

Appendix G
2010 Text Amendments

2010 Text Amendments

Public School Recycling

Refer to page III-60 which is supplemented by the language below.

During the 2009 Maryland General Assembly legislative session, House Bill 1290 (Environment-Recycling-Public School Plans) was passed and became effective July 1, 2009. The new law amended § 9-1703 of Environment Article, Annotated Code of Maryland and requires Counties to amend their Comprehensive Solid Waste Management & Recycling Plans (“Plan”) as per §9-505 of the Environment Article, Annotated Code of Maryland. The amendment must address the strategy for the collection, processing, marketing and disposition of recyclable materials from public schools. In addition, the amendment must be completed by October 1, 2010, although the new law does not require implementation of the Plan begin October 1, 2010.

The following text amendment to the Plan supplements the existing information contained in this Plan as described on page III-60, (4) Student Participation. The original language in the Plan was reviewed by the MDE during the Plans 2005 Update and deemed adequate, however the new law stipulates additional criteria and based on a subsequent review by the MDE, they have deemed same inadequate in addressing § 9-1703 of Environment Article, Annotated Code of Maryland. The following language is being added to the Plan to address the new law and describe the proactive measures implemented by the St. Mary’s County Public School System prior to the enacting of § 9-1703 of Environment Article, Annotated Code of Maryland.

St. Mary’s County Public Schools:

Recycling in the St. Mary’s County Public Schools is no different and over the years many students, staff and community members have contributed to the school system efforts individually and collectively on a voluntary bases. All students and staff are encouraged to recycle in the school system. With this support along with the coordinated efforts of the St. Mary’s County Public Schools, recycling is on the raise.

St. Mary’s County Public Schools is committed to the environment through the efficient use of energy and by recycling in our schools. This is accomplished by a comprehensive approach to education of energy conservation and recycling that modifies behaviors, incorporates efficient operations and maintenance practices including new designs and technologies. A vital link to facilitate the smooth interaction of this program is the energy manager. This person is responsible for managing the program for effectiveness and provides a constant flow of information for our students, staff and community regarding data, plans, strategies and initiatives to support conservation efforts that are sustainable and enduring. To ensure we engage everyone the program includes an energy committee, technical committee, promotions committee, green school (site) coordinators, faculty, students, and staff.

Energy conservation and recycling marketing opportunities are identified and advanced by the promotions committee, green school coordinators, central office initiatives, a mobile classroom, and “Watson” the energy conservations and recycling mascot. Presentations and displays are delivered to schools sites, a Farm to School program that is delivered by the St. Mary’s County Public Schools, Department of Food and Nutrition Services, County Fair, City of Leonardtown Earth Day Celebration, and various other events taking place throughout the county.

There is also an incentive program that rewards the schools with \$100.00 for every % saved up to 5% or \$500.00. A recognitions event takes place at the beginning of each school year to help energize the team. Tours of the newly opened Gold LEED Certified Evergreen Elementary School are also offered throughout the school year to help promote energy conservation and recycling.

The St. Mary’s County Board of Education funds and the St. Mary’s County Public School, Division of Supporting Services manages the recycling program and ultimately implemented at the local school/campus level. The St. Mary’s County Public School system has consolidated recycling efforts by partnering with an outside service provider that offers the school system the ability to collect recyclables in a single stream manner. This means recyclable items can be co-mingled making collection of the items easier and this allows the school system the ability to increase the amount of recycling higher than the previous levels.

Recyclables are collected from each school as follows,

Schools in session:

- 3 High Schools are collected two times per week*
- 4 Middle Schools are collected one time per week*
- 17 Elementary Schools are collected one time every other week*
- 1 Technology Center collected one time per week*
- 1 Fairlead Academy collected one time every other week*
- 1 Charter School collected two times per week*

Schools out of session:

All schools on call as needed.

Recycling containers are located in classrooms, offices, and common areas such as mail rooms, teacher lounges etc. and sporting fields where recyclable waste may be generated. Collection containers have been placed in strategic locations throughout each school typically placed in out of the way places within main corridors and cafeterias. Select students collect the recyclable items from their classrooms while staff collects the recyclable items from the other areas. These

items are placed into the central collection containers. The recyclable items stored in the central collection containers are later collected by the building service staff and placed into the main recycling container outside of the building where the items are finally removed for recycling by the service provider.

A monthly report is provided by our service provider showing the estimated pounds of recyclables collected at each school site. According to our data it is estimated the school system generates approximately 2,500,000 pounds of waste annually with approximately 500,000 pounds of this waste removed for recycling. Recycling accounts for 20% of the refuse the school system generates on an annual basis at this time. The St. Mary's County Public Schools will evaluate the annual report and if a lower than expected participation rate is noted, the Public Schools will identify areas of improvement such as, but not limited to, providing additional recycling containers and strategically locating same, expanding the list of items which can be accepted and/or further educating school staff and students on the benefits and ease of recycling.

Following is a list of items that are collected/recycled under the current program now in place; Paper, Newspapers, Magazines, Corrugated Cardboard, Cereal and Other Boxes, Telephone Books, Computer and Office Paper, Newspaper & Inserts, Catalogs, Unwanted Mail, Books, Fluorescent Lights, Plastic Jugs, Bottles, Glass Jar, Bottles, Juice Boxes, Ink Cartridges Motor Oil and Antifreeze & Vehicle Batteries. As additional items can be recycled in a cost effective and simplistic manner and when markets become available, they will be added to list of acceptable items.

Although it is recognized failing to recycle comes at a cost to the environment, recycling also comes with monetary costs. A main goal of the program is to help offset the costs of recycling by reducing the costs associated to remove the refuse that is generated. As recycling is increased, refuse is decreased. Although a perfect balance in expense and savings may not be achieved, costs can be reduced.

Community College of Southern Maryland, Leonardtown Campus:

The Community College of Southern Maryland Board of Trustees oversees and funds the College of Southern Maryland ("College"), Leonardtown Campus and recycling at the College is managed at the local campus level. The College has implemented recycling efforts by partnering with an outside service provider via an annual contract that offers the ability to collect recyclables in a single stream manner. This means recyclable items can be co-mingled making collection of the items easier and this allows the school system the ability to increase the amount of recycling higher than the previous levels.

Recycling containers are located in classrooms, offices, and common areas such as mail rooms, teacher lounges etc. and outdoor areas where recyclable waste

may be generated. College building service staff collect the recyclable items from the containers on a regular basis and the items are placed into the main recycling container outside of the building(s) where the items are finally removed for recycling by the service provider. The recycling contractor is responsible for the marketing of the collected recyclables and must provide an annual report denoting the amount and type of recyclables collected for the previous calendar year. The College will evaluate the annual report and if a lower than expected participation rate is noted, the College will identify areas of improvement such as, but not limited to, providing additional recycling containers and strategically locating same, expanding the list of items which can be accepted and/or further educating campus staff and students on the benefits and ease of recycling.

Below is a list of items that are collected/recycled under the current program now in place; mixed paper, newspaper, cardboard, glass bottles, steel and aluminum cans, and plastic bottles, printer cartridges, electronics and fluorescent light bulbs. As additional items can be recycled in a cost effective and simplistic manner and when markets become available, they will be added to list of acceptable items.

St. Mary's County Municipal Solid Waste Processing Facility & Transfer Station ("Transfer Station")

Refer to pages V-17 and V-31 which is supplemented by the language below.

As previously noted in this Plan, the County plans to design, construct and operate a Transfer Station to manage municipal solid waste and recyclables generated within St. Mary's County, Maryland. The 2005 Update to the Comprehensive Solid Waste Management and Recycling Plan identified the Transfer Station in the short-term recommended actions (one-two years). The Board of County Commissioners for St. Mary's County have decided to forego any further action with the Transfer Station construction and operation due to significant budgetary pressures during the 2011 fiscal year and subsequent fiscal years. The Transfer Station construction and operation schedule has been revised and will now be identified in the long-term recommended action (five-ten years and longer).

A permit (#2006-WPT-0624) to construct and operate the Transfer Station was issued by the Maryland Department of the Environment ("MDE") on September 12, 2008 and will be renewed accordingly until the Transfer Station is constructed and made operational.

Environmental and Solid Waste Service Fee

Refer to pages IV-7, IV-18, V-7, V-26, V-29, V-31, V-33 & V-34 which is supplemented by the language below.

On May 15, 2007 the Board of County Commissioners for St. Mary's County, Maryland approved Ordinance 2007-04 which enacted the Environmental and Solid Waste Service Fee ("Fee") for the purpose to fund environmental and solid waste and recycling programs. The new funding mechanism includes the establishment of an environmental and landfill service fee, procedures for setting and modifying the fee, payment and collection and establishment of an appeal process. The fee is used to fund staffing, administration, capital outlay, equipment replacement, debt service, operations, maintenance, capital projects and other direct and indirect costs associated with the solid waste and recycling programs. The fee is evaluated each fiscal year and adjusted accordingly based on the current and planned fiscal obligations. A copy of the previously mentioned ordinance is included as part of this Appendix.

