

MINUTES  
WATER QUALITY FEES BOARD  
July 8, 2021  
Regular Meeting

- I. **CALL TO ORDER** – George Woolwine called the July 8th meeting of the Water Quality Fees Board (WQFB) to order at the Division of Water Quality (DWQ) Tate Building, North Elkhorn Conference Room, 125 Lisle Industrial Avenue, Suite 180 at 9:00 a.m.

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

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

Guests: There were none.

- II. **APPROVAL OF MINUTES** – Mr. Woolwine asked the WQFB to review the minutes of the April 8, 2021, Water Quality Fees Board Meeting.

**Mr. Clarke moved to accept the minutes as written. The motion was seconded by Mr. Lowe, and the motion passed unanimously.**

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

- IV. **NEW BUSINESS**

A. **Incentive Grants**

1. **FY 2022 Class A Neighborhood Grant Selection** – Mr. Mabson provided the Board with an overview of the funds available for allocation for the FY 2022 Class A Neighborhood Grants:
- \$100,000 maximum grant request
  - Target of \$40,000 for Feasibility Only Projects (There was one (1) application submitted for this category.)
  - Available in FY22 Budget: \$260,000.00
  - Available from unused grant funds: \$107,246.06 (Available from previous FYs' grants that were completed under budget or were cancelled or terminated)
  - Available from remaining FY21 funds: \$94,109.42
  - Total available for FY22 funding: \$461,355.48
  - Experimentation / Innovation Pool: \$300,000 (available for use in any grant class)
  - Total amount requested from submitted applications: \$265,329.00

Mr. Mabson introduced the Class A Grant Applications. Five applications were received, with applicants requesting a total of \$265,329.00.

Mr. Mabson read the Director's Recommendations to include the score, amount requested, and stipulations for each application.

**Summary of Applications**

**Bluegrass Roots Farm Foundation, Inc.** [Application number A-APP1-2022] – Score 79, \$100,000.00 requested.

The proposed project element is a Rainwater Harvesting System that consist of the following: evaluate sizes for rainwater harvesting system elements; design and permit the system and construct the stormwater retention basin as part of the rainwater harvesting system.

*Not recommended for funding.*

If the Grant Application is approved by the Board, approve with stipulations that the Applicant shall obtain written approval / agreement prior to work being done on properties not owned by the Applicant; Applicant shall verify the need and ensure all permits are received (*i.e.*, FEMA, Army Corps, KDOW, etc.) prior to the construction of any structures or the stormwater retention basin; the project shall not proceed with fieldwork until written approval to proceed is obtained from

the Grant Administrator or Director of Water Quality, because of the potential for conflict with future LFUCG projects; Applicant will need to clarify the deliverables as part of the educational components in Line #10 of the budget for the amount of \$4,640.00.

**Friends of Wolf Run, Inc.** [Application number A-APP2-2022] – Score 92, \$57,331.00 requested.

The proposed project elements include recruiting, training, supplying, and supporting volunteer stewardship groups to assist streamside property owners in managing vegetative riparian buffers along Wolf Run and its tributaries. The project site locations / elements, with individual budgets following, include 1. Deauville Drive Greenway Project (\$2,782.50), 2. Killrush Greenway Stream Buffer Permaculture Food Forest (\$15,355.00), 3. Wildcat Chase Stream Buffer, Colony Neighborhood (\$2,460.00), 4. Elm Fork Outdoor Biotechnology Lab at Lafayette High School (\$5,382.50), 5. Preston's Cave Spring Park Restoration (\$22,950.00), 6. Roanoke Drive Greenway Naturalization (\$2,565.00), 7. Cardinal Valley Stream Buffer (\$2,642.50), 8. Gardenside Park Left Bank Buffer (\$1,555.00), 9. Pine Meadow Neighborhood Stream Buffer (\$2,825.00), 10. Springs Branch Corridor (Downstream of Stormwater Project) (\$2,495.00), 11. Stream Steward Technical Support and Training (\$14,290.00), and 12. Administration and Coordination (\$6,791.00).

