

# Amador Air District Board of Directors Meeting

## Summary Minutes

---

---

Meeting was partially recorded in the Amador County Board of Supervisors Chambers  
810 Court Street, Jackson, California  
1:30 p. m. June 20, 2017

---

---

### Determination of a Quorum

#### Present on Roll Call:

Pat Crew	Amador County District 1, Supervisor
Richard Forster	Amador County District 2, Supervisor
Lynn Morgan	Amador County District 3, Supervisor (Chair)
Frank Axe	Amador County District 4, Supervisor
Brian Oneto	Amador County District 5, Supervisor (Vice Chair)
Bob Stimpson	City of Jackson, Councilman
Thomas Reed	City of Ione, Councilman
Jon Colburn	City of Plymouth, Councilman

#### Absent on Roll Call:

Robin Peters	City of Sutter Creek, Councilman
Michael Vasquez	City of Amador City, Councilman

#### Staff/Others:

Jim McHargue, APCO  
Matt Peterson, Air Quality Specialist  
Herminia Perry, Clerk of the Board  
Damon Wyckoff, Amador Water Agency  
Dominic Moreno, Sutter Creek Fire Chief  
Shirley Hampton, Sierra Hearth & Home  
Stan Hampton, Sierra Hearth & Home  
Eric Mayberry, Amador County Agricultural Commissioner  
Jim Spinetta, Amador County Resident

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 1:30 p.m. Chair Morgan called the meeting to order. It was determined that there was a quorum for business.

**Pledge of Allegiance:** Chair Morgan led the Board and staff in the Pledge of Allegiance.

<b>Approval of Agenda:</b> 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).	
<b>Motion:</b>	It was moved by <u>Chair Morgan</u> , seconded by <u>Director Forster</u> , and unanimously carried to approve the agenda for this date. Vote 8-0  <b>Absent:</b> Directors Peters and Vasquez

<b>Public Matters Not on the Agenda:</b> 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. <b>Please note - there is a five (5) minute limit per topic</b>	
→Eric Mayberry, Amador County Agricultural Commissioner – Electric vehicle charging station advocate. Would like to see more charging stations around the County.	

Administrative Matters	
<b>1.</b>	<b>Minutes: Review and approval of the January 17, 2017 Board Minutes:</b> Approved with minor changes. Correction – date is wrong. Correction – Chair and Vice Chair Titles on page 1.
<b>Motion:</b>	It was moved by Director Forster, seconded by Vice Chair Oneto, and unanimously carried to approve the amended minutes for this date. Vote 8-0  <b>Absent:</b> Directors Peters and Vasquez
<b>2.</b>	<b>Draft Budget for FY 2017-2018:</b> Action Chair Morgan introduced this item.  APCO McHargue explained his approach to the budget is to achieve a balance between our projected revenues and projected expenditures. We have been developing and implementing new programs/projects to gradually reduce the carry-forward that adds to the reserve funds.  <u>Questions/Comments:</u> Director Forster: Expressed he believes we are doing this backwards because there are areas for consideration later in the agenda that could affect items on the budget. For example deciding to go with an option that is less than what is showing up in the budget.  APCO McHargue agreed and explained that if that was the case he would bring back at our next meeting a revised budget on any changes that were made today. Director Forster: On a draft budget he would like to have the numbers figured out before we go into a draft budget because other things could change down the road but the known items we are going to decide after we approve the draft budget.

APCO McHargue will take this into consideration for the future.

Vice Chair Oneto: Would like to see a reduction in our burn permit fees. Seems like we are getting hit by more and more fees, it would be nice to have something going down somewhere.

APCO McHargue went over our annual burn permit fees and the annual revenue received from it. He recommended that if there is interest from the Board bring this back at our next meeting as an agenda item for further discussion and possible action.

Chair Morgan asked the Board members if there were interest in bringing this subject back.

Director Axe:

*Aren't small piles exempt from a fee?* Yes, our permit is for large piles only (anything bigger than 4-feet by 4-feet). Small piles do not need a permit from the Air District.

Director Forster:

*How long has the burn permit fee been at \$30.00 dollars?* More than six years.

Director Forster: Not asking for an increase is appropriate but I also believe \$30.00 will not break the bank on people. This money helps fund Air District activities at a minimal level.

