Carroll County Environmental Advisory Council

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Josh Hatkin, Chair
Sandra Zebal, Vice Chair

Brenda Dinne, Staff Liaison
Department of Land Use, Planning and Development

Meeting Summary for November 19, 2014

Members
Josh Hatkin, Chair
Sandy Zebal
Melvin Baile
Ellen Cutsail
David Hynes
Karen Leatherwood
Kim Petry - absent
George Schooley
Frank Vleck

County Government
Brenda Dinne, Special Projects Coordinator / EAC Staff Liaison

Other Attendees
None

1. CALL TO ORDER –
Mr. Josh Hatkin, Chair, officially called the September 17, 2014, meeting to order at 3:01 p.m. in the Reagan Room (003) of the County Office Building.

2. PUBLIC COMMENTS AND CONCERNS –
No public comments were offered.

3. APPROVAL OF MEETING MINUTES –
No corrections or additions were offered for the draft minutes.

APPROVAL OF MINUTES - Motion 205-14: Motion was made by Ellen Cutsail and seconded by George Schooley to approve the September 17, 2014, meeting minutes. Motion carried.

4. CHAIR & COMMITTEE REPORTS –

a. ***Solar Energy Subcommittee***:

Ms. Dinne recapped that Kim Petry had volunteered to serve on a committee that was to discuss solar requirements in the Agricultural Zone. The committee was to meet three to four times over the fall and provide recommendations by the end of the December 2014. Jay Voight informed Ms. Dinne that the committee had not yet met.

The other proposed changes to Zoning Chapter to address solar facilities were already adopted.

b. ***Solid Waste Subcommittee***:

Ms. Leatherwood updated the members regarding the activities of the Solid Waste Advisory Council (SWAC), on which she and Ellen Cutsail serve, representing the EAC. KCI was contracted to evaluate the County's Solid Waste Management Plan. A representative from KCI briefly explained the scope of work for this project and current status of tasks. KCI was provided with the previous work and studies done to address solid waste recommendations. The consultant anticipates presenting to the Board after the first of the year. The Board may decide a direction to take at that point. Ms. Cutsail shared that the evaluation will consider two issues associated with the future of the landfill – the environmental impacts and how to make the landfill more financially viable. Ms. Cutsail indicated she thought the contract for hauling trash out of the county have been extended and will expire in 2016.

Neil Seldman with the Institute of Local Self-Reliance also presented to the SWAC at its last meeting. His organization helps communities to get recycling and reuse programs up and running. Ms. Cutsail said she would e-mail Ms. Dinne the link to his website to forward to the other EAC members for their information.

Ms Zebal asked what the current recycling rate is for Carroll County. Ms. Dinne looked up the rate reported by Department of Public Works in the 2014 Environmental Stewardship booklet, which indicated that the County has achieved a 41 percent recycling and waste diversion rate that includes a 5 percent source reduction credit in 2012. The State-mandated recycling rate is 35 percent. She went on to share that her trash hauler decreased its collection frequency from weekly to every other week for recycling, but did not change its rates. She hoped that other customers would make their voice known if they were dissatisfied with this change. Mr. Vleck speculated that the change was to increase fuel economy.

c. ***Energy Use & Cost Savings Subcommittee***:

Ms. Dinne reported that Mr. Whitson anticipated recommendations based on Johnson Controls' energy evaluation coming to the EAC for its review and feedback in either December or January.

Mr. Hatkin shared that the proposed industrial land use designation for the large site outside of Taneytown was removed from the proposal and draft Master Plan.

5. <u>TREE COMMISSION</u> –

Nothing to report.

6. <u>STAFF LIASION REPORT</u> –

Ms. Dinne reviewed the current items for the upcoming December meeting. She said the EAC would review the final draft work plan and approve, with conditions if needed. She also indicated that the members had been given a hardcopy of the draft 2014 Annual Report to review prior to the December meeting. She said if anything changes between now and then, the conditional approval can reflect those changes.

