

A G E N D A



LANE REGIONAL AIR PROTECTION AGENCY
MONTHLY BOARD OF DIRECTORS MEETING
THURSDAY OCTOBER 8, 2020
12:15 P.M.

Note Location → VIA ZOOM

(Note: Start times for agenda items are approximate.)

1. (12:15 p.m.) CALL TO ORDER
2. (12:15 p.m.) ADJUSTMENTS TO AGENDA
3. (12:20 p.m.) PUBLIC PARTICIPATION (time limited to three minutes per speaker)

A. Comments on an Item on Today's Agenda

B. Comments on a Topic Not Included on Today's Agenda (Note: This is an opportunity for the public to bring up unscheduled items. The board may not act at this time but, if it deems necessary, place such items on future agendas. Issues brought up under this agenda item are to be limited to three minutes' speaking time by the person raising the issue. If additional time is necessary, the item may be placed on a future agenda.)

C. Comments from Board Members (Note: This is an opportunity for ***Board Members*** to bring up unscheduled items regarding today's public comments, and/or written/electronic comments they have received. The board may not act at this time but, if it deems necessary place such items on future agendas.)

ACTION ITEMS:

4. (12:30 p.m.) Consent Calendar
 - A. Approval of Minutes of September 10, 2020 Board of Directors Meeting [VIEW MATERIAL](#)
 - B. Expense Reports Through August 2020 [VIEW MATERIAL](#)

REPORTS AND POSSIBLE ACTIONS:

5. (12:40 p.m.) Status report on Oakridge Air Project [VIEW MATERIAL](#)
6. (12:50 p.m.) Dashboard update [VIEW MATERIAL](#)
7. (1:00 p.m.) Advisory Committee [VIEW MATERIAL](#)
8. (1:10 p.m.) Director's Report of Agency Activities in the Month of September 2020 [VIEW MATERIAL](#)
8A - Wildfires Cleanup 2020: Asbestos Variance [VIEW MATERIAL](#)
9. (1:20 p.m.) Budget Updates

10. (1:30 p.m.) Succession Planning Update – SGR Reporting to Board [VIEW MATERIAL](#)

DISCUSSION:

11. (1:40 p.m.) Old Business

12. (1:50 p.m.) New Business

13. (2:00 p.m.) Adjournment

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MINUTES
LANE REGIONAL AIR PROTECTION AGENCY
BOARD MEETING

October 8, 2020

VIA - ZOOM

ATTENDANCE:

- Board:** Joe Pishioneri – Board Chair - Springfield; Kathy Holston – Vice Chair - Oakridge; Jeannine Parisi - Eugene; Gabrielle Guidero – Springfield; Joe Berney – Lane County; Mysti Frost – Eugene; Betty Taylor – Eugene; Saxion – Eugene
- Absent:** Mike Fleck - Cottage Grove
- Others:** Jim Daniels - CAC Chair; Josh Proudfoot – Good Co.; Kristina Kraaz - Assistant City Attorney City of Springfield; Kurt Hodgen - SGR
- Staff:** Merlyn Hough; Debby Wineinger; Nasser Mirhosseyni; Max Hueftle; Robbye Robertson; Colleen Wagstaff; Lance Giles; Travis Knudsen; Beth Erickson

- 1. OPENING:** Pishioneri called the meeting to order at 12:28 p.m.
- 2. ADJUSTMENTS TO AGENDA:**
Several adjustments (see below) were made to the order of the agenda items due to time constraints and attendees limited access to the meeting.
- 3. PUBLIC PARTIPATION:**

James Neu, Lives in Eugene – Ward 7.

