

TO: Western North Carolina Regional Air Quality Agency Board of Directors
FROM: Betsy Brown, Air Quality Supervisor
SUBJECT: November 13, 2018
DATE: January 4, 2019

Please find attached a copy of the **MINUTES** from the **November 13, 2018** Board Meeting. The next meeting of the WNCRAQA Board is scheduled **Monday, January 14, 2019**, in the meeting room at the Buncombe County Permit Office at 30 Valley Street, Asheville, N.C. 28801.

The Western North Carolina Regional Air Quality Agency Board of Directors met on Monday, November 13, 2018, in the meeting room at the Buncombe County Permit Office located at 30 Valley Street, Asheville, N.C.

The attendance of the Board members was as follows:

Members Present:

*Britt Lovin
Karl Koon
Joel Storrow
Dean Kahl*

Members Absent:

Vonna Cloninger

Staff Present: *David Brigman, Director; Betsy Brown, AQ Supervisor; Mike Matthews, Senior AQ Specialist; James Raiford, Senior AQ Specialist*

Others Present: Mike Plemmons, CIBO

Mr. Lovin called the meeting of the Western North Carolina Regional Air Quality Agency Board of Directors to order on November 13, 2018 at 4:00 pm.

The order of business was as follows:

I. Public Comment Protocol Announcement

Mr. Lovin started the meeting by reading the announcement about the public comment protocol.

II. Adjustment and approval of agenda

Mr. Lovin stated that the agenda needed to be adjusted to remove the Executive session. Mr. Brigman will discuss the topic in his update.

Mr. Koon made a motion to approve. Mr. Storrow seconded. The motion passed 4-0.

III. Consent Agenda:

A. Approval of minutes from September 17, 2018

Mr. Storrow made a motion to approve the minutes as written. Dr. Kahl seconded. The motion passed 4-0.

IV. Director's Report:

A. Agency Status Update

David Brigman and Betsy Brown met with Eric Hardy, the head of Performance Management and acting Finance Director. We are working on getting indirect charges under control. We are looking at the building situation as space vs space. When the Board built the building, it was to give us office space from now on, not so we could sell it and go through the money. During the meeting with Mr. Hardy, we looked at the interlocal agreement, where it states that Air Quality would pay Buncombe County for Personnel and Finance services. We have been paying for Personnel, Finance, General Services, IT, General Government, and County Manager's office. Charges, which should have been around \$50,000 or less, have been \$100,000 to \$150,000. With Performance Management, we have drafted a memo that is from Mr. Lovin, Mr. Brigman and Mr. Hardy. It states that the Agency is a valuable asset to the County and the County will abide by the agreement and provide office space. We drafted a 10-year financial plan with modifications and lower indirect costs; the Agency should be okay. We have the support of Mr. Hardy, the interim Finance Director, who will brief the new Finance Director. The Chairman of the

County Commissioners may get an upfront notice of the draft memo. Then Mr. Wood would talk to the rest of the commissioners in three on three meetings (informational meetings that do not constitute a quorum). We may still need to make changes. Staff should be okay for the time being. Hopefully, we will hear something back from the County within the next month or so. We want to try to secure this agreement this with the interim County Manager, Mr. Wood, before the new County Manager begins, and so does Mr. Wood.

Mr. Storrow asked for clarification about the indirect charges. County management has discretion about how the indirect charges to each department are charged. A department could be charged anywhere between \$0 up to the maximum calculated by a plan. Soil and Water are not charged indirect, and we do not believe that the Extension Service is charged. The County covers those costs. We were a separate agency with its own Board and had a large fund balance at one time. It was a large pot of money to tap. It looks like the County will address the indirect. It will be realistic. The County acquires the latest technology and charges those costs back to departments, which for most departments comes out of their budget from County funding. With the lower indirect charges, we have corrected our ten-year budget plan. Having a lower indirect cost does not mean we have plenty of money, but means we have a bit of a cushion. We are still losing industry permits and tonnage fees. In three to five years, when staff starts turning over due to retirement, the Agency can hire back at lower salaries and lower benefits. As long as we have good office space that is not costing us, we are fine. Mr. Brigman asked for and got an additional office in the building where we are now. Mr. Brigman moved into an office upstairs and Ms. Featherstone moved into his office. We should now have space to move some files that have been stored in another building to where we are now. We get along well with the people with whom we share the space. The struggles we have been dealing with are now being addressed.