*Director recommended full funding in the amount of \$57,331.00 requiring a minimum \$14,332.75 cost share with stipulations that the tree plantings shall be coordinated with existing utilities prior to plantings, and if possible, trees shall not be planted within 10' of an existing utility. Encroachment agreements shall be obtained when working within any public or private utility areas; Applicant shall obtain written approval / agreement prior to work being done on properties not owned by the Applicant; Applicant shall verify the need and ensure all permits are received (i.e., FEMA, Army Corps, KDOW, etc.) prior to any streambank stabilization work; The project shall not proceed with fieldwork until written approval to proceed is obtained from the Grant Administrator or Director of Water Quality, because of the potential for conflict with future LFUCG projects; Activities proposed for project site #3 (i.e., Wildcat Chase Greenway - Colony Neighborhood) shall not proceed with fieldwork until written approval to proceed is obtained from the Grant Administrator or Director of Water Quality, because of the Colony Retention Pond Evaluation and Improvements Project; however, proposed project activities at this project site can occur upon completion of the LFUCG Capital Project. To accommodate project site #3, LFUCG will provide for a 24-month grant term in the Grant Award Agreement; Activities proposed for project site #8 (i.e., Gardenside Park Stream Buffer Maintenance) shall be restricted to the Holly Springs side of the creek because of RMP construction activities scheduled for the north side of the creek. Access to the right descending bank (i.e., Gettysburg / Normandy side) will be restricted due to the sanitary sewer project; Activities proposed for project site #10 (i.e., Springs Branch Stream Restoration Maintenance) shall not proceed with fieldwork until written approval to proceed is obtained from the Grant Administrator or Director of Water Quality, because of the Southland Park Stormwater Improvements Project; however, proposed project activities at this project site can occur upon completion of the LFUCG Capital Project. To accommodate project site #10, LFUCG will provide for a 24-month grant term in the Grant Award Agreement; Applicant shall obtain encroachment agreements for each public site from Division of Environmental Services; Organization proposes a larger cost share beyond that required by the grant program. Budget shall reflect the 30.2% cost share offered in the application (approximately \$24,762.50).*

**The Gardens of Hartland Homeowners Association, Inc.** [Application number A-APP3-2022] – Score 69, \$44,800.00 requested.

The purpose of the proposed project is to provide structural updates for the continued maintenance of the rain garden located at 5095 Ivybridge Drive owned by the Association; remove the existing “engineered soil” and replace it with 70% sand / 30% topsoil mixture and install a new pipe to access high water table locations; and increase residents’ awareness of the local water quality issues through community education and engagement programs.

*Director recommended full funding in the amount of \$44,800.00 requiring a minimum \$11,200.00 cost share with stipulations that the Applicant shall obtain written approval / agreement prior to work being done on properties not owned by the Applicant; the project shall not proceed with fieldwork until written approval to proceed is obtained from the Grant Administrator or Director of Water Quality, because of the potential for conflict with future LFUCG projects; Applicant to clarify whether the organization will pay the HOA Representative Manager listed in the budget their current rate of pay for time spent at \$27.00 per hour OR will their time be donated. If it will be donated, they will need to comply with the Program's donated professional service hours guideline that states the rate shall be “valued at the Median Hourly Wage for the expertise provided – from the U.S. Department of Labor, Bureau of Labor Statistics, State Occupational Employment and Wage Estimates for Kentucky (current website: [http://www.bls.gov/oes/current/oes\\_ky.htm](http://www.bls.gov/oes/current/oes_ky.htm)).”*

**Neighbors United for South Elkhorn Creek, Inc.** [Application number A-APP4-2022] – Score 55, \$11,200.00 requested.

Feasibility Study to evaluate potential Best Management Practices (BMPs) to address eroding streambanks, restore and enhance riparian buffer areas, provide educational elements, and increase the public's access to natural features along South Elkhorn Creek.

*Director recommended full funding in the amount of \$11,200.00 requiring a minimum \$2,800.00 cost share with stipulations that the Applicant shall obtain written approval / agreement prior to work being done on properties not owned by the Applicant.*

**The Prestwick Condominiums Association, Inc.** [Application number A-APP5-2022] – Score 83, \$51,998.00 requested.

The proposed project elements include lowering and installation of a new drain inlet, removing and replacing the 12" storm pipe with a 24" pipe, headwall and skull rock infiltration channel and tie the roof drains into the new drain inlet; and develop educational flyers describing the improvements and benefits of the project and information about the Incentive Grant Program to disseminate to neighbors.

