



## Minutes of the Rural Counties' Environmental Services Joint Powers Authority Board of Directors' Meeting

801 12<sup>th</sup> Street – 2<sup>nd</sup> Floor

Sacramento, CA 95814

(916) 447-4806

Thursday, December 16, 2004

### DELEGATES AND OTHER COUNTY REPRESENTATIVES IN ATTENDANCE:

Jim McHargue, Program Manager  
Steve Rodowick, Recycling Coordinator  
Jennifer Barr, Program Coordinator  
Kevin Hendrick, Director  
John Souza, PIO  
Tom Varga, Assistant Director of Public Works  
Tom Valentino, Director of Public Works  
Steve Engfer, Solid Waste and Recycling Manager  
Bob Pickard, Supervisor  
Evan Nikirk, Assistant Director of Public Works  
Tracey Harper, Recycling Coordinator  
Tom Hunter, Director of Public Works  
Robert Meacher, Supervisor  
LaVada Erickson, Supervisor  
Alan Abbs, Solid Waste Director  
Barbara Rapinac, Solid Waste Technician  
Mark Rappaport, Solid Waste Manager

Amador County  
Butte County  
Calaveras County  
Del Norte SWMA  
El Dorado County  
Glenn County  
Lassen County  
Mariposa County  
Mariposa County  
Mono County  
Nevada County  
Plumas County  
Plumas County  
Siskiyou County  
Tehama County  
Trinity County  
Tuolumne County

### STAFF IN ATTENDANCE:

Jim Hemminger  
Mary Pitto  
Stacey Miner  
Bliss Hipp  
Camille Chorley  
Rich Mason

ESJPA Program Director  
RCRC, Regulatory Program Director  
Program Administrator  
Environmental Program Specialist  
Administrative Assistant  
RCRC, Director of Legislative Affairs

### OTHERS IN ATTENDANCE:

Jim Greco, Owner/Principal  
Kim Heroy-Rogalski, Staff Air Pollution Specialist  
Trace Landberg, Resource Consultant  
Larry Sweetser, Consultant to ESJPA  
Mark Urquhart, Senior Project Manager

California Waste Associates  
CARB  
CRRA  
Sweetser and Associates  
EMCON/OWT, Inc.

### **Call to Order / Determination of Quorum / Introductions**

The meeting was called to order at 1:37 p.m. by Bob Pickard, ESJPA chair. Roll call was taken, self-introductions were made, and a quorum was established.

**Public Comment:** None.

### **Review and approval of minutes of the meeting of October 21, 2004**

Bob Pickard called for a motion to approve the minutes of the October 21, 2004 meeting. Mark Rappaport stated that he was not in attendance at the October 21<sup>st</sup> meeting; however, he was included in the minutes. Bob Pickard called for a motion to approve the minutes with the amendment that Mark Rappaport was not in attendance at the October 21, 2004 meeting. A motion to adopt the minutes as amended was made by Tom Hunter and seconded by Tom Varga. The motion carried with one abstention.

### **Approval of the ESJPA Budget for CY 2005 and consideration of dues increase for FY 2005/2006**

Jim Hemminger explained the contractual relationship between the ESJPA and RCRC. He then gave an overview of the ESJPA's budget for CY 2005 and the proposed increase in dues that would take effect in July 2005 for FY 2005/2006. ESJPA has not increased dues for five years and RCRC's costs to provide support contract services have increased over this time. At present, ESJPA pays RCRC \$72,000 per year for all non-grant related technical and administrative support services. However, since this amount does not cover all the expenses that are incurred for ESJPA operations, an increase in dues is necessary to maintain the level of operational support for ESJPA. Discussion followed. A motion was made by Alan Abbs to adopt the ESJPA budget for CY 2005 and to approve a FY 2005/2006 dues increase from \$5,000 to \$6,000 for all counties except Modoc, Sierra, and Alpine and to increase the dues for Modoc and Sierra Counties from \$2,000 to \$2,400. The motion was seconded by Mark Rappaport and carried unanimously.

### **Approval of the ESJPA Meeting Schedule for CY 2005**

Jim suggested having only a Technical Advisory Group meeting in lieu of a formal Board meeting on January 27, 2005. LaVada Erickson made a motion to approve the ESJPA meeting schedule for CY 2005 with the amendment that there is only a TAG meeting and no Board of Directors meeting in January. The motion was seconded by Mark Rappaport and carried unanimously.

### **Approval of Contract Services Agreement between the ESJPA and RCRC for CY 2005**

Jim Hemminger briefly reviewed the contract agreement which was amended to reflect the dues increase for FY 2005/2006. Mark Rappaport made a motion to approve the Contract Services Agreement between the ESJPA and RCRC for CY 2005. The motion was seconded by Jennifer Barr and carried unanimously.

### **Approval of the Consulting Agreement between the ESJPA and Sweetser & Associates for CY 2005**

Jim reviewed the consulting agreement between the ESJPA and Sweetser & Associates. Jim recommended that the Board renew the contract at the existing lump sum rate of \$18,000 for the year.

