

MEETING NOTES

COMMUNITY INVOLVEMENT ADVISORY COUNCIL

September 15, 2015

Smyrna Area Rest Stop
Smyrna, Delaware

Members Present: Anthony Jay Julis, Pamela Meitner, LaVaida Owens-White, William Pelham, Marvin Thomas, Joseph Farrell, Jason Adkins

Members Absent: Robert Frederick, Harold Truxon, Gary Emory

DNREC: James Brunswick, Patrick Emory, Nicole Bixby, Christina Wirtz

I. Meeting Called to Order

Mr. Pelham called the meeting to order at 9:30 a.m.

II. Meeting Protocol Review

Each Member read a point of the Council's protocol.

III. Review/Approval of Meeting Notes

MOTION was made by Mr. Jay Julis to approve the June 16, 2015 meeting notes and a second was made by Mr. Jason Adkins. All in favor and the motion carried.

IV. Council members upcoming renewal dates

Members need to contact Lydia Prigg with the Governor's Office to update.

- Mr. Frederick's expiration date was 09/14/12
- Mr. Julis' expiration date is 03/26/16
- Mr. Farrell and Mr. Thomas' expiration date is 02/18/16

V. Administrative Reserve Meeting Report

Mr. Pelham summarized the meeting. Secretary Small responded to a request made in writing to address a specific issue of how the Community Ombudsman is paid. Penalty funds are being reduced towards grant money. Ms. Meitner suggested that they don't have the legal right according to statute. Mr. Pelham explained that there is epilogue language in 2013 and approved in 2014 "Sec. 224 notwithstanding the provisions of 7 Del. C. § 6042(c), Section 1 of this Act appropriates 0.5 ASF FTE Ombudsman to the Department of Natural Resources and Environmental Control, Office of the Secretary, Community Services (40-01-03) to be funded through the Community Environmental Fund. That means that the department can legally take half of the salary and benefits from CEPF. Mr. Pelham stated that the objection was heard; however Secretary Small made it clear that he will put forth the effort to try and find the funds to take care of it so it doesn't have to come out of CEPF budget. There is no guarantee but a willingness to

try. Ms. Meitner explained that the epilogue is something that they attach to the budget every year. Every year they are going to do this they have to get it approved from legislature. Mr. Pelham explained that this is for half of the salary and if the funding situation approves or the department finds alternative funding, maybe next year it will only have to cover 0.25 of the salary. Ms. Meitner suggested that the Council keeps track of this for next year.

**VI. Community Environmental Project Fund
2015 Funding**

Mr. Brunswick advised the due date for applications are October 11 and there is \$143,709 available. They are looking at the \$50,000 Main Street Delaware City observation deck project that was funded, but nothing has been completed. The department has revamped the policies on contracts and one of the policies is that if a purchase order hasn't been expended and the grant has gone untouched with no extension requested, it is reviewed for possible return. Mr. Pelham asked if we have the right to take that money back. Mr. Julis said there's new research and saying that these platforms are actually very disruptive and their recommendations are to only view from the bank. He explained that the other issue is who is responsible for the maintenance and liability on these platforms? Mr. Julis stated he would be in favor to ask them to resubmit for grant money and make the platform on the bank. Mr. Pelham asked how the council feels about pulling that money back. Ms. Meitner asked if we have talked to them to ask what the status of the project is. Mr. Brunswick advised they can't proceed until the construction of the branch canal greenway is finished. Mr. Pelham inquired if Mark Chura expects it to occur. Mr. Brunswick advised that Delaware City was a partner on the project and thinks that it is an important part of ecotourism, but needs to confirm that the city approves moving forward with the project. Ms. Meitner stated that the vote is to recommend to the Secretary to reallocate the funds. She thinks the first step is to contact them and ask for a status. Ms. Meitner advised at the last meeting the council asked for a progress on all projects. Mr. Brunswick advised he would have that for the grant review subcommittee meeting. Mr. Brunswick advised the applications are available online. The press release went out and the deadline was given of October 11. Ms. Meitner, Mr. Julis, Mr. Farrell, Ms. Owens-White and Mr. Frederick are on the subcommittee. Mr. Brunswick advised we will email out a location for the October 15 subcommittee meeting.

