

# Amador Air District Board of Directors Meeting

## Summary Minutes

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Meeting was partially recorded in the Amador County Board of Supervisors Chambers  
810 Court Street, Jackson, California  
2:30 p. m. January 20, 2015

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### Determination of a Quorum

#### Present on Roll Call:

John Plasse	Amador County District 1, Supervisor
Richard Forster	Amador County District 2, Supervisor
Lynn Morgan	Amador County District 3, Supervisor
Louis Boitano	Amador County District 4, Supervisor
Brian Oneto	Amador County District 5, Supervisor
Pat Crew	City of Jackson, Councilman (Chairman)
Robin Peters	City of Sutter Creek, Councilman

#### Absent on Roll Call:

Tim Knox	City of Amador City, Councilman
Representative not known at this time	City of Ione, Councilman
Jon Colburn	City of Plymouth, Councilman

#### Staff:

Kris Pierce, Clerk of the Board  
Jim McHargue, APCO  
Matt Peterson, Inspector

NOTE: These minutes remain in *Draft* form until approved by Minute Order at the next regular meeting of the Board of Directors. Any packets prepared by Staff are hereby incorporated into these minutes by reference as though set forth in full. Any staff report, recommended findings, mitigation measures, conditions, or recommendations which are referred to by Board members in their decisions which are contained in the staff reports are part of these minutes by reference only. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes by reference.

At 2:41 p.m. Chairman Crew called the meeting to order. It was determined that there was a quorum for business.

**Pledge of Allegiance:** Chairman Crew led the Board and staff in the *Pledge of Allegiance*.

**Approval of Agenda:** Approval of the agenda for this date; any and all off-agenda items must be approved by the Board (pursuant to §54954.2 of the Government Code).

**Motion:** It was moved by Director Forster, seconded by Director Peters, and unanimously carried to approve the agenda for this date as submitted.

**Absent:** Directors Colburn, Knox and City of Ione

**Public Matters Not on the Agenda:** Discussion items only; no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of the Amador Air District Board of Directors; however, any matter that requires action may be referred to staff and/or a committee for a report and recommendation for possible action at a subsequent Board meeting. **Please note - there is a five (5) minute limit per topic.**

No one of the public wished to speak

### Administrative Matters

**1. Minutes: Review and approval of the September 16, 2014 Board Minutes:** Action  
There was a minor correction to item 2 (comma placement).

**Motion:** It was moved by Director Plasse, seconded by Director Forster, and unanimously carried to approve the minutes of the September 16, 2014 meeting as corrected.

**Absent:** Directors Colburn, Knox and City of Ione

**2. Elections of Officers for 2015:** Action

Chairman Crew introduced this item.

Discussion of the two positions, Chair and Vice Chair, resulted in two motions.

It was moved by Director Oneto, seconded by Director Plasse, and unanimously carried to retain Director Crew as the Board Chairman.

**Abstain:** Director Crew

**Absent:** Directors Colburn, Knox and City of Ione

**Motion:**

It was moved by Director Plasse, seconded by Director Boitano, and unanimously carried to appoint Director Peters as Vice Chair.

**Motion:**

**Absent:** Directors Colburn, Knox and City of Ione

**3. Determination of Meeting Schedule for 2015:** Action

APCO McHargue related that the meetings have been set up based on prior year's calendars for the 3<sup>rd</sup> Tuesday of the month at our usual time of 1:30 p.m.

Director Forster stated that he did have some conflicts that would prevent him from attending all meetings.

<p><b>Motion:</b></p>	<p>It was moved by <u>Director Plasse</u>, seconded by <u>Director Morgan</u>, and unanimously carried to approve the recommended meeting schedule as presented.</p> <p><b>Absent:</b> Directors Colburn, Knox and City of Ione</p> <p>Chairman Crew welcomed new Director Lynn Morgan to the Board. It was noted that the City of Ione also has a new representative, but it was unknown who that person is. The Board Clerk was directed to research this.</p>
<p><b>4.</b></p> <p><b>Motion:</b></p> <p><b>Motion:</b></p>	<p><b>Review of Audit Finding for FY 12-13 and 13-14:</b></p> <p>APCO McHargue introduced Craig Fechter of Fechter and Associates, CPA, who performed the two-year audit of the District’s finances.</p> <p>Mr. Fechter reviewed the resulting documents, Management Report and the Financial Statements with the Board and answered questions.</p> <p><b>Question:</b> What exactly is included in the line – Due from other governmental agencies? Specifically these are the DMV Fees that were collected within the fiscal year, but are not paid to the District until the next fiscal year. Fees are paid two months in arrears, i.e., collected in May, paid in July.</p> <p>The amendment to the Services Agreement was discussed. In the letter, from APCO McHargue, responding to the concern that many financial duties are performed by one person, it was stated that a monthly review would be performed. The agreement before us states quarterly. Which is it? It was explained that during the meeting with Karen Scaccianoce, Budget Analyst, it became clear that a monthly review would be excessive. If additional time is needed for the reviews, above what is provided by this amendment, Mr. McHargue said that he would bring the agreement back for modification.</p> <p>GASB 68 responsibilities between the county and the District need to be reviewed to insure that any county services provided are compensated appropriately.</p> <p>It was moved by <u>Director Forster</u>, seconded by <u>Director Plasse</u>, and unanimously carried to accept the audit.</p> <p><b>Absent:</b> Directors Colburn, Knox and City of Ione</p> <p>It was moved by <u>Director Plasse</u>, seconded by <u>Director Oneto</u>, and unanimously carried to accept and approve the first amendment to the Services Agreement.</p> <p><b>Absent:</b> Directors Colburn, Knox and City of Ione</p>
<p><b>5.</b></p>	<p><b>Carl Moyer Rural District Assistance Program (RAP) Application: Action</b></p> <p>APCO McHargue opened this item explaining that the District has the opportunity to designate a portion of our Carl Moyer funds to the Rural District Assistance Program for the next five years. The District retains the right to rescind the agreement at any time.</p>

