

MINUTES

Eugene Toxics Board
Eugene Emergency Services Center
1705 West Second Avenue, Eugene

April 26, 2011
3:30 p.m.

PRESENT: Stephen Flanagan, Chair; Cynthia Kokis, Vice Chair; David Beede, Holly Jacobson, Randall Prince, members; Joann Eppli, Fire and Emergency Medical Services staff; Ken Luse, visitor

ABSENT: Diana Bollenbaugh, Dave Doll

Mr. Flanagan and Mr. Beede arrived late to the meeting, so that there was not a quorum of members available at the original time the meeting was called. The board members who were initially present informally discussed the process of interviews for the Toxics Board member openings before the meeting was officially called to order.

Ms. Eppli clarified that the applications had been received and the Mayor and City Council were reviewing them and would conduct interviews probably around mid-May. The new board members needed to start their positions on July 1, 2011, she added.

Mr. Prince and Ms. Kokis remarked that the Toxics Board usually interviewed the candidates and then sent its recommendations to the City Council, where the recommendations were routinely approved without question.

Ms. Eppli responded that while the Toxics Board had the option to do its own interviews and make recommendations to the City Council, and although the City Council generally accepted the recommendations of the board, the final decision on appointment to the Toxics Board is up to the City Council.

I. INTRODUCTIONS/APPROVAL OF AGENDA

Board Chair Stephen Flanagan called the meeting to order at 4:15 p.m.

Ms. Eppli commented that Dave Doll and Diana Bollenbaugh were not able to attend today's meeting.

II. Public Comment

There were no members of the public who wished to speak at this time.

III. Approval of Minutes

Mr. Flanagan asked for any additions or corrections to the March 8, 2011 minutes. Ms. Eppli said she still needed to follow up with David Doll regarding a sentence on page 6, second paragraph from the top, about non-reporting businesses, which was not clear to her. She also noted that on page 8, second line from the top, a motion was reported to have been made and seconded. It was agreed that the motion was not formally made, and that the sentence should be deleted from the minutes.

IV. Reporting Update

Ms. Eppli reported that she had made reminder calls a week prior to the deadline of April 1st to 21 of the 31 reporting businesses. The calls seemed to be effective as all reporting companies reported on time. The toxics reports are now on the Toxics Program website, she added, and a hard copy was also available at the Eugene Public Library in the Reference section.

Ms. Eppli also reported that invoices were sent out in late March and are due by May 1, 2011, and she has requested from Central Finance a report on the status of invoices that had been paid. The report had not been received yet, so she would keep board members posted when she received the information.

Mr. Beede arrived at this point in the meeting and was updated about what had already transpired.

Mr. Prince asked about the list of reporting businesses, whether these were the only businesses within the zip codes that fell under the auspices of the Toxic Board's program. Mr. Beede said he believed that other state and federal agencies should technically be reporting as well. It was clarified that only businesses with ten or more employees were required to report, so there were probably a number of smaller businesses that were not so required.

V. Toxics Board Membership Update

1. Position 2 – Industry Position

Ms. Eppli commented that no applications had been received for this position, and that historically industry positions were the most difficult positions for which to recruit. Candidates for this position must be an employee of or an agent of a reporting company. She had sent out the announcement to newspapers and had called the Eugene Chamber of Commerce, who had forwarded the announcement to approximately 2,000 people.

Responding to a question from Mr. Beede about what impact the lack of an industry member would have on the balance of the board, Ms. Eppli said there was a quorum of four required to accomplish official business. Mr. Beede wanted to make sure the board

was fair and equitable, with the appropriate balance of business and advocacy representatives.

Board members asked Ms. Eppli to contact reporting companies with the highest number of employees to inquire if there would be some interest in being represented on the board.

2. Position 5 – Advocacy Position

Applications had been received from Alison Guzman and Christine Zeller-Powell for this position. It was agreed to interview both candidates on Wednesday, May 18, 2011 at 3:30 p.m.

It was also agreed that if an applicant came forward for Position 2, that information be forwarded to board members by email and hopefully this person could also be interviewed on May 18.

3. Position 7 – Neutral Position

Applications were received from Stephen Flanagan (current Board Chair) and Joseph Gonzales. Ms. Eppli clarified that at least four board members needed to nominate a person for this position.

