

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
OCTOBER 11, 1994

Page 355

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

CALL TO ORDER

The meeting was called to order at 9:10 a.m.

APPROVAL OF MINUTES

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, October 4, 1994. Motion carried.

APPROVAL OF BILLS

Commissioner Bailey moved, seconded by Commissioner Thompson, to authorize Commissioner Loffler to sign the Check Register as presented. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) **Family Unification Application
Letter of Support**

The County Administrator presented correspondence addressed to U.S. Department of Housing and Urban Development endorsing the joint efforts of the St. Mary's County Department of Social Services and the St. Mary's County Housing Authority in their application for Family Unification funds.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve and sign the Letter of Support as presented. Motion carried.

2) **Letter of Intent - Maryland Housing Rehabilitation Program**

The County Administrator presented the referenced Letter of Intent to participate in the Maryland Housing Rehabilitation Program.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the referenced Letter of Intent as presented. Motion carried.

3) **Resolution No. W/S 94-03
Semiannual Amendments to the 1993
Complete Revision of the Comprehensive Water and Sewerage Plan**

As a follow up to the June 21, 1994 public hearing and subsequent discussion, the County Administrator presented the referenced Resolution No. W/S 94-03 amending the 1993 Comprehensive Water and Sewerage Plan as noted in Attachment A to the Resolution.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and sign the Resolution as presented. Motion carried.

4) **Community College Building Project
Request for Waiver of SMECO Fees**

The County Administrator presented correspondence addressed to Southern Maryland Electric Cooperative, Inc. requesting a waiver of the removal, installation, and connection fees associated with providing electrical service for the St. Mary's Community College campus.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to sign and forward the letter as presented. Motion carried.

5) **Laurel Ridge, Section 4B
Department of Public Works Status Report**

As requested by Commissioner Loffler at last week's meeting, the County Administrator presented a memorandum dated October 6, 1994 from the Department of Public Works giving the current status of the Arlington Drive construction project in Laurel Ridge. The memorandum describes the work that has been completed and what is yet to be done.

6) **Resolution No. 94-22 and Agreement
Establishment of Emergency Services Committee**

As a follow up to the October 4 presentation by the Emergency Services Study Committee, the County Administrator presented the following documents for the Commissioners' review and consideration:

- Resolution No. 94-22 establishing the Emergency Services Committee
- Agreement for the Establishment of the St. Mary's County Emergency Services Committee which has been signed by the various volunteer fire departments and rescue squads (with the exception of Leonardtown and Mechanicsville Fire Departments);
- Bylaws (which have been made part of the agreement) governing the operation of the Committee.

After discussion Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve and sign the referenced documents as presented. Motion carried.

Because of the efforts put forth by the various emergency service organizations, the Commissioners requested the County Administrator to prepare letters of appreciation for their signatures.

7) **Department of Public Works Items**

On behalf of the Director of the Department of Public Works, the County Administrator presented the following documents for the Commissioners' review and consideration:

**Acceptance of Deed
Road Resolutions
Shamrock Glen Estates**

- Deed dated June 24, 1992 between William Jude Fitzgerald and Beverly B. Fitzgerald and the Board of County Commissioners of St. Mary's County accepting Timothy Court and Budderleigh Place into the County's Highway Maintenance System.

- Road Resolution No. R94-16 designating the following as Stop Streets:
Timothy Court at its intersection with Md. Rte. 238
Budderleigh Place at its intersection with Timothy Court
- Road Resolution No. R94-17 posting Timothy Court and Budderleigh Place at 25 miles per hour.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Deed and Road Resolutions as presented. Motion carried.

Acceptance of Deeds
Road Resolutions
Valli View Estates

- Deeds dated May 10, 1991 between Joseph Vallandingham and Associates and St. Mary's Board of County Commissioners of St. Mary's County accepting East Ridge Court and West Ridge Court into the County's Highway Maintenance System.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Deeds and Road Resolutions. Motion carried.

Addendum to Public Works Agreement
Hayden Green

Addendum to Agreement between James Dobry and Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to November 1, 1995. The Addendum is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$15,000.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Addendum as presented. Motion carried.

