

# A G E N D A

Siskiyou County  
Air Pollution Control District  
525 S. Foothill Drive  
Yreka, CA 96097

January 28, 2025

## Board of Directors:

Ed Valenzuela  
Supervisor, District 2

Ray A. Haupt  
Supervisor District 5

Dana Barton  
Chief Deputy County Counsel

Michael N. Kobseff  
Supervisor, District 3

Pat Vela  
City of Montague

Laura Bynum  
Ex-Officio Clerk to the Board

Nancy Ogren  
Supervisor, District 4

Juliana Lucchesi  
City of Dunsmuir

*This agenda contains a brief general description of each item to be considered. If you wish to speak on an item on the agenda, please complete a Speaker's Card identifying the item(s) and return it to the Board Clerk. If you wish to speak on a matter that does not appear on the agenda, you may do so during the Public Comment period. Persons speaking during Public Comment will be limited to three minutes, or depending on the number of persons wishing to speak, it may be reduced to allow all members of the public the opportunity to address the District Board. Except as otherwise provided by law, no action or discussion shall be taken/conducted on any item not appearing on the agenda. When addressing the District Board, please state your name for the record prior to providing your comments. Please address the District Board as a whole through the Chair. Comments to individual District Board members or staff are not permitted.*

Availability of Public Records. All public records related to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the County Clerk's Office, 311 Fourth Street, Room 201, Yreka CA 96097 at the same time that the public records are distributed or made available to the members of the District Board. All supporting documentation is available for public review in the office of the County Clerk, 311 Fourth Street, Room 201, Yreka, CA 96097, during regular business hours, 9 a.m. – noon and 1 p.m. to 4 p.m., Monday through Friday.

In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the County Clerk's Office 48 hours prior to the meeting at (530) 842.8081, or toll free at 1.888.854.2000, ext. 8081.

**NOTE: This meeting is being agendized to allow Air Pollution Control District staff and the public to participate in the meeting via teleconference.**

*Conference Call In Number: 1-669-900-6833, Meeting ID :812 8632 7680*

***During the call you may press \*9 on your phone to 'raise your hand' OR click on the "Participants" icon at bottom center of your computer or phone screen, then click the "Raise Hand" button to ask to speak during the meeting.***

*For those wishing to appear in person, the location of the meeting is:  
Siskiyou County Meeting Chambers, 311 Fourth Street, Yreka CA.*

- 1. 9:00 A.M. – Flag Salute**
- 2. Roll Call**
- 3. Air Pollution Control District Governing Board - Election of a Chair and Vice Chair for the Air Pollution Control District for 2025.**
- 4. Presentations from the Public**  
PLEASE NOTE: This time slot is for information from the public. No action or discussion will be conducted on matters presented at this time. You will be allowed three (3) minutes for your presentation. Written comments can be presented if so desired, by providing a minimum of 7 copies to the Clerk. When addressing the District Board, please state your name for the record prior to providing your comments. Please address the District Board as a whole through the Chair. Comments should be limited to matters within the jurisdiction of the District Board.
- 5. Air Pollution – Discussion, direction and possible action re Resolution to commence post-retirement employment within the exception to the 180-day wait period pursuant to California Government Code Sections 7522.56 & 21224, for retired Air Pollution Specialist III Eric Olson.**
- 6. Minute Approval – October 28, 2024.**
- 7. Adjournment**

# Agenda Worksheet

Submit completed worksheet to:  
Siskiyou County Clerk, 311 Fourth St., Rm 201, Yreka, CA 96097

Regular  Time Requested: 2-3 min Meeting Date: January 28, 2025

OR  
Consent

Contact Person/Department: Air Pollution Control District Governing Board Phone: 530-842-8084

Address: 311 Fourth Street, Room 201 Yreka CA 96097

Person Appearing/Title: \_\_\_\_\_

## Subject/Summary of Issue:

Election of Chair and Vice Chair for 2025.

