



SPOKANE COUNTY AIR POLLUTION CONTROL AUTHORITY
BOARD MEETING MINUTES

March 1, 2007 9:00 a.m.
SPOKANE COUNTY PUBLIC WORKS BUILDING
LOWER LEVEL HEARING ROOM

BOARD MEMBERS PRESENT:

Board Member Melissa Ahern
Commissioner Bonnie Mager
Chair Jeff Corkill, Ph.D.
Councilmember Mike DeVleming
Mayor Matthew Pederson – 9:08 a.m.

STAFF MEMBERS PRESENT:

Bill Dameworth, Director
Barbara Nelson, Finance & Personnel Admin.
Matt Holmquist, Compliance Administrator
Lisa Woodard, Public Information Officer
Deirdre Fitzgerald, Air Quality Specialist II
Brenda Smits, Air Quality Specialist II
Michelle Wolkey, Legal Council
Mary McDermott, Secretary II

WORK SESSION: The work session began at 9:07 a.m.

1. Notice of Construction Program Fees – Matt Holmquist

Bill Dameworth gave an update on the NOC fees that were discussed at the last board meeting. The Board wanted some information about the fee based revenue shortfalls which was provided in the board packet.

The NOC program costs have been funded partially by the local assessment. The local assessment is at a fixed dollar figure and the costs for running the program are going up with inflation so there is a bit of a shortfall. Previous direction from the Board was to have full-cost recovery on all fee based programs and that is why there was a proposed rule revision. As directed by the Board at the last meeting, the comment period has been extended until March 21 and formal rule making will begin when the Board makes the decision on how they want to proceed. There are several options: a one step fee increase, phase in the fee increase or continue subsidizing the program with local assessments.

Councilmember DeVleming asked if the NOC regulations were state regulations. Bill replied they are in the Washington Clean Air Act; SCAPCA is required to have the NOC program. Councilmember DeVleming asked if there was a rate per hour on these items; when a fee is being established. Bill replied that for the staff's time accounting, they account for how much time is spent on that program. SCAPCA's number of hours spent and salaries are comparable with what other air agencies are spending. Councilmember DeVleming asked if we

work at strictly an hourly rate or is overhead being included. Barbara Nelson stated she was unsure what Matt had used for his calculations; he gathered all of that information. Bill added that the hourly rates are different because it depends on who is working on the NOC. Chair Corkill stated that at the next board meeting, they would hear the public comments that were submitted and take action after that.

2. Waste-to-Energy Special Wastes Update – Bill Dameworth

Bill stated he had sent an e-mail to WTE and received a response apologizing for not getting to it sooner. WTE has submitted a revised procedure and worksheet for handing out to people who want to do special wastes. The person who wants to dispose of special waste will submit a material safety data sheet (MSDS) and it would be required that staff review the data sheet and any other data bases on any chemicals that would likely survive the combustion process and the treatment process they have. In addition, they have added all of the halogenated compounds (chlorine, bromine, fluorine, iodine) and mercury and arsenic to their list of things to be scrutinized. Chair Corkill asked when they submit this agreement will it come to this Board to okay it? Bill replied there is no requirement in any agreement that the SCAPCA Board approve their disposal practices. Chair Corkill would like the Board to receive a copy of the agreement when it is submitted.

3. Update on Agency Name Change – Lisa Woodard

Lisa stated that the name will change to Spokane Regional Clean Air Agency and there will be a new logo developed to go with the name. There were six entries from the contest and the top three designs were sent certificates and prizes secured from local businesses. The top design was selected by the supervisors and the next stage is to work with a professional graphic designer who can make it work for a professional agency logo. A logo should be strong, tell a story visually, have uniformity, communicate professionalism and needs to work in black and white and true color and in a couple instances we would use a full-color version. Scott Graphics, a local graphic designer company, is going to break the logo down and put it back together maintaining some of the environmental Spokane type landmarks. In March Scott will come back with the first take of a preliminary design and have input. The final logo will be ready April 1st and in May there will be a Resolution to adopt the name change.

