

**SPOKANE REGIONAL CLEAN AIR AGENCY  
BOARD MEETING MINUTES**

**March 1, 2018 9:30 a.m.  
Spokane Clean Air's Conference Room  
at 3104 E. Augusta Ave.**

**BOARD MEMBERS:**

Al French, Commissioner (Chair)  
Ben Stuckart, City of Spokane  
Tom Brattebo, Member at Large (VC)  
Kevin Freeman, Mayor of Millwood,  
Small Cities & Towns  
Rod Higgins, Mayor, City of Spokane  
Valley

**STAFF MEMBERS PRESENT:**

Julie Oliver, Executive Director  
Amy Fanning, Finance & Human Resources Sect. Mgr.  
Lisa Woodard, Communication/Outreach Sect. Mgr.  
Lori Rodriguez, Compliance Section Manager  
April Westby, PE, Supervisory Engineer  
Mark Rowe, Monitoring Section Manager  
Mary Kataoka, Administrative Assistant

**OTHERS PRESENT:**

Michelle Fossum, Legal Counsel  
Ron Edgar, Advisory Council Member  
Deborah Bisenius, Advisory Council Member

**WORK SESSION: 9:33 a.m.**

Michelle Fossum, legal counsel, gave an annual update on the Open Public Meetings Act and Public Records Act. Some discussion ensued.

**BOARD MEETING: 9:55 a.m.**

**1. Advisory Council Report – Deborah Bisenius**

In January, the council welcomed back three members that were reinstated for another four year term. Jana McDonald was selected for the chair. The rules of procedure were reviewed and there were no proposed changes. Julie Oliver summarized three months of board meetings. April Westby gave an update on the database design. Julie also reported on continuing to address building and equipment issues. In February, the Council selected Doug Bleeker as the chair for the meeting due to Jana McDonalds absence. Julie gave an update on the

task force that she is working on for wildfire smoke management plan update; this was mandated by the state legislature to be reported on at the end of 2018 and has not been updated since the 1990s. There are going to be stake holder focus group meetings. We also heard that small forest owners that have less than 500 acres might consider addressing the problem 5 acres at a time to reduce the smoke impacts to the community. There is an Advance on March 30, 2018 from 8:30 a.m. to noon.

## **2. Executive Director's Report – Julie Oliver**

At an upcoming board meeting, Julie will give an update that was given to the Advisory Council on the Department of Natural Resource's Smoke Management Plan Update Task Force. An overview of the director's report was given on the following items for February and March: February consisted of the aging phone system failure; attendance of a workshop hosted by SRTC; agreement with Milliman, Inc. for the compensation study and the only remaining issue noted by legal counsel, Michelle Fossum, was what can we or can we not do with the study once we have it (can we share it); staff has been asked to host Gonzaga engineering students for a site visit; some staff attended the National Air Quality Conference in Austin; and the request for proposal to repair the failed mortar on the building and paint the building went out for bid. Due to school construction the air monitoring equipment will need to be removed from Sunset Elementary school as early as some time in March; Julie attended the second Environmental Task Force meeting which is part of a process used to identify and set priorities for Spokane County; staff are beginning to explore opportunities to collaborate with WSU on the Urbanova project; the Trump Administration released its proposed FY 2019 budget and it calls for a 33 percent decrease to SRCAA's air grants and moving the PM<sub>2.5</sub> grant from Section 103 to 105 which requires a match; Julie participated in interviews to fill a management position at Ecology; Derek and Julie attended a focus group meeting on DNR's Smoke Management Plan update at DNR in Colville; Amy and Mary attended the BIAS software rally; due to an administrative staff member being on leave for up to six weeks, SRCAA will need temporary help for 4.5 hours a day; and in the board packet a letter was included that was received from the ESBA regarding impacts to businesses and residents in the neighborhood from odors associated with marijuana production and processing along with a copy of the response letter was also included in the board packet.

## **3. Activity Reports:**

### **Public Information/Education Update – Lisa Woodard**

An overview of the February activity was given with the 15th Annual Clean Air Award being presented to EWU. January's update included print/online materials; social media; news releases/news media; compliance assistance program; ongoing/ special projects; and upcoming community/school events. Some discussion ensued.

### **Compliance Activity – Lori Rodriguez**

There were 30 odor complaints and 26 were from Marijuana and 15 of those were from one facility in southwest Spokane County. There were a lot of asbestos complaints during the month. There was a fire in a building on Market and Wellesley and there was vermiculite in the public right-of-way and in the roof when it collapsed and the City had incurred the cost of having the vermiculite removed from the right-of-way and the bus stop was moved temporarily; there is collaboration between many agencies for getting this site cleaned up. Some discussion ensued.

### **Permitting Activity – April Westby**

We are starting to see an increase in construction permits in January and February, with a lot of inquiries from potential projects. There are many NOC permits in process with the engineers. SRCAA also has a very large Public Records Request that is being processed and it pertains to Kaiser Aluminum at Trentwood and the records go back to 1976. There is data that will be shared with the Board at the Advance or a future board meeting on NOC fees.

### **Air Monitoring Activity – Mark Rowe**

A brief summary of the January air quality was given. There were only four days when air quality reached the low moderate level.

