

**COMMISSION ON THE ENVIRONMENT MINUTES**  
**Potomac Building**  
**Minutes of March 2, 2011**

COE Members present were Barne Wheeler, Chairman; Marta Kelsey, Troy Hansen, Daryl Calvano, Caroline Miller-King, Lawrence Langley, Larry Hartwick, Mike Thompson and Paul DiBenidetto. Others present were Kelly Palmer and Jada Stuckert.

- I) **Call to Order:** Mr. Wheeler called the meeting to order at 7:05 p.m.
- II) **Discussion & Approval of December Meeting Minutes:** A motion was made and seconded to approve the December minutes as presented.

Mr. Wheeler introduced the two new members of the Commission as Mr. Lawrence Langley and Mr. Paul DeBenidetto.

III) **Continuing Business:**

a. **Green Building Update** – None

b. **Update on Board of Appeals Rulings**

1. **Specific attention to the cases discussed/decided at the 1/27/11 meeting**

Ms. Kelly Palmer of Land Use and Growth Management (LUGM) gave an overview of the Lynch case stating the Board of Appeals has yet to make their findings of fact however they are anticipated to do so at their March 10, 2011 meeting. Ms. Palmer stated it seemed to be the consensus of the Board at their January 27, 2011 meeting to grant the after-the-fact requests for the pier, shed, clearing, and stairway but deny the after-the-fact request for the outdoor shower. Mr. Wheeler asked what staff and the Critical Area Commission recommendations were. Ms. Palmer stated both staff and the Critical Area Commission recommended denial. Mr. Wheeler asked how the Commission could become more proactive in cases such as these. Ms. Stuckert, Recording Secretary and LUGM Staff, explained the Commission could request to be placed on the mailing list for the Board of Appeals however it seems the Commission has more interest in the actual decisions the Board is making. Mr. Wheeler asked if there is an appeals process after the Board of Appeals makes a decision. Ms. Stuckert explained the Board of Appeals decision can be appealed in Circuit Court. Mr. Calvano asked how often the Board disagrees with the staff recommendation. Ms. Stuckert stated in her five years with the County there have been a total of four (4) cases where the Board completely disagreed with staff's recommendation. Ms. Stuckert agreed to email each member the staff report and order for the Lynch case.

c. **Update on Mr. Berlage's January briefing to the BOCC on Critical Area and Ground Water Issues**

1. **Also, what major is going on in LUGM**

Ms. Palmer stated we have been instructed by the Commissioners to amend our regulations to meet the State standards. Mr. Wheeler asked in how many areas the County's requirements were more restrictive than the State requirements. Ms. Palmer stated the main area of change pertains to the buffer requirements. Ms. Palmer stated adopting the State regulations will add conformity to the Ordinance and lead to less confusion. Mr. DeBenidetto asked if any regulations changed for the Lexington Park Development District. Ms. Palmer stated there are no Critical Areas in the Lexington Park Development District.

Mr. Wheeler asked about the requirement for subdivisions in the Rural Areas needing public water systems. Ms. Palmer stated she is not aware of this stipulation and can not comment on this particular matter.

Mr. Calvano indicated that the Planning Commission held a public hearing Monday night in regards to water and sewer category change as well as a proposed text amendment. Mr. Calvano stated this may be an opportunity for the Commission to voice its support for drip and spray irrigation in the Leonardtown area. After a brief discussion, Ms. Stuckert agreed to email the members the staff report and supporting documentation regarding these requests. Ms. Stuckert stated the Planning Commission simply makes a recommendation to the County Commissioners therefore the County Commissioners will be holding a separate public hearing regarding this issue therefore the Commission will have plenty of time to comment if they feel it necessary.

**d. Possible Commission Study Areas**

Mr. Wheeler asked for ideas for possible study areas. Mr. Hartwick stated the St. Mary's River Watershed Association is in the middle of reviewing their Assessment and Restoration Plan. Mr. Hartwick stated this is an area that we control within the County and a way for us to advocate very directly to the County Commissioners. Mr. Hartwick recommended inviting them in for a progress report and find out how we can help them.

**e. Use of Facebook**

Ms. Stuckert stated she has photos of the Expo and has uploaded them to the Plumbing and Fuel Gas webpage but has not uploaded them to the COE webpage. Ms. Stuckert stated she would mail the photos to Ms. Miller-King in case she wanted to post the photos to the COE facebook page.

Ms. Miller-King stated she attempted the "question of the week" and did not get much of a response. Mr. Wheeler thanked Ms. Miller-King for her efforts.

**f. Resolution of Xavier Prines' Issues**

**1. Recycling at Sports Activities**

Mr. Wheeler stated it is the feeling that at this time the recycling containers are located too far away from the concession stands. Mr. Wheeler stated he had intended to ask Ms. Neville if she could draft a letter to County Recreation and Parks as well as the Schools regarding this matter.