Concerns about indoor air pollution caused by the combustion of natural gas in appliances. Specifically, stoves and cooktops. These two gas fueled appliances are not required to be vented outdoors and can cause indoor air pollution levels anywhere from 2-100 times higher than

outdoor limits. The indoor emissions resulting from gas cooktops and stoves include Formaldehyde, Nitrogen Dioxide, Nitrogen Monoxide, and PM2.5. These toxins lead to Cardiopulmonary Disease, Asthma, Diabetes, Respiratory illness, and affect children more acutely. He has emailed articles to the Board and some staff affirming these claims and that explain the hazards associated with indoor gas cooking. The combustion of fossil fuels contributes to global climate disruption and our future depends on immediate and quick reduction of burning coal, oil, and gas. LRAPA has a goal to inform and involve citizens and businesses in improving local air quality and an objective to reduce risks from air toxic pollutants. He urges LRAPA to make a statement alerting the public regarding indoor air toxins and the hazards of using gas stoves and cooktops. As an agency that is respected and sought for air quality direction your recommendation on the use of gas stoves and cooktops would be a health and safety advisory. In addition, he is bringing this to LRAPA's attention because Northwest Natural Gas has been knowingly contaminating customer indoor air spaces for more than 50 years. They have not taken any action to correct this injustice and it is in violation of the health and safety of their customers. LRAPA is the agency that serves to protect the air quality for residence of Lane County. It is their responsibility to correct unhealthy air quality from the combustion of gas cooktops and stoves.

A. Comments on an Item on Today's Agenda

B. Comments on a Topic Not Included on Today's Agenda (Note: This is an opportunity for the public to bring up unscheduled items. The Board may not act at this time but, if it deems necessary, place such items on future agendas. Issues brought up under this agenda item are to be limited to three minutes' speaking time by the person raising the issue. If additional time is necessary, the item may be placed on a future agenda.)

Frost asked to see on a future agenda (discussion) if staff were being supported while working from home. Do they have laptops, strong internet, using personal cell phones for work activities? Does LRAPA have some type of reimbursement for these costs. **Hough** said recently we surveyed staff on how they have been impacted and was there anything else they needed. **Frost** would like to know staff feedback in the November Directors report.

Parisi asked regarding James Neu testimony, does LRAPA have authority over indoor air quality in homes? Do building codes require ventilation when new gas appliances are installed? New home construction requires whole home ventilation. Not sure how that works for existing homes and new installation of gas appliances. Building codes may be the place this should be dealt with. **Hough** said DEQ and LRAPA do not have authority over indoor air quality. Oregon Health Authority would be the one to handle it. We would not be prevented from directing people to the correct source of information. We can look into it further and report back.

Berney thanked Mr. Neu for his input. If he understood correctly, he was not asking to change the building codes. He would appreciate more than a report, do the homework, and let us know if it makes sense or not to place a note or advisory on the website.

4. ACTION ITEMS:

Consent Calendar:

- A. Approval of Minutes September 10, 2020 Board of Directors
- B. Approval of Expense Report through August – **September Postponed**

MOTION: Guidero MOVED to approve the Consent Calendar; Berney SECONDED THE MOTION. VOTE ON MOTION: UNANIMOUS

10. SUCCESSION PLANNING UPDATE – SGR REPORTING TO BOARD:

Kurt Hodgen said unfortunately he does not have positive news to report. After a 30-day advertisement they only received two applications. One was not qualified whatsoever, and the second was marginal. There were three interested persons that would have been coming from local government management but did not apply. The main thing they cited was the salary, they did not feel it was appropriate. In a normal process about halfway through, we would have had a conversation about extending the application period, but his experience has been that you start to see applications coming in just toward the end of the application period and that did not happen. We need to discuss where you want to go from here, obviously there is not going to be a new Director in place by the end of the year. What he would recommend as next steps is making changes to the brochure. It is busy and can be a bit daunting when you read it and think about all the obligations and responsibilities.

Parisi asked if Spokane was successful in finding a new Manager. **Hough** thinks they are going to go out again for recruitment.

Parisi also wondered if it is the position or the state of the world we are trying to live in now. Kurt said he would not doubt that. They have had low responses to their recruitments. With Covid-19 people are not ready to leave their current positions. The west coast had the wildfires going on and it is getting close to the holidays.

Saxion said he would have hoped the recruiting reached out to professional organizations such as Air & Waste Management. He thinks the number of candidates would be limited in the public sector. Going out to private sector would help.

Holston said she would be interested in looking over the brochure and narrowing it down to more generic requests but thinks anyone that reads it and is qualified would understand it. Could we postpone this search and reopen in the spring? Would Merlyn be willing to postpone retirement for no longer than another 12 months? If we remove some of the scientific focus and moved more towards an administrator, are there tasks that Merlyn currently does that would be left undone?

