellendale is interested a collaborative partnership grants to produce public drinking-water plans and documents. Harold said they are working together in Ellendale.

James informed that Deanna Campagnini representing First State Community Action Agency attended. She is coordinating with the Rural Community Assistance Program (RCAP) to provide technical assistance to the Ellendale project. The Town of Ellendale is also working with the Department of Public Health, Office of Drinking Water. Georgetown is collaborating with the project. Funding for this project will produce a lot of planning activities and documents.

- The Slaughter Neck Community Action Agency sent representatives to explore funding for a Family Outreach grant.
- St. Jones Commons Homeowners Association is interested in the management of their storm water retention pond that feeds into the St. Jones River.
- Reeds Inc is a civic association representing a mobile home park community. The group is interested in pursuing funding to plan for the development of community sewer system for several mobile home parks in Sussex.
- Ardentown, a successful 2007 applicant is interested in the development of a composting area to serve their residents
- The Nature Conservancy would purchase a 25 acre parcel to serve as a buffer to a nature preserve this parcel would be to mitigate pollution and to protect the larger piece of property. James expressed reservations for purchase of property. Pam questioned if this was only a down payment, where the remainder of funds would come from. James agreed we would have to see how feasible this project might be.
- Delaware Center for Horticulture - Tree planting project in Seaford.
- Bear Babe Ruth Update (handout) - Grant filed was for the miracle league which is almost complete, in the report, to open the Bear Babe Ruth the other 8 fields need to be complete. Bill questioned the phases of work. James indicated a breakdown is in the handout information; the criteria would be environmental enhancement, so they must identify improvements. They are looking at an additional \$75,000. The project is projected to cost \$500,000, to date 6,000 has been raised; they have a long way to go in terms of completion. The CIAC is already into the project for \$150,000.
- Green Delaware/Well Net – renewable energy project.
- River wood – maintenance pond issues

It was agreed the subcommittee meeting be scheduled for February 4 – 10:00 AM which was good for all with a location in Dover.

- **Mapping Project**

James informed the Council on the progress of the environmental justice community-mapping project. The Division of Water Resources, Financial Assistance Branch (FAB) has agreed to fund the mapping project. FAB interest and support for the project are based on several issues.

The Division of Water Resources Director Kathy Bunting Howarth sponsored the CEPF Septic Financing project. A finding emerging from the project was the need to map the low-income communities in the Inland Bays Watershed where inspections by the Division's Ground Water Discharges Section had identified a high percentage of cesspools, aging, and substandard septic systems. The mapping project has to be coordinated with the County. The County's Comprehensive Plan projects the locations where the County plans to construct central sewer systems. Secretary O'Mara mentioned was referring to this in his comment that central sewer would eliminate 3,000 septic systems in Sussex County. FAB finances the replacement of residential septic systems. It makes no sense to finance new septic systems where the county will construct central sewer systems within the next five years. Homeowners would be locked into repayment of a FAB loan and paying the monthly fees for central sewer.

Second, the need for mapping emerged from FAB's requirement to prioritize the spending of American Resource Recovery Act, money, "stimulus funds". Among the criteria for funding is poverty. Finally the original recommendations of the Community Involvement Advisory Committee was the development of a state wide map of low income and minority communities that are disproportionately impacted by environmental concerns.

James and financial assistance Branch Manager, Terry Deputy met on November 16 with Ed Ratledge Director of the University of Delaware Center for Applied Research. These are the local experts on census data.

We found there are two levels of census data. The census tracts are areas of 10,000 or more people. This is where most poverty and demographic data information is available. However, small communities tend to disappear when you begin to throw all the demographic information together. The second is a census block, with populations around 2,500 people. Poverty data is not compiled for census tract populations. There is the confidentiality issue that prevents the collection of data that could identify specific households, or individuals. Therefore, Mr. Ratledge explained that he would have to make inferences about poverty based on stats like school lunch data, but students are mobile. As an alternative he might use, employment, employer payroll and transportation data, to get the correlations that would allow him to pinpoint poverty areas.

The Applied Research Center could produce a map, but there are degrees of confidence. The exact location of poverty communities would get lost with census block level information. The census tract data would raise confidentiality issues. It would require extensive research to produce the confidence levels to draw reliable maps. He could not assure that his center could produce the accuracy that we would need for FAB and the CIAC needs. Mr. Ratlidge recommended another professor at the University who specializes in the research that would be required to meet our needs.

Council was disturbed by this news: LaVaida suggested State Service Centers could give an idea. LaVaida questioned where the information is being housed for the stimulus money, those loosing homes, and the homeless for the City of Wilmington. James stated much is public information from the Home Mortgage Disclosure Act. There are raw numbers by census tracts, but there is the confidentiality issue. The third district of HUD wanted to use Delaware information; through a meeting with Paul Silverman, agreed to provide information to EPA under the condition that information be scrubbed so confidential data would not be disclosed.

