

# APPROVED

## Environmental Quality Advisory Board Regular Meeting Minutes July 11, 2013

**A. Call to order:** A regular meeting of the Oak Ridge Environmental Quality Advisory Board was held in the Training Room of the Municipal Building, Oak Ridge, TN on July 11, 2013. The meeting convened at 7:05 p.m. with Steve Kenworthy, Chairman, presiding.

**Members in attendance:** Chuck Agle, Pat Fain, Aditya Chourey, Pat Imperato, Robert Kennedy, Steve Kenworthy, Sylvia Milanez, Stephanie Paul, Jim Placke, Aditya Savara, Ellen Smith; Athanasia Senecal Lewis – Staff Representative

**Members not in attendance:** Paige Russell (excused)

**Visitors/Others:** Kathy Olsen, League of Women Voters

**Approval of the agenda:** A motion was made by Ms. Smith and seconded by Ms. Milanez to amend the agenda by adding a draft of a letter to City Council regarding the Board's recommendation on electronic reader board signs. The motion passed unanimously. Another motion to approve the revised agenda was made by Ms. Smith and seconded by Ms. Milanez; the motion carried.

**D. Presentation:** No presentation

**B. Approval of minutes:** A motion to approve the revised minutes was made by Ms. Smith and seconded by Ms. Imperato; motion carried. The revisions remove a typo in the voting record of one of the motions – no impact on the outcome of the motion. There are two text revisions with regard to the ordinance/bylaws; these changes have been noted later in the minutes under old business.

The amendments to the ordinance and bylaws are shown later in the minutes.

**C. Communications/Announcements:** Mr. Agle described research he has done on the risk of animals grazing on floodplain vegetation coated with mercury contaminated sediment from East Fork Poplar Creek. The agenda for the July 18<sup>th</sup> EQAB work session was discussed later in the meeting.

### E. Reports:

**High School:** No report. Ellen Smith reported on a Greenways Oak Ridge meeting at which a resident commented on idle youths, middle school age, and about the need for greenways maintenance. Putting students to work on trail maintenance in the summer might be a project for the ORHS Environmental Club to pursue.

**Staff Report:** Ms. Lewis reported that the Oak Ridge Sustainability Team participating in the Valley Sustainable Communities program met with TVA and Boyette Strategic Advisors to review a list of sustainability initiatives/activities being carried out in Oak Ridge. The consultants are in the process of reviewing notes from their visit, and a follow-up call will be scheduled in the next four to six weeks. At this time, the Oak Ridge community will receive a certification level of silver, gold or platinum, as well as a list of "next steps" in the certification program.

**Planning Commission Report:** No report

**EQAB Committees/Working Groups:** The Green Infrastructure Committee met on June 28<sup>th</sup> and briefly discussed coordinating with the new school superintendent on energy efficiency measures from the Climate Action Plan (CAP); smart grid tie in to older houses as a component of the TVA Extreme Energy Makeover proposal (Habitat for Humanity build at 148 Hillside is an example of being built to meet Energy Star standards); energy efficiency in vehicles; landlord recycling and the possibility of such a program in Oak Ridge.

**F. Reports on other organizations:**

**Keep Anderson County Beautiful:** Ms. Imperato reported that the next electronics recycling event will be held on November 9, 2013 at the old Ace Hardware store on the east side of Willow Ridge Nursery Center.

**Citizens Oversight Panel (COP):** No report

**G. Unfinished Business:**

**TVA Extreme Energy Makeover Proposal:** Mr. Kenworthy reported that the steering committee for the project met and discussed doing a pilot home renovation prior to submission of a proposal. Ms. Lewis reported that Jeff Christian is evaluating potential project costs on a couple of houses. The steering committee will reconvene once this information is available.

**The Climate Action Plan:** No report

**Natural Lawns:** The board reviewed the list of proposed definitions prepared by City staff and agreed that they would like to discuss the topic further with the staff person working on the proposed ordinance changes.

