

MINUTES
WATER QUALITY FEES BOARD
July 25, 2024
Special Meeting

- I. **CALL TO ORDER** – David Lowe, Vice Chairman, called the July 25th Meeting of the Water Quality Fees Board (WQFB) to order at 9:00 a.m.

Water Quality Fees Board Members in Attendance: David Lowe, Bill Sallee, Aaron Vaught, and George Woolwine (arrived at 9:06 a.m.). Donna Fogle was absent.

Staff Members in Attendance: Greg Lubeck, P.E., Deputy Director; Mark Sanders, P.E. DWQ; Bailee Young, P.E., DWQ; Frank Mabson, DWQ; and Denice Bullock, DWQ.

Guests in Attendance: Scott Southall, Earthcycle Design, LLC; Sam Lee, Tanner Goff and Nathan Krebs, Stantec; Laurie Sorg and Ayann Krruw, Prestwick Condominiums Association.

- II. **APPROVAL OF MINUTES** - Mr. Lowe asked the WQFB to review the April 11, 2024, Water Quality Fees Board Meeting minutes.

Mr. Sallee moved to accept the minutes as written. The motion was seconded by Mr. Vaught, and the motion passed unanimously. Ms. Fogle and Mr. Woolwine were absent.

- III. **VICE CHAIR NOMINATION** – Mr. Mabson requested this item be postponed until the end of the meeting. There was no objection.

- IV. **POSTPONEMENTS/WITHDRAWALS** – There were none.

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

- VI. **NEW BUSINESS**

- a. **Change Order - FY22 Unitarian Universalist Church of Lexington, Inc.**

Scott Southall, Earthcycle Design, LLC, directed the Board's attention to the PowerPoint presentation and briefly explained their reasons for requesting additional funds for the FY22 Grant.

The implementation of the FY22 Class B Infrastructure Grant was based on the Feasibility Study that was approved by the Board through the FY20 Class B Infrastructure Grant.

The FY22 Class B Infrastructure project elements included removing impervious asphalt parking spaces beneath the 36-inch mature Oak tree; removing a dead Sycamore tree at the main lot and adding permeable parking spaces to increase available parking. These measures, by covering the gravel/grassy area east of the main lot to pervious concrete for overflow parking, still allows for infiltration. This expansion will include a painted labyrinth area on the pervious concrete for aesthetics and contemplation; install bio-infiltration swales at the entryway culvert on the north side to direct, slow runoff, and provide infiltration; repairs to entry drive culvert headwalls and stabilize drainage channels with bio-infiltration trench; install vegetated swales along the main driveway and between the new pervious concrete and existing parking bays and install canopy trees in the parking area.

Note: Mr. Woolwine arrived at the meeting.

Mr. Southall explained the following project timeline:

- Grant Award Agreement - 3/04/22
- Notice-To-Proceed - 3/14/22
- Site Survey - 6/09/2022
- Construction Documents 11/22 - 6/23
 - Bidding (1st round) 6/23-7/23
 - 6 invitations – 1 bidder - \$140,000 over budget
- Interview with contractors 8/23-10/23

- Bidding (2nd round) 1/24-2/24
 - 7 invitations – 1 bidder - \$270,000 over budget
 - 2 additional bidders after the due date
 - Total of 3 bidders
 - C&R Asphalt at \$589,995.50,
 - Gooch Construction at \$446,113.00 (incomplete)
 - Green Solutions Landcare at \$389,965.80 (substituting permeable concrete pavers for pervious concrete pavement)

The Project Budget now uses the lowest bid:

Green Solutions	\$389,965.80
Construction estimate	\$318,817.00
Difference	\$71,148.80 or approx. 17%

The selected bid saw a significant surge in:

- Asphalt pavement cost because of the mobilization/demobilization cost and due to the size of the asphalt area.
- An increase in overall project mobilization/demobilization cost.
- The additional grant funds in this change order request of \$60,522.40 will be matched by UUCL's 20% amount of \$15,130.60 as noted in their commitment letter.

