

# SUMMARY OF PROCEEDINGS

## BOARD OF DIRECTORS EASTERN KERN AIR POLLUTION CONTROL DISTRICT

**Location:** Golden Hills Community Services District  
21415 Reeves St, Tehachapi, CA

Regular Meeting  
Thursday, January 13, 2011  
1:00 P.M.

DISTRICT RECONVENED

DIRECTORS: Grimes (Chairman) Holloway (Vice-Chairman), McQuiston, Scrivner and Bohannon

ROLL CALL: 4 Present, 1 Absent - McQuiston

SALUTE TO FLAG: Led by Patrick Bohannon

AIR POLLUTION CONTROL OFFICER: David L. Jones

SECRETARY OF THE BOARD: Debra Mullins

OFFICE COORDINATOR: Louise Roman

AIR QUALITY ENGINEER: Glen Stephens

COUNTY COUNCEL: Kirk Perkins

BOARD ACTION SHOWN AFTER EACH ITEM IN CAPS. NOTE: The vote is placed in **bold** below each item. For example, **Maben - Holloway** denotes Director Maben made the motion and Director Holloway seconded the motion.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: all items listed with a (-CA) are consent items and considered routine and noncontroversial by district staff and were approved by one motion - ITEMS: 5, 7, 8, 9, 10, 11, 12, 13 AND 14 WERE VOTED AS CONSENT ITEMS.

**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**

1) SELECTION OF CHAIRMAN AND VICE CHAIRMAN:

Chairman - Ed Grimes

**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**

Vice Chairman - Chip Holloway

**Scrivner - Grimes: 4 Ayes; 1 Absent - McQuiston**

### PUBLIC PRESENTATIONS

2) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask questions for clarification; make referrals

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to staff for information or request staff to report to the Board at a later meeting. In addition, the Board may take action to direct staff to place a matter of business on a future agenda - NO ONE HEARD.

### **BOARD MEMBER PRESENTATIONS OR ANNOUNCEMENTS**

- 3) On their own initiative, Board members may make brief announcements or brief reports on their own activities. They may ask questions for clarification make referrals to staff or take action to have staff place a matter of business on a future agenda [Gov. Code Sec. 54954.2(a)] - NO ONE HEARD.

### **HEARINGS**

- 4) Hearing to consider Adoption of amendments to Rules: 102 (Definitions), 202 (Permit Exemptions), 422 (New Source Performance Standards (NSPS)), and 423 (National Emission Standards for Hazardous Air Pollutants and Source Categories (NESHAPs)) - OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; ADOPTED AMENDED RULE 102 (DEFINITIONS) AND RESOLUTION NO. 2011-001-01; ADOPTED AMENDED RULE 202 (PERMIT EXEMPTIONS) AND RESOLUTION NO. 2011-002-01; ADOPTED AMENDED RULE 422 (NEW SOURCE PERFORMANCE STANDARDS) AND RESOLUTION NO. 2011-003-01; AND ADOPTED AMENDED RULE 423 (NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS AND SOURCE CATEGORIES) AND RESOLUTION NO. 2011-004-01.  
**Scrivner - Holloway: 4 Ayes; 1 Absent - McQuiston**

### **APPOINTMENT**

- 5-CA) Appointment to the Motor Vehicle Emissions Reduction Program Committee - APPOINTED ROGER DAVIS TO THE MOTOR VEHICLE EMISSION REDUCTION PROGRAM COMMITTEE WITH THE TERM ENDING DECEMBER 2011.  
**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**