**Ordinance Establishing EQAB:**

Mr. Savara made a motion to recommend that section 2.207 (Meetings; quorum) of the ordinance establishing EQAB be rewritten to remove redundancies and ambiguities; the motion was seconded by Ms. Fain and failed. (2 yes; 6 no; 1 abstention)

The text remains unchanged and reads as follows:

**§2-207. Meetings; quorum.**

~~A legal quorum of the board shall be considered the lesser of the majority of full votes or majority of seats currently duly occupied. The quorum is based on 11 votes if all twelve members are present. The board shall hold public meetings at such regular intervals and places as it may designate. Six (6) members A majority of the board shall constitute a quorum. For purposes of a quorum, the student members count as only one member because they share one vote and cannot vote separately. For clarification purposes, if one or both student members are present at a meeting, five other members must be present for there to be a quorum of the board. All actions shall require the concurring vote of a majority of the members present at a duly constituted meeting, with the student members again counting as only one member for the purposes of calculating a majority vote. For example, if eight members are present at a meeting, including both student members, a majority for voting purposes is four instead of five because the students only count as one regardless of whether one or both are present at the meeting and regardless of whether or not there is a consensus for the student members' vote.~~

Mr. Savara made a motion to recommend that section 2.207 (Meetings; quorum) of the ordinance establishing EQAB be rewritten to add the word "votes" after the word "four" in the last sentence; the motion was seconded by Ms. Fain and passed with 8 ayes; 1 abstention.

Section 2.207 now reads:

For example, if eight members are present at a meeting, including both student members, a majority for voting purposes is four votes instead of five because the students only count as one regardless of whether one or both are present at the meeting and regardless of whether or not there is a consensus for the student members' vote.

A clarification was made by the members that Section 209 was meant to be deleted in the previous revision of the ordinance).

The entire passage below has been deleted.

~~§2-209. Annual report to council.—~~

~~A compendium of the previous year's minutes of the public meetings shall. The board shall annually prepare—serve as a—The board shall annually prepare a written report of its—the board's activities and recommendations and a recommended program of work for the ensuing year for submission to the city council by September 30, of each year which shall be published as a part of the official city records. and a recommended program of work for the ensuing year for submission to the city council by September 30, of each year which shall be published as a part of the official city records.~~

**EQAB Bylaws:** A motion was made by Mr. Agle, and seconded by Mr. Kennedy, to approve the bylaws as amended at the last regular meeting.

III. Meetings

D. The Board may form ad hoc working groups to meet for a designated project. Ad hoc working groups may include members of the public.

**H. New business:**

**Role in review of DOE activities:** Mr. Kenworthy invited Amy Fitzgerald to the Board's July 18<sup>th</sup> work session to discuss EQAB's potential role in oversight of DOE activities.

**Engaging Oak Ridge Schools:** Mr. Kenworthy contacted Dr. Borchers, the new school superintendent and invited him to the July 11th meeting – Dr. Borchers is unable to attend on this date. Mr. Kenworthy will follow-up with Dr. Borchers to schedule a time for the EQAB to meet him. The Board would like to discuss ways to collaborate on energy efficiency measures outlined in the Climate Action Plan (CAP).

**Damage to trees from mowing:** Ms. Smith communicated that trees on public property are being damaged by mowers; she presented materials on this issue from the city of St. Louis and recommended adding a provision to contracts for mowing.

**Motion:**

Ms. Fain made a motion to recommend to the City Manager and Council, in its role as the Tree Board, that a clause be inserted in every City contract for mowing providing for a financial penalty to the contractor for visible damage to trees or shrubs; Mr. Savara added that the Board include Ms. Smith's handout picture of damaged trees in the letter to the City Council. The motion was seconded by Mr. Kennedy; the vote passed unanimously.

Ms. Smith will draft a letter to be distributed to the City Manager and Council prior to the August 12<sup>th</sup> City Council meeting.

**Next Meeting: July 18<sup>th</sup> Work Session Agenda:**

TVA Extreme Energy Makeover Proposal  
Role in Review of DOE Activities  
Information on DOE Legacy Contamination for Oak Ridge Land Transfers  
Natural Lawns

**I. Adjournment:** Ms. Imperato made a motion to adjourn the meeting at 8:50 p.m., seconded by Mr. Kennedy; motion carried.



Respectfully Submitted,  
Sylvia Milanez, Secretary