

**UTAH WEATHERIZATION ASSISTANCE PROGRAM  
ANNUAL PUBLIC HEARING  
Department of Workforce Services  
140 E 300 South, Room 300  
Salt Lake City, UT 84111  
2:00 p.m.  
May 17, 2012**

*Matt Turner:* I would like to welcome everyone to the annual Public Hearing of the Utah Weatherization Assistance Program. We are holding this meeting at the Division of Workforce Services Office in Downtown Salt Lake City, Utah. My name is Matt Turner. I am the Acting State Manager of the Weatherization Program for the State of Utah... I want to thank all of you who are here in person, and those joining us by phone. To get started I would like everyone to state their name for the record. We will start here in the room and go around:

Jill Mecham, State of Utah Weatherization Assistance Program; Mike Glenn, Division of Housing and Community Development; Gary Spangenberg, State of Utah Weatherization Program; Cris Rhead, State of Utah Weatherization Program; Ian Spangenberg, Tri-County Weatherization; Betsy Wolf, Salt Lake CAP; Laura Reilly, Salt Lake CAP Weatherization; Allen Beck, Salt Lake CAP Weatherization; Dale Canning, Salt Lake CAP. Those joining by phone: Kory Farnsworth, Uintah Basin AOG; Jeramiah Bird, Uintah Basin AOG; Kyle Grant, Uintah Basin AOG; Doug Carlson, Five County Association of Governments, Cedar City, Utah

*Matt Turner:* We originally scheduled our hearing for the State Plan on April 14<sup>th</sup> of this year. During that meeting it was decided that we needed to postpone because we didn't have everything ready. This is a replacement for that meeting.

To get started, because there have been a number of questions regarding policy and regulations, I wanted to take a minute to talk about what the purpose of this meeting is and I wanted to quote some of the regulations for learning purposes so that we all can have a reminder or learn what we are doing hear, and what we want to accomplish.

There are two pieces of guidance that are very specific to the purpose of this meeting. One of them is in the Federal Regs, 10 CFR 440.14 and the other is WPN put out by DOE for this program year. It is 12-1 2.4. The Department of Energy regulations, 10 CFR 440.14 describes what is required in regards to a Weatherization State Plan:

- (a) Before submitting to DOE an application, a State must provide at least 10 days notice of a hearing to inform prospective subgrantees, and must conduct one or more public hearings to receive comments on a proposed State plan. The notice for the hearing must specify that copies of the plan are available and state how the public may obtain them. The State must prepare a transcript of the hearings and accept written submission of views and data for the record.

This section states that we must:

- Hold a hearing to receive comments on a proposed state plan
- Make copies of the plan available with instructions on how to access them
- Provide at least 10 days notice to inform the public and prospective subgrantees of the hearing.

The next regulation is Program Notice 12-1, 2.4. The Section is titled Public Hearing:

2.4 PUBLIC HEARING: The DOE Project Officer will carefully review the reports of the public hearings on the 2012 Grantee Plans to determine that all issues are properly addressed by the Grantee prior to approval of the final Grantee Plan. Grantees should be aware that if major program changes are made after the initial public hearing, an additional hearing may be required. Also, any change in the distribution of funds not addressed in the initial hearing will necessitate another public hearing. DOE will continue to require all geographical areas of the Grantee to be served. However, DOE will consider approving alternative Plans which may require implementing this provision over more than one program year and may include funds from other sources. Further, given recent innovations in technology, Grantees may use a Grantee-approved alternative electronic public notification process that is used by other Federally-funded Grantee programs, provided it is also approved by the DOE Project Officer in advance.

DOE reminds Grantees that the public hearing should be held before the Grantee Plan is submitted to DOE for approval, and adequate notice (not less than 10 days) must be given prior to holding a public hearing on the Grantee Plan. A part of this notice should be a summary or highlights of the proposed changes from the previous year's Plan. Providing this information up front will improve communication between Grantees, Subgrantees, and other interested parties and minimize disputes that may arise at the hearing.

Those two pieces of regulations are the specific regulations for this meeting. There are other policies out there that would apply for different scenarios, but basically:

- We must hold a hearing and give 10 days notice
- The notice should include a summary or highlights of the proposed changes from the previous year's plan
- DOE will review this transcript to make sure the State will address all issues that are brought forth by the public or the subgrantees.