*Director recommended partial funding in the amount of \$51,940.00 requiring a minimum \$13,057.50 cost share with stipulations that the Applicant shall obtain written approval / agreement prior to work being done on properties not owned by the Applicant; the project shall not proceed with fieldwork until written approval to proceed is obtained from the Grant Administrator or Director of Water Quality, because of the potential for conflict with future LFUCG projects; Applicant shall verify the need and ensure all permits are received (i.e., FEMA, Army Corps, KDOW, etc.) prior to any streambank stabilization work; Applicant shall coordinate with all pertinent branches and sections at the Kentucky Division of Water prior to project; and since the Application does not include project elements incorporating activities for citizen involvement, Applicant will need to clarify Line #16 of the budget or reduce the overall project budget by \$72.50. If Applicant does plan to do the activities, they will need to submit a revised budget for inclusion in the Grant Award Agreement Attachment A document.*

**Public Comment** – Mr. Woolwine opened the floor for public comments. There were none.

**Board Discussions** – Mr. Woolwine opened the floor for discussion of the Class A Neighborhood Grant Applications.

- **Bluegrass Roots Farm Foundation, Inc.** [Application number A-APP1-2022]

Mr. Martin commented that he had reservations about signing the Grant Determination Form because the proposed scope of work is essentially an agricultural irrigation system; adding that the proposed project would be inconsistent with the overall intent of the Stormwater Quality Projects Incentive Grant Program (SQPIGP). Not having clear guidelines as to what reuse of water should be, as opposed to an irrigation system, exposes the government to future requests from almost any farm, golf course, commercial or institutional parcel within Fayette County. Mr. Martin offered further opinion that the Application proposes a project that would be an inappropriate use of stormwater grant funds.

Mr. Woolwine asked if the Application proposes water quality components that help to reduce pollutants from entering the nearby streams. Mr. Martin said that water quality features consist of removing trash and debris normally found within an urban setting, as opposed to an agricultural area. Mr. Martin also commented that the Board should review the grant application with eyes wide open and decide if this was a route they wished to pursue.

Mr. Cravens referenced the following excerpt from the Code of Ordinances, Sec. 16-410. - Stormwater quality projects incentive grant program:

- (1) *There is established a stormwater quality projects incentive grant program ("program") to provide funding where urban county monetary participation is justified for the following:*
  - a) *Cost-sharing assistance for stormwater projects / programs on residential and commercial / industrial properties with existing stormwater concerns; and*
  - b) *Grants for community-based stormwater projects.*

Mr. Cravens also stated that the intent of the Bluegrass Roots Farm Foundation, Inc. grant application does not fit under Section 16-410(a) or (b), as indicated by the staff.

Mr. Woolwine remarked that this application does not fit the main part of Section 16-410.

Mr. Ely asked whether Bluegrass Roots Farm Foundation, Inc. was a pilot program to mitigate agricultural runoff. Mr. Martin replied affirmatively and stated that the grant application was crafted to suggest that the purpose of the project would be to mitigate agricultural runoff, but at the end of the day, this would also be irrigating the crops.

Mr. Martin said that this application is a slippery slope because, without an established stormwater problem, it seems the drive behind the submittal was for an irrigation system for crops. Mr. Martin noted that this was why he did not sign the Grant Determination Form.

Mr. Mabson said that the captioned property is a farm, and staff was not sure how much of an impact the proposed project would have on the urban service community.

Mr. Woolwine said that there are similar elements proposed in this grant application that match the Lexmark grant application. The difference is how Lexmark reused its water for cooling.

Mr. Martin said that the University of Kentucky Research Foundation reuses their water as well.

Mr. Woolwine said that those are different situations than Bluegrass Roots Farm Foundation, Inc. He also noted the Water Quality Fees Board funded a grant for the Kentucky Horse Park to collect the runoff. Ms. Carey provided clarification that it was actually the Thoroughbred Center on Paris Pike.

Mr. Woolwine asked how the elements of the Thoroughbred Center were different from the Bluegrass Roots Farm Foundation, Inc., grant application. Ms. Carey and Mr. Mabson briefly explained the difference between the two grant applications.

