

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

**BOARD OF DIRECTORS MEETING – via Zoom**

May 13, 2020

Members present: Jim Cooper, City of Olympia (Chair)  
Cynthia Pratt, City of Lacey (Vice Chair)  
Joan Cathey, City of Tumwater  
Wes Cormier, Grays Harbor County  
Greg Brotherton, Jefferson County  
Randy Neatherlin, Mason County  
Tye Menser, Thurston County

Members absent: Mary Ellen Winborn, Clallam County  
Mike Runyon, Pacific County

Legal Counsel: Jeff Myers 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 10:05 a.m.

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

**CHAIR REPORT**

Cooper noted we have been at this a couple of months and requested the members obtain cameras so we can facilitate the meeting a bit easier. He noted the staff was in the office, at 6 feet apart, and there really isn't room for the Board members to join so it is likely we will be doing these meetings this way for a while.

**PUBLIC COMMENT**

There were no public comments.

**CONSENT AGENDA**

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

**PUBLIC HEARING**

Fiscal year 2021 Budget

Cooper stated the new budget will start on July 1. We will hear from staff and we would appreciate action on this today, however if necessary, it can be delayed until the June meeting.

Harding noted the draft budget does show 2019 actuals, 2020 to date, draft 2021 as well as draft 2022. We are looking for approval of the \$2.5 million budget for Fiscal Year 2021. It was noted there has not been a lot of change from our current budget to our draft FY2021 budget. Harding went over the budget line by line.

It was noted, the fees and salaries were increased by 1.5%, however there was no fee increase to the per capita assessments. These changes were based on the recommendation, to the Board, by the Finance Committee. McNair did note we did not use the CPI, which was 2.9%. Harding noted we anticipate using \$257,000 to balance the budget with our revenues at \$2.5 million. Cooper asked what the current budget is showing with regards to use of the contingency. Harding stated we do not believe we will be using any contingency funds for the current year.

It was noted we expect to have an audit in the coming year, and we are considering the replacement and purchase of a vehicle as well. Building maintenance items were also included for the upcoming year.

Cooper noted the definitions need to be changed to match the new vernacular. Neatherlin noted the budgeting went very smoothly and our staff is phenomenal and makes it very easy to complete the process. Menser wanted to note if people are listening in, or notice the Minutes later, the lack of questions is because we are structured to have finance committee and we had multiple meetings going over the details of the budget.

Cooper opened the public hearing at 10:25 am. Cooper asked if there are any comments. Hearing no comments, Cooper asked if we had received any written comments. Staff noted there had been no written comments. With that, Cooper closed the public hearing at 10:26 am.

Cooper asked if there was any further discussion or a motion to approve the Fiscal Year 2021 Budget and fee schedule. Neatherlin moved approval for the FY2021 Budget and Fee Schedule for ORCAA. The motion was seconded and carried unanimously.

## **DIRECTORS REPORT**

### Compliance Program Update

R. Moody stated we have had a larger than usual number of outdoor burn complaints. People are home and half are burning and the other half are complaining. The complaints have begun to drop off and is allowing staff to work on other things. We continue to receive applications for asbestos, demolition and burning projects. As for inspections, R. Moody continued, most of the businesses we typically visit this time of year are currently closed. On top of that, we are trying to gather the protective equipment, required by L&I, prior to inspections of those businesses that are open.

### Engineering Program Update

Goodin explained his staff is all working remotely, and it is going well. The report shows we have sent out seven final permits. Goodin stated if anyone has any questions regarding permits in the queue are welcome to call and ask anytime. Goodin also noted our Title V Permit program will be undergoing an audit by EPA beginning at the end of May. Goodin added, this is not a financial audit, but a program audit, covering things such as permit issuance rates, how they are issued, and whether we are doing a good job with enforcement.

### Air Quality Program Update





Hadley stated all our sites are in the 'good' even though we continue to have some issues at the South Bend site. Hadley did note the data at South Bend is good, there are just random days dropping out.