Solid Waste Advisory Committee

Refer to page ii which is supplemented by the language below.

On February 23, 2010 the Board of County Commissioners for St. Mary's County, Maryland approved Resolution 2010-09 which integrated the Solid Waste Advisory Committee ("SWAC") into the Commission on the Environment ("COE"). As a result of the integration, the SWAC became a sub-committee within the COE and the SWAC retained all their prior duties as noted their by-laws. The purpose of the integration was to ensure adequate membership within the SWAC and utilize the resources of the COE. The SWAC will continue to serve on an advisory capacity to the Board of County Commissioners as originally intended, most notably with respect to any amendments to the Comprehensive Solid Waste Management & Recycling Plan. A copy of the previously mentioned resolution and by-laws is included as part of this Appendix.

Calvert County Memorandum of Understanding

Refer to page IV-6 which is supplemented by the language below.

On February 12, 2002 the Board of County Commissioners for Calvert County, Maryland and the Board of County Commissioners for St. Mary's County, Maryland established a cooperative working arrangement via a Memorandum of Understanding ("MOU") for the transportation and disposal of residential and municipal solid waste at the Appeal Solid Waste Facility. On February 25, 2010, the St. Mary's County Department of Public Works & Transportation requested the Board of County Commissioners for Calvert County, Maryland extend the "Project Period" of the MOU from 2010 through the remainder of the "Term", specifically July 1, 2017, as per section 6 of the MOU.

On April 6, 2010, the Board of County Commissioners notified the St. Mary's County Department of Public Works & Transportation that the extension was granted and all terms and conditions of the MOU will remain in effect. A copy of the previously mentioned MOU is included as part of this Appendix.

Single Stream Recycling

Refer to pages III-64, III-75, V-20, V-31 which is supplemented by the language below.

Effective December 2006 the St. Mary's County Recycling Program implemented "Single Stream Recycling." The new program offered at the six convenience centers and St. Andrews Landfill enables residents and the commercial sector to mix their recyclable items and which historically required presorting. The intent to increase the amount of materials collected for recycling simply by making it easier and simple. Following is a list of items that are acceptable as part of the Single Stream recycling: all plastics coded #1 through #7; glass containers; metal containers; aerosol cans; aluminum foil and pans; milk cartons; juice boxes and other aseptic/gable-top packaging; newspaper; magazines & catalogs; mixed paper and plastic film such as grocery bags, stretch film and/or shrink wrap.

Due to the overwhelming success of the Single Stream Recycling Program, the County has funded, procured, installed and operating stationary compactors with 40 cubic receiver boxes in order to manage the larger than expected volume of material. The stationary compactors will replace 8 cubic yard front load and 30 cubic yard roll-off boxes which do not allow the material to be compacted/compressed and transported accordingly. The new compactors will enable the County to compact/compress the recycled materials and transport same in a more cost effective and efficient manner. Lastly, the new compactors will utilize less space at the convenience centers, thus freeing up additional space for traffic flow, parking and additional containers as they become necessary.

ORDINANCE

FOR THE PURPOSE OF establishing an Environmental and Solid Waste Service Fee to fund environmental and solid waste programs, which protect the health and welfare of St. Mary's County citizens pursuant to State mandates governing solid waste management and recycling. The ordinance includes: the establishment of an environmental and landfill service fee for the County of St. Mary's; procedures for setting and modifying the amounts of the environmental and solid waste service fee; payment and collection methods; and establishment of an appeals process.

RECITALS

WHEREAS, On October 24, 2006 the Board of County Commissioners adopted Ordinance No. 06-09, "The Comprehensive Solid Waste Management and Recycling Plan" pursuant to the authority granted by the St. Mary's County Code.

WHEREAS, this Ordinance adopted by the Board of County Commissioners for St. Mary's County, Maryland, authorized the Board to establish by Resolution a Schedule of Fees as they deem necessary in connection with the use and operation of the solid waste acceptance facilities; and

WHEREAS, the Board proposes to assess a portion of the cost associated with the availability of County solid waste disposal and recycling services to the community via a residential Environmental and Solid Waste Service Fee; and

WHEREAS, the Solid Waste Advisory Committee (SWAC) has provided alternative funding methodologies for the County's Solid Waste and Recycling Programs to the Board of County Commissioners for their consideration; and

WHEREAS, the Board believes that it is in the best interest of public health, safety and welfare if fees are adopted in accordance with the adopted Comprehensive Solid Waste Management and Recycling Plan; and

WHEREAS, the Board is empowered by the St. Mary's County Code to fix and collect reasonable service fees from any person, firm, corporation, municipal corporation, special district, or other County for the use, construction, operation, and maintenance of disposal areas or facilities; and

WHEREAS, all revenues collected through the Environmental and Solid Waste Service Fee shall be accounted for using an Enterprise Fund and pledged to the payment of Solid Waste and Recycling system obligations, which may include; staffing, administration, capital outlay, equipment replacement, debt service, operations, maintenance, any capital projects, and other direct and indirect costs associated with combined solid waste and recycling programs; and

WHEREAS, achieving financial self-sufficiency is an important objective of the Comprehensive Solid Waste Management and Recycling Plan.

WHEREAS, it has been documented that the County should establish and maintain a predictable revenue and expenditure structure that provides funding to help support the solid waste and recycling systems; and

WHEREAS, there are certain services and programs that benefit all residents and all should share in the cost of these programs and services. These fees or charges are justified by the costs of solid waste management and recycling programs, planning, mandated actions, and public health protection, which are available to all residences in the County and which the County must address; and

WHEREAS, in the event the County constructs new facilities that afford the opportunity for improved properties, such as commercial or industrial, or other non-residential properties classified by the Maryland Department of Assessment and Taxation, to access such facilities, the Board of County Commissioners for St. Mary's County, Maryland will consider establishing a non-residential Environmental and Solid Waste Service Fee.

SECTION 1. AUTHORITY

This Ordinance is adopted pursuant to St. Mary's County Code, Chapter 103-1, Refuse Disposal and Article 25, Section 14A(a)(1) of the Annotated Code of Maryland.

SECTION 2. DEFINITIONS

- 2.1 **Definitions.** For the purpose of this Ordinance, the terms defined in this section shall have the meanings given them, unless the context clearly indicates otherwise.
- A. "County" is St. Mary's County, Maryland."
 - B. "Assessor" is the person appointed to the office of the Department of Assessment and Taxation for St. Mary's County, Maryland.
 - C. "County Treasurer" is the person elected to the Office of the County Treasurer for St. Mary's County, Maryland.
 - D. "Board" is the Board of County Commissioners for St. Mary's County, Maryland.
 - E. "Environmental and Solid Waste Service Fee" is the charge established by the Board of County Commissioners for St. Mary's County, Maryland, payable by persons who own improved residential property in St. Mary's County for solid waste management and recycling services available to the property. Each improved residential property will be assessed based on the number of dwelling units.
 - F. "Residential Property" is all improved real property in St. Mary's County that is residentially zoned and contains one or more dwelling units, including mobile homes or agricultural residences as established by the Department of Assessment and Taxation. A residential property includes, but is not limited to; a single-family home, a duplex, a triplex, a four-plex, an apartment building, a mobile home and/or trailer, condominium, a townhouse, a cooperative housing unit, or a residential building on a perma-lease.
 - G. "Non-Residential Property" is all improved real property in St. Mary's County containing improvements on properties zoned for uses other than residential and classified by the Maryland Department of Assessment and Taxation as commercial, industrial, institutional, etc.

SECTION 3. GENERAL PROVISIONS

- 3.1 **Administration.** This ordinance shall be administered by the County Treasurer with assistance of the Department of Assessment and Taxation and County staff.
- 3.2 **Procedure for Revising the Residential Environmental and Solid Waste Service Fee.** The Board shall set the residential Environmental and Solid Waste Service Fee annually by Resolution, and shall state the effective date for the enactment of the revised fee(s) on or before June 1 each year. The recommended operational and capital requirements for the County's solid waste and recycling programs, and the current number of improved residential properties as provided by the Department of Assessment and Taxation, will be utilized to establish the fee.
- 3.3 **Establishment of an Official Service Area.** For purposes of collecting an environmental and solid waste service fee, the boundaries of the County shall constitute the boundaries of the solid waste and recycling service area.

SECTION 4.0 ESTABLISHMENT OF RESIDENTIAL ENVIRONMENTAL AND SOLID WASTE SERVICE FEE AMOUNT

- 4.1 **Establishment.** The County hereby imposes an Environmental and Solid Waste Service Fee on all improved residential properties in St. Mary's County as defined herein. The owner of the property shall be responsible for payment of the Environmental and Solid Waste Service Fees imposed in the manner set forth by the Board.
- 4.2 **Categories of Residential Property.** All owners of improved residential property, as defined herein, shall pay an Environmental and Solid Waste Service Fee for said properties as set forth herein.

