

May 6, 2013

The Randolph County Board of Commissioners met in regular session at 6:00 p.m. in the 1909 Randolph County Historic Courthouse Meeting Room, 145 Worth Street, Asheboro, NC. Commissioners Holmes, Frye, Haywood, Kemp and Lanier were present. Dr. Bob Shackelford, RCC President, gave the invocation and everyone recited the Pledge of Allegiance.

Special Presentation

Chairman Holmes recognized Carol Harris, who is retiring with 36 years of service to the Sheriff's Department. Chairman Holmes presented Ms. Harris with an engraved clock on behalf of the Board. Sheriff Maynard Reid, Jr. presented Ms. Harris the Order of the Longleaf Pine on behalf of Governor Pat McCrory.

Public Comment Period

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment. County Attorney Ben Morgan read aloud the Rules for the Public Comment Period.

Alan Ferguson, 4794 Troy Smith Rd., Liberty, spoke on behalf of his neighbors and himself, regarding the Greensboro/Liberty mega site. He asked that the County not support this project because it is not in the best interests of the residents or of Randolph County. He said that he knows this is the best place he has ever lived, especially after seeing all the horrible stories from around the world in the news. He said that he doesn't want to see his county involved in an expenditure of \$53 million he's been hearing that it is going to take to buy and fit up this site. He has also heard a different figure of \$400 million for a possible incentive to bring the type of business that is being discussed. If this is true, according to Mr. Ferguson, and the new company should employ, say, 2000 people, that would equate to about \$226,000 per job. He said that he would feel bad about his county getting involved in tax abatements or direct payments for that kind of return. He suggested a different site on Hwy 64 that would be accessible to many more people from Randolph County than the Greensboro/Liberty site. Mr. Ferguson asked that the board repeal the site development ordinance that was adopted in January.

Jon Nance, New Hope Church Rd., Asheboro, spoke about a proposal he had presented to the Board about two months ago concerning a 2nd Amendment preservation ordinance, also known as a nullification act. He said he understood that this would be discussed at the May 24th retreat so he assumed the Board would have a response to this matter. He gave a brief history of the nullification, which is an act that has been around for a long time from the beginning of this country to nullify unjust laws. Examples are taxation without representation, or during the Civil Rights Movement, Rosa Parks, who refused to give up a seat on the bus (nullifying segregation). Also taking place now in regards to 2nd Amendment at the state level, Kansas and Missouri have passed nullification acts infringing against the 2nd Amendment. Davidson County has passed similar legislation. Sometimes it gets a bad rap, the idea of protecting guns. There is a lot of misconceptions with that but this is about a defense of constitutional liberty that we've been given as Americans from our Constitution. While this may be specifically targeting the 2nd Amendment and preserving it from any infractions at the Federal level, the best defense of liberty comes not from being heavily armed with weaponry, but from being heavily armed with the knowledge and courage to stand against unjust laws.

Wesley Martin, 984 Mountain View Rd., Asheboro, said that he is 33 years old and has lived here his entire life. Last month he supported the proposal by Jon Nance for the 2nd Amendment preservation ordinance or a nullification ordinance. Many things from the federal level are an assault on his personal freedoms and of every American. They seem to have an idea that they have a right to legislate what his freedoms are. While he fully supports the 2nd Amendment, the 2nd Amendment doesn't necessarily give him those rights. His Creator bestowed those rights upon him. And, no man, no law, no agency, no authority can take those away from him but the Lord God Almighty, Himself. The federal government claims a lot of jurisdiction, but in the western states, nullification is becoming more of a reality and he would like to see something like that here in Randolph County and North Carolina. He said that the NC General Assembly has actually put out an anti-gun bill, HB 976, which would restrict the rights of law abiding gun owners all over North Carolina. He finds it very offensive that his state would try to restrict his rights to own a firearm in any way, shape or form, based on poor information and uninformed individuals. This has to be stopped on a local level as well; luckily none of the sponsors on this bill are any of our local representatives. They seem to be from all toward the center of the state, which doesn't surprise him. He fully supports the 2nd Amendment Preservation Ordinance because the 2nd Amendment is not just something written on a piece of paper. It's a right that goes beyond that and he doesn't think any of us wants to give that up.

Change to Consent Agenda

Chairman Holmes announced that *Item D Adopt Revised Memorandum of Understanding for Transportation Planning and Membership in the High Point Metropolitan Planning Organization (MPO)* needs to be approved via a resolution rather than with only a motion.

