

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

BOARD OF DIRECTORS MEETING – via Zoom

December 8, 2021

Members present	Jim Cooper, City of Olympia (Chair) Cynthia Pratt, City of Lacey (Vice Chair) Randy Neatherlin, Mason County Joan Cathey, City of Tumwater Josh Cummings for Carolina Mejia, Thurston County (10:16am) Jill Warne, Grays Harbor County Greg Brotherton, Jefferson County Bill Peach, Clallam County
Members absent	Frank Wolfe, Pacific County
Legal Counsel	Jeff Myers and Michael Throgmorton of Law, Lyman, Daniel, Kamerrer and Bogdanovich
Staff Present	Fran McNair, Executive Director; Robert Moody, Compliance Manager; Mark Goodin, Engineer; Dan Nelson, Communications Manager; Dr. Odelle Hadley, Senior Monitoring Specialist; Nick Grant, Network Administrator; Lynn Harding, Administrative Services Manager; Debbie Moody, Office Manager/Public Records Officer; Jennifer DeMay, Engineering Supervisor; Rob Wyland, Air Quality Specialist, Mike Shults, Compliance Supervisor; Lauren Whybrew, Engineer; Tony Gibson, Air Quality Specialist; and Allie Feidt, Air Quality Specialist

Cooper called the meeting to order at 10:01 a.m. Cooper noted this is an exciting, yet sad meeting as we are in the process of replacing our longtime director, Fran McNair, who is retiring after the first of the year. Cooper asked for introductions.

Cooper asked if the members were ok with the Agenda; there was consensus.

CHAIR REPORT

Cooper noted he will do an introduction and update during the Interview portion of the meeting.

PUBLIC COMMENT

There were no public in attendance.

CONSENT AGENDA

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

INTERVIEW FOR EXECUTIVE DIRECTOR

Jeff Johnston - Candidate

Cooper gave a recap of the process the committee went through. The job posting was out for 5-6 weeks and we received 30 applicants. The committee interviewed 6 candidates, including 2 internal. Cooper did note all 6 of the interviewees could have easily walked in and done the job; however, Johnston rose above the pool.

Cooper noted the process today would include interview questions. Once completed, the Board will go into Executive Session to discuss the qualifications for the job.

Cooper requested Johnston give a brief introduction of himself. Johnston thanked the Board for the opportunity. Johnston briefly went over his educational, work history and his desire to work at ORCAA.

Question/Answer:

Neatherlin: Not a question, however, wanted to note when he came on this Board, he thought he would have to be ready to go to war to protect his community and businesses. He quickly found, the competence of the staff and leadership at ORCAA was not the case. Neatherlin stated he learned staff was trying their best to get to 'yes' and not hurt businesses and organizations. We have had a few big fines recently, and after talking to staff and McNair, knowing they went through every possibility to mitigate the fine, it is a necessary thing. Neatherlin stated this organization is as good as it is because of the leadership we have, and the staff are a direct reflection of that. Neatherlin stated he would like Johnston to talk to McNair and be wise enough to listen to your staff.

Johnston: Thanked Neatherlin and noted he has met with McNair and she offered to spend time with him during a transition period and is looking forward to learning from her. He stated his management style is to work very closely with staff and doesn't second guess them.

Harding: Can you share your experience and philosophy in managing budgets and grants.

Johnston: The team he manages in the clean-up program is responsible for managing federal grants of about \$2 million a year. There are 3 grants in the storage tanks division that are nearly \$1 million a year. He noted he is not the day-to-day grant manager, but does check in with his staff, EPA grant managers, etc. to keep a sense of what is going on and where the grant stands. It is important to manage the grants to ensure the work is accomplished and the money is spent timely. As far as budgets go at Ecology, the program budgets are managed at the program level and each program has a budget manager. Johnston noted each section does not have a specific budget, however his experience with the budget is through the program management team and budget manager. He did note the program has a large budget (upwards of \$60 million) and the section is responsible for is a small part of that budget.

Harding: reiterated – how often do you meet with your budget team and what is your working style. How do you oversee the process?

Johnston: Noted learning the details of the budget will be one of the first things he would like to do, if selected. Working with staff on the budget is important in learning and understanding the budget. He foresees regular meetings to understand the various aspects to the agency budget. He noted he is aware he would be ultimately responsible for the budget.

Cummings: noted Commissioner Mejia would like to hear first, your current assessment of the state of air quality and second, your future hope for the state of air quality and your plan to get there.

Johnston: noting he has been out of the air quality realm for a few years, noted all of ORCAA's jurisdiction is currently in attainment for all the criteria pollutants. Air quality in the region is generally good, noting there are times when there are issues. Johnston noted most air quality issues fall in the wintertime and are associated with home heating or outdoor burning. Johnston explained he has been thinking about the fact EPA is considering lowering the national ambient air quality standard for PM2.5, perhaps for both annual and daily standard. His concern would be if any of the values in ORCAA's jurisdiction being in exceedance of the new values. Johnston noted he is looking forward to discussing local issues with the Board and staff. Johnston noted there is a balance between clean air and economic development. Johnston also mentioned climate impacts and stated there is a lot of work related to air quality and he is very excited to do that work.

