



TAMI RITTER, CHAIR  
*Supervisor, District #3*

ANGEL CALDERON, VICE CHAIR  
*Councilmember, Gridley*

BILL CONNELLY  
*Supervisor, District #1*

PETER DURFEE  
*Supervisor, District #2*

TOD KIMMELSHUE  
*Supervisor, District #4*

DOUG TEETER  
*Supervisor, District #5*

CHUCK NUCHOLS  
*Vice Mayor, Biggs*

ADDISON WINSLOW  
*Councilmember, Chico*

ERIC SMITH  
*Vice Mayor, Oroville*

ROSE TRYON  
*Vice Mayor, Paradise*

STEPHEN ERTL  
*Air Pollution Control Officer*

PATRICK LUCEY  
*Assistant Air Pollution Control Officer*

## **Minutes of the Butte County Air Quality Management District Governing Board of Directors Meeting of January 26, 2023**

### Members Present:

Bill Connelly	Supervisor, District 1
Peter Durfee	Supervisor, District 2
Tami Ritter	Supervisor, District 3
Tod Kimmelshue	Supervisor, District 4
Doug Teeter	Supervisor, District 5
Chuck Nuchols	Councilmember, Biggs
Addison Winslow	Councilmember, Chico
Angel Calderon	Councilmember, Gridley
Rose Tryon	Vice Mayor, Town of Paradise
Scott Thomson	Councilmember, Oroville Alternate

### Others Present:

Ron Lassonde	Councilmember, Paradise Alternate
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### Staff Present:

Stephen Ertle	Air Pollution Control Officer
Riley Peacock	Air Quality Engineer
Kelly Towne	Accounting Technician
Cora Collins	Clerk of the Board

### Staff Remote:

Aleah Ing	Administrative Service Officer
Jason Mandly	Senior Air Quality Planner
Dave Campbell	Air Quality Compliance Specialist
Ursula Parker	Senior Air Quality Compliance Specialist

### Others Remote:

Andrew Flynn	
Weist Law	

Due to the COVID-19 pandemic, members of the public are encouraged to attend the meeting using Zoom. Public comments were accepted before and during the meeting by emailing <mailto:ccollins@bc>

### **1. Call to Order and Roll Call.**

Chair Pro Tem Ritter called the meeting to order at 10:00 a.m. at the BCAG Board Room, 326 Huss Drive, Suite 100, Chico, California.

**2. Consider Election of Butte County Air Quality Management District Officers for 2023.**

**ACTION REQUESTED:** Existing Chair Ritter, named as Chair Pro Tem, to oversee the election of a Chair and Vice Chair for calendar year 2023.

**A motion was made by Supervisor Connelly and seconded by Supervisor Kimmelshue to re-elect Supervisor Ritter as Chair.**

AYES: Supervisor Connelly (Motion), Supervisor Durfee, Supervisor Ritter, Supervisor Kimmelshue (Seconded), Supervisor Teeter, Councilmember Nuchols, Councilmember Winslow, Councilmember Calderon, Vice Mayor Tryon, Councilmember Thomson.

NOES: None.

ABSTAIN: None.

ABSENT: None.

**A motion was made by Supervisor Kimmelshue and seconded by Supervisor Connelly to re-elect Councilmember Calderon as Vice Chair.**

AYES: Supervisor Connelly (Seconded), Supervisor Durfee, Supervisor Ritter, Supervisor Kimmelshue (Motion), Supervisor Teeter, Councilmember Nuchols, Councilmember Winslow, Councilmember Calderon, Vice Mayor Tryon, Councilmember Thomson.

NOES: None.

ABSTAIN: None.

ABSENT: None.

**Supervisor Ritter served as Chair for the remainder of the meeting.**

**3. Welcome to New Board Members.**

Chair Ritter welcomed new Board Members, District Supervisor Peter Durfee and Chico Councilmember Addison Winslow. Board members introduced themselves.

**4. Additions and Deletions to the Consent or Regular Agenda.**

No additions or deletions.

**5. Consent Agenda.**

**5.1** Minutes of the December 8, 2022, Meeting of the Board of Directors.

**5.2** Activity Report on Butte County Air Quality Management District Activities.

**5.3** Financial Status Report for Fiscal Year 2022-2023.

**5.4** Status Report on Calendar of Events.

**5.5** Status Report on Communications.

**ACTION REQUESTED: Approve Consent Agenda Items.**

Board comments: None

Public comments: None

**A motion was made by Supervisor Connelly and seconded by Supervisor Teeter to approve the Consent Agenda Items.**

AYES: Supervisor Connelly (Motion), Supervisor Durfee, Supervisor Ritter, Supervisor Kimmelshue , Supervisor Teeter (Seconded), Councilmember Nuchols, Councilmember Winslow, Councilmember Calderon, Vice Mayor Tryon, Councilmember Thomson.