## Financial Impact:

NO  Describe why no financial impact: \_\_\_\_\_

YES  Describe impact by indicating amount budgeted and funding source below

Amount: \_\_\_\_\_  
Fund: \_\_\_\_\_ Description: \_\_\_\_\_ Org.: \_\_\_\_\_ Description: \_\_\_\_\_  
Account: \_\_\_\_\_ Description: \_\_\_\_\_  
Activity Code: \_\_\_\_\_ Description: \_\_\_\_\_

Local Preference: YES  NO

For Contracts – Explain how vendor was selected: \_\_\_\_\_

Additional Information: \_\_\_\_\_

## Recommended Motion:

Action to elect a Chair and Vice Chair for the Air Pollution Control District Board for 2025.

<b>Reviewed as recommended by policy:</b>
County Counsel _____
Auditor _____
Personnel _____
CAO _____

<b>Special Requests:</b>
Certified Minute Order(s) _____ Quantity: _____
Other: _____

**NOTE: For consideration for placement on the agenda, the original agenda worksheet and backup material must be submitted directly to the Board Clerk (after reviewing signatures have been obtained) by 10:00 a.m. on the Monday the week prior to the Board Meeting.**

# Agenda Worksheet

Submit completed worksheet to:  
Siskiyou County Clerk, 311 Fourth St., Rm 201, Yreka, CA 96097

Regular \_\_\_\_\_ Time Requested: \_\_\_\_\_ Meeting Date: January 28, 2025

OR  
Consent

Contact Person/Department: Jim Smith/Air Pollution Phone: 841-4033

Address: 525 S. Foothill Dr. Yreka CA 96097

Person Appearing/Title: Jim Smith/APCO

## Subject/Summary of Issue:

The Air Pollution Control Officer respectfully requests that the Board of Directors for the Air Pollution Control District adopt the attached Resolution certifying the post-retirement employment of Eric Olson to fill the critically needed position of Air Pollution Specialist III as extra help is necessary pursuant to California Government Code Sections 7522.56 et seq. which requires that post-retirement employment commence no earlier than 180 days after retirement unless the employer certifies the nature of the employment and appointment is necessary to fill a critically needed position before that 180 day period has passed. Here, after Mr. Olson's retirement on November 30, 2024, left the District without any officers or staff members that possess the critical specialized training, experience, knowledge or skills required to operate, maintain, upgrade and inspect the District's specialized air monitoring equipment, perform the necessary data collection and analysis of such, enforcement of applicable rules and regulations, and reporting requirements. Mr. Olson's critical and specialized skills are necessary before the 180-day waiting period in order to allow the District to perform its core mission and to train his replacement. The certification Resolution presented to the Board of Directors for adoption is required before CalPERS will authorize the District to re-employ Mr. Olson on an extra help basis to provide such critical skills and training necessary to the District before the 180 day waiting period.

## Financial Impact:

NO  Describe why no financial impact: Presentation and staff direction only

YES  Describe impact by indicating amount budgeted and funding source below

Amount: 15,000.00

Fund: 2502 Description: APCD Org.: 401050 Description: Air Pollution

Account: 611200 Description: Extra Help

Activity Code: \_\_\_\_\_ Description: \_\_\_\_\_

Local Preference: YES  NO

For Contracts – Explain how vendor was selected:

Additional Information: We will be using the budget remaining in regular wages from his permanent position to

## Recommended Motion:

The Siskiyou County Air Pollution Control District Board of Directors hereby adopts the resolution to appoint Mr. Eric Olson as extra help Air Pollution Specialist III.

Reviewed as recommended by policy:

County Counsel	_____
Auditor	_____
Personnel	_____
CAO	_____

Special Requests:

Certified Minute Order(s)	Quantity: _____
Other:	_____

**NOTE: For consideration for placement on the agenda, the original agenda worksheet and backup material must be submitted directly to the Board Clerk (after reviewing signatures have been obtained) by 10:00 a.m. on the Monday the week prior to the Board Meeting.**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT TO COMMENCE POST-RETIREMENT EMPLOYMENT WITHIN THE EXCEPTION TO THE 180-DAY WAIT PERIOD PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 7522.56 & 21224**

**WHEREAS, in compliance with Government Code section 7522.56(f)(1) the Siskiyou County Air Pollution Control District must provide CalPERS with a certification resolution when hiring a retiree before 180 days has passed since his or her retirement date certifying that the nature of the employment and that the appointment is necessary to fill a critically needed position; and**