So, the purpose of this meeting is to put forth any concerns, questions or issues that any of the respective parties have in regards to the State Plan. The purpose of this meeting is not to solve those problems right now. In fact, the direction I was given from Sean Green, our project officer, is that some of his other grantees will simply take this information, they will take some time after the public comment period is over, they will come up with solutions and they will put it back out to the subgrantees. Once that process is completed, then they submit their plan. So, if there are any issues that come up today we need to put them forth so that they can go on the record; then, we will work outside of this meeting to come up with any solutions or corrections. The other thing I wanted to point out is the regulations do not give us any guidance on the length of the public comment period. If we really wanted it to, the public comment period could end at the end of this meeting. What I would propose we do is that we extend the public comment period until 5:00 p.m. on Wednesday, May 23, 2012. If you have any additional comments or you get back and want to clarify anything make sure it is in writing and submit it to me by email. My email address is [mjturner@utah.gov](mailto:mjturner@utah.gov).

The other thing I want to talk about before we get into comments and concerns is that in addition to this process, there is some guidance in 10 CFR 600.211 under State Plans. This is also the Department of Energy regulation 600 which deals more with financial things where 10 CFR 400 is specific to weatherization. Talking about State Plans, Section D under Amendments says:

- A state will amend a plan whenever necessary to reflect 1) New or revised Federal statutes or regulations or 2) A material change in any state law, organization, policy or state agency operation. The state will obtain approval for the amendment and its effective date but needs to submit for approval only the amended portions of the plan.

So, if we need to amend our state plan, this regulation says that we will amend it whenever it is necessary in order to reflect federal guidelines. If DOE comes out Weatherization Program Notice, we need a mechanism in place to amend our plan to comply with it, or if we have an organizational, State, or other operational changes we need to make. The State will also obtain approval for the amendment and its effective date, but we only have to submit the changes – not the whole plan. So I asked our project officer how we can obtain approval for changes to the state plan. He said that each year when we submit our state plan, any changes that have been in the past twelve months, there is a section where we submit them. So I gave a very specific example: In August we need to make a change, we have an effective date as of August. The following June when we submit our state plan, we will submit a record of that change as part of the following year's application and that is the approval process. Sean agreed and said yes. So after today, after we submit our state plan, if there are changes that need to take place, the process is that we document them, set an effective date, they go into effect, and we get the approval from DOE the next time we submit our plan.

We have begun using Utah Weatherization Program Notices. I propose that going forward we will use that as the mechanism to document any changes. If we make any edits, if we notice we want to take a word out of the guidelines, if we want to add a comma or anything like that, we will make those changes using a UWPN. If we make any program or policy changes it will come as a UWPN. When a UWPN is issued, we will open up a comment period before it goes into effect. So we will write the UWPN, it will be sent electronically to all the subgrantees and any other stakeholders or parties who request it. At the end of that period we will issue the change and it will go into effect. So if there are any concerns about missing something at this point in time, just like always, we have a mechanism to correct them as we go forward.

So, based on all of that, thank you everybody for coming. We have received some comments prior to this meeting and they have been noted but if you would like to present those comments, we would like to open this meeting up and let those who are here present comments or concerns.

*Mike Glenn:* So, basically anything that is commented on today will be considered in preparing the State Plan that goes in in June, which is next month. Right?

*Matt Turner:* Yes, if it is considered, it goes on the record, and DOE reviews this record.

Has anybody got any comments they would like to put forward? Has anybody got any written comments they would like to submit as part of the record.

*Ian Spangenberg:* I submitted one. One thing I am concerned about in the past we have used the HEAT people who offered to do training for our personnel. That was before we had two separate income guidelines that we are using. I am concerned that there is no mechanism in here that allows you guys to train yearly on how to train our staff on how to do client intake.

*Matt Turner:* For the HEAT part of it?

*Ian Spangenberg:* No – for Weatherization. Forget HEAT – It is used work, but it won't anymore and so we need something that lays out what you are going to provide us in order for us to qualify clients.

*Matt Turner:* Let me restate it to make sure I understand: So, because the requirements for HEAT and regular DOE, to spend those two different piles of money are now different, you are wanting to know how the State of Utah is going to help train, or what the mechanism is that we are going to use to train, and train the differences between those two programs?

*Gary Spangenberg:* Not the differences -to train how we need to take client applications in - what we need to look for as far as income goes, documentation on un-documented clients and then how to calculate it.

*Matt Turner:* O.K.

