

MINUTES
WATER QUALITY FEES BOARD
July 9, 2020
Regular Meeting

- I. **CALL TO ORDER** – George Woolwine called the July 9th Meeting of the Water Quality Fees Board (WQFB) to order at 9:01 a.m. and read the following statement:

“Due to the COVID-19 pandemic, state of emergency and Governor Beshear’s Executive Orders regarding social distancing, this meeting of the Urban County Council is being held via video-teleconference pursuant to Senate Bill 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting.”

Water Quality Fees Board Members Present: Harry Clarke, George Ely, Donna Fogle, David Lowe, and George Woolwine

Staff Members in Attendance: Charles Martin, P.E., Director, DWQ; Jennifer Carey, P.E., DWQ; Frank Mabson, DWQ; Denice Bullock, DWQ; and Michael Cravens, Department of Law.

Guests: There were none.

- II. **POSTPONEMENTS & WITHDRAWALS** – There were none.

- III. **OLD BUSINESS** – There was none.

- IV. **NEW BUSINESS**

A. Incentive Grants

1. **FY2021 Class B Education Grant Selection**

a. **SUMMARY OF APPLICATIONS**

- \$35,000 maximum grant request
- Target of \$12,500 for projects ≤ \$2,500 (NOTE: There were no applications submitted in this category.)
- Experimentation / Innovation Pool: \$300,000.00 (available for use in any grant class)
- Available in FY2021 Budget: \$90,000
- Available from prior FYs: \$23,185.92 (available from previous FYs’ grants that were completed under budget or were cancelled or terminated)
- Total available for FY2021 funding = \$113,185.92
- \$100,500.00 requested in the 3 applications

- b. **DIRECTOR’S RECOMMENDATIONS** - to include the score, amount requested, and stipulations for each application.

Mr. Mabson read the following Director’s Recommendations:

1. **Bluegrass Greensource, Inc.** [Application number BE-APP1-2021] – Score 76.95, \$35,000.00 requested.
Town Branch Commons Trail Walking Tour - Conducting two (2) guided walking tours with fifteen (15) points of interest to include five (5) locations with videos and graphics. Creating and hosting a virtual Water Walk. Leading a promotional and social media campaign to highlight and inform the public about the water quality aspects along the Town Branch Commons Trail and walking tours.

Director recommended full funding in the amount of \$35,000.00 requiring a minimum \$8,125.00 cost share with stipulations that LFUCG and Applicant agree to all project elements, eligible expenses, (*i.e.*, budget items), terms, and conditions in a Grant Award Agreement to be approved by the Urban County Council; Applicant shall obtain written approval / agreement prior to work being done on properties not owned by the Applicant; Applicant shall provide web analytics to the Division of Water Quality tracking the number of visitors to the virtual Water Walk; Applicant shall provide rate of pay records for the personnel listed in the project budget to the Division of Water Quality prior to drafting of the Grant Award Agreement; Both electronic and hard copies of all materials are to be provided to LFUCG, for its use, as part of the grant deliverables; Organization proposes

a larger cost share beyond that required by the grant program. Budget shall reflect the 30.5% cost share offered in the application (approximately \$14,275.00).

2. **Lexington Center Corporation** [Application number BE-APP2-2021] – Score 87.25, \$35,000.00 requested. The Town Branch Park (TBP) seeks funding to meet the following three (3) goals during the design process for the Town Branch Park: generate meaningful engagement and education; define TBP's role as innovative and vital infrastructure; and create pathways to stewardship and advocacy for water quality and long term park support. Development and presentation of educational materials through social media, a website, meetings, etc., and hands-on activity and selected BMP-focused educational material.

Director recommended full funding in the amount of \$35,000.00 requiring a minimum \$8,125.00 cost share with stipulations that LFUCG and Applicant agree to all project elements, eligible expenses, (*i.e.*, budget items), terms, and conditions in a Grant Award Agreement to be approved by the Urban County Council; Applicant shall obtain written approval / agreement prior to work being done on properties not owned by the Applicant; Applicant shall provide rate of pay records for the Executive Director listed in the project budget to the Division of Water Quality prior to drafting of the Grant Award Agreement; Applicant to provide the Division of Water Quality with the location(s) where they plan to perform the Town Branch stream cleanup and other stormwater educational activities for inclusion in the Grant Award Agreement; Both electronic and hard copies of all materials are to be provided to LFUCG, for its use, as part of the grant deliverables; Organization proposes a larger cost share beyond that required by the grant program. Budget shall reflect the 20.1% cost share offered in the application, (approximately \$8,200.00).