Director Crew:

*Is there many two-year permits?* Half and half.

Director Crew: It's a substantial amount. Perhaps doing \$50.00 dollars if you buy a two-year permit.

APCO McHargue: That question comes up quite a bit. We offer a two-year permit but there is no cost break in getting one.

Chair Morgan: I am hearing interest in considering at least reducing the two-year fee. Please bring back as an agenda item to our next meeting.

Director Colburn:

*What is the expense associated with burn permits?* We have the revenue but not direct expenses associated with it. We can bring back direct expenses but one expense is our pine needle bin program, which we use to reduce burning. This is one expense that we consider part of the burn program. Another expense is responding to and conducting investigations arising from complaints received on non-burn days, burning unauthorized materials, and non-permitted burning. There is staff time that is involved in responding to burn complaints. I believe we can get an estimate of those costs.

Chair Morgan: Good question and it would be great if you could bring back details on those expenses.

Director Colburn:

*If we have a burn permit on a large pile, do you have to have a second permit from CalFire?* Yes, CalFire does require you to have a permit at certain times during the season. Usually between May through November. No cost associated with their permit but in some cases, certain Cities do require burn permits within the local city jurisdiction. The cost is not much but there are other permits.

Director Axe:

*Do we have oversight on when people can actually burn and can we prohibit burning with there is extreme fire danger?* This gets close to the line of differentiation between our mission at the Air District, which is air quality, and the Fire Protection Agencies mission, which is fire safety. If it is an air quality issue or complaint that smoke is coming into someone's house we will certainly get involved but if its fire safety we do not normally get involved.

Director Axe:

*Is there any coordination between the two?* Yes, we do coordinate with the fire agencies and work together on issues that may arise.

Chair Morgan: It is my understanding that your enforcement touches on if you declare it a non-burn day and people are burning you do go out to those people's houses.

APCO McHargue: Yes, we do. If we are notified that someone is burning on a no-burn day, we will take action and go visit the people to determine what needs to be done. But if it is an allowed burn day, that means the State Air Resource Board has determined the air quality allows burning.

Director Axe:

*It may not be safe to burn even if it is an allowed burn day. We don't want to burn the place down. Do we do anything to make sure that people don't just call and realize it's a burn day even though the conditions are not safe to burn?*

Fire Chief Moreno: The way it works is that CalFire sets burn days based upon burning conditions; weather, humidity factors, etc. If it's a bad day for air quality they will not allow you to burn. If it's a bad day for burning but air quality is good they will still not allow you to burn. Both agencies can tell you if it is not a burn day.

Director Axe:

*If they call the phone number will the recording reflect that?* Yes, everyday CalFire notifies the Air District if it's a burn day for fire season. Unfortunately, in the fire service we rather see burning done on bad air quality days versus windy days because on windy days the fire can take off. But for air quality you want windy days. It's sometimes a little battle but CalFire does a really good job at tracking that, they open and close the season based upon fire danger. When the fire danger starts going away, they will open up burning season. When fire danger increases, they will shutdown fire season. It is coordinated pretty well. (Fire Chief Moreno).

Director Forster: *What was the authority to construct, relatively minor amount but still \$3,912.00? I know what it is but that's all we are budgeting for?* Yes, it is based upon what our actual year to date has been.

Director Forster: Not a good sign for the economy.

Chair Morgan closes the discussion and asks what APCO McHargue is looking for.

APCO McHargue: Requesting direction from the Board to bring back for the public hearing at the June 20, 2017 meeting.