Mayor Pederson had a concern about the logo being modeled after the City of Spokane logo. Lisa stated that the plan is to drop the pavilion and put in Mt. Spokane. She has confidence that the designer has gotten the message that it is a regional air agency. Mayor Pederson would like to see more of the regional aspect. Commissioner Mager asked if the person who won will be working with Scott. She is concerned about the changes that will be made to the logo and how the winner may feel about it. Bill stated that they have made it clear to Scott to retain the flavor of this logo and make minor changes; the winner will be invited to the meetings. Lisa added that it was clear in the contest materials that we may not use the exact logos submitted and that it may be modified; also, there will not be an acronym, it will be Spokane Clean Air. Bill added that SCAPCA is looking to put together a jingle so people will understand that the name and web address have been changed so they can still contact SCAPCA. Commissioner Mager asked if when the name change is made will there be a link from the old site to the new site. Lisa replied yes.

BOARD MEETING: The board meeting was called to order at 9:27 a.m.

1. Advisory Council Report – Chair Corkill

Bill updated the Council on the Goodrich settlement and the wood smoke legislation and what has been going on with that. One thing Chair Corkill suggested was instead of the Council just hearing reports from the staff, maybe they could be more pro-active and come up with suggestions to the Board about the fine particulate and ozone levels, which are going to be critical in the next few years in Spokane County. One reason is because Spokane County is at the limit and the EPA may lower the limit which would put Spokane in a bind. Chair Corkill also asked them to have input to the Board on how they would recommend using the Goodrich settlement money. Ron Edgar went over the items that could be bought to monitor ozone and since ozone is a secondary pollutant and is made by hydrocarbons, NO_x and sunlight, one of the items that was considered was putting hydrocarbon and NO_x monitors in so we could look at what concentrations of them are in the Spokane region. Another item he encouraged the Council to look at is trying to come up with a better solution of how to get citizens aware of the burning of yard and garden waste and how to coordinate SCAPCA and DNR better.

2. Director's Report – Bill Dameworth

Several meetings ago the Board asked to have proposals sent out for legal services. We received two proposals back and one was from Michelle Wolkey, SCAPCA's current legal council. One of the other bidders specializes in municipal law and the other is a full-service law firm that SCAPCA could engage for special projects. Councilmember DeVleming asked what the staff recommendation was. Bill replied he is comfortable with leaving the situation where it is and if an issue arises where we need some specialty legal services, we could contract for them. Commissioner Mager asked why SCAPCA was asked to pursue new legal council. Chair Corkill stated that last year during the process to hire the new director, there were a few mistakes made over the open meeting rule and two of the members on the board felt that they'd been given inaccurate information about the open meetings rule and there was some dissatisfaction with the present legal staff. Mayor Pederson stated that he doesn't know if it was so much about the open meetings rule, there was some questionable advice that was given in that regard and he thinks that what it comes down to is basically communication. He took the opportunity along with Councilmember DeVleming to sit down with Michelle Wolkey and discuss some of the issues that occurred throughout the past year and a half and a lot of it just comes down to communication, and through those turbulent times there were a lot of questions from the Board and legal staff on how to proceed and what the next step was. Having not been through that process before, he thinks it is a learning experience for legal staff and the Board. If we can commit to better communication and receive legal advice in a timely manner, he doesn't see a future issue. He doesn't know Michelle's complete background but he thinks being a municipal or governmental attorney in this case, more study and more focus needs to be put on the day-to-day legal issues of the Board, not outstanding the intense environmental issues that the agency interacts in.

Bill added that one of the things that might be an issue is Michelle wasn't always at the Board meetings. We have negotiated a reduced rate so she can attend these meetings and keep up to speed a little better and also advise the Board directly before any problems arise; this also may help in the communication area. Board Member Ahern stated she would concur that that

seems to be an effective move for communication purposes. Chair Corkill stated that it seems the Board will take Bill's advice and keep Michelle Wolkey on as legal council and if necessary use the other firm for more advanced special projects. The full Board agreed on this decision.

