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| <p>Carroll County ENVIRONMENTAL ADVISORY COUNCIL MINUTES Karen L. Merkle, Chair Robyn Gilden, Vice Chair Tuesday, September 11, 2007, 3:00 p.m. Room 003/004, Carroll County Office Building</p> |  | <p style="text-align: right;">Cynthia M. Parr Chief, Administrative Services 225 N Center Street, Room 300 Westminster, MD 21157-5194 Telephone: 410-386-2232 Fax: 410-386-2485 cparr@ccg.carr.org</p> |
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| Members Present: | Robyn Gilden, Acting Chair Sher Horosko Dan Andrews Jim Johnson David Pyatt Kim Petry | Members Absent: | Brian Rhoten Karen Merkle Christopher Spaur |
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County Government:

Cynthia Parr, County EAC Liaison
 Ann L. Baugher, Secretary to EAC
 James E. Slater, Jr., Environmental Compliance Officer
 Terri Jones, Esquire, Deputy County Attorney
 Tim Feeser, County Commissioners Office
 Ralph Green, Director, General Services

The Press: Carrie Knauer, Carroll County Times

Other Attendees:

Charles Zeleski, CCHD
 Brian Flynn, CCHD
 Cody Saville, CLSI
 Tom Williams, Freedom Energy Solutions, LLC
 Jean Mercer, Bruceville Rd., Keymar, MD resident
 Kathy Murphy, Bruceville Rd, Keymar, MD resident
 Beth Barr, Bruceville Rd., Keymar, MD resident
 Mary Kowalski, resident

CALL TO ORDER – Acting Chair Robyn Gilden, officially called the meeting to order at 3:06 p.m. Ms. Gilden then asked for approval of the August 14, 2007, minutes.

APPROVAL OF MINUTES - MOTION NO. 21-07: Motion was made by Sher Horosko and seconded by Kim Petry, to approve the August 14, 2007, minutes as presented. Motion carried.

COMMUNICATIONS – Ms. Cindy Parr stated Mr. Rick Anthony, bid awardee of the Solid Waste Resource Assessment will be in Westminster, MD the week of October 8th. He will attend the October 9th EAC meeting, and during his time here will be conducting research for report preparation and will schedule a public meeting with County residents involved with this task. A list of stakeholders, contractors, staff, and EAC contacts will be given to Mr. Anthony for the purpose of inviting attendees. The assessment period will be conducted from October 1, 2007 through January 31, 2008. Any contacts the EAC feels should be added to the list may be given to Cindy Parr or Ann Baugher.

Ms. Gilden asked the Council, if no objection, that Agenda item # 5.d be moved to later in the agenda as the solid waste discussion will be ongoing through the October meeting and this would allow completion of other business items before beginning the discussion. No objections heard and this item was moved down in the agenda, just before announcements.

OPEN FORUM – Beth Barr, Kathy Murphy and Jean Mercer, Bruceville Road, Keymar, MD residents, each spoke regarding their ongoing concerns and frustrations at property location, 1221 Bruceville Road, zoned agricultural for 150 years, with currently ongoing commercial operations. The group advised the EAC of issues, including runoff into Big Pipe Creek, a Frederick County water source; collapsed culverts; debris on property such as tires, oil, washing machines, black dust covering everything on their property; and the health and safety of their children and horses, etc. They want the property at 1221 Bruceville Road, cleaned up and non-permitted operations to stop. After 4 ½ years, they are just tired of living this way. This was the first presentation on this subject matter before the EAC; however, concerns have been made previously, to numerous County agencies.

Mr. Ralph Green, Director of General Services, advised the Council that two letters have been sent, one from him and Director Steve Horn, Planning, and one from Mr. Steve Powell, Chief of Staff, to residents informing them of the current status of this site. Mr. Green reported that the property owner has until September 24, 2007, to respond to the County's violation notice.

Mr. Charles Zeleski advised that the CCHD investigated this site in 2004 and MDE became involved regarding air quality. Mr. Zeleski stated their office was involved regarding concerns involving the water supply.

Ms. Terri Jones, Esquire, Department of the County Attorney, reported to the EAC the chronology of this case's history, the upcoming date before the court on October 1, 2007, and how legal issues with stays and appeals, take a long period of time to resolve.

Mr. James Slater, Environmental Compliance Officer, Office of Environmental Compliance (OEC) reported the OEC had not been called in regarding this matter. Mr. Slater spoke to MDE on August 14, 2007, and was advised they are involved in an ongoing investigation from an air quality, waste management and water quality perspective.

Several questions and comments were heard by the EAC and the consensus was this matter should be given a high priority.

Ms. Horosko asked Mr. Ralph Green for copies of the entire zoning file. Mr. Green responded it would be furnished.

Ms. Gilden recommending requesting all documents related to the investigations in all divisions at this site from MDE, under the Public Information Act.