*Gary Spangenberg:* In addition in documentation, we need to have something in place in the State Plan that will establish what can be taken in for a documented U.S citizen.

*Matt Turner:* We will make note of that and take some time after this meeting to work on addressing it. So, let me just state on the record who we have received, in writing, some comments from. We have received some comments from Ian Spangenberg, we received from Laura Reilly, and we received some from Dale Canning. And then we received some from Loran Kowallis, the Coordinator at Bear River Association of Governments who is not attending today.

*Dale Canning:* Back to the whole certification process – I think DOE has given you bad information on what qualifies. If you were to look up they're going on their grant guidance WPN 12.1 or whatever that is and if you compare - they have actually taken information to regs and reprinted them but they have added six or seven words that say "a grantee will select one of these methods to put in their State Plan". I don't believe that is what the regulation says. I think DOE is misinterpreting the regulation. I think if you read the regulations it says that people getting Title IV or Title IX (SSI or TANF) from the Feds are automatically qualified, and anybody in the household who even receives one month of that, the whole households qualifies. I believe that is still in force and I think DOE is misinterpreting.

*Gary Spangenberg:* I think that is in force.

*Dale Canning:* Well, if you look at last year's State Plan, it says that they are no longer automatically qualified.

*Gary Spangenberg:* The reason we did it last year was not because of DOE, it was because of LIHEAP. LIHEAP will not allow it, so to clear things up, but that might be something to talk about, because we did it to try to use both funding sources without having to eliminate one, but that is open for discussion especially with this new....

*Dale Canning:* Well, I think you have to...I think you have to.

*Gary Spangenberg:* I think so, now, too.

*Dale Canning:* It is not in the Poverty Guidelines. If you look under If you look under WPN 12.1.5.8 ...

*Gary Spangenberg:* But for years, SSI was automatic. It still is.

*Dale Canning:* That discussion we had with Shawn Green down in Richfield, I don't think DOE is correct. It says a state can "or accept LIHEAP". That is what the Federal Regulation says, so I think if you qualify for LIHEAP income-wise you qualify for DOE even if you are over 200%, I think. But, the other way is not true ... if you are above LIHEAP guidelines, we have to be careful.

Now this whole flowchart (the income flowchart in the State Plan) it needs to be....for example it says "qualifies at 201%". That is really misleading. It needs to say "the income is 200%" We need to go from income. Like Betsy says, it has a red box that says you qualify – a stop sign says you qualify right? That whole thing is very misleading.

*Gary Spangenberg:* Send us your comments on that because that was the easiest thing we could come up with. But we are open to change, how to make it as easy as possible. It is a little hard to understand. Brad and Matt tried to do it in writing and this is the simplest thing we came up with.

*Dale Canning:* It is almost the opposite - we don't qualify at 201%. It should say "if your income is at 200%, you don't qualify –you are out of here. Then you check it for LIHEAP and DOE.

*Matt Turner:* Great comments. Please send a scanned copy with notes on it. That would be great.

*Dale Canning:* Since we are in Section C – anybody jump in ...Doug or Kory jump in – don't let me monopolize. So we need to look at that whole income qualification and make sure it is correct. If we need to question them, we need to question them.

*Gary Spangenberg:* I guess my question on that is how far do we go in the time period we have because we've go what Shawn said. How do we get further than that?

*Dale Canning:* Well, I am asking one of our national affiliates to look at it.

*Matt Turner:* We definitely want to review it and if it is in the regs, and there is really nothing we need to address, as far as the State Plan, then we will put the State Plan forward and move ahead. If we get clarification and need to change any specific direction, then we will do that through a UWPN in the future.

*Dale Canning:* I know Laura has more specific thoughts about the residency stuff. That 's a whole can of worms that can be very time consuming and can actually require to give a birth certificates and social security card for everyone in the house, and at what point do we decide we need all that documentation?

*Matt Turner:* Concerns about what documentation would be required?

*Laura Reilly:* When do we decide who to ask for documentation?

*Gary Spangenberg:* Based on what they have already provided to you? Based on the application.

*Matt Turner:* That's all while we are trying to confirm the number in the household and household income. Is that right?

*Laura Reilly:* Yes, but when somebody comes in with an application filled out, and the applicant provides us with a Social Security number, do we tell them, "OK – now we need documentation for everybody else in the household." Your last name is not Smith, your last name is not Jones, and your color is different than the average person in the United States. Are those things we want to consider or do we accept what they tell us that this is their documentation?