- 4.3 **Rates.** Beginning July 1, 2007, the established annual rate for the residential Environmental and Solid Waste Service Fee is \$60 per dwelling unit. All other provisions and user fees cited in the Rules and Regulations for Use of Solid Waste Disposal Facilities in St. Mary's County as adopted May 23, 2006 and amended by Resolution No. 2006-04 and made effective July 1, 2006 shall remain in effect.
- 4.4 **Split Classifications.** The owner of property classified as both residential and non-residential property shall pay the Environmental and Solid Waste Service Fee pursuant to the provisions of this Ordinance.

SECTION 5.0 RESIDENTIAL ENVIRONMENTAL AND SOLID WASTE SERVICE FEE BILLING AND COLLECTION

- 5.1 **Billing and Collection.** The County Treasurer shall bill the residential Environmental and Solid Waste Service Fee on the property tax statements as a separate item, which shall be due, payable and collected in the same manner as real and/or personal property taxes and subject to the same penalties and interest as overdue real and/or personal property taxes.

SECTION 6.0 APPEALS

- 6.1 Written requests for appeal of the Environmental and Solid Waste Service Fee shall be made to the Office of the County Treasurer and must be received or postmarked on or before December 31 of the year in which the fee is due.
- 6.2 **General Appeal Requirements**
- 6.2.1 Written requests for appeal may be submitted by the property owner or their duly authorized representative.
- 6.2.2 The burden is on the property owner to provide evidence demonstrating that the property qualifies for a reduction in the environmental and solid waste service fee.
- 6.2.3 This Ordinance requires that the property owner pay the environmental and solid waste service fee pending disposition of the appeal.
- 6.3 **Appeal Procedures and Criteria.** The Board hereby adopts the following guidelines for determining whether an appeal of a residential Environmental and Solid Waste Service Fee may be granted to owner(s) of an improved residential property. Appeals shall not be based upon the value of the property, and may be granted, in whole or in part, only under the circumstances as described in Sections 6.3.1, 6.3.2 and 6.3.3 below.
- 6.3.1 Administrative or clerical errors may be the basis of an appeal.
- 6.3.2 Misclassification of the residential property for purpose of calculating the charge as of January 2 of the year in which the fee is due; i.e., the number of dwelling units is inaccurate.
- 6.3.3 A dwelling unit was (1) uninhabitable, or (2) was destroyed or demolished as of January 2 of the year in which the fee is due and the property owner provides convincing evidence that demonstrates to the County's satisfaction that it is likely that this condition will continue for the entire year.
- 6.4 **Appeals Process.** The following steps shall be used in deciding appeals of Environmental and Solid Waste Service Fee(s).
- 6.4.1 Written requests for appeal shall be filed with the Office of the St. Mary's County Treasurer.
- 6.4.2 The Treasurer or the designee of the Treasurer will review the requests for appeal and information regarding the classification of the property from the Department of Assessment and Taxation, and shall decide the appeal based on this information. The Treasurer may grant an appeal in full or in part, and may deny an appeal. The property owner shall be notified in writing of the decision.

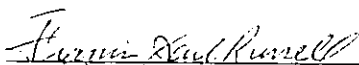
SECTION 7.0 EFFECTIVE DATE


This Ordinance shall become effective as of the date of adoption.

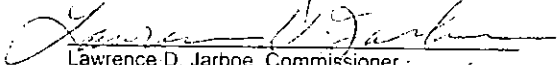
Those voting aye: 5
Those voting nay: 0
Those abstaining or absent: -
Approval Date: 5/15/07
Effective Date: 5/15/07

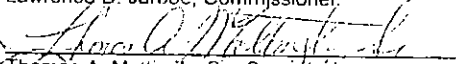
ATTEST 

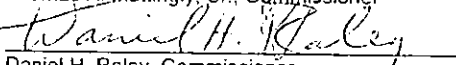
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND

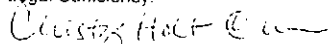

Francis Jack Russell, President


Kenneth R. Dement, Commissioner

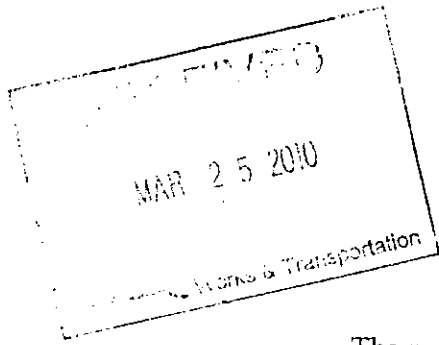

Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

Approved as to Form and
Legal Sufficiency:

Christ Holt Chesser
County Attorney

**AMENDED BYLAWS
OF
THE COMMISSION ON THE ENVIRONMENT**



**ARTICLE I
Name**

The name of this organization shall be the Commission on the Environment.

**ARTICLE II
Purpose**

The purpose of this Commission shall be:

- (1) To promote environmental awareness by research, by information gathering, and by public meetings;
- (2) To involve citizens through a variety of means to effect improved community understanding;
- (3) To serve as county government's official representation in matters related to the environment. As such to serve as liaison with federal, state, and other local governments and with civic organizations and the general public;
- (4) To investigate, to analyze, and to make recommendations on environmental matters as required by the Board of County Commissioners or as deemed necessary by the Commission; and
- (5) To report annually to the Board of County Commissioners on progress and additional recommendations for improvements. The report will include comments on the activities of its subordinate committees.

The Commission will interpret the word "environment" in its broadest terms, encompassing the County's lifestyle, quality of life and how current or proposed actions influence, for good or for bad, the habitat in which we live. Typical issues for the Commission to investigate, analyze, and make recommendations on environmental issues shall include but are not limited to: land use issues, sustainable development, waterway pollution, storm water and sedimentation issues, energy conservation and recycling, groundwater contamination, aquifer capacity and projected supply, sludge application, compost, incineration of contaminants, hazardous waste, solid waste and air pollution.

ARTICLE III Membership

Section (1). Members: The Commission shall consist of eleven members. Any resident of St. Mary's County shall be eligible for membership. A proposal for membership may be submitted to the County Commissioners. Voting upon the appointment shall take place at a regular meeting of the Board of County Commissioners. A majority vote shall appoint to membership. Prior to a vote being taken, the Commission will provide input/recommendations to the County Commissioners regarding all candidates for membership. Commission deliberations will be held in executive session. The Commission will also have a representative from the County Health Department who shall have a vote on matters decided by the Commission. Sponsorship of the Commission and its activities will come from the Department of Land Use & Growth Management, and from the Department of Public Works & Transportation where solid waste and related matters are involved.

Section (2). Compensation: The members shall serve without compensation; however, members may be compensated for any unusual expense incurred as a result of their membership.

Section (3). Terms: Members shall serve terms lasting four years starting from the member's date of appointment. Members of the Commission at the conclusion of their terms may be reappointed by the County Commissioners. No member shall serve more than two consecutive four-year terms. The terms shall be staggered.

Section (4). Resignations: Any member desiring to resign from serving on the Commission shall submit his/her resignation in writing to the Commission Chairperson and Board of County Commissioners.

Section (5). Attendance: Members are expected to attend all meetings of the Commission. A member who misses more than one half of the regular and special meetings of the Commission in any twelve-month period without a bonafide excuse shall be considered inactive. The Chairperson shall ask an inactive member to improve attendance or to resign from the Commission. If the problem continues, a recommendation for removal shall be forwarded to the County Commissioners. A record of attendance shall be kept by the Recording Secretary.

Section (6). Recording Secretary: A non-member, non-voting Recording Secretary shall be provided by the County Commissioners to furnish typing, mailing, record keeping, filing, and other administrative support to the Commission.

Section (7). Fiscal Year: The fiscal year of the Commission shall begin on the first day of July and end on the 30th day of June in each year.

Section (8). Ethics Ordinance. All members must adhere to the provisions of the Ethics Ordinance.

ARTICLE IV Officers

Section (1). Commission Officers: The officers of the Commission shall be Chairperson and Vice-Chairperson.

Section (2). Chairperson: The Chairperson shall be the principal executive officer of the Commission and shall supervise and direct all of its affairs. The Chairperson shall preside at all meetings of the Commission, sign all documents or instruments which the Commission has authorized to be executed, appoint committees, and shall perform all duties as may be prescribed by the Commission. The chairperson may authorize heads of committees to sign correspondence containing the committee letterhead. The chairperson shall prepare and forward an Annual Report of the Commission to the County Commissioners, and present the report if requested. The Chairperson shall also be responsible for assuring that members are familiar with the provisions of the Ethics Ordinance and the Open Meetings Law.

