

**CITY OF KUNA
SPECIAL CITY COUNCIL MEETING
MINUTES
INFORMATIONAL SESSION WITH BEST BATH
AUGUST 7, 2006
KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON**

NOTE: These minutes are an unofficial record of this City Council meeting until reviewed; corrected if deemed appropriate and formally approved by the Kuna City Council at a subsequent Council meeting.

Council President Jeff Lang called the Special City Council Meeting for discussion of property values in Wild Meadows Subdivision to order at 7:02 p.m.

Present: Council President Lang, Council Members Scott Dowdy, Richard Cardoza and Trina Stroebel. Mayor Dean Obray was absent. City Attorney Randy Grove; City Clerk Lynda Burgess; and Interim Planning & Zoning Director Diana Sanders.

Best Bath Representatives: Gary Multanen, Owner & CEO, Best Bath Systems; Gene Thurston, President of Best Bath; Lori Lucheck, President of Miles Fiberglass, Portland and Oregon City, Oregon.

Gary Multanen, Owner & CEO, Best Bath Systems stated the goal this evening is to provide information about their operations in the City of Kuna. We appreciate the audience being in attendance to help to dispel some of the misinformation that is circulating in the community.

1981 Best Bath is formed.

Present: Looking forward to the second construction project of our multi-year expansion plan for the Swan Falls Industrial Park.

When the present plant was in the planning process we worked with DEQ and your City Officials to assure our process was safe for workers, neighbors, community and the environment. As a result of that assurance we were issued permission for Phase I of our manufacturing plant to be built in Swan Falls Industrial Park. We are now preparing to start Phase II of our expansion process and we were surprised to discover the sudden surfacing of the misinformation and fear. We are here to assure you that we are proceeding according to our long range plans and provide information to dispel your fears. We pride ourselves on operating a safe company and we are confident that we have complied with all the regulatory requirements that govern the manufacturing of our product.

Gene Thurston, President of Best Bath gave a presentation on Best Bath's employment practices, benefits, safety record, safety program—no claims for 2005-06, and charity work. They are in compliance with the environmental requirements.

Mr. Multanen walked the audience through the manufacturing process of their products inside Best Bath, molding process of the product, etc. The composite shower stall has to meet a certain fire code. That fire code says "a composite shower stall cannot support a flame". Example: If

you hold a torch to the back of the shower stall and ignite the shower stall the flame must go out within 90 seconds to meet federal requirements for the product.

We are permitted to emit 99,000 pounds, Best Bath emits less than 24 pounds. Our sales have grown 20% over the last year, our emissions have not.

Gene Thurston spoke to the concerns about emissions from the plant. We are part of the industrial emissions in the Valley. Micron Technology, sugar beet factory, agriculture, etc., also emit emissions. Mr. Thurston read off a list of common everyday products that have styrene in them. Mr. Thurston read a list of industries that emit hazardous materials, Amalgamated Sugar 441,000 pounds, Sorento Lactalis 8,000 pounds, soy bean 299,000, Micron Technology 83,929 pounds. What happens when styrene is emitted into the atmosphere? The Styrene Institute Center, sponsored by Poly Styrene Research, states that Styrene has a half life of 2 to 4 hours.

When we discovered there would be a subdivision adjacent to us in an industrial park, we made changes to our plant to try to make it more compatible for you. We wanted as little emission exposure to be good neighbors to your subdivision. We do have flammable material in our plant and he proceeded to explain how they store it especially acetone. Mr. Thurston described the fire prevention system in their building.

Mr. Thurston showed pictures of plants around the United States that are located in residential areas. Amesville, Tennessee is one of the largest fiberglass plants in the U.S. 376,000 pounds of emissions, it has a subdivision very close to the plant. Miami, Florida, South Beach, Florida, Odessa, Texas Redondo Beach, California, Portland, Oregon these plants are dramatically closer to subdivisions than Best Bath's location to the Wild Meadows Subdivision. South Beach, Florida has a fiberglass plant along the lake with subdivisions surrounding it downwind.

Lori Luchek testimony not transcribeable due to distorted sound.

James Henrickson, 554 E. Wild Jasmine Ct., - how many Best Bath employees are in the audience.

Mr. Multanen responded: asked his employees to stand up.

Teresa Upshaw, 244 Morris Ct., how many of the employees of your company are actually Kuna residents?

Mr. Multanen responded: asked his employees to stand up if they live in Kuna.

James Henrickson, 554 E. Wild Jasmine, Best Bath in Boise got an IDEQ complaint. Safety environmental hazard.

Ray Healy, Best Bath Safety Environmental Manager, stated there have been no complaints in the last ten years from neighbors, DEQ, OSHA, etc.

James Henrickson, 554 E. Wild Jasmine, asked: Will Best Bath assist in public notification for the special use permit? Will the City send mailing to people of the meeting time and place?

Mr. Multanen stated that if the audience wants the most up to date information on Styrene he urged them to read the 185 page article on styrene published by the Styrene Institute Center.

James Henrickson, read an article to the audience on styrene.

