

TOWN COUNCIL OF DEWEY-HUMBOLDT
Environmental Issues Advisory Committee
DRAFT MINUTES
Monday, January 26, 2009, 6:30 P.M.
COUNCIL CHAMBERS, TOWN HALL
2735 S. HWY 69 DEWEY-HUMBOLDT, ARIZONA

AGENDA

1. Call To Order

For Discussion and/or Possible Action: Items of Environmental/Public Health Concern for Discussion to Identify, Assess and Monitor as Development of Advise to Council as per Town of Dewey-Humboldt Resolution 05-16, and Committee Business:

2. Pledge of Allegiance.

3. Roll Call. EIAC Members present: Treesha deFrance, Chair, Denise Rogers (arrived 10 minutes late), Secretary, Len Marinaccio Council Liaison, Mike Randall. Bob Bowman was absent and Lydia Chapman had resigned, so was no longer a member.

4. Announcements Regarding Current Events Not Requiring Legal Action. None

5. Approval of Minutes. Consideration of the 7.28.08 and the 8.25.08 Regular Meeting Minutes. Len Marinaccio Moved the minutes be approved, Mike Randall Seconded, and the minutes were approved unanimously.

6. Discussion Agenda – Unfinished Business. Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting. None

7. Discussion Agenda – New Business Items for Discussion and Possible Action.

7.1 Update on the Iron King Mine/Humboldt Smelter Superfund Site.

Emails which contained updates from Leah Butler, EPA, Superfund Site Supervisor were read and discussed. Overall we are pleased with the fast progress being made. The sampling is likely to be extended for a while. We discussed the need to discuss prohibiting the use of biosolids near residential areas and sensitive areas. We will ask EPA about the nitrates in wells in D-H.

7.2 Update on the EIAC contributions to the D-H General Plan.

The recent discussions at the GPCAC and PnZ about our input to the 2008 and 2009 General Plans were reviewed. We enumerated our concerns to present to the Council and PnZ for their Feb. 5, 2009 meeting. These are the comments Treesha will provide to PnZ:

1. Much of the input from EIAC has been incorporated into the DRAFT, and we are pleased.
2. Some remaining concerns we have may more appropriately be addressed in specific ordinances, rather than in the General Plan, as suggested. We hope to work with the Town Council on:
 - a. Prohibiting landfills in the zoning ordinance
 - b. Prohibiting use of herbicides as a method of roadside weed control
 - c. Prohibiting the use of biosolids near residential or sensitive areas
 - d. Requiring and monitoring for proof of ongoing financial assurances from industries or businesses that create pollution or may cause environmental harm (details to be determined in future discussions).

3. The majority of our discussion was on the “Implementation Program”, especially the timing outlined in the short-, mid-, and long-range goals. We see how some implementations are steps that build on each other, and how the chart will not look as balanced if too many are moved up into the short-range column. However, we feel many need to be addressed sooner than 2012. The following are our specific concerns and recommendations
 - a. We would like to know what the “Environmental Excellence program” to begin in 2012 is?
 - b. We wonder what the phrase “evaluate constructed wetlands use” means.
 - c. We would like to see the “plan long-term riparian protection” currently in the 2016 column, and the “encourage natural wash protection” currently in the 2012 column to be moved into the short-range column. We believe these are needed very soon, because of work by EPA and the river crossing/flood management discussions.
 - d. We would add “and energy efficient vehicles” to the “Town use of alternative energy”.
 - e. For the Water Resources, in the short-range column, we would reword the “measure River water quality” to read “test river water quality and assess quantity”.
 - f. We would add “test and monitor well depths” to short-range column.
 - g. We would add “educate the public on well registration” (for the W2 Adjudication) in the short-range column.
 - h. Move “cooperate in pollution abatement” to the short-range column.
 - i. Add “ongoing monitoring of well and river quality and quantity” to the mid-range column, as a follow up to the short-range testing.
 - j. Add “encourage water conservation” and “encourage use of native landscaping”.

7.3 Review of Ideas re: Draft Town Council Rules and Procedures and Development of EIAC Comments, at Town Council’s Request.

Committee members reviewed the document and make the following comments, which Treesha will give to the Council.

1. How members are appointed- 5.1.3. Option A, by majority of the council. We do not think the applicants should be “vetted by Town staff”, rather, we think the council should interview all applicants directly that respond to an open call and apply for membership. Applies to 5.3.7 also, which we think should be deleted.
2. How the chair is appointed – we think the committee should elect the chair
3. Ad hoc committees’ duration should be 6 months or longer if necessary. We think the committee should have enough time to do the work it is created to do.
4. Model of the committee – We think the committee should have an “executive” group of 5 voting members, a quorum of 3, and as many “associate” non-voting members as needed for tasks. The voting members should be residents, associates need not be.
5. Term limits – Two 4 year terms
6. Add the word “Ordinance” to 5.3.1
7. Vacancies and Resignations should be filled by making a call to the public, having applicants come forward and apply, having staff check their residency and application, pass the applications to the Council for them to interview the applicants. We do not like the model that a candidate needs to be specifically nominated by a Councilmember as outlined in 2.1.8 to be considered. We think all applicants should be considered.

8. In 5.5, delete "(so long as such investigations are not in the name of the Town and no Town resources or staff are used)". If pursuing information for Town business, a committee is acting in the name of the Town, and may need a report purchased or printed, for example.
9. In the EIAC section, 5.6.5, we do not think the Mayor or one Councilmember should be able to request the committee meet. We think that should come from a vote of the majority of the Council.
10. We are assuming that this large document is an overview type Ordinance, and that each committee will have its own Ordinance specific to it. We are unclear what bylaws are, who would write them, and how they differ from the rules of procedure that the specific committee Ordinance will have. Where are the various details outlined?
11. We like the concept of having a Council Liaison on each committee. We have found it very helpful, and believe it makes for a good Council presence in the committee setting, acting as the "eyes and ears" for the Council, and facilitating the work of the committee to the Council. We see the liaison as a conduit of information between committee, Council and staff. We think the liaison should make regular reports to the Council on the work of the committee, for example, quarterly. We do not think the liaison should be a voting member of the committee.
12. We feel staff support is very important. In our case, we do not think it necessary to have staff attend our regular meetings. We do think staff should be involved in orienting new committees, and new members, especially re: Open Meeting Law.
13. We do want our work to be seen by the Council directly in its entirety. We do not object to our work being reworked, or included in a larger document, but we do want the Council to see the full, unedited report/document as well as any additional documents it was incorporated into.
14. We would like the EIAC to retain the membership it has when any policy changes are implemented by Council. We ask that any current members be given priority for appointed at that time.
15. To retain the intention when the EIAC was formed in July 2005, we request that the exact language that appears in Resolution 05-16 be repeated in the new Ordinance as our duties. It reads,

"Environmental Issues Advisory Committee that will provide for the identification, assessment and monitoring of environmental/public health issues of concern to the Town."

8. Comments from the Public. None

The meeting was adjourned at 8:40 PM.

Signed Len Marinaccio Date 4/27/09