### **SIP/Rule Making Activity – Margee Chambers**

The updated SRCAA Regulation I and the new Marijuana Compliance Assistance information sheet were handed out to Board Members. The regulations are effective as of March 1, 2018 and include a compliance schedule so existing producers and processors in operation before the effective date of March 1, 2018, have one year to come into compliance. New or expanded businesses that begin operation after the effective date need to be in compliance with Regulation I, Article VI, Section 6.18. All businesses, no matter what source category they are in must continue to meet SRCAA's existing odor regulation.

### **Financial Status Report – Amy Fanning**

On the Treasurer's report you will see some negative fund balances and there are explanations as to why they are negative fund balances. The database development allocation is split out at year-end towards different programs and will happen at the end of the fiscal year. Fund 133, which is the source registration, is invoiced in January and most of the payments have come in in February and so it is now in a positive fund balance. Fund 134, which is NOC fees, is not at full cost recovery and is made up by local assessments and that will happen at year-end as well.

## **4. Consent Agenda – Action Item**

- a. Approval of the January, 2018 Board Minutes
- b. Approval of Vouchers for January, 2018, numbered 10518 thru 10526, 10528 thru 10556 and 10560 thru 10566 with claims totaling \$34,781.31 and payroll warrants numbered 10527, 10557 thru 10559 and EFTs with payroll totaling \$154,954.19 – for a Grand Total of \$189,735.50
- c. Approval of Vouchers for February, 2018, numbered 10567 thru 10585 and 10587 thru 10602 with claims totaling #31,168.89 and payroll warrants numbered 10586, 10603 thru 10604 and EFTs with payroll totaling \$149,332.41 for a Grand Total of \$180,501.30

Rod Higgins moved to approve the consent agenda and Kevin Freeman seconded it. Motion passed unanimously.

## **5. Review Board By-Laws – Julie Oliver**

A brief summary of the Board By-Laws and updates needed was given. The Board would like the time of the meeting to stay at 9:30 a.m. and move action items to the beginning of

the agenda. There was discussion of the expenditures. The Board stated that they would like Julie to draft up some language that authorizes emergency funding budget line item to be \$25,000 for the authority for the Executive Director. At the same time Julie will bring a revised agency procurement policy that would incorporate these things into it as well. The Board would like to have a query sent out regarding moving the board meetings to the second Thursday of the month or leave the meeting on the first Thursday of the month with the flexibility to move the date for those months that there is a need too. The Board would like to leave the annual updates out of the By-Laws.

**Public Hearing:**

**6. Resolution No. 18-02 – Amending the FY-2018 Budget to Include Transfers-Out from the General Fund to Various Reserve Accounts**

The transfers out were not included into the total budget amount, so this is a technical correction to comply with the State Auditor’s BARS cash manual section that requires transfers of funds to be appropriated as they are transferred to a reserve account even if they are not expended. This is for multiple reserve accounts and totals \$157,100.

The public hearing was opened at 10:49 a.m. and closed at 10:50 a.m. There were no public comments. Rod Higgins moved to approve Resolution No. 18-02 and Ben Stuckart seconded it. Motion passed unanimously.

**7. Resolution No. 18-03 – Appropriating Funds from the IT Reserve Account to Replace the Agency’s Aging Phone System – Julie Oliver**

Funds were appropriated to replace twelve computers, the twelve computers have not been replaced this fiscal year and SRCOA is recommending deferring replacement of six of those computers and use those funds that were appropriated to help pay for part of the new phone system and appropriate an additional \$6,500 to pay for the system and the total appropriation would be \$13,500 to replace the system. Some discussion ensued.

The public hearing was opened at 10:54 a.m. and closed at 10:55 a.m. There were no public comments. Kevin Freeman moved to approve Resolution No. 18-03 as presented and Rod Higgins seconded it. Motion passed unanimously.

**8. Resolution No. 18-04 – Appropriate Funds for Contracting with a Consultant to Build the Agency Database**

An overview of the aging database was given. The transfer out from the general fund to the database development fund for the allocation was missed. We need authorization for appropriation of \$85,000 and the ability to move forward with the contract to replace the databases within a year. Some discussion ensued on the costs and the programs.

The public hearing was opened at 11:02 a.m. and closed at 11:03 a.m. There were no public comments. Rod Higgins moved to approve Resolution No. 18-04 and Ben Stuckart seconded it. Motion passed unanimously.

Commissioner French, Chair, suggested moving the public forum and board concerns before the executive session. The Board agreed.

11. **Public Forum** – Deborah Bisenius, Advisory Council Member, spoke on the City of Spokane’s strategic plan and SRCAA’s five pillars.
10. **Board Concerns** – Will there be a quorum for the April meeting? Tom Brattebo will be absent for April’s meeting.
9. **Executive Session – for RCW 42.30.110(1)(i) – Discuss Enforcement Actions and Pending/Potential Litigation**

Commissioner French stated he was adding five minutes to the executive session before it began for the performance of a public employee which would be talked about first. The Board of Directors, Julie Oliver, executive director and Michelle Fossum, legal counsel, entered into the executive session at 11:08 a.m. The Board reconvened from the executive session at 11:43 a.m. with no decisions being made. Commissioner French stated for the record that City of Spokane’s representative Ben Stuckart was present for the review of a public employee and then left when the Board was discussing the pending/potential litigation.

Michelle Fossum mentioned that the next meeting was the Advance on March 30, 2018 from 8:30 to noon.

The board meeting was adjourned at 11:44 a.m.

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COMMISSIONER AL FRENCH, CHAIR

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JULIE OLIVER, EXECUTIVE DIRECTOR