

MINUTES  
WEST VIRGINIA AIR QUALITY BOARD  
JULY 25, 2000

I. General

On July 25, 2000, a quorum of the members of the Air Quality Board met. The meeting was held at the Board's office at 1615 Washington Street, E., Suite 301, Charleston, West Virginia. The Chair, Bob Foster, called the meeting to order at 9:00 a.m.

The Board members present were:

Bob Foster, Chair  
Dick Calvert  
Bob Frame, designee of Gus Douglass

Participating by telephone were Board members:

Jean Neely, Vice-Chair  
Mike Koon (until 10:00 a.m.)  
Tom Hansen

Absent was Board member Dr. Henry Taylor.

Chairman Foster introduced Bob Frame as the new designee of Commissioner Douglass.

II. Administrative Matters

1. Review and Approval of March 23, 2000, Meeting Minutes:

The minutes of the March 23, 2000, Board meeting were presented to the Board for consideration. Whereupon, Mike Koon moved and Tom Hansen seconded, that the minutes of the March 23, 2000, Air Quality Board meeting be adopted and the motion passed unanimously.

2. Budget Report

Kathy Coleman announced that she is trying to arrange a meeting with Randy Huffman regarding the supplemental budget appropriation. The Board discussed

letters received from Commissioner Castle regarding the Board's pursuit of a supplemental appropriation. The Board was told that it received eleven thousand dollars from the Division of Environmental Protection to get it through the last fiscal year.

Kathy reported that she is beginning to work on the appropriation request for FY 2002 which is due September 1, 2000.

The Board discussed meeting with someone from the Office of Administration, before it submits the 2002 budget request, regarding how to allocate money between the two Boards.

3. Discussion of AQB Objectives and long range goals for 2000/2001:

- a. The Board was informed that the staff is working on a calendaring system for all yearly activities of both Boards. This will include budget due dates and so forth.
- b. The Board was informed about the EQB's temporary web site on the Office of Water's site. The need for a domain name for the Boards was discussed. This needs to be done by the Bureau of Environment technology division. There are several computer related issues that the Board is in need of assistance from the Bureau - software licences, help with a scanner, web site help.
- c. The Board discussed the brochure that is being developed for the public. If recycled paper is available for printing, the staff will pursue this option.
- d. Currently the staff is updating the Procedural Rules. Jean mentioned the possibility of putting something to encourage parties to settle or begin negotiations well in advance of a hearing so the Board has more notice as to whether a hearing is needed.
- e. A joint meeting with the EQB is scheduled for October 20, 2000.

4. Ethics Standards

Jean discussed that she would like the Board to adopt a policy, statement or resolution regarding ethics and ex parte communications. Becky informed the Board that there is a provision about ex parte communications in the procedural rules. Becky also discussed the ABA Model Code of Conduct for Administrative Law Judges. The Board requested Becky to distribute copies of this Model Code to the Board members so that it could be discussed at the Joint Board meeting in

October. Also, the Board requested Becky to research when "Oaths of Office" are to be taken and by whom.

5. Bob Foster informed the Board that all personnel evaluations have been completed. Also Bob mentioned that staff training is a priority item for the budget. Jean added that training for board members should be considered in the budget.
6. Board meeting dates were set for September 12, 2000; October 20, 2000 joint meeting; November 14, 2000. The Board decided that the new Chair, new Vice-Chair and outgoing Chair would meet with the Chair and Vice-Chair of the EQB on August 17, 2000.
7. Board Member Election of Officers  
After discussion, Tom Hansen moved that Jean Neely be elected as Chair for FY 2001. Bob Frame seconded the motion which passed unanimously. Bob Foster moved that Tom Hansen be elected as Vice-Chair. Bob Frame seconded the motion which passed unanimously..

## II. Appeals

The Board was informed that last week Appeal #00-01-AQB (Allegheny Wood Products) requested and received a continuance on the basis that it was pursuing a settlement and that one of the attorneys was sick. The case will be reset for the Board's September meeting.

## III. Other Business

The Board decided to receive compensation for this meeting since about a full day of meeting time has accumulated since they last received compensation.

WHEREUPON, at 10:45 a.m., Jean Neely adjourned the meeting.

I hereby certify that the forgoing is a true and correct record of the proceedings of the meeting held on July 25, 2000, by the West Virginia Air Quality Board. These minutes were approved by the Air Quality Board on 9-12-, 2000.

  
Rebecca Charles