Mr. Woolwine asked if the current criteria for the selection process should be revisited to address the staff concerns for any future applications similar to this application.

Ms. Carey briefly explained that the staff could add this issue to the list of items for consideration of Programmatic Changes for the January, 2022 meeting. She noted that a stipulation could be crafted to indicate the Water Quality Management Fee will not be used to fund irrigation projects or irrigation projects outside the Urban Service Boundary.

Mr. Clarke said that he agreed with the staff's concerns, adding that the application mentioned a training collaboration between BRFF and The University of Kentucky Agricultural Department students. He asked whether the University of Kentucky should already be providing such training to students.

Mr. Mabson said that the University of Kentucky was listed in the narrative, but the Application did not include a letter of support from The University of Kentucky Agricultural Department.

Mr. Woolwine asked if the Bluegrass Roots Farm Foundation, Inc., pays the Water Quality Management Fee. Ms. Carey and Mr. Mabson replied affirmatively.

Mr. Mabson briefly explained that Bluegrass Roots Farm Foundation, Inc. was representing Manley Farm, which had previously submitted for an FY 2021 Class B Infrastructure Grant Application. Since Manley Farm was not a Class B fee payer of the Water Quality Management Fee, they failed to qualify for an FY 2021 Class BI grant. So, Manley Farm reached out to Bluegrass Roots Farm Foundation, Inc., to apply for a FY 2022 Class A Neighborhood Grant.

Ms. Carey further explained that Manley Farm had applied for the FY 2021 Class B Infrastructure grant, which has a cap of \$300,000.00. She added that since the program elements between Class A Neighborhood and Class B Infrastructure are essentially the same, to accommodate the Class A Neighborhood cap, Manley Farm reduced their

original scope and subsequent costs down to \$100,000.00. To make up the difference between the two amounts, the Applicant was hoping to find additional funding to complete the project as they had originally envisioned.

Mr. Martin said that the staff recommends not funding this grant.

**Mr. Clarke moved to accept the Director's Recommendations for Bluegrass Roots Farm Foundation, Inc. [Application number A-APP1-2022]; seconded by Ms. Fogle. The motion passed unanimously.**

Mr. Woolwine encouraged the staff to present a proposed program change to the Board at the January 2022 meeting regarding language to address that the Water Quality Management Fee will not be used to fund irrigation projects or irrigation projects outside the Urban Service Boundary.

The staff responded affirmatively.

- **Friends of Wolf Run, Inc.** [Application number A-APP2-2022]

Mr. Ely asked if the Applicant was following through with their previous grant projects. Mr. Mabson replied affirmatively.

**Mr. Ely moved to accept the Director's Recommendations for Friends of Wolf Run, Inc. [Application number A-APP2-2022]; seconded by Mr. Clarke. The motion passed unanimously.**

- **The Gardens of Hartland Homeowners Association, Inc.** [Application number A-APP3-2022]

Mr. Woolwine recused himself from commenting on this item.

Mr. Mabson briefly explained that the Applicant is proposing to provide structural updates for the continued maintenance of an existing rain garden located at 5095 Ivybridge Drive. The Applicant is proposing to remove the existing "engineered soil" and replace it with 70% sand / 30% topsoil mixture and install a new pipe to access high water table locations; increase residents awareness of the local water quality issues through community education and engagement programs.

Mr. Clarke commented that the Applicant has tried to fix the problem but is now at the point they need help.

Mr. Mabson said that this site is related to an older grant from the FY 2011 funding cycle.

Ms. Carey agreed and said that the previous funding was from the FY 2011 grant cycle, but was set to expire in December of 2021 in terms of the maintenance responsibilities. Should the Board approve the FY 2021 request, there will be no conflict between the two grant cycles.

Mr. Martin indicated that he had reservations about approving this grant, but the integrity of the Applicant made him comfortable enough to recommend approval for them to accomplish what was intended in the beginning.