<b>Motion</b>	<p>Mr. McHargue was asked if the \$200,000 is the yearly allocation for the RAP program or for the five years. APCO McHargue said that he believes that to be the total funds that are allocated to the District in Moyer funds. The RAP funds are a portion of the total amount. He has some calls out so that he can fully understand how the funding works. CAPCOA can and does provide the staff and expertise to administer the RAP program. Administrative fees are also allocated to CAPCOA.</p> <p>It was moved by <u>Director Boitano</u>, seconded by <u>Director Morgan</u>, and unanimously carried to accept and approve Resolution 15-01 for signature.</p> <p><b>Absent:</b> Directors Colburn, Knox and City of Lone</p>
<b>6.</b>          <b>Motion</b>	<p><b>District’s Procedure for Handling Burn/No Burn Days: Action</b></p> <p>APCO McHargue told the Board that he would like to have, on record, their backing of the methodology of how the District handles Burn and No Burn Days for the County. He explained that though we received the information from the ARB Meteorology Department in Sacramento the information that is used to project the status is based on aircraft soundings that are taken from the Columbia airport. Several soundings are taken at different elevations to judge the stability of the atmosphere in our region. A day is then scored as superior, good, fair, marginal (improving, unchanging or deteriorating), or no burn. A day that is judged to be marginal may be over-ridden by the APCO if it can be scientifically shown that burning would not cause a health hazard to the public, otherwise a marginal day is a No Burn Day. APCO McHargue read from both the California Air Pollution Control Laws and Title 17 of the California Code of Regulations.</p> <p>Mr. Jerry Cassesi, resident Amador County, spoke supporting the job that the District is doing.</p> <p>It was moved by <u>Director Boitano</u>, seconded by <u>Director Peters</u>, and unanimously carried to support the current procedure for burn/no burn days.</p> <p><b>Absent:</b> Directors Colburn, Knox and City of Lone</p>
<b>7.</b>	<p><b>Vehicle for APCO: Action</b></p> <p>APCO McHargue explained to the Board that he has had discussions with both the Center for Biological Diversity and Mike Muston of BVBP. Both parties are satisfied that though the purchase of a vehicle may not have been the original intent of the settlement funds, it does meet the criteria.</p> <p>APCO McHargue further explained that he is currently driving a Ford Expedition from the GSA Motor Pool. It is very large, larger than needed, and gets very low gas mileage. The current arrangement is that both Air and Waste Management pay \$100 a month rental plus fuel. The arrangement that he envisions is that the District will purchase a vehicle and Waste Management will pay monthly ‘rent’ and a portion of the fuel expense.</p> <p>Director Peters disclosed that he continues to work for BVBP but that for this item he does not see a conflict of interest for participation in this item.</p> <p>APCO McHargue pointed out that the vehicles shown are only examples that were printed out a month previously and these specific vehicles may not still be available.</p>