Bill continued with the issue of the voluntary burn bans and the need to change the state burn ban law, which is set at 35 micrograms per cubic meter. The other air agencies are involved in a study to determine how many woodstoves they have and if they can get them changed out when people sell their houses. This is more long term but by the time we get all this work done, we may all have to write non-attainment plans and he would like to avoid doing that. So he contacted Senator Brown's office about sponsoring some legislation to allow Spokane County to develop its own burn ban. What they came up with is a program that will sunset in two years and by that time Ecology would have to report back to the legislature on what all the stakeholders think and what is likely to work as a permanent solution. We will be the testing ground to establish burn bans to stay within attainment of the PM_{2.5} standard. Bill went to Olympia to testify in favor of this bill and so did the Hearth Products Association, DOE and Puget Sound Clean Air. It looks like both sides of the legislature are moving forward with the bill and we will be able to come to the Board sometime this summer with recommendations for establishing burn ban limits for Spokane County. The Senate Bill is 5745 and the House Bill is 2261. Chair Corkill asked if this would cover the outdoor wood fired boilers. Bill replied that technically they are violating the law right now. There is no law that says you can't use them just that you can't sell them. SCAPCA is trying to work with other air agencies to come up with some way of dealing with this and putting a stop to selling these devices because the emissions are so high. We have given one company the opportunity to certify their device by following EPA's procedures designed for wood stoves and then their device can be certified for sale in Spokane County. Chair Corkill asked what it would take to get Ecology involved with this. Bill replied that they are getting involved now.

Mayor Pederson asked if the proposed Senate Bill was brought before the Board. Bill replied no. Mayor Pederson asked why that was not done. Chair Corkill stated that there was discussion at the last meeting. Bill added that there was discussion that he was going to ask Senator Brown; she responded she was going to sponsor the bill. Mayor Pederson stated that as a Board Member he does not recall at any point seeing any draft legislative being proposed by SCAPCA or discussion related to it. Bill added that he did not write up the legislation, the Senate Caucus wrote it up, he just asked for some help dealing with this issue and this is what transpired. Mayor Pederson asked where the Board's position on this issue prior to the action was. Bill replied that it was discussed being a problem. Chair Corkill added that Ron Edgar has brought this to the Board two or three times with the lowering of the EPA limits from 65 to 35 micrograms. There is a potential problem there and he has mentioned that several times and the Board concurred that something needed to be done. There was no motion passed but he believes that it is also recognized by other clean air agencies that there's a problem there. He thinks the problem around here is more pronounced in Spokane County and Lisa Brown is in Spokane County and that's why they have come up with us as a model.

Councilmember DeVleming thinks the point Mayor Pederson is trying to make is that Board handles policy decisions and policy decisions should come through the Board first before staff pursues it. Mayor Pederson added that he finds it problematic that the process was to proceed without Board authorization; he agrees with the legislation and he supports the legislation personally; but he does not understand how staff can proceed and act on behalf of the

Board without the Board's knowledge. Chair Corkill stated that they have had this discussion maybe three times so it's not as if the Board did not know that this was a concern of SCAPCA's. Bill had also mentioned his concern before and he is not sure if Bill actually said he was going to Olympia but he didn't hear any opposition to Bill supporting this bill. We have known that Bill has been in contact with Lisa Brown over this issue. Bill stated that he did mention that in his Director's Report at the last meeting and he did say that Lisa Brown had agreed to sponsor it and he was going to Olympia to testify, but he did not ask for a vote on it. He has not been in this position that long and he is unsure of all of the procedures as far as what he should do as far as getting the agency's business done. This may be a problem and procedurally he should have suggested to the Board that he would like to have a vote on going forward with contacting Lisa Brown. He understands that now that it has already happened. Board Member Ahern asked if the Senate Bill had come into conjunction with the House Bill or is it the opposite. Bill replied it is the opposite; the House Bill came into conformance with the Senate Bill. Board Member Ahern would like to have some clarification on these proposed pieces of legislation. Bill stated that historically Puget Sound or Ecology usually takes forward these sorts of things and they said they wanted to do this study first and if he wanted to do this burn ban program, he was on his own. So he took them at their word and wrote an e-mail to the Senator to see if she would be interested in helping SCAPCA out on this issue. Her staff called him back and said they could do this and they had written something up with a sunset provision in it that says we have two years to experiment with this and at the end of two years the DOE will have to prepare a report with all the stakeholders, including the Hearth Products Association and other air agencies and it seemed like it would be accomplishing SCAPCA's goals plus doing what the other air agencies were wanting to do themselves. It seemed fine with him and so they proceeded to write it up and have him come in and testify as to whether or not this would work for Spokane County. That is why he contacted the Hearth Products Association to make sure that they were not going to be in opposition to it and that the language would be something they would support, which they did. Then the House came up with their own Companion Bill that didn't include the part about Spokane County so he e-mailed the representatives for this area asking for help in getting the bills to be in conformance and apparently they would do that as well. Board Member Ahern asked when Bill says Spokane County, he is saying the piece that would allow SCAPCA to proceed over this two year period. Bill replied that is correct.

