



SPOKANE COUNTY AIR POLLUTION CONTROL AUTHORITY
BOARD MEETING MINUTES

October 5, 2006 9:30 a.m.
SPOKANE REGIONAL HEALTH BUILDING
ROOMS 320 and 321

BOARD MEMBERS PRESENT:

Matthew Pederson
Commissioner Mielke
Michele Pope
Jeff Corkill
Mike DeVleming

STAFF MEMBERS PRESENT:

William Dameworth, Director
Matt Holmquist, Compliance Administrator
Ron Edgar, Chief of Technical Services
Barbara Nelson, Finance & Personnel Administrator
Mary McDermott, Secretary II

EXECUTIVE SESSION: The Board went into executive session at 9:34 a.m. for approximately 20 minutes and reconvened at 9:55 a.m.

1. Potential Litigation

2. Auditor's Report (review of draft) – Michelle Wolkey

Matthew Pederson stated that the auditor's report was not discussed in the executive session and the Board chose to do it in a public format. The Board also reserved the right to hold an executive session if deemed necessary following this discussion.

Michelle Wolkey stated the draft audit findings of the State Auditor with respect to open public meetings act issues; and SCAPCA has the ability to respond to those and wants to talk with the Board about the findings themselves and SCAPCA's thoughts as to their accuracy or inaccuracy. The first finding revolves around the creation of the selection committee. The auditor's report indicates that the selection committee was created by and made up of three Board Members, which is not accurate. As you recall in the fall of 2005, a committee was established, it was designed to be made up of seven people, three board members and four community members and that was so there would not be any majority of the SCAPCA Board on the selection committee. In addition to that, it was an advisory board that makes recommendations to the Board and any hiring decisions would be made by the Board in accordance with the Open Public Meetings Act. Her legal advice specifically was based on an attorney general opinion from 1986 which she quoted for the Board in the draft response. Because the selection committee did not have actual or de facto decision making authority for the SCAPCA Board, the Open Public Meetings Act would not have applied to the selection committee. The Attorney General's Office (AGO) said when you have an advisory committee that can't act on behalf of the Board it is not subject to the Open Public Meetings Act. Whether or not the Board decides to take any formal action, she thinks it is important to point out in the report that that was the nature of that

committee and that the decision making authority remained with the SCAPCA Board, to be handled in open session. She also noted in the draft response that a recent publication called the Public Records Act Desk Book has a section on open meeting laws and it is consistent with that of the AGO opinion.

The second point, which she has only some information about, is there was a special meeting to interview the top three candidates that began on May 22nd and it was properly advertised as a special meeting to conduct those interviews. The interviews are not required to be done in open session. The auditor's report indicates that there were several adjournments and that the meeting reconvened three times. She is not sure if that did or did not happen; as far as she knows all the meetings that were held were advertised both through the media and on the website. But to the extent that there were additional meetings, it looks like the Auditor's issue is whether notice was given or not.

The last event is the special meeting that was held on June 19th in executive session and whether or not the consensus arrived at by the Board constituted an action that should have been done in open meetings. The determination was made that that's grey at best and to put that issue to bed the SCAPCA Board would have an open meeting and ratify that decision.

She has addressed each of the Auditor's findings in the proposed responses, whether the Board decides that they want to go farther and formally challenge those findings as opposed to submitting its responses, which are a part of the Auditor's report and public record, will be a decision for this Board to make.