Alan Abbs made a motion to approve the consulting agreement between the ESJPA and Sweetser & Associates for CY 2005. The motion was seconded by Evan Nikirk and carried unanimously.

**Approval of Imperial County to join the ESJPA and Adoption of Resolution No. 04-04 to Amend the Joint Exercise of Power Agreement for the Rural Counties' ESJPA to reflect the addition of Imperial County**

As was discussed at the October 21, 2004 ESJPA Board meeting, Imperial County expressed interest in joining the ESJPA. Included in the Board packet is a copy of Imperial County's resolution to join the ESJPA which was adopted by their Board of Supervisors. Jim mentioned that he has become familiar with Imperial County and their challenges through the MOLO training. Tom Varga made a motion to adopt Resolution No. 04-04 amending the Joint Exercise of Power Agreement for the Rural Counties' ESJPA to reflect the addition of Imperial County as the 22<sup>nd</sup> member of the ESJPA. The motion was seconded by Jennifer Barr and carried unanimously.

**Approval of ESJPA Travel Reimbursement Policy and Adoption of Resolution No. 04-05 to Authorize Reimbursement of Travel Costs for the ESJPA Board Chair**

Jim explained the need for the ESJPA to adopt a general policy on travel reimbursement. RCRC reimburses the travel costs for their delegates and in the past this reimbursement has been sufficient to pay travel costs for the ESJPA Chair; however, the ESJPA meeting schedule for next year includes one meeting for which there will be no RCRC meeting. In this case there would be no travel reimbursement for the ESJPA Chair or Vice Chair. Also, if the ESJPA elects a Chair or Vice Chair that is not an RCRC delegate, that person would not be reimbursed for travel to the ESJPA Board Meetings. Jim emphasized that this reimbursement policy would be limited to the Chair or Vice Chair position. Steve Engfer made a motion to approve the adoption of Resolution No. 04-05 to authorize reimbursement of travel costs for the ESJPA Board Chair. The motion was seconded by Alan Abbs and carried unanimously.

**Election of ESJPA Chair and Vice Chair for 2005**

Bob Pickard opened up the ESJPA Board Meeting to nominations for Chair and Vice Chair. Kevin Hendrick nominated LaVada Erickson for chair. The nomination was seconded by Alan Abbs and carried unanimously. Steve Engfer nominated Bob Pickard for Vice Chair. The nomination was seconded by LaVada Erickson and carried unanimously.

**Status and Ownership Transfer of ESJPA Box Truck**

Stacey Miner briefly reviewed the history of the ESJPA box truck which was purchased under the 4<sup>th</sup> Cycle Used Oil Opportunity Grant (UOG4). When transfer of ownership was offered to ESJPA member counties, Butte County expressed primary interest. At the August 19, 2004 Board meeting, the ESJPA Board authorized staff to sell the truck to a member county in the amount of \$1.00 with the stipulation that the box truck be utilized for solid waste diversion purposes. Stacey wrote a letter to the CIWMB to explain the transfer of ownership and the Waste Board responded positively. Discussion followed. At the March meeting, we expect to have a formal motion to sell the truck to Butte County for \$1.00.

## Presentations

- A. Mary Pitto introduced Kim Heroy-Rogalski, with the California Air Resources Board (CARB). Kim gave an update on the diesel and off-road equipment regulations that the ARB is developing and how these rules will apply to the rural counties. Kim began by covering the overall goals of the ARB which are (1) 75% reduction in PM emissions from all diesel fueled engines by 2010 and (2) 85% reduction in PM emissions by 2020. The CARB has been developing measures to reach these goals. Kim discussed the measures they have adopted so far which most recently include solid waste collection vehicles, stationary CI engines, portable engines, transport refrigeration units, commercial vehicle idling, and intrastate locomotive/commercial harbor craft fuel. Kim also addressed the measures they are currently working on, such as non-urban buses, public on-road and private utility vehicles, cargo handling equipment, harbor craft, ship auxiliary engines, and stationary agriculture engines. Tom Hunter expressed his concern that these regulations are being imposed without any funding to aid with compliance. Discussion followed.
- B. Mark Rappaport gave an overview on the issue of "Illegal Dumping on the Lands of Tuolumne County" and the abatement programs Tuolumne County is implementing in order to prevent this growing problem.
- C. Jim introduced Trace Landberg, Resource Consultant for CRRA. Trace gave a presentation on Zero Waste Strategies for Rural Communities.

## Regulatory Update

- A. Jim Hemminger gave an update on AB 939 approvals for CY 2002 annual reports. Jim reminded folks of the 1066 time extension deadline. Jurisdictions will not be allowed an extension beyond December of next year. Jim suggested combining the time extension requests with requests for consideration of a rural reduction.  
  
Jim also reported on the alternative AB 939 compliance methodologies. Jim recommended the continued use of the disposal reporting system. This system keeps track of the yearly disposal tonnage. With this system, counties can identify and demonstrate the effectiveness of various programs. Discussion followed.  
  