**2. Electronic Disposal of Bulbs and Computers**

Mr. Wheeler stated a long time ago Mr. Prines was supposed to provide him with a list of places to dispose of these items for us to post to the greensomd website. Mr. Wheeler stated you can go to Best Buy to recycle these items as well as Lowe's has a fluorescent bulb recycling center. Mr. Waxman stated even after three years of Best Buy and Lowe's doing this recycling there is still broken bulbs at the County's recycling center. Mr. Waxman stated if this County can't do this type of recycling they should at least provide information to the County residents on where and how this type of recycling can be done. Mr. Wheeler recommended drafting an ad for The Enterprise giving this information. Ms. Kelsey stated we should also go to the County and express the need for this type of recycling. Mr. Waxman stated the County brochure, website and signs at the center need to be corrected. Mr. Langley stated he can get in touch with a writer for The Enterprise and would report back to the next meeting.

**3. How to Organize our next Expo**

Mr. Wheeler stated he wanted to make very clear in the minutes how the Commission wishes to move forward with the next expo. After a brief discussion it was decided that the expo should be held in the February/March 2012 timeframe at the Tech Center in Leonardtown. It was also decided to further explore the possibility of having brief presentations from vendors at the 2012 expo. Ms. Stuckert stated she would continue exploring new ideas for the expo.

**IV) New Business:**

**a. Update on the Standardization of County Commission Charters**

Mr. Wheeler stated the County is in the process of standardizing all the By-laws for the County's Boards and Commissions. Mr. Wheeler stated he has been in contact with Ms. Blondino from the County's Legal Department who has assured him that he will receive a copy of the revised By-Laws prior to them being sent to the County Commissioners for approval. Mr. Hensen stated he would speak with the Legal Department regarding the Commission's quorum issues and report back to the next meeting.

**b. Earth Day Attendance, Sunday, April 17, 2011 12:30 – 4:00, Leonardtown Square**

Mr. Wheeler stated we received the request again this year to participate in Earth Day and asked the Commission if we should participate again this year. Mr. Langley, Mr. Wheeler, Mr. Hartwick, and Ms. Miller-King stated they would be able to attend. Ms. Kelsey stated she may be able to attend but would need to check and let Mr. Wheeler know via email.

**c. Joining/Participating in the Interstate commission on the Potomac River Basin**

Mr. Wheeler stated this group is asking for a list of members and he did not want to provide one without speaking to the members first. It was the consensus of the Committee to have Mr. Wheeler forward the requested information.

**d. COE Involvement in Phase II of State Watershed Implementation Plan**

Mr. Wheeler stated this plan is designed to find out what the State has to do to comply with the EPA's guidelines for cleaning up the bay. Mr. Wheeler stated we should participate in this in some capacity considering we have a water interest in this topic. Mr. Calvano stated Phase I has already been submitted, Phase II is the County's opportunity to weigh in and say how they are going meet the Phase I plan. Mr. Calvano stated Ms. Sue Veith is the Chairperson. Mr. Wheeler asked if the Commission needs to be involved in this process. Mr. Calvano stated we would be one of the few stakeholders that aren't involved at this point. Mr. Calvano stated he attends these meetings and would be willing to keep the Committee informed throughout the process.

**e. Sensing of the New BOCC**

None

**f. Oystering in the Potomac River**

Mr. Wheeler stated he was unaware that you could not oyster in the Potomac River according to the Potomac River Fisheries Association. Mr. Wheeler stated he wanted members to be advised of this.

**g. New Convenience Center Recycling Compactors**

Mr. Wheeler stated the question was raised that these compactors may make it harder to do the single stream recycling because everything goes into one container. Mr. Wheeler stated after contacting Richard Tarr, he sent several pieces of information which support the compactors.

**h. 2010 COE Annual Report – Jan to Dec**

Mr. Wheeler stated Ms. Sarah Cannavo from the County Administrator's Office has asked that annual reports be done on a calendar year basis and in an effort to streamline the process is requesting a supplemental report from the Commission from May through December of 2010. Mr. Hansen asked that Mr. Wheeler forward him the additional information and agreed to come back to the next meeting with a draft.

**i. Eliminating Trays in Public Cafeterias i.e., Schools, Colleges, Etc.**

Mr. Wheeler asked if the schools here use trays. Mr. Hartwick stated the schools here are served therefore they are not loading up on food that could be wasted therefore it's not an issue in the public schools. Mr. Langley stated St. Mary's College banned trays three (3) years ago. Mr. Waxman stated if SMCPs doesn't have an issue with the trays maybe we can come up with another solution to how much food is being wasted. Mr. Langley stated the college's student government would stand by the trash cans to make sure food was being thrown into a separate container so that they could weigh the wasted food container each day and then make recommendations from there on how to cut down on food waste. Mr. Hartwick stated this sounds like a great technique because it involves the students. Mr. Hartwick stated he would forward the email address of the environmental coordinator for all schools in SMC to the members. Mr. Hartwick stated he would also be willing to set up a meeting to discuss these possibilities.

Ms. Miller-King recommended having a SWAC member. Mr. Wheeler stated we also need a volunteer for the Water Policy Task Force. Mr. Langley volunteered to head up the solid waste actions. Mr. DeBenidetto volunteered to be a member of the Water Policy Task Force.

**V) Adjournment**

The meeting was adjourned at 9:03 p.m.