

5122:3-1-06

Department approval of project.

- (A) ~~A designee of the deputy director, together with the chief, shall lead a team comprised of department staff and shall complete the application with the applicant and the board for the service area where the proposed project is planned.~~ For projects identified by the director as meeting priorities established pursuant to paragraph (A) of rule 5122:3-1-02 of the Administrative Code, the chief, or designee, shall work with the identified project lead to develop the application for community capital assistance funds. The application shall include project and service or program descriptions, project cost estimates, an operations budget, funding participation, applicant assurances, the documentation required by rule 5122:3-1-05 of the Administrative Code, and any other documentation in support of the application deemed necessary by the department. Upon completion of the application, the deputy director's designee, the board director and the applicant shall all sign the application. The deputy director's designee shall recommend projects to the deputy director. The deputy director may require additional information before submitting the application recommendations to the director for final approval action.
- (B) The director shall make the final determination as to approval or disapproval of the application or of such parts of the application as are deemed appropriate. The director may require certain parts of the application to be modified or amended and resubmitted. The director may consult with any agency, board, commission, or other organization in regard to all or any part of the application. The director may grant a waiver or variance from the application requirements set forth herein where, in the director's sole discretion, imposition of the requirement would exclude an application that otherwise meets the department's priorities.
- (C) ~~Upon the director's approval of a project application, the chief shall inform the applicant in writing of the approval, indicating the maximum amount of the state funding approved subject to favorable fund release action by the controlling board. Any action by the applicant which incurs project costs prior to receipt of the director's letter of approval and notification of the controlling board's approval shall be at the applicant's own financial risk. A copy of the approval notice shall be provided to the deputy director for further project action as provided under these rules and a copy shall be sent to the board(s).~~ After an application has been approved by the director, the chief shall send an application approval letter to the applicant stating the amount of state participation in the project and requesting submission of site information, as outlined in the guidelines, prior to project implementation.
- (D) ~~The chief shall submit an appropriate request to the controlling board for approval and fund release for an approved project as soon as possible after an approved site has been selected, appraised in accordance with the requirements of DAS/GSA, and appropriate information relative to the site has been provided to satisfy requirements of the controlling board.~~

~~(E)~~(D) The director may at any time after approval of a project, for reasons deemed appropriate, withdraw approval for state participation in a project. In such case, the director shall notify the project applicant in writing as to the specific reasons for the planned withdrawal of approved state funding and, prior to such withdrawal, allow the applicant thirty days to respond in writing to the specific reasons stated. Based on the applicant's response to the director's notice, the director may take action he or she deems appropriate. In the event such action involves withdrawal of state funding participation therein, the department may reimburse the applicant at the approved percentage rate of state participation for applicant funds properly expended prior to such withdrawal. Appeals from above action may be made pursuant to rule 5122:3-1-16 of the Administrative Code.