

COMMISSION ON THE ENVIRONMENT MINUTES
Potomac Building
Minutes of March 3, 2010

COE Members present were Barne Wheeler, Chairman; Troy Hansen, Bill Shreve, Larry Hartwick, Caroline Miller, Marta Kelsey, Daryl Calvano, Mike Thompson. Members absent were Sandy Neville. Others present were Xavier Prines, and Paul Waxman, and Sue Veith.

I) **Call to Order:** Mr. Wheeler called the meeting to order at 7:05 p.m.

II) **Discussion & Approval of November Meeting Minutes:** A motion was made and seconded to approve the minutes of February 3, 2010 as amended.

III) **Continuing Business:**

a. **COE Charter & COE/SWAC Integration Final Action**

1. **Discussion of Changes Made at the Commissioners' Meeting**

Mr. Wheeler stated there were three changes made to the Charter which the Commission previously agreed to 1) removal of the word "adult" under membership, 2) removal of financial disclosure paragraph, 3) change in quorum requirement from 5 to six members being needed for a quorum. The Commissioners approved the new COE Charter on 23 February 2010.

2. **Discussion of Procedures for Conducting Business**

Mr. Wheeler stated he spoke with Deputy County Attorney David Weiskopf today about the mechanics of conducting business. Mr. Wheeler stated that Mr. Weiskopf felt that 5 members could meet and deal with agenda items and formulate tentative decisions in 'open forum'. The decisions and resulting COE actions could then be voted on and approved electronically by a vote of 6 members. Mr. Wheeler asked the rest of the Commission members to discuss this approach and approve its implementation, along with the other proposed by-law changes. The Commission members approved the method of conducting business and also agreed that it was their responsibility to respond quickly to any actions forthcoming in this manner. The group also agreed with the other corrections to the by-laws. Mr. Wheeler stated he would sign the by-laws and mail them back to Angela Blondino in the County Attorney's office.

b. **Environmental Concern Survey Initiatives Prioritization**

Mr. Wheeler stated he only received 14 surveys and does not wish to move forward until more are received. Mr. Wheeler asked how the Commission would like to proceed. Ms. Kelsey recommended sending an email stating we can't proceed without responses. The group agreed and Mr. Wheeler said he would do so. The Commission discussed how to calculate the rankings. It was the consensus of the Commission to only rank items 1-10. Ms. Veith stated she would help Mr. Wheeler with the mathematics of the rankings.

c. **Annual Report**

Mr. Wheeler stated the annual report deadline is April 30, 2010. Mr. Wheeler recommended allowing SWAC to submit their annual report this year as it is for 2009. Mr. Waxman stated SWAC would not be submitting an annual report this year as they only met twice. Mr. Hansen volunteered to draft the 2009 annual report for review at the next meeting.

d. **Metropolitan Commission Task Force Study Topic**

1. **Discussion of Funding Approaches**

Mr. Shreve stated there are two funding sources 1) developer funding, in which the developer pays for the infrastructure that's needed and 2) forward funding, in which Metcom asks the County Commissioners for the money and Metcom reimburses the County.

2. **Discussion of WPTF Action on the Topic**

Mr. Wheeler stated the WPTF was asked to vote on which type of funding approach they favored for Metcom. Mr. Wheeler stated most of the WPTF members felt a developer, who owned property in the development district and had received all required design approvals, should not be prohibited from proceeding if he/she were willing to pay for the infrastructure needed to complete their project.

3. **COE Discussion/Decision on Funding Approach**

Mr. Wheeler asked for discussion regarding Metcom's funding approach. Mr. Shreve stated he attended the Metcom Task Force Public Forum and reported that no major issues were brought up by the public as the main topic seemed to be the allocation of EDU's. Mr. Wheeler stated there is only one person in Land Use and Growth Management that allocates EDU's, which is something he would like to discuss further at a later date. Mr. Wheeler stated he feels someone at Metcom should be involved with the process as well. Ms. Veith stated Metcom is involved. Ms. Veith stated Metcom determines what the line capacity is and LUGM, based on line capacity and the order in which the application comes in, decides who gets the EDU. Ms. Veith stated this is a joint process. The group continued with the following principal statements/conclusions:

