

OLYMPIC REGION CLEAN AIR AGENCY  
2940 Limited Lane NW  
Olympia, Washington 98502

**BOARD OF DIRECTORS MEETING**

November 14, 2018

Members present: Jim Cooper, City of Olympia (Chair)  
Cynthia Pratt, City of Lacey (Vice Chair)  
Joan Cathey, City of Tumwater  
Mary Ellen Winborn in for Randy Johnson, Clallam County  
Wes Cormier, Grays Harbor County

Members absent: Lisa Ayers, Pacific County  
Terri Drexler, Mason County  
John Hutchings, Thurston County  
Kate Dean, Jefferson County

Legal Counsel: Jeff Myers and Julie Carignan of Law, Lyman, Daniel, Kamerrer and Bogdanovich

Staff Present: Fran McNair, Executive Director; Robert Moody, Compliance Manager; Mark Goodin, Engineering Manager; Odelle Hadley, Air Monitoring Supervisor; Dan Nelson, Public Information Officer; Lynn Harding, Administrative Services; and Debbie Moody, Office Manager/Recorder

Cooper called the meeting to order at 10:04 a.m. Cooper stated he would like to have the Chair Report moved to the end of the Agenda. Pratt moved approval of the Agenda with the minor amendment. The motion was seconded and carried unanimously.

**PUBLIC COMMENT**

There were no public comments.

**CONSENT AGENDA**

Cooper asked for approval of the Consent Agenda. Cormier moved approval of the Consent Agenda. The motion was seconded and carried unanimously.

**UNFINISHED BUSINESS**

Update on Gas Station Rule

R. Moody let the Board know we are moving forward and have a tentative workshop scheduled for January 16. Postcards will be mailed out to all our gas stations and we will update the Board after the workshop.

Review Penalty Worksheets – Asbestos and Demolition

As in previous months, R. Moody explained he would like to go through the worksheets for Asbestos and Demolition. These are the final worksheets. R. Moody went over the changes on the

Asbestos worksheet. Cathey asked for clarification on residential notifications. R. Moody explained it must be a single-family dwelling for it to fall under residential notifications and can be done by the homeowner. Duplexes, Fourplexes, apartments, etc. must be done by a contractor. We added the same language regarding whether the violator had been informed of the rules prior to the violation. This was also added to the Demolition worksheet. R. Moody did note the minimum and maximum penalty amount did not change on the Asbestos worksheet.

R. Moody moved on to the Demolition worksheet. It was noted question 3 is a new question. Many of the violations dealt with people not following the procedures and we weren't capturing that aspect previously. R. Moody noted we changed the title of our Demolition worksheet to include Renovation. In practice, a demolition and renovation can look similar, however demolition includes the removal of a load bearing structure while a renovation means you can do anything but remove a load bearing structure. Frequently asbestos is found on texturing (i.e. popcorn ceiling) during a renovation. Cormier questioned the change from \$5,000 to \$10,000 for the top penalty amount. R. Moody explained we don't typically hit the high numbers, however if it is an egregious violation, we would like the penalty amount to fit the violation. Cooper asked how it compares to other agencies. R. Moody noted we would be on par with several of the others, it would be much lower than Puget Sound as their penalty is over \$19,000.

Cooper asked if there is a motion to approve the Asbestos and Demolition worksheets. Cathey moved approval. The motion was seconded and carried unanimously.

#### 10-year look – Employee Changes

McNair stated Cooper had requested this report. The graph shows staffing changes over a ten-year look. The cost per FTE and turnover is shown in the lower portion of the report. McNair did point out the increases in salary that occurred after the last salary survey. McNair noted we also had a couple of people who have been promoted, and there are still several staff receiving step increases. McNair noted staff changes and hiring time affect the salary changes as well. Retirement (benefits) is also a factor in the increases for our salaries.

McNair explained we did our salary survey a few years ago. Spokane, Southwest and Northwest are all doing surveys this year and we are waiting to look at their data. We expect Northwest to be higher than us. Spokane will be low, and Southwest will be close to us. McNair stated she doesn't want to be at the top or bottom but feels most comfortable in the middle.

Cormier asked how many FTEs are needed to be a fully functioning ORCAA. McNair stated we have 16 FTEs budgeted. Cooper stated he felt they need 22. We have decided to have everyone based out of Olympia, McNair continued. It would be nice to have someone stationed in the northern areas, however it is hard on the staff not being part of the every day organization.