*Matt Turner:* Gotcha.

*Ian Spangenberg:* I know we are not trying to resolve anything, but I have looked into it a little bit and there is a program called SAVE . I don't know who runs it for sure, but it is part of Homeland Security I think. It is a fee-based thing where you put in a Social Security number and they give a report saying whether they are a documented United States citizen. It is about \$0.25 a copy and \$20.00 a month which is a recurring fee that will be charged.

*Matt Turner:* And that is just an acronym SAVE? OK – excellent. What other comments?

*Dale Canning:* Oftentimes there is stuff about mobile homes having to have approved tie-downs. Do we know what approved tie-down is? If it is in a mobile home park, is that considered an approved tie-down?

*Gary Spangenberg:* You're right – that is something we need to address. It has been in there for years. The problem is exactly what you are saying – what is an approved tie-down? The whole idea was, way beck when, probably 10 years ago, we got into that issue with what is an approved tie-down – a mobile or travel trailer is basically what it amount to.

*Dale Canning:* The section about not connected to utilities you need to look at. As I read it, you could not replace wood stoves on the reservation because those people are not connected to utilities. So you need to look at that and make sure it says what we need it to say.

*Gary Spangenberg:* Yeah – and that would be true. The reason that is put in there is because we have had a few situations where we put new furnaces in and they were not connected to gas at the time. I understand what you are saying.

*Dale Canning:* The way it is written now it says there are about five things we can do, and wood stove is not on the list.

The Energy Burden points system is problematic. We don't always give - not often do we give especially when we are certifying and giving points 12 months of utility data if people have not been in their home for twelve months. So the effect is, people don't get points for high energy use. I think we need some kind of alternatives rather than say, "if you don't have twelve months you don't get any energy points." We need to serve high users. If we could use January's fuel bill or if we could ask if we could use January's fuel bill or if Ian wants to use something else. We need to have flexibility.

*Gary Spangenberg:* The only way the energy burden works as we have discussed before is to have the whole year. But we could do exactly what you said.

*Ian Spangenberg:* Well, I think the way the new Questar request to get the utility bills has come out has made it very difficult to use January's or using the top three months – December, January, February.

*Gary Spangenberg:* We need to determine what "high" is.

*Dale Canning:* Even then, the little note on the Energy Burden says that you take the total cost of the energy, divide it by 12 months, then divide that by the qualifying income. Well, if we are going to a 12 month qualifying income and divide that into one month's utility bill, we are never going to get 15%. It only happens now because we are changing what the qualifying income is.

*Matt Turner:* It probably ought to say annualize it.

*Ian Spangenberg:* It does say annual heating fuel and electric costs.

*Dale Canning:* If you read the note – it says divide it by 12.

*Ian Spangenberg:* It says take the annual heating fuel costs and electric and divide it by 12.

*Dale Canning:* And then divide that by the qualifying income. So if you are using a 12 month qualifying income and you divide that into one month, you would never get the 15%.

*Ian Spangenberg:* What is the annual fuel bill.

*Dale Canning:* But that is not what it says.

*Ian Spangenberg:* Yeah it does.

*Dale Canning:* It says divide it by 12 – the annual ....

*Ian Spangenberg:* So you are going to take all 12 months and divide is by 12.

*Dale Canning:* No, it says divide the annual income by 12. It says take the Energy Costs and divide it by 12.

The Denial of Service thing says, "Service can only be denied when an applicant fails to qualify". We need to say "or falls into WPN list or into that category because this says we cannot disqualify people.

*Gary Spangenberg:* For anything other than income.

*Dale Canning:* There is a section in there says we have to make a referral to people are living in an ineligible unit. Well, somebody that has been done is an ineligible. The point is we want to get people out of substandard housing into better housing. I think that's great, but again, under 11a we need to write that if you find people in substandard housing, it is your responsibility – we expect you- to try and get them into better housing. That's what you mean but this says anyone in an ineligible unit will not receive service.

There are other things: It says that if a landlord refuses to pay for a furnace, we have to stop work. I think we should still do the higher SIRs and then stop and not do any thing else.

*Ian Spangenberg:* Well, that is problematic when you use a priority list of measures to do that includes insulation, and air sealing. We might create a hazard if we don't do the furnace first.

*Dale Canning:* Well, we still have to do a CAZ system.