Request for additional funds breakdown:

FY 2022 grant amount:	\$299,477.60
UUCL 20% match amount:	\$ 74,869.40
Total:	\$374,347.00

Change Order request:

Water Quality Grant increased amount:	\$ 60,522.40
UUCL 20% match:	\$ 15,130.60
Total	\$374,347.00
FY 2022 grant amount:	\$360,000.00
UUCL 20% match amount:	\$ 90,000.00

Staff Presentation – Mr. Mabson commented that the division recommends that the board consider approval of the Change Order request of \$60,522.40 based on the following:

1. The project construction cost increase is validated by the competitive bids received by the applicant. Value engineering was performed to reduce the bid amount to not exceed the maximum allowable grant award amount.
2. The request for additional funding is attributed to increases in labor and material costs which falls within the guidelines of the approved Change Order Program.
3. Approval of the amended grant award as summarized in Table 2, keeps the Organization's total grant award within the Program's maximum amount allowable for Class B Infrastructure Grants (\$360,000).
4. Applicant has agreed to provide an additional match to meet the contracted percentage (add. \$15,130.60).

Table 2

Total Project Cost w/ Bid:	\$450,000.00
LFUCG Share (80% of total):	\$360,000.00
UUCL Share (20% of total):	\$ 90,000.00

Board comments and questions: Mr. Woolwine asked if there were enough funds in the change order pool to cover the grantee's request if approved. Mr. Mabson replied affirmatively and explained that the change order pool is capped at 10% of the annual fiscal year budget. There is currently \$157,908.00 available.

Mr. Vaught moved to approve the Change Order Request for FY22 Unitarian Universalist Church of Lexington, Inc., as recommended by the staff; seconded by Mr. Sallee. The motion passed unanimously. Ms. Fogle was absent.

Mr. Mabson requested that Class B Education Grant selections be heard first. There was no objection.

b. Incentive Grants

1. **FY 2025 Class B Education** - Mr. Mabson provided the Board with an overview of the funds available for allocation for the FY 2025 Class B Education Grants:
 - \$40,000 maximum grant request
 - Target of \$12,500 for projects ≤ \$3,000 (There were no applications submitted in this category.)
 - Innovation / Experimentation (IE) Pool: \$156,800.00 (available for use in any grant class)
 - Available in FY2025 Budget: \$99,853.28
 - Available from unused grant funds: \$0.00 (available from previous FYs' grants that were completed under budget or were cancelled or terminated)
 - Available from remaining FY2024 funds: \$13,552.48
 - Total available for FY2025 funding: \$113,405.76
 - Total amount requested from submitted applications: \$155,304.50

Mr. Mabson and Ms. Young read the Director's Recommendations including the score, amount requested, and stipulations for each FY25 Class B Education Grant application as follows:

Summary of Applications

Fayette County Public Schools [Application number BE-APP1-2025] – Score 98.25, \$4,976.50 requested.

Organization to partner with Hickman Creek Conservancy (HCC) and Tates Creek Elementary Schools' teachers to host five (5) water quality watershed and native planting lessons for 4th and 5th grade classes focused on the existing basin at Tates Creek Elementary Schools south campus. Students will also take a field trip to the pond after all other work has been completed. The project also includes the installation of one (1) educational sign on the sidewalk side of the basin that includes information on the water quantity and quality benefits of the basin. Target audience is approximately 611 students.

Director recommended full funding in the amount of \$4,976.50 requiring a minimum \$720.00 cost share with Stipulations the 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 including before, during, and after photos of the mini-grant activities. 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). Applicant shall provide a rate of pay records for the personnel listed in the project budget to the Division of Water Quality prior to the drafting of the Grant Award Agreement. Applicant to provide student / teacher evaluations as part of the Project Final Report. Organization proposes a larger cost share beyond that required by the grant program. Budget shall reflect the 45.1% cost share offered in the application (approximately \$1,623.50).

Bluegrass Greensource, Inc., [Application number BE-APP2-2025] – Score 90.25, \$39,630.00 requested.

Organization hosting the "Empower Program" a public education & involvement campaign designed to empower local residents to improve their water quality and address water quantity on their own property. The Empower Program will provide four rain barrel workshops where attendees will learn not only about how water that runs off of their property can affect water quality and quantity but also allow 80 participants to build and take home their very own rain barrel. Organization to work to educate Lexington preK-12 youth and their families to understand their connection to water and its importance throughout the city.

