



Minutes of the July Meeting for the Governing Board of Directors

Location, Date and Time:

Yakima City Hall Council Chambers

July 8, 2010

Time: 2:00 p.m

1. **Tom Gasseling, Chair**, called the Meeting to order at 2:07 p.m.
2. **Clerk of Board – Roll Call** There was a quorum. All Members were Present.

<p>PRESENT WERE:</p> <p>BOARD MEMBERS: Tom Gasseling, Member-at-Large, Chair Kevin Bouchey, County Commissioner–Vice-Chair Bill Lover, Large City Representative Dick Camp, County Representative Bob Jones, Acting Small Cities Representative</p> <p>LEGAL COUNSEL: Gary Cuillier, Board Counsel</p> <p>ABSENT: John Tierney, Alternate, Small Cities Rep Rand Elliott, Alternate, Co Commissioner Micha Cawley, Alternate, Large City Rep</p>	<p>STAFF: Gary W. Pruitt, YRCAA Director Clerk of the Board Staff, Engineering/Planning Division Staff, Compliance/Monitoring Division Staff, Public Education Outreach Staff, Fiscal Program Manager</p> <p>VISITORS: Jim and Linda Dyjack, Citizen Helen Reddout, Citizen Elanor Hungate, Citizen Kenneth Stevens, Citizen Jan Whitefoot, Citizen Shirley Thomas, Citizen Mark Hughey, Citizen Jean Mendoza, Citizen Jerry Craig, US EPA</p> <p>MEDIA: Bonnie Lozano, YPAC</p>
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3. **Additions and Deletions to Agenda** – Staff asked Board to have Resolution 2010-10 which modifies duties and replaces Resolution 2010-02 appointing Gary W. Pruitt and Christa Owen as Auditing and Alternate Auditing Officers. This Resolution, per Yakima County Treasurer’s requirements, which adds additional duties, be considered as an additional item to the Agenda. Board agreed to have this placed as “Other Business”, Agenda Item 15.
4. **Public Comment** – Board Chairman, Tom Gasseling, asked if there were any public comments. Members of the Public commented on dairy issues. Ms. Mendoza, Registered Nurse, commented on health effects regarding Jim Dyjack and his concern of dairy odors. Ms. Whitefoot relayed concerns about dairy issues, described one area resident that had their air inside their home tested very high for concentrations that were detrimental to their health, described other studies being done, disagreed with the proposal to allow dairy owners to self-monitor their practices and her efforts in working with EPA concerning this issue, and invited Board to tour the areas where dairies are located to see how they impact the public.

Frank Chandler discussed the issue of spray fields, buffers, and carcass and bones of dead cattle along side of the Roza canal. Helen Reddout discussed dairy odors that were not on the Reservation, and how it has affected health of the general public and the large number of cases of asthma in our County as a result of this issue, and she too has witnessed and taken pictures of dead animals. She said it is destroying our way of life. Jim Thomas discussed an issue with odors from Washington Beef in Toppenish.

Tom Gasseling, Board Chair, stated he wished our Board could help on the Reservation, but we have no jurisdiction. There was discussion, questions and comments by Board with the public regarding dairy odors, and the Board's desire to help the public with this issue. The Board understands their concerns, and is willing to work to get this taken care of.

There were no other comments.

CONSENT AGENDA

- 5.1 By consent, approve Minutes of June 10, 2010;
- 5.2 By consent, accept and file June, 2010, Monthly Activity Report.

Bob Jones moved to approve Consent Agenda items 5.1 thru 5.2. Bill Lover seconded. Consent Agenda items were approved.

REGULAR AGENDA

6. **Director's Report – Refer to written report for detail**

Gary Pruitt, Director, reported on the following:

Legislative - Staff reported there is no new information on the Federal Budget requests.