Mike DeVleming asked if this is typical for the Auditor to make determinations on this particular subject. Michelle replied that the Auditor commonly does that. They have been assigned the ability to look at this particular issue when they do their financial audits, at least in the representations to her. They commonly find violations and Carmel Melton said "which is no big deal". Michelle said "well maybe not to your office but to SCAPCA and its Board it is a big deal, it is very important because we're committed to the Open Public Meetings Act. Bill Dameworth stated that the Auditors have spent three-quarters of their time on this issue as opposed to the financial portion. Mike DeVleming asked what the Board is hoping to accomplish with the response, for them to pull this finding. Michelle Wolkey replied they could modify their findings and the Board would be on record with its response. There would be the findings and then the agency's response right after that. Bill was wondering if the Auditor had made an error in legal judgment, especially on item one. If they don't pull that back, should SCAPCA pursue some sort of a legal challenge to what they are doing. When they spend an inordinate amount of their time doing this kind of thing, he is wondering if they really looked at SCAPCA's books and if they did, did they do a good job. He understands that if you're not a state agency, you might be able to contract it out to somebody else that's going to be a little more diligent in pursuing your financial books as opposed to this kind of thing. Mike asked if this was the entire findings or is this just on this particular subject. Bill replied that this is just the findings of where they think that SCAPCA has problems. They haven't found any problems with SCAPCA's financial records. Barbara Nelson stated that they have not indicated to her that there are any problems with the financial statements. She did make some adjustments to the reporting portion of the financial report. Michele Pope asked if the Auditor's Office got a phone call saying this was an anonymous issue that was brought up to them and pursued. Bill replied that is correct. Michele added that they are following up on somebody who doesn't even have the character to bring their name forward to address this issue and they are like the dogs running after bait. This doesn't set well with her. Bill added that it doesn't set well with him either. They came in and were reading through all the

minutes and eventually they couldn't understand the books so they sent all of SCAPCA's books up to Olympia to have somebody audit them. Not only was the person who filed the complaint not disclosed, but the nature of the complaint wasn't really disclosed so SCAPCA doesn't really know anything about why the Auditor decided to do this.

Commissioner Mielke stated that it appears that their basis for their finding is these were meetings of the governing body or a committee authorized with the authority of the governing body and the basis of a challenge is the selection committee was advisory in nature, they had no authority to make any final decision and therefore it does not meet the statutory definition of governing body. The second is whether any governing body has the authority to interview candidates (not choose) in executive session and in SCAPCA's response, if we are supportive in statute then we have the ability to review their resumes and things like that in executive session. This needs to be in the SCAPCA response. Michelle Wolkey replied she could do that. She didn't include it because they didn't make a negative finding; it was more a notice issue of the meetings. Commissioner Mielke thinks the third finding of executive session for the purpose of selecting the candidate as correct in being in executive session to review the qualifications of the candidates. What is their documented basis for their second finding that the meeting was adjourned and reconvened? If you have a review committee that is reviewing all the applications and trying to come forth with a recommendation of three to five candidates that are deemed to be the top and they get together three times, his understanding is there were no minutes taken so if there were no minutes taken then how would you document whether the meeting was adjourned or reconvened. Michelle Wolkey replied that the second finding relates to the Board, not the selection committee. The 22nd was the dinner and then the set of interviews. Commissioner Mielke stated that we went in for the purpose of reviewing the resumes and asking questions of the candidates, he doesn't remember adjourning and leaving the meeting and then coming back in, it was continuous. Bill Dameworth stated that he believes they are referring to after that day when the Board was meeting to discuss who they wanted to hire and they continued that, because it was on the website and it was continued on to the next day and they would try to make a decision that day and then it was continued on again. It was noted on the website that the selection process was an on going thing and continuing the dates were on the website also. Michelle Wolkey stated that some of the dates are available but there are a couple of dates that because of the way the website overwrites itself that there isn't documentation. Bill added that when you are talking a couple of days or less than a week, he doesn't think you have time to publish that in the paper but it was put out on public notice on the website and if that is a legal way to do it then it seems like SCAPCA should be covered.

