

## **MINUTES**

**February 11, 2003**

### **I. General**

On February 11, 2003, a quorum of the members of the Air Quality Board conducted a meeting via teleconference from the Board's office located at 1615 Washington Street, E., Charleston, West Virginia. The Chair, Mike Koon, called the meeting to order at 10:30 a.m.

The Board members present were:

Robert Foster

Board members participating telephonically were:

Mike Koon, Chair

Tom Hansen

Doug Hudson, designee of the Commissioner of the WV  
Department of Agriculture

Absent Board members were:

Dick Calvert

Randy Curtis, designee of the Bureau for Public Health

Jean Neely

Others present were:

Becky Charles, Attorney

Melissa Carte, Clerk

Libby Chatfield, Office Supervisor

Kathy Coleman, Administrative Secretary

## **I. Administrative Matters**

### 1.) Review and Approval of the November 18, 2002, AQB Meeting Minutes:

The minutes of the November 18, 2002, Air Quality Board meeting were presented to the Board for consideration. Mr. Foster moved and Mr. Hansen seconded that the minutes of the November 18, 2002, Air Quality Board meeting, as written, be approved, and the motion passed unanimously 4 to 0.

### 2.) Review and Approval of the Minutes of the December 16, 2002, joint meeting with the Environmental Quality Board:

The minutes of the Board's December 16, 2002, joint meeting with the Environmental Quality Board were presented to the Board for consideration. Mr. Foster moved and Mr. Hansen seconded that the minutes of the December 16, 2002, joint meeting, be approved as written, contingent upon the approval of the minutes by the Environmental Quality Board, and the motion passed unanimously 4 to 0.

### 3.) Budget Report:

#### a.) General Budget Report:

Ms. Coleman provided the Board members with a memo which provides a financial update through January 2003. As of January 31<sup>st</sup>, representing the first seven months or 58% of the fiscal year, the Boards have spent 53% of the combined budgets. The Boards have roughly \$17,000 in excess funds. This memo, dated February 5, 2003, is attached to and made a part of these minutes as Exhibit "A".

Ms. Coleman also discussed the 3.4% budget reduction ordered by the Governor on January 14, 2003. The WV DEP, through Randy Taylor of the DEP Financial Planning and Reporting office, excluded the Boards' budgets from the cut and consequently the Air Quality Board retained the \$3,473 in its budget and the Environmental Quality Board retained \$5,471 in its budget.

In addition to the 10% general budget cut being initiated in fiscal year 2004, the Governor's proposed budget also reduces personal services by 3%. If the Governor's proposed budget is adopted, the Air Quality Board budget will be reduced by an additional \$2,078.00, and the Environmental Quality Board's budget will be reduced by an additional \$3,652.00.

b.) Purchasing Card Report:

The State Auditor's Purchasing Card Program conducted an audit of the Board's purchasing card records for the period of January 1, 2001, through June 30, 2002. The Auditor found the records to be in order, and that the program's policies and procedures were being followed. A copy of the letter from the Auditor's office is attached to and made a part of these minutes as Exhibit "B".

In addition, the Board members were provided with a quarterly Purchase Card Report for their review. The report details the purchases made by authorized staff members for the months of October 2002 through December 2002. The BB&T account activity statements were also provided. The Board members reviewed the information and did not have any questions regarding the report. Mr. Foster moved and Mr. Hansen seconded that the Purchase Card Report be approved by the Board, and the motion carried unanimously 4 to 0. A copy of the report is attached to and made a part of these minutes as Exhibit "C".

c.) Board Meeting Cost Reduction Analysis and Proposals:

During the joint meeting between the Air Quality Board and the Environmental Board, the Board members discussed the statewide budget cuts and the possibility of future reductions in funding. In response to the projected cuts, several Board members proposed various options to reduce Board meeting expenses. Ms. Coleman presented a memo which outlined the potential savings to the Board, if any, for each option. A copy of this memo is attached to and made a part of these minutes as Exhibit "D".

Currently, Board members are entitled to receive a total of \$397.80 in mileage, \$505 for reimbursement of expenses, and \$750 in per diems. The total allowable cost for a one day Air Quality Board meeting, based on 100% attendance, is \$1,652.80.

However, because Mr. Koon accepts reimbursement only for actual expenses incurred for attending each meeting, the current cost for a Board meeting, based on 100% attendance, is \$1,562.80.

### Video Conferencing

The first option suggested was video conferencing. There is no cost to the Boards for video conferencing if the site connection is one of the Department of Environmental Protection's (DEP) field offices which has a data circuit line within the DEP network. These offices include Charleston, Nitro, Logan, Philippi, and Fairmont will be added soon. The savings related to this option would be reflected in the mileage and expense reimbursement.

