

**COMMISSION ON THE ENVIRONMENT MINUTES**  
**Potomac Building**  
**Minutes of April 7, 2010**

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

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 March 3, 2010 as amended.

III) **Continuing Business:**

**a. Green Building Update**

Ms. Neville stated the meeting was held this morning with a presentation on Geothermal issues. Ms. Neville stated the U.S. Green Building Council wants someone from each County to look at the government websites to see what green legislation is listed and report back to them. Ms. Neville stated she would like to take this one step further on behalf of the Green Building Committee and try and finds ways to institute more green legislation in St. Mary's County.

**b. Phragmites & Property Rezoning**

Mr. Wheeler stated he emailed the woman regarding the property rezoning and even though this has been removed as an item for decision by the County Commissioners the woman was thankful for our research and support.

Ms. Veith stated she emailed the information on phragmites however the email was returned undeliverable. Mr. Wheeler stated he would try and find an active email address for her so the information can be resent.

**c. Annual Report**

Mr. Wheeler thanked Mr. Hansen for drafting the annual report and asked the members for additions or amendments. Mr. Hansen stated in researching he noticed several months' worth of minutes missing on the County website. Mr. Wheeler stated he would ask Ms. Stuckert to review this and possibly re-post minutes that may be missing.

The members reviewed the annual report and made recommendations. Mr. Hansen stated she would make the appropriate corrections and send the final report to Mr. Wheeler for distribution.

**d. COE/SWAC Integration**

**1. COE/SWAC Personnel Update**

Mr. Wheeler stated most of the SWAC members have opted to observe as concerned citizens. Mr. Wheeler stated he has included Mr. Prines and Mr. Tarr on all correspondence as well as copying Mr. Waxman and Joe Moschler, previous SWAC members.

**2. Establishment of SWAC Subcommittee**

Mr. Wheeler stated he feels Mr. Prines should be the head of the SWAC Subcommittee. Mr. Wheeler stated he feels this should be a standing subcommittee and asked if anyone would like to sit with Mr. Prines on this subcommittee or if Mr. Prines would like to find his own members. Mr. Prines stated he would send out an email regarding the first meeting and if people want to attend they can. He did not see a need for formal membership at this time.

**3. New Members**

Mr. Wheeler stated Mr. Prines and Mr. Guy had been selected for membership; however, he did not yet know if Mr. Guy had accepted. Mr. Wheeler stated he spoke with Ms. Blake and it seems she may be resigning due to family and work constraints; however, the COE members felt that she should stay if she was able to make 50% of the meetings. Mr. Wheeler said he would relay this to Ms. Blake.

Mr. Wheeler stated we have not had a lot of applications from citizens wishing to sit on this Commission and asked if we should be doing a better job of advertising. Mr. Shreve stated this is very common for volunteer Boards. Ms. Veith stated the County Commissioners brought up the idea of having a student

member on the Commission and stated she agrees with this idea. Ms. Neville said she would contact the school system and let them know of this development.

**4. Fluorescent Bulb Disposal**

Mr. Wheeler stated a Mr. Tarr is trying to get a contract to recycle electronic goods. Mr. Wheeler stated he simply wanted everyone to know that Mr. Tarr is aware of the problem and is working diligently to remedy the problem. Ms. Veith stated until this contract is in place items can be taken to Best Buy for recycling. Mr. Prines asked that Solid Waste Issues be moved from the inactive item list for further discussion at future meetings. Mr. Wheeler stated he would add this as an agenda item for the next meeting. Mr. Prines also said he would provide a link to put on the COE's web page about recycling.

**e. Earth Day Organization**

**1. COE Member Attendance**

Mr. Wheeler stated Mr. Thompson and Ms. King have agreed to participate. Ms. Neville stated she could participate.

**2. Tent Pick-Up/Set-Up/Tear-Down/Turn-In**

Mr. Wheeler stated he has a tent from the Public Information Office (PIO) which he will pick-up on Friday around 11:00 a.m. Mr. Wheeler stated he would also be there to take the tent down.