NOES: None.

ABSTAIN: None.

ABSENT: None.

**ITEMS FOR ACTION**

**6. Items removed from the Consent Agenda for Board consideration and actions.**

No items removed from the Consent Agenda.

**7. Consider Appointing one (1) member to serve with the Chair and Vice Chair on the Executive Committee.**

**ACTION REQUESTED: Chair to appoint one (1) member to serve with the Chair and Vice Chair on the Executive Committee.**

**A motion was made by Supervisor Durfee and seconded by Supervisor Kimmelshue to re-appoint Councilmember Tryon to serve on the Executive Committee with Supervisor Ritter and Councilmember Calderon.**

AYES: Supervisor Connelly, Supervisor Durfee (Motion), Supervisor Ritter, Supervisor Kimmelshue (Seconded), Supervisor Teeter, Councilmember Nuchols, Councilmember Winslow, Councilmember Calderon, Vice Mayor Tryon, Councilmember Thomson.

NOES: None.

ABSTAIN: None.

ABSENT: None.

**8. Consider Appointing two (2) members to serve as the Budget and Finance Committee.**

**ACTION REQUESTED: Chair to appoint two (2) members to serve as the Budget and Finance Committee.**

**A motion was made by Supervisor Kimmelshue and seconded by Councilmember Calderon to re-appoint Vice Mayor Tryon and appoint Councilmember Winslow to serve as the Budget and Finance Committee.**

AYES: Supervisor Connelly, Supervisor Durfee, Supervisor Ritter, Supervisor Kimmelshue (Motion), Supervisor Teeter, Councilmember Nuchols, Councilmember Winslow, Councilmember Calderon (Seconded), Vice Mayor Tryon, Councilmember Thomson.

NOES: None.

ABSTAIN: None.

ABSENT: None.

**9. Consider Appointing a Representative and Alternate Representative to the Sacramento Valley Basinwide Air Pollution Control Council BCC.**

**ACTION REQUESTED:** Chair to appoint one (1) Primary and one (1) Alternate to represent the District on the BCC.

**A motion was made by Supervisor Connelly and seconded by Supervisor Kimmelshue to re-appoint Supervisor Ritter as the Primary Representative and Supervisor Kimmelshue to serve as the Alternate on the BCC.**

**AYES:** Supervisor Connelly, Supervisor Durfee, Supervisor Ritter, Supervisor Kimmelshue (Motion), Supervisor Teeter, Councilmember Nuchols, Councilmember Winslow, Councilmember Calderon (Seconded), Vice Mayor Tryon, Councilmember Thomson.

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** None.

**10. Consider Approving Proposed Unfunded Accrued Liability Pension Management Policy.**

**ACTION REQUESTED:** Review and Adopt Unfunded Accrued Liability (UAL) Pension Management Policy and Preliminary Intention to Proceed with Financing through adoption of Resolution 2023-01 Pension Management Policy and Financing.

Stephen Ertle, Air Pollution Control Officer, discussed the District's UAL Obligation to CalPERS. An Unfunded Accrued Liability Pension Management Policy (the "Pension Management Policy") was developed to ensure that any future pension liabilities do not grow to unmanageable levels. The Pension Management Policy will also guide in making annual budget decisions, demonstrate prudent financial management practices, help create fiscally sustainable budgets for pensions in future years, and help ensure that the District is being proactive in the management of its fiscal affairs. A PowerPoint presentation showed the Estimated 2022 Investment Impact and 15-Year, 20-Year, and 23-Year Post-Refinancing Depiction.

As of 2021	Estimated 2022 Investment Impact	15-Year Post Refinancing Depiction	20-Year Post Refinancing Depiction	23-Year Post Refinancing Depiction
Funded percent	75.9%	90.1%	90.1%	90.1%
Principle	\$2.0M	\$2.0M	\$2.0M	\$2.0M
Interest	\$1.5M	\$0.3M	\$0.6M	\$0.7M
Total Due	\$3.5M	\$2.3M	\$2.6M	\$2.7M
Savings		\$1.2M	\$0.9M	\$0.8M

Board discussion: What is the rate of financing? Staff replied the current rate is 4.75 % but it could be higher or lower. Councilmember Thomson mentioned that Oroville just went through this process.

Public comments: None.

