

AUGUST 21, 1997 - ENVIRONMENTAL PROTECTION COMMISSION - DRAFT

The Environmental Protection Commission (EPC), Hillsborough County met in Regular Meeting, scheduled for Thursday, August 21, 1997, a.m., in the Boardroom, County Center, Tampa, Florida.

The following members were present: Chairman Jan Platt and Commis Dottie Berger, Joe Chillura, Chris Hart (arrived at 10:52 a.m.) J and Thomas Scott.

The following member was absent: Commissioner Ed Turanchik (atten emergency meeting regarding water issues).

Chairman Platt called the meeting to order at 10:05 a.m. Commiss led in the pledge of allegiance to the flag and gave the invocati

PUBLIC HEARING

Consider Amendment to Chapter 1-2, Relating to Administrative Pro Attorney Vernon Wagner, EPC Legal Division, listed provisions of amendment to Chapter 1-2. Mr. Russ Thomas, Chairman, Citizens En Advisory Committee (CEAC), said CEAC strongly recommended approva Commissioner Norman said CEAC had done an excellent review. Chai called for public comment; there was no response. Commissioner No adoption of amendments to the administrative procedures. Commiss seconded the motion, which carried five to zero. (Commissioner H arrived; Commissioner Turanchik was absent.)

CONSENT AGENDA

- A. Approval of Minutes: April 17, May 28, June 19, and August 6,
- B. Monthly Activity Reports
- C. Legal Department Monthly Reports
- D. Pollution Recovery Fund
- E. Gardinier Settlement Fund

Commissioner Norman moved the consent agenda. Commissioner Scott the motion, which carried five to zero. (Commissioner Hart had n Commissioner Turanchik was absent.)

CITIZENS ENVIRONMENTAL ADVISORY COMMITTEE

Consideration of Gardinier Settlement Fund Projects - Mr. Thomas endorsed recommendations of approval for the Davis lands and Gibs landfill restoration projects, which Mr. Darrell Howton, Director Management, EPC, outlined.

Representing the Concerned Citizens of the Gibsonton Area, Incorp (COGA), Mr. Pete Johnson, 11002 Ecker Road, Gibsonton, agreed the projects should proceed, but objected that CEAC's agenda had list interest, instead of the name of the project; COGA had been unaw project was being discussed. COGA had not had sufficient time to the changes that had been made but it seemed to be the best decis

Mr. Howton said the original proposal of \$500,000 for the Davis 1 was reduced to \$200,000 because other funds had become available. Platt commented on the good work by everyone involved and asked for coordination from CEAC in giving notice. Mr. Johnson advised Commissioner Norman that COGA would support approval as long as updates were provided. Chairman Platt called for further public comment; there was no response. Commissioner Berger moved approval. Commissioner Norman seconded Mr. Roger Stewart, Executive Director, EPC, expressed appreciation for the work of CEAC and Mr. Thomas's leadership. The motion carried five to zero. (Commissioner Hart had not arrived; Commissioner Turanchik was absent.)

Mr. Thomas asked that a public hearing be scheduled to review Rule 1. CEAC's recommendation would be ready by that time. Commissioner Norman moved to set a public hearing at 10:00 a.m. on September 18. Commissioner Norman seconded the motion, which carried five to zero. (Commissioner Hart had not arrived; Commissioner Turanchik was absent.)

COMMISSIONERS' REQUESTS

Issue: Discussion of EPC Board Make Up (Commissioner Chillura) - Commissioner Chillura withdrew the item but asked Mr. Thomas to send EPC Board CEAC's recommendation.

Request Authority for Chairman to Negotiate Agreement with Executive Director (Commissioner Platt) - Chairman Platt commented that for years there had been no contract for the EPC Executive Director, although there were comparable similar positions in other agencies. She thought a clear understanding of the Executive Director's role would reduce friction with the EPC. Commissioner Platt felt an agreement was needed for the person who would assume the position after Mr. Stewart's retirement. Chairman Platt requested authority to negotiate a framework for a contract with Mr. Stewart, including a retirement agreement. Commissioner Berger moved to let Chairman Platt negotiate an agreement. Commissioner Scott seconded the motion. Commissioners Norman and Stewart did not want a retirement date included. Chairman Platt noted that Mr. Stewart had offered to include a retirement date. Commissioner Norman asked that contracts for similar positions such as the County Administrator be used as a model, and Chairman Platt asked that Commissioners provide with samples of contracts with administrators of other agencies. The motion carried five to zero. (Commissioner Hart had not arrived; Commissioner Turanchik was absent.)