*Matt Turner:* So you are saying if a landlord is not able to contribute, we would do our O & M's and any other measures that land on the list higher than the furnace that we don't require the landlord to contribute to.

*Dale Canning:* The issue is cherry picking, right?

*Mike Glenn:* As long as it does not create a health and safety issue.

*Gary Spangenberg:* Too many of those do not. The landlord refuses.

*Ian Spangenberg:* Sometimes they refuse because the cost is too high. I think that there has been an assumption that landlords are wealthy people and a lot of them are not. A lot are trying to help out people and we are kind of penalizing them for it.

*Matt Turner:* One of the concerns with that is that once they receive weatherization on that unit, we don't get to go back even if circumstances change. Then they have to pay full price the next time.

*Dale Canning:* even if we just do O&Ms, even if we just do weather stripping, that is the case.

When we are talking about the 50/50, 66% rule, it is confusing – I guess it is trying to say that we cannot use Questar funds on ineligible units even under the 50/50 66% rule.

*Gary Spangenberg:* Nor LIHEAP.

*Dale Canning:* It could be read that you could use Questar on anything. It says it does not apply to Questar. Which way doesn't it apply? What about the HUD list? Can we use Questar on the HUD list? Are they deemed eligible?

*Gary Spangenberg:* Yes – it is the same situation. The only thing you can't use on those is LIHEAP.

*Dale Canning:* Unless we get applications or we prove that they are a qualified client.

*Laura Reilly:* One thing I am concerned about is there are multiple references to using a self-employment ledger form. I believe in the past we were told that we were no longer to use ledger forms; we are to use 4506T IRS form. One of my concerns about that is that we have clients who apply for assistance in the middle of winter because they have a furnace that doesn't work. If they are self-employed they may have to wait 2 – 6 weeks before we can help them. How do we address that.

*Ian Spangenberg:* Another problem with that form is you are talking about income that is from the previous year that was from the previous year, so we are already like 18 months behind. When we are talking income, somebody's circumstances can change drastically.

*Matt Turner:* So we need to change the wording to match what we are requiring and you have a concern of requiring that form because of a few situations.

*Gary Spangenberg:* Does that form work in certain situations, then?

*Ian Spangenberg:* It works, but it takes time. We have had some kicked back and we're not sure why. We think it might be because there was foster kids in the house, maybe illegal things involved. They weren't able to provide Social Security cards for the kids.

*Gary Spangenberg:* So it is not a solution.

*Ian Spangenberg:* No, but it does work. It works to get it, it just doesn't always....

*Gary Spangenberg:* So just to clarify – so Laura you thinking that in those crisis situations we really have no choice but to use the self-employment ledger.

*Laura Reilly:* That's right.

*Gary Spangenberg:* O.K. – I don't know what other options are out there. If you come up with anything else, let us know in your comments.

*Dale Canning:* This should only be for people who don't receive HEAT. If they receive HEAT they're fine.

*Gary Spangenberg:* Yeah, and I am sure that was made perfectly clear in the Guidelines either. Brad and I talked about it. If they have received HEAT, they have got a golden ticket. It doesn't say that but that's what the intent is.

*Laura Reilly:* Right and that is how we have always looked at that part of it even though it has never been that specific. My biggest concern has been for people who come in and are not receiving HEAT but are in a crisis situation and all they have is their self employment ledger.

*Matt Turner:* OK – we will have to address that.

*Laura Reilly:* One other thing I would like clarity on – this says that a landlord who owns the refrigerator, a landlord co-payment will be required and we understand that. It says a 50% co-payment. The previous year's State Plan says that there will be a flat \$200 fee for payment. So this increases the cost for the landlord by \$50 - \$100 per unit.

*Gary Spangenberg:* I was not aware of that, but I think the \$200 is fine. I guess it depends on what is there. The \$200 might be 50% but on a side-by-side it could be considerably more. The original intent was we just wanted to make sure there was some participation by the landlord because he will be left with fridge.

*Ian Spangenberg:* Also with income properties: The Crisis money in the past has been \$100 maximum. I wondered if this is in the Federal regulations or if this is something the State of Utah came up with. Has that been looked at for inflation because to repair a unit isn't much more than \$100, but there is nothing you can do to get heat back in the house. Maybe we could raise it to \$250 or see what would be a reasonable amount.

