

River Road Residents, RRAC, MCDOT, and OAG Meeting Minutes

May 6, 2021

11:00 am

Attendance: Please see the sign in sheet at the end of these minutes.

Purpose of Meeting: Everyone introduced themselves. To review of River Road Study, Whites Ferry to Elmer School Road and discuss ongoing safety, health, lack of proper maintenance and usability concerns with River Road.

Linda Lewis thanked everyone for coming to the meeting and she said they have owned the River Road farm for four years.

Laura Van Etten said the Rustic Roads Advisory Committee discussed the pending study of the unpaved portion of River Road and that copies were available in the box for everyone present. The Study outlines the culvert pipes that will be replaced including the methods to regrade the surface of the gravel to repair potholes, clean out drainage ditches and suppress dust.

Linda Lewis said that every time the County regrades the gravel, it creates more dust which then reduces visibility for everyone traveling on the road. Linda said there was an accident where cars ending up in the creek and she spoke to Richard Dorsey about it.

Keith Patton, Sr. agreed with Linda about the dust creating dangerous driving conditions.

Mason Hopkins, Sr. said his family has lived along this portion of River Road since 1950 and that his father died of lung cancer and his mother died of COPD and they both were retired school bus drivers for the County.

Linda Lewis said she conducted tests on the gravel that she sampled from the River Road and as she held the results from the lab tests in her hand, she stated the tests showed the gravel contains asbestos.

Reid Patton said that when he rode the school bus his clothes and backpack would be covered in dust.

Billy Willard, Sr. said he doesn't understand why Montgomery County wants to assume the liability for the asbestos dust generated from this portion of River Road. I live on River Road (near the intersection of West Willard Road and River Road) and the county paved this portion of River Road over 25 years ago.

My brother-in-law is a pulmonologist (a medical doctor specializing in the pulmonary system) He informed me that all his patients that contract mesothelioma---have experienced asbestos exposure. Unfortunately, my uncle was proof of this fact---he died of mesothelioma --due to asbestos exposure.

Jeff Knutsen indicated that the stone supplied for River Road was recently tested and found not to include asbestos. That for over 30 years that I have been associated with MCDOT, the gravel used by DOT is not purchased from the Rockville source which has been known to have asbestos. Material certifications are normally provided by the sources where the stone is purchased outside of the County.

Randy Stabler asked why agriculture, which contributes millions of dollars to the County's economy (\$281 Million) is always the whipping boy of the County Government. River Road and all the Rustic and Exceptional Rustic Roads need to be maintained as a viable transportation network for our farmers to rely upon. The DOT always over engineers everything and here the County Executive and DOT make no recommendations for paving the road, only to maintain the gravel.

Eric Spates said that there has been an increase in traffic including bicycles and that the road, full of potholes and washboard, is dangerous. Furthermore, it has proven to be impractical to attempt dust suppression during the hot dry summer months.

Randy Stabler said that he was the first Chair of the Rustic Roads Advisory Committee when the Law and Executive Regulations were adopted. The intent of the Law and Executive Regulations are very clear to allow for the safe travel of motorized vehicles and agricultural equipment.

Keith Patton, Sr. said that there is least 10 inches of base gravel on River Road, and he asked DOT to take a pick and dig down to it.

Nick Essepian said that sediment from the River Road washes into the creeks and into the Potomac River.

Audrey Patton said that the Department of Environmental Protection should come out and test the water quality of the creeks and the road sediment that ends up in the Potomac River.

Mio Miljanic said that after the County applied the chemical to suppress the dust, he found 1,000 honeybees had died and he asked what the chemical is that the County applies.

Jeff Knutsen said the County uses Calcium Chloride solution that helps to maintain moisture in the gravel surface to reduce dust and there is no research that shows this chemical impact honeybees.

Nick Essepian said that his Dad owns a property in Potomac where he pays the Water Quality Protection Charge that is used to fund water quality improvements; however, the buildup of sediment including sediment from River Road represents one of the main problems with the Chesapeake Bay.

Eric Spates asked if Randy Paugh was still with the County DOT, because he seemed receptive to making improvements to River Road. *Randy Paugh retired from the County.*

Audrey Patton said that dust suppression is a joke, and it lasts for only three hours. The County should be concerned about the health of the residents that live along this section of River Road.

Billie Zinn said that she must wash the dust off her front porch daily.

Audrey Patton said the County Executive needs to hear from these residents.

Lauren Van Etten said we could report on the objectives and details of the study.

Richard Dorsey said the County digs down to regrade the surface of the gravel filling potholes and eliminating the wash board and they use water trucks to keep the gravel moist and reduce dust. We cannot address the lab tests report that Linda discussed.

Eric Spates said that the county needs to maintain drainage around the road and crown the roadway properly, otherwise the road surface deteriorates quickly following grading. Also, the lack of drainage maintenance leads to flooding and crop loss in adjoining fields.

Richard Dorsey said the County can execute right-of-way agreements with the property owners to allow access for drainage maintenance on the property.

Linda Lewis pointed to her driveway where everyone was standing and asked if the County could use millings rather than gravel on the road.

Eric Spates asked if the surface of River Road could be topped with millings where there is a good base because that would help greatly with dust issues.

Jeff Knutsen said the additional costs of millings would need to be taken into consideration.

Richard Dorsey said the County would consider the use of millings and there will always be ongoing maintenance costs on the roadway.

