

**Minutes  
Special Board Meeting  
of the  
Louisville Metro Air Pollution Control Board  
March 16, 2007**

A special meeting of the Louisville Metro Air Pollution Control Board (Board) was called to order on March 16, 2007, at 9:44 a.m. in the Board Room of the Louisville Metro Air Pollution Control District, 850 Barret Avenue, Louisville, Kentucky, by the Chair, Dr. Karen Cassidy. Other Board members present were Mr. Lee Howard, Ms. Barbara Sexton Smith, Dr. Nadir Al-Shami, Ms. Vanessa Ruffin, and Dr. Robert Powell. A quorum was present.

The following Louisville Metro Air Pollution Control District (District) staff members were present: Art Williams, Jon Trout, Terri Phelps, Jesse Goldsmith, Diane Hazellief, Corey Ryan, Steven Gravatte, Shannon Clemons, and Monica Little. Also present were Assistant County Attorneys Paul Guagliardo, Lauren Anderson, Stacy Fritze, and Kathy Hargraves, and County Attorney staff members Allison Grant and Tammy Brown.

The following guests were present: Jim Bruggers, The Courier-Journal, and Paige Mosser Theriac, TECI.

**New Business**

**A. Louisville Metro Air Pollution Control District v. Louisville Paving Company, Inc.:  
Consideration of Hearing Officer's Report and Recommended Order and Exceptions**

Chair Cassidy announced that today's special Board meeting was being held to consider the Hearing Officer's Recommended Order in the case of Louisville Metro Air Pollution Control District v. Louisville Paving Company, Inc.

**Motion:** Dr. Powell moved to adopt the Hearing Officer's report and recommended order in full with the exception of a \$400 reduction in the assessed penalty, resulting in a penalty of \$41,250.

Mr. Howard asked what the role of the Hearing Officer is in the administrative hearing process. Mr. Guagliardo responded that the Hearing Officer's role is to hear the facts and rule on objections and other legal issues. Following the hearing and other legal proceedings, the Hearing Officer prepares a written report, which includes findings of fact and conclusions of law, and a recommended order.

The motion passed unanimously.

**Next Meeting**

The next Board meeting is Wednesday, March 21, 2007, at 10:00 a.m.

## Adjournment

The meeting adjourned at 9:47 a.m.

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Dr. Karen Cassidy  
Chair

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Jonathan L. Trout  
Secretary-Treasurer