

SUMMARY OF PROCEEDINGS

BOARD OF DIRECTORS KERN COUNTY AIR POLLUTION CONTROL DISTRICT

Location: Rosamond Community Service District
3179 - 35th Street West, Rosamond, CA

Regular Meeting
Thursday, November 12, 2009

1:00 P.M.

DISTRICT RECONVENED

DIRECTORS: Maben (Chairman), Holloway (Vice Chairman), McQuiston, Grimes and Adams

ROLL CALL: Absent - Director McQuiston and Holloway

SALUTE TO FLAG: Led by Larry Adams

Air Pollution Control Officer: David L. Jones

Clerk of the Board: Debra Mullins

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: 3, 4, 5, 6, 7, 8, 9 AND 10 WERE VOTED AS CONSENT ITEMS.

Adams - Grimes: All Ayes, 2 Absent - Holloway and McQuiston

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 - BEVERLY BELLANCA HEARD REGARDING ROSAMOND 'S ONGOING DUST PROBLEM. DIRECTED STAFF TO BRING BACK TO BOARD RECOMMENDATIONS TO HANDLE PROBLEM.

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.

APPOINTMENTS

- 3-CA) Appointment of Members to the Motor Vehicle Emissions Reduction Program Committee - REAPPOINTED THE SEVEN INCUMBENT MEMBERS AND APPOINTED THE THREE NEW MEMBERS AS LISTED IN THE ATTACHMENT TO THIS LETTER TO THE MOTOR VEHICLE EMISSION REDUCTION PROGRAM COMMITTEE WITH A TERM OF TWO YEARS, EFFECTIVE JANUARY 1, 2010.
Adams - Grimes: All Ayes, 2 Absent - Holloway and McQuiston

DISTRICT REQUESTS

- 4-CA) State Subvention Funds - AUTHORIZED THE AIR POLLUTION CONTROL OFFICER TO APPLY FOR STATE SUBVENTION FUNDS AS A RURAL DISTRICT AND TO TAKE ALL OTHER STEPS NECESSARY TO RECEIVE THESE FUNDS.
Adams - Grimes: All Ayes, 2 Absent - Holloway and McQuiston
- 5-CA) Carl Moyer Program Year 12 Program - DIRECTED STAFF TO SUBMIT THE APPLICATION REQUESTING THE FULL ALLOCATION OF CARL MOYER PROGRAM YEAR 12 FUNDS; AUTHORIZED AIR POLLUTION CONTROL OFFICER TO SIGN AWARD LETTER; AND DO ALL OTHER ACTS NECESSARY TO RESERVE AND RECEIVE CARL MOYER PROGRAM YEAR 12 FUNDS.
Adams - Grimes: All Ayes, 2 Absent - Holloway and McQuiston
- 6-CA) Agreements with Bear Valley Community Services District Year 11 Carl Moyer Program Grant Funds - APPROVED AND AUTHORIZED THE CHAIRMAN TO SIGN CARL MOYER PROJECT AGREEMENTS NO. 11-034-2009 AND NO. 11-035-2009 BETWEEN BEAR VALLEY COMMUNITY SERVICES DISTRICT AND THE KERN COUNTY AIR POLLUTION CONTROL DISTRICT.
Adams - Grimes: All Ayes, 2 Absent - Holloway and McQuiston
- 7-CA) National Cement Company's Proposal for an Environmentally Beneficial Project - APPROVED THE NATIONAL CEMENT COMPANY OF CALIFORNIA'S REQUEST FOR THE DISTRICT TO USE \$26,725 OF THE PENALTY FOR SCHOOL BUS RETROFITS AND DIRECTED STAFF TO DO ALL OTHER ACTS NECESSARY TO RESERVE THE FUNDS WHEN RECEIVED AND COMPLETE THE TWO RETROFIT PROJECTS.
Adams - Grimes: All Ayes, 2 Absent - Holloway and McQuiston

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM 7A: MADE FINDING THAT THE NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED. THE DISTRICT WAS NOTIFIED OF THE CHANGE AT THREE PM ON NOVEMBER 9, 2009, WHICH WAS AFTER THE REQUIRED POSTING DATE FOR THE AGENDA. THE REPOWERING OF THE LOADER HAS BEEN COMPLETED BUT CANNOT BE PAID FOR UNLESS THE AGREEMENT IS AMENDED. THE NEXT GOVERNING BOARD MEETING IS SCHEDULED FOR JANUARY 14, 2010.

Grimes - Adams: All Ayes, 2 Absent - Holloway and McQuiston

- 7A) Proposed Approval of Agreement No. 11-036-2009a – AUTHORIZED THE APCO TO DEVELOP AMENDMENT NO. 1 TO AGREEMENT NO. 07-027-2009 WITH BENZ SANITATION IN SUBSTANTIALLY THE FORM ATTACHED HERETO FOR THE REPOWER OF A LOADER WITH A TIER 3 DIESEL ENGINE WITH A TOTAL COMPENSATION NOT TO EXCEED FIFTY-NINE THOUSAND DOLLARS (\$59,000), SUBJECT TO CONCURRENCE WITH PROPOSED EQUIPMENT CHANGE BY AIR RESOURCES BOARD, AND APPROVAL AS TO FINAL AGREEMENT FORM BY COUNTY COUNSEL; AND AUTHORIZED THE CHAIRMAN TO SIGN SUCH AGREEMENT.

Grimes - Adams: All Ayes, 2 Absent - Holloway and McQuiston

MATTERS FOR EXECUTIVE APPROVAL

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

Adams - Grimes: All Ayes, 2 Absent - Holloway and McQuiston

- 9-CA) Summary of Proceedings for Meeting of September 10, 2009 - APPROVED AND FILED.

Adams - Grimes: All Ayes, 2 Absent - Holloway and McQuiston

DOCUMENTS FOR FILING

- 10-CA) District's Notice of Violation update - RECEIVED AND FILED.

Adams - Grimes: All Ayes, 2 Absent - Holloway and McQuiston

DISTRICT UPDATE

- 11) APCO Report (Verbal)
- Federal 8 Hour Ozone Attainment Plan delayed one year discussed.
 - Permits to Operate have decreased.
 - Motor Vehicle Emissions Reduction Program filming of meetings discussed.
 - Heard Board Appointment solicitation opened to the general public discussed.

ADJOURNED TO THURSDAY, JANUARY 14, 2010; 1:00 P.M. REGULAR BOARD
SESSION AT GOLDEN HILLS COMMUNITY SERVICES DISTRICT, 115 SOUTH
ROBINSON STREET, TEHACHAPI CA
Adams - Grimes

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(District Seal)

Debra Mullins, Clerk of the Board

Don Maben, Chairman