8) St. Mary's County Hazard Mitigation Plan

As a follow up to discussion at the October 4 Staff Meeting, the County Administrator presented St. Mary's County's Hazard Mitigation Plan which sets in place a process to handle natural hazards that may confront St. Mary's County. County Administrator Cox pointed out that staff is cognizant of the ice storm of last winter and are now prepared for similar emergencies.

PROCLAMATION
TRICK OR TREAT DAY

The Commissioners presented the referenced Proclamation designating Monday, October 31, 1994 as the official Trick or Treat Day in St. Mary's County.

PROCLAMATION
NATURAL DISASTER AND MITIGATION AWARENESS DAY

The Commissioners presented a Proclamation proclaiming October 12, 1994 as Natural Disaster and Mitigation Awareness Day in St. Mary's County in support of the International Day for Natural Disaster Reduction.

**PRESENTATION OF CHECK BY NATION'S BANK
MARKETING REDEVELOPMENT STUDY**

Present: Aleck Loker, Director, DECD
Steve Fitzgerald, Community Investment Group, Nation's Bank
Jim Delligatti, Regional Executive Officer, So. Md., "

The referenced representatives of Nation's Bank appeared before the Commissioners to present a check in the amount of \$5,000 to be used toward the county's Lexington Park redevelopment marketing study.

**DEPARTMENT OF PLANNING AND ZONING
COUNTRYSIDE, PHASE II - VESTED RIGHTS**

Present: Jon Grimm, Director
Peggy Childs, Recording Secretary

DISCUSSION - GRANDFATHERING

STSP #87-0088 - COUNTRYSIDE, PHASE II
Requesting grandfathering under ZO #78-43.

Mr. Grimm reminded the Commissioners that, during the June 28, 1994 discussion regarding grandfathering projects, the Commissioners had asked him to research the records for Countryside, Phase II, relative to moneys expended for the construction of Pegg Road. He said he has discussed this with Dan Ichniowski, Director of DPW, who responded with a copy of an Irrevocable Letter of Credit from Maryland Bank & Trust for Countryside Section 1, in the amount of \$148,000. The information was distributed to the Commissioners along with an invoice and payment schedule showing the \$148,000 due to the Department of Public Works in four equal payments of \$37,000 - on 3/1/88, 7/30/88, 9/30/88 and 12/31/88.

Mr. Grimm stated that Phase II does not comply with the grandfathering criteria established by the Commissioners in that the subdivision plat for Phase II had not received final approval by the cutoff date of 8/1/91 and, in his opinion, grandfathering should not be granted.

Commissioner Loffler responded that if substantial money has been paid for infrastructure for Phase II, the County must either refund the money or grandfather the project. Commissioner Bailey agreed; however, Commissioner Thompson pointed out that there has been no action on this project since 1988, a period of almost 7 years. Commissioner Jarboe pointed out that the County may have contributed to the holdup, since we are so far behind on the construction of Pegg Road. Mr. Grimm stated he thought the developer would have had to build that section of Pegg Road anyway, whether he realized 20 units or 72 units. The developer is asking for a total of 60 lots. Under the current ordinance, Mr. Grimm said the developer would probably be faced with a 50% reduction in the number of lots, due to density setback restrictions.

The Commissioners directed Mr. Grimm to research the records further and determine what portion of the \$148,000 pertains to infrastructure for Phase 2, what formula was used to determine that dollar amount, and specific details of remaining density available, and come back for decision at a subsequent meeting.

(Note: A decision is also outstanding regarding the grandfathering of #88-1858 - Hidden Acres.)

**ENHANCED 911 UNIFORM ADDRESSING SYSTEM
ROAD NAMING - FIRST, SECOND, AND NINTH DISTRICTS**

Present: Paul Wible, Director, EMA
Connie Johnson, Addressing Technician

As a follow up to the August 23 public hearing the Commissioners made the following decisions on the renaming of roads in the 1st, 2nd and 9th Election Districts.