Michelle Wolkey stated it is a little bit murky in that the way it is suppose to work is that any members of the media who want notice of special meetings are supposed to make a written request of SCAPCA. Nobody officially did that because SCAPCA had a mailing list that it utilized for a long time that it just sent notices to. Then a while back SCAPCA decided not to do that anymore and make it available on the website, everybody was notified that it would be available on the website and SCAPCA continued to send special meeting notices to that list. No one has officially requested written notice, but SCAPCA has sent it. Jeff Corkill added that another item that complicates it is the number of board members that were on the selection committee. He was on the selection committee as an Advisory Council Member originally and then was put on the board, so one of the board members (Commissioner Harris) was dropped. There were never more than three Board Members and it wasn't always the same three and maybe they thought there was four at one time and didn't realize it. Bill added that he thinks that the Auditor's argument is that because there were three board members on the committee, it was board business. Mike DeVleming replied if there are three Board Members

discussing policy then you have a quorum. Michele Pope stated that they were not discussing policy. Mike replied yes, hiring somebody definitely is going to fall into that category of a decision that is being made. Commissioner Mielke added that this committee was charged with reviewing the applicants and putting forth a recommended sub-group for further consideration. When you say this group, even though it constituted the majority of the Board, had the ability to set policy by choosing a director, they didn't have the authority to choose the director, they simply had the authority to review all of the applications and put forth a recommendation.

Michelle Wolkey stated that she doesn't know the sequence of events there with the reconvening, etc. Bill added that there is documentation that shows or gives circumstantial evidence that there was intent to put all of these out; just because the web overwrote itself and there isn't proof that your innocent, doesn't mean that there is any proof that you are guilty either. The Auditor's Office is assuming that there was something wrong. Michele Pope asked what SCAPCA is wanting from the Board at this point. Bill Dameworth stated that he would like to have a legal response go out saying we find some legal problems with what they are doing and ask them to rescind, reword or tone these things down. If they are not willing to do that, he doesn't know what SCAPCA can do as far as the Administrative Procedures Act (APA) in this state but there are other ways to challenge these things without just writing down that the Board doesn't like them. Michelle Wolkey stated that it would seem, under the APA in this state, you would have the ability to challenge an adverse decision or statement. Bill stated that it irritates him that they are doing this and taking public dollars to try to smear people and he would like to put a stop to it if SCAPCA can. Michele Pope added that it is based on gossip and is inappropriate and she supports that and also encourages SCAPCA to look elsewhere for auditor services. Bill stated he would do that. Mike DeVleming stated he thinks that SCAPCA has to use the State Auditor's Office. Bill replied legally since SCAPCA is not a state agency, he believes it has to have the audit but it doesn't have to be done by the State Auditor's Office. He will research that with Michelle Wolkey's help.

Bill Dameworth stated that to wrap this up, SCAPCA can try talking to them and give them the legal arguments and see if they can get this thing resolved. There is an exit interview with the Auditor's Office on November 2 at 1:00 p.m. at SCAPCA's office. They expect at least one Board Member to attend, but any or all of the Board may attend. The Auditor has been asking for SCAPCA's response on this and Bill told her that SCAPCA wants to have legal advice and talk to the Board. Bill wants to write a response with legal arguments. Commissioner Mielke doesn't want to see SCAPCA spending thousands of dollars to ratify this. Bill stated that he is not going to spend thousands of dollars on this, but if there is some way to make a legal challenge through the APA and it is not big bucks, he is willing to pursue it. Commissioner Mielke's first recommendation is that SCAPCA prepares, with the assistance of legal counsel, a very strongly worded response that addresses the three findings and with regard to the third finding, SCAPCA add some clarity on state statute regarding the ability to review the qualifications in executive session. Secondly, SCAPCA should explore what the appeal process is if the Auditor's Office is reluctant to recede from their finding. Third, SCAPCA should also investigate what its options are for completing its statutory audit function outside of the auditor's office, if there's an option. Mike DeVleming added a recommendation to decide or establish either under policy or bylaws that if we are going to create a committee/sub committee and we are going to have more than two Board Members on it, we expect it to be open public meetings, because reception of the public is going to be that if three make a decision and that's a majority of the Board, then the decision has been made. Matthew Pederson said that SCAPCA can formalize that, but in his opinion these were open meetings, they were open to the public, they were announced at reports at

every board meeting with the date, time and who would be attending those meetings. He finds it very curious that the original meeting that was alleged to be an illegal meeting held never occurred. It was an anonymous tip; they had no way of following that up and the individual that he spoke with at the Auditor's Office, when they informed him of the anonymous tip, said that they have no way of tracing it and no idea where it would have come from but it is their job to investigate. Michele Pope stated she agrees with those three points and to leave it like that because they need to know that people do have a choice to go elsewhere if they're not satisfied. SCAPCA is paying a lot of money for this audit and do so every year or so and the tax payer is the customer and we need to get the best job for the dollar. Also the three points Commissioner Mielke mentioned are what we need to look at and move forward with. Michelle Wolkey left the Board Meeting at 10:25 a.m.