*Gary Spangenberg:* The Feds don't give us many guidelines on rentals. That is something decided internally statewide years ago. I think we can look at that. Tell us what you think in your comments. That's nothing from us – it was just agreed upon years ago.

*Ian Spangenberg:* I think if we can get that limit raised to \$400 we can pretty much mitigate any rentals without having to do a furnace replacement unless there is crack in the heat exchanger.

*Dale Canning:* In that same section it refers to rental agreement that has not be provided. I am thinking that you mean the landlord agreement between us and the landlord and not the rental agreement between the client and landlord because we are not connecting rental agreements. On the list relatives, referring to the elderly, son and daughter need to be added to the list.

*Ian Spangenberg:* In the rentals we get, a lot who have agents. I want something that spells out how we clarify how far we go...I mean we get tax records that say somebody is the owner but never have contact with that person. What does the state want to see as far as us doing due diligence to prove that the person we are dealing with has the right to allow us to work on the rentals.

*Matt Turner:* You say that you are getting agents. Are you talking about real estate agents?

*Ian Spangenberg:* No, they get property managers.

*Gary Spangenberg:* They are usually somewhere else – some other part of the world.

*Ian Spangenberg:* Well, in the last two years I have seen a lot of investment companies that have purchased rentals in the area and they just hire people to take care of the properties so they don't have to deal with anything. They might not even know they are involved with weatherization because at that point the property manager is giving permission for everything to be done.

*Mike Glenn:* What would you recommend?

*Ian Spangenberg:* I don't know – there's not a real good way to figure out who owns it especially in LLC's.

*Gary Spangenberg:* Well, typically though, if the property manager as an agreement with the owner, that should be spelled out in his agreement. I guess it depends on how far we want to go.

*Ian Spangenberg:* I think a self declaration on the rental agreement would work where they just basically spell out that they have the authority to make decisions regarding the property on behalf of the property owner. It's not something we are going to be able to prove, but having them self declare would be the easiest and most efficient way of doing it.

*Mike Glenn:* OK – We could look into doing that.

*Dale Canning:* It says that the person signing the application must be the owner. Oftentimes, that is not the case. It could be the wife making the application (on the regular weatherization application) and there are also cases where there is a divorce and although it hasn't been recorded and all that stuff etc. We need to be able to say that maybe the owner has to be listed on the application ...

*Allen Beck:* He may be on medical care and not be able to do that.

*Mike Glenn:* Or the legal representative of the owner.

*Ian Spangenberg:* There is another thing about the power of attorney.

*Dale Canning:* It says that the owner must be the application signer so if the wife is not on the deed and signs the application, we would have to kick that back. What if the husband is not in the household? What if he is in prison or deceased?

*Laura Reilly:* What if an elderly woman's daughter and her family come in to take of Mom, and the daughter fills out the application but Mom is still listed as a member of the household and is still listed as the owner?

*Gary Spangenberg:* We'll look at that – that was not the intent. I don't see exactly what you are saying.

*Ian Spangenberg:* The other thing that was strange to me on ownership is that we cannot take deed as ownership that has been recorded with the county recorder and has been stamped and returned to the owner.

*Gary Spangenberg:* That's fine.

*Ian Spangenberg:* So an unrecorded deed cannot serve as proof of ownership.

*Gary Spangenberg:* Yes

*Ian Spangenberg:* That ( a recorded deed) for us is better proof of ownership than anything else.

*Gary Spangenberg:* Right – an unrecorded deed means nothing. It can be held for whatever period of time.

*Dale Canning:* In the plan it says that we have to test all combustion appliances – if we can use LIHEAP to replace all combustion appliances. Surely that does not mean a dryer or things like that. It says that we have to check the safety of all combustion appliances. Well, do we know the clearance requirement of wood stoves from combustibles; do we know how to check the proper flue? I'm not saying that it is a bad idea, but if you are going to require us to check the safety of all combustion appliances, and it says that in there several times, we need very good training on stoves, dryers, wood stoves and other major combustion appliances. Some wood stoves are mobile home approved and can be 2 inches away and some aren't. So it says in there many times, all combustion appliances to be tested. That means we need to get proper training if we want to do that.

*Allen Beck:* We would need to know what would it take to replace a gas stove or dryer

*Gary Spangenberg:* That was not the intent – we will have to look at that because if we don't, you could not touch a gas appliance or do anything but replace the vents.

A lot of these things (in the State Plan) have not been looked at for a long time. None of these things were changed intentionally – they just haven't been reviewed for a long time. This is a good opportunity to look at things.