Section (3). Vice-Chairperson: In the absence of the Chairperson, the Vice-Chairperson shall perform all the duties of the Chairperson, and when so acting shall have all the powers of and be subject to all restrictions governing the Chairperson. The Vice-Chairperson shall perform such other duties as assigned by the Chairperson. A vacancy in the office of Vice-Chairperson shall be filled by a majority vote of the Commission members for the unexpired term.

Section (4). The Officers of the Commission shall be elected annually, by the members, during the May meeting. Each officer shall serve for a term of one year. Officers may be elected to consecutive terms.

ARTICLE V Meetings

Section (1). Regular Meetings: The regular meetings of the Commission shall be held at a place, on dates and at times decided by the Commission members in accordance with the Open Meetings Act. Normally the Commission will meet at least once monthly.

Section (2). Special meetings: Special meetings of the Commission may be called by the Chairperson at any time or upon the written request of three Commission members. Special meetings shall be conducted in accordance with the Open Meetings Act.

Section (3). Notice: Written notice of all meetings shall be provided to each Commission members.

Section (4). Voting: All decisions and elections of the Commission shall be by majority vote of those present unless otherwise specified by the By-Laws.

Section (5). Quorum: The presence of six Commission members, one of which must be the Chair or Vice Chair, shall constitute a quorum for the transaction of business at any meeting. However, the Chair or Vice Chair will insure that all other members are notified of any decisions made.

Section (6). Procedures: The Commission shall abide by the latest revision of Robert's Rules of Order unless they are inconsistent with the By-Laws.

Section (7). Agenda. The Chairperson shall prepare the agenda for each meeting, subject to changes as may be necessary for practical purposes, shall, in general, be as follows:

- Call to Order;
- Roll call to determine the presence of a quorum;
- Presentation and approval of minutes from the previous meeting;
- Discussion of old business;
- Discussion of new business; and
- Adjournment.

ARTICLE VI

Committees

Section (1). Committees: The Chairperson may establish committees from time to time to address specific issues.

- A. Committee membership is not limited to Commission members, but may include members of the community who share interest or expertise in the area addressed.
- B. The Chairperson of each committee shall be a member of the Commission.
- C. The Commission shall approve membership of each committee by formal vote.
- D. Frequency of committee meetings and their time, place and administrative support shall be as directed by the Commission.

Section (2). There shall be a standing Committee of the Commission which shall advise the Commission on issues of adequate stewardship of the County's watersheds to protect their heritage, beauty and value as a natural resources.

Section (3). There shall be a standing Committee of the Commission, which shall advise on issues of water supply and its adequacy and on the nature and status of the Aquifers, which supply all potable water to the County. Because of the importance of this matter to the County, the committee has been specially designated as the Water Policy Task Force.

Section (4). There shall be a standing Committee of the Commission which shall advise the Commission on solid waste management issues in St. Mary's County and participate in solid waste management planning by:

1. Reviewing legislative requirements, demographic and geographic data, and the existing solid waste management system;
2. Reviewing and recommending amendments to the County's Solid Waste Plan;
3. Analyzing alternative methods of providing service;
4. Reviewing the ten-year Plan and developing suggestions;
5. Participating in the recycling planning process;
6. Assisting in the public education process for implementation of recycling in St. Mary's County;
7. Presenting periodic reports to the Board of County Commissioners; and
8. Performing other activities as needed.

ARTICLE VII Amendments

These By-Laws may be amended by a majority vote of the total membership at a meeting for which Commission members have received thirty days prior written notice of the proposed change(s). All changes to these By-Laws are subject to the final approval of the County Commissioners.

Approved by the St. Mary's County Commission on the Environment on this 3RD day of MARCH, 2010.

ATTEST:



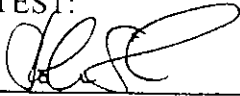
By: 

Chairperson

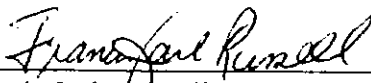
Approved by the Board of County Commissioners for St. Mary's County this 23rd day of February, 2010.

These Bylaws shall be effective immediately.

ATTEST:

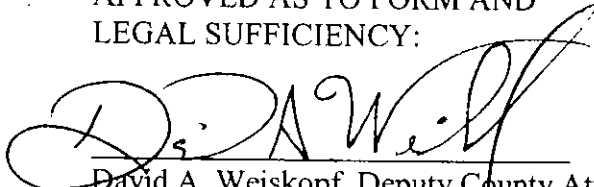


John Savich
County Administrator

By: 

Francis Jack Russell, President

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



David A. Weiskopf, Deputy County Attorney

RESOLUTION NO. 2010 - 09

SUBJECT:
INTEGRATING THE
SOLID WASTE ADVISORY COMMITTEE
INTO THE
COMMISSION ON THE ENVIRONMENT

RECORDING FEE 0.00
TOTAL Page 1 of 2 0.00
Res#382 Acct#999999
JMM CSS BLM#1753
Feb 26, 2010 10:46 am

RESOLUTION

For the Purpose of integrating the Solid Waste Advisory Committee into the Commission on the Environment

WHEREAS, on October 12, 1993, the Board of County Commissioners adopted Resolution 93-46 which officially established the Commission on the Environment to protect and preserve the county's natural resources and fragile environment; and

WHEREAS, the Commission on the Environment Bylaws were amended on May 9, 2006; and

WHEREAS, on December 14, 1993, the Board of County Commissioners adopted Resolution No. 93-48 (amended by Resolutions 96-20, 02-05 and 08-39) and officially established a Solid Waste Advisory Committee to review the solid waste management issues in the County and to provide public participation in the Solid Waste Plan planning process; and

WHEREAS, the Board of County Commissioners now deems it appropriate to combine the Solid Waste Advisory Committee and the Commission on the Environment in that the purpose of both Committees are related.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, hereby incorporates the Solid Waste Advisory Committee into the Commission on the Environment.

BE IT FURTHER RESOLVED that the name of the merged commission shall be the Commission on the Environment.

BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland that the Commission on the Environment shall amend their bylaws to include a standing subcommittee who shall advise the Commission on solid waste management issues in St. Mary's County and to participate in planning for solid waste management.

BE IT FURTHER RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland that in the event any portion of this Resolution is found to be unconstitutional, illegal, null or void it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Resolution shall be enforceable and valid.

BE IT FURTHER RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

BE IT FURTHER RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland that this Resolution shall be effective upon the date written below.

RESOLUTION NO. 2010 - 09

SUBJECT:
INTEGRATING THE
SOLID WASTE ADVISORY COMMITTEE
INTO THE
COMMISSION ON THE ENVIRONMENT

Page 2 of 2

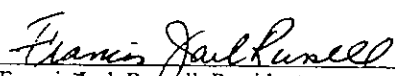
Those voting Aye: all
Those voting Nay: none
Those Abstaining: none
Date of Adoption: 2/23/10
Effective Date: 3/9/10

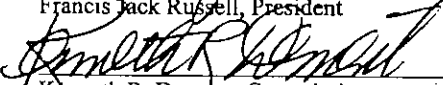
ATTEST:

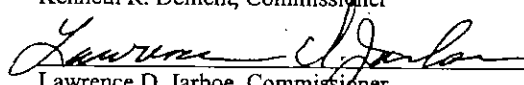
BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND

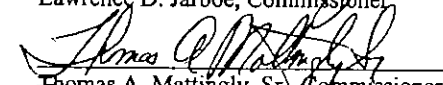


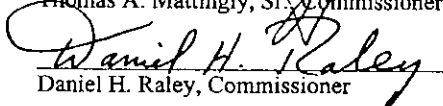
John Savich
County Administrator



Francis Jack Russell, President


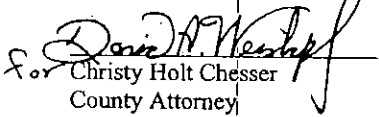
Kenneth R. Dement, Commissioner


Lawrence D. Jarboe, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



Christy Holt Chesser
County Attorney

ST. MARY'S COUNTY SOLID WASTE ADVISORY COMMITTEE
BY-LAWS
Original Resolution No. 93-48
December 14, 1993

Amended by Resolution No. 96-20
Amended by Resolution No. 2002-05
Amended by Resolution No. 2008-39 , Effective July 29, 2008

ARTICLE I
Name

The name of this Committee shall be the Solid Waste Advisory Committee.

ARTICLE II
Purpose

The Purpose of this Committee shall be to review solid waste management issues in St. Mary's County and to participate in planning for solid waste management by:

- Reviewing legislative requirements, demographic and geographic data, and the existing solid waste management system;
- Reviewing and recommending amendments to the County's Solid Waste Ordinance;
- Analyzing alternative methods of providing service;
- Reviewing the ten-year Plan and developing suggestions;
- Participating in the recycling planning process;
- Assisting in the public education process for implementation of recycling in St. Mary's County;
- Presenting periodic reports to the Board of County Commissioners; and
- Performing other activities as needed.