PUBLIC HEARING

Consider Amendment to Chapter 1-6, Relating to Schedule of EPC's Fees - Tom Koulianos, Director, Finance and Administration, EPC, said that the EPC Fund for 1998-99 had insufficient funds for current staff; fees had not been reviewed since 1990, although the consumer price index (CPI) had increased more than 25 percent; and the County offered salary increases averaging over 3 percent annually. The Fiscal Year (FY) 1997 budget had a deficit of \$233,000 for the current staff. The requested amendment would add \$146,000. The request was to approve the increases and ask the County Administrator to add them to the EPC budget. Commissioner Norman said fees were typically increased based upon a fee study to determine the true costs to a department. He wanted that approach used rather than the accuracy of which was debatable as a cost indicator at the nation

Mr. Koulianos said figures were from the six-month fee study of s required to issue permits, conducted during the last major fee in 1990. Increased personnel costs since 1990 had been factored in proposed fees. The Environmental Protection Agency (EPA) used th methodology for Title V permit charges. Commissioner Chillura wa fees to be consistent with other County agencies, even though EPC separate; he wanted to charge whatever the cost was to process th Commissioner Chillura moved to approve the fee increases as sugge predicated, as opposed to the CPI, on a fee study that had been u predicated on the cost of doing business for EPC in the permit pr Commissioner Scott seconded the motion. Mr. Koulianos answered q from Commissioner Berger about increasing fees and citizen input Commissioner Norman that when delegation agreements were renewed, jobs the EPC performed for the State would be negotiated. Mr. Iw Choronenko, EPC Air Management Division, described restrictions o agencies regarding presumptive rate increases for federal program

Chairman Platt called for public comment. Ms. Denise Lane, 2504 Court, Lutz, supported the increases and applauded EPC staff for budget and for raising revenue. The motion carried five to zero (Commissioner Hart had not arrived; Commissioner Turanchik was ab

WASTE MANAGEMENT DIVISION

Update - Cone Ranch Landfill - Mr. Paul Schipfer, Environmental M Waste Management, noted that Commissioner Scott had chaired a hom meeting regarding the landfill owned by Browning Ferris Industrie County and EPC staff and representatives from BFI had addressed m citizens+ concerns. County and EPC regulatory issues were addres was hoped citizens and the landfill operators would work out rema issues; if not, staff would return to help. Commissioner Scott s citizen advisory committee would meet with BFI in the future, and applauded EPC and County staffs for their involvement.

Quarterly Status Report - Super Fund Sites - There were no questi the report.

EXECUTIVE DIRECTOR

Update: Tampa Resource Recovery Project - Mr. Stewart described p by EPC with other agencies on a joint ecosystem management team p process with the city of Tampa. The project was proceeding well, Stewart spoke about public acceptance.

Medfly Update - Mr. Tony D+Aquila, Environmental Manager, EPC Air Division, reviewed the five recommended improvements to the Medit Fruit Fly Rule as listed in the August 11, 1997, letter from EPC Counsel Sara Fotopulos to the Department of Agriculture and Consu (DACs). Mr. D+Aquila asked the Board for a motion to concur with had put forward so it could be presented at the August 22 meeting DACs. Commissioner Chillura so moved. Commissioner Hart seconde motion. Commissioner Chillura asked if the motion could include, note, to compel appropriate State and federal agencies and all th concerned to hold a press conference to which EPC, local elected

the media, and citizens would be invited, to let them know what the federal agencies were about to embark upon. Commissioner Chillura the County could compel State and federal agencies to go through so they did not start in the middle and work both ways as had been the last round of Medfly spraying. He wanted the ground rules set for all those in a lay capacity and thought a public relations program be established. Whether that was in the motion on the floor or a motion was up to the EPC Board. Commissioner Chillura asked about issues. Mr. Stewart said the general subject was on page 56 of the report for which approval was being sought. Mr. D'Aquila was working with seeking a major commitment from federal and State agencies on the Commissioner Chillura had mentioned, and Mr. Stewart concurred that communicate had been a serious problem.