VII. Title VI Compliance

Mr. Brunswick advised the Office of Community Services has been tasked with Title VI compliance. This requires a Public Involvement Plan that may include CIAC in the process for DNREC. He advised DNREC is putting the framework together and by the December meeting should be able to come back with a plan on the council's role in helping develop the public involvement plan. Mr. Farrell asked if this is statewide or just DNREC. Mr. Brunswick responded this is just for DNREC's plan. Mr. Pelham asked to be kept updated on the work and the outline of the general plan. Ms. Meitner asked what exactly Title VI was. Mr. Emory explained the requirements for all departments

receiving federal money. Mr. Thomas asked if this is a result of non-compliance. Mr. Emory advised it is an audit process and tracking system. He advised we need to establish and embed the program within the department. Mr. Emory advised Office of Community Services will keep the council informed. Ms. Owens-White volunteered to work with the group as a liaison.

VIII. Community Ombudsman Report

Mr. Brunswick advised Ellendale initially started meeting around the drinking water issue and the problem they had was the Town of Ellendale has central sewer but not drinking water. In 2011, they had a referendum where the unincorporated community wanted a drinking water system. The unincorporated community couldn't vote and the referendum didn't pass. One of the goals was to create a collaborative partnership between the town and the unincorporated community so that they could both vote in a referendum. The Town of Ellendale along with 9 members of the civic improvement association met and moved forward with planning and meeting together to apply for a drinking water system. In addition there are problems with housing and drinking water. As a result of that HUD has stepped in and is working with the Ellendale Civic Community Association to identify problems in the area. As a result of HUD's involvement, there is a collaborative partnership bringing state and federal agencies together to address the problems in New Hope. We have developed a work plan addressing the issues in New Hope and include the county and the Town of Ellendale to get drinking water. HUD is interested in possibly providing funding. One of the issues identified is the county doesn't have housing code enforcement within the Town of Ellendale. The County Constables office will sit down and develop the housing code/enforcement for the Town of Ellendale. Mr. Brunswick explained that this is the outcome of having public involvement along with the stakeholders. They are looking at a map of all of the properties that have to be annexed in to the town and get the homeowners to agree to annexation. A lot of the work in the future will be having community meetings to explain the process. Mr. Pelham stated that Mr. Brunswick and Mr. Truxon deserve a thank you for all of the hard work and persistence over the years. Mr. Brunswick advised there is a meeting tonight for New Hope in order to bring them to meet with agencies that could provide assistance if they are required to relocate.

Mr. Brunswick advised that over the summer, Morningside Village and the County Engineering department were able to work together to stabilize the septic system. There have been some improvements made to the system and we are now working to develop the HOA. Mr. Brunswick advised there was a community event last month that provided fun activities as well as being able to interact with other agencies in order to improve their community. In the beginning there were 3-4 out of 45 residents paying their HOA dues; now there are 17 people paying on a regular basis. The HOA has an attorney who is working pro bono in order to get payments up to date on the chronic violators. Another portion of the community event was to get the system upgraded. One strategy is to petition the County for improvements like street lights, roads and drinking water. As a

result, residents can petition now to create a sanitary sewer district. The County guidelines require 50 registered voters to sign in order to look at it. There were about 40 signed petitions at the event. There are also a few other communities in the area that could possibly tie in to the sanitary sewer district. Mr. Brunswick disseminated a possible model project that could take over a troubled HOA. A non-profit management entity could take over for those troubled HOA's. USDA has to give money to communities for wastewater and drinking water systems, but can't give them to a HOA it must be a non-profit. Mr. Brunswick advised this is the model that could be used and supported by the dues, with the average cost of \$780/year for the homeowners. He advised that they have been able to stabilize Morningside Village with the work that was done this summer.

Mr. Brunswick provided an update on the Delaware Avenue Extended in Frankford location. Last evening, they met and researched what annexing would mean in terms of costs. The community agreed to pursue annexation as an option to receive drinking water from the town. Mr. Brunswick advised they will begin the whole process and work on annexation and linking to the drinking water in Frankford. Mr. Pelham thanked him for his persistence.

IX. Open Forum

X. *The meeting adjourned at 11:20 a.m.*

Respectfully submitted,

Nicole Bixby
Administrative Specialist II, DNREC, State of Delaware

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.