



WEST VIRGINIA AIR QUALITY BOARD

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MINUTES WEST VIRGINIA AIR QUALITY BOARD April 21, 1997

I. General

The West Virginia Air Quality Board (the "Board") met on April 21, 1997, at 8:30 a.m.. The hearing was located at 1615 Washington Street, E., Charleston, West Virginia. Thomas Ising, Chair of the Board, called the meeting to order. Board members present included:

Thomas Ising, Chair
Michael Koon, Vice Chair
Ann Calvert
Robert Foster
Don Kuntz (designee of Dr. Henry Taylor)
Jean Neely

Staff Members Present:

Becky Charles, Legal Counsel
Margaret Chico-Eddy, Clerk of the Boards
Ann Holstein, Administrative Secretary

II. Board Meeting

A. Administrative Matters

1. Parks Corporation, Appeal No. 96-14-CD

The Board reviewed the proposed final order in Parks Corporation. It was found that the signature line should be changed from Tom Ising, Chair to Mike Koon, Vice-Chair. Don Kuntz made a motion to accept the final order as amended, which was seconded by Bob Foster. The motion carried by a unanimous vote.

2. Introduction of New Board Member

Becky Charles introduced our newest Board member, Ann Calvert. Everyone was pleased to have Ann on board and welcomed her.

3. Apple Grove Schedule and Hearing Room

Becky Charles discussed arriving at a date for the evidentiary hearing in the Apple Grove case. June 9, 10 & 11, 1997 were selected and all members present would be available. The Board requested scheduling a hearing room with ample parking, a room to sequester witnesses and a deliberating room for the Board.

4. Executive Session

Jean Neely moved that the Board go into executive session in order to discuss Board diplomacy. Bob Foster seconded the motion and the Board went into executive session. The Board discussed ways of communicating with one another.

5. Minutes

The Board requested the correction of a typographical error in sections five and eight of the minutes where an apostrophe was omitted. Bob Foster made a motion to accept the minutes as amended, seconded by Don Kuntz. Jean Neely requested that the minutes be three hole punched. The Board did not vote on this request.

6. Budget Report

Ann Holstein presented the budget report.

7. Case Management

Margaret Chico-Eddy informed the Board about the case management software ordered.

8. Procedural Rules

Becky Charles discussed many procedural rule changes with Board members. The Board suggested electronically filing appeals, more participation by the Board in Stay hearings and simplifying the Notice of Appeal.

9. Team Management

Libby Chatfield discussed the agenda for the joint meeting between the two Boards that will be held on May 14. Two categories were suggested for the agenda, staff evaluations and administrative matters.

B. Summary Judgement Hearing

1. Apple Grove Summary Judgement Hearing

Jean Neely made a motion to deny all of the Motions for Summary Judgement, which was seconded by Bob Foster. The motion carried by a unanimous vote.

Jean Neely made a motion to adjourn at 2:10, which was seconded by Bob Foster.

I hereby certify that the foregoing is a true and accurate representation of the proceedings held by the Air Quality Board on the 21st day of April 1997.

Submitted for approval the 13th day of May 1997.


Margaret Chico-Eddy
Clerk of the Boards