Director recommended full funding in the amount of \$39,630.00 requiring a minimum \$9,628.20 cost share with Stipulations the 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 including before, during, and after photos of the mini-grant activities. 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 etc.). Applicant shall provide rate of pay records for personnel listed in the project budget to the Division of

Water Quality prior to the drafting of the Grant Award Agreement. Applicant to reference the U.S. Bureau of Labor Statistics (BLS) median hourly wage rates and adjust salaries for personnel listed in the budget, accordingly and provide the Division of Water Quality with a revised budget for inclusion in the Grant Award Agreement. Applicant to provide student/teacher evaluations as part of the Project Final Report. Organization proposes a larger cost share beyond that required by the grant program. Budget shall reflect the 23.9% cost share offered in the application (approximately \$11,511.00).

University of Kentucky Research Foundation [Application number BE-APP3-2025] – Score 88.75, \$30,698.00 requested.

Evaluate the potential effects of urban reforestation, both in stormwater basins and in Reforest the Bluegrass sites, on stormwater management by evaluating infiltration rates, soil water storage, and potential evapotranspiration. Education and Outreach Programs will be provided through a Multi-modal approach to communicating results including infographics; Field Day; Conference Presentations; Tabling at Reforest the Bluegrass; and Public Engagement Days.

Director recommended full funding in the amount of \$30,698.00 requiring a minimum \$6,930.40 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 including before, during, and after photos of activities. 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). Applicant shall provide a rate of pay records for the personnel listed in the project budget to the Division of Water Quality prior to the drafting of the Grant Award Agreement. 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 \$6,954.00).

Redwood Cooperative School [Application number BE-APP4-2025] – Score 88.25, \$40,000.00 requested.

Regrade the front slope of the school to slow the water. Installation of permeable pavers. Installation of two (2) bioretention rain gardens with subsurface drainage. Installation of four (4) educational signs about rain gardens and permeable pavers. Host a volunteer planting day for the rain gardens.

The applicant meets program eligibility requirements. However, the feasibility of the proposed solution is questionable. Some necessary elements are missing from the application including evaluation from a licensed engineer, consideration of capacity and elevation limitations for the existing LFUCG storm sewer pipe, budget information for aggregate/subbase, and budget information for permanent signage.

Not recommended for funding this fiscal year.

Living Arts & Science Center [Application number BE-APP5-2025] – Score 36, \$40,000.00 requested.

The FY25 grant will allow our educators to develop, plan, and implement exhibits and educational programming that will be part of their field trips, Science Explores, Discovery Saturdays, Seedlings in Steam, No School Days and Summer Camps Programs. LASC continues to promote these programs and initiatives through email newsletters, social media channels, and a wide variety of printed materials, including program schedules, brochures, postcards, and flyers. LASC promotional activities ensure that the larger community is aware of and involved in all these programs.

The applicant meets program eligibility requirements. However, due to the minimal proportion of water quality-related program elements to non-water quality programming, the proposed project does not meet the goals of the program.

Not recommended for funding this fiscal year.

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 B Education Grant Applications.

- **Fayette County Public Schools** [Application number BE-APP1-2025]

Board comments and questions: There were no comments or questions.

Mr. Lowe moved to accept the Director's Recommendations for Fayette County Public Schools [Application number BE-APP1-2025]; seconded by Mr. Vaught. The motion passed unanimously. Ms. Fogle was absent.

- **Bluegrass Greensource, Inc.,** [Application number BE-APP2-2025]

Board comments and questions: There were no comments or questions.

Mr. Vaught moved to accept the Director's Recommendations for Bluegrass Greensource, Inc., [Application number BE-APP2-2025]; seconded by Mr. Lowe. The motion passed unanimously. Ms. Fogle was absent.

- **University of Kentucky Research Foundation** [Application number BE-APP3-2025]

Board comments and questions: There were no comments or questions.

Mr. Vaught moved to accept the Director's Recommendations for the University of Kentucky Research Foundation [Application number BE-APP3-2025]; seconded by Mr. Sallee. The motion passed unanimously. Ms. Fogle was absent.

- **Redwood Cooperative School** [Application number BE-APP4-2025]

Board comments and questions: Mr. Lowe commented that the grantee is on the right course and asked the staff to share feedback on why their request was not recommended for funding. Mr. Mabson expressed the staff's concerns regarding the location of the BMPs being too close to the building and the stormwater connection on site, which is what led the staff not to recommend funding for this project. Ms. Young commented that the staff informed the grantee they could reapply for a grant in the future.

