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EXECUTIVE DIRECTOR – BRENT HARRINGTON

PROGRAM DIRECTOR – JAMES HEMMINGER, P.E.,
TECHNICAL ADVISORY GROUP CHAIR –
MARK RAPPAPORT, TUOLUMNE COUNTY

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

801 12th Street – 2nd Floor
Sacramento, CA 95814
(916) 447-4806

Thursday, March 11, 2004

DELEGATES AND OTHER COUNTY REPRESENTATIVES IN ATTENDANCE:

Jim McHargue, Program Manager	Amador County
Larry Peterson, Deputy Director of Public Works	Amador County
Rod Schuler, Director of Public Works	Amador County
Kim Yamaguchi, Supervisor	Butte County
Jennifer Barr, Program Coordinator	Calaveras County
Christy Scofield, Supervisor	Colusa County
Valerie Kauffman, Supervising EHS	El Dorado County
Tom Varga, Assistant Director of Public Works	Glenn County
Steve Engfer, Solid Waste Manager	Mariposa County
Evan Nikirk, Deputy Director of Public Works	Mono County
Steve Porter, Solid Waste Manager	Nevada County
Tim Beals, Deputy Director of Public Works	Sierra County
Peter Huebner, Supervisor	Sierra County
Alan Abbs, Solid Waste Director	Tehama County
Susan Provencal, Office Technician	Tuolumne County
Mark Rappaport, Senior Solid Waste Technician	Tuolumne County

STAFF IN ATTENDANCE:

Jim Hemminger	ESJPA Program Director
Stacey Miner	Grant Administrator
Mary Pitto	Regulatory Program Director
Bliss Hipp	Environmental Program Coordinator
Camille Chorley	Administrative Assistant
Tom Cambell	RCRC
Rich Mason	RCRC

OTHERS IN ATTENDANCE:

Terry LeBlanc, Trashman/ Author	Sierra County
Michelle Lee, Recycling Specialist	DOC

Natalie Lee, Diversion, Planning & Local Assistance	CIWMB
Matt McCarron, Special Waste Division, HHW	CIWMB
Karla Miller, Recycling Specialist	DOC
Kyle Pogue, Diversion, Planning & Local Assistance	CIWMB
Jill Simmons, IWMS	CIWMB
Larry Sweetser, Consultant to ESJPA	Sweetser and Associates

Call to Order / Determination of Quorum / Introductions

The meeting was called to order at 10:07 a.m. by Christy Scofield, Colusa County Supervisor. Roll call was taken, self-introductions were made, and a quorum was established.

Public Comment

None.

Review and approval of minutes of the meetings of December 11, 2003

Christy Scofield called for a motion to approve the minutes of the December 11, 2003 meeting. A motion to adopt the minutes was made by Tom Varga. The motion was seconded by Peter Heubner and carried unanimously.

Approval of Resolution No. 04-01 amending the August 22, 2002 version of the Joint Exercise of Powers Agreement for the Rural Counties' Environmental Services Joint Powers Authority

Jim Hemminger reviewed the Joint Powers Agreement. One of the amendments to the Agreement provides that it can be amended following a vote by the majority of Boards of Supervisors of member counties. In the current version of the Agreement, amendments can be made by a majority vote of the delegates in attendance at a regularly scheduled Board meeting. A motion to approve Resolution No. 04-01 was made by Mark Rappaport. The motion was seconded by Tim Beals and carried unanimously.

County Presentations

- A. Evan Nikirk, Assistant Director of Public Works, gave an overview on the Solid Waste Programs in Mono County.
- B. Terry LeBlanc, Sierra County, gave a presentation on his school outreach program. Terry shared his children's book, "Learning to Recycle with Terry the Trashman", that he has written and distributed throughout Sierra county. Terry is hoping that if enough counties are interested in purchasing these books (possibly through grant funds) so that he can publish them in bulk and lower the overall cost.

Program Updates/Discussion

- A. Mary Pitto introduced Matt McCarron, CIWMB Special Waste Division. Matt gave an update on the status of SB 20 E-waste programs. To date, there have been four stakeholders' meetings. The CIWMB is planning to post the draft regulations for SB 20

March 23rd on their website. There will be one more stakeholders' meeting on April 2nd and then CIWMB staff will go before their Board for approval of the regulation package or to make any adjustments. If the regulation package is approved by the Board, it will go straight to the Office of Administrative Law. The most important aspect of the emergency regulations affecting the rural counties is the proposed payment system. There will be a registration and authorization requirement of every recycler and every collector. The proposal is to pay recyclers and have the money pass through the collector. Discussion followed.

- B. Kyle Pogue, with the CIWMB Office of Local Assistance, thanked the ESJPA for the award he received at the RCRC Annual Dinner. He took the opportunity to acknowledge other staff in the Office of Local Assistance including; Jill Simmons, Natalie Lee, and Steve SoRelle. Kyle presented CIWMB's "Resources for the Future" Awards to Colusa County, Glenn County, Modoc County and Tuolumne County. Modoc County was not present and will receive their award at the next meeting.

Kyle also reviewed the current status of the Board Members. Board Member Jones and Board Member Medina were not re-appointed. The Industry Seat and the Public Seat are now available. Discussion followed.

Kyle briefly reviewed the Annual Reports. All the jurisdictions have submitted the reports and the board has 120 days to review them and respond with questions or requests.

