



ALBUQUERQUE – BERNALILLO COUNTY AIR QUALITY CONTROL BOARD

Vincent E. Griego Chambers
Albuquerque-Bernalillo County Government Center
One Civic Plaza NW, Albuquerque, NM 87102



DRAFT MINUTES – March 13, 2019 Regular Meeting

AQCB MEMBERS PRESENT

Ms. Sandy Buffett (CITY), Chair
Ms. Kitty Richards (COUNTY), Vice Chair
Mr. Matthew Wylie (CITY)
Mr. Zackary Quintero (COUNTY)
Ms. Lauren Meiklejohn (CITY)

AQCB MEMBERS ABSENT

Mr. Jens Deichmann (COUNTY)
Mr. Arturo Sandoval (CITY)

STAFF PRESENT

Ms. Sandra Begay, EHD Director
Ms. Jolene Slowen, EHD Deputy Director
Ms. Susan Chappell, AQCB Attorney

Ms. Stephanie Apodaca, AQCB Liaison
Mr. Fabian Macias, Air Quality Official
Mr. Ed Merta, Reg. Dev. Coordinator
Mr. Travis Miller, EH Supervisor
Ms. Carina Munoz-Dyer, EH Scientist
Mr. Damon Reyes, EH Manager
Mr. Dario Rocha, EH Manager
Mr. Jeff Stonesifer, Sr. EH Scientist
Mr. Isreal Tavarez, EH Manager

VISITORS PRESENT

Ms. Esther Abeyta, San Jose resident
Mr. Eric Jantz, NM Env Law Center
Ms. Onastine Jaramillo, resident
Mr. Jimmy Jaramillo, resident
Ms. Jenise Brito

CALL TO ORDER

Chairman Buffett called the meeting to order at 5:32 PM.

Chairman Buffett recognized former Member Bret Blanchard, former Bernalillo County Planning Commission liaison to the Board, for his service.

Item #1 Approval of Agenda (Chair)

Member Wylie moved to approve the agenda and Member Quintero seconded. The motion passed by a vote of 5-0.

Item #2 Approval of February 13, 2018 Meeting Minutes (Chair)

Member Quintero moved to approve the February 13, 2018 meeting minutes and Member Meiklejohn seconded. The motion passed by a vote of 5-0.

Member Richard asked if brief information on the topic of each public comment could be added in the future to the minutes.

After obtaining the advice of the Board Attorney, Chair Buffett asked that in the future draft minutes prepared by EHD staff include a one sentence summary of the topic of each public comment.

PUBLIC COMMENT

There was no general public comment

AIR PROGRAM REPORT

The Environmental Health Department Deputy Director for Air Quality, Ms. Jolene Slown, delivered the Air Quality Report and answered questions from Board members Environmental Health.

Responding to the Board's request at the February meeting for information from EPA on federal regulation of railcar emissions. Ms. Slown reported that EPA has been unable to respond so far. Ms. Slown expects to have more information for the Board at the next month's meeting.

Ms. Slown recognized Member Jens Deichmann for his service noting that his second term is set to expire shortly. Ms. Slown also introduced Ms. Stephanie as the new Air Quality Control Board liaison and Ms. Carina Munoz-Dryer as the new Permitting Supervisor for Environmental Health.

REPORTS

Item #3 Orientation for Board Members on Board authority and procedures (Board Attorney)

Board attorney Ms. Susan Chappell gave a presentation introducing Board member to the laws governing the Board. Ms. Chappell then responded to questions from Board members.

ACTION ITEMS

Item #4 Election of Air Quality Control Board Vice-Chair

Chairman Buffett opened the floor to nominations for the office of Vice Chair of the Air Quality Control Board.

Member Meiklejohn nominated Member Richards for the office of Vice Chair.

Member Richards accepted the nomination.

The Board elected Member Richard as Vice Chair by a vote of 4-0 0(Member Richards not voting). Member Richards immediately assumed the duties of the office of Vice Chair.

Item #5

Southwest Organizing Project's Complaint to U.S. Environmental Protection Agency under title VI of Civil Rights of 1964, EPA Case No. 13R-14-R6

Consideration of whether to agree to mediate the above referenced action through the EPAS's Conflict Resolution and prevention Center (CPRC)

Ms. Ester Abyeta, and Eric Jantz delivered public comment on this matter.

Ms. Abyeta provided her perspective on the background of the civil rights complaint. She provided written comment to the Board as well.

Mr. Jantz, reiterated his comments from last month's Board meeting urging the Board to participate in Alternative Dispute Resolution regarding the complaint.

Board Attorney Ms. Susan Chappell, described the procedural history for the benefit of new Board members.

Chair Sandra Buffett entertained a motion to go into closed session, under NMSA 1978 § 10-15-1(H)(7), to discuss an attorney-client privileged discussion of the civil rights complaint.

Member Wylie so moved.

Member Meiklejohn seconded. The motion passed 5-0. Members Buffett, Richards, Wylie, Quintero and Meiklejohn votes in favor of the motion.

The Board then went into closed session for approximately one hour, after which the open meeting resumed.

The only subject discussed in closed session was the subject specified in the motion to close.

Following the end of the closed session, Chair Sandra Buffett took roll call on who was present in closed executive session.

Members present in the closed session were: Buffet, Richards, Meiklejohn, Wyle and Quintero.

Chair Buffett entertained a motion to postpone further consideration of actions item # 5 until the next meeting of the Board.

Member Wyle so moved.

Member Meiklejohn seconded. The motion passed 5-0

Item #6

Formation of Board subcommittee for process of hiring permanent Board attorney.

Chair Buffett reported on discussions with the City Attorney's office of the City of Albuquerque regarding selection of a permanent attorney for the Board.

Chair Buffett asked for Board Member to volunteer to serve on a subcommittee to participate in interviews of candidate for the position.

Members Richards, Wylie and Quintero volunteered

Chair Buffett entertained a motion to approve formation of the subcommittee with the above named members.

Member Meikeljohn so moved

Member Richards seconded. The motion passed 5-0

OTHER BUSINESS

There was no other business.

ADJOURNMENT

Chair Buffett adjourned the meeting at 8:15 p.m.

NEXT SCHEDULED BOARD MEETING: April 10, 2019 in the Vincent E. Griego Chambers, Albuquerque-Bernalillo County Government Center One Civic Plaza NW Albuquerque, NM 87102

SUBMITTED:

READ AND APPROVED:

Mr. Dario Rocha date
Board Secretary/Env. Health Manager, Control Strategies Division,
Air Quality Program, Environmental Health Department.

Ms. Sandy Buffett date
Chair
Albuquerque – Bernalillo County Air Quality Control Board