WORK SESSION: The work session of the board meeting was called to order at 10:26 a.m.

1. Proposed Fees – Matt Holmquist

Matt Holmquist presented two items of business, one being a proposal for getting the annual registration information submitted on time and a proposed revision to SCAPCA's late fee regulation. First the annual registration data: Each year 650 facilities must complete and return a registration form to SCAPCA. Throughput data is obtained and used to maintain current and accurate records of regulated air pollutants being emitted. Dry cleaners report the gallons of perchloroethylene used, gas stations list the gallons of gasoline dispensed and auto body shops report the gallons of primer, paints and solvent used. Registration information is needed before SCAPCA can generate an invoice, which includes a fee based on emissions from the facility. If we can get 125 facilities to submit their data on time each year, staff time can be put to better use and billing delays will be prevented. Under the proposed regulation, the primary incentive for a facility to submit its information within 30 days would be to avoid a \$100 processing fee. So that billing is not delayed, if the facility fails to submit registration information within 60 days or prior to billing, whichever is later, the emissions portion of the registration fee would be based on the facilities maximum potential production rate. For those facilities where it is necessary to apply this method of estimating emissions, the fee increase would vary. Commissioner Mielke asked what the basis is for the \$100. Matt explained the \$100 would cover that extra time that's being spent trying to get someone to turn in their ARF.

Commissioner Mielke asked if everyone's renewal date was the same or is it scattered throughout the year. Matt replied it is spread throughout the year so that SCAPCA doesn't send out 650 registration invoices on the same day and are due the same day because it would be a burden on the administrative staff to process all of those. Commissioner Mielke asked of the 20 percent of facilities that are late, do they tend to be small facilities. Matt replied they are typically the smaller facilities. Bill Dameworth added that the \$100 will cover SCAPCA's cost of sending them out a proposed bill that says if you don't send in the information, this is how much your bill will be because there is a fair amount of clerical work involved. Commissioner Mielke asked if it would be easier to put it on a quarterly basis where you round everybody to the next quarter and then add a post card that would be a reminder notice of when their registration form is due and any registration form mailed after that date is subject to a \$100 penalty after 30 days and after 60 days it would be more. Bill added that some of the facilities have stretched this out long enough to get into the tripling of their fees and it goes to collections. SCAPCA has been very soft and taken up to six to eight months trying to collect facilities registration fees and end up turning it over to the collection agency. In the mean time, staff is creating letters, making phone calls and doing other things and we would like to compress that so that

