



Minutes of the January Meeting for the Governing Board of Directors

Location, Date and Time:

Yakima City Hall
 City Council Chambers

January 14, 2010

Time: 2:00 p.m

1. **Tom Gasseling, Chair**, called the Meeting to order at 2:00 p.m.
2. **Clerk of Board – Roll Call** There was a quorum. Three members were absent.

PRESENT WERE:	
BOARD MEMBERS: Tom Gasseling, Member-at-Large, Chair John Tierney, Alternate, Small Cities Rep Dick Camp, County Representative LEGAL COUNSEL: Gary Cuillier, Board Counsel ABSENT: Kevin Bouchey, County Commissioner–Vice-Chair Bill Lover, Large City Representative Small Cities Rep. Rand Elliott, Alternate, Co Commissioner Dave Edler, Alternate, Large City Rep	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 and Trainee VISITORS: Larry Fendell, Citizen Jim Dyjack, Citizen Ron Gray, YRCAA Keith Larson, City of Selah MEDIA: Bonnie Lozano, YPAC

3. **Additions and Deletions to Agenda** –Tom Gasseling, Board Chair welcomed John Tierney to the Board as the Small Cities Alternate. Tom then asked if there were any additions and deletions to the Agenda. There were none.
4. **Public Comment** –
 There were none.

CONSENT AGENDA

- 5.1 By consent, approve Minutes of December 10, 2009;
- 5.2 By consent, accept and file YRCAA December, 2009 Activities.

Dick Camp moved to approve Consent Agenda items 5.1 thru 5.2. John Tierney 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:
2010 Initiatives – Director reported to the Board that Staff is process of making a list of initiatives for 2010. Some of the initiatives are to improve existing systems and structures, invoicing by email for those who would like to participate that way. YRCAA is in the process of having the ability to take credit cards for payment. Staff will present a complete list at the next Board Meeting.

Smoke Impact from Forest Service Burning - Staff reported that the Agency issued a civil penalty in the amount of \$12,000. Staff also issued a Notice of Violation for their failure to comply with the order contained in the previous Notice of Violation. Staff still has not heard from the Forest Service or DNR. Staff offered three options for Board consideration: 1) Send penalty to a collection agency in keeping

with our policy; 2) Have the Agency take legal action; or 3) Have a third party mediate. Staff continued that we are not interested in collecting money from the Forest Service, but to move to some level of confidence that this will not happen again. Staff will contact Gary Cuillier to discuss options prior to taking legal action.

Tom Gasseling, Board Chair, suggested contacting the State Attorney General for their legal opinion. Staff responded that we are waiting to hear from DNR, and if no response at that time contact the Attorney General. There was discussion over cost for Staff to take legal action, and using the Attorney General prior to taking action, and jurisdiction when it affected the health of residents of Yakima County.

Legislative – Staff advised Board that the Legislature is in session again. Thus, staff will be watching a couple how legislature acts on: 1) Revising agricultural burn fees. As a result of the Governor asking for ways to streamline government the State Agricultural Task Force has been disbanded. We have been in contact with our Local Task Force regarding fees; and 2) The State of Washington is aligning their Green House Gas (GHG) legislation, in regards to reporting, with the Federal Rule. Staff is watching GHG legislation on the federal level. Staff will be watching this and respond through our state and national air quality organizations.

Director added that he has asked Hasan Tahat to look at the ramifications of the GHG law. There are some sources that we will be contacting as a result of this law, primarily, dairies. We have asked to have a meeting with the Dairy Association to discuss how this will apply to them.

Staff reported that the Executive Director of Puget Sound Clean Air Agency, Dennis McLerran, has been appointed to the EPA Region 10 Director. Staff added that Mr. McLerran is receptive to our concerns as he understands our area.

That concluded the Director's report.

ACTION ITEMS

7. Approve by Minute Action, Warrants for Payments from Yakima County

This item was fully discussed during the Study Session.

Lyne Monroe, Fiscal Program Manager, asked Board to approve by minute action that invoices to and from Yakima County be paid by warrants rather than by electronic fund transfers. Staff cannot reconcile books as we do not have access to Yakima County's database, or knowledge of, when the electronic fund transfers are made.

Tom Gasseling asked Board to approve by minute action warrants for payments to and from Yakima County for invoiced items. Dick Camp and John Tierney voted to approve to no longer accept electronic fund transfers, but rather warrants for monies owed to YRCAA by Yakima County.

8. Fiscal Program Report – Approve Accounts Payable, Payroll

Ms. Christa Owen, Fiscal Program Specialist, asked Board to approve December Accounts Payable in the amount of \$51,295.69; of which \$30,514.24 is for Woodstove Change-Out. Staff also asked Board to approve payroll in the amount for \$75,208.58. Staff asked if there were any questions. There were none. Ms. Owen asked Board for their approval. Dick Camp moved to approve accounts payable and payroll. John Tierney seconded. Motion was approved.

Staff referred Board to the Supplemental Income and asked if there were any questions. There were no questions from the Board. The Budget Verification Analysis was not available at time of Board Mailing. That concluded the Fiscal Program Report.

9. Approve Base Pay Adjustment for Executive Director

Patty Walker, Human Resource Manager, asked Board to approve a base pay adjustment for the Executive Director, Gary Pruitt. Mr. Pruitt has not had a pay adjustment since he took the position in October, 2006. Staff asked Board to approve by Resolution 2010-01 to adjust Mr. Pruitt's salary to \$80,767 annually. This is a 2.5% per year increase since 2006.

