

Montgomery County Commissioners Meeting
June 7, 2005 ~ 6:00 p.m.

Chairman – William D. Maness
Vice Chairman – Sally M. Morris
Commissioner – Dolon W. Corbett
Commissioner - R.C. Bostic

Commissioner – George H. Knight, Jr.
County Manager - Lance Metzler
Finance Officer – Cathy S. Baxter
County Attorney – Russell J. Hollers

The Montgomery County Board of Commissioners met in a public hearing on Tuesday, June 7, 2005 at 6:00 p.m. The purpose of this meeting was to receive public comments regarding the Siting Study that was done for the Montgomery County Landfill. A full board was present. Chairman Maness called the public hearing to order.

Invocation

Mr. Steve Haire gave the invocation.

Chairman Maness explained this meeting is to receive public comments regarding the Siting Study. Mr. Maness said when you come up and speak, speak directly into the microphone. The public hearing tonight is just on the alternative sites, not on the contract that we are going to have or anything else. This is one of the first public hearings we have and if we could keep it to that, I would appreciate it a whole lot. He then turned the meeting over to County Manager Lance Metzler. Mr. Metzler said Republic Services of North Carolina; LLC currently operates the county-owned Uwharrie Environmental Municipal Solid Waste Landfill, which is located at 500 Landfill Rd in Mt. Gilead, North Carolina. Republic seeks to expand the Uwharrie Environmental municipal solid waste landfill.

North Carolina General Statute § I 53A-136(c) requires that prior to selecting or approving a site for a new sanitary waste landfill that is located within one mile of an existing sanitary waste landfill, the Board of Commissioners of a county shall consider alternative sites and relate socioeconomic and demographic data and hold a public hearing. Tonight's public hearing is being held pursuant to this requirement.

At the Board of Commissioner's request, Republic provided a document entitled, "County Siting Evaluation, Municipal Solid Waste Landfill for Montgomery County, North Carolina". The siting study provides information to assist the Board of Commissioners in its consideration of alternative sites and related socioeconomic and demographic data. Republic will be allotted approximately 10 minutes to present the siting study. After the presentation of the siting study county citizens will have the opportunity to come forward and orally present information and comments on alternative sites and related socioeconomic and demographic data to the Board Commissioners that the Board can use when carefully evaluating the alternative sites for the landfill.

Republic has provided copies of the siting study to the public at the Montgomery County Public Library located at 215 W. Main St. in Troy, North Carolina and at the Montgomery County Manager's office located at 102 East Spring St. Troy, North Carolina. These copies were first placed in these locations on May 2 and May 3, 2005 and remain there to date. Public Notice was properly given of this hearing and the placement of the siting study in the aforementioned locations on April 29, 2005, and notice was also given as part of the Board's regular meeting agenda on April 18, 2005.

The Commissioners, at their last regular Board meeting, adopted the following public hearing procedures to assure that every citizen has the opportunity to be heard and that the hearing conducted in an efficient and effective manner:

1. Each person that would like to orally speak to the Board should sign up in advance on the sheet of paper available near the entranceway to this room. Citizens will be called to present the order that they have signed up. If you have not signed up to give comments, then please provide comments after those who have signed up.
2. Public Hearings are for receiving testimony from the public prior to taking action. A hearing is not a dialogue or debate. Its express purpose is to receive additional facts, comments and opinions on the alternative landfill sites.
3. Each person who has signed up to orally present will be allowed 3 minutes make their presentation. When 3 minutes has expired, the person will be asked to take their seat. This time limit is to allow everyone a fair opportunity to provide their comments and/or information to the Board.
4. Other speakers will have 3 minutes to speak or can yield his or her time to one individual; however, one individual will have no more than 12 minutes collectively.
5. The content of each citizen's comments should be limited to information and/or comments regarding alternative sites and related socioeconomic and demographic information. If a person's presentation deviates to other topics, the person will be asked to take their seat by the Chairman Maness.
6. The Clerk of the Board will be recording every public comment tonight so as to create a written record of the hearing.
7. There will be no debate. The discussions will be between the presenter and the Board or representatives from Republic.
8. To preserve the order and decorum of the public hearing, the audience will not be permitted to applaud in support or in opposition to any matter during the public hearings. No placards will be permitted in the public hearing.
9. Citizens may submit written materials concerning alternative sites and related socioeconomic and demographic information for the Board's consideration tonight and for one week after the conclusion of this hearing. This means that any written materials must be received by the board by 5:00 p.m. on June 14, 2005. The written materials shall be submitted to the County Manager.