Randy Stabler said that all common sense to this issue has been thrown out the window. Randy said that CJ Miller (the paving company) has all the millings you need for this road. Randy said we are not asking for a superhighway.

Mason Hopkins, Sr. said that he does not understand-three days after the County regrades the surface of the gravel, all potholes are back-How much is the County spending annually to maintain River Road.

Randy Stabler said that even if the gravel is considered a significant feature of the road, the gravel cannot prevent the County from doing maintenance that addresses the safety of residents and farmers.

Randy Stabler asked about Glen Road that had a similar issue in the 1990's he asked if Glen road was paved.

Leslie Saville said that she started with MNCPPC in 2005 and she not sure about Glen Road.

Audrey Patton asked how the County could ignore the 2007 letter and recommendations from the Rustic Roads Advisory Committee to address the health and safety concerns of the gravel portion of River Road.

Richard Dorsey acknowledged the confusion from the Rustic Roads Advisory Committee, but there is a new County Executive now and he does not support paving River Road.

Leslie Saville asked what the costs was for paving the road.

Richard Dorsey said it was not a cost issue.

Eric Spates said that nothing should trump the safety of residents and farmers. The Rustic Roads Advisory Committee is abusing the issue just like they stop trees being trimmed. Eric said we need to be clear that Rustic Roads Advisory Committee is ADVISORY, and this is not working.

Jeremy Criss said that farmers are price takers not price makers as they must reduce their production costs to be profitable. The annual and ongoing maintenance costs of River Road needs to be evaluated.

Dale Tibbitts said the Rustic Roads Advisory Committee-RRAC advised the County Executive. The Rustic Roads program has a function to add value to the Agricultural Reserve like agritourism. The County Executive has heard these concerns and advice from the RRAC that proper maintenance is needed, and the CE is not going to recommend paving River Road.

Audrey Patton said that ongoing repair costs for vehicles and farm equipment impacts both residents and farmers.

Keith Patton, Sr. said that one piece of equipment that DOT is using to regrade the surface of the gravel, the potholes are filled, and they just return after it rains.

Jeff Knutsen said that no tree canopy is here, and the road dries out quickly and the County has researched all types of treatments and maintenance practices.

Linda Lewis asked what happens to the dust suppressant when it rains.

Jeff Knutsen said this is a double-edged sword as chloride suppressants are not perfect.

Dale Tibbitts asked if DOT applies salt to River Road during the winter and DOT responded no.

Leslie Saville asked if trees could be planted along the open section of River Road.

Jeff Knutsen responded that this is a prescriptive right of way and would require permission by the property owners. At this time, several residents responded "No".

Randy Stabler said the planting of trees along the roads creates other challenges with farmers equipment becoming damaged by the tree canopy and hanging limbs into the roadway. Randy said the County subdivision process requires developers to plant street trees that become overgrown and interfere with the power lines. Randy told Dale Tibbitts that he really hopes that Dale will take this discussion back to Marc and express that farmers and agricultural businesses need a viable and adequate transportation network of roads. If we were talking about Amazon, the County would pave the road. The farmers are not getting their fair share of road projects in the Agricultural Reserve because of the Rustic Roads program and agriculture is a key economic driver that needs a greater level of assistance.

Dale Tibbitts said the Marc is a supporter of agriculture and farmers are not getting short changed.

Randy Stabler said River Road is a public health and safety issue that is being ignored. The gravel is not working, and we need to consider another approach.

Dan Seamans said he lives along Moore Road that used to be gravel and he understands how cars and farm equipment can get damaged because his muffler system broke off. As a member of the Rustic Roads Advisory Committee-RRAC, Bob also understands how significant features like maintaining gravel contributes to the importance of the road and the designation of exceptional rustic roads. Bob also mentioned that speeds of vehicles along the roads will increase with paving the surface.

Eric Spates said that if maintaining a gravel road surface is important, the section of River Road between Elmer School Road and Edward's Ferry would be an ideal section for that. That portion of the road has no residents, no businesses and is almost entirely shaded.

Randy Stabler supported Eric's suggestion and he said that the intent of Rustic Roads program needs to be revised because there are way too many roads designated as rustic and the County uses this designation as an excuse to not get the work done. Randy asked what the decision on improvements to River Road be if it was not a Rustic Road.

Darcey Buckley said the Master Plan is currently "open" and being worked on by Planning Staff. When the staff work is finished, it will be submitted to the Planning Board and then the County Executive and Council. <https://montgomeryplanning.org/community-invited-to-provide-comments-on-current-and-potential-rustic-roads-through-the-online-rustic-roads-feedback-map/>

Linda Lewis said the River Road needs to be fixed because the dust reduces visibility and it is dangerous for fire trucks, ambulances, and school buses and she is concerned about the safety of the residents, her employees, and her family. Linda thanked everyone for coming to the meeting and for providing the report.

Eric Spates said that it was easy for the County Executive, in his office in Rockville, to decide that a dusty gravel road is good enough for the residents.

Richard Dorsey also thanked everyone for attending and for expressing your views. Richard said that Dale Tibbitts will share this discussion with the County Executive and DOT will begin the project as soon as possible.

Keith Patton, Sr. said the timeline of the project needs to consider that farmers are planting corn now and they will be harvesting wheat starting in June with soybeans planted behind the wheat.

Richard Dorsey said the DOT staff will work on the timeline for the project and that everyone should review the study and provide comments back by next week to Frank Kingsley.

**SIGN-IN SHEET
RIVER ROAD MEETING
MAY 6, 2021**

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