the staff time can be spent on other work. Matt added that receiving the ARF information is needed to move forward with the billing. As a comparison, Puget Sound Clean Air instead of \$100 they charge a 25% add-on fee of the original invoice amount at day 45. Commissioner Mielke added that if all of your registration forms went out on July 1st, you would know by August 1st people are at the 30 day clock and September 1st the 60 day clock and October 1st you can take anyone that is not paid and turn them over to collections, from just complexity and ease on staff, they can say there is only one timeline to deal with for all the registration fees and compliance schedules as opposed to having a continuous run throughout the year of dealing with collections and if any 30 day, 60 day, etc. clocks have come around. Everything would be set. Matt stated that a square timeline or a set timeline is attractive to him but Barbara could speak to it more in regard to actual implementation. Barbara Nelson stated that because of the work load issues and the staffing, she has three clerical support staff, if anyone takes vacation it leaves two and with the burden of phone calls and complaints and a huge work load in a three month period of time, it would be difficult for clerical staff to manage. The way it is now, it is all computerized and clear when their due date is and the computer program automatically generates a second notice when that is supposed to be due at the end of their 30 days. Following the information coming in, they are set up with a billing month and their bill is automatically generated based on the throughput information that's been entered on their billing date and then the computer program also follows that through with the due dates and the reminder notices and the "now you owe three times the amount" notices. The one thing that we do that was mentioned is bill by groups (all of the surface coaters are billed in the spring, gas stations in July and the dry cleaners in the winter months.) As far as work load for doing them all at one time, it makes three or four months have an extremely heavy work load. Mike DeVleming asked if it was the same sources that are habitually late. Barbara replied that SCAPCA has a few that are notorious. Often times it is the small one man dry cleaner shop or a new gas station owner, etc. Sometimes it is just a matter of working with them to get something set up and some just don't like to provide it. Others it is just a bad time and they are busy and don't have time to get it put together. Mike added if it is their busy time, does SCAPCA give them flexibility. Barbara replied any registered source that has asked to have their billing date changed for any reason, SCAPCA has accommodated them. The sources are reporting their emissions data for a 12 month period and there are good reasons to have them reporting on a calendar year.

Matt Holmquist moved on to the payment part of the ARFs. SCAPCA would like to shorten the time between the invoice due date and the application of a late fee for 90 days to 30 days. This would keep the payment process moving and reduce staff follow-up time. Each year about 10 to 20 invoices don't get paid within 30 days and 2 to 4 of those have the late fee applied. Michele Pope asked Matt if he explored a 45 day time period. Matt replied that Puget Sound does have an original 45 day for the due date and day 90 becomes their 3 times late fee applied. It has been talked about and it is an option. Michele added that sometimes 30 days is just not enough time. Matt stated that the fee due date would be day 45 and the three times late fee due date would be day 90 and then the collection would still be 30 days after day 90, which would be day 120. Another thing SCAPCA is looking at doing is currently the amount of time between the ARF form being due and at some point after that they are billed, that's not consistent amongst everyone and what SCAPCA would like to do is make that consistent amongst everyone so that the time between the ARF being mailed out for them to complete and return to us until the date that the billing goes out will be three months apart so that everyone can expect that when they receive their ARF. Whenever anything is mailed, SCAPCA puts the notice on there so that they know when things are due and if they are don't submit it by a certain date they are subject to certain fees. SCAPCA tries to keep them informed all along the way. SCAPCA puts in reminder notices between the formal notices. Currently staff is spending a lot of time

just trying to get the sources to send in their ARFs. SCAPCA would still provide assistance, but it would like to cut it down a little and make the sources more responsible for following through with things. Mike DeVleming asked if there has been any consideration done to motivate people to get the ARFs in early, like a two or three percent reduction in their bill if they get their information in by a certain amount of time so SCAPCA can get the process going. Bill Dameworth replied that SCAPCA hasn't looked at that but there was some discussion on taking credit cards and if you take a credit card, you lose three percent. He doesn't believe that giving a two percent discount would be motivation enough and there are a lot of legal and processing issues associated with credit cards. Lisa could also work on sending out a free pizza coupon if they get their ARFs in on time. Matt added that as SCAPCA goes through the registration regulation that is being worked on, it is trying to project out the fees that will be generated from all of these different areas and what SCAPCA would have to do is plan on increasing the fees two to three percent knowing that 80% are going to get a two to three percent reduction. Mike added what about the savings in staff time and the letter generating, etc. Commissioner Mielke asked when these go to collection, how much do we have to discount the amount owed and can SCAPCA technically shut someone down for operating without a permit. Matt replied that the collection fee is on top of what is being collected for SCAPCA. SCAPCA does have the ability to issue a NOV, take enforcement action, assess civil penalties, the problem with that is the penalty adds another layer of administrative follow-up onto the existing problem of administrative follow-up and the NOV will be issued if it has to but it does not accomplish a lot in the long run. Technically SCAPCA cannot shut someone down but it can issue them a NOV for not being registered. Commissioner Mielke suggested that with any notification that SCAPCA sends with regard to the account going to collection, it should include language that consists of: It should be further noted that at this point you are operating without a permit and SCAPCA reserves the right and may take enforcement action against you. Matt stated that it is printed on the notices that go out on day one. Commissioner Mielke also added that SCAPCA needs to get away from quoting RCW, laws, etc. and use more plain talk language so that the public will better understand what they are being asked or told.

