

**Action Summary Minutes  
for the  
San Joaquin Valley Unified Air Pollution Control District  
CONTINUED GOVERNING BOARD MEETING from  
Wednesday, October 31, 2001  
Governing Board Room  
1990 E. Gettysburg Avenue, Fresno, CA.**

**Thursday, November 1, 2001  
3:00 p.m.**

**Meeting held via video teleconferencing (VTC) in the Central Region Office (Fresno) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) included via VTC.**

1. **CALL TO ORDER** – The Chair (Supervisor Judith G. Case) called the meeting or order at 3:00 p.m.
2. **ROLL CALL** was taken and a quorum was present.

Barbara Patrick, Supervisor (*)	Kern County
Mike Maggard, Councilmember (**)	City of Bakersfield
William Sanders, Supervisor (***)	Tulare County
Tony Barba, Supervisor	Kings County
Gary Gilbert, Supervisor ( <b>Alternate</b> )	Madera County
Jerry O'Banion, Supervisor	Merced County
Nick W. Blom, Supervisor (****)	Stanislaus County
Tom Applegate, Councilmember (****)	City of Newman
Jack A. Sieglock, Supervisor (****)	San Joaquin County
Sam Armentrout, Mayor, <b>Vice Chair</b>	City of Madera
Judith G. Case, Supervisor, <b>Chair</b>	Fresno County

- (\*) **Participated via telephone, Oakland Marriott, City Center 1001 Broadway, Oakland, CA.**
- (\*\*) **Participated via video teleconferencing (VTC), Southern Region Office, 2700 M Street, Suite 275, VTC Room, Bakersfield**
- (\*\*\*) **Participated via telephone, Tulare County Board of Supervisors, 2800 W. Burrel, Visalia, CA.**
- (\*\*\*\*) **Participated via video teleconferencing (VTC), Northern Region Office, 4230 Kiernan Avenue, Suite 130, VTC Room, Modesto, CA.**

**On Wednesday, October 31, 2001 the District convened a meeting to consider the following Agenda Item:**

7. **Public Hearing: Adopt Proposed Amendments to Regulation VIII (Fugitive PM 10 Prohibitions and Rule 4101 (Visible Emissions)).**

**The Board after hearing testimony continued further consideration of that item to Thursday, November 1, 2001 at 3:00 p.m.**

**Presentation made by: David L. Crow, Executive Director/APCO and Scott Nester, Supervising Air Quality Engineer.**

**Staff provided the Board with three options:**

**Option # 1**

**SJVUAPCD Governing Board Members - Suggested Provision for Regulation VIII. Which includes the recommendations from: Board Members Maggard, Case and Barba. Staff listed rule sections that would require amendments to the Received and Filed version (Option # 3) along with the specific language for those sections.**

**Option #2**

**SJVUAPCD Staff - Suggested Provisions for Regulation VIII. Staff listed rule sections that would require amendments to the Received and Filed version (Option # 3) along with the specific language for those sections.**

**Option # 3**

**The Received and Filed Staff Recommendation made in Thursday, September 27, 2001 Governing Board Packet: Amendments to the proposed Regulation VIII (Fugitive PM 10 Prohibitions).**

**Mr. Crow noted that the Board could move all three options forward to the November 15, 2001 Governing Board Meeting for their consideration. Mr. Crow noted that the Board at the November 15, 2001 Governing Board Meeting could vote to adopt one option or mix and match the three options.**

**Philip M. Jay, District Counsel, suggested the following language change to the resolution that would adopt Regulation VIII:**

**“...The Governing Board recognizes that the regional PM 10 study is being conducted by the San Joaquin Valleywide Study Agency. Said study, when complete, may provide additional scientific data that will require amendments to Regulation VIII. The Study Agency policy committee is directed to make recommendations to the Governing Board regarding the results of the study and the need to consider amendments to these regulations.....”**

**ADOPTED AS RECOMMENDED** – A motion was made by Board Member Blom to add the above language in the resolution that will adopt Regulation VIII. The motion was seconded by Board Member Applegate and carried unanimously with the following Roll Call Vote:

**Ayes:** O'Banion, Maggard, Blom, Barba, Applegate, Sanders, Gilbert, Patrick, Sieglock, Armentrout and Case.

**Noes:** None.

**Absent:** None.

**Therefore, the Board added the above language in the resolution that will adopt Regulation VIII.**

**APPROVED AS RECOMMENDED** – A motion was made by Board Member Applegate to move all three options forward to the November 15, 2001 meeting. The motion was seconded by Board Member Sieglock and carried unanimously with the following Roll Call Vote:

**Ayes:** Maggard, Gilbert, Sieglock, Barba, Sanders, O'Banion, Patrick, Blom, Applegate, Armentrout and Case.

**Noes:** None.

**Absent:** None.

**Therefore, the Board moved all three options forward to the November 15, 2001 Governing Board Meeting for their consideration. The Board clarified that their action by stating that on November 15, 2001 they will have the opportunity to adopt one option or mix and match the three options.**

**The Chair adjourned the meeting at 4:16 p.m.**