<b>Motion:</b>	<p>It was moved by <u>Director Forster</u>, seconded by <u>Vice Chair Oneto</u>, and unanimously carried to approve the draft budget for 2017/2018 and bring back June 20, 2017. Vote 8-0</p> <p><b>Absent:</b> Directors Peters and Vasquez</p>
<b>3.</b>	<p><b>Limited Woodstove Replacement Program: Action</b> APCO McHargue opened this item by summarizing our January 17, 2017 meeting, where this program was approved in concept with a budget of \$50,000.00. Staff was directed to bring back the final program design to this meeting. Included in packet is the authorization form, draft information flyer, tracking worksheet, and completion notice.</p> <p><u>Questions/Comments:</u> Director Stimpson: <i>Does this include pellet stoves? Yes, it does. We do want to take a non-EPA certified stove out but putting back in EPA certified phase 3 woodstove, pellet, or gas.</i></p> <p>Director Forster: <i>How do you know the stove is not EPA certified? Is there a sticker on it? From what I understand there is a sticker on the back of them.</i></p> <p>Stan Hampton with Sierra Hearth and Home: Any stove that was manufactured after 1984 is required to be EPA phase 1 and it will have a label on it. Prior to that date, some stoves did have one but others did not. The label will tell you if the stove was approved and what phase of the EPA testing it was approved for. 1984/1985 was when phase I came into effect, phase 2 was five years later, and within the last year we have come into phase 3. The newest stoves are phase 3 approved. Stoves prior to 1984 were putting out between 40-60 grams of emissions of particulate matter per hour. The new stoves are as low as .48 grams per hour.</p> <p>Director Stimpson: <i>Does this program run through December 31 or October? Until December 31<sup>st</sup>.</i></p> <p>Chair Morgan opens up the discussion to the public.</p> <p>Jim Spinetta, resident of Amador County, spoke supporting the program and expressed his interest in being part of it. Asked the Board to please approve the program.</p> <p>APCO McHargue introduced Stan and Shirley from Sierra Hearth and Home, who have been working with him to iron out the details of the program. In addition, APCO McHargue has worked closely with the other two shops (A&amp;B Stoves and Amador Stove &amp; Spa) to help structure the program. This is a pilot program. If successful, we can bring back to the Board at a later date to continue with it.</p> <p>Director Stimpson: <i>Would a homeowner be eligible for more than one stove replacement? Currently, it is only one stove per residence.</i></p> <p>Director Forster: I know there is a letter in the back of the packet requesting this to be open to out of County vendors but I am a supporter of keeping it with local vendors.</p>

<p><b>Motion:</b></p>	<p>APCO McHargue: That was my initial response to that request. I just wanted to include it in the packet because this individual was very persistent about the Board reviewing his request. He was advised that this program was not designed for out of County vendors.</p> <p>Director Reed: <i>Can I get clarification of what a non-EPA certified device is? Is that referring to the phases? Up to 2017 standards, different levels of EPA certification? Yes, he was referring to the phase 1, 2, 3. We are currently up to phase 3.</i></p> <p>Stan Hampton: Phase 3 are the only new stoves that can be sold now. That came into effect June 2016.</p> <p>Director Reed: <i>In order to get qualified for the replacement, which EPA phase would they have to be in? Pre-EPA certified. Anything before 1984, not the phase 1 or phase 2 stoves.</i></p> <p>Director Stimpson: <i>Letter from Mr. Thorn regarding retroactive fees, will the fees be retroactive? Fees will not be retroactive. Mr. Thorn has already gotten the stove which makes him not qualified for this program.</i></p> <p>Chair Morgan: <i>If someone already replaced a non-EPA stove with a phase 2 stove they will not be reimbursed? That is correct. We will hold it to the terms we have established for this program.</i></p> <p>It was moved by Director Forster, seconded by Director Crew, and unanimously carried to approve the Limited Woodstove Replacement Program. Vote 8-0</p> <p><b>Absent:</b> Directors Peters and Vasquez</p>
<p><b>4.</b></p>	<p><b>Smoke Reduction Bin Program: Action</b></p> <p>APCO McHargue brings forward the discussion to the Board on how to proceed with this program. His three recommendations brought forward were to: keep the program as is but with bigger brighter signs that discourage the use from landscapers and maintenance companies (\$70,000.00), second option was to reduce the program by removing one of the two bins at Silver Drive and removing the bin at Pine Acres and continue the other locations (\$50,000.00), and third option was to reduce the program to just neighborhood locations only in specific areas that have high smoke impacts due to outdoor burning (\$30,000.00). My recommendation would be option one; however, I would like recommendation from the Board.</p> <p><u>Questions/Comments:</u></p> <p>Chair Morgan: <i>I would like to see more money taken out of reserve for this program. It is extremely popular, especially in her District. They have lots of use for the bins. Going back to the budget, at what level would you like to see your reserves? I was going to this bring back at a future meeting, to get direction from the Board as to what they consider a prudent reserve. I am estimating somewhere in the \$150,000 to \$200,000.00 range is a reasonable reserve to maintain.</i></p>

Chair Morgan: Especially because your income keeps up with your expenses.

