



## AIR QUALITY BOARD

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### WEST VIRGINIA AIR QUALITY BOARD

#### MINUTES

**AUGUST 15, 2001**

#### **I. General**

On July 15, 2001, a quorum of the members of the Air Quality Board met. The meeting was held at the Board's office located at 1615 Washington Street, E., Suite 301, Charleston, West Virginia. The Chair, Tom Hansen, called the meeting to order at 9:05 a.m.

The Board members present were:

Robert Foster

Dick Calvert

Robert Frame, designee of the Commissioner of the WV Department of  
Agriculture

Tom Hansen

The Board members who participated telephonically were:

Mike Koon

Board Members absent were:

Randy Curtis, designee of the Commissioner of the WV Bureau for Public  
Health

Jean Neely

Others present were:

Becky Charles, Attorney

Melissa Carte, Clerk

Kathy Coleman, Administrative Secretary

Libby Chatfield, Office Supervisor - participated during a portion of the meeting telephonically

## **II. Administrative Matters**

### **1.) Review and Approval of July 11, 2001, Minutes of the AQB Meeting:**

The minutes of the July 11, 2001, Air Quality Board meeting were presented to the Board for consideration. Whereupon, Mr. Foster moved and Mr. Frame seconded that the minutes of the July 11, 2001, Air Quality Board meeting, as written, be adopted and the motion passed unanimously 5 to 0.

### **2.) Budget Report:**

Kathy Coleman reviewed the fiscal year 2002 budget with the Board members. The total approved budget for the 2002 fiscal year is \$322,626.00, which provides \$103,787.00 for the Air Quality Board and \$218,839.00 for the Environmental Quality Board. The budget analysis outlined the projected "uncommitted" funds totals; expenditure schedules for the Air Quality Board and the Environmental Quality Board; projected salaries and benefits; and the projected operating expenses and other expenditures.

In order to provide the Board members with all of the pertinent information, the expenditure analysis for projected operating, repairs and assets contained a detailed breakdown of all expenses incurred under each object code. For instance, the Telecommunications object code consists of expenditures for the AT&T 1-800 line monthly service; AT&T out of State long distance calling; Verizon in State long distance calling and local service fee; Verizon data circuit line for the Server; and conference calls.

Ms. Coleman noted that certain funds are allocated based on the maximum amount that might be needed. For example, the projected Air Quality Board meeting expenses are based on ten (10) meetings with all Board members attending. Ms. Coleman noted that as of April 15, 2001, the Board member

per diem raised to \$150.00 per meeting, and that there has also been an increase in travel rate reimbursement. While it is possible that the Air Quality Board will not actually utilize all of the funds allocated for meeting expenses, the Board members agreed that this is the appropriate method for calculating these expense allocations. The various allocations of the Boards funds in the expenditure schedule are very flexible and adjustments can be made as needed.

Ms. Coleman informed the Board members that any remaining funds in the Groundwater Account (#3275) can be carried forward to the next fiscal year. The Board members stated that they would prefer to make necessary and justifiable expenditures, such as staff training, or computer and software upgrades rather than carry forward a balance.

### 3.) Toll Free Telephone Number:

The Board members discussed removing the Boards' toll free telephone number listing from the telephone directory and remarked about the relative expense of the line. The staff members spend approximately 1½ hours each day answering telephone calls that are not related to Air Quality Board or Environmental Board business or even to the environment in general. Individuals call the toll free number and request that the staff either transfer their call to the appropriate agency or find a local number for them to contact. The calls received include a wide array of topics from requests to remove dead animals from the road; workers compensation claims; the proper planting time for mums; to problems with the Department of Highways. In addition to a loss of staff productivity, the Board is also charged for each incoming toll free call.

The Board determined that the toll free number should be removed immediately from the telephone directory so that it will not be available from directory assistance. However, the staff should provide the number promptly to any individual with legitimate Board business and the toll free number should be included on all correspondence and in all Board information packets.

### III. Appeals

Whereupon, Ms. Charles provided the Board members with an overview of the status of the Air Quality Board appeals which were originally set for hearing during the August 15, 2001, meeting.

#### 1.) Appeal #01-01-AQB (Aquila Dock):

This Appeal was filed with the Board on March 6, 2001, and set for hearing on May 9, 2001. After granting three Motions for Continuance, the Board informed the parties that the Board will not grant any further continuances and barring any unforeseen circumstances, would require the parties to appear before it on August 15, 2001, for a hearing.

On August 14, 2001, the parties submitted to the Board, a Consent Order which resolved all of the issues in the Appeal and in which the Appellant withdrew the appeal. Appeal #01-01-AQB has now been removed from the Air Quality Board docket.

#### 2.) Appeal #01-04-AQB (Starvaggi):

This Appeal was filed with the Board on May 21, 2001, and scheduled for hearing on July 11, 2001. On July 5, 2001, the parties filed a joint Motion for Continuance requesting additional time to continue discussion on the matter which is the subject of the appeal. The Motion was granted and the hearing was scheduled for August 15, 2001. The parties were informed that the Board will not grant any further continuances and that the Board would, barring any unforeseen circumstances, require the parties to appear at the August 15, 2001, Board meeting for a hearing. On August 9, 2001, the Appellant withdrew the appeal and consequently Appeal #01-04-AQB has been removed from the Air Quality Board docket.

#### 3.) Appeal #01-05-AQB (Columbia Natural Resources):

Appeal 01-05-AQB was filed with the Board on June 25, 2001, and scheduled for hearing on August 15, 2001. On August 6, 2001, the Appellee filed a Motion for Continuance because a serious family illness had kept him from both preparing for the hearing or entering into settlement negotiations. The continuance was granted by the Board Vice-Chair Mike Koon, since Tom Hansen has recused himself from this appeal, and the

appeal set for hearing during the September 12, 2001, Board meeting.

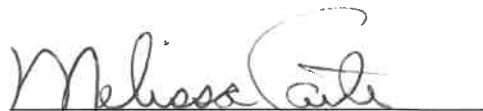
#### **IV. Other Business**

##### **1. Payment for Board Meeting:**

Although the Board members are entitled to a per diem payment for each Board meeting, the members have opted not to accept such per diem for the short telephone conferences. Instead, the staff tracks the time spent for each meeting and keeps the members apprised of the number of hours they have worked without payment. After the members accumulate a significant number of hours they accept payment for a meeting. The Board was informed that at the conclusion of the August meeting, the members will have spent approximately four hours conducting Board business since receiving their last per diem. Whereupon, the Board members requested payment for this meeting.

Whereupon, at 9:50 a.m., Mr. Foster moved and Mr. Frame seconded that the August 15, 2001, meeting of the Air Quality Board be adjourned and the motion passed unanimously 5 to 0.

I hereby certify that the forgoing is a true and correct record of the proceedings of the meeting held on August 15, 2001, by the West Virginia Air Quality Board. These minutes were approved by the Air Quality Board on November 14, 2001.

  
Melissa Carte, Clerk