

**Final Meeting Minutes**  
Spokane River Regional Toxics Task Force (SRRTTF)  
Administrative and Contracting Entity (ACE)  
July 8, 2013 (Conference Call)  
10:00 a.m. – 10:45 a.m.

Directors in Attendance

Doug Krapas  
Tom Agnew  
Bud Leber  
Rick Eichstaedt  
Dave Moss (called-in at 10:30a.m.)

Directors Absent

Dale Arnold

Guests

Stuart Cassel

**1. Review of Agenda**

- a. Brief discussions of bank account signature authority and approval of last meeting's minutes
- b. Rick Eichstaedt added review of director's insurance to miscellaneous items

**2. Approval of Minutes from Previous Meeting (6/26/13)**

- a. Discussion of the suggested edits by the members of the board
  - i. Stuart Cassel added in all of the changes suggested by the ACE board
  - ii. Doug Krapas walked through some of the questions he raised in an email and resolved the remaining issues
- b. Motion to approve the meeting minutes from Tom Agnew; Seconded by Doug Krapas; Approved
- c. Stuart Cassel will email the approved minutes to the members of the ACE board by the end of today (7/8/13)

**3. Status of Spokane County Sub-Agreement for Ecology Grant to ACE**

- a. Bud Leber has the revised contract; The revisions pulled out the directors insurance piece and fixed a few issues with the copyrighting that should not have been in there
  - i. All work product belongs to Task Force and Ecology
  - ii. Contract signed and back to County
- b. Bud Leber walked Ben Brettebo (Spokane County) through all the copies of all of the LimnoTech invoices and status reports through the end of June, in order to ensure Ben was comfortable with the information
  - i. Also checked with Adriane Borgias to make sure that the documentation that is given to the County is also acceptable for Ecology; Some LimnoTech documents were tweaked in order to make them more clear for Ecology
  - ii. A package of all the documentation was sent to Ben Brettebo and Adriane Borgias last week
  - iii. On July 9<sup>th</sup>, there is a County Commissioner Meeting that will approve the agreement between ACE and Spokane County
- c. Adriane Borgias spoke with Bud Leber about concerns that someone at Ecology may want to see a breakdown of the hours worked by LimnoTech against each task performed;
  - i. This information can be obtained, but will wait and see if it is needed
- d. Doug Krapas asked about matching funds requirement

- i. Bud Leber stated that the amended agreement between Ecology and County extended the time period and this Amendment was confirmed, signed, and submitted to Ecology by Spokane County on June 28<sup>th</sup>
  - 1. The matching expenditures can now occur from March 2013 until the end of August 2013
  - 2. ACE will continue to pay invoices from LimnoTech and all payments made to LimnoTech in the extended time period will count toward a match (but Ecology does not anticipate that a match is required)
  - 3. If a match were to apply, it would be for all eligible work done by LimnoTech before June 30<sup>th</sup>
- e. LimnoTech invoices through the end of June were for more than \$35,000, but they are slightly ahead with other tasks
  - i. Bud Leber thinks this is all squared away for now and will not be an issue in the future
- f. Doug Krapas asked about strategies for avoiding a contract situation like this one in the future
  - i. Suggested the development of some boilerplate language to use for future situations, or some organizational changes that may help to streamline abilities to make use of funding
  - ii. Doug Krapas and Rick Eichstaedt mentioned a meeting with Gonzaga to discuss some of these circumstances
  - iii. Discussion of meeting with Steve Faust about the possibility of setting-up a Quasi-Governmental Non-Profit (QGNP) to allow for direct dealing with Ecology
    - 1. If contact through the County continues, Director's insurance will be required; Contacts through the County should be avoided in the future
    - 2. Goal is to avoid the need for another Inter-Agency Agreement and create a "straight line" process; Bud Leber will speak with Adrienne Borgias about who to approach at Ecology in order to facilitate this
    - 3. James Belatty spoke with Doug Krapas after the last ACE meeting about developing a detailed spending schedule for how the \$350,000 SRRTTF funding for the next biennium will be used
      - a. Doug Krapas has been working with Bud Leber on a schedule; There is a spreadsheet in development
      - b. The upcoming meeting with LimnoTech on July 24 will help define the scope for projects to fill the data gaps and potential projects identified for PCB reductions
      - c. Bud Leber will speak to Adrienne Borgias to determine what mechanisms/processes are needed to avoid an Inter-Agency Agreement in the future
  - iv. Discussion on changes to the Contract that may be needed by the end of this month
    - 1. More money is needed in order to cover the next year with the Ruckelshaus Center; Bud Leber will determine if the charges should go to Ecology or directly to ACE
    - 2. At the next meeting, time will be set-up to meet with Steve Faust and discuss any needed changes to ACE's organizational structure
  - v. Agreement that the next meeting should be focused around this issue