Cathey asked why McNair felt salaries should be in the middle. McNair explained we need salaries high enough to keep staff. We also need to keep our budget whole and maintain some reserves, McNair stated, it works for us and we can keep staff. Cooper asked if we set a frequency for a salary schedule. McNair noted we discussed doing one every 5 years. Cooper noted the green line (cost) is not sustainable because our revenue is not matching. It is important that the Board stay on top of it. The only way we can fix it, Cooper noted, is to cut staff or raise assessments and fees. Cooper added even a \$5 burn permit fee would help this situation. Pratt, noting the age group on the report, stated we need to keep in mind upcoming retirees. Cooper did agree we need to stay on top of upcoming transitions. Cormier noted, if we are to raise revenues, my preference would be through assessments to the cities and counties.



McNair did note our fees are tied to the CPI each year, we prefer to do increases in the smaller increments because the large jumps are harder for people to deal with. Cormier noted you need big assessments to remind the cities and counties ORCAA is still here.

## **NEW BUSINESS**

### Federal Regulation – Adopt by Reference

R. Moody explained each year we must change the date in our Regulations with regards to the Federal Rules we are going to enforce. We do check on the changes that occur at the federal level and currently, there were no new rules that affect us. Staff recommends we change the date of the federal adoption to July 1, 2018. Cormier motioned for staff to move forward with the change. The motion was seconded and carried unanimously. R. Moody stated the next step is to file with the Code Reviser's office. We will have a public hearing in February.

### Resolution 2018-277 – Small Public Works Roster & Consultants

Harding explained we were in a contract with Thurston County to utilize their Small Works Roster. Thurston County will be moving over to MRSC and we have decided that is our best option as well. The resolution authorizes ORCAA to contract with MRSC and for the director to sign the contract. Cooper noted there were additional pages that appear to be out of the Policy Manual. Harding stated the changes are removing Thurston County and replacing them with MRSC and some minor grammatical changes.

Cooper asked if we need 2 separate motions; one for the resolution and one for the policy. McNair stated that would be easiest.

Pratt moved approval of Resolution 2018-277. The motion was seconded and carried.

Winborn did note she appreciated the simpler language in the proposed policy changes. Harding said there are a lot of different examples and after reviewing them all, and having our attorneys also review, is important. There are a lot of different scenarios. D. Moody noted staff went through a class to learn 'plain talk' and it has pushed us to move in that direction. McNair stated we will be bringing the full policy manual to the Board in the future.

Cormier moved approval of the purchasing policy. The motion was seconded and carried.

## **DIRECTORS REPORT**

### Compliance Program Update

R. Moody shared we have hired a new inspector. She is from this area, although she did spend 2 years in the Peace Corps in Malawi Africa. R. Moody noted she was not available to introduce, as she was attending some training. We do still have one vacancy and hope to have another person hired by January. R. Moody asked if there were any questions or comments regarding the report.

McNair did want to note we had very few complaints over the summer with regards to Ocean Protein. They did add a new fan and it appears it has helped disburse the odors better, resulting in less complaints.

### Engineering Program Update

Goodin wanted to mention BHP Billinton Canada Inc, which is a proposed potash facility in Grays Harbor. It is a large transport facility. The plan being the company will transport the potash to Grays Harbor for storage. It will then be transferred to ships and barges, Goodin explained. The facility will have baghouses and other air pollution controls and with the estimation, emissions are just over 10 tons per year of PM10. From an air pollution standpoint, it looks like they have a good application.

We have still not received an application on McKinley in Port Angeles. We are in contact with them and they are aware of the need for permit. We have gotten word they plan on being a 100% recycle facility. They will not be refining their own chips, using recycled corrugated cardboard, recycling it and making stock.

Cathey asked how the potash is delivered. Goodin stated it comes in by train. He was unsure if it is an enclosed car or not and would have to check. Cooper assumes it is enclosed as the potash is pretty fine. Goodin noted we do not have authority to have the trains covered, we can suggest it, but that is all. We are only looking at what happens on site, with regards to the dust, etc. Cormier did note the public comment period is still open on that case and you can contact Department of Ecology. Cooper asked if staff make SEPA comments. Goodin stated we have made comments; Ocean Protein is a good case. They were looking at sites and we commented they should locate in Westport.

Cooper did request staff send comments, regarding the trains going through the neighborhoods. Pratt noted, if it is enclosed, there is no reason to comment. Goodin agreed.