Mr. Sallee asked if the grantee was present for comments. Mr. Mabson replied in the negative.

Mr. Lowe moved to accept the Director's Recommendations for Redwood Cooperative School [Application number BE-APP4-2025]; seconded by Mr. Sallee. The motion passed unanimously. Ms. Fogle was absent.

- **Living Arts & Science Center** [Application number BE-APP5-2025]

Board comments and questions: Mr. Woolwine inquired about the number of open projects. Mr. Mabson replied currently only one (1) for FY23. The staff recommendation was based on the merits of their application and the lack of water quality elements, not the number of projects open.

Mr. Vaught moved to accept the Director's Recommendations for the Living Arts & Science Center [Application number BE-APP5-2025]; seconded by Mr. Sallee. The motion passed unanimously. Ms. Fogle was absent.

2. **FY 2025 Class A Neighborhood Grant Selection** – Mr. Mabson provided the Board with an overview of the funds available for allocation for the FY 2025 Class A Neighborhood Grants:

- \$120,000.00 maximum grant request
- Target of \$45,000.00 for Feasibility Only Projects (NOTE: There were no applications submitted in this category.)
- Innovation / Experimentation (IE) Pool: \$156,800.00 (available for use in any grant class)
- Available in FY2025 Budget: \$282,917.63
- Available from unused grant funds: \$0.00 (Available from previous FYs' grants that were completed under budget or were canceled or terminated)
- Available from remaining FY2024 funds: \$38,398.68
- Available from remaining FY2025 Class BE funds: \$38,101.26
- Total available for FY2025 funding = \$359,417.57 (includes FY 2025 Class BE remaining funds)
- \$457,487.00 requested in the 6 applications.

Mr. Mabson and Ms. Young read the Director's Recommendations including the score, amount requested, and stipulations for each FY 2025 Class A grant application as follows:

Summary of Applications

Friends of Wolf Run, Inc., [Application number BE-APP1-2025] – Score 79, \$46,435.00 requested.

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. Preston's Cave Spring Woodland Stream Buffer Repair (\$12,600.00); 2. Deauville Drive Greenspace (Valley Park) (\$3,100.00); 3. Pine Meadow Neighborhood Park and Right of Way Buffer Maintenance (\$5,700.00); 4. Gardenside Park Stream Buffer Maintenance (\$6,796.95); 5. Tobit's Trace Spring Garden: St. Raphael's Episcopal Church on Cardinal Run (\$4,110.00); 6. Big Elm Fork Stream Buffer Demo Project (\$3,700.00); 7. Stream Buffer Browsers Oxford Circle Goat Project (\$14,920.00); 8. Wolf Run Park (\$5,550.00); 9. Southland Park Neighborhood Engagement (\$4,750.00); 10. Native Plant Materials Propagation Distribution (\$2,190.00); 11. Project Coordination/Administration/Accounting (\$5,735.00)

Director recommended full funding in the amount of \$46,435.00 requiring a minimum \$13,830.40 cost share with Stipulations 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 field work 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 obtain encroachment agreements for each public site from the Division of Environmental Services. Organization proposes a larger cost share beyond that required by the grant program. Budget shall reflect the 32.85% cost share offered in the application (approximately \$22,716.95)

Waterford II Homeowners Association (HOA) Inc., [Application number BE-APP2-2025] – Score 71, \$120,000.00 requested.

Restore the natural habitat within the amenity pond footprint by using a series of pools, riffles, and runs for improved water quality and instream aquatic habitat. Encapsulate sediment captured within the existing amenity pond. Re-establish and enhance riparian buffer zones. Install an educational sign documenting the stream restoration work and other project elements.

Director recommended full funding in the amount of \$120,000.00 requiring a minimum \$30,000.00 cost share with Stipulations 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 private utility areas. Tree removal and planting activities shall be reviewed and approved by the Division of Environmental Services Urban Forester and/or Arborist prior to any tree removal or planting activities. 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, DOW, etc.) prior to any streambank stabilization work. Educational signage is to be approved by the Grant Manager or Administrator prior to production. BMP locations are to be modified to comply with the minimum setback distances stipulated in the Engineering Manuals, Codes, Regulations, and Ordinances. An Inspection, Operations, and Maintenance (IOM) Plan shall be provided at the conclusion of the project.