ARTICLE III
Members

- SECTION 1. The membership of this Committee shall be five (5) members.
- SECTION 2. The terms of the Members shall be four (4) years.
- SECTION 3. Each Member of the Committee shall serve for no more than two (2) consecutive four-year terms. These four-year terms shall be on a staggered basis.
- SECTION 4. Reimbursement/compensation policies shall be determined.
- SECTION 5. Any unexcused absences in excess of three (3) meetings shall be deemed cause for replacement of a Member.

ARTICLE IV
Officers

- SECTION 1. The Officers of this Committee shall be Chairperson and Vice-Chairperson. These officers shall perform the duties prescribed in Article VI of these By-Laws.
- SECTION 2. The Chairperson and Vice-Chairperson shall be elected by majority vote annually at the January meeting and shall serve for one (1) year, or until their successors have been elected.
- SECTION 3. The position of Secretary shall be filled by County Government staff.

ARTICLE V
Meetings

- SECTION 1. The Regular Meetings of the Committee shall be held each month and in accordance with Article 24, Section 4-204(a) of the Annotated Code of Maryland.

SECTION 2. The Regular Meeting in January shall be known as the annual meeting and shall be used for election of officers, receiving reports and preparing the annual report to the Board of County Commissioners.

ARTICLE V
Meetings (Cont'd.)

SECTION 3. Special Meetings may be mailed by the Chairperson as needed. At least three (3) days notice shall be given.

SECTION 4. The majority (i.e. three (3) members) of this Committee shall constitute a quorum.

SECTION 5. All Meetings shall be in accordance with the St. Mary's County Open Meetings Act.

SECTION 6. All Meetings shall be conducted in accordance with the current edition of Robert's Rules of Order.

ARTICLE VI
Duties of Officers

DUTIES OF CHAIRPERSON:

- Chairs and conducts all meetings of the Committee.
- Appoints and monitors sub-committees assigned to address specific areas of concerns.
- Signs minutes of meetings after approval by Committee.
- Performs such other duties as may be designated by the Committee.

DUTIES OF THE VICE CHAIRPERSON:

- Acts in the absence of the Chairperson.

ARTICLE VII
Sub-Committees

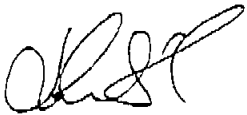
SECTION 1. A Sub-Committee shall be appointed to identify alternative ways to encourage and promote the reduction of flow of solid waste materials and to promote the recycling of such materials. This Sub-Committee shall report to the Committee at regular intervals.

SECTION 2. Other Sub-Committees shall be appointed as deemed appropriate and necessary by the Committee.

ARTICLE VIII
Amendments

Subject to the approval by the Board of County Commissioners, these By-Laws may be amended at any regular meeting of the Committee by a two-thirds vote of the total membership, provided the Amendment was submitted, in writing, at the previous regular meeting.

ATTEST:

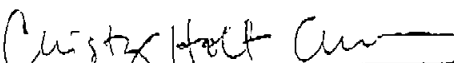


John Savich
County Administrator

APPROVED BY THE SOLID WASTE ADVISORY
COMMITTEE AT THEIR MEETING ON THE 10th DAY
OF September, 2008.

BY: 
Chairperson, Solid Waste Advisory Committee

APPROVED AS TO LEGAL FORM & SUFFICIENCY:


Christy H. Chesser
County Attorney

RESOLUTION NO. 2008 - 39
 SUBJECT: SOLID WASTE ADVISORY COMMITTEE
 AMENDMENT TO RESOLUTION 96-20
 Page 1 of 2

RESOLUTION

For the Purpose of Amending Resolution 96-20 by Reducing the Number of the Members of the Solid Waste Advisory Committee from Seven (7) to Five (5)

WHEREAS, Maryland State laws and regulations require all jurisdictions to submit a ten year Solid Waste Management Plan as set forth in the Environmental Article, Title 9, Subtitle 5 of the Annotated Code of Maryland and Title 26, Subtitle 02, Chapter 0-3 of the Code of Maryland Regulations; and

RECORDING FEE 0.00
 TOTAL 0.00

WHEREAS, the Board of County Commissioners established a citizens' Solid Waste Advisory Committee to review the solid waste management issues in the County and to provide public participation in the Solid Waste Plan planning process; and

RECORDING FEE 0.00

WHEREAS, on December 14, 1993, the Board of County Commissioners adopted Resolution No. 93-48, which officially established a nine (9) member Solid Waste Advisory Committee; and

RECORDING FEE 0.00

WHEREAS, on July 9, 1996, the Board of County Commissioners adopted Resolution No. 96-20, which officially reduced the number of members of the Solid Waste Advisory Committee from nine (9) to seven (7); and

RECORDING FEE 0.00

WHEREAS, it is the intent of the Board of County Commissioners that all other conditions of Resolution 96-20 remain as adopted.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, hereby amends Resolution 96-20 and reduces the number of members of the Solid Waste Advisory Committee from seven (7) to five (5).

BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland that a majority of this committee shall constitute a quorum.

BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland that (3) members shall constitute a quorum.

BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland that the Solid Waste Advisory Committee shall amend their bylaws to reflect the changes required by this Resolution.

BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland, that all other provisions of Resolution No. 93-48 constituting the By-Laws of the Solid Waste Advisory Committee, as amended by Resolution No. 96-20 and 02-05, shall remain in full force and effect.

BE IT FURTHER RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland that in the event any portion of this Resolution is found to be unconstitutional, illegal, null or void it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Resolution shall be enforceable and valid.

BE IT FURTHER RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

BE IT FURTHER RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland that this Resolution shall be effective upon the date written below.

RESOLUTION NO. 2008 - 39
SUBJECT: SOLID WASTE ADVISORY COMMITTEE
AMENDMENT TO RESOLUTION 96-20
Page 2 of 2

Those voting Aye: 5

Those voting Nay: 0

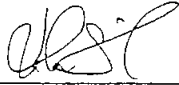
Those Abstaining: -

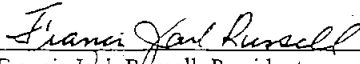
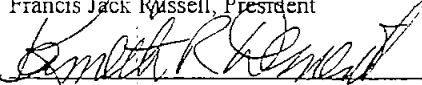
Date of Adoption: July 29, 2008

Effective Date: July 29, 2008

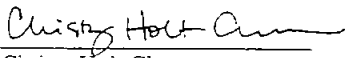
ATTEST:

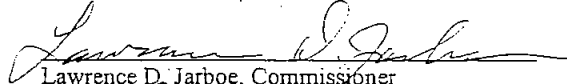
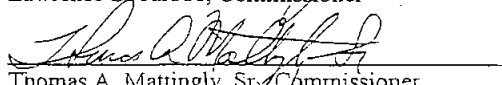
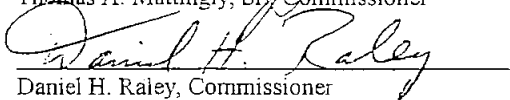
BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND


John Savich
County Administrator


Francis Jack Russell, President

Kenneth R. Dement, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


Christy Holt Chesser
County Attorney


Lawrence D. Jarboe, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

SUBJECT:

2003-05
Solid Waste Advisory Committee
Amendment to Resolution No. 93-48

FOR THE PURPOSE OF amending the By-Laws of the Solid Waste Advisory Committee to permit flexibility in establishing its regular meeting date, but to still require regular meetings to be held monthly and notice of such meetings to be published in accordance with Article 24, Section 4-204 of the Annotated Code of Maryland.

LIT: 0 2 1 PAGE 2 0

WHEREAS, Maryland State laws and regulations require all jurisdictions to submit a ten year Solid Waste Management Plan as set forth in the Environmental Article (Title 9, Subtitle 5, of the Annotated Code of Maryland, and Title 26, Subtitle 03, Chapter 03, of the Code of Maryland Regulations; and

WHEREAS, the Board of County Commissioners established a citizens' Solid Waste Advisory Committee to review the solid waste management issues in the County and to provide public participation in the Solid Waste Plan planning process; and

WHEREAS, on December 14, 1993, the Board of County Commissioners adopted Resolution No. 93-48, which officially established a nine (9) member Solid Waste Advisory Committee; and

WHEREAS, on July 9, 1996, the Board of County Commissioners adopted Resolution No. 96-20, which officially reduced the number of members of the Solid Waste Advisory Committee to seven (7); and

WHEREAS, the Solid Waste Advisory Committee By-Laws may be amended pursuant to Article VIII of the By-Laws at any regular meeting of the Committee by a two-thirds vote of the total membership provided the amendment was submitted, in writing, at the previous regular meeting; and

WHEREAS, at the November 14, 2001 regular meeting of the Solid Waste Advisory Committee, a written proposal was presented to revise Article V, Section 1, from: "The regular meetings of the Committee shall be held on the third Thursday of each month"; to: "The regular meetings of the Committee shall be held once a month and notice of such meetings shall be provided in accordance with Article 24, Section 4-204 of the Annotated Code of Maryland"; and

WHEREAS, by a vote of at least two-thirds of the total membership of the Solid Waste Advisory Committee accepts such amendments approved for recommendation to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners approves the recommendation to amend Article V, Section 1, of the Solid Waste Advisory Committee By-Laws establishing monthly meetings in accordance with Article 24, Section 4-204(a) of the Annotated Code of Maryland.

