



ANGELA THOMPSON, CHAIR
Vice Mayor, Biggs

ALAN WHITE, VICE CHAIR
Mayor, Paradise

BILL CONNELLY
Supervisor, District #1

LARRY WAHL
Supervisor, District #2

MAUREEN KIRK
Supervisor, District #3

STEVE LAMBERT
Supervisor, District #4

KJM YAMAGUCHI
Supervisor, District #5

SCOTT GRUENDL
Councilmember, Chico

JERRY ANN FICHTER
Mayor, Gridley

CHERI BUNKER
Councilmember, Oroville

W. James Wagoner
Air Pollution Control Officer

(530) 332-9400
(530) 332-9417 Fax

Minutes of the Butte County Air Quality Management District Governing Board of Directors Meeting of August 25, 2011

Members Present

Angela Thompson
Bill Connelly
Larry Wahl
Cheri Bunker
Jerry Ann Fichter
Scott Gruendl
Maureen Kirk
Steve Lambert
Kim Yamaguchi
Tim Titus, Alternate

Vice Mayor, City of Biggs
Butte County Supervisor
Butte County Supervisor
Councilmember, City of Oroville
Mayor, City of Gridley
Councilmember, City of Chico
Butte County Supervisor
Butte County Supervisor
Butte County Supervisor
Councilmember, Town of Paradise

Staff Present

W. James Wagoner
Bob McLaughlin
Robyn Sousa
Armen Kamian
Greg Einhorn
Air Pollution Control Officer
Assistant APCO
Admin. Services Officer
Assoc. Air Quality Planner
District Legal Counsel

Members Absent

Alan White

Mayor, Town of Paradise

Others Present

Linda Herman
Katy Sweeny
Linda Furr
Ben Winter
Mark Forwalter
Mikah Salsi
City of Chico
Chico Enterprise Record
League of Women Voters
Transfer Flow
Transfer Flow
City of Oroville

1. Call to Order

Chair Thompson called the meeting to order at 10:03 a.m. at the Chico City Council Chambers, 421 Main Street, Chico, California.

2. Additions and Deletions to the Consent Agenda

There were no additions or deletions to the consent agenda.

3. Consent Agenda

- 3.1** By Consent, approve Minutes of the July 28, 2011 Meeting of the Board of Directors.
- 3.2** By Consent, accept and file, Activity Report of Butte County Air Quality Management District.
- 3.3** By Consent, accept and file, Financial Status Report for Fiscal Year 2011-2012.
- 3.4** By Consent, accept and file, report on Calendar of Events.
- 3.5** By Consent, adopt the proposed resolution authorizing select staff access to the District's safety deposit box.
- 3.6** By Consent, accept and file, Air Pollution Control Officer's Executed Contract,
- 3.7** By Consent, adopt proposed resolution for the election of directors to the Special District Risk Management Authority Board of Directors.
- 3.8** By Consent, approve the survey, disposal and release of accountability of specified District property.

Councilmember Gruendl requested items 3.3, 3.5 and 3.6 be removed for further discussion.

Action Requested: Approve Consent Agenda Items 3.1, 3.2, 3.4, 3.7 and 3.8.

There were no public comments.

Motion: Approve Consent Agenda Items 3.1, 3.2, 3.4, 3.7 and 3.8.

AYES: Vice Mayor Thompson, Supervisor Connelly, Supervisor Wahl, Supervisor Kirk, Supervisor Lambert, Supervisor Yamaguchi, Councilmember Gruendl, Mayor Fichter (second), Councilmember Bunker (motion), Councilmember Titus

NOES: None

ABSTAIN: None

ABSENT: Mayor White

Motion Carries.

4. Items Removed from the Consent Agenda for Board Consideration and Action.

3.3 By Consent, accept and file, Financial Status Report for Fiscal Year 2011-2012.

Councilmember Gruendl asked a question regarding the financial bar graphs. Councilmember Gruendl wanted to know the reason why the expenditures exceeded revenue and if the difference was paid with fund balance.

Robyn Sousa explained that majority of the higher actual expense verses actual revenue in the bar graph was due to budgeted prior year grants. The prior year grants were paid for by fund balance and that skews the graph a bit, the graph levels should even out as the Fiscal Year progresses.

3.5 By Consent, adopt the proposed resolution authorizing select staff access to the District's safety deposit box.

Councilmember Gruendl asked questions regarding the need for a safety deposit box, the cost of a safety deposit box and the staff resources that would be used and if staff had considered other alternatives.