3. Public Information/Education Update – Lisa Woodard

We have been involved in a school idling program that was funded through state and federal funds and piloted over the state for two years. A tool kit was put together where we could go into elementary schools and some middle schools and promote a no-idle policy with that school. It has been a huge success and idling reductions, on an average, are reduced 78%.

Our education and outreach program are seasonal and we are moving from the wood heating season to the spring outdoor burn season. We are working with the Department of Natural Resources and will be developing a joint brochure with them and have it done in April. It will focus on the three types of burning that occur in the community and they are residential yard and garden administered by SCAPCA, silvicultural administered by DNR and recreational burning. It will focus on what the rules are, what the alternatives are, who to call, etc.

In the middle of March a regional outdoor burn media campaign is going to resume. This campaign was developed with a lot of partners throughout the State of Washington, Oregon and

Idaho. You can go to KHQ.com to “tellusmore” and there is an informational page about outdoor burning in Eastern Washington and can click on the TV spot to see the 30 second spot.

SCAPCA teams up with DNR and the Fire Districts and offers two chipping events a year in the north and south part of the county. The third annual north side chipping and composting day is on April 14th, Saturday; at Fire Station 49 located at 395 and Monroe Road.

4. Activity Report for January 2007 – (for informational purposes)

Chair Corkill asked why the air quality index has not been published in the last week or so, is it mechanical problems? Bill replied that there are some technical problems. The State is coming up with a new software and server program and a lot of the information that we used to get is going through these and we are having some technical issues with DOE on this right now.

5. Approval of Minutes of the February 1, 2007 Board Meeting

Councilmember DeVleming moved to approve the February 1, 2007 minutes and Commissioner Mager seconded it. Motion passed unanimously.

6. Income/Expense Statement for January 2007 – Barbara Nelson

SCAPCA is on track with both revenue and expenses. There were no questions.

7. Voucher Approval for February 2007 - \$145,912.88

Barbara Nelson pointed out that the \$7,755 was transferred to DOE and that is pass-through money that is collected from the Title V Sources and is due to them by February 28th. Mayor Pederson asked where Smoke School Inc. was located and what kind of training do they provide. Barbara Nelson replied that they are based out of Yakima. Brenda Smits added that they come to Spokane to certify inspectors for reading opacity and the inspectors have to recertify twice a year. Board Member Ahern moved to approve the February 2007 voucher and Councilmember DeVleming seconded it. Mayor Pederson made a friendly amendment for the grand total being \$145,912.88 for the voucher approval. The amendment was approved by Board Member Ahern and Councilmember DeVleming. Motion passed unanimously.

8. Resolution 07-03 Appointment of Advisory Council Members – Barbara Nelson

Mayor Pederson asked whose appointment is this, is it the Director’s appointment or the Board Chairman’s. Bill Dameworth stated that what has been done in the past is the Director gives the Board a recommendation and the Board votes on the approval. Mayor Pederson asked what the policy says. Barbara Nelson stated that SCAPCA does not have a policy that dictates that exactly. In the past, the Advisory Council had been solicited in various ways, the Director interviews those applications and then comes to the Board with a recommendation and then the Board approves the recommendation appointing the person to sit on the Council. Councilmember DeVleming asked from a legal standpoint, what’s required? I think this is where Mayor Pederson is coming from, is that from a Council or City Government there are requirements on whose appointment this actually is. Michelle Wolkey stated that SCAPCA doesn’t have a written policy and she would recommend that they do put together something in