Mr. Bill Hodges a consulting engineer with Hodges, Harbin, Newberry & Tribble was present representing Republic Services. He said he was going to spend three minutes going over the evaluation which was provided. He said when we were developing this information, step one was the creation of various overlay maps of the county that shows the siting criteria used by Republic and considered by the county. These include the county road maps, public water supply map, population centers map (which generally has the communities with higher population shown), principle transportation routes, maps showing flood plains and wetlands, geological map of the county, a map with lake buffers plotted, airport safety zone map, and a combined exclusionary map.



June 7, 2005

Montgomery County Board of Commissioners
PO Box 425
Troy, NC 27371

Re: Proposed Alternative Sites 12 and 18 not available


Dear Commissioners:

At the time of the submittal of the Siting Study, I included in the Executive Summary that we had not received a definitive response from the owners of Sites 12 and 18 as to their availability. I enclose a letter from the same local realtor, Colburn Thompson, updating the information on the availability of Sites 12 and 18. Mr. Thompson reports that Sites 12 and 18 are currently not available.

Again, please note there is no requirement that either the County or Republic Services of North Carolina, LLC, have ownership or any similar interest in any alternative site in order for it to be considered.

Thank you for your attention to this update.

Very truly yours,


Raymond Hoffman, P.E.
Area Engineer

He said the document over here is a combined exclusionary map, which the grey areas are the areas, for one reason or another, were considered areas with potential fatal flaws and these were excluded out. Then from county tax records we obtained information on tracks of land in the county with over 500 acres in size. This was considered the minimum size to be an alternate site for consideration. Any of these could be alternative sites. A list of 24 separate properties was plotted against the maps we had developed. Maps outside the excluded zone or those in the white areas were considered candidate sites. We went by vehicle to each of the sites and evaluated them visually. After that review, four sites were finalized as candidate sites. These included: Sites #2 (off of Hwy. 134 N/Floyd Farm Road); #6 (Uwharrie, the existing Landfill); #12 (Pee Dee-Western Side of the County); and #18 (near Town Creek Indian Mound). At that point, our information was turned over to ERM, an evaluation firm, who provides socioeconomic and demographic information on each of the sites. This was all compiled in a book/document which was provided to the board of commissioners. Of the sites that were evaluated for socioeconomic concerns, only Site #18 had concerns. If this was the selected site by the Board of Commissioners when they do make a decision, then Site #18 would need further evaluation for environmental issues. I would like to add to the public record a document, which I provided for each of the commissioners and our minute taker tonight, a letter from Mr. Ray Hoffman who is the area engineer from Republic indicating Sites #12 and #18 are not available. The owner of that property has notified Republic that those sites would not be available for sale, trade, or in-kind exchange. That is placed on public record. He said with that I will conclude my comments and I will be glad to answer any questions if you have them at this time or later.

Chairman Maness asked which sites are #12 and #18? Mr. Hodges said the western most sites.

The following correspondences are added to the record:



June 3, 2005

Mr. Jerry Green
Uwharrie Environmental
500 Landfill Road
Mount Gillead, NC 27306

Mr. Green:

At the request of Mr. Devoe, I was able to determine that Beaver Dam Pines, Inc. has no interest in either selling, doing a trade, or a like-kind-tax-free-exchange on the properties in which your company has an interest.

If I can be of further help, please contact me.

Sincerely,

Colburn Thompson
Broker, Appraiser, RRS

CT/AF

Ms. Martha Russell Griego said she would like to speak to citizens of Montgomery County especially the commissioners. Between now and when this issue is resolved you are going to have tough decisions to make. She said now that, the way I understand it, there is only going to be two alternate sites, not four. The decisions you make on this are not just going to affect citizens now, but citizens beyond your term, but for hundreds, hundreds, hundreds of years from now. I don't envy your decision at all. Speaking for me personally and my family, when these sites are presented to you for your decision, we humbly and respectfully request that your decision be none of the above. Thank you.

