

**ENVIRONMENTAL ADVISORY
COUNCIL - January 26, 2005 @
3:00 P.M., Room 300A
County Office Building
MINUTES**



**James E. Slater, Jr.
Environmental Compliance Officer
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Members Present: Kevin Dayhoff, Chair
Robyn Gilden
Jim Johnson
Karen Merkle
David Pyatt

Members Absent: Bob Foor-Hogue
Henry Heine

Other Attendees: Donna Baker, MD DNR/Carroll County Forestry Board
Tom Devilbiss, Bureau of Resource Management
Gale Engles, Bureau of Resource Management
Tim Feeser, Commissioners' Office
Julia W. Gouge, Commissioner
Connie Hoge, Forestry Board, Garden Club
Dave Humbert, Commissioners' Office
Perry Jones, Commissioner
Carrie Knauer, Carroll County Times
George Maloney, NEWCAP
Kim Millender, County Attorney
Dean Minnich, Commissioner
Neil Ridgely, Zoning Administrator
Tom Robertson, Carroll County Forester
James E. Slater, Jr., Environment Compliance Officer
Dot Smith, Office of Environmental Compliance
Judith M. Smith, Concerned Citizen
Charles Zeleski, Carroll County Health Department

Kevin Dayhoff called the meeting to order at 3:05 p.m. by welcoming everyone to the first meeting of the Environmental Advisory Council (EAC). This is a newly constituted Council, replacing the former Environmental Affairs Advisory Board (EAAB) which had their last meeting in the Summer of 2003. Mr. Dayhoff believes the new Council will be very important to the County in establishing environmental policies and procedures.

Mr. Slater reported that Kevin Dayhoff was appointed Chair of the EAC and that the authority to adopt the new EAC is Chapter 16, § 16-1, Establishment; purpose (see **Attachment A**). He read Items A, B, C, D and E from Chapter 16. He also believes the Council will be very instrumental in researching the County's environmental issues. He then introduced Commissioner Julia Gouge.

Commissioner Gouge welcomed the Council members. She stated that this Council will be called upon to listen to concerns of the public, other staff, and sometimes developers. The environment is one of the most important things for which the County is responsible, i.e., water/water supplies, tree planting,

etc. This Council will provide the public a place to be heard besides the County Commissioners or a particular employee. She extended her best wishes to the Council in their endeavors.

Commissioner Minnich agreed with Commissioner Gouge about the Council's importance. He believes the Council will engage in various issues and will need to represent the County on a County-wide basis. Commissioner Minnich feels everyone in the County deserves the right to be heard. He also feels it very important for the Council to stick to their charge as an advisory council. He is also very appreciative of everyone's time and effort in achieving the tasks ahead.

Commissioner Jones agrees with both the other Commissioners. He feels the Council will get some pressure from various groups and feels they will be important in addressing the County's environmental issues. He stated the importance of the environmental issues, including water protection, and the County's dedication to the environment. The County was awarded a plaque for the Piney Run for adopting the Water Resource Code from EPA's Region III. Commissioner Jones reiterated the need to keep water as pure as possible.

Mr. Slater suggested the Council members give a brief overview of their background information.

Mr. Johnson began by stating he recently relocated to Finksburg from San Diego, CA. He retired from the University of California San Diego after 13 years of service as Manager of Construction Services. He is very experienced in dealing with architectural and engineering firms, environmental impacts of construction, contract requirements and building codes, specs and planning aspects. He is looking forward to working with the Council.

Ms. Merkle has been with Carroll Community College for the past 17 years and is Vice President of Continuing Education. She is honored to be a part of the EAC. She feels education is a very important opportunity for the betterment of the environment and a wonderful opportunity to bring a balance to the environmental issues of the County. One of her favorite things is trees.

Ms. Gilden is in Public Health Nursing with a Master's in Environmental Health. She works at the University of MD School of Nursing Environmental Health Education Center and is currently working as the Community Outreach Program Manager for the Center of Hazardous Substances in Urban Environments. She is excited to be able to serve on the Council.

Mr. Pyatt is a Councilman for the Town of Mt. Airy. He is experienced in working with consulting firms, the U. S. Nuclear Regulatory Commission and is employed by the Department of Energy as a Safety Engineer. He was a member of the EAAB.