Agricultural Burn Permit Fees – Staff reported on the June 16, 2010 meeting with local agricultural task force. There was poor attendance. An informational packet will be mailed to 2010 agricultural burn permit holders and task force members regarding the new fee basis and simplification of permit application and daily approval conditions later this year. The new rule goes into effect January 1, 2011.

Toppenish and Wapato Supplemental Income Assessments – Staff reported on the City Council Session Gary Pruitt and Dave Caprile attended, July 6, 2010. Staff was well received by the City Council. Staff has sent a thank you letter to the City Council members and gave the five points they presented at the Council Session. Staff is hoping for a favorable outcome.

Wood Stove Change-Out Funding – Staff has appointed a team to look for funding for this program.

Forest Service Burning – Staff stated that this will be reported in full under the Engineering and Planning Divisions Report. Staff thanked Hasan Tahat for his Division's work on gaining an agreement that will be beneficial to the residents of Yakima County with the Department of Natural Resources and the Naches Ranger District. Staff will be working with DNR and Ranger District to gain an agreement on prescribed burns.

That concluded the Director's report.

ACTION ITEMS

7. **Fiscal Program Report – Approve Accounts Payable, Payroll**

Ms. Christa Owen, Fiscal Program Manager, began with Accounts Payable in the amount of \$19,767.52, and payroll in the amount of \$70,966.11. Staff asked for Board approval. Bob Jones moved to approve accounts payable and payroll. Bill Lover seconded. Motion was approved.

Staff referred Board to the Supplemental Income and Budget Verification Analysis. Staff asked if there were any questions. There were none. That concluded the Fiscal Program Report.

8. **Revising Administrative Code Part B, Sections 2 and 3**

Gary Pruitt asked Board to approve Resolution 2010-07 adopting the revised Administrative Code Part B, Sections 2 and 3. Staff gave information on the need for revisions with new laws and changes to provide guidance for staff. There was a short discussion by other staff and Board. Kevin Bouchey moved to approve Resolution 2010-07. Bill Lover seconded. Motion was approved.

9. New 2010 Fee Schedule

Gary Pruitt asked Board to approve Resolution 2010-08 adopting the revised 2010 Fee Schedule. The proposed Fee Schedule includes charges for copying public records that was in the previous 2010 Fee Schedule. No other fees are affected by this schedule.

Staff discussed the purpose and need for the change to include fees for non-standard public record copies made. We do not charge for copies provided for which the charge would be under \$15. Bob Jones moved to approve Resolution 2010-08. Kevin Bouchey seconded. Motion was approved.

10. Adopt Request for Appearance Form and Guidelines

Gary Pruitt asked Board to approve Resolution 2010-09 adopting the "Request for Appearance" form and guidelines to address the Board of Directors. The purpose is to provide the Board notice of who wishes to speak during either the Public Comment Period or on a particular Agenda item. This would allow more people the opportunity to speak to the Board. Staff encourages people to make a written summary to have as a matter of record and provide a better understanding of their comment or concern. Staff offered this was designed after the form used by the City of Yakima for their Council meetings.

Tom Gasseling, Board Chair, asked for a motion. Bill Lover moved to approve Resolution 2010-09. Kevin Bouchey seconded. There was discussion. Tom Gasseling stated he was not in favor of it. Bill Lover added the City policy is to allow all to comment whether the form is completed or not. Jim Dyjack, citizen, cited RCW 42.30.030 stating that "All meetings of the governing body of a public agency shall be open to the public and all persons shall be permitted to attend any meeting of the governing body of a public agency, except as otherwise provided in this chapter". Staff acknowledged the RCW as staff has knowledge of it. Staff added this is not to discourage public comments. Mr. Dyjack added that the RCW states "a member of the public shall not be required, as a condition to attendance at a meeting of a governing body, to register his name and other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his attendance". Board Chair acknowledged Mr. Dyjack's comment and added that he preferred knowing who was providing comments to the Board.

Tom Gasseling called for the question. Board approved the motion.

