



**ALBUQUERQUE-BERNALILLO COUNTY
AIR QUALITY CONTROL BOARD**

DMD Conference Room #7096, 7th Floor
Albuquerque-Bernalillo County Government Center
One Civic Plaza NW, Albuquerque, NM 87102



**DRAFT MINUTES – December 9, 2015
Regular Meeting**

AQCB MEMBERS PRESENT

Kelsey Curran, CIH (CITY), Chair
Jane Cudney-Black (CITY), Vice Chair
Jens Deichmann, Ph.D. (COUNTY)
Ben Everson (CITY)
Robert Goldstein, M.D. (COUNTY)
Augustine Grace III, P.E. (CITY)
Deborah L. Stover (COUNTY)
Lenton Malry, Ph.D. (BCPC LIAISON)

Fabian Macias, Air Quality Official
Danny Nevarez, Deputy Director, EHD
Felicia Orth, Air Board Attorney
Carol Parker, Assistant City Attorney
Damon Reyes, EH Manager
Dario Rocha, EH Manager and AQCB
Secretary
Isreal Tavarez, EH Manager

AQCB MEMBERS ABSENT

James Peck, (COA/EPC LIAISON)

VISITORS PRESENT

Tim Adler, Sutin, Thayer & Browne Law
Firm
Reed Easterwood, Domenici Law Firm
Vern Hershberger, Trinity Consultants
Georgianna E. Pena-Kues
Frank Salazar, Sutin, Thayer & Browne Law
Firm

EHD STAFF PRESENT

Andrew Daffern, AQCB Liaison
Ed Merta, Air Quality Regulation
Development Coordinator
Mary Lou Leonard, Director, EHD

DRAFT MEETING MINUTES

CALL TO ORDER

The meeting was called to order by Chair Kelsey Curran at 5:35 p.m. on December 9, 2015 with seven voting Board members present: Jane Cudney-Black, Deborah L. Stover, Robert Goldstein, Ben Everson, Augustine Grace III, Jens Deichmann, and Kelsey Curran; and one non-voting member present: Lenton Malry. Not present was non-voting member James Peck.

Item #1 Approval of Agenda (Chair)

A motion to approve the agenda was made by Vice Chair Cudney-Black and seconded by Member Grace. The motion was approved unanimously by a vote of 7-0.

Item #2 Approval of July 8, 2015 Meeting Minutes (Chair)

A motion to approve the July 8, 2015 meeting minutes was made by Member Deichmann and seconded by Vice Chair Cudney-Black. The motion was approved unanimously by a vote of 7-0.

PUBLIC COMMENT

There was no public comment.

AIR PROGRAM REPORT

Danny Nevarez, Air Quality Program Deputy Director, presented the air program staff report.

- Mr. Nevarez congratulated Member Everson on his appointment to the Air Quality Control Board.
- Mr. Nevarez congratulated Mr. Dario Rocha on his promotion to the position of Control Strategies Manager.

ACTION ITEMS

Item #3 Presentment of two orders and approval of a final order following a mandate issued to the Air Quality Control Board by the Court of Appeals in Case No. 32,790, regarding Air Quality Permit No. 2037-M1 Issued to Smith's Food & Drug Centers, Inc. (Carlisle), Georgianna E. Pena-Kues, Andy Carrasco, James A. Nelson, and Summit Park Neighborhood Association, Petitioners-Appellees, vs. Smith's Food & Drug Centers, Inc. and City of Albuquerque, Respondents-Appellants

After hearing from the parties, a motion to approve the form of order prepared by Smith's Food & Drug Centers, Inc. was made by Member Deichmann and seconded by Vice Chair Cudney-Black. The motion passed by a vote of 6-0-1 (For: Curran, Cudney-Black, Deichmann, Goldstein, Grace, Stover; Abstain: Everson).

Item #4 Resolution 2015-3, Setting the Official List of Regular Albuquerque-Bernalillo County Air Quality Control Board Meetings for the Year 2016 – Andrew Daffern, AQCB Liaison, Air Quality Program

A motion to approve Resolution 2015-3 was made by Vice Chair Cudney-Black and seconded by Member Deichmann. The motion was approved unanimously by a vote of 7-0.

Item #5 Resolution 2015-4, Determining Reasonable Notice of Public Meetings of the Albuquerque-Bernalillo County Air Quality Control Board – Andrew Daffern, AQCB Liaison, Air Quality Program

A motion to approve Resolution 2015-4 was made by Member Deichmann and seconded by Vice Chair Cudney-Black. The motion was approved unanimously by a vote of 7-0.

