

SUMMARY OF PROCEEDINGS

BOARD OF DIRECTORS EASTERN KERN AIR POLLUTION CONTROL DISTRICT

Regular Meeting
Thursday, August 4, 2022
2:00 P.M.

Location: Eastern Kern Air Pollution Control District Board Room
414 W. Tehachapi Blvd., Suite D, Tehachapi, CA 93561

Zoom Video Conferencing - <https://zoom.us>
Meeting ID # 826 861 7254

DISTRICT RECONVENED

DIRECTORS: Davies (Chairman), Scrivner (Vice-Chairman), Peters, Blades, and Creighton

ROLL CALL: 4 Present (Davies, Scrivner, Creighton – Tehachapi) (Peters – Zoom)
1 Absent (Blades)

SALUTE TO FLAG: Director Creighton

AIR POLLUTION CONTROL OFFICER: Glen E. Stephens, P.E.

AQ ADMINISTRATIVE MANAGER: Gary Ray

LEGAL COUNSEL: Brian Van Wyk (Via Zoom)

BOARD ACTION SHOWN AFTER EACH ITEM IN CAPS. The vote is placed in **bold** below each Board Action. For example, **Scrivner – Peters** denotes Director Scrivner made the motion and Director Peters seconded the motion.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: All items listed with a (-CA) were considered routine and approved by one motion.

ITEM 13-CA WAS REMOVED FROM THE AGENDA AND WILL BE CONSIDERED AT THE SEPTEMBER BOARD MEETING.

Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye; 4 Ayes – 1 Absent

STAFF RECOMMENDATIONS SHOWN IN CAPS AFTER EACH ITEM

PUBLIC PRESENTATIONS

- 1) 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 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. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU. NO ONE HEARD.**

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BOARD MEMBER PRESENTATIONS OR ANNOUNCEMENTS

- 2) 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

- 3) Hearing to Present and Receive Comments on the Eastern Kern Air Pollution Control District's Proposed Fiscal Year 2022-2023 Budget – OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING AND DIRECTED STAFF TO CONSIDER ALL COMMENTS RECEIVED IN PREPARATION OF ITS FINAL PROPOSED FISCAL YEAR 2022-2023 BUDGET FOR BOARD CONSIDERATION AT THE SEPTEMBER 1, 2022 GOVERNING BOARD MEETING.

Creighton – Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

- 4) Hearing to Consider Adoption of Amendments to Rule 108.2 (Emissions Statement Requirements) - OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; ADOPTED AMENDED RULE 108.2 AND RESOLUTION NUMBER 2022-001-07.

Creighton – Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

- 5) Hearing to Consider Adoption of Draft Rule 210.1A, (Major New and Modified Stationary Source Review (MNSR)) - OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; ADOPTED RULE 210.1A AND RESOLUTION NUMBER 2022-002-07.

Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

APPOINTMENTS

- 6-CA) Appointment of Hearing Board Member – APPOINTED MR. BRENTON SMITH AS MEMBER TO DISTRICT'S HEARING BOARD FOR A THREE-YEAR TERM, TO EXPIRE ON JULY 28, 2025.

Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

DISTRICT REQUESTS

- 7-CA) 2022 DMV Grant Program Recommended Projects – APPROVED THE SEVEN 2022 DMV GRANT PROGRAM AGREEMENTS AND AUTHORIZED CHAIRMAN TO SIGN THE AGREEMENTS ONCE THEY ARE EXECUTED AND RETURNED BY THE RESPECTIVE GRANTEE.

Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

- 8-CA) Proposed Agreement with Anne Stalder Brett to utilize Funding Agricultural Replacement Measures for Emissions Reductions (FARMER) Grant Program funds for track loader replacement – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 07-008-2022 WITH ANNE STALDER BRETT.

Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

- 9-CA) Proposed Amendment to Agreement 03-001-2020 with Trillium USA Company, LLC, to extend the life of the contract by one year – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 07-009-2022a WITH TRILLIUM USA, LLC, TO EXTEND THE LIFE OF THE CONTRACT BY ONE YEAR.

Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

- 10-CA) Proposed Agreement with Alexander Trumbull dba Rockcreek Ranch to utilize Funding Agricultural Replacement Measures for Emissions Reductions (FARMER) Grant Program funds for tractor replacement – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 07-010-2022 WITH ALEXANDER TRUMBULL DBA ROCKCREEK RANCH.

Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

- 11-CA) Proposed Agreement with John App dba App Ranch to utilize FARMER Grant Program funds for tractor replacement – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 07-011-2022 WITH JOHN APP DBA APP RANCH.

Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

12-CA) Proposed Agreement with Daniells Phillips Vaughan & Bock CPAs and Advisors for District Financial Records Audit and Reports for the Fiscal Year Ending June 30, 2022 - APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 07-012-2022 WITH DANIELLS PHILLIPS VAUGHAN & BOCK CPAS AND ADVISORS FOR FINANCIAL RECORDS AUDIT AND REPORTS.

Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

13-CA) Proposed Agreement with Vortex Construction for concrete, shelter placement, fencing, and electrical work for Mojave Air Monitoring Station - APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 07-013-2022 WITH VORTEX CONSTRUCTION. **REMOVED FROM THE AGENDA.**

14-CA) California Air Resources Board (CARB) Prescribed Burn Reporting and Monitoring Support Program funds - ADOPTED RESOLUTION 2022-003-07 AUTHORIZING THE APCO TO EXECUTE THE PRESCRIBED BURN REPORTING AND MONITORING SUPPORT PROGRAM AGREEMENT WITH CARB; SIGN THE AWARD LETTER; AND DO ALL OTHER ACTS NECESSARY TO RESERVE AND RECEIVE FY 22/23 BURN PROGRAM FUNDS.

Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

MATTERS FOR EXECUTIVE APPROVAL

15-CA) Summary of Proceedings for Meeting of May 5, 2022 – APPROVED AND FILED.

Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

DOCUMENTS FOR FILINGS

16-CA) DISTRICT Notice of Violation's update – RECEIVE AND FILE.

Scrivner – Creighton: Roll call vote: Davies – Aye, Scrivner – Aye, Creighton – Aye, Peters – Aye

4 Ayes – 1 Absent

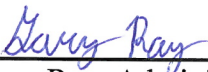
DISTRICT UPDATES

- 17) APCO Report (Verbal) NONE


ADJOURNED TO THURSDAY, SEPTEMBER 1, 2022, 2:00 PM, REGULAR BOARD SESSION AT EASTERN KERN AIR POLLUTION CONTROL DISTRICT BOARD ROOM, 414 W. TEHACHAPI BLVD., SUITE D, TEHACHAPI, CA.

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(District Seal)



Gary Ray, Administrative Manager
Eastern Kern APCD



Michael Davies, Chairman
Eastern Kern APCD