Pam felt that if they gave census data, violation of confidentiality is ridiculous. James reminded the Council of his meeting with the State Department of Public Health, and EPA officials, Reggie Harris and Samantha Beers. We talked to Public Health about sharing their census tract level public health data with the EPA to develop a demonstration project of their mapping tool, EJ SEAT. They were the first to identify the confidentiality problem. They agreed to provide the data, but only under the condition that they manipulate the information before handing over, so that individual households could not be identified

Pam asked for the identity of the public health officials so she could confirm the privacy issue. James indicated he met with two Cabinet members in the Department of Public Health, Paul Silverman, and another person who he could not recall now.

Keith Rudy stated that below a certain threshold this is not uncommon. Keith suggested HUD zones. Keith informed that New Castle County in preparation for the ARRA prepared a map, which relied on HUB zone data as a backbone for the bond. Those demographics are prepared at no cost there. New Castle County's Karl Kalbacher prepared the Hub zone data. He understands the census tract issue. It depends on how tight you make the box you are looking at, too large, you miss the detail.

Keith advised of another metric; the Federal Government information on spending patterns; there are 1,500 categories. This is a litmus test to get data that are more robust. It suits in areas where

people spend their money. That might be an avenue to find demographic areas where finer information is needed. It is a question of the robustness of the data.

Harold questioned the work from the University of Maryland; he had a map from the Septic Initiative from that was based on average income. James indicated was not precise enough, not the kind of information to rely upon, not that accurate.

Bob stated Council members could identify areas in Sussex County.

Bill asked why we feel it is our responsibility, when this should be driven by towns. James stated this is part of the original 33 recommendations proposed by the Community Involvement Advisory Committee; to map environmental justice communities and potential exposures to environmental contaminants so we could ensure no community disparately affected. It is also a statewide issue, the office of Statewide Planning and Coordination would love to have a precise map of poverty communities. We spoke with them during the Septic Initiative. The Director, Connie Holland suggested that it would require a collaborative effort of several state agencies.

Bill expressed concern on the amount of funds available. James advised he would have a better idea of the cost after following through with the meeting with the University of Delaware professor. Right now FAB is willing to provide \$70,000. LaVaida suggested we recommend we bring these groups together.

- **Slaughter Neck Meeting**

A handout was provided of the First State Community Action Agency's community Workshop on drinking water, wells, and septic systems for December 9th Slaughter Neck Community Workshop. Representatives from Public Health and DNREC will be present.

On Nov. 9, Deanna Campagnini and I met with Slaughter Neck Community action agency, regarding their complaint about illegal dumping on farmland adjacent to their community. They feared that the dumping was affecting their drinking water. Pam asked if all were on wells. Yes, James replied. We discovered that the town of Rehoboth was spreading sludge as a fertilizer; this is a permitted activity, a regulated activity. We dispelled the idea that illegal dumping was contaminating their water, but did find that there are 45 out of an estimated 50 households in the community that have cesspools

The Dec. 9 workshops will involve our Water Resources Division, Financial Assistance Branch (FAB). FAB will explain the Septic Extended Funding Option (SEFO) loan program. I cannot say enough about the significance of the Septic financing initiative. The SEFO loan program was developed to meet the needs of the low-income communities identified by that CEPF project.

To be eligible for SEFO, applicants must first apply for the Septic Financing only if they are rejected for the traditional loan, they can qualify for SEFO. SEFO offers a no interest loan for up to \$25,000. The loan is forgiven if the homeowner remains in that property for; I believe fifteen, or twenty years. I will have to verify that. However, there are no monthly payments. The loan is repaid upon the sale of the property.

Bill noted that 20 years is a long time for a loan to evaporate and become a grant. In my experience, the usual number is 5 years for a second mortgage. Within 5 years, 10 is long, 20 years is an eternity. Payment is taken from settlement costs, a lien.

Harold stated that lots might be 50 by 75 feet; this is a problem. There are septic and wells must be 100 feet apart. This is the problem well and septic are too close and causing contamination.

Our mission here was increasing the flow of information. People saw the dumping and assumed illegal dumping was responsible for the poor water quality. The information provided to that community will help the community and the Department to resolve the problem.

Harold also noted that farmlands circle the Slaughter Neck area. Farms fertilize and they have problems. James added that the Department of Public Health was providing the kits and conducting random testing of wells to assess the quality of drinking water in the area. The results of tests will be shared at the workshop on Dec. 9.

Bob Frederick will attend the Dec 9 meeting.

Energy Efficiency Model Project Meeting

James informed the Council of an upcoming meeting that could result in the development of an Energy Efficiency Model Project for the CEPF. The meeting involves; New Castle County Council, Laborers Local 199, Local Laborers 55, the Energy Office, and Sustainable Energy Utility. We are looking at two potential model projects. These would be collaborative partnership projects. They would involve the weatherization and retrofit of residential properties and a public facility.

