

ENVIRONMENTAL QUALITY COUNCIL
MINUTES OF DECEMBER 15, 2017

Chair Meghan Lally called the meeting to order at 2:00 p.m. on December 15, 2017. The meeting was by teleconference. Chair Lally, Councilmembers Agopian, Bagley, Baumer, Flitner and Fairservis were present. Dr. Bagley as hearing officer in Docket 17-5801 closed the hearing. Councilmembers Fairservis, Agopian and Baumer were not present for the hearing in the matter. They affirmed that they had reviewed the evidence and testimony in the matter and were prepared to vote. Chair Lally moved to approve the permit with the condition that an immediate bond review be performed. Councilmember Baumer seconded the motion. After deliberations Dr. Bagley called for a vote Councilmembers Lally, Agopian, Bagley, Baumer, Fairservis and Flitner voted aye. No one voted nay. Mr. Schelhaas was directed to prepare the Order and deliver it to the council no later than January 8, 2016. A teleconference meeting was scheduled for January 16, 2018 at 2:00 p.m. Parties present at the meeting for this matter were Bob Doctor from DEQ, James LaRock for DEQ, Pat Troxel, Scott McFarland, Mike Dimick, Bruce Leven, and Rich Sollars.

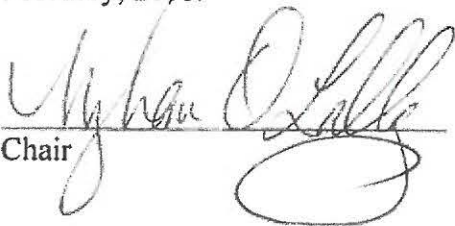
Councilmember Baumer was then given the gavel and as the hearing officer in Docket 17-4201A. Councilmember Agopian recused himself from the matter. Councilmember Fairservis and Dr. Bagley were not present for the hearing. They affirmed that they had reviewed the testimony and evidence presented in this case and that they were prepared to vote. Councilmember Bagley moved to approve the NOV and Order as issued by the DEQ. Councilmember Fairservis seconded the motion. The council deliberated the motion. Councilmember Baumer called the question. Councilmembers Lally, Bagley and Baumer voted Aye. Councilmembers Fairservis and Flitner voted nay. Councilmember Agopian was recused. The motion failed for lack of a majority vote of the members on the Council. The NOV and Order was not approved. Mr. Schelhaas was directed to prepare the Order and deliver it to the Council by December 28, 2017 and a teleconference meeting to approve the Order was set for January 5, 2018 at 11:00 a.m. Parties present for this matter were Andrew Kuhlmann for DEQ and Brian and Danae Good for Good Bentonite LLC.

The gavel was returned to Chair Lally. Councilmember Bagley moved to adjourn. Councilmember Baumer seconded the motion. All members present voted aye.

The meeting was adjourned at 3:00 p.m.

These minutes are approved on this 21st day of February, 2018.


Secretary


Chair