writing that identifies what the process is going to be. The end result is that the Director makes a recommendation to the Board but it is a Board appointment as to who goes on that Council. Mayor Pederson stated if it is the process that we choose to proceed with in the future, he would like to see a written policy where it states that the Director makes the appointment with Board confirmation. He doesn't know if that's really the position the Director should be in though. He does question that and doesn't believe that falls into the job description of the Director. He would like to see either one of two courses of action taken: one being the Chairman makes a recommendation to the Board with Board confirmation or the Board, as a body through the membership, makes nominations to the appointment of the Advisory Council with a vote taken by the Board for confirmation. Of course the first applicant receiving a nomination and a majority vote of the Board being the individual selected. Michelle Wolkey asked if that would be the Board's direction in that for the next meeting we have a proposed resolution and policy with how this process is going to happen in the future, keeping in mind that the appointment itself would either be at the recommendation of the Chair with confirmation by the Board or alternatively the applications are submitted directly to the Board as a whole and then nominations made from those applications. Chair Corkill stated that the Advisory Council can come up with some nominations and then those nominations go to the Director who then will bring them to the Board at the next board meeting or should the Vice Chair of the Advisory Council come to the Board with the nominations and then they can get approved by the Board. Chair Corkill asked Mayor Pederson if that is what he wants is for it to come through the Advisory Council and not through the Director. Mayor Pederson replied his personal opinion is that duty should fall under the category of the Board Chairman. Chair Corkill stated that as the Chair of this Board he is also the Chair of the Advisory Council so the nominations would be sought by the Advisory Council who would then make a motion to the Chair of the Advisory Council and then it would come to this Board for a vote. Mayor Pederson would like the authority given to the Chair to receive the applications of those interested and then use his best judgment to evaluate and qualify the applicants with input from the Advisory Council and make a recommendation to the Board. Councilmember DeVleming added that this is one of the things he wanted to discuss at the retreat. It is one of a couple of issues where the by laws may be lacking or not addressing it. If it is our decision, we need to sit down and analyze it and it's not just this particular piece, it's a lot of the pieces that are in the by laws that really are governing us. Councilmember DeVleming's recommendation is that they proceed with the two recommendations on the list but at the retreat they need to talk about how they are going to update, rewrite the by laws and what that will include and what the process is.

Councilmember DeVleming moved to approve Resolution 07-03 with Jana McDonald as the Air Pollution Control representative and Chester Jahns as the Agriculture representative and Mayor Pederson seconded it. Motion passed unanimously.

9. Resolution 07-07 – Budget for FY07 School Bus Retrofit Grant Projects – Barbara Nelson

This is a resolution setting up the budget and the appropriation for the school bus retrofit money for the special projects that have been recently approved by the Board. The last couple of months three projects have been approved through resolutions and they are the fueling stations for Medical Lake School District and Freeman School District, and the continuation of the Vehicle Emission Repair Program (VERP) and what we need is a budget to go with the grant. The total for the three programs is \$400,000 and there is well above that in the retrofit grant fund

balance. Chair Corkill asked what the source of the retrofit grant money was, state or federal. Barbara replied it is state money received quarterly and has specific use requirements.

Mayor Pederson moved to approve Resolution 07-07 and Commissioner Mager seconded it. Motion passed unanimously.

**10. PUBLIC HEARING:
Resolution 07-08 – Budget Amendment of Special Project Funds for Purchase of
Computers – Carl Gross**

Carl Gross, Air Quality Data Specialist, presented a report on buying new work stations for the staff. Right now the current computer situation is we have computers from two to five years old and the amount of computing power varies from under one to two gigahertz. We're looking at purchasing all new work stations for all the employees in order to standardize the types of computers we have. We have the opportunity to get these work stations at a reasonable price and they would all come with Office XP Professional for a great deal less than what he would be able to replace them by buying bits and pieces. We will be able to get these work stations for around \$400 apiece.

Councilmember DeVleming asked if these would all be new work stations. Carl replied yes, they're all new work stations that are 3.2 gigahertz, processors, 512 meg of ram and some of these I am looking at upgrading to one gigahertz. Councilmember DeVleming asked where in the budget are you going to find this money once we make the amendment. Bill Dameworth replied that Ron Edgar found a place in the budget and said that there is some special projects money that can be used for things like this. Chair Corkill stated that Vista has just come out is that any problem at all and how long of a life span would these work stations have. Carl replied he would like to get XP Pro now because later on we may not be able to get machines without Vista on it and there is still a great deal of bugs to be worked out of Vista. XP Pro has proven to be a very stable system right now and the life span would be at least two or three years. Bill added that with all the upgrades that are done to the old systems, they tend to slow down. This will make SCAPCA set for sometime in the future with standardizing on Windows XP. Chair Corkill asked how much money is in the project reserve account right now and what percentage does this represent. Barbara Nelson replied that the project reserve account balance is \$316,355 and SCAPCA is proposing to spend \$8,500. Chair Corkill stated that \$8,500 for 17 work stations seems like a good deal.

There were no public comments. Commissioner Mager moved to approve Resolution 07-08 and Board Member Ahern seconded it. Motion passed unanimously.