Andover Forest Homeowners Association, Inc., [Application number BE-APP3-2025] – Score 57, \$120,000.00 requested.

Restore eroding banks by flattening bank slopes and constructing rock toe armoring. 2. Re-establish and enhance riparian buffer zone. 3. Stormwater Education - organization to host a public involvement field day to plant trees, shrubs and herbaceous plants and improve pollinator habitat in the riparian zones. 4. Install an educational sign documenting the stream restoration work and other project elements.

Director recommended full funding in the amount of \$120,000.00 requiring a minimum \$30,000.00 cost share with Stipulations 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. 2. Grant applicant shall verify the need and ensure all permits are received (i.e., FEMA, Army Corps, DOW, etc.) prior to any stream stabilization work. 3.

Applicant shall obtain written approval/agreement prior to work being done on properties not owned by the applicant. 4. The project shall not proceed with field work 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. 5. An Operations and Maintenance Plan shall be provided at the conclusion of the project. 6. Organization shall select plantings from the Suggested Riparian Species List (Table 9-1) of the Lexington-Fayette Urban County Government's (LFUCG) Stormwater Manual. 7. Permanent signage designs to be approved by the Grant Manager or Administrator prior to production.

Beaumont Residential Association, Inc., [Application number BE-APP4-2025] – Score 43, \$80,000.00 requested. Elevate existing walking trail onto a precast concrete 'boardwalk.' Regrade existing swale to clearly define the path of travel for the stormwater. Install native plantings along the swale. Stormwater education -host a volunteer event and permanent signage.

Not recommended for funding this fiscal year.

If the Grant Application is Approved by the Board, approve with the following stipulations that the Applicant shall verify the need and ensure all permits are received (e.g., local, FEMA, Army Corp, DOW, etc.) prior to any work. Applicant shall obtain written approval/agreement prior to work being done on properties not owned by the applicant. The project shall not proceed with field work 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. An Operations and Maintenance Plan shall be provided at the conclusion of the project. Organization shall select plantings from the Suggested Riparian Species List (Table 9-1) of the Lexington-Fayette Urban County Government's (LFUCG) Stormwater Manual. Permanent signage designs to be approved by the Grant Manager or Administrator prior to production. Item #1, "Elevate existing walking trail onto a precast concrete 'boardwalk'" is not eligible for funding. Applicant to provide the Division of Water Quality with a revised budget omitting the costs associated with the Perma Trak Walkway including materials (\$46,000) and installation (\$12,000) for inclusion in the Grant Award Agreement -Attachment A document.

The Prestwick Condominiums Association, Inc., [Application number BE-APP5-2025] – Score 33, \$67,482.00 requested.

Regrade the existing swale located on the southwest property line to allow for better drainage. The swale, according to LIDAR, has a slope of less than 2% which results in ponding and unwanted issues such as mosquitos. The regrading will involve making a cut through the ditch in order to achieve greater than 2% slopes. Additionally, the catch basin that the swale drains to will be replaced with a larger catch basin as it appears to be undersized. The pipe draining the catch basin is 12" pipe and also appears to be undersized so it will be replaced with a 24" pipe. Stormwater Education - develop an educational flyer to disseminate to the approximately 170 neighbors in the Prestwick and adjacent Shetland Neighborhood. Flyer to describe the improvements and benefits of the overall project and the Stormwater Quality Projects Incentive Grant Program.

The applicant and proposed project meet program eligibility requirements.

Not recommended for funding this fiscal year.

Friends of Wolf Run, Inc. (PNA Feasibility Study) [Application number BE-APP6-2025] – Score 30, \$23,570.00 requested.

Restoring eroding banks by removing "grey" features, flattening bank slopes, and constructing rock toe armoring. Reducing water quality impairments from impervious surface areas. Re-establishing and enhancing riparian buffer zones. Implementing a trash collection system. Establishing an outdoor space along Wolf Run to provide access for educational opportunities. Evaluate the potential to develop educational signage documenting the project elements.

The applicant and proposed project meet program eligibility requirements.

Not recommended for funding this fiscal year.

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.

- **Friends of Wolf Run, Inc.,** [Application number A-APP1-2025]

Board comments and questions: Mr. Vaught said that Friends of Wolf Run, Inc. has two applications and asked if one application prevented the other from moving forward. Mr. Mabson replied that there may be representation for the Friends of Wolf Run, Inc. (PNA Feasibility Study).