APCO McHargue: Correct. This is a starting point for me but again I would bring this back to discuss with the Board as to what they consider the right amount of reserves.

Chair Morgan invites other members of the Board to express their opinions on the subject.

Vice Chair Oneto: We are already pulling a fair amount of money out of reserves for community special projects; I think we are better off having a program that is somewhat sustainable. If we start jumping up our expenses big, people will get use to that which will put a fight in our hands if we ever need to start reducing it.

Director Forster: I have a big issue with the commercial landscapers and yard maintenance companies utilizing the bins. We should not be financing commercial businesses out there to dump their waste for free. I would go for even putting smaller bins around neighborhood locations, where the bin could be secure.

APCO McHargue: That is actually how our neighborhood program works.

Director Forster: I would like to see the bins that are in non-attended areas be placed in more neighborhood-oriented locations.

Director Stimpson: Signs posted near the container should contain information on the fine for misuse of the bins.

Director Colburn:

*Is it the non-attended ones the biggest problem?* The non-attended are the only ones we have issues with. The bins located at the Fire Stations do a good job.

Director Axe:

*Where does all the waste go?* The green waste goes to Vicini's Brothers Green Waste Recycling facility.

Director Axe:

*Is that out of County?* No, it is in the County off Willow Creek Road.

Director Axe:

*Is that where everything from ACES go too? What happens to it there?* It gets ground-up, composted, and turned into different materials.

Director Axe:

*Are any of the bins underutilized?* All the bins are well utilized.

Director Axe:

*Can commercial users take their green waste to the final source rather than clog up our bins?* Yes, but they will have to pay for disposal. That is the reason they use our bins.

Director Axe:

*We pay a fee for this?* Yes, we do. That is where the \$70,000.00 budget comes from.

	<p>Director Axe: <i>Is there any way we can expand this to help with the bark beetle tree issue?</i> This has been discussed at previous meetings and it was determined that the tree mortality issue was much bigger than the Air District can contribute to. Our focus was to do the pine needle bins.</p> <p>Director Colburn: <i>Is there a fine if we catch the commercial people using the bins?</i> I will have to confirm. It would be unauthorized dumping, so I would think there would be something in the code.</p> <p>Director Colburn: <i>What about the use of game cameras?</i> This has come up in discussion before and I believe it would be a good idea. The problem is the time of reviewing the footage. In the absence of knowing when they are dumping, we would have to be reviewing the footage 24 hours a day.</p> <p>Director Forster: Having them in unsecured areas is not a good option. If we can find other secured areas, I do not mind keeping the same level.</p> <p>Director Colburn: <i>Are the landscapers using the bins licensed? Do you have to possess a business license in the County? Anyway we can track them?</i> There are no business licenses in the County.</p> <p>Matt Peterson: Silver Drive is the most abused but also the most appreciated. If you pull that one there will be many unhappy people.</p> <p>Vice Chair Oneto: <i>How big of a problem is it that landscapers use it? Is it a big problem or minor?</i> I do not know exactly but we have had people complain in the past. As far as the extent of the program, the signage could help especially if we include stern language on code violations.</p> <p>Consensus amongst most of the Board members was that the benefit of having the bins outweighs the issue of landscapers using them. Not enough to stop the program. Fire Chief Moreno, Sutter Creek Fire spoke supporting the program.</p> <p><b>Motion:</b> It was moved by <u>Director Colburn</u>, seconded by <u>Vice Chair Oneto</u>, and carried to approve to continue program as it has been operated with the addition of new, larger and brightly colored signs discouraging use by commercial landscapers and maintenance companies (\$70,000). Vote 7-1</p> <p><b>Absent:</b> Directors Peters and Vasquez</p>
<p>5.</p>	<p><b>City County Agency Diesel (CCAD) Program: Action</b> APCO McHargue gives summary on completed projects and on current monies spent (\$97,122.15). This program has been very successful. Originally budgeted for a total of \$169,000.00. Currently, there is one more project that is in process, ARSA (\$25,000.00). We have interest from two agencies for a second project. If all projects were completed as listed on the sheet it would exceed the budget by \$3,122.15. I am requesting authorization to complete the additional projects including the second projects for a not to exceed amount of \$169,000.00 which is what was budgeted for the total program.</p>