**WHEREAS, Eric Olson, retired from the Siskiyou County Air Pollution Control District from the position of Air Pollution Specialist III, effective November 30, 2024; and**

**WHEREAS, section 7522.56(f)(1) requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 1, 2025 without this certification resolution; and**

**WHEREAS, section 7522.56(g) provides an exception to the 180 day wait period where the employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed and the appointment has been approved by the governing body of the employer in a public meeting; and**

**WHEREAS, section 7522.56(g) provides that this exception to the 180 day wait period shall not apply if the retiree accepts any retirement related incentive; and**

**WHEREAS, the Siskiyou County Air Pollution Control District Board of Directors and the Air Pollution Control Officer certify that Eric Olson holds critical skills and knowledge that is needed to operate, maintain and update District monitoring and reporting equipment, and enforce the Air Quality laws and regulations. This is a critical position necessary to the Operations of the Siskiyou County Air Pollution Control District; and**

**WHEREAS, the Siskiyou County Air Pollution Control District Board of Directors, and the Siskiyou County Air Pollution Control Officer certify that Eric Olson has not and will not receive any retirement related incentives prohibited under section 7522.56(9); and**

**WHEREAS, the Siskiyou County Air Pollution Control District Board of Directors hereby appoints Eric Olson as an extra help retired annuitant to perform the duties of the Air Pollution Specialist III for the Siskiyou County Air Pollution Control District under Government Code section 21224, effective February 16, 2025; and**

**WHEREAS, the entire appointment document between Eric Olson and the Siskiyou County Air Pollution Control District Board of Directors has been reviewed by this body; and**

**WHEREAS, no matters, issues, terms or conditions related to this employment appointment have been or will be placed on a consent calendar; and**

**WHEREAS, the employment shall be limited to 960 hours per fiscal year; and**

**WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and**

**WHEREAS, the maximum base salary for this position is \$6,337.07 and the hourly**

equivalent is \$36.56 and the minimum base salary for this position is \$4,962.53 and the hourly equivalent is \$28.63; and

WHEREAS, the hourly rate paid to Eric Olson will be \$36.56; and

WHEREAS, Eric Olson has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

THEREFORE, BE IT RESOLVED THAT the Siskiyou County Air Pollution Control District Board of Directors hereby certifies the nature of the appointment of Eric Olson as described herein and detailed in the attached employment agreement/contract/appointment document and that his appointment is necessary to fill the critically needed position of Air Pollution Specialist III for the Siskiyou County Air Pollution Control District by January 28, 2025 for the following reasons:

1. Eric Olson is the only Siskiyou County Air Pollution Specialist III employee who possesses the skills and knowledge to train his successor in the use of all specialized equipment, data collection and analysis requirements, enforcement processes and operate, maintain, update and report as required by law prior to and as training occurs.
2. Mr. Olson will be able to help the new employee with training to obtain the required skills and knowledge that is needed to operate, maintain, update and report, and enforce the law in as required by law.

PASSED AND ADOPTED by the Siskiyou County Air Pollution Control District Board of Directors at a regular meeting of said Board, held on the 28th of January 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
\_\_\_\_\_, Chair  
Siskiyou County Air Pollution Control District  
Board of Directors

ATTEST:

LAURA BYNUM  
COUNTY CLERK

By \_\_\_\_\_  
Deputy

# State of California, County of Siskiyou

## Air Pollution Control District Minutes, October 28, 2024

The Honorable Directors of the Air Pollution Control District Board of Siskiyou County, California, met in special session this 28<sup>th</sup> day of October 2024; there being present Directors Ray Haupt, Ed Valenzuela, Michael N. Kobseff and Julianna Lucchesi, Deputy District Counsel Dana Barton and County Clerk and ex-Officio Clerk of the Air Pollution Control District Laura Bynum by Deputy County Clerk Wendy Winningham. Directors Brandon Criss and Pat Vela were absent.

The meeting was called to order by Chair Lucchesi. Director Lucchesi led in the salute to the flag of the United States of America.