Matt added that the proposed new regulation for collecting the ARF information and the revised regulation late fees would work in series and in summary, the \$100 processing fee for late ARFs will help recoup the costs of time staff spends following up with about 20% of those facilities that are late. Then the regulation would also prevent billing delays when a facility fails to provide registration data and changing the late fee timeline will help streamline the entire process. The Board agreed on the 45/45/90 on the front of the timeline and a 45/90/120 on the back of the timeline.

BOARD MEETING: The board meeting was called to order at 9:50 a.m.

1. Director's Report

Bill Dameworth went over a few items of interest briefly. The hearing on the adoption of some of these rules is being delayed until the November 2nd board meeting, because the Post Office didn't deliver everything they were suppose to, to the Code Reviser's Office. This is the second time that we have had a problem with that so SCAPCA will be using Fed-Ex for these items from here on.

We had a discussion with Baker Commodities a couple of months ago and they have switched their scrubbing medium and some of their scrubbers to chlorine dioxide which is a more powerful oxidizer. We continue to get complaints and Joe Southwell took a trip to the coast to look at a couple

of rendering plants in the Seattle and Vancouver areas. His contention is there are better ways to be operating the plant than they are doing and SCAPCA wants to sit down and discuss with them what kind of voluntary changes Baker may want to make. If they are not interested in any voluntary changes, then SCAPCA would come back to the Board with a recommendation for some sort of an order for them to do something or a RACT regulation which would be Reasonable Available Control Technology. We're allowed to adopt these if there's not state law on a source category and there is a small number of industries in it. RACT regulations allow the agency to develop emission standards or work practices as a rule and regulation. If necessary, SCAPCA would like to pursue this until it gets cleaned up to where the public, who has had to live with these odors on their property, can have some relief and enjoy their property. He wants to see what Baker is willing to bring to the table, because the first step is to give people the opportunity to work with you verbally one on one and see if you can come to a gentleman's agreement. If we can't do that, then SCACPA would move forward with other options that are available. There are some good options and other air directors are able to come to a gentleman's agreement with odor sources when there are so many angry citizens, etc.

SCACPA is reviewing the penalty policy because there are some issues with it. Some of the penalties are outrageous, some aren't enough and SCACPA is trying to rationalize this by taking a look at what other agencies are doing and coming up with what SCAPCA thinks is more appropriate for whatever violation went on. It will be presented to the Board at the next board meeting.

SCAPCA is also reviewing the asbestos regulation by comparing it with other agencies in the state. There are some opportunities to probably eliminate some excessive efforts in the regulation of non-friable asbestos and allow staff to concentrate on things that are more of a pollution issue. If we are talking about something that is already bound up and isn't going to go anywhere, there is probably no point in SCAPCA making people go through all kinds of registration hassles and inspection hassles and effort on staff's part. SCAPCA staff is putting a fair amount of time into this program, one person is 100% and other staff spends time on it as well. This is just more of a reordering of SCAPCA's priorities. Most other agencies in the state have done something similar to this and SCAPCA needs to take a look at what's appropriate to do and move forward with some changes to the asbestos rule.

2. Advisory Council Report – Ray Kelleher

Ray Kelleher gave a brief overview of the September Council meeting. The three issues brought before the Advisory Council were: the stack test results of the WTE plant; discussion of the monitoring sites and funding issues; and Baker Commodities. The WTE plant is way below the permit levels. On the monitoring issues the Council was asked if there should be more of them, some taken out and if they should be put in different communities. The Council also discussed the PM_{2.5} new regulation that will significantly impact the people who are wood burning. There was discussion on ozone monitoring and if SCAPCA will do any of that or expand it because currently the state does this and they have cut back to four or five monitoring stations. The Council also talked about the Baker Commodities issue.