**Mr. Lowe moved to accept the Director's Recommendations for The Gardens of Hartland Homeowners Association, Inc. [Application number A-APP3-2022]; seconded by Mr. Clarke. The motion passed 4-0.**

Aye - Clarke, Ely, Fogle, and Lowe

Nay - None

Recused - Woolwine

- **Neighbors United for South Elkhorn Creek, Inc.** [Application number A-APP4-2022]

Mr. Mabson briefly explained that the Feasibility Study will consist of completing a study of potential Best Management Practices (BMPs) to address eroding streambanks, restoring and enhancing riparian buffer areas, providing educational elements, and increasing the public's access to natural features along South Elkhorn Creek.

Mr. Woolwine asked if the Applicant has received any past funding. Ms. Carey replied affirmatively and gave a summary.

Mr. Clarke commented that the Applicant has done a lot of work in the past and he was surprised that this is a feasibility study only at this point.

Mr. Mabson commented that the Applicant has the feasibility process down to a science.

Mr. Clarke said that the Applicant isn't starting from scratch; to which Mr. Mabson agreed.

Ms. Carey replied that the fact the Applicant is pretty far along is reflected in the amount of the requested grant. She indicated that this amount is a lot less than what has been requested for other feasibility studies.

**Mr. Clarke moved to accept the Director's Recommendations for Neighbors United for South Elkhorn Creek, Inc., [Application number A-APP4-2022]; seconded by Mr. Ely. The motion passed unanimously.**

• **The Prestwick Condominiums Association, Inc. [Application number A-APP5-2022]**

Mr. Mabson briefly explained the proposed project elements and directed the Board's attention to stipulation #5. He explained that the Applicant did not include a narrative in the project element concerning citizen involvement, but the proposed budget indicated volunteer hours for litter control and installation of plants on Line #16 for a total amount of \$72.50 with a portion of the cost to be covered by the Organization and the remainder to be covered under the Grant share.

Mr. Mabson said that the staff reached out to the Applicant regarding the discrepancy and explained that Volunteer hours may only be included as the Organizations share, and not the Grant share, and should they plan to conduct those activities, a revised budget would need to be submitted.

Mr. Mabson said that staff reached out to the Applicant; and they had since submitted a revised budget, clarifying that the item description for Line #16 would be listed under the Organization's cost-share.

Ms. Carey indicated that this was the reason for the discrepancy between the requested grant amount and the partial grant amount as shown on the Grant Determination Form.

Mr. Ely said that he was concerned with the "guessing of the pipe size" that is noted on the memorandum from Lageo Excavation, dated March 16, 2021, and asked for clarification.

Mr. Mabson said that the staff hopes that the engineer will provide more clarity and they will inform the Grant Manager as well.

Ms. Carey said that the Board can add a stipulation for the pipe size to be verified.

**Mr. Ely moved to accept the Director's Recommendations for The Prestwick Condominiums Association, Inc. [Application number A-APP5-2022], adding an additional stipulation to clarify the size of the piping to be installed from the new storm structure to the existing headwall; seconded by Mr. Lowe. The motion passed unanimously.**

**2. FY 2022 Class B Education Grant Selection** – Funds available for allocation for the FY 2022 Class B Education Grants include:

- \$35,000 maximum grant request
- Target of \$12,500 for projects < \$2,500 (There were no applications submitted in this category.)

- Available in FY22 Budget: \$95,000.00
- Available from unused grant funds: \$4,997.15 (available from previous FY grants that were completed under budget or were cancelled or terminated)
- Available from remaining FY21 funds: \$34,386.13
- Total available for FY22 funding: \$134,383.28
- Experimentation / Innovation Pool: \$300,000.00 (available for use in any grant class)
- Total amount requested from submitted applications: \$149,173.00

Mr. Mabson introduced the Class B Education Grant Applications. Five (5) applications were received, with applicants requesting a total of \$149,173.00.

Mr. Mabson read the Director's Recommendations to include the score, amount requested, and stipulations for each application.

### **Summary of Applications**

**Arlington Lofts LLC** [Application number BE-APP1-2022] – Score 93.5, \$35,000.00 requested.

The proposed project elements include curriculum development, educational programs, engagement, and opportunities for the community for the following programs: after school program; field trips for K-12 students to the University of Kentucky's Ecological Research through the Smart Water Education Programs (SWEP); SWEP Summer Camps; SWEP Ecological IoT Project; SWEP Urban Rain Garden; SWEP Biking Our Ecological Legacy; and Taking Flight Next Level; SWEP Public Programming to engage the community in watershed management through its use of IoT technology to monitor the water quality of local watersheds; and SWEP will develop a public online portal for IoT sensor data reading and analysis.