Berney said he has confidence in Kurt and his Company. He also asked why Kurt thought we got just a few applications. Kurt said he thinks it is a specialized field. A lot of the feedback he has gotten is this is targeted for those at the state or local level. There are a lot of talented engineers, but they are not going to have the state or local level experience specific to government. **Berney** said it seemed to him the most important job for a Board is hiring its'

executive. He thinks it less of a focus on content knowledge and more of an ability to manage. When he was looking over the brochure it seemed to him a classic Eugene phenomenon of sacrificing the possible for the perfect. Is that a correct assessment? He agrees with **Saxion** that there is a lot of talent in the private sector and they are losing their jobs as we speak. If this is true, how would we tailor a second attempt to get a much larger group of people to be able to look at. Kurt believes there is a larger group of people that can be a good manager/director that don't fluently speak air pollution regulation but are smart enough to understand the language and would be able to provide direction, oversight, etc., to the organization.

Holston asked what Merlyn's thoughts were about extending the search or not. What tasks would be left undone if we narrow our search to more administrative. **Hough** said he has been asked to teach at the University of Portland again in the spring of 2021. He would not choose to teach and work fulltime and could be available part-time beginning mid-January of 2021. He sees trying to combine an administrator with someone who has the technical background a challenge for a small agency. The issues we deal with are technically complicated and it is a small agency, so you do not have as much flexibility as a larger one. He could see a Deputy Director position that would oversee more of the operations side. That person would report to the Director and the Director would oversee the administration of the agency including finance and human resources. The salary that he has been receiving is in the range of the Washington Air Directors, but there is probably room to be more competitive and move that up.

Parisi thanked Merlyn for his flexibility. As far as outreach, are there regulatory agencies such as DEQ we should be in contact with? Maybe there is concern about the agency's financial stability that might come into play in people's minds. She thinks LRAPA is in a stable position but maybe emphasize it a little more. Kurt said he did not think that was a concern and the brochure did not have anything that would have reflected a potential crisis.

Guidero asked it should be opened for another round. Kurt suggested to rework the brochure. I would repost the first part of November. If you repost right after the first post expires, people might wonder what is going there. Nobody wanted to apply the first time. People who looked at it the first time may look at the second post and see what changes may have been made. **Guidero** said she would be in favor of splitting the position as administrative and technical.

Taylor said she has been on the Board for several director hiring's. She thinks there should be someone on staff who could serve as temporary Director. Merlyn could work as a consultant one day a week or month. She thought the brochure was attractive but thought who has that much experience and relocating during these times is probably not too ideal. Should we ask people from staff to apply for a temporary position? Kurt said the opportunity was there for staff to apply throughout the process and no one did.

Holston suggested that the brochure be cleaned up and to remove some of the language that might be to severe and to reissue with less complicated verbiage. She likes Betty Taylors' idea about a member of staff maybe taking a temporary position. Clearly, Merlyn has plans for his retirement.

Saxion said in his experience, hiring scientists or engineers takes a long time. He is new on this board, but he was concerned that they were trying to FastTrack this position that has some very specific requirements. Merlyn did give the Board a year's notice December 2019, and we did not

get the brochure out until August/September 2020. That seems very aggressive given what is going on with the country right now. He would support staff stepping up temporarily and Merlyn mentoring and consulting. Air quality is the most complicated regulatory program that we have. To have someone with limited knowledge on it in a small agency would cause him concerns.

Frost asked about the two candidates that did apply, what were they missing? Kurt said one was not qualified at all, and the other semi-qualified. He was a research operations coordinator with a cancer research center in another state. Nothing directly related to air pollution regulations. **Frost** asked if Merlyn reviewed the application. Kurt said he did not share the application with Merlyn. The first sharing would be with the hiring body (Board).

Berney said he was just going to call it as he sees it right now. He finds that it is not the science aspect that is weak in this organization, but the management. There is a real need with this opportunity to up the management game. He has nothing but respect for Merlyn and is blown away by his offer. We need to be sure we do not sacrifice the possible for the perfect. He thinks there are plenty of people out there that would want to work for LRAPA.