Mrs. Karen Frye from Troy said she doesn't know any of the board personally, except Billy, who lives in my community. I am here today to represent my family and neighbors who are concerned about the landfill expansion. She said I know there are a lot of other elected officials here today who are here concerned about the expansion because of the money that will trickle down to their departments or towns and other county facilities. I am here to let you know my hopes for the county. My personal goal for the county is for it to thrive morally and financially while maintaining the health and well-being of the citizens. As a county taxpayer and a registered voter, I am requesting you vote none of the above for any of the sites, including the existing landfill. I am also asking that when the time arises that you will vote no for any expansion.

Mr. Don Trexler spoke on behalf of the Board of Directors of EDC and the Committee of 100. He said I appeal to you to keep the landfill at its present location on Landfill Road. Mr. Chairman, attracting new business and industry is a challenge today. I believe we recognize the positives of having a modern landfill and what it does for attracting new business and

industries. From a service and location perspective, the current landfill, on Landfill Road, serves our business community well. We feel the landfill is an important asset to our community and we are in support of seeing this facility continue serving us at its current location.

Dr. Mary Kirk spoke on behalf of the Board of Trustees of Montgomery Community College. She said we feel the expansion of Uwharrie Environmental should remain at its current location. Uwharrie Environmental has been a good corporate citizen in our county, they have supported our economic base and they have been interested partners in providing scholarship dollars in helping students achieve their educational dreams. We ask that you support the current location for the landfill.

Mr. Earl Poplin, Mayor of Mt. Gilead was present representing the Mt. Gilead Board of Commissioners. He said the board passed a resolution some time back, supporting the landfill at its current location and we stand by that decision. One of the reasons I feel very strongly about the decision being the correct one is the expense that would be involved in relocating one. First of all, nobody seems to know how long it will take to go through the procedure that is required in order to get permission to move, if in fact you can get permission to move. Not only will it take a lot of time, there is a lot of uncertainty about what the end result would be, but we are going to spend a lot of dollars. If we have dollars to spend, I can think of a lot of better way to divide them up. I think we could divide it up, the county get some, Republic get some, and hopefully, the county pass some on down to the towns. I believe that would be a lot better use of our resources. Thank you.

Ms. Cathy Harris was present speaking as Mayor Pro tem and Commissioner for the Town of Star. Our board, like Mayor Poplin, looked at it pretty much, hard and heavy at the economics of choosing an alternative site. As Mayor Poplin said we looked at the cost of closing the current landfill and the cost of opening a new site. Montgomery County does not have that kind of money. Our board in Star feels the landfill has served Montgomery County businesses well for over 30 years at its current location and we voted unanimously in support of the current site over any of the alternative sites.

Mayor Jimmy Blake was present to speak on behalf of the Town of Biscoe. He said the five elected officials that represent the Town of Biscoe asked that you keep the landfill at its existing sites. Thank you.

Mr. Timothy Thompson spoke. He said he is a life long citizen of Montgomery County. He said I can trace the roots of my family deep here; some branches of my family have been here for more than 10 generations, probably further than that if the courthouse hadn't burned down in the 1800's. He said this is a very passionate issue for me, and I apologize to all of the citizens, as well as this board, that I haven't been more involved in this before now. As I said, I feel very passionate and strong about this county. I have worked all over the United States and could have lived in many places and have chosen to live in Montgomery County. I love this land. I love the lay of this land. We have the Sandhills, we have the mountains, we have the lake. We have it all. I consider Montgomery County to be the heart of North Carolina, not only geographically, but also spiritually and morally, and also in the people. This landfill expansion, I am opposed personally. I believe we as citizens of this county have been negligent in our duties in managing this landfill by not verifying the amount of current tonnage going into this landfill. I understand there is really no way we can keep track of that at the present time. Some of the opinion of this county is there is more tonnage going in than the present limits allow. Chairman Maness said we need to

keep comments to the sites; there will be another one to discuss this and get into the contract, let's keep comments to the sites. Mr. Thompson said I know, I understand. Mr. Thompson said I am getting down to the end point of saying we don't want any of the alternative sites as well as where we are at. The point I am making is, what we as citizens believe if the amount of tonnage was verifiable, and we stay at that amount of tonnage, that number one we do not need an increase in the amount of tonnage coming into this county. Therefore we do not need an expansion. He said I heard a dozen years or more that this was going to be a recycling center. I don't really see there is a whole lot of recycling going on. That too would prolong the life of the landfill, where no landfill expansion is needed. All I would say in trying to stay on the subject, I am sorry I thought this was for the whole thing tonight, so I had notes the other way, if the commissioners are at an impasse, I would just ask that they would allow the citizens of this county to vote, and let the citizens speak to decide whether or not they think the landfill should be expanded or not. As it was said in the Montgomery Herald, I think you made the statement it is not a done deal. I would say prove it, let us see that. Thank you.