11. Resolution 07-09 – Expansion to the Yard & Garden No Burn Area – Brenda Smits

This resolution is a continuation of the Determination that we began last December. We talked with Fire Districts in the area and as a result came back with two areas that were supported by Fire District #8 for inclusion in the no-burn area for residential yard and garden burning. At that time Chair Corkill proposed that we look at adding the Hangman Hills and Brown Mountain areas. At the last Board meeting we came to the Board talking about what type of boundary lines were we looking at in adding that area. We agreed with Chair Corkill at the time that the Palouse Highway would be easiest to define for people living in the area and the

Range lines on the east side. Since the last board meeting, this proposed addition has been posted on SCAPCA's web site with a Notice of a written comment period from February 5th to the 26th. We have not received any written comments to-date. Mayor Pederson stated that the Resolution states that these areas are identified with reasonable alternatives to burning. What alternatives are available to these individuals? Brenda replied chipping, composting and hauling to the transfer stations. Mayor Pederson asked where the chipping and shredding services were located. Brenda replied there are several, it depends on the kind of material that you want to chip, you can either rent equipment and bring it to your house or you can take it to areas that do the chipping; it depends on the amount of material you have. Chair Corkill added that there are approximately 20 houses in the one area and they are all going in together to buy a chipper. Brenda added that Spokane Regional Solid Waste also has a composting program that they put on in different areas of the County. SCAPCA has a chipping and composting event at the Fire District that's located near the southeastern point of the new no-burn area and it is held in the fall. Mayor Pederson stated that the definition of reasonable alternatives in his mind is not saying "well you could do this or you could do that"; it's as a governmental agency providing those alternatives. In the past we have talked about yard waste receptacles or drop off areas, has that been pursued any further? Brenda replied that she has talked with different businesses that supply that to these areas and it is up to the areas, for example, if the Hangman Hills Development wanted to get together and do that, they would have to go to one of the businesses that do this type of pick up and contract with them. Reasonable alternatives are defined in the WAC. Mayor Pederson added that as a City, one of the services he provides to his citizens is a compost bin free of charge. So he thinks they need to take further steps to make the reasonable alternatives more readily available to those citizens rather than just give them a list of options and what they could do in a perfect world. Brenda replied SCAPCA does have a chipping and composting fair in that area for people to bring their yard and garden debris to and it is well used. The state's definition of reasonable alternatives lists disposal methods that are available, reasonably economical and less harmful to the environment. Chair Corkill stated that one thing that could be done for the people being included in these new areas is to make sure that they know about the fall chipping and composting opportunity. SCAPCA could send letters to them and let them know they are in a no-burn area and here are the alternatives. Brenda agreed. Commissioner Mager is not sure if this is still happening or not but originally Solid Waste use to provide a composting bin for anybody who wanted it or attended their composting seminars; so maybe SCAPCA could look at the various different things that we do offer and include all of them in the letter so that they would have the alternatives that Mayor Pederson is talking about. Brenda replied that WTE is included in SCAPCA's yard and garden brochure and also a part of the chipping and composting fair. They have people go through the different stages of composting and then they receive a chipping and composting bin. Commissioner Mager stated that maybe a brochure would be good to put in the letter. Councilmember DeVleming asked how many people will be notified by mail, is there money in the budget for the mailing and will it be a challenge for the staff. Brenda replied that she will put something together including those areas and bring a total back to the Board. It will also be put in Fire District #8's newsletter and on their web site. Lisa added that there is enough for the mailing in this fiscal year and it won't be a challenge for staff.

There were no public comments. Commissioner Mager moved to approve Resolution 07-09 with the provisions that SCAPCA sends out a letter advising the folks in that area that they have been included and some of the alternatives to burning that are available to them and Board Member Ahern seconded it. Motion passed unanimously.

12. Executive Session: Director's Salary Review

Chair Corkill moved the Board into executive session with Michelle Wolkey, legal counsel, and Councilman Rob Crow of the City of Spokane attending at 10:43 a.m. for approximately 15 minutes. The board meeting reconvened at 11:00 a.m.

13. Director's Review (continued)

Chair Corkill stated that there was no action taken in the executive session.