Messrs. Slater & Dayhoff discussed the following:

1. Good environmental practices start at the top. It is very important to have the top level support.
2. Although the decided results may seem to favor one group, it will be in the best interest of everyone.
3. Reason must prevail – standards and economic recommendations will be made.
4. Don't expect miracles. Issues will be addressed to everyone's satisfaction.

Mr. Dayhoff thanked the Board of Commissioners for appointing him, and the other members, to the Council. He was also a member of the EAAB until 1999. Mr. Dayhoff has a list of 46 issues he

would like to share with the Council. He feels it is very important for the residents of the County to be involved and to give us their varying points of view to create a good balance. Development and the environment are not exclusive of each other. He expects the Council to successfully achieve solutions to many of the County's environmental issues.

Mr. Slater reported that two of the Council's members, Bob Foor-Hogue and Henry Heine, were not able to make it to this meeting. Mr. Foor-Hogue is a very talented science teacher at South Carroll High School and Mr. Heine is a former Mayor of Taneytown and is experienced in industrial environmental management.

Mr. Slater announced the following:

- Meetings are scheduled for the third Wednesday of each month at 3:00.
- In the past, certain protocol was followed and he expects this Council to do the same.
- Since this is the Council's first meeting, there are no previous minutes/business to approve.
- The public will be invited to speak at the end of the Council meetings.
- This Council will sort the issues; then make recommendations to the Commissioners.
- The Commissioners will make the final decision on the recommendations made by the Council.
- Chapter 16 allows for a 9-member Council. It should be noted that this Council is made up of 7. The Commissioners originally requested 9 members to be appointed; however, only 8 accepted, but then Mr. James Piet had to resign due to work conflict.
- A quorum for the Council is four.
- We still need bios and pictures for any member who has not yet e-mailed them.
- At each meeting, all communications received since the previous meeting by the Office of Environmental Compliance will be presented to the members of the Council.
- Having the public attend the EAC meetings will promote a good opportunity to educate the public with handouts, as well as the meeting discussions.
- A Vice-Chair needs to be designated. Therefore, the following motion was made:

MOTION NO. 1: Motion was made by Jim Johnson and seconded by Karen Merkle to appoint Dave Pyatt as Vice-Chair. The motion was unanimously carried.

Mr. Slater stated that the County's ITS will be working with him to set up a website and an e-mail address for the EAC. He would like to include the members' bios and pictures on the site along with other basic information.

Mr. Slater read the duties of the EAC (see Attachment A, Page 2, A,B, C, and D).

Item D of the duties deals with the County's tree policies and administrative plans involving tree placement, maintenance and removal. With that, Mr. Slater introduced Tom Robertson, the County's Forester.

Mr. Dayhoff reported that the EAAB developed some reports electronically. He will e-mail those reports to Ms. Smith.

Ms. Millender inquired about the current state of the County's environment. Mr. Slater responded that we will make a statement about that. Ms. Millender also stated that an attorney will be present at each of these meetings.

Ms. Judy Smith voiced concerns about the air quality in Carroll County, mainly because of Lehigh Cement. Mr. Slater advised her that the issue will be addressed at the next meeting of the EAC on February 16. That meeting will not be held in the County Office Building due to the large number of public expected to attend. We will notify both the press and the EAC members just where that meeting will be held. Mr. Dayhoff said that residents in the New Windsor area will have a chance to discuss their concerns at the next meeting. It is understood that Sher Horosko, another concerned resident, will be attending that meeting, as well as Mr. Maloney. Ms. Smith also invited anyone on the Council to attend a meeting on Friday evening (January 28th) at 7:00 p.m.

Each person around the room introduced themselves and reported their affiliation.

Mr. Feeser, Assistant to Commissioner Gouge, reported that the Commissioners are responsible for almost 40 boards and commissions. He looks forward to attending the EAC whenever possible.

Mr. Slater would like to have a representative of the County on the agenda each meeting to explain the office procedures/processes in order to give a good overview of the different functions the County has. He is also encouraging someone from other agencies, i.e., Maryland Department of Environment (MDE), Chesapeake Bay Foundation, etc., to discuss our relationship with them. These representatives would be scheduled one per meeting to discuss the various environmental topics.

Mr. Dayhoff reported discussing with MDE the possibility of them sending a representative to our meetings. Their response was very positive, indicating they would be happy to send someone. He also had the same discussion and the same result with the Chesapeake Bay Foundation. He would also like to have someone come from the Bureau of Building Construction to address green building techniques. These agencies would be instrumental in helping everyone understand the government agencies, their authority, and the Council's role. It is also important to remember that everything that gets deliberated will not necessarily be resolved.