*Not recommended for funding at this time. The Applicant does not demonstrate sufficient qualifications or experience in providing educational curriculum to K-12 students*

If the Grant Application is Approved by the Board, the following stipulations are to be included: Applicant shall obtain written approval / agreement prior to work being done on properties not owned by the Applicant; Both electronic and hard copies of all materials are to be provided to LFUCG, for its use, as part of the grant deliverables; Applicant shall provide the Division of Water Quality with a revised budget adjusting the rate for volunteers to \$7.25 per hour and moving that from grant share to cost share, and adjusting the overall grant request amount to \$34,280.00; Applicant shall specify educational and promotional materials that are water quality-related or that will include water quality messaging (*i.e.*, brochures, bookmarks, cards and so forth); Organization proposes a larger cost share beyond that required by the grant program. Budget shall reflect the 20.4% cost share offered in the application (approximately \$8,144.62, based on a grant amount of \$34,280).

**Bluegrass Greensource, Inc.** [Application number BE-APP2-2022] – Score 100, \$35,000.00 requested.

The proposed project includes a year-long public education and involvement campaign designed to empower two primary audiences with the goal of helping students and parents understand the role they should play in stormwater quality. The first part includes providing stormwater education to youth ages K-12. The second part is to host a mini grant program to provide financial assistance to homeowners and equip them with expertise to plant riparian buffers on backyard streams or install rain gardens on residential lots.

*Director recommended full funding in the amount of \$35,000.00 requiring a minimum \$8,125.00 cost share with stipulations that the Applicant shall obtain written approval / agreement prior to work being done on properties not owned by the Applicant; Applicant shall provide a detailed plan for the mini grant program regarding the installation of the rain garden and riparian buffer plantings to address the Best Management Practices and *E.coli* pollution; 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 25.8% cost share offered in the application (approximately \$11,276.00).*

**The Living Arts and Science Center, Inc.** [Application number BE-APP3-2022] – Score 100, \$34,426.00 requested.

The proposed project includes curriculum development, planning, promotional activities, and instruction for the following seven programs: field trips for students and teacher groups at LASC, Kentucky Wildlife and Water outreach program, an after-school ecology program for LTMS, Wildlife and Water summer camps, Eco Workshops for families, PreK STEM Days and a Water is Life Day community event. Development of materials and maintenance of educational displays, brochures, and other educational materials at LASC to educate visitors about aquatic habitats, native animals, native plants, and BMPs.

*Director recommended full funding in the amount of \$34,426.00 requiring a minimum \$7,981.50 cost share with stipulations that the Applicant shall specify educational materials in budget line 4 that are water quality-related or that will include water quality messaging; 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 28.7% cost share offered in the application (approximately \$12,850.00).*

**The University of Kentucky Research Foundation (UKRF)** [Application number BE-APP4-2022] – Score 76, \$34,997.00 requested.

The proposed project will add to the previous “No P on my Lawn!” campaign about the effects of excess phosphorous (P) on the Commonwealth’s surface water quality by incorporating surveys to assess more dog owner perceptions and practices and measurement of actual practices; and public education and involvement relating to “No P on my Lawn!” through various initiatives / materials.

*Director recommended full funding in the amount of \$34,997.00 requiring a minimum \$8,125.00 cost share with stipulations that both electronic and hard copies of all materials are to be provided to LFUCG, for its use, as part of the grant deliverables; Applicant to provide the results of the research data to LFUCG if the results are not incorporated into the training materials and / or workshop content; Signage at public facilities to be approved by the Division of Environmental Services and Division of Parks & Recreation prior to installation; and prior to drafting the Grant Award Agreement, Applicant is to provide LFUCG with more information about how Applicant plans to expand the audience with this grant as compared to the FY17 grant awarded to UKRF for the “No P on my Lawn!” campaign. Will the Applicant expand the reach of the audience of the FY17 grant to educate more of the same audience type, or are additional audiences going to be targeted with this grant?*

**Fayette County School District Finance Corporation** [Application number BE-APP5-2022] – Score 98, \$9,750.00 requested.