Nelson: Noted our current outreach and communications is a direct consumer model. We work with local groups and jurisdictions. What are your thoughts and philosophies on working at that level, yourself, with local city and county jurisdictions, homeowners' associations, and community groups?

Johnston: Those are important conversations to have. Any way the agency can get the message out around the importance of clean air is critical. Working closely with the Board members to determine who in the community we should be reaching out to. There are likely staff at the county and city level that we can do outreach to. Johnston noted McNair had told him that she and Nelson met with city staff and I would like to continue that. Communication and outreach are very important, Johnston stated. If people are made aware as to why they shouldn't burn outdoors, and they should have clean burning woodstoves, etc. if they understand the issues, they can understand why air pollution is bad for their health. In doing this, it makes some of the other work the agency has to do much easier. Johnston felt there is a lot we can do and is very interested in working with Nelson to determine what the agency can do to get the word out.

Peach: You have mentioned the notions of some challenges that you see ahead, very interested in your understanding of challenges you are, or could, deal with that are a result of legislative action.

Johnston: Working with a state agency, we often have to implement what the legislature tells us we have to implement. Sometimes we have had a hand in helping to shape that, and other times not. There is often a bit of a disconnect with what ends up in statute and what has to be implemented by either a state agency or local agency. There are challenges. Regarding the climate commitment act, is something we may need to address; how communities may be impacted, perhaps disproportionately by air quality issues. There is a legislative mandate, and we need to decide how that gets implemented at the ground level.

Peach: what I hear is you recognize the difference between what sometimes is mandated and what is realistic, and you are adaptive.

Goodin: noting we are a small agency we have challenges whereas we need to be functionally equivalent to a large agency, such as Puget Sound Clean Air Agency who have 50 staff. We need to not reinvent the wheel, but instead take advantage of work done by other agencies while staying ahead of new regulations coming down the pipe. Would like to hear a little about Johnston's philosophy, ideas and experiences, in trying to be as lean and mean as possible to get the job done given a small staff.

Johnston: recognizes it is a real issue and ORCAA does have a very small staff with a very large area to cover. What immediately comes to mind is the fact there are six other local agencies that have similar issues. Working closely with the other local air agencies to determine best ways to deal with issues will be an important aspect to being lean. Thinking about general orders, simpler permitting strategies so we aren't having to write custom permits for every different source. Using templates,

clear policies and guidance, for staff and the regulated community knows how we are implementing them. Do as much work as we can with as little of it as possible being custom, while we do need some custom work, only do it as necessary.

Cathey: stated she had spoken with Pete Kmet and he appreciated discussing Johnston. Kmet let Cathey know Johnston was more qualified to do this job and would make a great director. Cathey stated after that discussion she felt like she would like to hear what his style of leadership is. Is he one who leads from the top down, a walk beside person, do you demand respect before you worked hard to earn it?

Johnston: I see myself as a walk alongside person. I am very much a consensus builder. I do not come into a situation with a set belief with this is how it has to be. Johnston notes he listens and then makes decisions based on his understanding of the situation, recommendations he has received, etc. Johnston noted he is a very involved manager, but not a micromanager. He meets with his direct reports and those that are not direct reports, he still makes a point to meet with them at least twice a year to check in.

Cathey: question answered and the reason behind the question is she really appreciates the staff, and she feels he will both lead, guide and walk among.

R. Moody: describe your philosophy of compliance and enforcement.

Johnston: noted he doesn't directly supervise or do direct compliance and enforcement, nor does his staff. We do guide, lead and support the compliance work going on around the state. An important part of that work is technical assistance and education. There are rigorous inspections and checklists, but just as important is developing a relationship with, and providing technical assistance to the businesses. It is important they understand why they have to and why it is required. At the end of the day, when something is in violation it is important there be consequences. The consequences need to be consistent between businesses and he understands compliance and enforcement is a very important part of what ORCAA does. This is what holds people accountable to the rules and regulations. Education and outreach are a critical part of any successful compliance and enforcement program.

Warne: what was the most difficult decision you ever had to make at work.

Johnston: gave an example regarding a conflict between the IT Systems group and the Policy group. There were members of the IT team pushing for a particular solution for the policy team, which the IT team felt would make the policy team's job easier. The policy team didn't see a problem and were not that interested in the system. This issue had started prior to Johnston coming into the role and a fair amount of money had already been spent. After a couple of months, it was clear to Johnston that moving forward with the project made no sense. Ultimately Johnston had to pull the plug on the project and there were hard feelings on his IT team as well as users from around the state who were looking forward to some aspects of the new system.

Warne: also asked Johnston to tell us something that is interesting about him that is not on his resume.

Johnston: stated he had been a SCUBA instructor between High School and College.

Hadley: what role do you see the ambient air monitoring program playing in ORCAA's future. Hadley is looking to see what direction she may be going or if she would be continuing in the same

path. How do you see ambient air monitoring and the role it could or should play in ORCAA's mission?

