

## **MINUTES**

Eugene Toxics Board  
1<sup>st</sup> Floor Conference Room — Public Works Building — 858 Pearl Street

January 11, 2001  
3 p.m.

**PRESENT:** Cathy Verrét, Steve Morgan, Mary O'Brien, Michael Friese, Steve Johnson, Clyde Carson, members; Glen Potter, Fire and Emergency Medical Services Department; Terry Connolly, Brian Allen, guests.

### **I.ELECTION OF CHAIR/VICE CHAIR**

Board members discussed the informal agreement that had been made to rotate the chair, having a right-to-know representative serve for a year, followed by a business representative, followed by the seventh member. This arrangement had been working satisfactorily, but the inevitable flaw was now approaching; to continue the rotation into the year 2002, after Ms. Verrét's term had expired, would require a new board member to immediately assume the chair. The rotation also, by its nature, places an unfair burden on the seventh member.

There was no question that Mr. Morgan was duly "in line" to serve as chair for 2001. The question was one of successorship for 2002, and who should serve as vice chair in 2001. After discussion, Ms. Verrét became the board's preferred candidate for vice chair, though it was acknowledged that this did not address the issue of who would be "in line" to serve as chair in 2002.

Ms. O'Brien, seconded by Mr. Carson, nominated Mr. Morgan as Chair and Ms. Verrét as Vice Chair. Mr. Morgan and Ms. Verrét were elected as Chair and Vice Chair, respectively, by a unanimous vote, with Ms. Verrét abstaining from the vote for Vice Chair.

### **II.APPROVAL OF AGENDA/NEW ITEMS**

Mr. Potter noted that it was Mr. Friese's last meeting. The board agreed to give Mr. Friese an opportunity say a few words at an appropriate time during the meeting.

The agenda was approved by general consensus.

### **III.PUBLIC COMMENT**

There were no members of the public wishing to speak.

### **IV.APPROVAL OF NOVEMBER 7, 2000, MINUTES**

Referring to the final sentence of the first paragraph on page 4 of the minutes, Ms. O'Brien requested clarification of how Mr. Solin would provide information on the metals. Other board members recalled that Mr. Solin had indicated only that such information was already available.

Referring to the first paragraph on page 3 of the minutes, Mr. Morgan noted that data on storm water was still available from the City. Mr. Morgan also reaffirmed the understanding recorded in the final paragraph on the same page.

The minutes of November 7, 2000, were approved by consensus.

### **V.STAFF REPORT**

#### A. City Council Appointments

Mr. Potter reported that the City Council had appointed Brian Allen to the Toxics Board. He said that Mr. Allen would begin his term at the next meeting.

#### B. Administrative Rule

Mr. Potter reported that the City Manager had signed the administrative rule adding PBTs and EPBTs to the City's list of reportable substances, and reducing the reporting thresholds for those already on the list.

#### C. 2001 Handbook

Mr. Potter reported that the new handbook had been printed and that he had copies for anyone who wanted one. He noted that there were very few changes from the last handbook.

#### D. Legal Update

Mr. Potter reported that it would be at least summer before there was any resolution of the current appeal of the court case against the Toxics Program. He said that the plaintiffs, the Advocates for Effective Regulation, filed a brief with papers that were generated after the decision on remand and so the City Attorney filed a motion to strike that portion of the brief and the City Attorney's motion was granted.

#### E. City of Eugene Reporting

Mr. Potter said that he had a discussion with Chuck Solin about procedures to be used by City staff who handled toxics to make sure that there was proper inventory control and tracking. He said that he could still not report with certainty that the City Manager had approved the plan.

#### F. FY02 Program Budget

Mr. Potter referred members to a budget worksheet included in the agenda materials. He said that, based on experience and projections, he recommended a program budget of \$89,560 for fiscal year 2002 (beginning 7/1/01). He said that the figure would be a factor in determining fees to be assessed this year, but that fees would be calculated after subtracting the anticipated surplus from the current fiscal year.

Ms. O'Brien, seconded by Mr. Carson, moved to approve the FY02 budget recommended by staff.

Mr. Johnson complimented Mr. Potter for his effectiveness in managing the budget.

The motion passed unanimously.

Mr. Morgan announced that Kevin Masterson of the Oregon Department of Environmental Quality would speak at the January ALERT meeting. He noted that Mr. Masterson had just completed his department's report to the Oregon Legislature as required by 1999 House Bill 2431, which concerned hazardous substance reporting.

### **VI.2000 ANNUAL REPORT TO THE CITY COUNCIL**

Mr. Potter referred to the draft report included in the meeting packet. He said that he had developed the draft following discussions with Mr. Johnson, the 2000 board chair.

Mr. Potter noted that the numbers of chemicals released to the environment had dropped in part because of changes in reporting requirements, and in part because of actual reductions in chemical usage. There was general consensus to insert a footnote in the report explaining this.

The board made other editorial changes which were recorded by staff, and directed staff to submit the report to the City Council after making the changes.

### **VII.2001 WORK PLAN**

The board directed staff to invite appropriate staff from the City Manager's Office to the March board meeting to discuss recruitment procedures for new Toxics Board members.

The board made various other changes to the draft 2001 work plan. Mr. Potter agreed to provide a revised draft for the next meeting.

### **VIII.NEXT MEETING**

The next meeting was scheduled for March 8, 2001 at 3 p.m.

The meeting adjourned at 4:35 p.m.

Mr. Friese thanked the board for making his term a positive one. Board members, in turn, thanked Mr. Friese for his service to the program and extended their best wishes.

(Recorded by Joe Sams)

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