WHEREAS, it is the intent of the Board of County Commissioners that all other provisions of Resolution No. 93-48 remain as adopted.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland hereby amends the By-Laws of the Solid Waste Advisory Committee as set forth in Resolution No. 93-48, and as amended previously by Resolution No. 96-20, to revise Article V, Section 1, from: "The regular meetings of the Committee shall be held on the third Thursday of each month"; to: "The regular meetings of the Committee shall be held once a month and notice of such meetings shall be provided in accordance with Article 24, Section 4-204 of the Annotated Code of Maryland".

BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland that all other provisions of Resolution No. 93-48 constituting the By-Laws of the Solid Waste Advisory Committee, as amended by Resolution No. 96-20, shall remain in full force and effect.

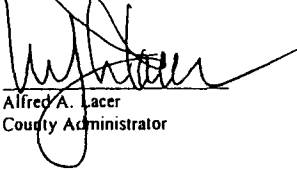
BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland that the foregoing recitals are incorporated herein by reference.

BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland that this RESOLUTION shall be effective upon the date written below.

Those voting aye: Raley Anderson Guzzo Mattingly
Those voting nay: _____
Those abstaining or absent: Renovak

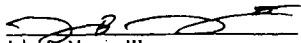
DATE OF ADOPTION: 01/15/02
EFFECTIVE DATE: 01/15/02

ATTEST:


Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND

ABSENT
Julie B. Randall, President
Joseph R. Anderson
Joseph R. Anderson, Commissioner
Shelby P. Guzzo
Shelby P. Guzzo, Commissioner
Thomas A. Mattingly, Sr.
Thomas A. Mattingly, Sr., Commissioner
Daniel H. Raley
Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

John B. Norris, III
Deputy County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Res#SW02 Rcpt#559555
EMA TLC 01/13/02
Jan 18, 2002 12:55 PM

ST. MARY'S COUNTY SOLID WASTE ADVISORY COMMITTEE

BY-LAWS

Original Resolution No. 93-48

December 1994

Amended by Resolution No. 96-20

Amended by Resolution No. 2002-05, Effective

1/15/02

LIBREF0021 PAGE 2 1

ARTICLE I

Name

The name of this Committee shall be the Solid Waste Advisory Committee.

ARTICLE II

Purpose

The Purpose of this Committee shall be to review solid waste management issues in St. Mary's County and to participate in planning for solid waste management by:

- Reviewing legislative requirements, demographic and geographic data, and the existing solid waste management system;
- Reviewing and recommending amendments to the County's Solid Waste Ordinance;
- Analyzing alternative methods of providing service;
- Reviewing the ten-year Plan and developing suggestions;
- Participating in the recycling planning process;
- Assisting in the public education process for implementation of recycling in St. Mary's County;
- Presenting periodic reports to the Board of County Commissioners; and
- Performing other activities as needed.

ARTICLE III

Members

SECTION 1. The membership of this Committee shall be seven (7) members.

SECTION 2. The terms of the Members shall be four (4) years.

SECTION 3. Each Member of the Committee shall serve for no more than two (2) consecutive four-year terms. These four-year terms shall be on a staggered basis.

SECTION 4. Reimbursement/compensation policies shall be determined.

SECTION 5. Any unexcused absences in excess of three (3) meetings shall be deemed cause for replacement of a Member.

ARTICLE IV

Officers

SECTION 1. The Officers of this Committee shall be Chairperson and Vice-Chairperson. These officers shall perform the duties prescribed in Article VI of these By-Laws.

SECTION 2. The Chairperson and Vice-Chairperson shall be elected by majority vote annually at the January meeting and shall serve for one (1) year, or until their successors have been elected.

SECTION 3. The position of Secretary shall be filled by County Government staff.

ARTICLE V

Meetings

SECTION 1. The Regular Meetings of the Committee shall be held each month and in accordance with Article 24, Section 4-204(a) of the Annotated Code of Maryland.

SECTION 2. The Regular Meeting in January shall be known as the annual meeting and shall be used for election of officers, receiving reports and preparing the annual report to the Board of County Commissioners.

ARTICLE V
Meetings (Cont'd.)

- SECTION 3. Special Meetings may be mailed by the Chairperson as needed. At least three (3) days notice shall be given.
- SECTION 4. Four (4) members of the Committee shall constitute a quorum.
- SECTION 5. All Meetings shall be in accordance with the St. Mary's County Open Meetings Act.
- SECTION 6. All Meetings shall be conducted in accordance with the current edition of Robert's Rules of Order.

ARTICLE VI
Duties of Officers

DUTIES OF CHAIRPERSON:

- Chairs and conducts all meetings of the Committee.
- Appoints and monitors sub-committees assigned to address specific areas of concerns.
- Signs minutes of meetings after approval by Committee.
- Performs such other duties as may be designated by the Committee.

DUTIES OF THE VICE CHAIRPERSON:

- Acts in the absence of the Chairperson.

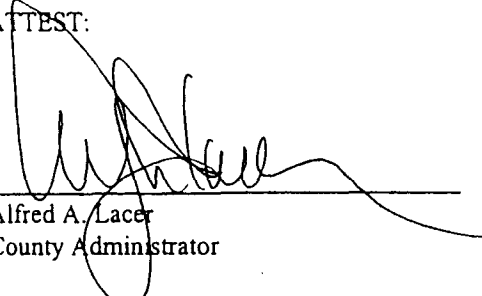
ARTICLE VII
Sub-Committees

- SECTION 1. A Sub-Committee shall be appointed to identify alternative ways to encourage and promote the reduction of flow of solid waste materials and to promote the recycling of such materials. This Sub-Committee shall report to the Committee at regular intervals.
- SECTION 2. Other Sub-Committees shall be appointed as deemed appropriate and necessary by the Committee.

ARTICLE VIII
Amendments

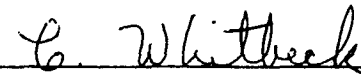
Subject to the approval by the Board of County Commissioners, these By-Laws may be amended at any regular meeting of the Committee by a two-thirds vote of the total membership, provided the Amendment was submitted, in writing, at the previous regular meeting.

ATTEST:



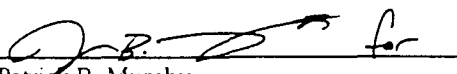
Alfred A. Lacer
County Administrator

APPROVED BY THE SOLID WASTE ADVISORY
COMMITTEE AT THEIR MEETING ON THE 14 DAY
OF November, 2001.

BY: 

Chairperson, Solid Waste Advisory Committee

APPROVED AS TO LEGAL FORM & SUFFICIENCY:



Patrick B. Murphy
County Attorney

0010 0130

RT

NO. 96-20

0010 0130

SUBJ: Solid Waste Advisory Committee;
Amendment to Resolution No. 93-48

AMENDMENT TO RESOLUTION NO. 93-48

WHEREAS, Maryland State laws and regulations require all jurisdictions to submit a ten-year Solid Waste Management Plan as set forth in the Environmental Article (Title 9, Subtitle 5 of the Annotated Code of Maryland and Title 26, Subtitle 03, Chapter 0-3 of the Code of Maryland Regulations; and

WHEREAS, the Board of County Commissioners established a citizens' Solid Waste Advisory Committee to review the solid waste management issues in the County and to provide public participation in the Solid Waste Plan planning process; and

WHEREAS, on December 14, 1993, the Board of County Commissioners adopted Resolution No. 93-48, which officially established a nine-member Solid Waste Advisory Committee; and

WHEREAS, the Board of County Commissioners now deems it appropriate to reduce the number of members of the Solid Waste Advisory Committee to seven (7) members; and

WHEREAS, it is the intent of the Board of County Commissioners that all other conditions of Resolution No. 93-48 remain as adopted.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby amends Resolution No. 93-48 and reduces the number of members of the Solid Waste Advisory Committee from nine (9) to seven (7).

