

MEETING MINUTES

SOLID WASTE MANAGEMENT ADVISORY COMMITTEE & LOCAL TASK FORCE

Regular Meeting
January 12, 2024
9:00 A.M.

1) WELCOME & ROLL CALL

*Note: This meeting was held as a result of postponing the December 8th meeting. The meeting was called to order at 9:00 a.m. The Chairman, Mr. Jacob Panero, welcomed all members and guest present.

Committee Members Present: Jacob Panero, Joshua Mann, Michael Geyer, Maxwell Goossen, Orchel Krier, Phillip Peters, Leticia Perez, Ken Weir, and Cathy Prout

Committee Members Not Present: Tim Prado, Eric Arias, and David Couch

2) APPROVAL OF MINUTES

There was a discussion of the contents of the minutes.

MOTION: *Approve Minutes for the meeting held on November 17, 2023.*

Motioned by Joshua Mann; seconded by Ken Weir.

AYES: Panero, Mann, Goossen, Peters, and Weir. NAYS: Geyer and Perez.

Committee Member Orchel Krier absent during vote.

Motion carried with 5 members in favor and 2 against; minutes approved.

3) Hauler Rate Setting Update – Ms. Denise Saucedo

Ms. Saucedo provided an update on the outcome of the December 5th Board of Supervisors (Board) meeting. Of the 14 proposed Universal Collection Areas, 6 had successful Prop 218 majority protests. The other 8 UCAs were not approved by the Board, therefore none of the proposed UCAs were established. The Kern County Public Works Department (department) is awaiting direction from CalRecycle as to how they will now need to proceed. Received document entitled “December 5, 2023, Final Summary of Protests”, from Ms. Saucedo. The document was distributed to Committee members at the meeting and saved to SWMAC files after the meeting.

4) Handouts from previous SWMAC meeting – Chairman Panero

Chairman Panero led the discussion on the handouts received at the November 17th meeting. These handouts were submitted to the committee by member of the public, Nancy Ewert, which were entitled “Kern County SB 1383 Compliance – Harms Rural County Residents and Business,” “Notice/Alert Concerning the Solid Waste Administration Fee (SWAF) as approved on May 23, 2023,” “Notice/Alert Concerning the FY 22/23 Bin Fee Increase,” “Notice/Alert Concerning the FY 22/23 Land Use Fee Increase,” and “Notice/Alert Concerning the Transfer Station Fee as approved on January 25, 2022.” Mr. Michael Geyer asked Mr. Phill Hall for his guidance as to how the committee should handle or respond to items like the documents submitted. Mr. Hall suggested the committee take no action on the documents as a response to them would be for the County of Kern staff.

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4) Handouts from previous SWMAC meeting – Chairman Panero (continued)

Ms. Ewert stated that the document regarding the Land Use Fee went to the Superior Court, then was filed with the District Appellate Court in Fresno and has been accepted as a case. She gave an estimated timeframe in which they would resolve the case of September/October/November. Mr. Hall clarified that the court has accepted an appeal of the decision that the County of Kern won in trial court.

MOTION: *Committee to take no action on the five handouts submitted by Nancy Ewert pending further review and response from County Counsel.*

Motioned by Michael Geyer; seconded by Leticia Perez.
Committee unanimously approved.

County Counsel has reviewed all the documents, and it was determined by County staff that no further action needed to be taken.

5) City Issues

None

6) Public Comments

Ms. Ewert discussed the Resolution 2001-384's rules regarding vacancies and absences of members. She handed out a document containing a chart of meeting dates, cancellations or rescheduled meetings and absences. Due to absences and no notifications made to the prior chairman, she states the election of Chair and Vice-Chair at the November 17th meeting should therefore be redone. Mr. Panero stated the Board members on this committee were recently reappointed to their positions. He then asked for a new motion to resolidify the decision for Chair and Vice-Chair.

MOTION: *Elect Jacob Panero as Chairman and Josh Mann as Vice-Chair of the Committee.*

Motioned by Michael Geyer; seconded by Max Goossen.
Committee unanimously approved.

Mr. David Ewert provided comments on the importance of the Committee and how its purpose is to be an experienced and knowledgeable conduit to advise the Board of Supervisors. He believes that the Board of Supervisors has been poorly informed in many cases and would like to encourage the committee to continue what they are doing on a louder, more veracious platform.

Received document entitled "Solid Waste Management Advisory Committee/Local Task Force Positions Status/Meeting Status/Attendance", from Ms. Ewert. The document was distributed to Committee members at the meeting and saved to SWMAC files after the meeting.

7) Committee Member Comments

Mr. Geyer stated he previously submitted items for the agenda that have not made it onto an agenda yet. He understands it wasn't submitted by the deadline for the November 17th meeting but would like his submission to be on the next meeting's agenda.

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8) Brown Act Training – Mr. Phill Hall

Mr. Hall provided training on the Brown Act as it applies to the Committee and its responsibilities. Ms. Ewert discussed the Brown Act's guidelines on the restrictions for the length of time on public comments. She also made comments on the progress of the WastAway contract being pushed forward as a consent agenda item for the Board to approve when she believes it is not a routine and noncontroversial issue. Ms. Ewert stated the committee agenda item descriptions need to be better. Mr. Hall suggested for those who would like to have a longer limit for their public comment, a letter should be submitted prior to the meeting date requesting and indicating what is planned. He also stated the Board allows members of the public to request items to be removed from the consent agenda so that it can be addressed.

Received documents entitled "Limitations on the Length and Content of Public Comment" and "WastAway Contract Progression" from Ms. Ewert. The documents were distributed to Committee members at the meeting and saved to SWMAC files after the meeting.

9) Adjourning of the January 12, 2024 Meeting

MOTION: *Adjourn meeting.*

Motioned by Michael Geyer; seconded by Max Goossen.

AYES: Panero, Mann, Krier, Geyer, and Goossen.

Committee Members Leticia Perez, Phillip Peters, and Ken Weir were absent during the vote.

Committee unanimously approved.

Meeting adjourned at 10:52 a.m.

NEXT MEETING:

April 12, 2024 | 9:00 A.M. | PSB Public Meeting Room