

4310.9520 APPLICATION PROCESS.

Subpart 1. **Consultation process.** No later than 120 days prior to the start of the fiscal year, RDCs shall be invited to consult with the agency in determining the amount of preliminary funding allocations of state financial assistance to RDCs.

Based on this consultation with the RDCs, and in consideration of the amount of funds provided by the legislature for such purposes, the agency shall announce to each RDC a preliminary funding allocation for the ensuing fiscal year.

Factors to be considered by the agency in determining the preliminary funding allocations shall include: base grants; the population of the region; and consideration of an amount of funds to be reserved for future funding of RDC work programs that are amended under this subpart.

The preliminary funding allocation to each RDC shall not be considered to be the final amount of funds awarded to each RDC.

Subp. 2. **Submission of preliminary work program.** No later than 30 days after the consultation process each RDC shall submit to the agency a preliminary work program that shall be consistent with the content requirements prescribed under part 4310.9530.

Every fourth year, the RDC shall submit an overall program design in place of the preliminary work program. The OPD shall be consistent with the content requirements prescribed under this part and part 4310.9530. The procedures set forth below for approving RDC work programs shall apply equally to OPDs.

Subp. 3. **The agency review of preliminary work programs.** No later than 30 days after receipt of the RDC preliminary work programs, the agency shall transmit written comments to each RDC based on its review of the RDC's preliminary work program.

The agency review shall include an examination of the RDC's compliance with the content requirements set forth under part 4310.9530; and an evaluation of the scope and content of the preliminary work program in respect to the proposed work program budget.

The agency shall, as it deems necessary, invite other state, federal, regional, or local agencies that provide assistance to RDCs to participate in its review of the RDC work programs.

Subp. 4. **Submission of final work program.** No later than 45 days after the agency transmits its preliminary work program review comments to the RDCs, each RDC shall submit to the agency a final work program that has been adopted by the RDC under procedures set forth by the RDC. The final work program shall contain the following:

- A. the content described under part 4310.9530;

B. responses to the agency's comments on the RDC's preliminary work program;
and

C. inclusion of the following attachments:

(1) a statement that no person will be discriminated against on the grounds of race, color, sex, religion, disability, or national origin;

(2) a statement on how the RDC will meet the citizen participation requirements of the Regional Development Act; and

(3) a statement that describes how the RDC will coordinate its work elements with related activities performed by other agencies, other levels of government, or the private sector.

Subp. 5. **Acceptance of final work programs.** If the RDC's final work program is found to be consistent with the requirements set forth under these rules, the agency shall notify the RDC that its final work program is acceptable and that a grant agreement between the RDC and the agency shall be entered into as described under part 4310.9540, subpart 2.

If an RDC's final work program is found to be inconsistent with the requirements set forth under these parts, the agency shall schedule a review session to resolve the problems identified. The review session shall be attended by RDC representatives, the agency representatives, and representatives of any other organizations that the RDC and the agency mutually determine should be present to ensure complete input and understanding of the specific problems identified. Following the review session, the agency shall provide the RDC with a written statement of the findings of the review session and changes (if any) which the RDC must make in its final work program in order to have an acceptable work program. Upon receipt by the agency of the required changes to the RDC's work program, the agency shall notify the RDC that its work program is acceptable and a grant agreement shall be executed as described under part 4310.9540, subpart 2. If the RDC fails to change its work program in accordance with the agency's requirements, the work program shall not be accepted and a grant agreement shall not be executed.

Subp. 6. **Amendments to acceptable work program.** A final work program may be amended any time by the RDC after it has been accepted by the agency, provided that the amendment is accepted by the agency.

An amendment to an RDC work program shall be accepted by the agency if:

A. the RDC submits to the agency a detailed description of the proposed amendments in the manner prescribed under part 4310.9530; or

B. the proposed amendments are determined by the agency to be consistent with the requirements set forth under subpart 5.

An amendment to an RDC work program shall not be accepted by the agency if the proposed amendment is inconsistent with the requirements set forth under subpart 5.

Within ten days of receipt of a proposed amendment, the agency shall notify the RDC in writing whether the proposed amendment is accepted.

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