### Air Quality Program Update

Hadley stated October is typically the start of air quality degradation for the winter months. She noted we did have a few moderate days in Lacey, Port Angeles and Shelton. We had some issues at Cheeka Peak due to power outages and it took a few days to restore the power. Ozone season is over; however, we are still running the site in Lacey for our Community Toxics Study. We are still meeting with our students regarding the Community Toxics Study. They will be attending a conference in the spring. We conducted a site audit with Ecology at Cheeka Peak for the 6-month check and everything went well. Hadley stated she did go to Port Angeles to present the Ultrafine Particle Study results to the Clallam County joint meeting of Commissioners and Port Commissioners. Grant continues working on the quality checks for all our monitoring sites. He has been spending time on the Mason County Saturation Study; however, we have had some issues with our data loggers and Grant has been working on solving that problem as well.

Hadley noted she was asked to serve in an advisory capacity for the Puget Sound Vital Signs group. They have been focused on water quality in Puget Sound but have decided to add air quality as well.

Hadley added the air quality is a bit degraded and we are assuming that is coming from California.

### Education and Outreach

Nelson noted the woodstove change-out program continues and we have been getting more applications recently. We are seeing less outdoor burn permits (Thurston County Residential). We are definitely getting fewer ineligible applications, so our education in the 'no burn areas' is working. Nelson stated he attended a few fire/smoke/health meetings over the past couple of weeks. Also



working with the Northwest Communicators group on better coordination of efforts regarding wildfires and air quality events.

Nelson stated we had a bit of an issue with our social media during the summer while he was away from the office. Due to that, Nelson explained, he has been working on our website and has now coded it in such a way that when we post to our website (and categorize it correctly) it will send out direct emails, the press release list and post to social media.

Nelson also noted he has been working on putting together the quarterly report for the strategic plan. He did state the quarterly reports will be used to complete our annual report at the end of our fiscal year. Cooper stated he appreciated the work done of the strategic plan report.

Cooper noted part of his plan for the Strategic Plan was to have the Board be more of an ambassador for ORCAA. Cooper requested Nelson send an email regarding 'a board member's guide to helping promote ORCAA' it would be helpful.

#### Finance/Administrative Update

Harding explained our State Auditors will be coming to start an audit in December. We will contact the Board when the entrance meeting is scheduled. We typically have a few local board members in attendance.

We will have our large upstairs room available for rent come January, Harding stated.

#### Executive Director's Report

McNair explained at the Air Director's meeting they discussed raising the fee on woodstoves. It has been \$30 for years and Ecology has never changed it. We have been asking them to look at increasing it and they are finally looking at it. It appears they are putting through a piece of legislation that will raise the fee to \$50, as well as an inflation factor.

In terms of the VW money, McNair continued, there are three categories; buses/trucks, marine (ferries) and EV chargers. Unfortunately, none of the money will go to 101, it is all going on the I-5 corridor.

McNair stated she has not heard of any marijuana legislation; however, anything marijuana related went before the Commerce Committee and they now are hoping it will go before the Natural Resources Committee rather than Commerce. There is a potential piece of legislation regarding odors, McNair noted. It was initiated due to odors from an asphalt plant in King County. The legislation has to do with odor complaints and they are hoping to broaden the authority to regulate. Currently, odors must impact the use and enjoyment of your property. The new legislation is looking at the use and enjoyment of public areas (walking trails, etc.).

#### **CHAIR REPORT**

Cooper noted we must meet 10 times per year and we have met that obligation as of this month. If the Board is okay with it, we'd like to cancel the December meeting. Cormier moved we cancel the December meeting. The motion was seconded and carried unanimously.

Cooper also wanted to note a couple of changes to the Board. Lisa Ayers, Pacific County and Terry Drexler, Mason County, are both leaving their commissions. Cooper noted we should take a picture of the cake and let them know we were thinking of them. Another change, Cooper continued, is our

attorney Julie Carignan will be moving on to the Attorney General's office. Carignan stated she will start at the AG's office on December 5. She did note she will finish up with ORCAA on November 30<sup>th</sup> with a hearing before the PCHB. Carignan noted Myers will continue to be ORCAA's attorney. Carignan stated she really enjoyed working with ORCAA and it was a highlight of her career. The Board and staff thanked Carignan.

#### **ADJOURNMENT**

There was nothing further from the Board.

The meeting adjourned at 11:36 a.m.

#### **CERTIFICATION**

I hereby certify this is a true and correct copy of the minutes of the meeting of the ORCAA Board of Directors held on November 14, 2018, in Olympia, Washington.

ATTEST:

  
Francea L. McNair, Executive Director  
Olympic Region Clean Air Agency

  
Jim Cooper, Chair  
ORCAA Board of Directors

DATED: January 9, 2019