It looks like we are going in a positive direction. There is still a budget shortfall with the close of the coal-fired generation at the power plant. We will look at charges to offset this loss. We still have a lot of work to be done with Duke Energy Progress (DEP). They require a completely new permit. There will be less work for us in the future; there will be fewer source-testing requirements. We have already issued the construction permit. Within a year of startup, DEP will need to apply for and we will need to issue a new operating permit. DEP will probably use up the coal on site. The facility has done a lot of asbestos abatement and cleanup already. There will probably be some additional asbestos removal required at the facility. We are meeting with DEP tomorrow.

It will probably be January before we hear another update about the memo with Buncombe County Finance. Mr. Lovin indicated that he had looked at the memo and said it was well written. We are working on the financial plan to go with it. He said it was all very positive.

B. New Facility Permit

Facility Name	Type of Facility	Facility Classification	Location	Proposed Equipment
Riverbend Construction Services	Portable Asphalt, Concrete and Stone Crusher	Small	APAC sites- Enka, Weaverville and Black Mountain	Crusher, screen, conveyor belts, generator. Preliminary approval to construct and operate requested.

Mr. Koon made the motion to approve. Mr. Storrow seconded. The motion passed 4-0.

C. Facility Permit Modifications

Facility Name	Type of Facility	Facility Classification	Location	Notes
Asheville Mortuary Services, LLC	Crematory	Small	Riverside Drive, Asheville	Asheville Mortuary is consolidating their operations (consisting of two crematory incinerators) to one location, the Asheville Area Alternative site. Preliminary approval to construct and operate requested and granted.
Vulcan Construction Materials	Stone Crushing & Processing Facility	Small	Smokey Park Highway, Enka	Update permit to remove primary crusher limit

Mr. Brigman made the comment that the Agency was pleased with the Asheville Mortuary Services, LLC permit modification. Mr. James Raiford said they own an older incinerator that is located on the river next to a large apartment building, which was built during the last year or two. This is on Thompson St. The neighbors were not excited about living next to a crematory. When people see smoke from a human crematory, they get concerned. Asheville Mortuary spoke with the apartment building owner. The facility was planning to buy a new incinerator anyway. It should operate more efficiently than the current, older one. The Agency was glad the facility was buying new equipment and installing that equipment at another permitted site owned and operated by the same owner, Asheville Area Alternative Cremation, on Riverside Dr. Basically the crematory that we got the most complaints about is moving to another location with new equipment. The crematory with the second most complaints will now be the secondary equipment at that location.

Mr. Koon made the motion to approve the Asheville Mortuary permit modification. Dr. Kahl seconded. The motion passed 4-0.

Mr. Koon made the motion to approve the Vulcan Construction Materials permit modification. Mr. Storrow seconded. The motion passed 4-0.

V. New Business:

A. Legal Counsel Report

No legal counsel was present. This may be an agenda item for the new year, options about what to do in terms of legal representation. Mr. Lovin has discussed the matter with Mr. Brigman. They will look for a legal advisor willing to work with us. We could discuss at the January or March meeting if that is okay with the Board. Mr. Lovin said that he would look into that. We may still be able to utilize County legal staff when we settle our issues with the County. However, when dealing with County issues, we do not want to talk in front of the County legal team; they work for the County, not for us. We did have independent counsel in the past. Mr. Storrow was supportive of the Agency and Board having independent legal counsel. Mr. Brigman said that Vince Hyatt, a local attorney, worked for the County in the past and attended our Board meetings. He may be a possibility.

VI. Other Business:

A. Advisory Committee Report

The committee has not met.

B. Calendar

The next regular scheduled meeting is Monday, January 14, 2019.

C. Announcements

None

VII. Public Comment

None

VIII. Adjournment

Mr. Storrow made a motion to adjourn. Mr. Koon seconded. The motion passed 4-0. Adjournment was at 4:33 pm.