14. Board Concerns

Chair Corkill reiterated that a retreat is planned for April 18th and it is at St. Joe's from 11:00 a.m. to 5:00 p.m. It would be useful for the Board Members to write down some agenda items and send to him. Mayor Pederson stated that he would like to get a copy of the By Laws and the RCWs governing the operation of SCAPCA/Air Quality Agencies. He would like to have these distributed to the Board as soon as possible so that they can review them and make recommendations and he would like to see the bulk of the retreat be focused on the By Laws of SCAPCA and the manner in which we hope to govern in the future going forward out of the retreat. He thinks there are a lot of grey areas and a lot of omissions from our policies that need to be addressed so that we can function in the utmost confidence that we're being transparent and fully meeting the law of the land. Commissioner Mager stated that as a new member of the Board, she does not know exactly what she wants at the retreat except that she would like to have a type of orientation for the new members and leave it to the staff as to what makes sense to include in that. Bill Dameworth stated that his thought is before lunch they would have each supervisor go through what it is their staff do so that board members are introduced to the various functions that occur in the agency. On the By Laws, it is his understanding that SCAPCA has no By Laws, it has RCWs that govern the Board, but we have been seeking copies of By Laws from other local air agencies and will send those out to the Board as soon as they are received. Mayor Pederson stated that potentially could be a completely separate retreat, but it's one that is very important. Another aspect that he feels is very important is to clearly define the roles and responsibilities of the Board Members and the staff in the separate branches of government that we deal with at SCAPCA. Again, absent any By Laws we're really going to have to lean on state law, which would govern any by laws that we have, because by law we are clearly defined on what our rules are and where our boundaries are so he would like a review of that from legal staff and also cover the Open Meetings Act for the new members who may not have a clear understanding of what the steps are we need to go through if you provide the transparencies to the public and to assure that we are operating above board.

Chair Corkill stated that another item of concern is that there is a different setup here with the Director down below and the Board up above and how do the Board Members feel that works rather than having Bill on the dais. Mayor Pederson stated that we may not get through all of those issues in one setting, especially with By Laws, we have a lot of work to do, but as he has said before, he is very concerned about the loose approach that we've taken in the past to a lot of issues governing how we operate as a board and as an agency; so to clearly define that is hopefully going to give staff a much better direction on what we're looking to do here as an agency and hopefully accomplish the mission. Commissioner Mager wanted to reiterate the

point that was made earlier about the need to improve communication with all of the staff and the board and having the attorney present. She thinks they should err on the side of having people present for this retreat rather than trying to carve out some smaller portion of time because this is going to be quintessential in moving forward and in facilitating communication and she knows there is a cost benefit here obviously but, she thinks that benefits are substantial in having presence rather than absence of key staff members. Mayor Pederson agrees with that. He thinks having Michelle there for the duration of the meeting would give her a much better understanding of what direction the Board is heading.

Chair Corkill stated that what he wanted to address is does the Board want to stay with this setup where Bill is sitting down below or have him sit up here with us on the dais. Does anybody have any opinions on whether it works better this way? Commissioner Mager stated she would like to see Bill join the Board on the dais and Chair Corkill agreed. Mayor Pederson added that he was surprised too and was waiting to hear a reason why Bill was sitting down there. From a public point of view, he thinks it is important to have the Director visible to the public. It is important to the public to be able to see the face of the individual running the agency and not just be looking at the back of him. Also, having him on the dais he feels he is more a part of the team. Bill added that Councilmember DeVleming suggested that he sit down below and this is where the staff for the County sits when the Commissioners are in this room. It is immaterial to Bill how the Board wants it, there are advantages and disadvantages and he really doesn't like having his back to the audience. Mayor Pederson added that as the Director, Bill is a little more than just staff, he is really the face and name of the agency and needs to put out that public persona of an agency that's willing to work with the people and be there for the people; having Bill on the dais is one little way of accomplishing that mission. Michelle Wolkey pointed out that the person who had raised that particular issue wasn't here and so perhaps this discussion should include him at some point in the future as to what motivated him to raise that issue in the first place. Chair Corkill stated that there is a consensus to bring Bill back up to the dais and then we can ask Councilmember DeVleming to explain why; also we are not a Spokane County agency per se so we don't have to follow exactly what they do and he agrees with what Mayor Pederson said that it would show far more cohesion having Bill on the dais facing the audience. So for the next meeting, go back to the original setup.

15. Public Forum: There were no public concerns.

The meeting adjourned at 11:15 a.m.

The next Board Meeting will be April 5, 2007 at 9:00 a.m. in the lower level of the Public Works Building.

JEFFREY CORKILL, Ph.D., CHAIR

WILLIAM DAMEWORTH, SECRETARY