

MINUTES

Eugene Toxics Board
Singer Room – Eugene Public Library
100 West 10th Avenue, Eugene

January 15, 2004
4 p.m.

PRESENT: Clyde Carson, Chair; Marylee Bowman, Vice Chair; Brian Allen, Paula Holloway, Steve Johnson, David Monk, members; Glen Potter, Fire & Emergency Medical Services; Terry Connolly, Ken Luse, guests.

1. Approval of Agenda/New Items

Mr. Carson called for additions to the agenda. There were none.

2. Confirmation of Board Officers for 2004

Mr. Carson identified prospective Board Officers for 2004 as:

Marylee Bowman, Chair
David Monk, Vice Chair/Chair Designate for 2005
Brian Allen, Vice Chair Designate for 2005, Chair Designate for 2006

The Board agreed by consensus to confirm Board Officers for 2004 as stated.

Mr. Carson turned the meeting over to Ms. Bowman as the newly confirmed Chair. Ms. Bowman thanked Mr. Carson for his hard work during the past year.

3. Public Comment

Mr. Luse referred to ORS 453.370, requiring notice and public hearing before a local government may adopt a list of reportable chemicals or add to an existing list. Mr. Potter responded that the required hearing had been held, and the City had not considered adding any chemicals since that time. The City Council had added chemicals in the past, through another process that predated the effective date of this section of the ORS, but that process, too, had included a public hearing.

Mr. Luse said some of his clients took exception to a statement in a letter from Mr. Potter which indicated that the Toxics Program for the upcoming fiscal would be adjusted to account for inflation. Mr. Luse said his clients did not feel there was any inflation.

4. Approval of October 23, 2003, Minutes

After asking for any amendments from Board members, Ms. Bowman deemed the minutes accepted as presented.

5. Staff Report

- **Council Action on 2004 Handbook:** Mr. Potter reported that the City Council adopted the 2004 Handbook in late December, making the contents City ordinance. Mr. Potter thanked Board members for their support in attending City Council meetings where this item had been scheduled. Mr. Potter said the handbooks had been distributed to participating businesses. He presented additional copies to Board members, and added that the document was also available to the public.
- **Updated Board Roster:** Mr. Potter reviewed the Toxics Board Roster in the agenda packet, and made corrections as necessary.
- **2004 Fees/FY05 Program Budget:** Mr. Potter said Mr. Luse's earlier comments from a client regarding inflation was the first feedback Mr. Potter had received about the proposed FY05 program budget, in spite of the contents of the letter he had sent to fee-paying businesses, which had explained that fees would likely increase significantly for most of them. In response a question from Mr. Johnson, Mr. Potter said the program's initial budget had been higher for several reasons: the budget was for 1.5 years, and there was funding for a consultant and a half-time program assistant.

Mr. Potter said the proposed budget of \$97,724 was a status quo budget for FY05, retaining staff support at .75 FTE. He explained the process used to determine fees, with a \$2,000 cap per business. He said he was waiting for return of the business survey, due back January 23, to be able to develop an accurate fee structure. Mr. Potter said he would present the budget to the City Council for a public hearing on February 23 at 7:30 p.m. He said the City Council was scheduled to act on the proposal on March 8.

Mr. Potter said he would provide information to the City Council at the public hearing that the Toxics Board was unanimously in support of the approach to the fee structure that Mr. Potter had recommended, as previously determined by the Toxics Board. Mr. Potter encouraged Toxics Board members to testify at the City Council public hearing, to balance testimony in opposition to the Board's recommendation. There was a brief discussion regarding how the fee numbers would be calculated.

6. 2003 Annual Report

Mr. Potter reviewed the 2003 Annual Report in the packet. He said the report would be submitted to the City Council as had been the practice in the past. Mr. Carson noted that the appointment of Brian Allen to the Toxics Board had not been mentioned, and requested that this be added.

The Board also instructed Mr. Potter to add language characterizing written comments received from Gail Shibley, Administrator of the Office of Public Health Systems, State of Oregon Department of Health Services.

Mr. Monk made additional suggestions regarding the section of the report discussing website usage, and these were recorded by Mr. Potter.

Mr. Johnson, seconded by Mr. Carson, moved to accept the 2003 Annual Report with the above changes. The motion passed unanimously.

7. Schedule Next Meeting/Agenda Items

Following a discussion about potential City Council action on the proposed budget, a meeting date of March 11, 2004, at 4:00 p.m. at the Emergency Services Center, 1705 West 2nd Avenue, was tentatively scheduled.

The meeting adjourned at 4:46 p.m.

(Recorded by Linda Henry)