

**Carroll County**  
**ENVIRONMENTAL ADVISORY COUNCIL**  
**MINUTES**  
**Karen L. Merkle, Chair**  
**Robyn Gilden, Vice Chair**  
**Tuesday, January 8, 2008, @ 3 p.m.**  
**Room 003/004, Carroll County**  
**Office Building**



**Cynthia M. Parr**  
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**Members Present:**  
Karen Merkle, Chair  
Sher Horosko  
Dan Andrews  
David Pyatt  
Kim Petry  
Brian Rhoten

**Members Absent:**  
Robyn Gilden  
Chris Spaur  
Jim Johnson

**County Government:**

Cynthia Parr, County EAC Liaison  
Terri Jones, Esquire, Deputy County Attorney  
Jeff Keefer, OEC

Ann L. Baugher, Secretary to EAC  
Steve Horn, Planning Director  
Jenny Taylor, DPW

**The Press:** Carrie Knauer, Carroll County Times

**Other Attendees:**

Brian Flynn, CCHD  
Ellen Cutsail, Union Bridge Council  
Kayo Clark, resident  
Pat Brady, Towson University grad student  
Alan Schuman, Carroll Community College

Charles Zeleski, CCHD  
Wm Alan Boehm/Chesterfield Farms, LLC  
Mary Clark, resident  
Sharon Schuster, NEWCAP  
John Young, Cable Commission for Union Bridge

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**CALL TO ORDER** - Ms. Karen Merkle, Chair, officially called the meeting to order at 3:02 p.m.

Ms. Merkle then added to the Agenda, under number **5. Unfinished or Ongoing Business, a. Bruceville Road update**, moving down agenda items a, b, & c, and becoming b., c., and d.

Ms. Merkle then asked for approval of the December 11, 2007, minutes.

**APPROVAL OF MINUTES - MOTION NO. 42-08:** Motion was made by David Pyatt, seconded by Sher Horosko, approving the minutes with the following correction. Motion carried.

**On Page 3, NEW BUSINESS – added, “advised him to seek Council review and endorsement regarding” and deleting “wished the Council endorse”**

**COMMUNICATIONS** – None

**OPEN FORUM** – 1) Mr. Kayo Clark and his wife Mary addressed the EAC regarding ongoing violations at 1221 Bruceville Road, owned by Mr. Charles U. Mehring, and specifically the January 6, 2008, evacuation. Mr. Clark stated that someone needs to hold Mr. Mehring accountable and he advised the Council that he is now going to pursue these actions through to resolution until 1221 Bruceville Road is in compliance with federal, state and local laws since his neighbors are worn down with this situation that has been ongoing since 2002. Mrs. Clark stated health concerns for her entire family and wants to know exactly what was dumped on this site.

Chair Merkle thanked the Clarks for coming and assured them the County is very involved in this matter and a County staff update on this matter would now be given.

**Update on 1221 Bruceville Road by Cindy Parr and County staff:**

As of 3:00 p.m. January 8, 2008 – Ms. Parr advised the County was not made aware of the incident until Monday morning, January 7, 2008, regarding this situation. Ms. Parr immediately contacted the Carroll County Health Department, who in turn contacted the Department of Agriculture and MDE. Inspectors from these agencies, as well as County staff, visited the 1221 Bruceville Road site. As of 2:15 p.m., January 8, 2008, the property owner, Mr. Charles U. Mehring, had been cited \$100 a day for three days, for violating the County's zoning ordinance. The substance creating the odor was removed from the property, by 12:00 noon, on January 8, 2008. A sample was taken and sent to the Department of Agriculture's laboratory for testing.

Ms. Parr advised that Mr. Charles Zeleski, CCHD, Mr. Steve Horn, Director of Planning, County attorneys Ms. Kim Millender and Ms. Terri Jones were in the room and available for additional input. Ms. Parr then turned the floor over to Mr. Charles Zeleski, CCHD, to add to this update.

Ms. Zeleski advised that the CCHD and MDE's investigation, staff determined no runoff, piles were steaming and in a gray pelletized form. It was determined the substance was Class A pelletized sewage sludge, currently used by Lehigh in their cement process. Mr. Zeleski stated this is a safe product and when processed, 99.9% of the pathogens are killed. Since parties involved could not be 100% sure, a sample was collected for the State chemist to run an analysis. Mr. Zeleski was advised fertilizers that are used need to be registered and none were on file for this site. Mr. Zeleski did not have a timeline as to when the results would be available. The CCHD cannot document this incident as a health hazard, as such, even though the strong odors it generates may prompt a gag reflux. The evacuation of the Bruceville Road residents on January 6, 2008, was a precaution before knowing the composition of the substance. Other nuisance laws could have impact that are not considered a health nuisance.

Comments by the Council were made and some in agreement commented they are struggling with the health impacts of the Bruceville Road residents not considered a health nuisance. Dr. Ruff of the CCHD, Mr. Steve Powell, Cindy Parr and others have had discussions on this very difference of what constitutes a health nuisance.

Ms. Terri Jones, Esquire, added that Lehigh or Mehring could apply to extend their sewage sludge storage capabilities for certification under the Zoning ordinance.