Tom Gasseling asked for Board discussion. Dick Camp asked how it should be done procedurally. Is

there a review, or how has it been done? Tom responded it has been done in different ways. Tom stated he felt the full Board should consider the base pay adjustment for Mr. Pruitt. Mr. Gasseling asked to have an Executive Session to discuss the issue. Being a personnel matter, he recommends doing an evaluation during an Executive Session, and bringing it to the floor as an agenda item to vote on. Staff and Mr. Gasseling will work together to schedule the Executive Session. If approved it could be retroactive to the beginning of the year.

DIVISION/PROGRAM REPORTS

Refer to written reports for clarity.

10. Accept Engineering and Planning Division Report

Hasan Tahat, Division Supervisor gave his CY 2009 report for the Engineering and Planning Division. The Engineering Division issued 137 Agricultural Burn Permits, 29 Order of Approvals for New Source Review, processing one Air Operating Permit renewal. Staff conducted 725 SEPA reviews and registered 354 sources. Staff issued 365 daily agricultural burn allocations based on the daily dispersion models and forecast.

Staff added that they have mailed the 2010 registrations, and have asked if they would like to receive their annual registration via email. As the Director reported, the State Ag Task Force has been disbanded. This will result in changes to RCW 70.94.650 which specifies how fees are set for Agricultural Burn Permits. Staff has been subsidizing this program and will watch to see how the new legislation will affect the fee structure. Our local task force is in support of a new fee structure.

Staff reported that in December there were 27 days of burn bans. There may have been an exceedence in December. Staff wanted to thank the public and agricultural community for their response to the burn bans. Dick Camp questioned what caused the exceedence. Staff responded weather. Staff referred Board to the graphs and discussed them.

That concluded the Division Report.

11. Accept Compliance and Air Monitoring Division Report

Keith Hurley, Division Supervisor, referred Board to Item 5.2 Monthly Activity Report to cover 2009 activities for the Compliance Division. Staff reported that there has been a greater compliance presence in the field as a result of the PM_{2.5} Emission Reduction Project.

The Compliance Division report included a list of complaints and Notices of Violation by type. Staff completed and investigated 221 complaints, issued 113 Notices of Violation (NOV), 94 Assurances of Discontinuance and processed 9 Notices of Demolition or Renovation. There were 7 Notices of Penalty issued for previous NOV(s) issued. Staff reported the Minor Source Inspector completed 1 minor source inspection, as our inspector was patrolling and responding to complaints.

Staff gave the FY2010 PM_{2.5} Emissions Reduction Project Report. Compliance focused on solid fuel burning devices. Staff conducted daily patrols and CWI conducted evening and weekend patrols for YRCAA's PM_{2.5} Emission Reduction Program. Staff outlined the process required to complete a Notice of Penalty. Staff reported as a result of patrols 22 have signed up for the Wood Stove Change-Out Program, and exempted 32 to use their current stove.

That concluded the Division report.

12. Accept Public Information Program Report

Dave Caprile, Public Information Officer reported on 2009 Public Information Program. Staff discussed their efforts with grant projects, while maintaining the normal Public Information. Staff has been working to extend our image with the media, KAPP TV to report air quality and burn ban information during their early morning news program.

Staff reported on work with schools impact on Yakima Area school programs with visits and outreach. YRCAA has made an impact on the Hispanic community, both in print and in person.

The Wood Stove Change-Out and Wood Stove Rebate Programs have been highly successful, and now

the Program includes certain residents on the Yakama Reservation. Staff, working with Yakama Nation Environmental Management Program staff was able to expedite a Memorandum of Understanding between YRCAA and the Tribe which resulted in a partnership for the Wood Stove Change-Out Program. Since the Program began on August 24th, the FY 2010 the Wood Stove Change-Out / Rebate Program has changed out 70 stoves representing \$188,700 in funds spent and additionally \$17,000 in leveraged funds. Staff reported on the number waiting for stoves to be installed. Funds for the program are nearly exhausted. Staff received a call this morning and we will be receiving approximately \$59,000 additional funds for this program. Staff gave a historical perspective of the Wood Stove Programs from 1993 through 2009. YRCAA has assisted in a total of 1015 wood stoves or inserts having been replaced with certified burning devices.

Staff continues to build our outreach relationship with the Yakama Indian Nation and reported on the smudge pot replacement program that is being considered. Staff is updating agency publications in both English and Spanish. YRCAA continues to support our presence in the Northwest Air Quality Communicators' group by networking with peers involved with similar programs and efforts for the good of not only Yakima County, but for the entire Pacific Northwest.

That concluded the Program report.

13. Other Business & Adjournment

Tom Gasseling asked if there was other business.

Patty Walker, Clerk of the Board, reported to the Board of the vacancy of the Small Cities Representative. Staff has been in contact with the Yakima County Auditor to contact the City Selection Committee and inform them of the vacancy and the protocol to fill the position as quickly as possible. Staff outlined the steps Yakima County will proceed with.

There was discussion by Board and staff. Staff will keep Board informed of the progress. In the interim the Alternate for the Small Cities Representative can act in that capacity.

Tom Gasseling asked if there was any other business. There was none. John Tierney moved to adjourn. Dick Camp seconded. Meeting adjourned at approximately 3:00 p.m.

Tom Gasseling, Board Chair

Audio CD of this meeting is available at the YRCAA.
Minutes submitted to Board for approval February 11, 2010.

Patty Walker, Clerk of the Board