Chairman Maness said again I want to remind everyone this public hearing is just for the site study. If you would keep that in mind, I would appreciate it.

Mrs. Tina Thompson spoke. She said I am from Troy. I also believe that no expansion is necessary; there shouldn't be an alternative site. That is my opinion tonight. Thank you.

Mayor Roy Maness spoke representing the Town of Troy. He said our board also passed a resolution in support of the landfill expansion. We support keeping the landfill where it is and we trust that you will have a good contract and we support the expansion in its present location where it is.

Mr. Brady Dickson also spoke. He said I am speaking as a private citizen. I am in support of the expansion of the landfill in its present location. There are three basic reasons why I say this. First of all, the landfill has been on Landfill Road for somewhat over thirty years and people pretty much know where it is and are familiar with it. Secondly, it is pretty much central in its location. As most real estate agents will tell you, location, location, location is primary in a valuable piece of land. Thirdly, as Mayor Poplin said earlier, it would be extremely expensive to pick up with everything, with all of the equipment and move it to another location. I have visited the other sites. Access to one of the sites is very limited and the others are also somewhat limited, but are not in locations that are not desirable. I don't mean desirable as far as bad locations. I mean bad locations as far as getting to and out of. I would encourage you to keep the landfill at its current site.

Mr. D.T. Scarborough was present on behalf of the citizens of Candor, the Mayor who could not attend the meeting, and the other members of our Candor Town Board. Some weeks ago, we passed a resolution in support of the expansion of the landfill and also to leave it exactly where it is. That is what I am asking tonight. We stand firm in our belief that is the best thing for our citizens and for our county. Thank you very much.

Ms. Marion Garner was present on behalf of the Board of Directors of the Montgomery County Chamber of Commerce. I appeal to you to keep the landfill at its current location on Landfill Road. She said back in the early 70's the landfill was opened on Landfill Road and we have been disposing of our waste there in that general location for over 30 years. The road area is rural and located off of a major state highway and therefore makes sense to keep it in that same area. That area is accessible and it meets the general criteria required

for a landfill. Mr. Chairman, we appeal to you to keep the landfill at its current location. Thank you.

Mrs. Cheryl Lamonds who lives on Saunders Road also spoke. She said Saunders Road is not too terribly far from the landfill, but I know there are others that live a lot closer to it. As soon as I open my mouth, you know I am not a native from here, but I have chosen to make Montgomery County my home, moving back here with my husband almost 20 years ago. I have two grown sons and one that is still in elementary school. Both of my grown sons have moved away from this area and have chosen not to live here. I am sure that many people in this room have the same problem their children are moving away because there is not that much here. I oppose the alternate sites for the landfill. I also oppose any expansion at its current location. I support a reduction of what we take into there. I understand monetary concerns. I understand that Montgomery County is losing its tax base. Many industries have closed; we need the money, but please do not use this as a method of getting more money for that purpose only. The alternate sites, as several people have pointed out, will require additional expense, more expense than we have. I don't want to put the landfill out where other people are; at least concentrate it in one place and don't let the rest of the county suffer, like many of the people that are very close to it are suffering. Please don't make this purely a monetary decision. We need to find some way else to bring tax revenue in here and other income in here, bring other industries in here. No one is going to come to Montgomery County if it is a laughing stock and as many of you know, by listening to some of the radio stations, Montgomery County is a laughing stock within North Carolina. I ask you please do not choose the alternate sites, please do not expand the existing sites, and please consider reducing what we take in. Thank you.

Mr. Larry Hogan said he didn't wish to speak.