Jim Greco attended December's CIWMB Board meeting and announced that Inyo County and the City of Trinidad had their Annual Reviews and both were approved based on good faith efforts--despite fairly low calculated diversion rates using current Waste Board methodologies. Jim pointed out that this was a positive indication that Waste Board staff and officials are focusing more on programs for small jurisdictions with less reliance on numbers with questionable accuracy.
- B. Jim Hemminger referenced the Waste Board's 2005 Regulatory Calendar in the board packet. He recommended that the calendar is put on agenda for the January TAG meeting.
- C. Other Regulatory Issues – Jim spoke about the possibility of the state restricting the California Pollution Control Financing Authority (CPCFA) funding for integrated solid waste management projects, including solid waste landfills. One of the proposed restrictions would not allow low interest loans for solid waste facilities. This could impact ESJPA

jurisdictions if loans are needed for projects such as diesel retrofits. In conjunction with CSAC and the League of Cities, RCRC wrote a letter in support for continued availability of CPCFA funds for integrated waste management projects in California. Discussion followed.

- D. Bliss Hipp gave an update on the E-waste requirements. Bliss distributed a summary of program requirements that she and Mary compiled from a collector's workshop. Also included in the handouts were revisions of the "notification of intent to handle" form along with a revised Waste Board "application for approval" form. However, if you have already submitted a form you do not need to resubmit a revised form.

Bliss also distributed the emergency regulations that were adopted by the Waste Board in November and approved by the Office of Administrative Law on Monday. Bliss reminded jurisdictions that they will need to fill out all the required forms in order to be eligible for reimbursement from the state for all E-waste collected after January 1, 2005. It is important to note that the January 1<sup>st</sup> date is only upon condition of the Waste Board's approval of your application. Resolutions are no longer required with the application unless you are applying as both a recycler and a collector. Discussion followed.

### **ESJPA Program Updates**

- A. Jim announced that the ESJPA concluded its contract obligations with the Waste Board for the Rural Operator Training Courses, except for completion of the final Report. Since the last Board meeting the ESJPA held onsite-one-day trainings in Glenn, Imperial, and Inyo counties. It was a good opportunity to have local and state officials together with operators.
- B. Jim discussed the presentation Heidi Sanborn gave on the Paint Product Stewardship Initiative at the October 21, 2004 ESJPA meeting. Heidi had asked for the ESJPA Board's consideration to be an endorser of the initiative. Jim recommended that the ESJPA endorses and supports the principals of the MOU, and included a draft letter in the board packet. Kevin Hendrick made a motion to approve the Paint Product Stewardship Initiative MOU. LaVada Erickson seconded the motion and it carried unanimously.
- C. Bliss gave a brief update on the ESJPA regional E-waste collection grant (HD12). The grant is open through 2006; however, most of our costs are fully expended. We will be requesting a budget modification from the Waste Board for some remaining funds. The ESJPA is considering using some of the funds to assist participating counties with the cost-free collection opportunity requirement for those participating in the Waste Board's recovery payment program. Bliss will be sending out an email regarding this proposal.
- D. Stacey gave an update on upcoming grant opportunities. Included in the Board packets is a list of tire recycling, cleanup, and enforcement grants. Stacey also announced a non-profit used oil grant that will be available. There are two parts to this grant; (1) used oil for non-profits and (2) Research and Development. The criteria for the used oil non-profit grant includes developing partnerships with auto parts and retail stores to collect used oil filters. The criteria for the R&D grant includes a project that establishes an agricultural used oil or oil filter collection program for small acreage growers. This project would have to include a needs assessment, the development of oil and filter collection infrastructure, and publicity and education outreach campaign. Please contact Stacey if you have an idea for a program

you would like to implement in your county. 1.1 million for each grant is available in funding. The cap for the used oil grant is \$200,000. The cap for the R&D is \$300,000 for multiple jurisdictions, or \$200,000 if it is an individual jurisdiction. Discussion followed.

Jim announced that the ESJPA is also working with Alan Abbs on an application for a federal grant. This is a technical landfill grant that would involve the evaluation of landfill gas generation and the potential of power generation with micro-turbans. Most of the work would be done by a consultant and if the application is funded it will be available to all counties. Discussion followed.

### **Legislative overview**

Rich Mason gave a brief overview of the legislative outlook for 2005. After the recent elections and because of term limits the legislature will be even more polarized than ever. This will make it very difficult for the Governor to implement any budget solutions. The Governor's budget will be presented on January 10, 2005, and will most likely reflect at least some reorganization of State government. Discussion followed.

### **Agenda Suggestions for the Next ESJPA Meeting Scheduled for March 24, 2005**

None.

### **Member County Concerns/Comments**

Jim discussed the need to form a legislative committee. However, this committee will not be exclusive and will be open to anyone that would like to participate.

Jim also announced that at the January 27, 2005 TAG meeting the ESJPA will need to have a special meeting in order to vote on a resolution to submit a grant application.

### **Adjournment**

The meeting was adjourned at 4:43 p.m.

Respectfully submitted,

Stacey Miner, Program Administrator  
Rural Counties' Environmental Services JPA