

Lacy E. “Nick” Nichols Education Fund

(established in March 2013)

INTRODUCTION

The States Organization for Boating Access (SOBA) is offering this Education Fund, in memory of Lacy E. “Nick” Nichols (*Dec. 22, 1944 – Dec. 1, 2012*). Nick was a leader and promoter of boating access serving SOBA’s membership in a variety of capacities from Board member, to active participant on various SOBA task forces and committees, and as an engaging speaker and presenter at many annual conferences.

Nick worked for the Delaware Department of Natural Resources and Environmental Control for 23-years as a construction manager. He was responsible for operations, maintenance, upgrades and construction of numerous boating facilities. Shortly after his retirement, Nick had the privilege of having the Cedar Creek boating facility named in his honor. The Department’s Director said, “We are naming this great facility for Nick as a lasting tribute to his hard work and contributions to outdoor recreation and conservation in Delaware. His innovative and successful projects have served and will continue to serve Delaware’s boaters and anglers.” This exemplifies Nick’s hard work, dedication and passion about providing quality facilities while fulfilling SOBA’s mission.

SOBA values the contributions, efforts and professionalism of its members. With the challenges that public entities face with constrained budgets, SOBA recognizes that it has become increasingly difficult for public entities to provide funding for professional development and continuing education.

The Lacy E. “Nick” Nichols Education Fund provides a resource to members who have a desire to further their knowledge and expertise in boating access and related issues through continuing education, are in good standing, and who have made contributions to SOBA in some way.

1. ELIGIBILITY AND USE

The Education Fund is open to an employee of an agency of any SOBA member state or U.S. territorial agency in good standing at the time of application. A single state or U.S. territory may not receive more than one Education Fund award within a year, and a state or U.S. territory can only receive an award every three years.

The Education Fund can only be used to defray costs specifically affiliated with attending the annual SOBA conference, be it for the twenty-five percent non-federal matching fund for Sport Fish Restoration, Clean Vessel Act or Boating Infrastructure Grant Programs, or other conference related expenses (e.g. travel costs, accommodation, registration fees).

2. EDUCATION PROGRAM

Education Funds are not funded through any member dues, annual conference registrations, or SOBA membership monies. In addition, funds earmarked for Education Funds will be kept and accounted for separately from SOBA's operational funding activities.

The maximum Education Fund award will be the twenty-five percent non-federal match, up to \$500. The amount of Education Fund funds available for that particular year will be announced after year-end financial close (January timeframe).

Current SOBA Board members and Education Fund Committee members are ineligible for Education Funds during their term in office. The Education Fund Opportunity will be promoted in SOBA's quarterly newsletter, on its website, within its annual conference, and through direct communication with targeted interests.

3. EDUCATION FUND COMMITTEE

An Education Fund Committee, consisting of one current Board member, one past Board member and one other active SOBA member, will be established and appointed by the President of SOBA. The Education Fund Committee member term will be two-years, and members can be reappointed for one additional term.

The selection of Education Fund recipients must be by a majority decision of the Education Fund Committee. Committee selection recommendations will be presented to the Board with final approval made by the Board.

4. EDUCATION FUND COMMITTEE GUIDELINES

Applications for the Education Funds shall be submitted via email or mail to the Chair of the Education Fund Committee.

The Education Fund Committee, based on the applicability criteria stated below, will evaluate applications and make recommendations to the SOBA Board.

- Financial Need Statement (Pass/Fail Item) - A Pass/Fail determination is made by the Committee based on a review of the applicant's statement of need for financial assistance. The statement should state that the applicant or their agency, due to a lack of funding, is unable to pay for the costs of attendance to the annual conference. The financial need statement must be signed by a financial officer or manager whose job provides them with qualified knowledge on the Agency's financial ability. All applicants must provide this information.

- Contributions to SOBA-to be submitted by those who have been a member for more than one year; (Weighted Evaluation Item, 60 points) - The Committee awards points based on the Applicant's demonstrated contributions to SOBA. Examples of contributions include, but are not limited to:
 - Serving on various task forces (Design, Maintenance, Best Practices)
 - Providing articles for the SOBA quarterly newsletter
 - Conference presenter
 - Past conference host state staff participant
 - Past Board member
 - SOBA member representing SOBA on an external organization at the Board's request.

OR

From those who are new members (less than one year), (Weighted Evaluation Item, 60 points)- Points are awarded by the Committee based on the Applicant's minimum one-page essay that lists goals in the boating access field and how membership in SOBA is helping obtain these goals.

- Contributions to Boating Access, Clean Vessel Act, Boating Infrastructure, and related programs-to be submitted by all applicants; (Weighted Evaluation Item-40 points) –Points are awarded by the Committee based on the Applicant's information that demonstrates contributions made to boating access, through design, maintenance, environmental or administration of boating programs for the betterment of the public recreational boater. Examples of these contributions include , but are not limited to:
 - Developing, implementing, constructing or maintaining boating access
 - Developing or implementing education and outreach for boaters
 - Participation in local boating access organizations, groups, committees
 - Creation of innovative strategies to improve the boating experience

- Development, creation or implementation of environmental strategies to improve boating access, enhance the boating experience and protect the environment.

Note: Supporting documentation for the criteria above should accompany any Education Fund requested.

Members of the Education Fund Committee who are also managers of the applicant may not sign Education Fund applications, and will abstain from discussing or voting on the applications of individuals who they recognize to be their subordinates. Successful applicants will be notified directly, after SOBA's annual June Board Meeting, and an announcement will be posted in SOBA's newsletter.

5. PAYMENT PROCESS

Education Fund reimbursements will be made after the Annual SOBA Conference attendance and participation has been documented. Grant recipients are required to file a trip report following their attendance at the event, outlining the benefits they derived from attending the conference. The reimbursement will be made to the Education Fund recipients' employing agency. The Education Fund reimbursement costs will be made after receipt of a copy of the state reimbursement documentation demonstrating payment made to the grant recipient and documentation of all travel and conference costs.

6. APPLICATION PROCESS

All applications for Education Funds must be received by the Education Fund Committee Chair before the end of April for the next annual conference, or by a deadline determined by the Education Fund Committee.

7. FORCE MAJEURE

If either the recipient or SOBA is rendered unable to perform its duties under the Education Program due to acts of God, riot, war, terrorism, bioterrorism, civil unrest, flood, earthquake, power outage, or government fiat (a "Force Majeure Event"), then during the pendency of such Force Majeure Event, but for no longer period, the obligations of such Party will be suspended (or reduced, as applicable) to the extent the Force Majeure Event makes performance impossible.

During the occurrence of a Force Majeure Event, the recipient shall use best efforts to minimize expenses. Upon the occurrence of a Force Majeure Event, the Education Fund is obligated to reimburse only for those items directly related to attendance of the annual conference.

8. INDEMNIFICATION

The recipient shall take all reasonable steps to indemnify, defend, save and hold harmless the States Organization for Boating Access and the Education Fund Committee its officers, employees and agents (“Indemnatee”) from any and all claims, actions, liabilities, damages, losses, or expenses (including attorneys’ fees) arising from a tort caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of the recipient or any of the Employing Agency’s officers, agents, or employees. It is the specific intention of the parties that the Indemnatee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnatee, be indemnified by the recipient from and against any and all claims.

EDUCATION FUND COMMITTEE CHAIR

Al Wolslegel (Washington) Chair