Beach Drive in Hay's Beach

Task Force Recommendation: To delete from Official Road Name List

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Bennett Drive (County Road 30386)

Task Force Recommendation: To rename to **Bennett Court**

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Brown Road in Valley Lee

Task Force Recommendation: To delete from Official Road Name List

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Clayton Marina Road in Wynne

Task Force Recommendation: To delete from the Official Road Name List because it is the same as Miller's Wharf Road.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried

County Wharf Road (County Road 30392)

Task Force Recommendation: To rename to **Dunbar Lane**

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried

Fresh Pond Neck Road (County Road 30404)

Task Force Recommendation: - To retain the name of **Fresh Pond Neck Road** by deviating from the grid system

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried

Hattie Lane in Ridge

Task Force Recommendation to correct spelling to **Hattie's Lane**

Havirland Road (County Road 30362)

Task Force Recommendation To rename to **Havirland Court**

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried

Hollyway in Drayden

Task Force Recommendation: To correct spelling to **Holly Way**

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried

Indigo Point Road (County Road 30327) and Thompson Road

Task Force Recommendation: - To delete Thompson Road from Official Road Name List. To rename Indigo Point Road (County Road No. 30327) to Piney Point Road.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried

Jutland Lane (County Road 30818) off of MD Route 5

Task Force Recommendation: To rename to **Woodcroft Road**

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

Knott Road in Take It Easy Ranch

Task Force Recommendation: To delete from the Official Road Name List because it is the same road as Take It Easy Ranch Road.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Lake Street in Cornfield Harbor

Task Force Recommendation: To rename it to **Cornfield Harbor** and delete Lake Street from the Official Road Name List

Commissioner Thompson moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Lancaster Drive in St. Mary's City

Task Force Recommendation: To delete from the Official Road Name List because it is the same road as Wood Road.

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

Laurel Lane in Laurel Estates

Task Force Recommendation: To rename to **Mountain Laurel Way**

Commissioner Thompson moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

Locust Drive (County Road 30305) off Andover Estates Road

Task Force Recommendation: To rename to **Locust Grove Drive**

Commissioner Thompson moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

Morris Drive in Chingville
Mr. G's Way

Task Force Recommendation: To rename Morris Drive to **Ridge Path Way** and Mr. G's Way to remain on the Official Road Name List and change description to "Piney Point.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Mulberry Street in St. Inigoes

Task Force Recommendation: To rename to **Mulberry Lane** changing description to include private lane directly off the end. Rename the portion **Mallard View Lane**.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

North Mainway and South Mainway in Lanedon

Task Force Recommendation: To delete from Official Road Name List because they are extensions of Lake Drive.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

Old Route 249 (County Road 30824)

Task Force Recommendation: To rename SW side of County Road 30824 to **Blackwell Court** and rename NW side to **St. Lukes Court**.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

Piney Point Shores Road (County Road 30319) off of Piney Point Shores Road

Task Force Recommendation: To rename to **River Drive**

Commissioner Thompson moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

Redwood Drive in Cox's Run

Task Force Recommendation: To rename to **Redbud Drive** as originally recorded

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Riverview Lane in Dameron

Task Force Recommendation: To rename to **Diamond Lane**

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Russell Road (County Road 30821) off MD Route 249

Task Force Recommendation: To rename to **Denton Road**

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

St. Inigoes Court in St. Mary's City

Task Force Recommendation: To rename to **Rosecroft Road** because it is an extension of "Rosecroft Road."

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Stokes Drive off Waterview Drive

Task Force Recommendation: To retain the name of **Stokes Drive**; to delete "Walnut Grove Way" from the Official Road Name List.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to accept the Task Force's recommendation. Motion carried.

Tall Timbers Road (County Road 30822) off of MD Route 249

Task Force Recommendation: To combine portion of County Road #30822 (Tall Timbers Road (loop)) with County Road #30308 to one name--**Tall Timbers Road**; to rename South leg of 30822 to Old Tall Timbers Road.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

Usher Road in Drayden

Bramble Lane in Valley Lee

Task Force Recommendation: To rename "Usher Road" to **Usher Lane** and delete "Bramble Lane" from the Official Road Name List because it is the same road as "Usher Lane"

Commissioner Lancaster moved, seconded by Commissioner Thompson, to accept the Task Force's recommendation. Motion carried.

Vibbert Lane in Chingville

Task Force Recommendation: To change to "Vibbert Way" as the road is signed

Commissioner Thompson moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Woodrow Wilson Drive (County Road 30444) off of Lucas Cove Road -

Task Force Recommendation: To rename to **Lucas Cove Lane**

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

ELECTION RESULT COVERAGE

The Commissioners raised several questions relative to election coverage including printing of sample ballots in the local newspaper and agreed to schedule a meeting with appropriate individuals in order to examine the current level of effort and to look at possible enhancements. The meeting has been scheduled for Tuesday, October 18 at 4:15 p.m.