**3. COE Table Items**

Ms. Veith stated it would be wise to have the Green Building Expo flyers available. Ms. King stated he would task Ms. Stuckert with creating a flyer.

**4. Pollution of Waterways & Low Impact & Sustainable Development Materials**

Mr. Wheeler stated he would email the pie chart to Ms. Stuckert for printing purposes.

**f. Environmental Concern Survey Initiatives Prioritization**

**1. Discussion of Results**

Mr. Wheeler stated he is surprised at the results as we have twelve individuals, ten organizations, and eight members of the COE/WPTF who filled out the survey. Mr. Wheeler stated he and Ms. Veith agreed at the last meeting that any initiatives that did not receive votes would be stricken from the scoring process however, every initiative received at least one vote therefore each initiative is included in the scoring.

**2. The Menhaden Initiative**

Mr. Wheeler stated Tom Miller of the Chesapeake Biological Laboratory still feels the menhaden is a good filter fish for the bay. Mr. Wheeler stated there is a considerable amount of controversy over this fish.

**3. Next Actions**

Mr. Wheeler stated he would like to email the results as well as an explanation of the scoring to each person whom participated in the survey and asked if this was okay with the Commission. It was the consensus of the Commission to allow Mr. Wheeler to send out the information stated above. Also the group agreed that the prioritized list should be posted to the COE's web page. Mr. Wheeler said he would do so. Mr. Wheeler asked how many of these initiatives should be provided to the County Commissioners for consideration. Mr. Shreve stated he believes the Commissioners should review the entire list for each topic.

Ms. Veith recommended the menhaden initiative be separated out from the rest of the initiatives as it is not something the Commissioners can directly act upon. Mr. Wheeler asked if the initiatives need to be processed further. It was recommended that the list be given to the Commissioners without rewording. The group also agreed that the menhaden issue be Handled separately from the rest of the initiatives.

Mr. Thompson asked if actually presenting this to Commissioners would be a good idea. Ms. Veith stated she believed that a briefing should be offered.

**g. Annual COE/Plumbing & Gas Board Expo**

**1. October 9<sup>th</sup> is Date**

## **2. When to Start Organizing**

Mr. Wheeler stated he has the master list of individuals/organizations that the COE normally invites and asked when we should begin planning this. Ms. King stated it sounded like Ms. Stuckert was going to take care of a lot of the planning. Mr. Wheeler asked if Ms. Stuckert could take care of the mailings and notifications if we provide her with a list. Ms. Veith stated Ms. Stuckert took care of all this for the Plumbing Board therefore she may be willing to do this for the COE as well.

## **3. How do we Organize**

It was recommended Ms. Stuckert attend the July meeting to begin planning the expo. Ms. Neville recommended informing Ms. Stuckert of past items that we have found to be successful. Ms. Veith asked if a joint meeting with the Plumbing Board is necessary. Mr. Wheeler stated he would speak to Ms. Stuckert about this to see if one was necessary.

## **IV) New Business:**

### **a. Ruling on Board of Appeals/Critical Area Commission Legal Issue**

Mr. Wheeler asked what the status of the case was. Ms. Veith stated the Nicols variance was a request to build a house, garage, and large driveway partly within the Critical Area Buffer even though more than sufficient space was available outside the buffer. The Board of Appeals approved construction in the buffer even though the County and the Critical Area Commission disagreed. The Critical Area Commission appealed the ruling. Ms. Veith stated that the case was heard by a Judge from outside the area who, upon hearing the facts of the case, found for the Critical Area Commission and denied construction in the buffer area.

Mr. Wheeler asked about the results of the Errington case. Ms. Veith stated this case was sent back to the Board of Appeals for further review with new plans which comply with the law. Ms. Veith stated these two cases clearly set a precedent that the Board of Appeals cannot continue to make decisions which do not comply with CA rules without documenting full justification for doing so.

### **b. Other**

None

## **V) Announcements**

Ms. Veith stated the Comprehensive Plan has been approved and became effective yesterday, April 6, 2010.

## **VI) Adjournment:** The meeting was adjourned at 8:55 p.m. The next meeting will be held May 5, 2010.