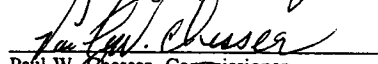
ADOPTION DATE: July 9, 1996

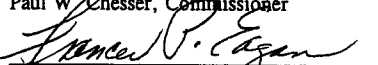
BOARD OF COUNTY COMMISSIONERS
ST. MARY'S COUNTY, MARYLAND

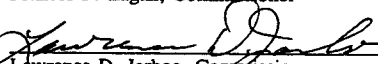
EFFECTIVE DATE: July 9, 1996

Barbara R. Thompson, President

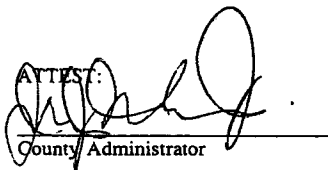

D. Christian Brugman, Commissioner


Paul W. Chesser, Commissioner

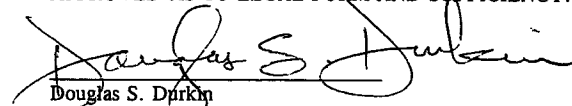

Frances P. Eagan, Commissioner


Lawrence D. Jarboe, Commissioner

ATTEST:


County Administrator

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:


Douglas S. Dirkin
County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Res#SWBG Rcpt#999999
EMA MAR 01#730
Jul 15, 1996 09:56 am

RE-RECORDED

RECORDING FEE 0.00
TOTAL 0.00
Res#SWBG Rcpt#999999
EMA TLG R1#959
Jul 17, 1996 09:58 am

BOOK 0010 PAGE 0136

CLERK'S EXHIBIT

This instrument is being re-recorded because Resolution No. W/S 96-03 was erroneously recorded as part of Resolution No. 96-20. They are two separate documents and are being re-recorded to reflect that.

NO: 93-48

**SUBJ: Solid Waste Advisory
Committee**

1:02PM 12/21/93D CO.COM \$0.00

WHEREAS, Maryland State laws and Regulations require all jurisdictions to submit a ten-year Solid Waste Management Plan as set forth in the Environmental Article (Title 9, Subtitle 5, of the Annotated Code of Maryland and Title 26, Subtitle 03, Chapter 0-3, of the Code of Maryland Regulations; and

WHEREAS, The Board of County Commissioners has deemed it advisable to establish a citizens' Solid Waste Advisory Committee to review the solid waste management issues in the County and to provide public participation in the Solid Waste Plan planning process; and

WHEREAS, In 1990 the Board of County Commissioners appointed a Recycling Committee to assist in the preparation of the County's Recycling Plan; and

WHEREAS, The Board of County Commissioners now deems it appropriate to combine the Solid Waste Advisory Committee and the Recycling Committee in that the purpose of both Committees are related.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby combines the Recycling Committee and the Solid Waste Advisory Committee and officially establishes the Solid Waste Advisory Committee as follows:

Membership; Terms; Office

The Committee shall consist of 9 members: Terms are four years. No member shall serve more than two consecutive terms.

Meetings; Support Services; Compensation

The Committee shall establish regular meeting dates.

The Department of Public Works shall provide staff support along with any consultants or contractors.

The members shall serve without compensation.

Purpose

The purpose of the Committee shall include the following:

- to review legislative requirements, demographic and geographic data, and the existing solid waste system
- to critique current system
- to analyze alternatives to provide service
- to review ten year plan and develop suggestions
- to participate in the recycling planning process
- to assist in the public educational process for the implementation of recycling in St. Mary's County

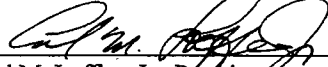
Purpose (Continued)

- to present periodic reports to the Board of County Commissioners
- to perform other activities as needed

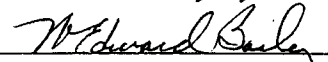
ADOPTION DATE: 12/14/93

EFFECTIVE DATE: 12/14/93

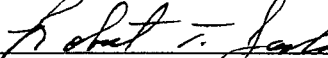
BOARD OF COUNTY COMMISSIONERS
ST. MARY'S COUNTY, MARYLAND



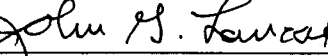
Carl M. Loffler, Jr., President




W. Edward Bailey, Commissioner



Robert T. Jarboe, Commissioner

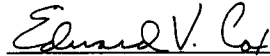


John G. Lancaster, Commissioner



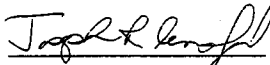
Barbara R. Thompson, Commissioner

ATTEST:



Edward V. Cox
County Administrator

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY



Joseph R. Densford
County Attorney

ST. MARY'S COUNTY GOVERNMENT
DEPARTMENT OF
PUBLIC WORKS & TRANSPORTATION
George A. Erichsen, P.E., Director



Francis Jack Russell, President
Kenneth R. Dement, Commissioner
Lawrence D. Jarboe, Commissioner
Thomas A. Mattingly, Sr., Commissioner
Daniel H. Raley, Commissioner

May 14, 2010

Mr. Wilson H. Parran, President
Board of County Commissioners for Calvert County
Courthouse, 175 Main Street
Prince Frederick, MD 20678

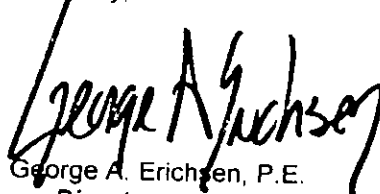
RE: Calvert County
Memorandum of Understanding

Dear Mr. Parran:

On behalf of the Board of County Commissioners, we very much appreciate your April 6, 2010 correspondence advising that your Board has granted an extension to the Project Period term of the Memorandum of Understanding (MOU) between Calvert County and St. Mary's County through July 1, 2017, per Section 6 of the MOU, for the transportation and disposal of residential municipal solid waste.

Again, we thank you for your cooperation and assistance in this mutually important arrangement. In the interim, if you have any questions, please do not hesitate to contact us.

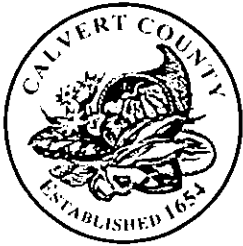
Sincerely,


George A. Erichsen, P.E.
Director

cp

cc: John Savich, County Administrator
Richard Tarr, Solid Waste Manager

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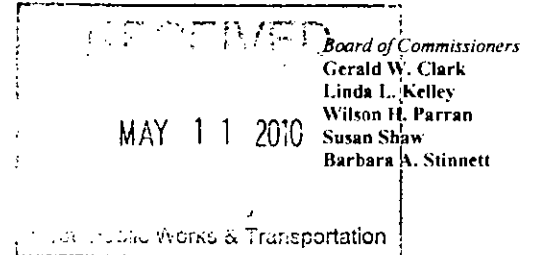


**CALVERT COUNTY
BOARD OF COUNTY COMMISSIONERS**

Courthouse, 175 Main Street
Prince Frederick, Maryland 20678
Phone: (410) 535-1600 • (301) 855-1243

April 6, 2010

Mr. George A. Erichsen, P.E., Director
St. Mary's County Government
Department of Public Works & Transportation
P.O. Box 508, Arnold Building
California, MD 20619



Dear Mr. Erichsen:

The Board of County Commissioners has approved your request to extend the Project Period term of the Memorandum of Understanding (MOU) between Calvert County and St. Mary's County dated February 12, 2002, until July 1, 2017, per section 6 of the MOU for the transportation and disposal of residential municipal solid waste. All terms and conditions of the MOU will remain in effect.

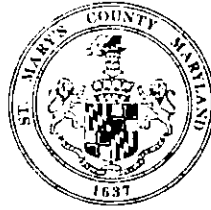
We continue to welcome the regional cooperation and assistance of the St. Mary's County Solid Waste Program. If you have any questions or need any further assistance, please contact Mike Thomas, Solid Waste Division Chief at 410-326-0210.

Sincerely,

A handwritten signature in black ink, appearing to read "Wilson Parran".

Wilson H. Parran, President
Board of County Commissioners

ST. MARY'S COUNTY GOVERNMENT
DEPARTMENT OF
PUBLIC WORKS & TRANSPORTATION
George A. Erichsen, P.E., Director



Francis Jack Russell, President
Kenneth R. Dement, Commissioner
Lawrence D. Jarboe, Commissioner
Thomas A. Mattingly, Sr., Commissioner
Daniel H. Raley, Commissioner

February 25, 2010

Mr. Michael Thomas, Division Chief
Calvert County Division of Solid Waste
P.O. Box 1330
Lusby, MD 20657

RE: Memorandum of Understanding
Disposal of Residential Municipal Solid Waste

Dear Mr. Thomas:

Enclosed you will find a copy of the signed and fully executed Memorandum of Understanding (MOU) between Calvert County Government and St. Mary's County Government for the transportation and disposal of residential municipal solid waste.

The MOU was originally executed on February 12, 2002 and specifies a "Project Period" valid through 2010 and a "Term" valid until July 1, 2017. As per section 6 of the MOU, St. Mary's County requests the "Project Period" be extended through the remainder of the "Term" and all conditions of the MOU remain in effect.

We appreciate the regional cooperation and professional courtesy that Calvert County continues to provide to the citizens of St. Mary's County, and the assistance provided to the St. Mary's County Solid Waste Program. If you have any questions, please do not hesitate to contact this Department.