Ms. Dinne suggested that the annual joint meeting with the Board be postponed to February this year to give the new Board time to get settled before jumping in.

7. <u>OLD BUSINESS</u> –

a. ***None***

8. <u>NEW BUSINESS –</u>

a. ***Status Update re: Carroll County & Municipalities MS4 Memorandum of Agreement– Brenda Dinne***

Ms. Dinne started by explaining some of the differences between the County's individual Phase I permit and the Phase II general permit under which the municipalities fall. The draft Phase II permit is expected to be released by the end of the calendar year. It will include a requirement to mitigate/restore 20 percent of the untreated impervious surface in each municipality. Since the County has a 10 percent mitigation requirement in its current permit, which will be increased to 20 percent when the final is issued, the County has been budgeting for and working toward this requirement for several years. For the municipalities, however, this is a new and very costly requirement, for which the municipalities are not prepared to fund. In addition, as the County implements projects in unincorporated areas to meet its own permit requirements, the most cost effective and efficient projects will have already been completed. To continue to get the biggest "bang for the buck," projects need to be located where the greatest concentrations of impervious surfaces are, which is in and around municipalities or the County's growth areas. Therefore, the Board of County Commissioners offered to cost-share capital stormwater mitigation projects to avail the County of more cost effective projects and give greater flexibility on their location. In addition, by pursing co-permittee status for the County and municipalities, jurisdictional boundaries are erased for the purposes of impervious surfaces; all the impervious area is lumped into one "pot." This also creates one pot of money to pay for municipal projects that can be located anywhere in the county and still give credit to all for their implementation.

Ms. Dinne described the process by which the Memorandum of Agreement (MOA) was drafted and signed. The County and municipalities agreed in April 2014 that the County would pay 80 percent of the municipalities' capital costs for stormwater mitigation projects and that they would pursue adding the municipalities to the County's Phase I permit as co-permittees. Between April and the end of October, the Water Resource Coordination Council (WRCC), which includes representatives from each municipality, the County, and the local Health Department, served as the forum for discussing what should be included in the agreement, how would be responsible for what, and how it should be implemented. The draft MOA was reviewed by each municipality, including each of their attorneys. All parties reached agreement, and the MOA was signed on October 23, 2014.

The MOA and the process by which it was reached are a testament to the great working relationship that the County has had with the municipalities for many years. There are very few counties across the country that have such an agreement. Mr. Hatkin asked if it could serve as a model for other counties. Ms. Dinne replied that it could if they were interested in an agreement like this one.

Ms. Cutsail expressed how beneficial the MOA is to the municipalities. Using Union Bridge as an example, she explained that the Town has roughly 75 acres of impervious area, which results in almost 12 acres of impervious that would be required to be remediated. This is a big cost to spread across only 900 residents, with no major new development in the foreseeable future to help offset the cost.

Ms. Dinne indicated that the Maryland Department of Environment (MDE) agreed to allow the County to designate a portion of the taxes collected for operating costs associated with the stormwater program, which is roughly $1 million per year and would cover the municipalities' operating costs as well with the MOA. The operating costs are separate from the capital costs, which are usually paid for by issuing bonds.

Ms. Cutsail reiterated that the MOA will allow the County and municipalities to request to become co-permittees. Ms. Dinne shared that the WRCC would be discussing at their next meeting the process to proceed with this request to MDE.

b. ***2015 Work Plan***

Ms. Dinne reviewed the initial draft work plan. Starting with the 2014 Work Plan, she revised the specific projects listed. The projects listed were proposed by staff, not the Board. The Board may have additional suggestions/projects at the annual meeting.

The Energy Use project is the only project not completed, but would be replaced with the review of the recommendations based on Johnson Controls' evaluation.

Ms. Dinne suggested that, even though the Environmental Stewardship booklet was originally intended to be updated in 2016, since the new Board would have several new members, it might be useful to update the few figures for which new information might be available. The EAC members agreed and requested that this be completed in time for the annual joint meeting with the Board. Ms. Dinne offered that we may want to request the meeting be in mid to late February to allow us adequate time to complete the update.