Johnston: stated he is not coming in with a clear answer. He noted he would want to work closely with Hadley to determine what the future is for ambient air monitoring. Air monitoring is important and is a statutorily mandated part of ORCAA's mission to understand the air quality around the jurisdiction. We may need to think about what additional things we should be doing with the network. He stated when he left the air program one thing that was just getting up and moving was personal air monitors. Monitors that meet the EPA standards are one thing, so how do we, through using PurpleAir monitors, understand more about the local variations in air quality. He felt the original intent of the question was EPA monitoring network but felt she may have been thinking more broadly about other tools we can use to understand ambient air. Generally, understanding air quality is one of the fundamental missions of ORCAA; how best to do that can be discussed and we can work closely to understand that.

Grant: when it comes to network security, and IT in general, often times you hear talk of the CIA triangle. A triangle represents 3 legs of IT; confidentiality of the data, integrity of data and availability of data. No information system can be completely confidential, completely integral or completely available, which one of those things would you compromise to maximize the two others.

Johnston: after thinking things through he noted, it is going to depend on the specifics of what particular data we are dealing with. If you are dealing with personally identifiable information you can't compromise on confidentiality. In the case of air quality data, confidentiality isn't as big an issue, but you need availability. Again, he understands it is a balance between all three and sometimes there needs to be give and take. He stated he would need to know what the particular data is before knowing which of the three we can compromise on.

Grant stated he agreed and also had a follow up question; Star Trek or Star Wars?

Johnston state he likes them both, but lately he'd say probably Star Wars. Regardless, he is a big Sci-Fi fan.

Cooper stated we are through our members and staff questions and asked if Myers had any questions. Myers stated he has appreciated the answers and some of the questions had to do with decision making process. Myers asked how Johnston views working with legal counsel and what his experiences have been.

Johnston noted he works closely with legal counsel. He noted one large issue he worked during his tenure with the air program involved emissions from the data centers in Quincy. He and his staff did testify, in support of the project, at PCHB. In the clean-up program, his work has been more around policy and they are currently updating their regulations. He noted he and his team work closely with their counsel team. He did add that there are times policy decisions get made for different reasons that may not necessarily be in alignment with what the attorneys may say. It could be political or policy decisions that the agency just decides to go in a different direction. He noted policy and legal issues are hand in hand but recognizes that isn't always how things work out.

Myers asked if Johnston is comfortable being sued.

Johnston stated he doesn't want to be sued and if he is the chosen person, he will do his best to minimize the legal risks. Johnston did note he always considers the advice of counsel and would consult with the Board before making any final decisions that are contrary to legal advice.

Cooper asked Johnston if he had any final comments. Johnston thanked the board and staff for their time and consideration. He reiterated he feels he does bring a lot to the table. He did state, if there is anything that has not come up in the conversations today that he needs to know or that he can answer with regards to what you are looking for in the next director, he is open to that discussion.

Cooper stated we are looking for a balance with someone who is a people person who can do staff development and customer service first and foremost. We want someone that understands the bureaucracy and can do all the paperwork – that balance of policy and legal. Someone that can also be a hearings examiner. We knew whoever gets hired will have some learning opportunities. Cooper asked if anyone had any further comments or questions. Hearing none, Cooper thanked Johnston for his time.

GOOD OF THE ORDER

Cooper noted due to the nature of the next meeting, he wanted to take a moment to thank Deputy Mayor Pratt for her service to ORCAA. She has been on the board for 12 years and served as vice chair for a large portion of that time. Cooper noted he has learned a lot from Pratt, noting she is a master at finance and policy. Pratt thanked Cooper noting she will miss this position. It has been a great board for making policy for air quality.

McNair took a moment to thank Pratt on behalf of the staff and noted it has been a pleasure working with her.

EXECUTIVE SESSION (per RCW 42.30.110)

Cooper explained the Board would go into Executive Session would be in session for no longer than 60 minutes. The session is to discuss performance and qualifications of our candidate. At the conclusion of the session, we will come back to regular session to adjourn. There will be no further action following the session. The session began at 11:15 a.m. The Board reconvened at 12:01 p.m. Noting no action or decisions were made. There will be a special meeting of ORCAA Board at 8:00 a.m. on Monday, December 13, 2021 to consider a contract.

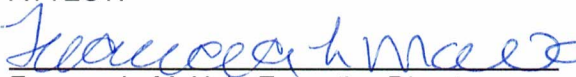
ADJOURNMENT

The meeting adjourned at 12:02 p.m.

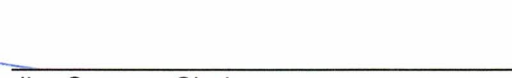
CERTIFICATION

I hereby certify this is a true and correct copy of the minutes of the meeting of the ORCAA Board of Directors held on December 8, 2021, in Olympia, Washington.

ATTEST:



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



Jim Cooper, Chair
ORCAA Board of Directors

DATED: January 12, 2022