Commissioner Chillura was concerned about the federal and State government not properly funding preliminary monitoring. Mr. D'Aquila narrated presentation on EPC and County activities, which included answers to questions. The presentation addressed issues, tasks, products, organizations involved, and a time line. Chairman Platt noted that health hazard item about which the public had complained the most, was not included. Messrs. Stewart and D'Aquila explained how that was addressed, with an EPC liaison on the public health committee. Mr. D'Aquila explained importance of the memorandum of understanding (MOU) between the County and DACS was important. A final MOU was proposed for the end of 1997. Platt and Mr. Stewart commended Mr. D'Aquila's work.

Commissioner Hart supported the use of local government facilities referenced the County's emergency operations center, said the situation had been a chance for integration of State and local government and a clarification; he planned to ask for a friendly amendment that they send a letter asking the County to identify similar items and parallel the MOU, to integrate government at a local level, unless something already being done. Mr. D'Aquila said that was being reviewed from viewpoint of staff-to-staff coordination, but he thought the idea by Commissioner Hart would add extra emphasis. Commissioner Hart friendly amendment that in addition to taking that action, that Chairman Platt send a letter to Hillsborough County informing the County of action, encouraging the County to identify things from the County standpoint, and to consider being a participant in the MOU as they do that regard. Commissioner Chillura accepted the amendment. The vote carried five to zero. (Commissioner Scott had left the meeting; Turanchik was absent.)

Mr. D'Aquila confirmed for Commissioner Chillura that he would provide information to Citizens for the Responsible Application of Malathion and other interested groups, including the Legislative Delegation. Commissioner Chillura wanted the media advised, and Mr. D'Aquila would include the weekly activity report prepared by EPC staff that would be a document for distribution.

Comments followed about plans to keep the media advised, and possibilities for future prevention and detection. At the request of Commissioner Mr. D'Aquila displayed maps showing the precision with which spraying had been done.

Chairman Platt asked for public comment. Ms. Elaine Holmes, 1241 Avenue, CRAM, explained why CRAM thought there should be no spray urban or environmentally-sensitive areas to control the Mediterranean fly; how that would be achieved; and the need for coordination with counties.

Colonel John Worth Williams, 641 Riverhills Drive, Temple Terrace EPC composition should remain as it was, and he wanted to speak when it was on the agenda again. Commissioner Chillura explained item had been withdrawn and might not be on the agenda again.

Ms. Holmes reiterated her presentation and listed the following suggestions that CRAM wanted included in the letter: 1. there should be strong consequences for ignoring the MOU; 2. a provision for taking basins before spraying was done should be included; and 3. a stronger position should be taken on treatment areas and procedures of the proposed that there were clear guidelines.

Mr. DiAquila agreed the suggestions were reasonable and could be during development of the MOU, but the letter had already been made. Chairman Platt noted that EPC had never sent a letter stating its the rule and suggested sending a letter from the EPC Board with recommendations from Mr. DiAquila, as well as those from CRAM. Commissioner Norman wanted to place that item on the agenda for the next meeting could respond. Messrs. Stewart and DiAquila commented about enforcement the importance of baseline data, and broader involvement of local and governments in the eradication process. Mr. DiAquila request before giving an opinion. Commissioner Chillura moved that staff recommendations and make a recommendation at the next EPC meeting Commissioner Hart seconded the motion, which carried four to zero (Commissioners Berger and Scott had left the meeting; Commissioner was absent.)

OFF THE AGENDA ITEM

Funding Requests - Mr. Koulianos outlined the funding need for security at the Lozano Building and for aerial photography. Commissioner Chillura moved to bring those two items up at the BOCC budget work Commissioner Hart seconded the motion, which carried four to zero (Commissioners Berger and Scott had left the meeting; Commissioner was absent.)

There being no further business, the meeting was adjourned at 11:

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
RICHARD AKE, CLERK

By: _____
Deputy Clerk