



SPOKANE REGIONAL CLEAN AIR AGENCY
BOARD MEETING MINUTES

April 2, 2009 9:00 a.m.
SPOKANE COUNTY PUBLIC WORKS BUILDING
LOWER LEVEL HEARING ROOM

BOARD MEMBERS PRESENT:

Mayor Edward Crockett
Chair Jeff Corkill
Councilmember Rose Dempsey

STAFF MEMBERS PRESENT:

William Dameworth, Director
Ron Edgar, Chief of Technical Services
Barbara Nelson, Finance & Personnel Admin.
Matt Holmquist, Compliance Administrator
Lisa Woodard, Public Information Officer
Joe Southwell, Air Quality Engineer
Brandy Ellis, Air Quality Specialist
Michelle Wolkey, Legal Council
Mary McDermott, Secretary

WORK SESSION: The work session was called to order at 9:02 a.m.

1. Expansion of Spokane Clean Air No Burn Area – Brandy Ellis

Brandy gave a brief update on the possible expansion of the “No Burn Area”. State Regulations require Spokane Clean Air to evaluate the “no burn area” at least every three (3) years. Councilmember Rose Dempsey asked if this would be an additional chore for the Fire Departments to take on without compensation. Matt replied that Fire Districts 2, 5, 11 and 12 currently charge a \$25 permit fee for a written permit for administering a residential yard and garden burning program. Any cost above that \$25 would come from the Fire Districts. We do not know specifically what the Fire Districts cost is to run their programs. There was some discussion between the Board Members and Staff. The Board Members agreed for Brandy to come back at the next meeting with set lines for more solid boundaries on the “no burn area”.

2. Update on Comments Received on the Rendering Rule – Joe Southwell

Joe gave a summary of the rendering rule comments received by Spokane Clean Air from the general public (4) and a set of extensive comments from Baker Commodities. Councilmember Rose Dempsey is concerned that there’s not been that much happening with the rendering plant to warrant draconian regulation. She is concerned that it’s over regulation. Bill stated that Spokane Clean Air is not interested in shutting the plant down; we would like Baker Commodities to perform as well as some of the other rendering plants visited by Joe. The way to do this is through regulation; and this is

not written in stone and can be changed or adjusted after reviewing the technical comments Spokane Clean Air has received from Baker Commodities. There was a little more discussion between the Board Members, Joe and Bill.

3. Salary Scale Survey and Adjustment for Specific Job Descriptions – Barbara Nelson

Barbara gave a summary of the salary scale survey. Spokane Clean Air's recommendation is to increase the computer support technician position by 1.9% and the Engineer PE position by 6.6% based on the information gathered. These would be incorporated into the next budget with an effective date of January 1st, 2010. There was some discussion between the Board, Bill and Barbara. The Board Members present agreed for Barbara to move forward with this change to the salary scale.

BOARD MEETING: The board meeting was called to order at 9:40 a.m. by Chair Jeff Corkill.

1. Advisory Council Report – Tom Brattebo

Tom gave a brief overview of the last Advisory Council meeting. At the last meeting they reviewed the moving of the offices and air monitoring equipment, along with the proposed changes to the no-burn areas.

2. Director's Report for March – Bill Dameworth

Bill gave a brief overview of the director's report. We have received responses from about 60% of the wood stove manufacturers, distributors and dealers who were mailed letters with affidavits requesting information on sales of outdoor wood fired boilers in Spokane County. We have received Spokane Clean Air's certificate of temporary occupancy and work has begun on the landscaping. We are working on backfilling the last five (5) years of compliance data onto the website. Melissa Ahern resigned from the board and we are advertising for a replacement. Chair Jeff Corkill stated that one person who was very interested in it last time was a pulmonary doctor; it would be good to contact him about it.