3. Public Information/Education Update – Lisa Woodard

Ron Edgar stated that the PM_{2.5} Standard has just been adopted by EPA. The annual standard was 15 micrograms per cubic meter of air and the 24 hour standard was 65. The annual standard remains the same and the 24 hour standard has been dropped to 35. PM₁₀ for coarse particulate was 50

micrograms per annual average and 150 for the 24 hour standard. The new standard adopted by EPA is the annual standard has been revoked because the health data did not indicate that there was any real health danger and they have retained the 150 microgram per cubic meter of air. Up until 1993, Spokane was in violation of the ambient air quality standards. From 1994 to date, Spokane did not violate the standards. Over a period of three years, you cannot have more than three exceedances. The biggest concern is that the state sets the trigger value for curtailment of wood stoves. The state had previously set the trigger value at 35 micrograms per cubic meter of air which is the standard that has been adopted by EPA. Having curtailments when you hit the standard doesn't do much for trying to avoid violation of the standard.

Lisa Woodard gave an overview of the new PM_{2.5} standard and winter air quality voluntary wood burning bans educational and outreach plans. The agency goal is to avoid exceedances of the new PM standard by issuing early and voluntary wood burning bans prior to mandatory bans. Now that the trigger value is the new standard, legally SCAPCA cannot call a mandatory wood burning ban when it needs to, to avoid an exceedance of the standard. SCAPCA wants to get the word out so that residents know: how to check the burn ban status prior to burning (two ways are logging on to the website or call the 24 hour burning information line); to not burn during a voluntary curtailment and why; and how to burn as cleanly as possible. The challenge this year is "Burn Bans" are somewhat off the radar screen as there have been very few issued the last several heating seasons.

Some of the strategies to get the word out about the voluntary "Burn Bans" consist of the following. SCAPCA sent a news release out last week because EPA just came out with the new standard and a second release will be put out in late October/early November with additional releases sent each time a voluntary or mandatory burn ban is issued. There will be a featured article on SCAPCA's homepage, in the "On the Air" newsletter and articles submitted to community neighborhood papers. SCAPCA will enlist the support of news media, particularly meteorologists. The "Clean Air Network" has approximately 115 worksites signed up that will receive an email notification when air quality conditions change. On October 17, SCAPCA has a meeting with the Chamber of Commerce and is hoping to get their support. TV and radio spots begin airing in mid-November. A one-panel insert is being developed to be placed in the existing wood burning brochures. We partner with wood stove retailers to host SCAPCA's display at their business, co-host burn clean seminars, etc.

January 1st of 2007, yard and garden debris burning and land clearing burning will be banned state wide in urban growth areas (UGAs). In Spokane County this affects Deer Park, Medical Lake, Fairfield, Latah, Waverly, Spangle and Rockford. SCAPCA has been working on getting the word out to these areas. There have been separate mailers with a map on one side and information on the other about the UGAs not being able to burn in 2007 and print ads in the different small papers.

9. Board of Directors Future Meeting Location

Mike DeVleming stated that he has to leave at 11:30 and he wanted to suggest talking about the future meeting location. The Board agreed to move on to Item number nine. Barbara Nelson stated that there was a scheduling problem earlier with the Commissioner's Hearing Room but that has all been straightened out and SCAPCA's meeting day and time will remain the same through 2007. Commissioner Mielke stated that the starting time of 9:30 a.m. for these meetings was due to his schedule but the time can be changed back to 9:00 a.m. if the rest of the Board would prefer that. Mike