11. Third Party Expert – Approval of Staff Proposal

This agenda item was discussed in detail during the Study Session. Board Chair stated that staff is aware of Board's direction regarding this item. Two Board members are to participate in a sub-committee on the dairy emissions issue, staff is to move forward with contacting the Local and State Dairy Federation to begin working with dairy owners and Best Management Practices to reduce emissions and when staff has emission factors available, help the industry comply with the standards. There was discussion regarding the scientist who will be addressing the Board on dairies in August and September.

Gary Pruitt will report back to the Board Chair in the interim if needed, or at the next Board Meeting. Ms. Whitefoot addressed the Board concerning the Supplemental Income Assessment to the Town of Harrah, and the lack of compliance by the Agency with their complaints. Staff responded that complaints would be referred to Gary Olsen, EPA. Staff responded to the purpose and intent of state law covering Supplemental Income and how what we do also affects those residing on the Reservation. Staff cited several things we have done for the cities and towns within the boundaries of the Yakama Reservation.

DIVISION/PROGRAM REPORTS

Refer to written reports for clarity.

12. Accept Engineering and Planning Division Report

Hasan Tahat, Division Supervisor, reported on the Memorandum from Mark Gray to Darrel Johnston regarding the "Go/No Go burn decision criteria for portions of Yakima County". The proposed criteria allows for the following: 1) Do not allow multiple day burns; 2) Do not

approve the burn if the forecast includes the possible passage of a cold front within 24 hours of the burn; 3) Do not approve the burn if the forecast surface and/or transport wind direction is north or includes any westerly component within 24 hours following the proposed ignition time; 4) Do not approve the burn if the predicted ventilation is not considered "good" by both the University of Washington's MM5 ventilation index model and by the NWS Pendleton "daily dispersion outlook" for the upper Yakima Valley, for at least 24 hours from the proposed burn ignition time; and 5) Limit acreages to 1,000 or less per day.

Staff feels this is a great step forward in protecting the health of residents of the Yakima valley. This satisfies the conditions of the penalty negotiations and staff will be able to put the penalty aside.

Staff continued that they are continuing their work on Regulation 400. Staff will keep Board advised on its progress. Staff finished with staff activities. That completed the Divisions report.

13. Accept Compliance and Air Monitoring Division Report

Keith Hurley, Division Supervisor, reported on monitoring activities and the air monitoring samples that had been submitted for testing. Staff stated that the Compliance Division has been instrumental in work on the Reservation, and feels that the return on investment is worth the efforts. Staff continued that our work has been behind the scenes helping EPA and the Tribe with their air compliance program. Tom Gasseling stated he wished staff had given this information when Ms. Whitefoot was discussing our lack of presence on the Reservation. Gary Pruitt responded that staff is directed to speak to the Board. Mr. Pruitt will provide Ms. Whitefoot with the same information staff had provided the City of Toppenish with Board approval. Board approved.

Staff completed their report with division activities for June and provided statistics of complaints received and compliance activities. That completed the Divisions report.

14. Public Information Program Report

There was no Public Information Report for this meeting.

15. Other Business & Adjournment

Resolution 2010-10 – replacing Resolution 2010-02

Gary Pruitt advised Board that the Board approved Resolution 2010-02 at the June Board meeting. The Yakima County Treasurer has requested authorized signatures for receiving monies and signing warrants to disburse funds, audit claims against the agency, invest agency funds, sign warrant registers and void warrant agreements. Gary asked Board to approve Resolution 2010-10 which will replace Resolution 2010-02.

Dick Camp moved to approve Resolution 2010-10. Bob Jones seconded. Resolution 2010-10 was approved.

Dick Camp moved to adjourn. Bob Jones seconded. Meeting adjourned at approximately 3:10 p.m.

Tom Gasseling, Board Chair

Patty Walker, Clerk of the Board

Audio CD of this meeting is available at the YRCAA.
Minutes submitted to Board for approval August 12, 2010.