Mr. Charles Wiker said I went out and took a look at your landfill. I have seen landfills in other parts of the country and this is a nice, well-run landfill. You have things in there such as the large storage tanks that collect the waste fluids from this operation and they are sent to the Troy Water Department. They test this and when they can't handle it, they take it out elsewhere. The liner of this facility I looked at it . . . Chairman Maness said I don't mean to interrupt you, but what we are trying to stick to tonight, it is just like I was telling Mr. Thompson, we are sticking to the alternate sites, the location of the landfill, not details about the landfill or the contracts. Mr. Wiker said alright, fine. If you were to move this landfill anywhere other than where it is, I know you would incur additional, a lot of additional expenses. You are set up to handle it. Why not stay where you are, stay put. These people are doing a good job with it. I am not going to go into the expenses, this information is available to anybody and I will give it to the commissioners that want to go out to the landfill. It gives you the operation expenses. I think you should stay with what you have, because it works.

Mrs. Becky Stegall who lives on Nance Farm Road also spoke. She said our group the Citizens Against Landfill Expansion has done a lot of work. I think trying to help the commissioners as far as the sites and other things we will discuss later. I don't want to put this on any other citizen in this county, I think it should stay where it is, but only after there is a consultant to help with the decisions on this contract. That is the only way I would agree for those sites to be expanded. Again, if it is not done per consultation with the consultants, I vote none of the above. Thank you.

Chairman Maness asked if anyone else would like to speak.

Mr. James Spivey, a member of the Montgomery County School Board, was present and said at a recent meeting the School Board passed a resolution in support of the expansion of the landfill. We also are in favor of keeping it in its present location.

Chairman Maness asked if anyone else would like to speak. He said if not, I would like to let everyone know how much I appreciate everyone coming out tonight and the way this public hearing was handled. It was very respectfully on both sides. He said I appreciate it very much because it is a tough decision for the commissioners with what we have to do. I know a lot of people would like to talk tonight about more issues other than just the alternative sites, but I have to kind of keep it to that tonight. There will be another public hearing and we will get into it. It is a process we are going through. I appreciate the citizens on both sides, that are opposing it, that are helping us work through the things to try to help us get as good of a deal as we can get. See if this makes sense. I appreciate the ones that are for it that are being positive also.

Chairman Maness announced the budget meeting in the morning at 8:30 a.m.

Mr. Thompson asked when will there be another meeting to discuss whatever the outcome is. Chairman Maness said I don't have the schedule with me. There is already a dated schedule for that. If you will get with our county manager, he will get you a copy of the schedule that is out. That might change a little bit as we go. We are in the process of getting a consultant.

Mrs. Cheryl Lamonds asked if those that are scheduled posted on the website, and if not will you please post them on the website. Chairman Maness said I am not sure if they are posted, but we will look into that.

Mrs. Becky Stegall said I have a question about the public hearing notices. The one that was in the Montgomery Herald is there anyway those can be moved up to where they would be in there a week before the public hearing.

Chairman Maness said the situation we ran into, I found out this weekend, that it wasn't in the Montgomery Herald last week. I think by law. . .The County Manager looked it up. Chairman Maness said we want to make sure we get it in there more.

Mr. Metzler said we followed the law exactly as it states. You have to have this notice in the paper for at least 30 days and when you start talking about running advertisements every week or every two weeks you are looking at additional expenses. It could be anywhere between \$200 and \$500. It would be difficult to continue to advertise, but we will advertise them as much as we can. Mrs. Stegall said if there is a problem with money, I think our folks would pay. Mrs. Tammy Dunn said the Montgomery Herald will be glad to put it in the community calendar free of charge. Mr. Bill Lindau with The Post said they will also announce the meetings free of charge in their community calendar.

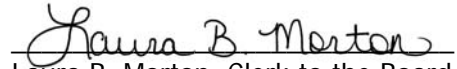
Mr. Tony Charpentier said he arrived late and would like to speak. He said what I want to ask everybody here. Back in 1991 or 1992, I was in the commissioners meeting when they made the decision to do this waste disposal. A comment was made when asked how can you make a decision so quick. One of the gentlemen, that were elected, said we just did. What I want to ask everyone tonight, regardless of how everybody feels in here. . . Chairman Maness said we are not here to talk about anything else but the sites, and you may have

missed it because you came in late. Mr. Charpentier said I did. Chairman Maness said there will be another meeting on this. Mr. Charpentier said how about this then, are we giving our children any more or any less with this? Thank you.

There being no further discussion or comments, Chairman Maness adjourned the public hearing.


William D. Maness, Chairman




Laura B. Morton, Clerk to the Board