Ms. Dinne went on to describe two projects that would assist Mr. Edwards, the County's NPDES Compliance Specialist, with the public education and outreach requirements of the County's National Pollutant Discharge Elimination System (NDPES) Phase I Municipal Separate Storm Sewer System (MS4) permit. The first project would be a half-day workshop that would target the county's regulated community – business owners, industrial permit holders, and others who might discharge – to be held in 2015. Experts would be brought in to provide participants with information on how to comply with their permit requirements, how to develop pollution prevention plans, proper housekeeping, and spill prevention and response. Proper housekeeping includes appropriate recordkeeping and documentation needed in the event the permit holder it audited. The EAC members would organize and sponsor the event, working closely with Ms. Dinne and Mr. Edwards.

The second workshop would be held in 2016 and would target the general public. However, although the work might be completed and event held in 2016, a work plan for how to move forward with planning and holding the workshop would be developed in 2015. Ms. Cutsail suggested that the timing of the two workshops be switched – with the general public workshop being held in 2015 and the regulated community workshop held in 2016. She indicated that in Union Bridge the cost to pay for the MS4 permit requirements would be added to the property owners' water bills, and she thought this extra cost might generate hostile feelings. Ms. Dinne added a couple points of clarification. She said that the municipalities' 20 percent would be deducted from the amount that is transferred to

each municipality via the Town/County Agreement. She also added that stormwater mitigation costs are not a requirement placed on the municipalities by the County but, rather, by the federal government by way of the stormwater permit, which is administered by MDE. Mr. Vleck added that he felt the regulated community might already have a much better idea what they need to do compared to the general public.

Ms. Zebal questioned the impact of educating the general public. She felt it would not change the fee. Ms. Dinne said that the County does get credit for the public education and outreach, even if the impact is difficult to measure.

Ms. Dinne indicated that she would check to why the order was suggested as proposed. She would switch them if it was appropriate based what she was told, otherwise she would let them know the reason for this order.

Members discussed some potential other events at which they may be able to reach out to the general public, such as the Carroll County Home Show. Ms. Dinne said that Mr. Edwards already does many of the events, so she would check with him to see if he is already participating in that one. Ms. Cutsail suggested that, if nothing else, the members might be able to help Mr. Edwards out by volunteering with him at these events.

Ms. Zebal questioned if something should be added to the Environmental Awareness Awards description under "Ongoing Topics and Projects" to increase awareness of the upcoming 2016 awards. She felt people may be reminded that their project may be eligible, or it may encourage them to complete a project knowing an award nomination could be submitted.

Ms. Dinne will send the EAC members the revised work plan incorporating these revisions before the December meeting.

c. ***2015 Proposed Meeting Dates***

Ms. Dinne briefly reviewed the proposed meeting dates for 2015. All but one would fall on the third Wednesday of the month. The July meeting was proposed for at alternate timeframe due to other meeting conflicts. It was pointed out that January and February meetings fall on the week of the Martin Luther King and Presidents' Day holidays. Ms. Dinne clarified that the annual joint meeting with the Board will be an additional meeting, separate and apart from the regular meetings listed. The EAC members approved the meeting dates as proposed. Ms. Dinne said she would post the dates on the EAC webpage.

APPROVAL OF 2015 MEETING DATES - MOTION NO. 206-14: Motion was made by Sandy Zebal and seconded by Ellen Cutsail to approve the proposed dates for 2015 EAC meetings. Motion carried.

9. OTHER –

No other items were discussed.

10. ADJOURN REGULAR MEETING –

ADJOURNMENT - MOTION NO. 207-14: Motion was made by Karen Leatherwood and seconded by Ellen Cutsail to adjourn the November meeting. Motion carried.

The meeting adjourned at 4:14 p.m. The next regular monthly meeting is scheduled for Wednesday, December 17, 2014, at 3:00 p.m. in the Reagan Room (003) of the County Office Building.