**DEDICATION/RIBBON CUTTING
COUNTY WELCOME SIGNS**

The Commissioners attended the dedication/ribbon cutting of the new *Welcome* Signs at Route 4.

**PUBLIC HEARING
DRAFT COMPREHENSIVE SOLID WASTE PLAN**

(Attached)

ADJOURNMENT

The meeting adjourned at 8:15 p.m.

**Minutes Approved by Board of
County Commissioners on 10/18/94**
Judith A. Spalding
Recording Secretary

MINUTES OF THE
ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
PUBLIC HEARING ON
COMPREHENSIVE SOLID WASTE PLAN
OCTOBER 11, 1994

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Daniel F. Ichniowski, P.E., Director of Public Works
George A. Erichsen, P.E. Supervisor of Engineering Services
Melanie G. Johnston, Recording Secretary

Also Present: See attached sign-in sheet.

CALL TO ORDER

The meeting was called to order at 7:10 p.m. by Commissioner Loffler, who turned the meeting over to Mr. Ichniowski.

PRESENTATION

Mr. Ichniowski read the Notice of Public Hearing for the record (attached hereto). Mr. Ichniowski advised that the purpose of the meeting was to give a brief overview of the Plan and accept comments from the attendees, and that there would be a ten day waiting period before any decisions are made. He explained that the Plan is required by State law to cover a ten year period for solid waste facilities for St. Mary's County and in September, 1993, the County Commissioners established the Solid Waste Advisory Committee to review the Plan, which has been meeting every other week, updating the necessary information and making revisions. Mr. Ichniowski stated that the Committee has received comments from various groups and individuals throughout the process, and on June 21, 1994, a presentation of the finalized Plan was made to the County Commissioners, who directed the Plan be submitted to the Planning Commission for comment, which was done. On September 1, 1994, there was a joint meeting between the Board of Appeals, County Commissioners and Planning Commission to discuss the Plan; shortly thereafter, the Plan was finalized. On September 20, a public informational hearing was held. Mr. Ichniowski explained that after the public hearing, the County Commissioners will deliberate on the Plan and eventually adopt it; the Plan will then be submitted to the State for final approval and will then be incorporated into the County's Comprehensive Plan. Ms. Melva Abell was then introduced as the co-chairperson for the presentation, with Ms. Daphne McGuire to follow with the Minority Opinion.

Ms. Abell stated that the Committee has looked at various issues over the past year such as tipping fees, exportation of solid waste, waste to energy facilities, regionalization, superfund liability and other counties' plans. Ms. Abell briefly went through the Plan, asking the attendees to pay particular attention to the Principles, Policies, Goals and Objectives developed by the Committee, and the implementation schedule for those which is found in Chapter V. Ms. Abell then introduced Ms. Daphne McGuire for the presentation of the minority opinion.

Ms. Daphne McGuire stated she developed her minority opinion based on Goal Number Seven, Regional Cooperation, in that she feels St. Mary's County should not enter into any regional agreements with neighboring counties because of the County's delicate environment, however, she does not have such a problem with considering recycling agreements with our neighbors. Ms. McGuire stated she also have a very strong opinion regarding private landfills, wherein the Committee changed the statement "encourages private landfills" to "allows private landfills." In that the regulations are unenforceable, private landfills should not be allowed in the County. Ms. McGuire added that she feels strongly that the County

should look into the exportation to an outside facility of all of the County's solid waste.

Mr. Ichniowski instructed the attendees who wished to speak to give their names and addresses for the recording secretary and limit their first presentations to three minutes until everyone has a chance to speak. Mr. Ichniowski reminded the attendees that the record would remain open for ten days for public written comment. Mr. Ichniowski then turned the meeting over to the Commissioners.