Mr. Multanen respond: In the article that you just read the key word is “acute” exposure to styrene and the effects of that exposure.

Mr. Multanen read the notes on the Wild Meadows Subdivision map which stated “The developer of this subdivision shall make known that this residential subdivision is located adjacent to an existing industrial zone and industrial subdivision. Uses allowed in the industrial zone can create noise, odors and other things that a residential development may find objectionable”.

James Henrickson, read items C. D. & G. in the Kuna Zoning Code, Special Use definition to the audience.

Mike Sailer, 1185 S. E. Kuna Road, half the emissions are going to be volatile compounds that are known to cause various problems you have skimmed over that information. They may not be hazards today, but history has shown that it may take 3 or 4 decades to see the effects of exposure to certain chemicals.

Mr. Multanen stated that the emissions from their form of manufacturing have been monitored for over fifty years. Styrene is a VOC “volatile organic compound” and this is the major chemical that the audience had questioned in other meetings and Best Bath came prepared to discuss its affects.

Unidentified speaker: noticed some barrels outside of your facility.

Best Bath Employee, responded: all barrels were empty and cleaned out awaiting pick up for recycling.

Teresa Upshaw, 244 Morris Ct., stated that her husband used to work near Best Bath—it was pretty smelly.

Mr. Multanen stated: All the production process takes place inside the building.

Teresa Upshaw, 244 Morris Ct., asked: Do you use air scrubbers?

Mr. Multanen replied: No. They do capture dust inside the building.

Teresa Upshaw, 244 Morris Ct., asked: What is the size of the current plant?

Mr. Multanen replied: 48,000 SQF in Boise. 77,000 SQF in Kuna – production floor will be same size as in Boise. I can assure you we work everyday to control our emissions because we have no desire to send them up the stack.

Mr. Thurston clarified: that they have increased production over last four years without increasing emissions.

Bill Ruolo, 625 S. Red Oak, asked: Why not put the factory away from Kuna residents?

Mr. Multanen replied: I was recruited to move my factory to Kuna into the zoned industrial park. The property adjacent to our factory, which later became Wild Meadows Subdivision, was zoned industrial at that time.

Bill Ruolo, 625 S. Red Oak, the people who supported and recruited your company to move into our City are no longer governing our City. We the people of Kuna do not want your factory in our City.

Mr. Multanen replied: Most of my money is invested in the Best Bath plant. I am open to any reasonable suggestion.

Dick Rush, Idaho Association of Commerce and Industry in Boise, stated: I see this all over the country there is tremendous opposition particularly to manufacturing facilities. He spoke with the Director of DEQ and asked what it takes to be approved to manufacture in the State of Idaho. The manufacturing facility goes through a stringent application process that usually takes about 18 months. They are looking at there emission levels, noise, dust control, etc. They have scientific studies that show what the issues will be and they have standards of what they will allow to go up a stack. It is quite a process to get approved for a manufacturing plant in the U.S. today. 2% of the emissions in Canyon County come from manufacturing facilities. I see the subdivision versus the factory scenarios all the time. Our economy cannot survive if our only business is building subdivisions people who will live in those subdivisions have to have jobs

Josh McFadden, Sailer Place, we are not against your company we just don't want it in our backyard. What are the effects on Indian Creek? How many vehicles will be added by the facility? The number one complaint of employees at your plant is headaches. Best Bath in Boise is the #1 polluter in Ada County.

Mr. Multanen replied: There is a website that identifies Fiberglass Systems as the number 1 polluter in Ada County.

Nancy Rosecrans, 409 E. Harris Hawk, testimony not transcribeable due to distorted sound.

Gerald Snyder, 528 E. Wild Jasmine, My family moved to Kuna in 1972. The sewer and the water were taken out to the industrial park specifically to allow Best Bath to move its operation to Kuna. The Mayor asked Best Bath to come to Kuna. If we somehow force Best Bath out, they are going to file a huge lawsuit against Kuna. Who are they going to sue--they are going to sue us, the citizens of Kuna. The Wild Meadows Homeowners Association sues Kuna for allowing Best Bath to operate their manufacturing business so close to their subdivision. Who are they suing, the citizens of Kuna and we all lose a lot of our City funds. I think there should be some sort of compromise and a working solution.

Ray Finch, Backpack St., asked if Best Bath has any medical claims such as headaches, nose bleeds, dizziness, etc.

Mr. Multanen replied: I am not aware of any of my employees having any of these claims in the 35 years I have been in this business. No claims due to side effect of the chemicals we use.

Tim Gordon, 1206 N. Black Cat, testimony not transcribeable due to distorted sound.

Dee Ann Keller, Locust Grove, stated she was embarrassed about what is going on here tonight and extended her apologies to Best Bath. These people are new I have lived here all my life. I understand where they are coming from when they say they don't want Best Bath in our City we said the same thing twenty years ago about their subdivisions. It is progress people. Look at all the elementary schools that we are building we need businesses in this City to generate tax dollars if our community is going to continue to grow. You should be dealing with your developer who changed the zoning on your subdivision. You are going to ask Best Bath to pull up his business and move it after all of the work and investment he has put into it.