The Mason County study continues and will be ending soon. Because we can't get out to the sites, we will let it run and re-evaluate things once we can get back out in the communities.

We have received questions from reporters and others, asking if the air quality is better or worse as a result of the stay at home order. Hadley shared a slide, showing the daily average of air quality during the stay at home time compared to data from 2016-2019. There are no significant changes, Hadley explained, and where there are departures from correlated data, we have explanations for the situations.

Hadley noted she has continued working on the Community Toxic program. Grant has been very busy getting staffs' technology working from home and keeping everyone up and running.

### Education and Outreach

Nelson noted KOMO reached out to us with interest in monitoring and permitting information. It appears they will air a comprehensive air pollution impact story, related to Covid-19, and ORCAA will play a good part of that, sometime at the end of the month.

Nelson did note he discussed our woodstove replacement program with KOMO, letting them know what we have been doing and what more we can do. KOMO was hoping to include that information in their story. Nelson did state there had been a bit of a lag in the program over the past month, however recently there has been an uptick in the program. Several vendors have let us know they have a waiting list and quite a backlog of customers waiting for them to be cleared to begin work. Nelson added, there is a good chance we will be eligible for additional funds for the woodstove reduction program.

Nelson stated our social media traffic is up. Our website hits are increasing as well, mostly in outdoor burning, woodstove replacement program and our residential programs (asbestos, demos). People are still interested in the projects and we expect to see an increase in those programs.

Nelson reminded the Board that our board and committee meetings, as well as a lot of records are available online. Cooper asked if the recordings will become part of the record. D. Moody stated we can have them posted if that is what the Board wants. McNair reminded the board the Minutes are always posted, but if they want the recording available.

### Finance/Administrative Update

Harding thanked the Board for approving the budget. The staff will be participating in a new Wellness Program this month, Step Into Spring, which is a step challenge.

### Executive Director's Report

McNair stated we have included a draft furlough policy for review. We will need approval, at some point, to include it in our P&P Manual. We need to have the policy, although we currently have no intention of utilizing a furlough, but for us to provide benefits for a furloughed staff member, per AWC we must have a policy. McNair requested the Board review it and get any comments to her so we can have any changes made prior to the June meeting.

Pratt wanted to make it clear that on the second page, second line, that you mean any *previously* scheduled paid leave. Pratt asked if a staff member is furloughed and becomes sick, are they still



allowed to use their sick leave. Harding stated they would be allowed to do that. McNair stated we could add Covid to the list of sick leave options. Under Recordkeeping, second paragraph, second sentence the word agency should be inserted prior to email.

Cooper stated he liked the draft, but he felt it didn't feel good as a stand-alone policy. Cooper explained he would like to see something vetted under budget balancing under exigent financial circumstances strategies. The strategy, if we have a reduction of revenue, is to think about A, B, C, and D, and employee furloughs are D. Cooper noted he would like to see hiring freezes, voluntary reduction of hours, voluntary retirements, etc., where we are committed to bringing the staff around the table to talk about budget balancing under these circumstances. Other members agreed with Cooper. McNair stated we are on a timeline with this policy, but we can commit to a preamble and this policy being one alternative. Cooper noted that is what he was looking for.

Cooper noted the past two months at the city, the voluntary reductions by staff around retirements, voluntary furloughs (from 1 day a month to 30 days) has saved us \$325,000 already. Our Teamsters also waived the COLA that was in their contract. Cooper stated he would like to have an employee first collaborative approach, where furloughs are just one tool in the box. There were no further comments.

As we begin to think about bringing staff back, McNair noted, we have developed a couple of pieces to assist in a good transition. We have sanitizers, masks, etc. and we are posting information around the office, reminding staff to wash their hands and other safety precautions. We want to make sure staff feel safe when they return. Pratt asked if staff was having any difficulties obtaining the necessary cleaners and other supplies. McNair stated staff has been good about watching for items when they are shopping, and we were able to obtain KN95 masks for staff. It was noted the KN95 masks will only be used when a source requires us to use them.