DISCUSSION

Commissioner Thompson asked Ms. McGuire to elaborate on why she feels that private landfills are unenforceable. Ms. McGuire stated that in dealing with MDE regarding the FERST facility, she has been told that MDE has so few inspectors that it is impossible for them to check on or regulate private facilities so they have left that up to the citizens. Ms. Thompson asked if MDE has any kind of schedule for random checks or if she has asked MDE to document any kind of inspections that they have done to show what kind of attempts they make at enforcement. Ms. McGuire stated that they try to inspect, but it doesn't work; she has been told that the State of Maryland has seven inspectors to check on County facilities, private facilities and handle any complaints; when asked if that is enough, Ms. McGuire was told that it definitely is not, which is how she came to the conclusion that it would be very difficult for anybody to enforce the regulations set on a County facility much less a private facility. Ms. Abell interjected that the only reason this is in the Plan is that the Solid Waste Ordinance allows private rubble fills, although Ms. McGuire is speaking about private landfills in general. Commissioner Thompson asked if in the Plan, the Committee has differentiated between rubble landfills and other landfills. Ms. McGuire answered that the original Plan used the word "encourages"; the Committee changed that to "allows" and she does not feel that either option is something the County should consider. Commissioner Jarboe asked Ms. McGuire who she had talked to at MDE regarding the lack of inspectors; he expressed concern that if they are a permitting agency, MDE has an obligation to have the number of inspectors it takes to enforce their permits, adding that this is something the Commissioners may need to address with their legislators. Ms. McGuire stated she had talked to Barry Schmidt and Edward Dexter of the Solid Waste Division. Commissioner Loffler stated that if it is a private facility, no citizens can inspect it, so if the State doesn't have the manpower to do the inspections, there is absolutely no control over a private landfill.

Commissioner Thompson stated that the Ordinance allows private rubble fills and there are instances where it would be detrimental to the County landfill to have a lot of rubble taken there, yet when the Plan was developed, rubble landfills were not specified. Mr. Loffler asked if he could assume that the Committee doesn't see anything wrong with private landfills. Ms. McGuire stated that by using the word "allows," it means it is allowed to go through the permitting, not that the County is actually looking for private facilities. Commissioner Thompson asked if the Committee felt the word "allows" is actually less positive than "encourages." Ms. Abell said yes.

Mr. Vaughn McCall of Lexington Park asked if private rubble landfills are regulated or inspected in any way. Commissioner Loffler answered that they are regulated by the State. Mr. McCall asked if a builder can dump construction rubble on his property and start a rubble site there. Mr. Loffler answered that it has to be a prepared, licensed facility that deals with whatever can go into a defined rubble fill. Mr. Bailey stated that the site Mr. McCall is speaking of could possibly be a licensed facility; Mr. Ichniowski advised that there is only one such licensed facility in the County at the present time.

Mr. Ken Hastings of Mechanicsville told the Commissioners that the draft Plan they saw a year ago was judged to be inaccurate and unsuitable for forwarding to MDE. He felt that this Plan is better, but not the planning document the County needs. Mr. Hastings advised his major objection to the Plan is that it is too general and there are no specific strategies as requested by MDE. Mr. Hastings stated that he was

specifically concerned about the lack of siting criteria in that MDE had specified that acceptable siting criteria relative to location, demographic considerations, highways, schools, etc. should be included; the only references to siting criteria is found on page IV-9, IV-13 and Table V-1A, page V-8, where it states that guidelines will be deferred until FY96. Mr. Hastings stated that the consultant had not addressed all of MDE's comments. Mr. Hastings stated that a memo from GBB dated 8/25/94 references Exhibit 4-1, which is not in the Plan any more; he said it had been taken out because it was entitled "siting guidelines," but the Committee decided to change that table to a section entitled "Procedures for Amending the St. Mary's County Solid Waste Plan." Mr. Hastings expressed concern that there is no public hearing process; there is no reference to County Commissioner review; there is no reference to how public comments will be resolved and documented. However, page I-6, D.2.c. does have some siting criteria, which is what Mr. Hastings would expect to see; this is the kind of guidance the Plan should provide for long term planning for solid waste facilities. Mr. Hastings suggested to the Commissioners that they send the Plan back to the Committee with instructions to support the Goals and Objectives with some meaningful text.