Mr. Dayhoff requested that any member of the Council that has a list of environmental issues should bring it with them to be included for agenda items. At the next meeting, an overview of air quality laws and regulations will be presented. MDE will also speak about air and water quality.

Mr. Pyatt suggested all concerned parties and the Council should visit Lehigh Cement when it is in full operation.

Ms. Merkle asked if the Council would be tasked with reviewing laws. Mr. Slater responded "sure", however, the Council must first be given enough information to understand how the regulations work.

Mr. Johnson asked if issues for the Council would include visual pollution, noise pollution, etc. Mr. Slater responded that it is not limited to health issues, and that he, along with other County staff, are currently working on a Noise Ordinance for the County.

Mr. Zeleski announced his pleasure with the makeup of the new Council, and the fact that this is the first time that the County has had a public health person on the Council. He believes public health and the environment should not conflict with each other.

Ms. Gilden inquired about the terms being served. Mr. Slater answered that the terms range anywhere from 1 to 4 years. He also indicated that when the term ends, the same member may be appointed again. Ms. Gilden also asked if we would ever consider having evening meetings. Mr. Slater responded that we would.

Mr. Dayhoff asked for a motion to end the meeting. Motion was made as follows:

MOTION NO. 2: Made by Karen Merkle, and seconded by Dave Pyatt, to end the meeting at 4:25 P.M. The motion was unanimously carried and the meeting adjourned.



Chapter 16, ENVIRONMENTAL ADVISORY COUNCIL

[HISTORY: The Environmental Affairs Advisory Board was created by the Board of County Commissioners of Carroll County 02/04/93 by Res. No. 269-93. This chapter was repealed and replaced in its entirety 07/09/04 by Ord. No. 04-20]

§ 16-1. Establishment; purpose.

§ 16-4. Duties.

§ 16-2. Membership; vacancies.

§ 16-5. Authority.

§ 16-3. Election of officers; compensation.

§ 16-1. Establishment; purpose.

A Carroll County Environmental Advisory Council is hereby established. The purpose of the Environmental Advisory Council is:

- A. To participate in the development of broad policy plans designed to guide the County's environmental future.
- B. To review specific issues of environmental concern and assist the Board of County Commissioners to protect Carroll County's environmental heritage, conserve Carroll County's natural resources, and restore environmentally degraded areas within Carroll County.
- C. To advise the Board of County Commissioners and the citizens of Carroll County of actions that could be taken to improve the quality of the environment in Carroll County, as well as of any that may threaten it.
- D. To assist with environmental educational efforts.
- E. To serve as the County Tree Commission.

§ 16-2. Membership; vacancies.

A. Membership.

- (1) Nine persons shall be appointed by the Board of County Commissioners to serve as the membership of the Carroll County Environmental Advisory Council. The membership should represent a cross section of the citizens of Carroll County and should be selected by the County Commissioners to generally represent the agricultural, business, development, environmental communities and citizens-at-large.
- (2) Members of the County Environmental Advisory Council will be residents of Carroll County and will be appointed to serve terms of 4 years. Appointments shall be staggered such that individual terms are overlapping.

§ 16-3. Election of officers; compensation.

The County Commissioners shall appoint a Chair. The Environmental Advisory Council may elect other officers from its membership as it deems necessary. The Environmental Advisory Council shall hold public meetings in such number and at such intervals and at such places as it deems appropriate. Members of the Council shall serve without compensation.

§ 16-4. Duties.

- A. The Carroll County Environmental Advisory Council may provide the Board of County Commissioners with specific recommendations for action by the County that are intended to result in improvements to the County's environmental policies.
- B. The Environmental Advisory Council may also make recommendations concerning any environmental issues or concerns referred by the Board of County Commissioners or the general public.
- C. It will also be the responsibility of the Environmental Advisory Council to report to the County Commissioners yearly, concerning the state of the County's environment as it relates to resource management and the quality of life in Carroll County.
- D. The Environmental Advisory Council shall serve as the County's Tree Commission providing advice and guidance to the County on tree maintenance policies and specific administrative plans involving tree placement, maintenance and removal.

§ 16-5. Authority.

The function of the Environmental Advisory Council shall be governed by this chapter and the bylaws adopted by the Council and subsequently approved by the Board of County Commissioners.