<b>Motion</b>	<p>A 4x4 vehicle is desired given some of the terrain that both jobs access, though not mandatory.</p> <p>The Board expressed that purchasing in-county would be the preference but don't delay to meet that goal.</p> <p>The wording of the recommendation in the staff memo for this item was discussed, resulting in the following motion.</p> <p>It was moved by <u>Director Morgan</u> to authorize the District to purchase a vehicle up to a maximum of \$25,000 for the APCO that is carbon reducing.</p> <p>Additions requested to the motion:  that the APCO work with the Chair while making the selection.  that the Big Valley Ford vehicle be pursued if still available.</p> <p>APCO McHargue asked if he was being directed to purchase 2-wheel vs. 4-wheel.  APCO McHargue opened the discussion of his dual roles, APCO and Waste Management and how the usage and fees are currently split. Currently the cost is split 50-50 between the departments. He envisions that a 'lease' agreement would be established between the District and Waste Management where Waste Management would pay a fixed amount monthly for usage of the vehicle. Currently both the District and Waste Management pay \$100 monthly to the County for the use of the Expedition. Fuel costs are also split.</p>
<b>Motion</b>	<p>It was moved by <u>Director Morgan</u>, seconded by <u>Director Forster</u>, and unanimously carried to authorize the District, working with the Chair, to purchase a vehicle up to a maximum of \$25,000 for the APCO, pursuing the Big Valley Ford vehicle if still available, that is carbon reducing.</p> <p><b>Absent:</b> Directors Colburn, Knox and City of Ione</p>
<b>8.</b>	<p><b>Transfer of Budget Funds:</b> Action</p>
<b>Motion:</b>	<p>It was moved by <u>Director Boitano</u>, seconded by <u>Director Plasse</u>, and carried to transfer the funds as requested.</p> <p>Discussion was requested.  Director Plasse withdrew the second.</p> <p>A second was made by <u>Director Peters</u> for discussion purposes. He then asked for a review of what has led the District to request this transfer of \$5,000.</p> <p>APCO McHargue reviewed with the Board the actions that have been taken with Rick Vance regarding the overpayment of the TIMBER grant to him. Mr. Vance has stated he would not repay the overpayment of \$5,000. APCO McHargue has been working with ARB Moyer Program management to find a way to resolve the problem. ARB has agreed to allow the District to reimburse the program the \$5,000 from its own funds, which needs to be fully documented.</p> <p>The first budget transfer is asking to move the \$5000 from line 54120 Community Projects (funded from our Burn Permits) to line 54715 Carl Moyer Fund Grants.  Concern was raised if line 54120 was the most appropriate place to move the funds from or if it</p>

<p><b>Motion:</b></p>	<p>would be better to use reserved funds (59500 Contingencies).                  It was explained that the money in line 54120 is raised from burn permits. These funds are typically used for community projects such as neighborhood dumpster projects. As this money is already in the budget, and at this point is not expected to be entirely used, it seemed like a good spot to move it from.</p> <p>It was moved by <u>Director Boitano</u>, seconded by <u>Director Plasse</u>, and carried to transfer the funds as requested. Vote was 5-2</p> <p><b>Ayes:</b> Directors Forster, Morgan, Boitano, Oneto, and Crew  <b>Noes:</b> Directors Peters and Plasse</p> <p><b>Absent:</b> Directors Colburn, Knox and City of Ione</p> <p>The meeting moved to the next agenda item before addressing the second transfer request. The Board did return to it later.</p>
<p><b>9.</b></p> <hr/> <p><b>Return to Item 8.</b></p> <hr/> <p><b>Motion:</b></p> <hr/> <p><b>Return to Item 9.</b></p>	<p><b>APCO's Update:</b> Informational only, no action to be taken  <b>Lopez's Moyer grant status</b> – ARB is working with us to resolve this grant request.</p> <p><b>Chronology of OK Corral Burning</b> – There has been an ongoing problem of illegal burning at this location. APCO McHargue stated that he is pursuing the situation with a notice of violation and monetary penalty.</p> <hr/> <p>Director Morgan reminded the Board that action had not been taken on the second request to transfer funds.                  APCO McHargue explained that at budgeting time the GSA Cost figures were not available and that there was a noticeable increase from the previous year which is making this change necessary.</p> <p>It was moved by <u>Director Morgan</u>, seconded by <u>Director Boitano</u>, and unanimously carried to transfer the funds as requested.</p> <p><b>Absent:</b> Directors Colburn, Knox and City of Ione</p> <hr/> <p><b>Pine Needle Collection Projects</b> – We have completed two projects and are seeking locations within neighborhoods for more.</p> <p><b>Plymouth EV Charging Station</b> – The City of Plymouth is interested in establishing an electric vehicle charging station. We will continue to work with them and the Mountain Counties Air Basin Technical group to move this forward. This is a grant through the Energy Commission.</p> <p><b>Buena Vista Biomass Plant</b> – We continue to get complaints about the emissions from the plant. I am hearing that a Community Meeting would be beneficial. This would give the opportunity to educate the people on progress. The meeting would be to address all aspects of the plant and issues.</p>

	<p><b>Mr. Jerry Cassesi</b> – Jackson Valley resident, spoke thanking the District for their assistance and persistence working to resolve the problems. It seems when they (BVBP) come up from a shutdown the smoke appears brown. That is what I hear the complaints about. He, Mr. Cassesi, thinks that a community meeting would help.</p> <p><b>Financial Reports</b> - The reports are there for your review.</p>
<b>Correspondence:</b>	
<ul style="list-style-type: none"><li>• None</li></ul>	

**Adjournment:** At 3:03 p.m., Chairman Crew adjourned the meeting to March 17 at 1:30 p.m., our regular meeting time.

ATTEST:

signed copy on file at office. Approved at 6/16/15 meeting  
Kris Pierce,  
Clerk of the Amador Air District Board of Directors