Mr. Lawrence J. Pinto spoke on behalf of the Commission on the Environment. Mr. Pinto stated the Commission's four main concerns were as follows: 1) The Plan lacks specific guidelines for siting solid waste management facilities; 2) The Plan does not address the federal restrictions preventing counties from regulating out-of-county waste entering into the landfill; 3) The Plan places too much emphasis on regional agreements; 4) The Plan does not detail public participation in county review and permitting of solid waste facilities. (Mr. Pinto's full comments are attached hereto and, by reference, made a part hereof). Mr. Pinto pointed out that copies of the Plan were being distributed without the minority report, which he felt was a problem. Mr. Pinto then thanked the Commissioners on behalf of the Commission on the Environment.

Ms. Melva Abell, speaking as a citizen, and not on behalf of the Committee, stated she has concerns regarding regionalization. She stated she would like to see the Goals and Objectives amended regarding blanket regionalization to include the statement "with the exception of a landfill disposal site." Ms. Abell stated she felt it is unfair to the citizens of the County because of the dangers involved with landfill disposal, particularly private landfills that cannot be controlled.

Mr. Douglas Ritchie, Jr., of Mechanicsville warned the Commissioners about incinerators because many place that have sited such facilities do not have the waste stream they expected and have found themselves in heavy debt. He recommended to the Commissioners that they proceed very cautiously; don't build anything too large.

Commissioner Loffler asked the consultants why parts of the Plan are incomplete and postponed, such as the siting criteria. Mr. Bratton of GBB advised that they had put together some draft guidelines for siting criteria and shared those with the Committee, but it was decided not to fully develop the criteria at this time as there is a need for more thought. Commissioner Loffler requested a copy of the information provided by the consultant so that the Commissioners could make a determination as to whether it is necessary or not.

Ms. Abell stated that for the next few years, the County will not be siting anything other than the expansion, which is already ongoing at the landfill. She suggested that the Commissioners read the minutes from the Committee meetings to better understand the amount of time spent discussing the siting issue. Ms. Abell advised that there are already Federal and State criteria covering the siting of a landfill, along with the County's Zoning Ordinance, however, perhaps the Committee should put all of those criteria on one page but this would require several agencies working together. The Committee felt it was okay to postpone this because they knew there would be no need for the criteria for some time, i.e., the system is adequate for this ten-year period. Commissioner Loffler said that he does not agree with the Committee on this issue. Ms. Abell stated that the Committee will do whatever the Commissioners desire. Commissioner

Loffler stated that presently, there are rubble fills being sited, and a landfill in the northern end of the County that is going through the permitting process and some of the Commissioners feel that it is grossly inadequate because there are no inspection procedures in the County. Commissioner Loffler stated that he feels there are important issues that need to be finalized in the Plan.

Mr. Bill Mattingly advised the Commissioners that the Committee would do whatever the Commissioners want it to do. He further stated that the consultant has done everything the Committee has asked; that has not been a problem. Mr. Mattingly also stated that staff has always been available for the Committee.

Mr. Larry Pinto, speaking as a citizen, thanked the Committee and staff for their dedication. Mr. Pinto stated he does not understand why the Plan does not require the preparation of an Environmental Assessment where a solid waste facility will be sited. Mr. Pinto feels that such an assessment would identify all potential impact on the environment and the community, would force public participation in the decision process and would assure compliance with all pertinent laws and regulations because it has to go through a review process. Mr. Pinto's second concern was why the Plan does not discuss the exportation of trash. Although not a politically correct thing to do, more and more counties are doing this in order to reduce the load on their landfills and because they feel their counties are too sensitive for landfills or incinerators. Mr. Pinto indicated that in the Howard County Plan, they are closing their landfill on January 1, 1995, and have permitted a private transfer station by BFI for the exportation of trash out of their County; Baltimore just put out a bid for exporting their trash; BFI gave a presentation to the Calvert County Commissioners where they recommended that they allow a private transfer station and offer a contract that guarantees low tipping fees for up to 30 years, export their solid waste to Virginia and provide curbside recycling. Mr. Pinto stated he is not arguing for or against exportation, but feels it should be considered.

ADJOURNMENT

There being no further comment, the Commissioners thanked the participants and advised that comments could be submitted in written form, with the record remaining open for ten days. The meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Melanie G. Johnston

Melanie G. Johnston
Recording Secretary

/mj

attachments

APPROVED BY THE BOARD OF
COUNTY COMMISSIONERS ON
October 18, 1994.