3. **The Living Arts and Science Center, Inc. (LASC)** [Application number BE-APP3-2021] – Score 94.25, \$30,500.00 requested. Curriculum development, planning, promotional activities and instructions for field trips for K-12 student groups to LASC, Kentucky Wildlife and Water outreach programs, an after-school ecology program for LTMS, Wildlife and Water summer camps, Eco Workshops for families, and a Water is Life Day community event. Development of materials and maintenance of educational displays at LASC to educate visitors about aquatic habitats, native animals, native plants, and BMPs.

Director recommended partial funding in the amount of \$29,900.00 requiring a minimum \$6,850.00 cost share with stipulations that LFUCG and Applicant agree to all project elements, eligible expenses, (*i.e.*, budget items), terms, and conditions in a Grant Award Agreement to be approved by the Urban County Council; Applicant shall specify educational materials in budget line 4 that are water quality-related or that will include water quality messaging; Applicant shall provide the Division of Water Quality with a revised budget omitting line 6 "Food for after school programs" for inclusion in Attachment A to the Grant Award Agreement; Both electronic and hard copies of all materials are to be provided to LFUCG, for its use, as part of the grant deliverables; Organization proposes a larger cost share beyond that required by the grant program. Budget shall reflect the 21.9% cost share offered in the application, (approximately \$7,683.23).

- c. **PUBLIC COMMENT** - Mr. Woolwine opened the floor for public comments. There were none.
- d. **BOARD DISCUSSION** - Mr. Woolwine opened the floor for discussion of the Class B Educational Grant Applications.
 1. **Bluegrass Greensource, Inc.** [Application number BE-APP1-2021] – Mr. Woolwine asked if the boundaries for the Bluegrass Greensource project was from the corner of Winchester Road and Midland Avenue, down Midland Avenue toward E. Vine Street and along E. Vine Street down to the Rupp Arena Civic Center.

Ms. Carey replied affirmatively.

Mr. Woolwine asked if the boundary extended over to Main Street.

Ms. Carey replied that the boundary extended to the west of Main Street where Vine Street and Main Street split in front of Heritage Hall.

Mr. Woolwine asked if this application would be involving signage with writing and photographs at different key points.

Ms. Carey replied affirmatively and said that five (5) of the fifteen (15) points of interest would incorporate a video, interactive camera, or some type of projection.

Mr. Clarke asked how would the Applicant provide that feature.

Ms. Carey responded through a kiosk.

Mr. Woolwine asked if the kiosk would be located on the sidewalk.

Ms. Carey replied affirmatively.

Mr. Clarke expressed his concern about having five (5) kiosk locations with video and asked for more clarification as to how that will happen.

Mr. Martin replied that the Town Branch Common's concept was to provide visual interactive interpretations (kiosks) at designated stopping points along the Town Branch walking trail. These kiosks would give the history of Town Branch, as well as provide an educational and informational aspect of water quality. He indicated that an Ordinance had been introduced that designates a specific area in the right-of-way for the Town Branch Commons and any work done within that area will require a permit. He said that if the Board would like more information on this topic the staff could provide that for them in the future.

Ms. Carey said that this grant was requesting funds to develop the content of the videos, but not the technology to implement the proposal.

Mr. Clarke said that idea for the Town Branch Commons was first introduced by the city, but now Bluegrass Greensource, Inc. is taking responsibility.

Ms. Carey replied affirmatively and said that this allows other groups and corporations to become involved and complete the project.

Mr. Woolwine asked if Bluegrass Greensource, Inc. installed the Town Branch water walking tour next to the Financial Center between Vine Street and Main Street.

Mr. Martin said that Bluegrass Greensource, Inc. was listed as one of the collaborating groups in developing and sponsoring that spot near the Financial Center.

Mr. Ely moved to approve Bluegrass Greensource, Inc. [Application number BE-APP1-2021]; seconded by Mr. Clarke. The motion passed unanimously.

2. **Lexington Center Corporation** [Application number BE-APP2-2021] – Mr. Woolwine asked if this application would be removing the pavement and asphalt to plant grass and vegetation for educational purposes.

Ms. Carey and Mr. Mabson replied affirmatively.

Mr. Clarke expressed his support, but said this application is for the design of the project, not to construct the project.