*Ian Spangenberg:* So with income again, we take zero-income statements saying they don't have any money, since we are doing the 12 months now, with SEALWORKS we have the ability to look at what Workforce Services has reported under the Social Security number for the past four quarters. Can we use that income rather than the zero-income statement? Could we see if that is enough information to provide us with what we need?

In the past we have only qualified for the last month so they could have been zero-income but looking at the four quarters it is hard to tell what that is but they could have been employed prior to that month. It is an easy way for us to actually have an income show up and give them the right number priority points rather than zero income and move them to the top of the list. We look at these records but don't ever put them in the file and don't use that as their income, but we would like to because it is there. The more companies that use the E-verify and actually get the Social Security numbers, the more accurate it is.

*Dale Canning:* There are four or five places in the State Plan where you are asking us to now submit a lot more documentation. It feels like we are not being trusted. We have to now submit the application .....we're supposed to submit our libraries every time, we're supposed to submit out bid packets before we let them out. I mean, it goes on and on and on – telling us how to name our data bases for NEAT.

*Gary Spangenberg:* It's not that we don't trust you – it's just that monitoring has become so complicated we thought it might be better to submit them with your application rather than try to monitor every agency, but that is something we can look at. That was the intent.

*Matt Turner:* That allows us to do more desk monitoring.

*Gary Spangenberg:* It does and it allows us to do more actual monitoring in the field instead of just looking at all these little things that we have to look at. There is a lot more we did not put in there that we have to look at in the field. It just allows us more time that we can look at them.

*Dale Canning:* Well, I think it is easier for you to see that I have updated in my data base than me having to submit everything and have to file it.

*Gary Spangenberg:* Well, you submit things once a year rather than on the spot monitoring, too.

*Dale Canning:* It talks about 60% furnaces being replaced. Can that become a prioritized item, or do we still have to audit them?

*Gary Spangenberg:* We tried last year – two years ago when we did the audit when DOE argued with us that not every furnace ... In order for it to be prioritized we have to have a reasonable doubt that they are going to audit out at a 1.0 (SIR) or greater. We were not able to convince DOE that that is the case because not every one does.

*Dale Canning:* I'm not saying that but it needs to say you will replace it and it needs to say that they must have an SIR of 1.0 if we use DOE funds. What about LIHEAP? Then we don't need an SIR of 1.0. That would be nice.

What is the relationship with the UWPN and the Plan? Does the new plan supersede the UWPN? I don't know that there is any conflict but if we have a case .... because we still have to hold to all those UWPNs.

*Gary Spangenberg:* Previous to this particular guidance....

*Dale Canning:* I thought well maybe you have included it all, but you haven't because there is a whole five, six or eight page Health and Safety....

*Gary Spangenberg:* I think the intent would be that the plan would include all those. If that is not the case, that is what is needed to be because there is no other way to do it. Those that would apply after would be included in the plan next year.

*Matt Turner:* So any UWPNs that are dated before the State application is approved... the new State application, once it is approved, everything before it should be included, so the new State application would supersede it. Then from that point forward, any UWPNs would supersede the presented plan until the next plan is written.

*Ian Spangenberg:* I have a suggestion on that – The problem with the DOE guidelines is you go in are 800 different program notices all dated and they start back in 1990. If we could have a Program Notice once a year that could go in the State Plan that said "these notices are no longer valid". That way we could talk to our staffs and explain that this has been the policy but now it has changed and is no longer valid.

*Gary Spangenberg:* So at the end of the year do a summary?

*Ian Spangenberg:* A summary of what is no longer a valid WPN.

*Matt Turner:* O.K.

*Ian Spangenberg:* Or if something changes in the WPN, just say that this has changed and reflect the change.

*Gary Spangenberg:* DOE is very difficult to read. You have to find the latest WPN.

*Ian Spangenberg:* It is very hard to find what you are looking for – going in numerical order does not help at all.

*Dale Canning:* I am not sure the contracts termination clause meets the DOE standards. If you look at 440.15 it says that you have to afford the grantee adequate opportunity to be heard. Some people interpret that as a public hearing before terminating the grantee. So, look at that termination section.

The last thing I can remember that I have is a very detailed list of what is an Administrative cost. One of the items on that says “application certifiers” and if you look at all the DOE guides it says we want to be flexible and it lists secretaries but it doesn’t list application certifiers. If you will look at that and not make it any more restrictive than DOE absolutely requires because it doesn’t say application certifiers anywhere that I can see.