The proposed project elements are the design and construction of a rain garden at Winburn Middle School; stormwater education by developing and hosting rain garden tours; and installing educational signage that explains the purpose and value of the project.

*Director recommended full funding in the amount of \$9,750.00 requiring a minimum \$1,812.50 cost share with stipulations that the rain garden shall be designed to receive runoff from impervious areas; Plantings shall be selected from Lexington-Fayette Urban County Government’s (LFUCG) Rain Garden Manual; 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 24.2% cost share offered in the application (approximately \$2,315.00).*

**Public Comment** – Mr. Woolwine opened the floor for public comments. There were none.

**Board discussion** – Mr. Woolwine opened the floor for discussion of the Class B Education Grant Applications.

- **Arlington Lofts, LLC** [Application number BE-APP1-2022]

Mr. Martin indicated that he had not signed the Grant Determination Form for Arlington Lofts, LLC due to 1) not being able to locate the academic credentials for the primary project contact, David Laurenvil; 2) not being able to

find any documented business link between Mr. Laurenvil and Arlington Lofts LLC; and 3) in reviewing the tax records, Arlington Lofts, LLC is affiliated with Bruce and Kelly Nichols, who resides at 1604 Bon Air Drive, but there were no academic credentials for Mr. and Mrs. Nichols or anyone associated with the grant.

Mr. Woolwine commented that the Applicant should have included the proposed educators' resumes.

Mr. Mabson indicated that the Applicant did reference a lot of material in their application, but nothing was given to show information on the staff's experience or educational background or how they plan to propose a curriculum.

Mr. Ely asked if the staff had reached out to the Applicant for more feedback. Mr. Mabson said that staff did reach out to the Applicant, but the Organization kept redirecting the staff back to the grant application. He further explained that the proposed location for project activities, for Arlington Lofts, LLC was to occur in the basement of Embrace Church, which had been the recipient of a previous grant lead by Bruce Nichols.

Mr. Woolwine asked what business is Arlington Lofts, LLC. Mr. Martin said that Arlington Lofts, LLC owns property off of Old Georgetown Street. Ms. Carey said that the properties are owned by Mr. and Mrs. Bruce Nichols. They are developers, and have developed several low-income / subsidized housing, mostly in North Lexington.

Mr. Woolwine asked whether the main individuals associated with this grant have no educational background or experience. Mr. Martin indicated that he could find no educational information on the listed individuals.

Mr. Ely asked if the Applicant has any affiliation with the Fayette County Public School. Mr. Mabson replied negatively and said that there were no past qualifications or experience listed, or associations with any accredited institutions. Mr. Martin said that when you look at the other Class B Education applications, there was a history of the staff demonstrating their educational background in environmental matters. However, in the case of Arlington Lofts, LLC there was none.

Mr. Ely indicated that from his perspective there was not enough information for the Board to go any further.

Mr. Mabson said that, unfortunately, there was no representative to argue the Organization's case present but the staff can reach out to them via email with the outcome of the Board.

**Mr. Lowe moved to deny Arlington Lofts, LLC [Application number BE-APP1-2022]; seconded by Mr. Ely. The motion passed unanimously.**

- **Bluegrass Greensource, Inc.** [Application number BE-APP2-2022]

There were no questions or comments

**Mr. Ely moved to accept the Director's Recommendations for Bluegrass Greensource, Inc. [Application number BE-APP2-2022]; seconded by Mr. Clarke. The motion passed unanimously.**

- **Fayette County School District Finance Corporation (at Winburn Middle School),** [Application number BE-APP5-2022]

Mr. Woolwine asked if the individuals who are constructing the rain gardens are provided the Rain Garden Manual.

Mr. Mabson replied affirmatively.

Ms. Carey replied that the Rain Garden Manual can be found on the Lexington-Fayette Urban County Government's website.

**Mr. Ely moved to accept the Director's Recommendations for Fayette County School District Finance Corporation [Application number BE-APP5-2022]; seconded by Mr. Clarke. The motion passed unanimously.**

- **The Living Arts and Science Center, Inc.** [Application number BE-APP3-2022]

Mr. Woolwine said that the Livings Arts and Science Center has had several successful projects over the years.