Mr. Sallee was interested in knowing if representation was present to speak to the applications.

Mr. Mabson said that Ken Cooke was not present for the current application but there may be representation for the Feasibility Study. Sam Lee, Stantec, was present.

Mr. Sallee moved to accept the Director's Recommendations for Friends of Wolf Run, Inc., [Application number A-APP1-2025]; seconded by Mr. Vaught. The motion passed unanimously. Ms. Fogle was absent.

- **Waterford II Homeowners Association (HOA) Inc.,** [Application number A-APP2-2025]

Board comments and questions: Mr. Woolwine referenced the Grant Determination Form and asked for further clarification with Item #2. "Encapsulate sediment captured within the existing amenity pond." Mr. Lee explained that to turn the pond back to its natural state the sides of the pond would be graded using the sediment from the pond then adding a protective layer on top.

Mr. Woolwine said that the pond would be regraded then the grass would stabilize the banks. Mr. Lee explained that grass and control features such as rock would be used to strengthen the banks.

Mr. Vaught moved to accept the Director's Recommendations for Waterford II Homeowners Association (HOA) Inc., [Application number A-APP2-2025]; seconded by Mr. Lowe. The motion passed unanimously. Ms. Fogle was absent.

- **Andover Forest Homeowners Association, Inc.,** [Application number A-APP3-2025]

Board comments and questions: Mr. Lowe voiced concern over the lack of support letters. Mr. Mabson indicated that the staff has not seen any conflicts from any residents with past applications, and this request would not be interfering with anyone's property.

Mr. Lee said that the Andover Forest HOA owns the parcel.

Mr. Sallee said that collectively the Andover Forest HOA is only building on properties they own. Mr. Mabson replied affirmatively.

Mr. Sallee referenced condition #6 under the Director's recommendation and wondered about the consequence of planting species that are not listed on the recommended species list. He asked why the recommendation was not made mandatory.

Mr. Mabson replied that the Stormwater Manual gives guidance to the planting species, but the staff can revise condition #6 so it is mandatory.

Mr. Lowe moved to accept the Director's Recommendations for Andover Forest Homeowners Association, Inc., [Application number A-APP3-2025] amending condition number 6; seconded by Mr. Sallee. The motion passed unanimously. Ms. Fogle was absent.

- **Beaumont Residential Association, Inc.,** [Application number A-APP4-2025]

Board comments and questions: Mr. Sallee expressed concern with condition #5 under the Director's recommendation but said this request is not recommended for funding.

Mr. Woolwine said that the Stormwater Manual recommends plants that are hardier and require less maintenance.

Mr. Lowe moved to accept the Director's Recommendations for Beaumont Residential Association, Inc., [Application number A-APP4-2025]; seconded by Mr. Vaught. The motion passed unanimously. Ms. Fogle was absent.

- **The Prestwick Condominiums Association, Inc., [Application number A-APP5-2025]**

Staff comments - Mr. Mabson indicated that Laurie Sorg, Prestwick Condominiums Association, and Ayann Krruw were present for this application request. He asked if there were any questions or concerns about the staff concerns. Ms. Sorg indicated that she had not read the recommendation.

Mr. Mabson explained that this request was not recommended for funding for the following reasons:

1. Scorers were concerned with the lack of stormwater reduction or lack of water quality benefits.
2. Scorers noted the high cost of permitting, surveying, and inspections estimated for the project.

Ms. Sorg said that the request was to allow better drainage and reduce stormwater runoff. Mr. Mabson explained that the staff did not feel there was a component to water quality or stormwater reduction with the proposed request. The Lexington-Fayette Urban County Government cannot intervene between two properties where water is coming off one property onto another property. That is a private matter.

Ms. Sorg said that a similar grant was approved during the FY22 cycle. Mr. Mabson explained that the panel of scorers is different each fiscal year and that impacts how a request is evaluated.

Ms. Sorg said that the water/trash runoff from the adjacent property is significant. Ms. Young said that the previous grant indicated a component of water quality benefits from the landscaping being installed whereas this proposal did not.

Board comments and questions: Mr. Woolwine said that the Stormwater Incentive Grant Program is very competitive and unfortunately, this grant proposal scored lower than the others that were submitted. He suggested contacting a firm that is knowledgeable about the grant program to reapply with a stronger application next year.