*Gary Spangenberg:* Well, the truth of the matter is there is not enough Admin and DOE has said, “Let’s try and loosen this up,” and so that is what we need to do because clearly, they don’t identify it, specifically, but we tried to, but it is too restrictive. The truth of the matter is, what we put in the Guidelines is what they are going to approve, so we might as well be as liberal as we can.

*Ian Spangenberg:* Like “secretary” - I don’t think secretary is a good name for what most of my people do. I don’t know about yours but I don’t call them secretaries. They do things that involve all the work from the start of the application to the end of the job. I don’t think that is all Admin costs – its helps get the work done on the homes.

*Dale Canning:* Yeah, they do inventory, they do computer work, etc.

In general I think Brad did a good job. It is a phenomenal job to go through so much documentation and get it down to these few things. I think we have a good relationship with the State and local providers. I feel good about it.

*Mike Glenn:* If you have an issue you know you can come to me.

*Ian Spangenberg:* I’ve got one on that survey that gets sent after the monitoring. If we don’t lose that part that talks about being unprofessional, and there is retaliation towards us for making a fair survey, I won’t fill one out.

*Gary Spangenberg:* Do you anyway?

*Ian Spangenberg:* No.

*Gary Spangenberg:* Nobody does, so that is the issue.

*Ian Spangenberg:* No, I think honestly, after my last monitoring I will do them, but I want to be fair and I want the monitor to be fair, so I think if we can get rid of that and just let it be what it is...

*Matt Turner:* The survey needs to be a little more unbiased – is that a fair statement?

*Ian Spangenberg:* I’m going to be judged on the work I am doing, and I think it should fair the other way – not that I’m going to critical, but I don’t want to be told that I can’t be critical if it is a bad monitor.

*Gary Spangenberg:* That comes from 25 years ago.

*Ian Spangenberg:* Also, change the format of it, like maybe do something electronic.

*Matt Turner:* We’ll look at it. I was going to say if it is electronic it may be simply an Excel file available on the Web so you still have to save a copy and submit it somehow.

*Gary Spangenberg:* I don’t think Mike got them the way that it is stated in there. He just didn’t worry about it because it was for another period of time. I think it is a good tool ...

*Matt Turner:* We need a way to submit them electronically.

*Ian Spangenberg:* Well, I don't know – maybe Webgrants or something in there eventually, but I think the way it was laid out - when I looked through it this last time, I think it is a waste of time. I think it should be fair like what would do if I came out monitoring – the interaction with the crew and the clients. I think it could be a good tool. It could help us to get more training that we need.

*Matt Turner:* I will create a link under other resources and it will be to a survey and after you are through with it, you will hit submit and it will come directly to us.

*Ian Spangenberg:* What I would recommend is that it is part of the of the exit interview where survey is turned in. The local agency can go over with their executive director there and the person that did the monitoring where we would know what you said about us and you would know what we said about you. Hopefully, it would help everybody.

*Matt Turner:* Any other comments?

*Doug Carlson:* The only comment I have is we will still get our contract on time, right? I think that overall, as Dale said, that Brad did a very good job in a short period of time with what he had to work with. I also think and I understand and I don't have a problem with, there is a mechanism in place that allows us to change even all these things we have discussed today as we go forward. So to get hung up on them right now and to say we can't move forward because we still have some issues with what's in there, I think if the State tells us that they understand that they are willing to if we submit something along the line whether it be September, October, the middle of next year, or whenever, that as a group we can look at it, make a Program Notice and make a change, and then put it in the Plan next year. I don't think there is an issue with anything we are doing. I think as long as we keep an open-door policy, I think everything will continue to run all right.

*Matt Turner:* Thank you and that is the hope with the UWPNS, the discussions we have at the Coordinator meetings, and just anything that comes up as we go down the road. I think we have the mechanisms in place.

*Mike Glenn:* So Matt, will send an email to everyone telling them that they have until Wednesday at 5:00 pm to make additional comments?

*Matt Turner:* Yes, I will. If there are no other comments, let's go ahead and close this meeting at this time and we will put together one draft which shows all of the changes that will take place from now until we submit the plan so you can review them again and all of that will be in writing. If there are any concerns or anything, you will be able to continue communicating even after the public comment period is over. Thank you.