Ms. Carey replied affirmatively and said that the grant would be used to help engage stakeholders and the people in the surrounding area to ensure they have input and understanding of the various types of stormwater features and water quality features that will be highlighted as part of the park development.

Mr. Clarke said that part of the idea is to attract additional support for fundraising.

Mr. Clarke moved to approve Lexington Center Corporation [Application number BE-APP2-2021]; seconded by Ms. Fogle. The motion passed unanimously.

3. **The Living Arts and Science Center, Inc. (LASC)** [Application number BE-APP3-2021] – Mr. Lowe asked why the budget line item #6 for after school programs was omitted from the Living Arts and Science Center but remains on the Lexington Center Corporation, Town Branch Park request.

Ms. Carey explained that when the staff scored the applications, they felt that the Lexington Center Corporation was offering events where food would help attract people to programs. The Lexington Center Corporation was strictly focusing on stormwater and water quality items; whereas, the Living Arts and Science Center was requesting funds for after school snacks. There is no way to associate as to whether or not those snacks would be provided on the days that held educational classes on stormwater and water quality events. Ms. Carey indicated that this is what made the difference as to how the staff scored each application. It did not appear that the Living Arts and Science Center could directly correlate the snacks being used to days that offered stormwater and water quality education.

Mr. Woolwine asked if the staff had any dialog with the Living Arts and Science Center as to whether or not they dedicated a day to the education of stormwater and water quality, and are they aware of the reasons they are not eligible for those funds.

Ms. Carey replied that the staff did not inform the Living Arts and Science Center, but if the Board believed adding that condition is appropriate, the staff could certainly include that information as an additional grant stipulation. She added that the staff could request for the Applicant to provide additional documentation linking the funds to the days that were dedicated to providing a programs related to stormwater and water quality events.

Ms. Fogle replied that providing that funding would be a good idea since there is a long period between lunch and the after school program.

Mr. Mabson replied that the Living Arts and Science Center provides other educational curriculum and the staff wanted to make sure that the food being provided would be used for the programs that are focused on stormwater and water quality.

Ms. Carey added that the Living Arts and Science Center is providing an after school program for the students from the Lexington Traditional Middle School (LTMS) until the parents can pick up their children. This would be a late afternoon snack.

Ms. Fogle said that middle school students are the last to get out and have the longest hours in school. Providing the snacks is something to consider as long as the snack is provided during programs associated with stormwater and water quality.

Mr. Mabson asked if there were additional funds available.

Ms. Carey replied affirmatively.

Mr. Clarke indicated that the Board normally receives a request from the Living Arts and Science Center annually, and as part of their curriculum development, the Board could request an evaluation as to what they are providing as far as the educational aspects on stormwater and water quality. He asked if there is a report that shows how the money is being used each year.

Mr. Mabson said that the Applicant is obligated to submit any sign-in sheets, as well as their developed curricula to the Grant Manager for his or her review to ensure that the focus is on stormwater and water quality issues. The staff can provide copies of these items to the Board if they wish.

Mr. Clarke replied that he would be interested in seeing those reports, particularly for the Living Arts and Science Center.

Mr. Mabson indicated that the Living Arts and Science Center has been receiving grants for a number of years and asked how far back the Board would like to review.

Ms. Carey replied that at the April Water Quality Fee Board Meeting, the staff typically provide an update on the closed projects and during this time would be an opportunity to report to the Board the progress as to what the Living Arts and Science Center has done with the funding from the grant program.

Mr. Clarke expressed his agreement.

Mr. Ely moved to approve the Living Arts and Science Center, Inc. (LASC) [Application number BE-APP3-2021]; seconded by Ms. Fogle.

Discussion of motion – Mr. Mabson asked if the motion on the floor included adding funding for food for the Living Arts and Science Center.

Mr. Ely and Ms. Fogle indicated their agreement.

Mr. Woolwine clarified that the motion on the floor is to add a stipulation that the food will be provided only for those events where stormwater and water quality is the emphasis of the discussion.

Mr. Ely and Ms. Fogle replied affirmatively.

The motion passed unanimously.

2. **INCENTIVE GRANT STATUS UPDATE** - Mr. Mabson and Ms. Carey briefly provided an update on the Incentive Grants between FY2016 to FY2020; commenting on a few select projects.

V. **OTHER MATTERS** - The next meeting will be Thursday, August 13, 2020.

Mr. Woolwine asked if there were any other matters to address. There were none.

VI. **ADJOURNMENT** – **The meeting was adjourned at 9:54 a.m.**