**Air Pollution Control District Governing Board** - Election of Chair and Vice Chair for 2024. Directors Lucchesi and Kobseff elected Chair and Vice Chair, respectively.

It was moved by Director Kobseff, seconded by Director Valenzuela and carried, following a roll call vote with Directors Haupt, Valenzuela, Kobseff and Lucchesi voting YES and Directors Criss and Vela ABSENT to elect Director Lucchesi as Chair for 2024 and Director Kobseff as Vice Chair for 2024.

### **Presentations from the Public**

There were no public comments received.

**Transfer of Funds** – Air Pollution Control District - \$65,000. Resolution APCD 24-01 adopted.

Following a brief overview of the request from Air Pollution Control Officer Jim Smith, it was moved by Director Valenzuela, seconded by Director Haupt and carried, following a roll call vote with Directors Haupt, Valenzuela, Kobseff and Lucchesi voting YES and Directors Criss and Vela ABSENT to adopt Resolution APCD 24-01, Transfer of Funds – Air Pollution Control District, in the amount of \$65,000.

**Air Pollution Control Officer** – Presentation of an update re various District activities/concerns, including air monitoring in the Copco area, financing, Department staffing, upcoming retirement and the need for Hearing Board members/volunteers.

Air Pollution Control Officer Jim Smith appeared before the District Board and provided an update regarding portable air monitors being utilized at the Copco Lake area to sample dust in the air. Mr. Smith shared concerns regarding the lack of funding to allow testing/sampling for heavy metals that may be released into the air and the possible use of unregulated wheat seeds being planted as cover crops in/around the former lake bed. Mr. Smith further shared concerns regarding the potential negative impact to the Department's staffing upon retirement of their current Air Quality Specialist Eric Olson. Mr. Smith advised that the Air District anticipates award of an Environmental Protection Agency (EPA) grant that will provide funding to operate equipment and that he would research methods for continuing air quality testing/sampling and reporting to the EPA following Mr. Olson's retirement.

Discussion followed between District Board members, Mr. Smith, District Counsel Dana Barton and Deputy County Administrator-Personnel Manager Hayley Hudson regarding the anticipated dates for Air Pollution Control District meetings, the methods for finalizing those meeting dates and the need to coordinate with County Personnel regarding a possible CalPERS exemption for Mr. Olson to continue following retirement.

**County Clerk** - Appointment of five members to the scheduled vacancies on the Air Pollution Control District Hearing Board for Medical, Engineer and Attorney representatives and two General Public representatives, with three-year terms ending January 1, 2027; January 19, 2027; January 28, 2027 and March 16, 2026, respectively. Holly Lenz appointed for Medical representative position.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that local resident Holly Lenz was interested in filling the Medical representative position on the Air Pollution Control District Hearing Board. In addition, Ms. Winningham requested continuation of the remaining vacancies.

Continued...

October 28, 2024

**County Clerk – (continued)**

It was moved by Director Haupt, seconded by Director Valenzuela and carried, following a roll call vote with Directors Haupt, Valenzuela, Kobseff and Lucchesi voting YES and Directors Criss and Vela ABSENT to appoint Holly Lenz to the scheduled vacancy on the Air Pollution Control District Hearing Board, Medical representative, with a term ending January 1, 2027.

**Minute Approval –** December 5, 2023 and July 9, 2024. Approved.

It was moved by Director Valenzuela, seconded by Director Haupt and carried, following a roll call vote with Directors Haupt, Valenzuela, Kobseff and Lucchesi voting YES and Directors Criss and Vela ABSENT to approve the December 5, 2023 minutes as presented.

It was moved by Director Haupt, seconded by Director Valenzuela and carried, following a roll call vote with Directors Haupt, Valenzuela, Kobseff and Lucchesi voting YES and Directors Criss and Vela ABSENT to approve the January 9, 2024 minutes as presented.

**Adjournment -** There being no further business to come before the Air Pollution Control District, the meeting was adjourned.

Attest:

Laura Bynum, County Clerk

\_\_\_\_\_  
Juliana Lucchesi, Chair

By: \_\_\_\_\_  
Deputy