Very truly yours,

George A. Erichsen, P.E.
Director

RPT:cp
enclosure

cc: John Savich, County Administrator
Christy H. Chesser, County Attorney
Elaine M. Kramer, Chief Financial Officer
Richard Tarr, Solid Waste Manager
Solid Waste Advisory Committee

S:\RTARR\Correspondence\Calvert County MOU extension request 022510.doc

ST. MARY'S COUNTY DEPARTMENT OF PUBLIC WORKS

*Construction & Inspections
County Highways
Solid Waste*



*Development & Plan Review
Engineering Services
Recycling*

P.O. Box 508 44825 St. Andrews Church Road California, Maryland 20619 Office: (301) 863-8400 Fax: (301) 863-8810

February 14, 2002

Mr. Dan M. Williams, R.S., Bureau Chief
Calvert County Government
Bureau of Utilities
175 Main Street
Prince Frederick, MD 20678

RE: Calvert County Memorandum of Understanding

Dear Mr. Williams:

Please find enclosed a copy of the signed and fully executed Memorandum of Understanding (MOU) between the Calvert County Government and St. Mary's County Government for the transportation and disposal of municipal solid waste.

St. Mary's County Government will provide updated delivery schedules for your review and approval, request Project Period extensions and discuss operational issues at the Appeal Facility as the need arises. In addition, St. Mary's County Government will notify Calvert County Government, in a timely manner, if any or all of the municipal solid waste being transported by the St. Mary's County Government will be diverted, transported and disposed of at another location. Lastly, it is understood that you will extend as much advanced notification as possible if any or all waste being transported by St. Mary's County Government must be diverted, transported and disposed of elsewhere due to operational issues at the Appeal Facility.

We appreciate the regional cooperation and professional courtesy that the Calvert County Government continues to provide to the citizens of St. Mary's County. If you have any questions, please do not hesitate to contact this Department.

Very truly yours,

George A. Erichsen, P.E.
Director

RPT:ep
enclosure

cc: Robert S. Taylor, Jr., Director, Calvert County Public Works
Board of County Commissioners
Alfred A. Lacer, County Administrator
John Norris, Acting County Attorney
Mary O'Brien, Risk Manager
Richard P. Tarr, Solid Waste Manager
Solid Waste Advisory Committee

"Serving The Community of St. Mary's County"

MEMORANDUM OF UNDERSTANDING
BETWEEN CALVERT COUNTY AND ST. MARY'S COUNTY

This Memorandum of Understanding ("MOU") dated this 12 day of January, 2002, by and between the Board of County Commissioners of Calvert County and the Board of County Commissioners for St. Mary's County (collectively the "Parties") establishes a cooperative working arrangement necessary for the transportation and disposal of residential and municipal solid waste to serve the solid waste disposal needs of St. Mary's County through 2010 (the "Project Period") until July 1, 2017 (the "Term").

In addition to the interim working arrangements delineated below, the execution of this MOU reflects the commitment of the Parties to ensure successful implementation of the Project in good faith. The specific provisions in the numbered paragraphs represent an expression of the cooperative arrangements discussed during the regular meeting of the Calvert County Board of County Commissioners on December 21, 1999 between the parties and/or their representatives.

WHEREAS, St. Mary's County has been diligently planning the development of its long term municipal solid waste disposal needs of the County and in consideration of the long term municipal solid waste disposal needs of neighboring St. Mary's County, and

WHEREAS, the Parties have determined that it is in their best interests to enter into a cooperative working arrangement as a part of a regional planning assistance effort.

NOW, THEREFORE, in consideration of the foregoing, the parties agree to the following:

Working Arrangements

1. Calvert County will provide access to St. Mary's County to its solid waste disposal facility in Lusby, Maryland, for disposal of acceptable solid waste in its solid waste facilities for at least one (1) Project Period as defined above, for the Term of this MOU, which period will be at the discretion of the Board of County Commissioners for St. Mary's County ("St. Mary's County"). St. Mary's County will pay the Board of County Commissioners of Calvert County ("Calvert County") the prevailing rate, or such other tipping fee as may be established in the Calvert County annual budget, for all such waste accepted by Calvert County, unless otherwise agreed to in accordance with Paragraph 3.
2. St. Mary's County shall not be responsible for the removal, and costs of removal and disposal, of any waste that Calvert County will be delivered in a manner described in Paragraph 4.
3. The current tipping fee as of the date of this MOU, which will be charged to St. Mary's County, shall be \$44 per ton or applicable prevailing rates.
4. Waste from St. Mary's County will be delivered in suitably covered, leak proof transfer trailers in approximately 14-20 pulls at a maximum rate of approximately 40 pulls a week. This includes an estimated 450 tons of residential rubble per month delivered to the Appeal Facility in roll-off style trucks in accordance with correspondence from the Calvert County Bureau Chief dated March 15, 2001. All deliveries will be made Monday through Saturday between the hours of 7:00 a.m. and 4:00 p.m. Truck deliveries will be staged in accordance with schedules submitted to and approved by Calvert County, and anticipated or actual deviations from the schedule will be brought to the attention of Calvert County immediately.
5. The Appeal Facility is currently open for private and public vendors for disposal of waste generated by St. Mary's County.

MEMORANDUM OF UNDERSTANDING
BETWEEN CALVERT COUNTY AND ST. MARY'S COUNTY

6. Upon request of St. Mary's County, each Project Period may be extended by Calvert County in its sole discretion. Throughout the term of this MOU, Calvert County will be responsible for operating and maintaining the scales, weighing waste delivery and vehicles, recording transactions, billing and collections.
7. Unless otherwise approved by Calvert County, St. Mary's County will direct only residential municipal solid waste from its County-operated convenience centers to the Calvert County Facility, which will be delivered by, or on behalf of St. Mary's County.
8. The Parties will work cooperatively and exchange necessary information to obtain any required permits, licenses, modifications and approvals for each Project Period so as to implement the Project in a timely manner. Per the Calvert County letter dated January 4, 2000, the Appeal Facility's operating plan can be changed if necessary to accommodate more waste by extending the operating hours, adding more trucks, or by increasing the size of the facility.
9. Either party may terminate this agreement for any reason at any time without advance notice to the other.
10. It is understood that this agreement has been discussed with Calvert County's vendor, who has no objection to this continued arrangement.
11. The recitals above are incorporated herein as if restated.

WITNESS the hands and seals of the parties hereto as of the date first written above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND

Mary S. Watson
Mary S. Watson, Clerk

David F. Hale
David F. Hale, President

STATE OF MARYLAND, Calvert County to wit:

I HEREBY CERTIFY that on this 12th day February, 2002, before the undersigned, a Notary Public of the State and County aforesaid, personally appeared David F. Hale, President of the Board of County Commissioners of Calvert County, Maryland, and he acknowledged the foregoing Memorandum of Understanding to be the duly authorized act and deed of the Board of County Commissioners of Calvert County, Maryland.

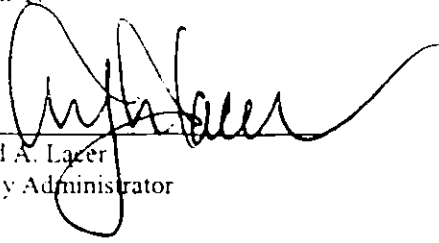
WITNESS my hand and notarial seal.

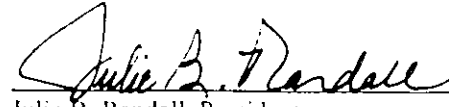
Bellette D. Fox
Notary Public

My Commission Expires 11-01-04

ATTEST:

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND

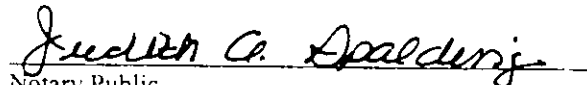

Alfred A. Lacer
County Administrator


Julie B. Randall, President

STATE OF MARYLAND, St. Mary's County to wit:

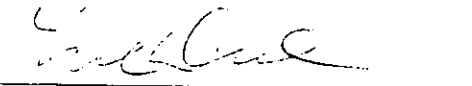
I HEREBY CERTIFY that on this 12th day February, 2002, before the undersigned, a Notary Public of the State and County aforesaid, personally appeared Julie B. Randall, President of the Board of County Commissioners for St. Mary's County, Maryland, and she acknowledged the foregoing Memorandum of Understanding to be the duly authorized act and deed of the Board of County Commissioners for St. Mary's County, Maryland.

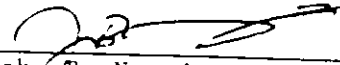
WITNESS my hand and notarial seal.


Notary Public

My Commission Expires: 03/01/03

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


County Attorney

Approved as to Form and Legal Sufficiency: 
John B. Norris, III
Acting County Attorney