Once the DEP has the capability to connect video conferencing to other State offices or entities outside the DEP network, which is expected to be completed within the next sixty days, the approximate cost is expected to be \$60 to \$75 per site, per hour. This fee would make this option cost prohibitive.

### Reduction of Per Diem

Currently each Board member is entitled to a \$150 per diem for each day spent on Board business. One Board member suggested reducing that amount by 10%, which would result in a savings of \$75 per Board meeting. Consequently, for eight AQB meetings, based on 100% attendance, the savings to the AQB would be \$600 per year.

### Expense Reimbursement

Another cost cutting option suggested was the reduction of the amount for expense reimbursement. If reimbursement for hotel expenses was limited to \$65.00 and the meal allowance lowered to \$25.00, the annual cost savings for the AQB, based on 100% attendance at eight meetings, would be \$1,160.00.

Further, if the Board reduced the current meal allowance for all local Board members from \$55 to ten dollars, the annual savings to the AQB, based on 100% attendance at eight meetings, would be \$1,080.

The Board will continue to discuss the budget cuts at future meetings and suggested that the Boards conduct another joint meeting with the Environmental Quality Board to continue to address the issues once the Legislature passes a budget.

d.) Potential Impact of Senate Bill 214:

Currently pending before the WV Legislature is a proposed bill which would remove the Environmental Quality Board's rulemaking authority and establish a separate board to perform that function. Mr. Foster suggested that the loss of the rulemaking authority would serve to lower the number of meetings held by the EQB and could improve the Boards' combined budget.

However, Ms. Charles explained that the loss of the EQB's rulemaking authority could potentially have an adverse impact the Boards' budgets since the loss of its rulemaking authority would likely result in an EQB budget cut. The Air Quality Board currently does not have adequate funding to be self-supportive and already relies on the EQB to pay half of all of the expenses. Consequently, the Air Quality Board could suffer a substantial hardship if the proposal to remove the EQB's rulemaking authority passes.

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

After discussion, the Board members scheduled future meeting dates for April 8<sup>th</sup>, May 6<sup>th</sup> and June 10<sup>th</sup>, 2003.

5.) Review the calendar of events for the months of February and March:

The Board members reviewed the calendar of events for the months of February and March. The members were informed that Ms. Charles and Ms. Carte created a display containing important information pertaining to the Air Quality Board and the Environmental Quality Board which was taken directly from the Boards' websites. The staff then exhibited the display board, the brochures, and various other handouts during the "DEP Day at the Legislature" which was held at the State Capitol on February 6, 2003.

6.) Website Update:

A website "session" occurs each time a visitor actually logs onto the website, regardless of the time spent on the site or the number pages viewed

during the visit. Through November 2002, the Air Quality Board website had 748 sessions, while December 2002 and January 2003 recorded an additional 403 sessions, for a total of 1151 sessions through January 2003.

A website “hit” occurs each time the visitor loads or refreshes a page on the website, during a session. For example, if a visitor leaves the homepage to view the meetings calendar then views a specific item on the meetings calendar before returning to the homepage, the total hits would be recorded as four. Through November 2002, the Air Quality Board website had 1731 hits, while December 2002 and January 2003 recorded an additional 866 hits, for a total of 2597 hits through January 2003.

Also, Ms. Coleman informed the Board members that the Environmental Quality Board received its first credit card payment for a Freedom of Information Act response via the website, and that the entire process was simple, successful and also provided a time savings for the staff.

7.) Miscellaneous:

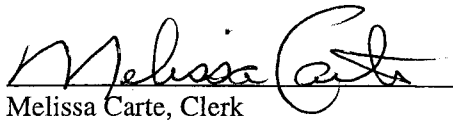
a.) House Bill 2076 is currently pending before the WV Legislature. If passed, this bill will provide the Boards with the specific authority to employ legal counsel. However, to date there has been no action taken on the proposed bill.

b.) The Board members were informed that the 360 staff evaluations were completed by the Boards’ Chairs and were then discussed with the staff members on January 23, 2003.

c.) After discussion the Board members elected not to accept payment for participating in the February meeting.

Whereupon, at 11:25 p.m., Mr. Hansen moved and Mr. Hudson seconded that the February 11, 2003, meeting of the Air Quality Board be adjourned, and the motion passed unanimously, 4 to 0.

I hereby certify that the forgoing is a true and correct record of the proceedings of the meeting held on February 11, 2003, by the West Virginia Air Quality Board. These minutes were approved by the Air Quality Board on April 8, 2003.

  
Melissa Carte, Clerk