Mr. Mabson replied affirmatively.

Mr. Lowe asked for clarification to Stipulation #1.

Mr. Mabson replied that the staff wanted to ensure that the funds would be focused on stormwater / water quality-related promotional and / or educational materials.

Ms. Carey noted that this Stipulation had been listed on the Applicant's prior stormwater grants.

**Mr. Lowe moved to accept the Director's Recommendations for The Living Arts and Science Center, Inc. [Application number BE-APP3-2022]; seconded by Ms. Fogle. The motion passed unanimously.**

- **The University of Kentucky Research Foundation (UKRF) [Application number BE-APP4-2022]**

Mr. Mabson directed the Board's attention to Stipulation #4 and said that the staff was concerned that this Application was very similar to the FY 2017 grant that was awarded to the UKRF. The staff would like the Applicant to provide more information on how they intend to expand their reach to engage new audiences should this grant be awarded.

Mr. Woolwine asked whether the proposed project location was at the University of Kentucky Arboretum.

Ms. Carey replied that this grant will involve additional surveys on homeowner and dog owner practices, studies, measurement, and data gathering.

Mr. Woolwine then asked how the information would be obtained.

Ms. Carey indicated that Glynn Beck, Kentucky Geological Survey, would be participating in the surveys and conducting sampling. She said that from those quantifiable results, the Applicant would create a message to provide to the audience. She then said that the staff was unsure if the Applicant intended to expand their new audience or keep the FY 2017 audience.

Mr. Woolwine asked if the deliverables would be similar to the previous project.

Ms. Carey and Mr. Mabson replied affirmatively.

Ms. Fogle asked for clarification on the purpose of the surveys and educational outreach.

Mr. Mabson said that the Applicant wants to expand public awareness concerning the impact of dog excrement and pollutants on water quality.

Ms. Fogle indicated that she did not understand the purpose behind the requested grant and asked if this request falls under the guidelines of the Ordinance and what the grant funds were intended to be used for.

Mr. Mabson said that removing the toxins does help water quality.

Ms. Fogle then asked if someone will be coming around removing the dog excrement.

Mr. Woolwine said that he suspects removing dog excrement is in the Ordinance.

Mr. Martin said that this would also involve homeowners applying fertilizer to their yards. He said that the key for him was the intent is good but asked whether the applicant expand public awareness. He added that public awareness would be gained through commercials versus having brochures sitting out on tables that are not taken. He also commented that, as requests continue to be funded, the staff needed to make sure the Applicant pushes the envelope more each time to ensure the message is being received by the public.

Mr. Clarke said that this reminds him of the tree canopy survey. It was a great idea but was not sure if it made a difference.

Mr. Martin said that educational programs needed to be continually evaluated to make sure they are pertinent, but the staff also has to be mindful of the challenges since COVID has changed the way an Applicant engages the public.

Mr. Mabson commented that applications asks for the Applicant to lists how they plan to measure success, and that measure of success is incorporated into the scoring matrix.

Ms. Fogle asked how the Applicant intends to measure the dog excrement and how the locations are determined.

Mr. Mabson indicated that the Applicant noted they would be studying four (4) dog parks in their Application.

**Mr. Clarke moved to accept the Director's Recommendations for The University of Kentucky Research Foundation (UKRF) [Application number BE-APP4-2022]; seconded by Mr. Ely. The motion passed unanimously.**

**V. INCENTIVE GRANT STATUS UPDATE** – Mr. Mabson briefly provided an update on the Incentive Grants from FY 2016 to FY 2021; commenting on a few select projects.

**VI. OTHER MATTERS**

1. **Application Deadlines** – Ms. Carey and Mr. Mabson informed the Board that the deadline for the Class B Infrastructure grant cycle will be July 30<sup>th</sup>.
2. **WQFB Meetings** – The next meeting will be held Thursday, October 14, 2021.

Ms. Carey announced that she had accepted the Directors position with Environmental Services and this would be her last meeting with the Water Quality Fees Board.

**VII. ADJOURNMENT** – The meeting was adjourned at 11:44 a.m.