Carol Ann Hofhine, 630 S. Red Oak Ave., asked: You showed us a plat that had a notation that the developer was to disclose to the new home buyers in Wild Meadows that they were near a manufacturing park. Why would that information need to be disclosed to the perspective home owners?

Mr. Multanen responded: He did not know.

Ms. Hofhine, 630 S. Red Oak Ave., stated that the lion share of the blame for this manufacturing facility being close to their subdivision is with the prior administration of the City who were in office during the time Best Bath and the rezone of Wild Meadows decisions were made.

Bill Ruolo, 625 S. Red Oak, asked: In the last publication of the Idaho Statesman Newspaper it quoted Mr. Multanen saying "We are going to Kuna, that is not going to change" with that said what is the purpose of this meeting this evening?

Mr. Multanen responded: This is not the venue for me to get into any negotiation with any perspective purchaser of the property I own at 279 Best Bath Way. I have complied with all the regulations to move my company to Swan Falls Industrial Park.

Dusty Keller, 640 N. Locust Ave., asked: You say you have been in business for 35 years. Have you ever had trouble with the EPA? Have they ever found any mistakes in your manufacturing or emissions process or have you ever been fined? If your business was that dangerous, I wouldn't think you would have been in business 35 years. I think it is great that your factory is being built. We need businesses in this City besides bars and I support this business 100%. Mark my words, five years from now there are going to be houses surrounding the Swan Falls Industrial Park.

Wendy Maly, 227 W. Tallulah Dr., asked: Are your exhaust stacks 31 feet high from the top of the building or ground level?

Mr. Multanen responded: ground level.

Ms. Maly, 227 W. Tallulah Dr., asked: Do you dump out your used and excess chemicals?

Mr. Multanen responded: All chemicals are purchased for composite.

Sheri Russell, 781 S. School St., I knew that Best Bath was going in the Swan Falls Business Park in 1997. I also purchased a lot in Wild Meadows to build a home for our grandson to raise funds for his treatment, if I thought that being near Best Bath was going to effect the property value of that home and I would not get top dollar when it is time to sell I would not have located him there.

Teresa Upshaw, 240 W., stated the disclosure clause in the real estate document is for the purchaser to know who their neighbors are going to be.

Dusty Keller, 640 N. Locust Ave., People are moving to Kuna because it is a great bedroom community. I would worry that people would stop moving here because of a stigma that stops the growth and stops other businesses from moving into the City.

Donna Ellis, .510 E. Huckleberry Ct., asked: When will your whole operation move to the Kuna plant?

Mr. Multanen responded: We plan to start new construction this fall and it will be a 9 month project.

Ms. Ellis, 510 E. Huckleberry Ct., asked: Are you going to make noise in your manufacturing process?

Mr. Multanen responded: Yes. That is why we put up three stacks to eliminate some of the noise.

Ms. Ellis, 510 E. Huckleberry Ct., asked: If they are a 7-day a week operation?

Mr. Multanen responded: No. Production force starts at 6:00 a.m. and is done at 2:30 p.m., the assembly and shipping operation starts at 8:00 a.m. and work until 5:00. Our preference is to run an 8-hour day.

Ms. Ellis, 510 E. Huckleberry Ct., I do smell your facility out there right now.

Mr. Multanen responded: That she must be one of those people with a very sensitive nose and you are smelling styrene and it is less than 1 particle in million in the air.

Bobbi Sailer, 1185 E. Kuna Rd., stated she was involved in DEQ public hearing in 2002 and at that time they issued the permit to construct. She asked Mr. Multanen if he had applied for a Tier-1 permit to operate the Kuna facility? You don't have a stack on your Kuna facility?

Gary – responded that the Tier 1 is not required, because the current Kuna facility is under 10 tons. The stack will be added in the next phase of building.

Joe LaRosa, 2049 E. Huckleberry, Would you be willing for the citizens to formulate a plan to obtain funding to move Best Bath to another location in Kuna?

Ken Maxwell, 1009 E. Kuna Rd, Apt. 103, do you have the stacks in place in the City of Boise to get rid of the smell? I have a sensitive nose and there are days when the wind blows that I really don't care to breathe what your plant puts out. I think your plant is in the wrong location and I think the City Planners and the City leaders made a poor choice locating the industrial zone next to the subdivision.

Mr. Multanen responded: No, plant built under 1986 design criteria.

Tim Gordon, 1206 Black Cat, stated it seems to me that this really is a zoning issue. If you had no desire to expand your business, why did you get an emission rate 4 times higher than what you require?

Mr. Multanen responded: I think I understand your question. Were there special requirements placed on Best Bath? In my experience in working with DEQ it is prudent to have permits that allow us to grow our business. All over the country emission permits are becoming more difficult to acquire.

Josh McFadden, Sailer Place, hasn't seen ventilation plan yet.

Mr. Multanen responded: The plans were with IDEQ.

There being no further business to conduct, the meeting was adjourned at 9:52 p.m.

O. Dean Obray, Mayor

ATTEST:

Lynda Burgess, City Clerk

DATE APPROVED: September 5, 2006