Mr. Steven Horn advised the Council that the County takes this issue very seriously as Mr. Mehring is a repeat offender. Mr. Horn's staff inspected the site and went back to make sure the substance was removed and has pictures to that effect. Mr. Horn was disappointed when MDE advised their findings were not of the regulatory nature. The County is concerned with how this material ended up on this site and further investigation will be done. There will be a group of individuals convening to establish a plan for dealing with a repeat offender when the situation occurs again.

Apologies were made to the Clarks for their misfortune and Chair Merkle asked Ms. Parr to keep the EAC updated on this situation.

2) Mr. John Young, a research associate on the Millennium Project with the World Federation of United Nations Associations (WFUNA) addressed the EAC and suggested an educational campaign begin, as

Allegheny Electric has already begun, to caution the public on the hazards of Compact Fluorescent Light bulbs (CFLs) regarding breakage and safe disposal.

Mr. Dan Andrews announced that the Common Market, Frederick, MD accepts unbroken CFLs and batteries for proper recycling.

Ms. Merkle thanked Mr. Young for coming and advised that CFLs would be added to the EAC future agenda topics. Ms. Merkle added that an EAC member, out on a leave of absence, had begun to work with businesses regarding this very same issue.

3) Ms. Sharon Schuster, of New Windsor Community Action Project (NEWCAP), stated their group keeps an eye on environmental issues in the West Carroll area, and wanted to bring before the Council a few issues. a) Ms. Schuster stated NEWCAP is currently focusing on the quarry expansion proposed by Lehigh and announced a meeting will be held on January 17, 2008, at the New Windsor Fire Hall at 7 p.m. b) Ms. Schuster also stated she was aware of the Bruceville Road situation and alarmed that Lehigh was doing business with an organization that is less than desirable in their responsibilities. She stated she then talked to Kent Martin about this and Mr. Martin said that Lehigh terminated the contract with Mr. Mehring immediately.

Ms. Merkle thanked Ms. Schuster for coming and bringing these issues before the EAC.

**UNFINISHED OR ONGOING BUSINESS:**

**MTBE monthly update:** -Mr. Brian Flynn, CCHD gave the following update:

- 1) Gamber well is free of any contamination.
- 2) Middleburg – Further testing will be done
- 3) CITGO Station – Englar Road and Route 140 – Brownfield site, no MTBE involvement, gas station torn down and not more comprehensive cleanup of site since a municipal well near the site

Mr. Flynn and Mr. Zeleski responded to EAC questions on the future of MTBE, regarding MTBE issues “going away” and the health department’s involvement. They responded with the use of Ethanol in Maryland, it is going away, and no new cases are showing up with their involvement being mostly monitoring.

**Marsha and Alan Boehm, Chesterfield Farms/LLC – presentation on Food Waste Composting –**

Mr. Boehm showed a slide presentation on yard and food composting. He covered many aspects of the composting operation from type of food waste, yard waste, potential odor, equipment needs, paved acreage, timely turning of the piles, to cost of present and potential future sites as inquired by EAC members. Mr. Boehm indicated that Maryland has only two of these facilities in operation while Pennsylvania has around 600 with permits granted to farmers. Mr. Boehm stated this is not a low cost start up operation and being a good neighbor is a big part with putting in many long hours, 6 days a week for continuity of operation. The facility functions on the \$40.00 a ton tipping fee.

Ms. Merkle thanked Mr. Boehm for presenting to the EAC.

**Review Council “priorities” list developed May 3, 2006** – Chair Merkle gave members a copy of the revised list asking them to add any items they choose, e-mail back to her for compilation. The list will then be returned for prioritizing with further discussion at the February meeting.

Chair Merkle also asked the Council to review the Rick Anthony report for discussion at the February meeting.

**COMMITTEE/WORK TEAM REPORTS/RECOMMENDATIONS:**

**Environmental Awareness Awards update** – Ms. Kim Petry advised the flyers and press release are out and we have already received one submittal. Plans are to send out a reminder of the awards approximately one month prior to the March 1<sup>st</sup> deadline.

Chair Merkle asked that each EAC member try to circulate the flyers Ann Baugher will forward to them.

**Cool Counties Committee update** – Dan Andrews began by introducing Mrs. Pat Grady, a Maryland resident working on her thesis, Greenhouse Gas Emissions Inventory for Baltimore County, and was informed Carroll County is conducting an energy inventory. Mrs. Brady advised the EAC she would be willing to collaborate with Mr. Andrews on this mission. She also indicated that EPA has a software program available for tabulating this effort, free to local governments but without technical support. Mrs. Brady will give Mr. Andrews the information to obtain this 2005 version of software co-sponsored by EPA and ICLE.

Mr. Andrews said Carroll County has excellent inventory on vehicles but needs more complete data on County buildings.

**Wind Turbine Team update** – Dan Andrews met with the team and the small scale wind ordinance draft is to be sent out to department heads by Mike Maring.

**NEW BUSINESS** – None

**COUNCIL MEMBERS – ISSUES FOR FUTURE CONSIDERATION:** None

**ANNOUNCEMENTS:**

- Chair Merkle reminded the EAC members to return their Financial Disclosure Statements by January 31, 2008.

**ADJOURN:**

**MOTION NO. 43-08:** Motion made by Dave Pyatt, seconded by Dan Andrews, to adjourn. Meeting adjourned at 5:04 p.m. Motion carried.

The next regularly scheduled meeting, an afternoon meeting, will be held **Tuesday, February 19, 2008, at 6:30 p.m.** in Room 003/004.

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***Please inform the secretary if you are unable to attend***