

**MINUTES**  
Eugene Toxics Board  
Fire Conference Room  
Eugene Emergency Services Center  
1705 W. 2<sup>nd</sup> Avenue  
Eugene, Oregon

November 15, 2010  
3 p.m.

PRESENT: Cynthia Kokis, Diana Bollenbaugh, David Doll, Holly Jacobson, Stephen Flanagan, members; Jo Eppli, staff; David Beede, applicant.

**I. Approval of Agenda/New Items**

Board chair Stephen Flanagan convened the meeting at 4:15 p.m. and those present introduced themselves. The agenda was accepted as submitted.

**II. Public Comment**

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

**III. Rescheduled Interview for Position 1 on the Board**

Mr. Flanagan stated that the open board position was for the industry side of the Toxics Board. He asked Mr. Beede to introduce himself and tell how he had heard about the open position.

Mr. Beede said that Glen Potter had called to tell him about the open position and to see if he was interested in being on the board. Mr. Beede said he was interested in being on the board because he had already been involved in representing certain people at board meetings. In his work he represented Pacific Metal Fabrication and A&K Development Company. Pacific Metal Fabrication was located nearby at 311 Chambers, he said. A&K Development Company was the world's largest manufacturer of corn huskers and large agricultural scale food-processing equipment, for which he administered all the environmental components and regulatory compliance issues related to US manufacturing facilities, amongst other things.

Mr. Doll asked Mr. Beede if he felt that the reporting was a burden to his company in terms of time and cost incurred. Mr. Beede answered yes, that he reported for both companies and that reporting was a real exercise in frustration and took a good deal of time.

Ms. Jacobson asked about his written intention, in his application, to help ease the burden on industry as much as possible. Mr. Beede responded that he hoped to learn more about the reporting process and how it had evolved, with the intention of helping to ease the burdens required by industry. He felt there was some redundancy in the requirements, and

thought it might be possible to help make the program more congruent with other organizations.

Responding to a question from Mr. Flanagan about his ability to deal with conflict in a group setting where others might feel the program was already perfect, Mr. Beede said he was on the board of directors for some other organizations, and that he was able to deal with such issues pragmatically, without an emotional charge.

Ms. Kokis asked what value Mr. Beede felt there was for a Toxics Board. Mr. Beede responded that he believed the board was important as an oversight board to make sure the legislated program was properly implemented and the roles were correctly interpreted. He felt it was important to weigh both community and business sides of issues, and he was clear that he would be representing the business side.

His opinion was that the community at large tended to see business interests as aggressive and lacking in care for the environment and community, which he felt was incorrect, and he had been working hard to change this perception. He also needed to convince the businesses that there were regulatory requirements that needed adhering to, as well as to defend their interests with the regulators.

Ms. Kokis wondered how hard it would be to convince businesses of the need to comply with legal requirements. Ms. Bollenbaugh suggested that most regulations were written in “legalese” and were sometimes open to interpretation, which could cause confusion.

Mr. Flanagan added that newer companies and employees needed help in understanding the requirements. He asked if Mr. Beede worked for other companies than the two he had mentioned. Mr. Beede responded that he had consulted with others, but his focus was with the two companies. He said he understood that A&K was the #2 reporter in the area, in terms of quantity and volume of materials being reported, so there was definitely a vested interest.

Mr. Beede added that the companies were struggling to stay in this area because of the heavy regulatory burden, and that they had been working towards setting up facilities in other states and countries, taking a lot of the business offshore. He had been working to convince the businesses that they could work with the local community, and Mayor Piercy was helping him in this area. The bulk of his background and skills were in environmental work, he noted.

Mr. Doll stated that much of the history of the Toxics Board was created through the public vote, but also because of the presence of Hynix in town. Currently there was a lower toxic release because businesses did not want to pay the cost of releasing toxins. Mr. Beede said he had worked at Boeing and Georgia Pacific where he had seen how egregious companies could be, left to their own devices, and he sincerely believed that regulatory oversight was necessary, though there was a fine line between what was appropriate and what was overbearing, and weighing this with the size of each company.

Mr. Flanagan asked if Mr. Beede had any questions for board members. Mr. Beede responded that he felt he understood how the board worked, with business and community members trying to find balance in interpreting the rules. Mr. Flanagan clarified that the City Attorney was available to the board for interpretation of the legislative framework. The City Board and City Attorney were advisors to the board, he said.

Mr. Beede clarified about his background that he was educated as an environmental geologist, and he had joined industry straight out of school, and that he had naturally moved into reading and writing and doing rule interpretation and compliance work.

Mr. Flanagan noted that this was an appropriate background for the work of the Toxics Board, and thanked Mr. Beede for his time. He explained that the board would make a recommendation to the City Council and that the council would make the final decision. The process would take some time, he said. At this point Mr. Beede left the meeting.

#### **IV. Discussion/ Recommendation to City Council**

Mr. Flanagan clarified for board members who had missed an earlier meeting that the other industry candidate was Kristina Bokodyof Molecular Probes/Life Technologies. It was noted that the board had always previously had a member from Molecular Probes and felt it might be good to have some input from a different industry.

Mr. Doll, seconded by Ms. Jacobson, moved to recommend to the City Council that David Beede be appointed to the board. The motion passed, 5:0.

#### **V. Schedule Next Meeting**

Ms. Eppli said that she would submit a letter to the Mayor and City Council with the board's recommendation. She had not heard back yet whether City Council members would want to interview the candidates, but it was highly unlikely. Possibly the board could get onto the Council's calendar to solicit their approval. The next meeting would then be scheduled for some time in February with new members. Mr. Flanagan suggested using the scheduling tool, Doodle, for setting meeting dates.

The meeting was adjourned at 3:50 p.m.

*(Recorded by Judy Burton)*