**A motion was made by Supervisor Durfee and seconded by Supervisor Connelly to Adopt Unfunded Accrued Liability Pension Management Policy and Preliminary Intention to Proceed with 20 year Financing through adoption of Resolution 2023-01 Pension Management Policy and Financing.**

**Amended Motion:**

**A motion was made by Supervisor Durfee and seconded by Supervisor Connelly to Adopt Unfunded Accrued Liability Pension Management Policy and Preliminary Intention to Proceed with *Multiple year* Financing through adoption of Resolution 2023-01 Pension Management Policy and Financing.**

AYES: Supervisor Connelly (Seconded), Supervisor Durfee (Motion), Supervisor Ritter, Supervisor Kimmelshue, Supervisor Teeter, Councilmember Nuchols, Councilmember Winslow, Councilmember Calderon, Vice Mayor Tryon, Councilmember Thomson.

NOES: None.

ABSTAIN: None.

ABSENT: None.

**11. Following a Public Hearing, Consider Approving the Air Toxics “Hot Spots” Program 2021 Annual Report.**

**ACTION REQUESTED:** Following a Public Hearing, approve the report.

Riley Peacock, Air Quality Engineer, summarized the Air Toxics “Hot Spots” Program 2021 Annual Report. Eight (8) new facilities were added in 2021, all of which are in the Exempt category. New facilities include: Maverik 640, Northwest Lineman College, Town of Paradise Resiliency Center, Project Fusion, Kalkat Fruit and Nut, Tri Counties Bank, Feather River Hospital (Clinic), and City of Biggs-Wastewater Treatment Plant. Facilities are exempt when they have a Prioritization score of less than one (1) and have the potential to emit less than ten (10) tons per year with no toxic significance.

Board discussion: Supervisor Kimmelshue asked for a clarification of “Hot Spots”. Staff replied, AB 2586 was adopted to provide transparency. This regulation requires the District to publicly notice all facilities that could be a “hot spot” or toxic emitter.

Public comments: None.

Public Hearing Opened: 10:22 a.m.

Public Hearing Closed: 10:22 a.m.

**A motion was made by Supervisor Kimmelshue and seconded by Vice Mayor Tryon to approve the report.**

AYES: Supervisor Connelly, Supervisor Durfee, Supervisor Ritter, Supervisor Kimmelshue (Motion), Supervisor Teeter, Councilmember Nuchols, Councilmember Winslow, Councilmember Calderon, Vice Mayor Tryon (Seconded), Councilmember Thomson.

NOES: None.

ABSTAIN: None.

ABSENT: None.

**12. APCO Report.**

**ACTION REQUESTED:** None. This item is provided for information and discussion.

Federal:

- EPA announced its proposed decision to revise the primary annual PM2.5 standard from its current level of 12.0 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) to within the range of 9.0 to 10.0  $\mu\text{g}/\text{m}^3$ . This change should not affect Butte County, as it is currently in attainment.
- The Asbestos Delegation Rule process has started. The Asbestos Rules were adopted by the Board and staff submitted an official delegation request to EPA.

State:

- CAPCOA's 2023-2024 Funding Priorities letter.
  - Federal Permit Requirements for Air Curtain Incinerators
  - Support for New and Existing Biomass Facilities
  - Promote electric Vehicle Charging Infrastructure
  - Provide Additional Resources for Hazard Reduction on Federal Lands
  - The Proposed Revision of the Annual PM2.5 National Ambient Air Quality Standard (NAAQS)
  - Local Federal Funding in Rural Air Districts for SIP Development and Program Support
- CAPCOA is sending a contingent to Washington DC. A list of discussion priorities is being developed.

Vice Mayor Tryon requested a copy of the budget letter.

- Brown Act changes through January 2026.

Local:

- The newly appointed Budget and Finance Committee will schedule a meeting.

Supervisor Kimmelshue asked if staff knew of other electric vehicle (EV) charging stations planned for Butte County. Staff replied, the District does not have plans for EV charging stations but are open to ideas for different projects, including EV charging stations. Funding is through the Community Air Protection Program.

**13. Other Business.** None.

**14. Public Comment Period.** Any person may address the Board of Directors on any matter within the jurisdiction of the Board that is not on the agenda for this meeting. Any person may address the Board on an agenda item when that time is called. The Chair requests that each person addressing the Board limits their presentation to five (5) minutes.

**15. Adjourn to Closed Session.** No closed session was held.

**16. Report From Closed Session.** None

**17. The meeting adjourned at 10:40 a.m. The next Board of Directors Meeting is scheduled for March 23, 2023, at 10:00 a.m. at the Butte County Association of Governments Board Room, 326 Huss Drive, Suite 100, Chico, California.**



Stephen Ertle, Air Pollution Control Officer  
Butte County Air Quality Management District

I hereby attest that this is a true and correct copy of the action taken by the Butte County Air Quality Management District Board of Directors on January 26, 2023.

ATTEST:   
Cora Collins, Clerk of the Governing Board