#### 4. Miscellaneous Items

- a. Tom Agnew asked about the new facilitator (Chris) from the Ruckelshaus Center
  - i. Doug Krapas discussed the SRRTTF's approval of Chris' performance and noted that he seemed to have more technical expertise and more experience with issues relating to toxics
  - ii. The SRRTTF decided to proceed with an additional year with Chris as facilitator
  - iii. At the last meeting it was decided that, for now, funding for the facilitator will continue through Ecology and not ACE
  - iv. Doug Krapas discussed options about the future with Ruckelshaus
    - 1. The SRRTTF had expectations that Ruckelshaus could help in terms of raising awareness about the SRRTTF and its goals
    - 2. For example, during a recent presentation to the EPA by Adrienne Borgias, the EPA representatives did not seem very engaged with Spokane River issues as compared to Chesapeake Bay issues
  - v. Suggestions of having an Executive Director for the future if it is decided not to continue with Ruckelshaus
    - 1. Ruckelshaus has a good price right now and seems to work for all on the Task Force
    - 2. For now, utilize Ruckelshaus for next year while considering keeping their services, finding an executive director, or pursuing another option
    - 3. Bud Leber will follow-up with Adrienne Borgias on what amount from the current contract is going to Ruckelshaus
      - a. If the contract is not with ACE, need to figure out how to get money available for that contract
- b. Tom Agnew suggested updating the ACE bylaws to allow for proxy votes
  - i. Tom Agnew stated that this would make potential conflicts with travelling and other meetings much easier to manage
  - ii. Rick Eichstaedt stated that this can be done and could be helpful; Suggested having such a change on the agenda for a meeting with Steve Faust
- c. Doug Krapas asked about SRRTTF's use of the \$350,000 from the state toxics control account
  - i. Money is to be used solely in support of SRRTTF's efforts to reduce PCB levels (clean-up and prevention)
  - ii. Recommended putting together a spending schedule ASAP and that LimnoTech's input will be needed to define potential projects
    - 1. Meeting with LimnoTech on July 24
    - 2. Discuss potential projects on data gaps or other areas for PCB reductions
  - iii. Doug Krapas read language in the budget "\$350,000 of the state toxics control account—state appropriation is provided solely for the Spokane river regional toxics task force to support their efforts to address elevated levels of polychlorinated biphenyls in the Spokane River. Funding will be used to determine the extent of the cleanup required, implement cleanup actions to meet applicable water quality standards, and prevent recontamination."

- iv. Another ACE meeting was suggested for after the July 24 meeting with LimnoTech
- v. Bud Leber will address the scope and schedule with Ecology for future expenses broken down for each line item (to make things easier for all)
  - 1. Doug Krapas suggested addressing with Ecology how the funding will be allocated (completion basis, piecemeal, yearly, etc.)
- d. Dave Moss will be gone from July 12-22, but will get the Bank Authorization before then
  - i. Dave Moss will also be able to pay the LimnoTech invoice from May 2013; the June 2013 invoice is not due for payment until late July 2013
  - ii. Dave Moss asked Rick Eichstaedt about coordinating a visit to Numerica, but decided to handle alone for now; Rick can visit Numerica at a later date
- e. Rick Eichstaedt provided update on Director's Insurance quote
  - i. Quote was for \$550
  - ii. Underwritten by Great American Insurance Company (limit is \$1,000,000 with a \$1,000 deductible)
  - iii. Standard directors and office liability & employment practices liability (bundled)
  - iv. Rick Eichstaedt believes that having insurance would be beneficial
    - 1. Provides some level of individual protection
    - 2. May also provide some reassurance for the employers of some members of the ACE board
  - v. Motion from Dave Moss (to authorize Rick Eichstaedt to apply for insurance policy); Seconded by Bud Leber; Approved
- f. Tom Agnew mentioned that additional money may be available at the next biennial depending on how the money currently available is used and how work progresses
  - i. Suggested that ACE keep an eye on this money to ensure that additional funds will be available
  - ii. Doug Krapas stated his agreement, especially since the big spending projects are coming
- g. Motion to adjourn from Tom Agnew; Seconded by Dave Moss; Approved