Robyn Sousa stated that the yearly cost of the safety deposit box was \$70.00. There would be no additional staff cost as the District uses Bank of America as its depository. Currently deposits are required several times per week; the backup tapes would be switched when deposits are made so no additional staff time would be needed.

3.6 By Consent, accept and file, Air Pollution Control Officer's Executed Contract.

Councilmember Gruendl inquired about the APCO contract item car allowance clause. He asked if the APCO used a District vehicle or his personal car for out of County meetings. Jim Wagoner stated that he always used his personal vehicle for travel. Councilmember Gruendl asked Jim Wagoner if he claimed much mileage, Jim Wagoner replied; "No".

Motion: I move to Approve Consent Agenda Items 3.3, 3.5 and 3.6.

AYES: Vice Mayor Thompson, Supervisor Connelly, Supervisor Wahl, Supervisor Kirk, Supervisor Lambert (second), Supervisor Yamaguchi, Councilmember Gruendl (motion), Mayor Fichter, Councilmember Bunker, Councilmember Titus

NOES: None

ABSTAIN: None

ABSENT: Mayor White

Motion Carries.

Regular Agenda

5. Consider request from the City of Chico to provide assistance with the City's Wood Burning Ordinance.

Jim Wagoner reviewed background information regarding the City of Chico's request to provide assistance with the City's Wood Burning Ordinance. On January 28, 2010 the Air Quality Management District Board of Directors received a report from Councilmember Gruendl on the City of Chico's plan to adopt an ordinance that would restrict the use of wood burning stoves and fireplaces on poor air quality days. The Board directed staff to assist the City of Chico as a technical resource during the development of the City's wood burning ordinance and work on a joint powers agreement.

At the August 2, 2011 Chico City Council meeting, an ordinance entitled "Wood Burning Regulations" was approved after the final reading. This ordinance established mandatory wood burning curtailment during the periods of Nov 1st through March 1st on days the District issues a **Check Before You Light** advisory.

The Chico City Council requested the City Manager forward a letter to the District, asking the District to consider assisting in implementation of this ordinance.

Jim Wagoner reviewed various implementation options that could be utilized and how combined agency efforts might be structured. Jim Wagoner recommended entering into a professional service agreement contract with the City, with an hourly billing rate \$79.75 with an initial cap of \$8,000. Jim stated that the District could assist the City with the District's existing staff and just juggling priorities.

Councilmember Gruendl appreciated staffs' recommendation for a contract option which affords the greatest protection for the Board.

Supervisor Wahl stated he opposed this both on the City Council and now.

Supervisor Yamaguchi stated that the issue he has, is that this would cost the District. It would reinforce a penalty phase instead of helping low income households who are using woodstoves convert over to an EPA woodstove. He would rather help with a subsidy for woodstove conversions.

Supervisor Kirk said that she did not think that it would not cost the District any money because the City would be reimbursing the District for what they do. The City will be doing the enforcement. She also stated, even \$500 for a low income person on a two to three thousand dollar stove is still not going to get them a wood stove and they do have the exemption. She said it is a reasonable request that the Air Quality Management work with the City of Chico. She supported the third option and it will help the whole District if we get the numbers down.

Chair Thompson stated that the City of Chico needs to handle their new ordinance out of their office. She said she would not back anything that takes away people's rights.

Councilmember Bunker commented, while it is true the City of Chico has every right to pick what they want to do, she also thinks it is up to them to enforce what they choose to do.

There were no public comments.

Action Requested:

- 1. Receive report on options for the District to provide the City assistance; and,**
- 2. Direct staff to work with the City on a contract for the District to provide specified services to assist the City implementing the wood burning ordinance, subject to District legal counsel review.**

Motion: I make a motion that the Board not adopt any of the three options.

AYES: Vice Mayor Thompson, Supervisor Connelly, Supervisor Wahl (motion), Supervisor Lambert, Supervisor Yamaguchi, Mayor Fichter, Councilmember Bunker (second), Councilmember Titus
NOES: Supervisor Kirk, Councilmember Gruendl
ABSTAIN: None
ABSENT: Mayor White

Motion Carries.

6. Presentation from Transfer Flow, Inc. on Propane Conversion and Installation Training Program.

Ben Winter from Transfer Flow Inc. presented information regarding the Transfer Flow fuel tank systems, DPF systems and propane conversions. Ben Winter offered information on transfer flow tank system technology, advantages of propane over CNG, NOx reduction comparisons and available training.

Action Requested: Receive Presentation.

Motion: Motion to receive report.

AYES: Vice Mayor Thompson, Supervisor Connelly, Supervisor Wahl (second), Supervisor Kirk (motion), Supervisor Lambert, Supervisor Yamaguchi, Councilmember Gruendl, Mayor Fichter, Councilmember Bunker, Councilmember Titus
NOES: None
ABSTAIN: None
ABSENT: Mayor White

Motion Carries.