- Planned growth is most successful when a strong land development plan directs growth where the locality wants it to go.
- The county now has all the necessary authority, through the Comprehensive Plan, Zoning Ordinance and use of the W1/S1, W3/S3 & W6/S6 water & sewer designations to direct where growth will occur, without forcing MetCom to build where there is no recognized demand.
- The crucial element is the political will to tell a developer/businessman whose property is outside the W3/S3 zone that he will have to wait.

e. Earth Day

Mr. Wheeler informed the Commission of Earth Day on April 18, 2010 from 12:30 p.m. to 4:00 p.m. and asked if the Commission still plans to attend. It was the consensus of the Commission to participate. Ms. Kelsey stated her tent will not be available for use this year. Ms. Veith stated the PIO office has a tent and recommended Mr. Wheeler contact them.

f. Green Building Update

Mr. Wheeler stated he sent out an email informing the Commission on the status of the Green Building Sub-Committee. Mr. Wheeler asked if purchasing food for these meetings is a possibility. Mr. Shreve asked if there were enough vendors to sponsor food at the meetings. The group agreed that personnel attending these sessions should come up with a method of providing refreshments and not rely on county funding. Mr. Wheeler stated he would talk with Ms. Neville about this.

g. Rain Water Collection System Update

No update.

h. Annual COE Expo Discussion

The Commission reviewed the memo from Ms. Stuckert regarding the 2010 Joint COE/Plumbing Board Expo and as highlighted below:

Q: Can we utilize the Tech Center on a Saturday sometime after Labor Day?

A: I have checked available dates and it looks like the best available date is October 9, 2010.

Q: If we use the Tech Center, would the entry way and classrooms be available to us as well as a portion of the parking lot for outside vendors?

A: Yes, we would be allowed to utilize the entryway, Dohrman room, as many as four (4) classrooms, and any portion of the parking areas we wish.

Q: Is the Culinary Department available on Saturday's?

A: The Chef has been unavailable due to family illness. I will continue to gather information and forward it to the Commission as I receive it.

Q: How many tables can we put into the Dohrman room?

A: I believe Mr. Hartwick stated he would take care of the calculations as he has access to the floor plans however; I have not received a response to date.

Mr. Hartwick stated he compared the size of the Tech Center to the Higher Ed Center and it looks like the Tech Centers room is 50% larger. Mr. Hartwick stated we could easily fit 45 or more tables in the room at the Tech Center. The Commission agreed with the October 2, 2010 expo date.

IV) New Business:

a. Property Re-zoning

Mr. Wheeler stated he received an email regarding a 619 acre parcel located at the intersection of MD Route 235 and Friendship School Road in Mechanicsville, which is being considered to be re-zoned from RPD to Industrial.

Ms. Veith stated the owners of the property are simply asking for a land use category that would allow industrial zoning in the future. Mr. Wheeler asked if the property would have to go through the public hearing process before it could be zoned Industrial. Ms. Veith stated yes, it would have to go through the public hearing process. It was the consensus of the Commission to respond to Ms. McGuire stating at this time there is no need for the Commission to become involved.

b. Phragmites

Mr. Wheeler stated he received an email from Ms. Binzel asking if there is a program to help control invasive species such as phragmites. Mr. Wheeler stated at this point he is unaware of what phragmites is but told Ms. Binzel he would bring the issue here for discussion. Ms. Veith explained there are two types of phragmites one being native and one non-native. Ms. Veith stated phragmites is a very tenacious plant that disturbs soils and overgrows every other species native species. Ms. Veith stated there is a phragmites eradication program offered through the National Fish and Wildlife Service. Ms. Veith stated the removal process is to cut it, burn it, let it sprout, poison it, re-cut, re-burn, let it sprout, poison it again then start the process all over again. Ms. Veith stated it can be eradicated however it is a difficult process. Ms. Veith stated she would be happy to direct Ms. Binzel to the right place to gather her own information regarding the eradication of phragmites.

c. Selection of 2 New Proposed COE Members – Executive Session

The Commission discussed new membership in executive session.

V) Announcements

VI) Adjournment: The meeting was adjourned at 8:56 p.m.