Discussion concluded with Ms. Parr advising the Keymar group that she will keep them, and the EAC, advised of the outcome of the September 24, 2007 deadline findings and the October 1, 2007 court case, prior to the next EAC meeting, October 9, 2007.

Ms. Gilden thanked Ms. Barr, Ms. Murphy and Ms. Mercer for bringing this issue before the EAC.

Mr. Tom Williams of Freedom Energy Solutions, company dealing in wind turbines, geo thermal systems, etc, asked EAC assistance in getting ordinances changed to allow vertical access wind turbine be constructed in Carroll County. Mr. Williams said Carroll County is the only county in the State that does not allow wind turbines and he has several clients awaiting installation.

At this point, Mr. Dan Andrews called attention to a handout before the Council members regarding this issue and that he is currently researching model zoning language across the country.

Mr. Green advised a new committee has been formed regarding this issue, just having had their first “fact gathering” meeting and inviting those willing to join this group. Mr. Dan Andrews agreed to serve and report back to the EAC as well as keeping Mr. Williams informed of change in current zoning.

Ms. Gilden thanked Mr. Williams for bringing this before the Council.

UNFINISHED OR ONGOING BUSINESS:

MTBE monthly update: - Mr. Brian Flynn, CCHD updated the Council on current MTBE case updates:

- Royal Farms – MDE Oil Control advised the CCHD that this case will be closed out soon based on the last couple of tests being clean.
- Sheetz, Manchester – Meeting scheduled for 9/15/07. Brian Flynn will attend

Mr. Flynn also mentioned a complaint he received on John Pickett Road, Woodbine, whereby a homeowner used a gasoline mixture to rid his yard of weeds. The wells tested resulted in very low levels of MTBE, with additional test results pending along with an additional sample to be taken.

COMMITTEE/WORK TEAM REPORTS/RECOMMENDATIONS:

Water Conservation Committee update – Ms. Gilden reported the report was completed and a copy was given to all committee members on Friday, September 7, 2007. Ms. Gilden expressed her special thanks to all the members for serving and their hard work in making this become reality.

Motion was made by Sher Horosko and seconded by David Pyatt and carried.

Motion No. 22-07: “Send the Carroll County Water Conservation recommendations, dated September 2007, to the Countywide Water Resource Council for review and forwarding to the Board of County Commissioners.”

NEW BUSINESS:

1) Holiday Tree Committee – Mr. David Pyatt along with Mr. Slater and a reporter will select this year’s “holiday tree”, to be illuminated in front of the County Office Building. The tree lighting ceremony will be held the week of December 4, 2007, kicking off the 2007 holiday season, complete with local musicians and hot chocolate.

2) Cool Counties – Ms. Gilden advised the Council that the BOC supported the EAC’s recommendation. Mr. Dan Andrews agreed to Chair this committee and Ms. Petry and Ms. Horosko will serve as committee members. Ms. Gilden reminded the committee that the BOC will review the list of potential community members prior to contact.

Ms. David Pyatt announced that Mt. Airy approved the Cool Counties agreement at their September 10, 2007, meeting.

Ms. Gilden asked a Baltimore County contact for a copy of their Cool County feasibility study for guiding Carroll County in this venture.

3) NACo County Climate Protection Forum – Ms. Parr reported Commissioner Gouge, Tom Rio, Building Construction Bureau Chief, and Mt. Airy Mayor Frank Johnson are attending along with those EAC members representing Council, Ms. Petry and Ms. Horosko. The forum will be held at the Omni Shoreham Hotel in Washington, DC on September 20 and 21, 2007.

4) Ms. Gilden reported that Ms. Petry has volunteered to Chair the Environmental Awareness Awards and she would assist Ms. Petry on this committee along with Mr. Johnson.

Waste Management – Ms. Gilden asked Ms. Horosko to guide the members through this part of the agenda. Ms. Gilden advised the Council that whatever didn't get addressed today, due to time constraints, the Council would have the opportunity to meet with County staff on Saturday, September 29, 2007, between 9:00 a.m. and noon, in Room 003/004, and then finish this discussion and recommendations to the Board of Commissioners at the next EAC meeting on October 9, 2007.

At the September 11, 2007 meeting, Ms. Horosko and the EAC discussed the recommendations as a whole and then began reviewing recommendations numbered one through four, and number eight individually until the meeting adjourned. The following are motions made as a result of this work session.

Motion by David Pyatt, seconded by Jim Johnson and carried.

Motion No. 23-07: “That the Board of Commissioners change the current paradigm guiding the handling of solid waste in Carroll County from *Solid Waste Management* to *Resource Management* and that this paradigm shift include the following key principles.”

First, we suggest an inversion of the current pyramid which emphasizes burying or burning as the major strategy for waste reduction to a strategy that emphasizes front end waste reduction, reuse and recycling. Burying and burning should become the alternative of last resort.