- C. Jim led a discussion regarding the DOC's competitive grant application. Jim referenced a letter included in the board packet in which he requested that the grant solicitation include criteria reflecting the needs of rural counties. The DOC responded by acknowledging the challenges rural jurisdictions face with respect to recycling and encouraged them to apply for the DOC's competitive grant. An initial concern over this grant application is that the scope of applicants has expanded beyond local government to include state agencies and private businesses - all competing for only 1.5 million in funding. Another concern is that the grant focus is on seeking large scale projects, specifically at business locations, and seems to put a larger emphasis on urban-type collection activities. Because of these concerns, it did not appear advantageous for the ESJPA to submit a regional application. Karla Miller, Recycling Specialist with the DOC, pointed out that "large scale projects" as one of the selection criteria is meant to be interpreted as relative to the size of your jurisdiction. Discussion followed. There was general agreement for the ESJPA not to put in the effort required for a regional submittal and there was little or no interest in pursuing projects that were consistent with DOC's priority focus.
- D. Jim discussed the initiation of the HD-12 regional E-waste grant-funded collection program. Although it has been somewhat of a slow start, an RFP is being finalized and will be sent out to potential E-waste collectors and used as a basis for the upcoming collection programs. The ESJPA will be working directly with the counties on organized collection events starting in June or July. In the meantime, if participating counties are ready to begin on a project within the grant scope please contact Bliss.

Legislative Update

- A. Rich Mason briefly discussed the upcoming legislative session and the effect it will have on the new bills that the ESJPA is interested in.
- B. Larry Sweetser introduced the three most significant bills to the ESJPA which are SB 50, AB 2176 and AB 2826.
- **SB 50 (Hazardous Electronic Waste)** – Mary Pitto reported that at this point there are no changes to the bill. However, clarifications need to be made.
 - **AB 2176 (Large Venue)** – Mary Pitto reviewed this bill which will require the CIWMB to develop model ordinances that jurisdictions may choose to adopt. It requires jurisdictions to identify large venues and events to the Waste Board, over a three year period the Board will evaluate which types of recycling and waste diversion programs have been implemented. At this point the ESJPA is assessing how this bill will be impacting member counties. Please contact Mary with information regarding your jurisdiction's large venues and events and concerns regarding this legislation.
 - **AB 2826 (Solid Waste: Landfills)** – Larry gave an overview on this bill which is sponsored by SWANA. This bill would require a state agency that proposes to prohibit a substance from being disposed of in a landfill to identify the infrastructure necessary to safely handle that substance. SWANA has asked the ESJPA to support this bill and at this point we are looking at moving forward with support.
 - **SB 1886 (Incorporated Cities)** – While this is not of immediate concern to the ESJPA, Larry briefly mentioned this bill which would amend the definition of a city to take out the word "incorporated". The ESJPA will continue to follow this bill and try to understand its intent.
- C. Jim discussed the postponement of two ESJPA/RCRC sponsored bills which (1) would provide financial assistance for the costs of contaminated oil collected from non-certified collection centers and (2) revise funding mechanisms for the Waste Board's existing HHW grant program. Instead of moving forward with the bills in this legislative session Jim and Rich said they felt it would be more prudent to wait until next year. This would give the ESJPA the advantage of working on a two year bill, as well as the opportunity to work more closely with the Waste Board and garner additional support from other stakeholders. Also, with the new administration still settling in and given the focus on budget issues, the ESJPA feels that we have a better chance of success by delaying formal action at this time.

Regulatory Update

Mary gave an update on the status of the Diesel Emission Control Requirements for Solid Waste Vehicles. The requirements were adopted by the Air Resources Board in September 2003. The comment period ends March 12, 2004. At the urging of RCRC, CSAC and the League, the ARB did

delete the requirement that local governments assume responsibility for compliance by privately-owned vehicles with whom counties contract or issue permits. Counties will, though, be required to submit annually to the ARB a list of people with whom they contract to and any new contracts will need to include a statement requiring that the contractor be in compliance with all California law. Jim asked that folks be aware that haulers will, despite the changes made, likely be going to your Board of Supervisors in the near future requesting rate increases to offset their increased costs. The Air Board is expecting counties to work with the haulers in a "good faith effort". Discussion followed.

Announcements

- A. Bliss presented information on the HHW conference which takes place the week of March 22nd. An agenda for the conference was included in the board packets. Counties can use their block grant funds to send up to 3 people from their jurisdictions.
- B. Bliss announced that the ESJPA will not be submitting an HD 13 regional application. However, if any counties are interested in submitting an individual application the ESJPA will support them in any way possible. Discussion followed.
- C. Alan Abbs reminded people that the TAG meeting will be held after lunch.
- D. Jim suggested a field trip to the Recycled Products Trade Show after the TAG meeting.

Agenda Suggestions for Next ESJPA Meeting Scheduled for May 20, 2004

Member County presentations for the upcoming board meetings were discussed. Currently the following presentations are scheduled: Kevin Hendrick, Del Norte County, for the May 20th meeting; and Steve Engfer, Mariposa County, for the August 19th meeting. Supervisor Kim Yamaguchi with Butte County volunteered his county to do a presentation for the October meeting. Madera County is also a potential candidate for a member county presentation.

Member County Concerns/Comments

None.

Adjournment

The meeting was adjourned at 12:26 p.m.

Respectfully submitted,

Camille Chorley