



OFFICE OF THE MAYOR
LOUISVILLE, KENTUCKY

October 22, 2018

GREG FISCHER
MAYOR

Mr. David James, President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear President James:

In accordance with the Hazardous Materials Ordinance Appeals and Overseers Board, I am reappointing the following:

<u>Name</u>		<u>Term</u>
Matthew Rhodes	reappointment	11/17/2022

This is to be read into record only. Metro Council approval of this appointment is not required.

Sincerely,

Greg Fischer
Mayor

cc: Councilwoman Mary Woolridge
Appointments Committee Chairperson



HAZARDOUS MATERIALS ORDINANCE APPEALS AND OVERSEERS BOARD

BOARD DETAILS

OVERVIEW

- SIZE** 9 Seats
- TERM LENGTH** 4 Years
- TERM LIMIT**



DETAILS

ENACTING RESOLUTION WEBSITE

ENACTING RESOLUTION

STATUTORY AUTHORITY None

ORDINANCE AUTHORITY1 LMCO 95.13

POWERS

Appeal. The Board, in hearing an appeal, shall recommend to the administering agency that the agency's action be modified, upheld, or dismissed or that a fine or penalty levied upon a person for violation of any provision of this ordinance be set aside, modified or left intact.

The Board, upon an HMPC Plan appeal, may recommend to the administering agency exemptions or modifications in the content of the HMPC Plan and requirements for reporting hazardous materials releases, provided that such exemption or modification is based on the preventive physical aspects of the facility, including containment structures and automatic monitors, and the recognized and documented good performance of the industry in handling hazardous materials.

Adjustments to reportable quantity list. The Appeals and Overseer Board upon recommendation of a local regulatory agency or upon request for review by a regulated hazardous materials user may adjust upward or downward the reportable quantity on the most current applicable list.

Appeals. Any rejection or denial of approval of a HMPC Plan may be appealed to the Appeals and Overseer Board pursuant to § 95.11.

REMOVAL

BONDING AUTHORITY? Yes

MEETING

INCORPORATED? Yes

OPEN RECORDS INFO RECEIPT REQUIRED UNDER KRS 65.055? Yes

OATH OF OFFICE REQUIRED? Yes

SUBJECT TO OPEN MEETINGS LAW?	Yes
BOND REQUIREMENT FOR MEMBERS?	Yes
OFFICERS	None provided for in ordinance
FISCAL AGENT AGREEMENT WITH METRO?	Yes
HOW IS THE DIRECTOR OR EXECUTIVE DIRECTOR APPOINTED/HIRED?	
RECORDS & REPORTS	Review and report to the Mayor on at least a semi-annual basis the efforts of the Board to coordinate and integrate the policies and procedures of the regulating agencies and persons related to the HMPG Plan.
AUTOMATIC REAPPOINTMENT UNDER KRS 65.008(2)?	Yes
VACANCY APPOINTMENT	
COUNCIL APPROVAL OF APPOINTMENT?	Yes
EX OFFICIO MEMBERS	None
COMPENSATION	
TERM OF APPOINTMENT DETAILS	Not stated in ordinance. May be stated in bylaws, which may be adopted by the board.
VACANCY APPOINTMENT DETAILS	
QUORUM	A simple majority of the Board shall constitute a quorum.
HOW APPOINTED	Appointed by the Mayor
QUALIFICATION OF MEMBERS	Representative of industry, regulatory agency and general public. The Mayor shall appoint 9 members: four of whom shall be representatives of regulated industry appointed from a list of at least ten names submitted by Greater Louisville, Inc., three of whom shall be representatives of regulatory agencies, and two of whom shall be representative of the general public.
PURPOSE	An Appeals and Overseer Board, composed of representatives of industry, regulatory agencies and the general public appointed by the Mayor, shall be established to insure that an appeal is available to those persons aggrieved by an action of the administering agency regarding the adequacy of a HMPG Plan.

those persons fined or penalized pursuant to this ordinance; and to coordinate and integrate the policies and procedures of the regulating agencies and person related to the HMPC Plan. Any recommendation of the Appeals and Oversight Board shall be advisory only and shall not be binding in any manner whatsoever upon the Board of the Administering Agency.

**ETHICS/CONFLICT OF
INTEREST PROVISION**

SOCIAL MEDIA WEBSITE

SUBCOMMITTEES

OFFICERS TERM OF OFFICE

ADDRESS

WEBSITE

**COUNCIL APPROVAL
DETAILS**

OFFICERS TERM OF OFFICE

**BOARD REQUIREMENT
DETAILS**

Hazardous Materials Ordinance Appeals and Overseers Board

Appointment (General Public)	Term	MC Dist.	Race	Gender	Party
Cheryl Fisher	11/1/2021	19	AA	F	D
(Industry) A. Gilliam Alexander, Jr.	12/31/2021	18	W	M	R
(Industry) Kori Andrew	6/1/2021	16	W	F	D
(Regulatory) Matthew Rhodes	11/17/2018	N/A	W	M	D
(General Public) George Becker	6/1/2021	8	W	M	R
(Industry) Peter Raymond	3/31/2020	7	W	M	R
(Regulatory) Sean Dreisbach	6/1/2021	20	W	M	R
(Regulatory) Charles Adkisson	11/1/2021	23	W	M	D
(Industry) Jana Zigrye	2/13/2020	N/A	W	F	I

Council Approval	No
Total Members	9
Term	4 years
Auto Reappointment	No
Revised	10/12/2018

Member qualifications: Representatives of regulated industry and general public