McNair explained we believe we will be in Phase 2 for the June meeting; however, we still plan on holding the Board meeting as a Zoom meeting. We have no meeting scheduled for July. McNair is hoping by August, we can have in person meetings.

Cooper stated it would be nice if the rest of the Board could talk to their IT people about getting cameras for the next meetings.

## **GOOD OF THE ORDER**

Menser wanted to share with the Board that the Thurston County Commissioners were presented with a document from a citizen. The citizen is on the Thurston County Planning Commission, Menser noted, and has also attended a few ORCAA meetings as well. Menser explained the pitch was that ORCAA is an unnecessary regulatory body costing \$115,562 a year, while only providing services that can be obtain from the department of Ecology without cost; ORCAA is punitive and inconsistent in enforcement efforts directly impacting citizens of the county negatively; Thurston County should withdraw from our agreements with ORCAA – we have legal methods to do so, which he outlined. Menser stated this person had detailed points for each statement, he had outlined ORCAA's budget, staff and the cost of the staff. As far as compliance, Menser continued, he talked about where, in his view, there were inconsistent approaches; punitive in some instances and more willing to work with folks in other instances.

Menser explained the document was discussed at the last Agenda Setting meeting with the commissioners. We did have our lawyer there to give the commissioners answers to legal questions. Menser stated the meeting didn't lead anywhere, the commissioners had some questions regarding the contentions made by the citizen. A lot of thought went into the document and we really appreciated going through the information. We did ask our staff to find out answers to several questions we had, Menser noted. The questions we had, Menser stated, were around



whether we could get the same services from Ecology at no cost. That was a surprise to us, and we wanted to know if that was accurate. The citizen stated he had been contacted by Ecology staff and they had provided that information. Menser noted McNair had contacted Ecology and was told they would provide the services, but they would have to hire staff and the county would be charged 100%, but they didn't have a number. Menser stated our staff will be contacting Ecology directly and reporting back to the commission. Another question we asked, Menser explained, if Thurston County decided to leave ORCAA would it affect our municipalities out as well. McNair and Myers both agreed if Thurston County left ORCAA, it would be taking all the cities with it. Menser stated their lawyer didn't know if that was accurate and was going to be looking into it. Once we get answers, the commission will be having a follow-up discussion.

Cooper requested McNair send the email and responses to the Board and that Menser report back once Thurston County gets the answers.

Cooper added he would like to speak for all three cities, noting the cities are paying for assessments for their citizens. Cooper asked if Menser needed letters from the cities and if so, to let them know. Pratt noted you will lose local control of what we do in this county. Menser added he made it clear that he would not consider any such action without full consultation with the municipal jurisdictions. We would certainly want to hear all the concerns of our cities that would be affected. Myer noted, the statute is written in such, that if a county chooses to withdraw, they must decide 6 months in advance. It is a lengthy process. Cooper asked if the county would have assessment authority over the cities. Myers stated it would depend on what they decide to do. If the county chooses to activate itself as a one county air authority, I believe it would have that authority. He did note he had not researched that aspect. The options the county would have are to set up their own, one-county, air authority, or deactivate their authority and turn it over to Ecology. If they deactivate, they must have a public hearing as well. Ecology then has the authority to assess the county for the cost of the air program they would be implementing in lieu of the county.

McNair did note Spokane County Clean Air Agency is a single county agency and they do assess their incorporated cities. Menser did note he didn't think anyone said we would set up our own clean air agency. I don't need a consultant to tell me there is no way we could provide the services we get from ORCAA. The concept hinges on the idea that Ecology would do it for free. If that is the case, Menser continued, it is something the Board should consider considering the pandemic. It is a discussion worth having. We will get our questions answered and report back.

There was nothing further.

## ADJOURNMENT

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 May 13, 2020, in Olympia, Washington.

ATTEST:

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

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Jim Cooper, Chair  
ORCAA Board of Directors

DATED: 6/10/2020