



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 18-1597 **Version:** 1 **Name:**
Type: Informational Report **Status:** Passed
File created: 11/30/2018 **In control:** DHHS: Administrative
On agenda: 12/18/2018 **Final action:** 12/18/2018
Title: Appointment to the Solid Waste Local Enforcement Agency Independent Hearing Panel
Sponsors:
Indexes:
Code sections:
Attachments: 1. Staff Report, 2. Sections of the California Code of Regulations and Public Resources Code that pertain to Independent Hearing Panel member appointment, qualifications and hearing procedure, 3. Humboldt County Resolution No. 92-128

Date	Ver.	Action By	Action	Result
12/18/2018	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: DHHS: Public Health

Agenda Section: Consent

SUBJECT:

Appointment to the Solid Waste Local Enforcement Agency Independent Hearing Panel

RECOMMENDATION(S):

That the Board of Supervisors:

1. Appoint Tedd Ward as a Technical Expert Representative with a term to expire December 18, 2023; and
2. Appoint Heidi Benzonelli as an alternate, At-Large Public Representative with a term to expire December 18, 2023.

SOURCE OF FUNDING:

Public Health Fund

DISCUSSION:

The Board of Supervisors, the governing authorities of the cities within the County, and the Department of Resources Recycling and Recovery (CalRecycle) have designated the Department of Health and Human Services Division of Environmental Health (DEH) as the solid waste Local Enforcement Agency (LEA). The LEA permits and inspects solid waste handling sites throughout Humboldt County. One component of designation as the LEA is to maintain a local appeals body to hear solid waste permitting and enforcement issues (CCR 14 §18081(e)(2)). A hearing before the

appointed hearing panel may be requested to appeal either an LEA action or the LEA's failure to act as required by law or regulation. When, in the jurisdiction of the enforcement agency, there exists a publicly owned or operated solid waste facility or disposal site (as exists in Humboldt County), there shall be an independent hearing panel (IHP) or hearing officer (CCR 14§18081(e)(2)).

The first IHP was established in 1992 by Humboldt County Resolution No. 92-128. (A copy of the Resolution is attached here for your Board's reference.) The IHP members serve four-year terms with a maximum appointment of two consecutive terms. The terms of the two current members of the IHP are set to expire on December 11, 2019. The third member of the IHP resigned May 1, 2018. To maintain certification as the LEA, a replacement must be appointed.

The LEA maintains a list of potentially qualified candidates who may be willing to serve. Eight people were contacted; two agreed to be considered for the upcoming IHP opportunity. The remaining candidates remain on the list for consideration at a future time. The LEA is now recommending the appointment of Tedd Ward and Heidi Benzonelli to the IHP. Examples of the nominees' qualifications to serve on the IHP are as follows:

In 2015, Tedd Ward became Director of the Del Norte Solid Waste Management Authority, where he has worked since 1994. Under his direction, Del Norte County now has product stewardship programs for mercury thermostats, all household batteries, paints and stains, carpet and carpet padding, mattresses and box springs. Mr. Ward currently serves on the California Resource Recovery Association's Global Recycling Council and is a Board member and Treasurer for the California Product Stewardship Council. Earlier in his career, he served in the Peace Corps in Kenya, after which he worked as a recycling market consultant in Arcata. He earned a Masters' degree from Humboldt State University and briefly taught in the Environmental Resources Engineering Department.

Heidi Benzonelli is the President of Westside Community Improvement Association. She has a background as an Environmental Resources Engineer with a focus on Energy Efficiency and Renewable Energy. She also has a Master's of Business Administration Degree with a focus on Strategic Sustainability. Her prior careers are many, but all prepared her to carry out her latest project, which began when a neighborhood school was closed and abandoned. Heidi worked with a group of neighbors to form a non-profit to buy the school. Their organization leveraged over four million dollars of funding to help Westside Eureka reclaim this community commons. Today, the former Jefferson School is owned outright by the community, and houses the Jefferson Community Center, Westside Family Resource Center, and Jefferson Community Park and Gardens.

FINANCIAL IMPACT:

Serving on this panel is voluntary. Members of the panel may receive per diem and necessary expenses while conducting a hearing (PRC §44308(c)). The party requesting a hearing panel is charged a fee of \$1,184.00. This fee is used to pay hearing panel members for per diem and expenses. This fee was established by Humboldt County Ordinance No. 2613.

The Solid Waste Local Enforcement Agency Independent Hearing Panel supports the Board's Strategic Framework by creating opportunities for improved safety and health.

OTHER AGENCY INVOLVEMENT:

Department of Resources Recycling and Recovery (CalRecycle).

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board of Supervisors may choose to appoint one of its members to the IHP in lieu of one of the proposed appointments (PRC §44308(b)(1)). To avoid a conflict of interest, the governing body representative should be a member who does not sit on the Board of the local solid waste joint powers authority.

ATTACHMENTS:

Attachment 1: Sections of the California Code of Regulations and Public Resources Code that pertain to Independent Hearing Panel member appointment, qualifications and hearing procedure.

Attachment 2: Humboldt County Resolution No. 92-128.

PREVIOUS ACTION/REFERRAL:

Board Order No.: C-11, C-7, C-4

Meeting of: 12/11/2007, 3/6/2012, 11/10/2015