### **DISTRICT REQUESTS**

- 6) Proposed Appointment of Acting Air Pollution Control Officer - 1) APPOINTED GLEN STEPHENS ACTING APCO, EFFECTIVE THE DAY THE APCO'S SURGERY LEAVE BEGINS, AND TERMINATING UPON THE APCO'S RETURN TO WORK; AND 2) AUTHORIZED MR. STEPHENS, AS ACTING APCO, TO EXERCISE THE POWERS AND DUTIES SPECIFIED IN HEALTH AND SAFETY CODE SECTIONS 40752 AND 40753 AND ALL OTHER RELEVANT SECTIONS, AND THE POWERS AND DUTIES OF A DEPARTMENT HEAD AS SPECIFIED IN THE KERN COUNTY POLICIES AND PROCEDURES FOR THIS SAME PERIOD.  
**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**
- 7-CA) Proposed Joint Exercise of Powers Agreement between Eastern Kern Air Pollution Control District and East Kern Airport District - APPROVED JOINT EXERCISE OF POWERS AGREEMENT (JPA) NO. 01-003-2011 WITH EAST KERN AIRPORT

DISTRICT; AUTHORIZED THE CHAIRMAN TO SIGN THE JPA; AND DIRECT STAFF TO FORWARD THE JPA TO THE EAST KERN AIRPORT DISTRICT FOR THEIR APPROVAL AND EXECUTION.

**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**

- 8-CA) Proposed Two Agreements with Crystal Organic Farms, LLC for Carl Moyer Program Grant Funds - APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 01-001-2011 AND AGREEMENT 01-002-2011 WITH CRYSTAL ORGANIC FARMS, LLC.

**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**

- 9-CA) Request to Authorize Payment of Retroactive Salary Beyond One Year to Air Quality Specialist Debbi Klossing - APPROVED THE AUTHORIZATION OF RETROACTIVE SALARY BEYOND ONE YEAR TO AIR QUALITY SPECIALIST DEBBI KLOSSING IN THE AMOUNT OF \$3,168.09; AUTHORIZED PAYMENT OF THE DISTRICT'S SHARE OF FICA AND RETIREMENT IN THE AMOUNT OF \$1,378.81; AND REFER THE MATTER TO THE KERN COUNTY AUDITOR /CONTROLLER FOR PAYMENT.

**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**

#### **MATTERS FOR EXECUTIVE APPROVAL**

- 10-CA) Schedule of EKAPCD Governing Board Meetings additions/changes of rotating locations - APPROVED AND FILED.

**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**

- 11-CA) Summary of Proceedings for Meeting of November 10, 2010 - APPROVED AND FILED.

**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**

#### **DOCUMENTS FOR FILING**

- 12-CA) EKAPCD Notice of Violation's update - RECEIVED AND FILED.

**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**

- 13-CA) List of Regulatory Control Measures to be Considered for Amendment or Adoption During 2011 - RECEIVED AND FILED KCAPCD'S LIST OF REGULATORY CONTROL MEASURES WHICH COULD BE CONSIDERED FOR AMENDMENT OR ADOPTION DURING CALENDAR YEAR 2011.

**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**

- 14-CA) Audit Report of EKAPCD's Financial Controls and Financial Statements for Fiscal Year Ending June 30, 2010 - RECEIVED AND FILED SHINAULT BAKER & COMPANY'S AUDIT REPORT FOR EKAPCD'S FISCAL YEAR ENDING JUNE 30, 2010.

**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**

**DISTRICT UPDATE**

- 15) APCO Report (Verbal)
- a) Researching the creation of a new Deputy APCO position. Staff will bring the information or an Board item back to Board.
  - b) District is developing a Greenhouse Gas Rule and a revised Prevention of Significant Deterioration Rule at EPA's direction.
  - c) Fifteen proposals received for the 2011 Motor Vehicle Emission Reduction Program.

ADJOURN TO THURSDAY, MARCH 10, 2011; 1:00 P.M. REGULAR BOARD SESSION AT RIDGECREST CITY HALL BOARD ROOM, 100 WEST CALIFORNIA AVE, RIDGECREST, CA

**Holloway - Scrivner: 4 Ayes; 1 Absent - McQuiston**

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*(District Seal)*

/s/  
Debra Mullins, Secretary of the Board

/s/

/s/  
Ed Grimes, Chairman