Public Information/Education Update for February & March 2009 – Lisa Woodard

Lisa gave a brief overview of the information and education projects. Air Quality presentations were at Mead High School's Advanced Replacement Environmental Science Class; families at North Pines Middle School; Leadership Spokane Class of 2009; and the new ETCs. April is busy with events at Earth Day, Arbor Day, Chipping and Composting event, the Home Show and the Premiere Home Remodeling Show. There is a lot being done with outdoor burning and asbestos outreach materials/articles. Compliance assistance consisted of distribution of the updated information sheets to city/county permit/building centers. We manned the phones at the KHQ Call Center for outdoor burning questions and had approximately 200. Material developed consist of about 2500 copies of the spring yard and garden burning; an asbestos article was written and submitted to the Spokesman Review "Down to Earth" publication; a wood stove change out article and ad were sent to the Home Remodeling Guide; and 1000 "Reno, Demo and Asbestos" information sheets were printed for insertion in April's "Rental Review" newsletter. There is some radio spots going on now for the yard and garden program and the gasoline book has been redesigned and printed. The wood stove rebate

program is wrapping up. Lisa introduced Simone who is filling in for Margee on maternity leave. There were some questions from the Board which Lisa answered.

3. Activity Report for February 2009 – Ron Edgar

Ron stated that complaints were normal for February. The inspectors have been busy with annual inspections of gasoline businesses and other businesses. The air quality has been good for most of the month. Monitors have been moved and the data for certain areas should be up and running soon.

4. Income/Expense Statement for March 2009 – Barbara Nelson

Barbara gave an overview of the 2009 budget position totals. Spokane Clean Air is on track in not overspending its budgets overall; we are a little bit low in collection on the revenues for NOCs/permit fees due to the economy. There were no questions from the Board.

5. CONSENT AGENDA – ACTION ITEM – Approval of the March 5, 2009 Board Minutes. Approval of Vouchers for March 2009 Numbered 3701 through 3799 in the amount of \$166,999.29 and March Payroll of \$126,203.13 for a Grand Total of \$293,202.29.

Councilmember Rose Dempsey moved to approve the Consent Agenda and Mayor Edward Crockett seconded it. Motion passed unanimously.

6. Resolution 09-02 – Approving a Memorandum of Understanding (MOU) with Fire Districts, the Noxious Weed Control Board and Mutual Agreements for burn programs with DNR – Matt Holmquist

Matt gave a brief overview of the agreements for Fire Districts 2, 5, 11 and 12; DNR; and a new agreement with the Spokane County Noxious Weed Control Board. There was some discussion between the Board Members present and Matt.

Mayor Edward Crockett moved to approve Resolution 09-02 and Councilmember Rose Dempsey seconded it. Motion passed unanimously.

7. PUBLIC HEARING – Resolution 09-03 – Approval for an Outdoor Burning Civil Penalty Worksheet – Matt Holmquist

Matt gave an overview of how the worksheet would be used to calculate penalties for illegal outdoor burning, if it is used at all by Spokane Clean Air or Fire Districts who are called out to these fires. There was discussion between Councilmember Rose Dempsey, Chair Jeff Corkill, Matt and Bill. There were no public comments.

Mayor Edward Crockett moved to approve Resolution 09-03 and Chair Jeff Corkill seconded it. Councilmember Rose Dempsey was opposed. Motion passed two to one.

8. Resolution 09-04 – Approval for a Volunteer Asbestos Outreach Student Internship Program – Matt Holmquist

Matt stated that a student had approached Spokane Clean Air and was interested in an internship position. Spokane Clean Air would like to propose a volunteer asbestos outreach student position where the intern would do things that would benefit the public. There was some discussion between the Board and Matt.

Councilmember Rose Dempsey moved to approve Resolution 09-04 and Mayor Edward Crockett seconded it. Motion passed unanimously.

9. PUBLIC HEARING – Resolution 09-05 – FY-09 Budget Amendment Adjust Line Item Expenses – Barbara Nelson

Barbara stated that this is to transfer funds from one line item to another to cover utility expenses and other items related to the move to Spokane Clean Air's new building. She then gave an overview of the line items. This does not change the bottom line budget at all, it just moves things around. Councilmember Rose Dempsey stated that the third whereas should be "were" rather than "where"; and Michelle Wolkey stated that in the fourth whereas it should read "approved budget and do not effect the total budget." There were no public comments.