Ms. Sorg indicated that she used an engineer who was recommended by the staff. Mr. Mabson replied that the staff distributes a list of engineers to the public but they do not recommend any specific firm. Ms. Sorg agreed and indicated that they did choose the engineering firm, not the staff.

Mr. Sallee moved to accept the Director's Recommendations for The Prestwick Condominiums Association, Inc., [Application number A-APP5-2025]; seconded by Mr. Vaught. The motion passed unanimously. Ms. Fogle was absent.

- **Friends of Wolf Run, Inc. (PNA Feasibility Study) [Application number A-APP6-2025]**

Board comments and questions: Mr. Woolwine asked if the reasons for denial were based on the lack of funding. Mr. Mabson explained that this request was not recommended for funding for the following reasons:

1. Scorers are concerned that the proposal did not reduce stormwater quantity; the proposed location conflicts with the ongoing RMP and recently completed Clays Mill Rd widening project. The project is proposed on LFUCG greenway property, and the greenway manager was not consulted for permission prior to submission.
2. Scorers are concerned over the high hourly costs for activities like Project Management, Picadome Neighborhood Coordination, and Project Lead.
3. Scorers are concerned the proposed trash rack locations are ineffective. There is already an outdoor classroom nearby at Lone Oak Drive within 150 yards of the proposed classroom location. The conceptual design, narrative, and budget do not address existing trees in the proposed area.
4. Scorers are concerned that stream restoration is not feasible at the proposed location due to the fluctuation between high-velocity flows and no-flow periods.
5. Scorers also noted the limited space to flatten bank slopes due to the proximity of residences.

Sam Lee, Stantec, explained that this is an interesting opportunity to see the Wolf Run channel in its worst condition. The streambank was previously stabilized using soil concrete, stacked concrete masonry unit walls, and grouted riprap along both sides of the streambank. He said that the staff was correct in their reasoning for denying the grant, but there is an opportunity for the feasibility study to show what can be done on this site to return the area to a natural creek.

Mr. Woolwine said that a feasibility study helps show the best alternatives and solutions for a site.

Mr. Lowe said that if a feasibility study should be approved then there would be a follow-up grant. Mr. Mabson explains that the proposed location conflicts with the ongoing RMP and the recently completed Clays Mill Road widening project. Whether or not this request was a feasibility study, the staff did not believe this to be a practical location for an outdoor classroom. The stream restoration would only be one-sided due to the location of the houses touching the bank.

Mr. Lowe moved to accept the Director's Recommendations for Friends of Wolf Run, Inc. (PNA Feasibility Study) [Application number BE-APP6-2025]; seconded by Mr. Vaught. The motion passed unanimously. Ms. Fogle was absent.

VII. **REMAINING FUNDS RECOMMENDATION/DISCUSSION** – Mr. Mabson requested the reallocation of \$72,214.96 of the remaining grant funds to the FY 2025 Class B infrastructure pool. No motion is needed to reallocate these funds.

VIII. **INCENTIVE GRANT STATUS UPDATE** - Mr. Mabson and Ms. Young briefly provided an update on the Incentive Grants from FY 2016 to FY 2024; commenting on a few select projects.

Scott Southall, Earthcycle Design, LLC, gave a brief update on the Incentive Grants his company is involved with.

Sam Lee, Stantec, gave a brief update on the Incentive Grants his company is involved with.

IX. **OTHER MATTERS** – Mr. Lubeck informed the Board that the dry cleaners on Southland Drive was demolished at the end of June. Shield is now evaluating the site for remediation measures.

X. **VICE CHAIR NOMINATION** – Mr. Mabson asked for nomination from the Vice Chairman Board. Mr. Woolwine recommended Mr. Lowe to be nominated as Vice Chairman of the Water Quality Fees Board.

Mr. Vaught moved to accept David Lowe as Vice Chair. The motion was seconded by Mr. Lowe, and the motion passed unanimously. Ms. Fogle was absent.

XI. **ADJOURNMENT** – Mr. Woolwine asked LFUCG staff if there were any other matters to address. There were none.

Mr. Sallee moved to adjourn the meeting. The motion was seconded by Mr. Vaught, and the motion passed unanimously. The meeting was adjourned at 10:37 a.m. Ms. Fogle was absent.