Residential in Edgemoor Gardens – Edgemoor Gardens is a low-income community, comprised of 70% renter and 30% homeowners. Edgemoor Gardens won the Blueprint Community competition. Blueprint communities compete for a planning grant that addresses the needs of their community. The Edgemoor Gardens plan is, aimed at increasing homeownership and energy efficiency. The community is in John Cartier, the 8th District New Castle County Councilman's district. He will host the meeting. Local Labor 55 and Local 199 are both new

labor locals that are recruiting for new members for training and employment in energy efficiency. Local 55 will focus on residential energy efficiency. Attached to the handout is the Local 55 training program. After Local 55 trains, they will hire people at \$17 per hour with benefits at \$5 per hour. According to the handout, Local 55 has already reached an agreement that 1/3 of the workers for residential weatherization projects will come out of organized labor.

Labor Union 199 will focus on public facilities. The Sustainable Energy Utility will be floating a bond to finance the weatherization of public facilities. New Castle County is hoping to finance the weatherization and retrofit of the Edgemoor Community Center and/or the Claymont community Center with the bond monies. Local 199 is recruiting and training new members for employment in this sector

James explained that another element of the project is to make use of home ownership and energy efficiency tax credits. Edgemoor Gardens residents who qualify would get the Earned Income Tax Credit. Depending on income and household size, the EITC could provide \$4,800.

The IDA, Individual Development Account, is a federal matching program that will match savings for a home or college tuition up to I believe, \$2,500. If the homeowners put their EITC income into an IDA, you could potentially leverage \$5,000 up to \$9,800 towards the purchase of a home for first time homebuyers. Then they can use the Stimulus tax credit of \$8,000 for first time homebuyers. There are also the DNREC Energy Office tax credits for solar and geothermal heating units, and energy star tax credits.

LaVaida questioned how this was publicized. James indicated they have not had a meeting yet. The focus is on the Edgemoor community so it is not widely publicized. Recruitment and publicity would be a part of the collaborative partnership process.

Yet another tie to DNREC is the State Energy Sector Partnership grant application, \$5.8 million to train people in the 7 energy sectors that are the governor's Climate Prosperity Initiative. Training has to lead to must guarantee jobs. In conjunction with labor union and private contractors can use these projects as training grounds for energy efficiency we can put people to work in weatherization programs, demonstrate the effectiveness of the State Energy Sector Partnership, purchase and weatherize homes, demonstrate the effectiveness of tax credits and stimulus dollars.

Bill questioned how this affects the Council. James stated that low-income communities spend the greatest portion of their incomes on utilities, so they are burdened more by problems that contribute to environmental pollution. It is our mission to see that environmental issues disparately affect no community.

James stated the environmental justice movement targets low-income communities. The twist is making sure the low-income communities become more energy efficient; reduce green house gases and their impact on the environment.

Pam stated the council does more than give grants; we work with the ombudsman to improve communication, which is a facet of the community and DNREC.

Bill questioned if the weatherization office will ask for a grant from our funds. Jay questioned who pays for the windows. James replied that these costs would be paid for through the weatherization program and the bond proceeds.

LaVaida asked if the Edgemoor Community jobs would be from people all over New Castle County, which James replied that the labor locals were also targeting communities, such as Rose gate and Simons Gardens. LaVaida wanted to know how we get this information to the civic associations. James indicated that John Blyden of Local 55 shared information at the November 16 Asthma Action meeting, He will also be at December 11 meeting. Senator McDowell would also like to attend, along with the Administrator of the SEU. We have not yet heard from the Delaware Contractors Association

LaVaida – requested CIAC be notified when the meeting has been scheduled.

Bill asked if Dr. John Byrne would be present. James replied this was a good segue into the Green Energy Green Savings, that project provided the energy education and some measurement tools that could be utilized in the Edgemoor project.

A handout of the GEGS Mid Term Report was provided to Council Members. Beginning on page 25 is discussion of GEGS program. James explained that the report is a response to the Auditor of accounts Special Investigation that alleges that the Peoples Settlement Association (PSA) misused CEPF funds. The Auditor is demanding that PSA return a portion of the funds to DNREC and that the Department reconsider providing funding to complete the project.

James stated that the PSA Board of Directors would meet with Secretary O'Mara who will determine how to proceed and whether they should receive the balance of funding for continuation of the project. The expectation was that the meeting would be scheduled shortly.

Does this council need to make a decision due to deadlines? James indicated that after the Secretary meets he would provide Council with guidance. University of Delaware, Dr. John Byrne, and Director of the Center created this report for Energy and Environmental Policy.

Pam commented that her page 8 was blank. Bill asked for any other comments. **Bob suggested this item be carried over in two months as an agenda item.**

Jay noted that people with the best intentions do not always make the best accounts. We may need some discretion. If we looked at other organizations, sloppy bookkeeping, volunteers, projected costs. They had good intentions. Grass roots organizations may not be up to speed on accounting procedures.

Bob noted the HOLD status on the CEPF account entry on 1/14/08.

Bill stated this was the first time and the Auditor found no wrongdoing. Some very credible board members have been added.

IV. Open Forum

V. Comments/Questions?

Harold extended a thank you to Vicki.

VI. Adjourn

Harold motioned to adjourn the meeting with a second by Bob; all were in favor, the meeting adjourned.

Respectfully submitted,

Vicki 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 of presentations.