Councilmember Rose Dempsey moved to approve Resolution 09-05 and Mayor Edward Crockett seconded it. Motion passed unanimously.

Mayor Edward Crockett amended Resolution 09-05, as stated above by Councilmember Rose Dempsey and Michelle Wolkey and Councilmember Rose Dempsey seconded it. Motion passed unanimously.

10. PUBLIC HEARING – Resolution 09-06 – Amend DOE Woodstove Grant Budget – Barbara Nelson

Barbara gave a quick overview of the grant money from DOE for the woodstove change-out program in the amount of \$7,000. There were no public comments.

Councilmember Rose Dempsey moved to approve Resolution 09-06 and Mayor Edward Crockett seconded it. Motion passed unanimously.

11. PUBLIC HEARING – Resolution 09-07 – Amend PM_{2.5} Grant Budget – Barbara Nelson

Barbara gave a quick overview of the grant money from DOE for the operation of PM_{2.5} monitoring equipment within Washington State's PM_{2.5} Monitoring Network in the amount of \$13,875. There were no public comments.

Councilmember Rose Dempsey moved to approve Resolution 09-07 and Mayor Edward Crockett seconded it. Motion passed unanimously.

12. Election of a Chair and Vice Chair

Councilmember Rose Dempsey nominated already Chair Jeff Corkill for the Chair and Chair Jeff Corkill nominated Councilmember Rose Dempsey for Vice Chair. Mayor Edward Crockett

moved to approve these nominations and Councilmember Rose Dempsey seconded it. Motion passed unanimously.

13. Board Concerns – Chair Jeff Corkill reminded the Board and Staff of the retreat coming up on April 17th, 2009.

14. Public Forum – John and Gail Prosser stated their values have been on a parallel track with Spokane Clean Air’s values for over five (5) years personally, professionally and community wise. Gail gave an overview of her and John’s participation in the community in many ways personally and professionally. They are also business owners in Spokane. John gave an overview of the circumstances that led up to him receiving an NOV from Spokane Clean Air. All of this happened during the emergency situation in the City do to the unusual snow fall and the collapsing of many buildings/roofs. There was a lot of discussion between the Board, Staff and Mr. and Mrs. Prosser. Michelle Wolkey, legal council, stated, “There are a lot of factors to take into consideration here. As a governmental entity, we have an obligation to treat everybody who comes before us in a similar fashion. We can’t select people who we think are not good citizens and be harsher to them then people who are good citizens. There are about 95% of the people who get NOV’s who say that “I didn’t know”. If this agency is going to have a policy that says that for any building that collapsed during those snow storms that we are not going to issue penalties, then it has to broad based. It can’t be these people because they came to the Board. It has to be an across the board policy with criteria established in it so we know who’s in and who’s out. Beyond that, I want to remind the Board that the enforcement process is set in State law, which is if you are issued an NOV, then you have the ability to try and mitigate it with the Agency, if that is successful great, if it isn’t then the State law procedure is for you to file an appeal with PCHB. The PCHB has the ability to decide whether there was a violation and whether any penalty is reasonable under all the circumstances. So, we have a process in place and I want to make sure that we’re cautious that we don’t undermine that process through the course of the Board.” There was more discussion between the Board, Staff and Mr. and Mrs. Prosser. The Board agreed for Spokane Clean Air to send Mr. and Mrs. Prosser a letter to extend their deadlines for mitigation, etc. until the Staff and Board of Directors discuss this subject at the retreat.

The meeting adjourned at 11:17 a.m.

The next Board Meeting will be May 7, 2009 at 9:00 a.m. – New Office Location: 3104 E. Augusta Avenue

JEFFREY CORKILL, CHAIR

WILLIAM DAMEWORTH, SECRETARY