7. Consider changing meeting location for the September 22, 2011 Board Meeting.

Jim Wagoner reported that the District had been notified, by the City of Oroville Administration office, that the City of Oroville Chambers may not be available for use in September due to remodeling.

Action Requested: Approve change of meeting location as coordinated with BCAG staff.

Motion: Motion to move the September meeting location to the City of Chico Chambers.

AYES: Vice Mayor Thompson, Supervisor Connelly, Supervisor Wahl, Supervisor Kirk, Supervisor Lambert, Supervisor Yamaguchi, Councilmember Gruendl, Mayor Fichter, Councilmember Bunker (motion), Councilmember Titus (second)
NOES: None
ABSTAIN: None
ABSENT: Mayor White

Motion Carries.

8. APCO Report.

Action Requested: Receive Report.

Air Pollution Control Officer Jim Wagoner provided the following APCO report. During the period of July 25th through August 12th District staff processed burn permits and other registration materials for 82 growers, in preparation for the upcoming fall rice straw burn season. As in past years, the District utilized an appointment schedule to more

efficiently handle the work load and minimize the growers' wait time. Growers planning to burn rice straw must first register their fields with the District and obtain a Conditional Rice Straw Burn permit. Growers are limited to burning no more than 25% of their planted acres. This year 103,000 acres of rice were planted in Butte County; 90,000 total acres of rice were planted last year. The fall burn season commences on September 15th, but due to the expected late harvest, he reported field crop burning will probably not begin until late September.

The APCO reported Chair and BCC Alternate Angela Thompson represented the Board at the August 5th meeting of the Sacramento Valley Basinwide Air Pollution Control Council. The main topic was the upcoming fall burn season. A summary of planted acres in each of the member Districts was discussed.

Chair Thompson and the APCO will attend the September meeting of the Butte County Farm Bureau Board of Directors as part of the District's outreach to local industry.

The Butte County Fire Safe Council was notified that their Environmental Justice Small Grant FY2011 application was not considered for award. EPA said this was a very competitive program and the application scored lower than the winning applications. The District and Butte County Department of Public Health partnered with the Fire Safe Council in the application. The District will continue to pursue other grant opportunities with the Fire Safe Council.

The APCO reported the following items tentatively scheduled for the September 22nd Board meeting:

- Consider approving amendments to the District's Diesel Engine rules to comply with recent changes to State regulations;

- Consider request from the City of Chico to assist with development of air quality impact fees;

- Receive AB 2588 Air Toxics "Hot Spots" annual report;

- Consider approving the 2011-2012 voluntary **Check Before You Light** program.

At the state level, the APCO reported, California Air Resources Board held a meeting August 24th in Sacramento. The meeting included a presentation by CARB staff on AB 32 climate change program activities, the AB 32 Scoping Plan, and presented the CARB Board's consideration the Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document.

At the federal level, the APCO reported, U.S. EPA continues to work with CAPCOA to allocate available federal 105 grant funds to 6-8 air districts that currently do not receive federal grants. Butte County AQMD is being considered. Approximately \$600,000 in total funding is available to allocate to the current non-grantee districts. A decision is expected by September 1st.

There were no public comments.

Motion: I move to receive the APCO report.

AYES: Vice Mayor Thompson, Supervisor Connelly, Supervisor Wahl, Supervisor Kirk (second), Supervisor Lambert, Supervisor Yamaguchi, Councilmember Gruendl, Mayor Fichter, Councilmember Bunker, Councilmember Titus (motion)

NOES: None

ABSTAIN: None

ABSENT: Mayor White

Motion Carries.

9. Recognition of Assistant Air Pollution Control Officer Bob McLaughlin on his 20 years tenure with the Butte County Air Quality Management District.

Jim Wagoner presented Assistant Air Pollution Control Officer Bob McLaughlin a Board Resolution recognizing his 20 years of service on the staff of the Butte County Air Quality Management District. Bob McLaughlin made brief comments.

10. Other Business.

There was no other business.

11. Public Comment Period.

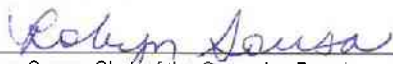
There were no public comments.

12. ADJOURNMENT: 11:29 a.m.



W. James Wagoner, Air Pollution Control Officer

I hereby attest that this is a true and correct copy of the action taken by the Butte County Air Quality Management District Board of Directors on August 25, 2011.

ATTEST: 

Robyn Sousa, Clerk of the Governing Board