

MINUTES

Eugene Toxics Board
Singer Conference Room – 2nd Floor Public Library

April 14, 2003
2 p.m.

PRESENT: Clyde Carson, Chair; Brian Allen, Marylee Bowman, Jennifer Gleason, Paula Holloway, David Monk, members; Glen Potter, Fire & Emergency Medical Services; Steve Chipman, Information Services Department; Terry Connolly, Eugene Chamber of Commerce; Ann Kelly, R.E. Van Wormer, guests.

ABSENT: Madronna Holden, member.

Mr. Carson called the meeting of the Toxics Board to order.

I. APPROVAL OF AGENDA/NEW ITEMS

Mr. Carson requested that Mr. Chipman be allowed to present early in the agenda. Members were amenable to this.

Mr. Potter added an update on the Citizen Guide under Agenda Item V, Staff Report.

II. PUBLIC COMMENT

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

III. APPROVAL OF MINUTES

Minutes of February 13 and February 21, 2003

Mr. Monk offered the following corrections to the minutes dated February 13:

- Page 4, paragraph 6: "...if the company did not comply ~~with the~~ **within** two weeks, the issue would..."
- Page 6, paragraph 1: "...Ms. Gleason said that ~~would~~ **the board should** rely on the advice from the City Attorney..."
- Page 6, paragraph 3: "...the fee cap would ~~required~~ **require** restructuring..."

Ms. Gleason offered the following correction to the minutes dated February 21:

- Page 2, paragraph 4: "...Ms. Gleason did not think that one could ~~not~~ base one's

understanding of legislative intent on the statements of a single person....”

Mr. Carson deemed the minutes of the meetings of the Toxics Board held on February 13 and 21, 2003, to be approved as amended.

IV. FEEDBACK PAGE ON WEBSITE

Mr. Potter directed members to look over the **City of Eugene Toxics Right-To-Know Database: Home Page** and the **City of Eugene Toxics Right-To-Know Database: Feedback Form**, included in the agenda packets.

Mr. Monk suggested that the feedback form include a question seeking reasons why a person would be accessing the website for data purposes.

Ms. Gleason felt that it would be beneficial to ask visitors to the website to explain how the website had been useful to them. She supported removing the checklist that suggested visitors “check descriptions that apply to you.”

Ms. Holloway iterated the board’s interest in why people would be visiting the website.

Mr. Potter stated that the City had been unable to answer questions as to whether the program had benefitted the community. He felt that the information requested on the feedback page could help address this.

Mr. Allen arrived at the meeting.

Mr. Carson agreed that having website visitors indicate how the site had been helpful was good information. He suggested that there be a way to make comments on the site design. He thought that finding out basic information about site visitors through the checklist added to the data in a positive way.

Ms. Bowman suggested that “comments on site design and organization” be truncated to read “comments.”

The Toxics Board approved the web pages with the above suggestions. Mr. Carson thanked Mr. Chipman for the work he had done on the website.

V. STAFF REPORT

Update on 2002 Reporting

Mr. Potter reported that all participating companies had reported. Three extensions were granted. He stated that the data should be available on the Internet in a few days.

Update on Fees and Budget

Mr. Potter reported that the City Council had approved a fee of \$13.92 per FTE for 2003. He said that invoices were mailed April 1.

Citizen Guide

Mr. Potter noted that he had distributed the draft Citizen Guide at the last meeting. He solicited feedback from board members.

Ms. Gleason suggested that the feedback page be mentioned in the introduction and on page 7.

Mr. Carson complimented Mr. Potter on the work.

Ms. Gleason commented that the summary of the program at the end of the guide was very good. She advocated for moving it to the beginning.

Mr. Carson concurred. Mr. Potter agreed to make the changes. He added that his assumption was that, once the changes had been incorporated, the Citizen Guide could be printed and distributed.

VI. CITY'S RESPONSE TO 1999 HOUSE BILL 2431

Mr. Potter noted that the **Checklist of ORS 453.370 (1999 HB2431) Requirements** had been included in the agenda packet. He explained that the list was required to be completed by July 1, 2003. He stated that he had asked the State Fire Marshal to operate the program, in accordance with the ORS, and the State Fire Marshal had declined.

Continuing, Mr. Potter said that he had consulted the City Attorney's Office, which had advised that the Toxics Board conduct the required hearings and then forward the record to the City Council, which would be asked to adopt a resolution indicating the City's compliance with the provisions. As a result, he said, the Toxics Board would have to hold a public hearing. He stated that the resolution was due to go to the City Council on June 9, 2003.

Mr. Carson commented that item (6) seemed problematic. He felt that the language was dense, adding that the state was proposing opportunities for some companies to not report. He wondered if a subcommittee should look it over prior to a meeting. He felt the issues were complicated and that it could present a challenge to combine a meeting with the public hearing.

Mr. Potter suggested that the Toxics Board might simply restate the City Charter threshold that a company using less than 2,640 pounds of hazardous substances in a calendar year would be exempt from reporting.

Ms. Gleason said that, should the board choose to consider a different proposal, it should be brought forward prior to the next meeting.

Members discussed when to hold the next meeting, which would include the required public hearing, and decided to schedule it for May 1, 2003, at 7:30 p.m.

VII. SUBCOMMITTEE REPORT ON REPORTING METHODOLOGIES

Mr. Potter reported that the subcommittee had discussed how companies report and what steps are taken in preparing a report. He related that the subcommittee had decided to continue to meet in order to further companies' reporting methodologies. The head decided to request information directly from individuals responsible for preparing the reports.

Mr. Monk noted that Andy Poynter had expertise and could help with the evaluation. He related that Ms. Holden had suggested that the board not imply that there was only one specific way to prescribe how a report could be completed.

VIII. BOARD GROUND RULES/OPERATING AGREEMENTS

Mr. Potter explained that the ground rules attached to the agenda had been written five years earlier. He said that the draft had been written during a time when board meetings were more contentious, and then had been laid aside as operations became more smooth.

Mr. Potter provided a brief overview of the **Draft Groundrules Eugene Toxics Board (prepared 11/98)**.

Mr. Monk wondered if the board should have a code of conduct. Mr. Potter responded that he felt that the members were "getting along." He stressed that the role of the chair was to make sure that all members could contribute to the discussion and to assure that the voting was carried out in a clear and equitable manner.

IX. SCHEDULE NEXT MEETING/AGENDA ITEMS

This had already been done.

Mr. Potter stated that he would put a notice regarding the public hearing in *The Register-Guard* two to three days prior to the date of the hearing, and would send mailed notices and seek additional publicity.

The meeting adjourned at 3:56 p.m.

(Recorded by Ruth Atcherson)

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