Questions/Comments:

Director Axe:

*You mention ARSA, did you mean AWA? ARSA is in progress and AWA is in line for a second project.*

Director Colburn:

*Was this available to the private sector? No, this project was initially approved just for public agencies.*

Vice Chair Oneto:

*As I recall, you reached out to all the Cities, Counties, and Agencies? Yes, we did.*

Director Forster:

*Is this for replacement or new equipment? This is for replacement. We are looking to take out an old engine that does not meet current standards and replace it or provide another engine of a different type. Primarily we are looking to get an older engine out of service and get a new one in service.*

Director Forster:

*Do you or Matt verify that the old engine is being replaced or destroyed and that it is not sold elsewhere? We do verify. We do not want a noncompliant engine being reused in the County.*

Vice Chair Oneto:

*Can it go out of state? Yes. That is probably the only place it could go. These engines cannot operate in the State.*

Damon Wyckoff, Amador Water Agency spoke supporting the program. This program allowed AWA to purchase a new generator that has been used quite a bit. They are requesting approval for the purchase of a second unit.

Director Axe:

*You fund all this with the fees you are collecting? No, the woodstove and CCAD program are funded by drawing from reserves.*

Director Stimpson:

*When we provide a new generator to AWA, the old ones are not destroyed? The old ones are converted to in some cases, emergency backups, low-use standby. They can qualify to be used under a different category if they meet certain requirements (stationary vs. portable). They can be used but they are categorized differently by State regulations.*

Damon Wyckoff: AWA is always actively looking for equipment that needs to be replaced because it is out of compliance. They do not want to operate anything that will affect air quality. They want to be ahead of the game.

**Motion:**

It was moved by Director Forster, seconded by Director Stimpson, and unanimously carried to authorize the APCO to complete the second projects as listed on the attached sheet at a not-to-exceed amount of \$169,000, as budgeted, for the total program.

Vote 8-0

	<p><b>Absent:</b> Directors Peters and Vasquez</p>
<p>6.</p>	<p><b>APCO Update:</b> Informational only, no action to be taken.</p> <p><b>Electric Vehicle Charging Stations:</b> In addition to our agricultural commissioner, we have also had other inquiries about other electrical vehicle charging stations beyond the three we currently have in the County. There has been a request for additional locations. If interest from the Board, I can bring this back to the next meeting as an agenda item to look at what a program like this might entail.</p> <p><u>Questions/Comments:</u> Vice Chair Oneto: <i>Do the electric charging stations charge people for electricity? Not up at the transportation center but they do at the other locations. I believe ACTC pays for electricity at the transportation center. At the other locations, people are required to pay using an app on their phones.</i></p> <p>Director Colburn: <i>Are there any other private stations that you know of? Plymouth has one. We will have to take a look at that.</i></p> <p>Chair Morgan: I would like you to bring back a broader analysis of where stations are located in our County including private ones. Also bring back a recommendation or at least an analysis of where we might put one or two more and the cost associated with that.</p> <p>Director Stimpson: <i>Do these charging stations have universal plugs for whatever models want to use them? Most cars are universal but if you do have Tesla the owners have their own coupler to be able to connect to most anything. (Matt Peterson)</i></p> <p><b>Meeting Schedule Revised:</b> Informational purpose only.</p> <p><b>Fechter &amp; Company – Air District 2015/2016 Audit:</b> Has been completed. It will be brought back in June for a presentation from the folks from Fechter.</p> <p><b>Financials through April 12, 2017:</b> Informational purpose only.</p>
<p><b>Correspondence</b></p>	<p>Letter to Jim McHargue – anonymous letter. Regarding burning and getting information out on the radio station.</p> <p>Letter sent out to the Cities requesting participation for our meetings.</p> <p>Article that was sent to the Ledger Dispatch on the Amador Air District that ran in February.</p> <p>Woodstove email.</p>
<p><b>Adjournment:</b></p>	<p>At 2:52 pm the meeting was adjourned until June 20, 2017 at 1:30 pm</p>