DeVleming added that it seems that these Board meetings try to put three hours of discussion into a two hour slot and that is not working. He would like to start at least by 9:00 a.m. and he would also like to see if there are some ways to address the agenda where if the information can be mailed out to the Board and then if something needs to be highlighted that is fine. So then we've got opportunity for policy discussions, which is really what this Board should be doing. Bill Dameworth stated that SCAPCA is thinking about e-mailing the Agenda so that if anybody has any comments, they could send them to him before the hard copy is sent out. Mike stated that even a guess as to how much time each topic is going to take, that way you know whether you are going way over the time budget or way under and deal with it appropriately. Michele Pope stated that usually these Board meetings do not take as long as they have the past few times but Mike is right about keeping the meetings to a time frame. Barbara Nelson stated that SCAPCA does have the ability to e-mail the entire packet if the Board would like to get it that way. Usually the packets are mailed out the Thursday before the meeting. Matthew Pederson stated that he would like his packet e-mailed to him. Commissioner Mielke would rather it be e-mailed to his assistant. The Board agreed to start the meetings at 9:00 a.m. starting November 2nd.

4. Activity Report for August 2006 – Ron Edgar

Ron Edgar stated that the PM_{2.5} for unhealthy to sensitive groups is at 40 under the current AQI and at 40 SCAPCA is reporting unhealthy for sensitive groups but it is technically not a violation of the standard, but it will be under the new standard. They will have to re-adjust the AQI. With all the other pollutants, when we go into unhealthy for sensitive groups, we are in violation of the current federal standard.

5. a. Approval of Minutes of the August 3, 2006 Board Meeting

Jeff Corkill moved to approve the August 3, 2006 minutes and Michele Pope seconded it. Motion passed with Commissioner Mielke abstaining because he was not present at the meeting.

b. Approval of Minutes of the September 7, 2006 Board Meeting

Commissioner Mielke moved to approve the September 7, 2006 minutes and Michele Pope seconded it. Motion passed with Jeff Corkill abstaining because he was not present at the meeting.

6. Income/Expense Statement for August 2006 – Barbara Nelson

Barbara Nelson stated that she didn't have anything specific to report. The Board members had no questions on the statement.

7. Voucher Approval for September 2006 – \$139,008.04

Jeff Corkill asked what the August legal was covering. Barbara Nelson stated that this was covering the general legal requirements or assistance that SCAPCA had over the month. There are several regulations in process and they have to be reviewed by legal counsel.

Commissioner Mielke moved to approve the September 2006 vouchers for \$139,008.04 and Michele Pope seconded it. Motion passed unanimously.

**8. Agency Name Change – Spokane Regional Clean Air Agency – Bill Dameworth
Lisa Woodard**

Bill Dameworth stated that this was discussed before about changing SCAPCA's name to be more consistent with the other local air pollution agencies in Washington. To be consistent with them, SCAPCA would change its name to "Spokane Regional Clean Air Agency". SCAPCA is also looking at a logo change and would contact the art departments at the local colleges and high schools and see what kind of interest they might have in participating in a contest to develop a logo for SCAPCA. At this point, SCAPCA is looking for affirmation from the Board if this is something the Board supports. Lisa Woodard has talked with other agencies and they have all reported positive public impressions from the name change of Pollution Control Authorities to Clean Air Agencies. Lisa added that there have been some issues in the past from having County in SCAPCA's name and people think that SCAPCA is a county department and Regional reflects the jurisdiction that SCAPCA has. SCAPCA would like input from the Board on the name of "Spokane Regional Clean Air Agency" so that it can move forward with the logo design. Michele Pope asked if SCAPCA would be able to use up all of its current supplies. Bill replied yes, SCAPCA has been ordering less of everything in anticipation of the name change. The Board agreed on the name change presented.

10. Executive Session:

The Board went into the executive session at 11:46 a.m. for approximately 10 minutes and reconvened at 12:04 p.m.

11. Board Concerns: There were no board concerns at this time.

12. Public Forum: There were no public concerns.

The meeting adjourned at 12:07 p.m.

The next Board Meeting will be November 2, 2006 at 9:00 a.m. in the lower level of the Public Works Building.

MATTHEW PEDERSON, CHAIR

WILLIAM DAMEWORTH, SECRETARY