

**Air Quality Board
601 57th Street, S.E.
Charleston, West Virginia
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**MINUTES
September 16, 2008**

A public meeting of the Air Quality Board was held on Tuesday, September 16, 2008 in Charleston, West Virginia. Members present were Douglas Hudson, Chairperson; Dick Calvert; and Randy C. Curtis. J. Michael Koon participated by telephone. Mr. R. Thomas Hansen did not participate.

Staff members present were Wendy Radcliff, Esquire, Counsel for the Board; Jackie Shultz, Clerk of the Board; and Kathy Coleman, Administrative Secretary.

It being determined a quorum was present, Mr. Hudson called the meeting to order and the Board proceeded with its agenda.

Minutes of March 18, 2008 Meeting

Upon a motion duly made by Mr. Calvert and seconded by Mr. Curtis, the Board voted unanimously to approve the March 18, 2008 minutes as presented.

Fiscal Year 2008: Year-End Report

Ms. Coleman provided the Board with the 2008 year-end report. She reported that the Air Quality Board ended the year with a surplus of general revenue funds in the amount of \$16,907 and the Environmental Quality Board's surplus of general revenue funds totaled \$9,090. The EQB Groundwater Special Operating Fund's year-end balance totaled \$82,474 and has been carried forward to the fiscal year 2009 budget. The Board continues to save money by hiring a part-time attorney rather than a full-time attorney. Legal counsel fees for the Air Quality Board and the Environmental Quality Board totaled \$39,796 for fiscal year 2008.

Ms. Coleman reviewed the summary of fiscal year 2008 statistics provided to the Board. The AQB held three Board meetings and two appeal hearings. Seven appeals were filed and the Board entered four orders.

Fiscal Year 2009: Budget Update

Ms. Coleman provided a financial update for the period of July 1, 2008 - August 31, 2008. As of August 31, 2008, the AQB has spent fourteen percent of its budget.

Purchase Card Reports: January - June, 2008

Ms. Coleman provided the Board with the Purchase Card Reports for January - June 2008. Upon a motion duly made by Mr. Curtis and seconded by Mr. Calvert, the Board voted unanimously to approve the Purchase Card Reports.

Election of Chairman and Vice-Chairman

Upon a motion duly made by Mr. Calvert and seconded by Mr. Curtis, the Board voted unanimously to retain Doug Hudson as Chairman.

Upon a motion duly made by Mr. Hudson and seconded by Mr. Calvert, the Board voted unanimously to elect J. Michael Koon as Vice-Chairman.

Other Business

Ms. Radcliff advised the Board that the Melton Mortuary and West Virginia Paving appeals are on the Board's docket for October 2008. Ms. Radcliff gave the Board a brief overview of these appeals.


Ms. Radcliff advised the Board that she is planning an Administrative Law Judge Training class for the Air Quality Board, the Environmental Quality Board, and the Surface Mine Board.

Mr. Hudson asked for an update on filling the two open positions on the Board. Ms. Radcliff suggested and Mr. Hudson agreed that Ms. Radcliff will draft a letter to the appropriate staff person in the Governors office to notify the Governor of the two vacancies and advising that not having the full complement of the Board may cause delays due to a lack of quorum.

Adjournment

There being no further business to come before the Board, the meeting was adjourned.

I hereby certify that the foregoing is a true and correct record of the proceedings of the Air Quality Board meeting held on September 16, 2008. The Air Quality Board approved this minutes on January 20, 2009.


Jackie D. Shultz, Clerk
Air Quality Board