Guidero thinks these are good qualifications. Someone within the sphere of the science background and with strong administration skills. She did not see why somebody who has run a lab and research could not pick up on the air quality standards.

Kurt said based on what he is hearing he would let the one applicant know there was not an adequate response, and we are going to repost and encourage him to apply again.

Pishioneri said he knows Kurt has done this many times and the brochure is quoting our perfect person. If only two people applied there is something wrong with the way we put that proposal together. People may fear that the scientific qualifications are so tight they would not even get looked at. We may be losing some good candidates. Kurt should look over the qualifications and trim out what he thinks is hampering the response. We need to cast a broad net to people. Kurt should revise the brochure and forward to the Board for review. We need to also look at timelines and Merlyn's ability to help during the process in a consultant role.

Taylor reminded everyone that she suggested Merlyn help at least one day a week and she still feels there is staff that could fill in on a temporary basis. We should just ask staff and let them know they could go back to their regular position. She did not think it was worth reposting until after the holidays in January.

Parisi agrees with the repost and Kurt's suggestion on the timing. We need to talk further about Merlyn possibly consulting and his recommendations. In November, do we need to talk about an interim Deputy Director. She is thinking about structure and framework that gives them flexibility and prioritize from Board members on the skill set they are looking for.

Hough had four suggestions. First rework the brochure as suggested, with Kurt and the Board. Second, increase the salary range. Third, an emphasis on the stability compared to back in 2005. Fourth, he will outline what is workable for him at the next meeting.

Berney said there would be an impact on salary if the position was divided. So, when asking Kurt regarding salary suggestions, there may be implications.

Pishioneri asked if Kristina Kraaz could help if the contract needed to be revised. Kristina Kraaz said she could assist if need be but is not familiar with contract.

8a. WILDFIRE CLEANUP 2020 – ASBESTOS VARIANCE:

Knudsen gave an overview of the DEQ/FEMA DRAFT flowchart to be adopted at the special meeting scheduled for Nov 9th at 1 p.m.

Frost was concerned that people do not trust FEMA. They want to take the clean-up into their own hands. What has been the public outreach? **Knudsen** said there has been an influx of recommendation for FEMA assistance. Asbestos is a health hazard and there are rules on how to handle the material. People need clear and direct knowledge on what can be or cannot be done.

Saxion asked how many residences/buildings might have asbestos? **Hough** said there are about 4,000 structures statewide that were burned. The older they are, the more likely there is asbestos. **Saxion** hopes outreach gets to people that this is dangerous.

Guidero how much education is being done to help people understand the hazards. **Knudsen** said it is ongoing as we speak. **Berney** said we need consistent messaging. He would like to see a spreadsheet with what the message is on how you are getting it out and how Board members can help. These people's lives have been upended. Need to saturate with the messaging and information and be consistent. More than just a note on the website.

Holston agrees education is important. Has there been any talk about properties near the watershed? **Parisi** said EWEB is working with a DEQ contractor to stabilize ash and debris and move it up and out from the river so when FEMA and EPA come in it is already bagged and tagged, ready to be disposed of properly.

6. DASHBOARD REPORT:

Quick overview due to time restraints.

Parisi asked about the lag time on air toxics. Lance Giles said because of the benchmarks, the state does not want to publish it until they get a years' worth of data. They do notify us if they see any abnormal parameters in our area and that has not happened. But there should be better ways for the public to have access to the information.

7. ADVISORY COMMITTEE:

Daniels said the meeting was held outdoors at the Rosboro facility. It was nice to be in person. They were distancing and masked. Wildfires dominated the conversation. Next meeting we will pick up efforts on alternatives to outdoor burning.

8. DIRECTORS REPORT:

Quick overview due to time restraints. The critical items have been discussed already during the meeting.

9. BUDGET UPDATES:

Quick overview due to time restraints.

5. STATUS REPORT ON OAKRIDGE WOODSMOKE MITIGATION PROJECT:

Josh Proudfoot had to leave the meeting. **Knudsen** could address any questions. There were none.

11. Old Business: none

12. New Business: none

NOTE: The November 12, 2020 meeting will be held via Zoom – details to follow

The meeting adjourned at 2:35 p.m.

Respectfully submitted,

Debby Wineinger
Recording Secretary