A question arose as to the charter's provisions regarding reappointment of a sitting board member and whether it was required to interview other applicants for the position.

It was decided that Ms. Eppli should check the Eugene Charter and requirements for serving on City Boards and Commissions for a guideline on how to proceed when a candidate already occupied a position and was eligible for another term. If it turned out to be appropriate, there was agreement to interview Mr. Gonzales at the same time that candidates for the other positions were interviewed.

Chair Rotation: Ms. Eppli announced that Ms. Jacobson would be the new Board Chair beginning July 1, 2011, since Ms. Kokis would be leaving the board. The new Vice Chair would be Diana Bollenbaugh. Ms. Eppli thanked Ms. Kokis for her service, although acknowledging that Ms. Kokis would still attend the May 18, 2011 meeting, and noted that Dave Doll would also be leaving the board.

VI. Staff Report

Ms. Eppli reported that she had created a double-sided information sheet on the history of the Eugene Toxics Right-to-Know Program that she would have available to give to new board members, along with information about the Eugene Charter and City Code. She would also have a meeting with each new member to make sure they felt oriented before attending their first board meeting.

Board members thanked Ms. Eppli for this effort, recognizing this as an excellent idea.

Ms. Eppli said that since the last board meeting, the City Council had adopted the ordinance for user fees for the upcoming fiscal year, at \$53.34 per FTE, and that invoices had gone out.

No audits had been done in March, she said, which was a normal policy since it was a time of year that companies were finishing up their reporting. She resumed the regular audit schedule in the beginning of April. The end of the three-year audit cycle was coming up, she said, and after July 1 she would generate a new random order of audits.

Ms. Eppli reported that a new group was being formed, called the Lane County Local Emergency Planning Committee (LEPC), and was being led by the Oregon State Fire Marshal's Office, with a purpose of helping the community to prepare for emergencies where a hazardous substance was released. The first meeting occurred about a month ago, she said, with approximately 50 attendees including people from the Police and Fire Departments, University of Oregon, and a variety of merchants and responders. Those not in attendance included hospital administrators and the media, and so word was being spread to those groups to hopefully include them in the future. No task assignments had yet been made, she said.

Mr. Prince commented that the Neighborhood Leaders Council effort that he was a part of had been meeting around preparedness and public safety, and the Action Plan Eugene was off the ground with a goal of around 200 preparedness groups, including an email tree. The program included a 1.5 – 2 hour training program partnering with the City of Eugene Risk Services. Some communities used text messaging for communication.

Ms. Eppli suggested that Mr. Prince share information about the Local Emergency Planning Committee with his group.

Responding to a question from Mr. Beede about how an “extremely hazardous substance” was defined, Ms. Eppli said she could check into it. Mr. Beede clarified that the EPA referred to these substances as “acute toxic substances” or “hazardous waste” and it would be good to have congruency with terminology throughout the industry.

Ken Luse noted that the State Fire Marshal's Office had an EHS (extremely hazardous substance) list.

Mr. Prince wondered if chemicals released because of transportation accidents might be missed, because of the difference between the degree of hazard of chemicals when they were contained or when released in a transportation accident. He suggested the comparison of chlorine in a bottle or chlorine released from a rail car. The situation could be a “high hazard” although the substance was not considered an extremely hazardous substance.

Ms. Eppli said that, from what she understood, the work of this group would help eliminate duplication and create more efficiency. Transportation accidents had not been discussed, she said, as the group's work had not yet begun. The first meeting was simply to "meet and greet."

Mr. Beede announced that he had been offered the position of Director of Environmental Services for Cooper Bussmann, out of the area, and he had accepted. He had made arrangements to continue the reporting component of his current job under the Toxics Program so that he could retain his position on the Toxics Board to serve the remainder of his term.

Mr. Flanagan asked if the charter designated that a board member must be a local resident. Mr. Beede responded that he owned property in Eugene and received his mail here. Ms. Eppli said she would check the charter to make sure.

VII. Schedule Next Meeting/ Agenda Items

The next meeting was scheduled for May 18, 2011 at 3:30 p.m.

The meeting was adjourned at 5:00 p.m.

(Recorded by Judy Burton)