Second, that the Department of Public Works be supported with the necessary resources to develop programs and policies to support this paradigm shift with the intention of shifting such costs to the Enterprise Fund as it generates new and expanded revenues from this approach.

Third, that the County undertake a fundamental shift in its thinking about responsibility for its solid waste generation so that we view ourselves as responsible for the waste we generate by transforming that waste into commodities for market, reducing the waste we generate or otherwise disposing of it within the borders of our own county/state. (The State of Delaware has adopted this as a guiding principle).

Motion by Kim Petry, seconded by David Pyatt and carried.

Motion No. 24-07: “That the BOC take the necessary legislative steps to place Carroll County in a position where it is *in charge* of its own waste stream; and that in creating a managed system, the County work in close cooperation with the haulers to develop a system that supports local business, whenever possible.”

Currently, trash collection outside of the municipal areas is not managed. It is common to see multiple haulers on the same street. Such an arrangement is inefficient and it contributes to excess diesel emissions.

By managing the waste stream, the County might follow the model of Baltimore County where there are franchising routes. A variety of scenarios is possible. By taking control of the waste stream in the unincorporated areas, the County can design efficient routes, direct waste to facilities it deems most appropriate, prevent waste from going out of County and execute better control of our own trash.

Motion by David Pyatt, seconded by Dan Andrews and carried.

Motion No. 25-07: “That the BOC elevate recycling as the driving element of its Resource Management strategy by a) creating and verifying recycling reporting policies, (for haulers, businesses, processors), b) by managing its own system in order to direct recycled good to specific recovery centers, c) by increasing funding to the Recycling operation for expanded public education efforts and that d) phases in the mandatory recycling of specific commodities like paper, glass, plastic.”

The recycling data is incomplete and needs to be improved. We believe the data is questionable because the County does not manage its own system and because reporting requirements are not expansive enough or verified where they exist to determine what is actually being recycled, where and what could be recycled.

Increased funding: the County spends a little over 200K per year for the management of its recycling operation. A significant increase in funding for FTE’s and operating costs that will support a vigorous recycling effort is essential. This effort should be designed in such a way that it pays for itself by marketing recovered materials.

Disallowing certain products from the waste stream: Both Hanover and Montgomery County have adapted mandatory recycling policies. A phased in approach to mandatory recycling should be adapted. Montgomery County disallows paper, glass and yard waste in its waste stream. Carroll already disallows yard waste as a first step. Carroll could develop a “put or pay” arrangement with a private company to recycle its residential mixed paper. Montgomery County set a goal of 90,000 tons. In this scenario, the private company can count on the County for a guaranteed income stream to pay the note while the County does not have to pay the capital costs of owning the facility. There is already a good example of this with Abitibi’s Paper Retriever green and yellow bins around the county.

Motion made by Dan Andrews and seconded by David Pyatt and carried.

Motion No. 26-07: “That the BOC view public education/behavior modification as essential to the transition to the new paradigm of Resource Management and that resources for staff and media be appropriated to help raise public awareness and change public behaviors to achieve higher rates of waste reduction, reuse and recycling. Such education efforts should include the following elements.”

- **First, the *Three R’s*:**
 - Reducing waste at the front*
 - Reusing Materials and products whenever possible*
 - Recycling all recyclable materials*
- **Second, the *Three E’s*:**
 - Environment (reducing the impact of solid waste on our environment)*
 - Economics (supporting strategies that will create local jobs and hold or reduce costs to county residents and businesses)*

Equity (supporting strategies that are inherently fair, that is treating trash collection and disposal services like we do electric or gas utilities so that you pay less if you use less.

Motion made by David Pyatt, seconded by Dan Andrews and carried.

Motion No. 27-07: “Recommendation/Motion#8: That the BOC not support the planning or construction of a Waste to Energy Facility at this time, but rather direct County efforts toward a Resource Management strategy as outlined above for a period of at least five years to determine the success of the newly instituted efforts designed to reduce waste, recover resources, generate revenue from commodity markets and reduce costs to County residents.”

This recommendation is in keeping with the vision articulated in Recommendation #1, that land filling and WTE be considered the back end options that are most expensive and least desirable.

COUNCIL MEMBERS – ISSUES FOR FUTURE CONSIDERATION: - None

ANNOUNCEMENTS – Vice Chair Gilden announced the October, 2007 EAC meeting will be held on Tuesday, October 9, 2007, at **6:30 p.m.** in Room 003/004. Please note this is an evening meeting.

ADJOURN - MOTION NO. 28-07: Motion made by Sher Horosko, seconded by Dan Andrews, to adjourn. Meeting adjourned at 5:11 p.m. Motion carried.

The next regularly scheduled meeting, an afternoon meeting, will be held **Tuesday, October 9, 2007, at 6:30 p.m.** in Room 003/004.

Please inform the secretary if you are unable to attend

Environmental and Resource Protection\ECO Files\EAC\MINUTES\2007\September 11, 2007