



AIR QUALITY BOARD

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MINUTES WEST VIRGINIA AIR QUALITY BOARD November 7, 1997

I. General

The West Virginia Air Quality Board (the "Board") met on November 7, 1997, at 9:00 a.m. The meeting was held at 1615 Washington Street, E., Charleston, West Virginia. Michael Koon, Chair of the Board, called the meeting to order. Board members present included:

Michael Koon, Chair (by telephone)
Robert Foster, Vice Chair
Ann Calvert
Don Kuntz (designee for Dr. Henry Taylor)
Jean Neely (by telephone)

Staff Members Present:

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

II. Board Meeting

A. 1. Minutes

Bob Foster made a motion to accept the October 8, 1997 minutes as amended, which was seconded by Don Kuntz. The motion carried by a unanimous vote.

The May 14, 1997 minutes will be discussed at the December 10, 1997 meeting.

2. Motion to Intervene, Appeal Nos. 97-05-AQB & 97-06-AQB

Don Kuntz made a motion to grant Intervention, which was seconded by Ann Calvert. The motion carried by a unanimous vote.

3. Motion to Dismiss, Appeal Nos. 97-05-AQB & 97-06-AQB

Bob Foster made a motion denying the Motion to Dismiss for Lack of Jurisdiction by the State and grant Intervenor Northland Resources Motion to Dismiss without prejudice, which was seconded by Jean Neely. The motion carried by a unanimous vote.

4. Motion to Intervene, Appeal No. 97-08-AQB

Jean Neely made a motion to grant Intervention, which was seconded by Don Kuntz. The motion carried by a unanimous vote.

5. Kanawha Stone Company, Inc., Appeal No. 9709-AQB

Bob Foster made a motion to grant the Motion to Enter Consent Order Amending Order of October 22, 1997, which was seconded by Don Kuntz. The motion carried by a unanimous vote.

6. January Joint Board Meeting for EQB/AQB

The Board approved the January 16 and 23 dates selected for the joint board meeting.

7. Pending Case Sheet

Margaret Chico-Eddy discussed briefly the cases left on the Board's docket.

8. Web Page Pictures

Becky Charles informed the Board about the new Air Quality Board web site. Mike Koon suggested that all the information on the web page be kept in third person to make it consistent and suggested that the AQB members' photo be added.

9. Budget Report

Ann Holstein informed the Board that 36% of the budget has been spent. Ann also informed the Board that in or around December they need to start repaying the EQB for monies lent to them at the end of the last fiscal year. The Board indicated that they want a list of categories for dollars spent by the new State purchasing cards.

10. Board Participation in Stay Hearings

The Board would like to have an interpretive rule or procedural rule on the five-day ruling requirement for Stay hearings to clarify five work days not calendar days, similar to the way the Rules of Civil Procedure operate.

11. Staff Organizational Directives Draft

There has been slow progress in a meeting between Don Tarter of the EQB and Bob Foster of the AQB. Libby Chatfield discussed the tentative schedule for performance evaluations and informed the Board of training by the Division of Personnel on performance evaluations. Libby also discussed work that needed done on the 360 evaluation forms before evaluations can begin. Ann Holstein suggested changing to a fiscal year rather than a calendar year time-line for evaluations. The Board discussed the use of open-ended memos to address the overall achievement of goals for the office.

12. December 26th Office Coverage

The Board informed the staff that we could all take annual leave on December 26th and change the answering machine so that calls go to Libby or Ann's houses.

13. Payments for Conference Calls

Don Kuntz made a motion to compensate the members for conference calls on October 22, 1997 and November 5, 1997, which was seconded by Bob Foster. The motion carried by a unanimous vote.

14. December Scheduling

The Board added December 12, 1997 as an extra hearing day to the already scheduled dates of December 10 and 11.

Jean Neely made a motion to adjourn at 11:45, which was seconded by Ann Calvert.

I hereby certify that the foregoing is a true and accurate representation of the proceedings held by the Air Quality Board on the 7th day of November 1997.

Submitted for approval the 11 day of December 1997.


Margaret Chico-Eddy
Clerk of the Boards