



## AIR QUALITY BOARD

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### MINUTES

MAY 8, 2002

#### I. General

On May 8, 2002, 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 9:00 a.m.

The Board members present were:

Tom Hansen, Chair  
Dick Calvert  
Robert Foster  
Robert Frame, designee of the Commissioner of the WV  
Department of Agriculture

The Board members who participated telephonically were:

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

Absent Board members were:

Jean Neely

Others present were:

Becky Charles, Attorney  
Melissa Carte, Clerk

Libby Chatfield, Office Supervisor  
Kathy Coleman, Administrative Secretary

## **II. Administrative Matters**

### **1.) Review and Approval of the minutes of the March 13, 2002, AQB Meeting:**

The minutes of the March 13, 2002, AQB meeting were presented to the Board for consideration. After review Mr. Foster moved and Mr. Calvert seconded that the minutes of the March 13, 2002, AQB meeting, as written, be adopted, and the motion passed unanimously 6 to 0.

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

The Board members were provided with a memo from Ms. Coleman that contained a financial update through April 30, 2002. As of that date, the Boards have spent 76% of the combined budgets. Because the Boards received the refund for the overpayment made to the Workers' Compensation fund and the Air Quality Board did not conducted the number of meetings projected in the budget, the Boards will have a balance at the end of this fiscal year which will carry forward to fiscal year 2003. A copy of this budget report is attached to and made a part of these minutes as Exhibit "A".

### **3.) Purchasing Card Report:**

The State Auditor's office is requiring that all boards and commissions be provided with a quarterly report of purchasing card transactions made by the staff. A copy of the report is also sent to the Purchasing Card Program section of the State Auditor's Office. Ms. Coleman provided the Board members with the Purchasing Card Report for the months of January 2002 through March 2002. In addition, she provided a copy of the BB&T visa card statements for their review. The Board members did not have any questions or concerns regarding any of the transactions on the report or visa card statements. A copy of this report is attached to and made a part of these minutes as Exhibit "B".

4.) Update on the Board's Website:

The Board members were provided with a memorandum which outlines the current status of the Board's website and reviewed the site diagram and segment descriptions. The Board previously hired a consultant to provide technical assistance, write the bid specifications and to evaluate the bids once they are submitted. The staff has continued to work with the consultant on the configuration and content of the website and has reviewed various web designer portfolios and numerous West Virginia photographs.

The bid requests will be sent to four local web designers, Citynet, Rev Interactive, WV Designs and Outta Site, Inc. by Friday, May 10, 2002. The bids are due back in the Board office for review by May 20, 2002, and the Board has established a deadline of June 30<sup>th</sup> for the completion of the websites. The websites will be hosted by WV IS&C.

5.) Schedule future dates for Air Quality Board meetings:

The Board members scheduled an Air Quality Board meeting for August 7, 2002. After discussion, the Board members opted not to receive payment for the May 8, 2002, Air Quality Board meeting.

6.) Board Member Appointments:

The Board members were informed that there has not been a reappointment or new appoint made to the Air Quality Board to date. Board member Jean Neely's term on the Air Quality Board expired on June 30, 2001 and Bob Foster's term on the Air Quality Board will expire on June 30, 2002.

Upon the expiration of a member's term of appointment, the Board member may continue to serve until he or she is reappointed or until a successor is appointed. Consequently Mr. Foster may continue to serve on the Board after June 2002 until he is reappointed or a successor is named. Ms. Neely has not attended any AQB meetings since July 2001 because she is not comfortable serving as a Board member without a current active appointment.

The statute which creates the WV Air Quality Board provides that Board members are to be appointed to five-year terms. However, when Mr. Hanson was re-appointed to the Board in 2000, he was inadvertently

appointed to a four-year term and the WV Legislature approved that term. Consequently the appointments of both Tom Hansen and Mike Koon will expire in June 2004, instead of on a rotating basis. Mr. Hansen stated that he will contact the Governor's office regarding this situation.

7.) Review of calendar of events for the months of March and April:

The Board members reviewed the calendars which highlight the various administrative deadlines and important events for the months of May and June.

### III. APPEALS

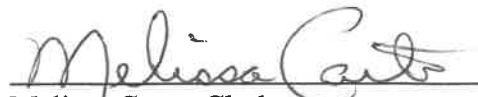
The Board members were provided with a list of the appeals pending before the Air Quality Board and the status of such appeals. There are currently two appeals (Appeal #02-03-AQB-Elk Run Coal and Appeal #02-04-AQB-Production Efficiency Corp.) scheduled for hearing by the Board during the June 12, 2002, meeting. However, the Board staff has been informed that it is likely that these appeals will settle without the need for a hearing.

There are currently three appeals (#02-05-AQB-Aurora Acquisition, #02-06-AQB-American Bituminous Power, and #02-07-AQB-Appalachian Timber Services) scheduled for hearing by the Board during the July 10, 2002, meeting.

WHEREUPON, at 9:35 a.m., Mr. Foster moved and Mr. Calvert seconded that the May 8, 2002, Air Quality Board meeting be adjourned and the motion passed unanimously 6 to 0.

I hereby certify that the forgoing is a true and correct record of the proceedings of the meeting held on May 8, 2002, by the West Virginia Air Quality Board. These minutes were approved by the Air Quality Board on

July 10, 2002.

  
Melissa Carte, Clerk