Approval of Consent Agenda

On motion of Frye, seconded by Lanier, the Board voted unanimously to approve the Consent Agenda, as amended, and as follows:

- *approve Board of Commissioners minutes of regular meeting and two sets of closed session minutes of 4/8/13 meeting;*
- *approve Lottery Applications for Randolph County Schools at \$1,500,000 (Providence Grove HS--06 COPS) and Asheboro City Schools at \$400,000 (Teachey School--06 COPS);*
- *approve renewal of Southern Health Partners Contract for Health Services at the Jail (\$26,609.83/mo.);*
- *adopt the following resolution adopting revised memorandum of understanding for transportation planning and membership in the High Point Metropolitan Planning Organization (MPO), which reflects the addition of two new municipalities (Denton and Lexington) and recognizes that the General Assembly applied the State Ethics Act to the MPOs and reflects the changes necessary to insure compliance with the ethics statutes. The current voting structure of one vote per jurisdiction is maintained while a voting transportation transit representative is added to the Technical Advisory Committee of the MPO:*

Resolution Approving Revised Memorandum of Understanding for Transportation Planning and Membership in the High Point Metropolitan Planning Organization

WHEREAS, Chapter 136, Article 3A, Section 136.66.2 (a) of the General Statutes of North Carolina require that comprehensive transportation planning be coordinated among local governments located within federally designated urban areas; and

WHEREAS, the High Point Metropolitan Planning Organization is responsible for carrying out a transportation planning process in accordance with federally mandated policies outlined U.S.C. 134; and

WHEREAS, a transportation planning process includes the operational procedures and working arrangements by which planning is soundly conceived by the participating local governments as reflected in a Memorandum of Understanding adopted by the governing bodies of each local government; and

WHEREAS, the new Memorandum of Understanding, dated May 6, 2013, reflects the addition of two new municipalities (Denton and Lexington) and also reflects changes made necessary by the N.C. General Assembly relating to new ethics statutes; and

WHEREAS, the updated Memorandum of Understanding has been reviewed and approved by elected officials of member governments comprising the Technical Advisory Committee of the High Point Metropolitan Planning Organization.

NOW, THEREFORE, BE IT RESOLVED, that the updated Memorandum of Understanding for the High Point Metropolitan Planning Organization, as submitted this 6th day of May, 2013, be approved.

- approve Budget Amendment #32 for Library (Partnership for Children Book Grant--\$25,000); as follows:

2012-2013 Budget Ordinance-General Fund- Amendment #32		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$25,000	
Appropriations	Increase	Decrease
<i>Public Library</i>	\$25,000	

- reappoint Mazie Fleetwood to the Sandhills Board of Directors;
- reappoint Mazie Fleetwood to the Nursing Home Community Advisory Committee;
- reappoint Fran Andrews, Lynne Qualls, Bill Ivey to the Historic Landmark Preservation Commission;
- reappoint Robert Ware and Anne Hockett to the Regional Partnership Workforce Development Board;
- approve Budget Amendment #33 for Emergency Services (Emergency Management Performance Grant - \$14,878); as follows:

2012-2013 Budget Ordinance-General Fund- Amendment #33		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$14,878	
Appropriations	Increase	Decrease
<i>Emergency Services</i>	\$14,878	

- adopt Resolution abandoning 0.3-miles of SR 3128 (Osborn St.) from the State Roads System; as follows:

WHEREAS, the Department of Transportation has investigated the 0.3 miles of SR 3128 (Osborn St.) off of SR 1854 (Kimberly Lane) and SR 1703 (Trinity Blvd.) in Randolph County for purposes of abandonment per City of Trinity's request; and

WHEREAS, the Department of Transportation has investigated and determined that this road should be abandoned from the Division of Highways' Secondary Road System from the centerline intersection of SR 1854 (Kimberly Lane) to beginning of SR 1703 (Trinity Blvd.).

NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners that the 0.3 mile SR 3128 (Osborn St.) in Randolph County be abandoned from the Division of Highways' Secondary Road System.

- approve Budget Amendment #34 for Economic Development Contract (Technimark); as follows:

2012-2013 Budget Ordinance-General Fund- Amendment #34		
Revenues	Increase	Decrease
<i>Transfer from ED Reserve</i>	\$7,500	
Appropriations	Increase	Decrease
<i>Other Economic & Physical Development Appropriations</i>	\$7,500	

- approve Resolution of Support of the Sale of the Assets of Townsend/Omtron to a Bidder Interested in Operating the Facility; as follows:

**RESOLUTION IN SUPPORT OF THE SALE OF THE ASSETS OF
TOWNSEND/OMTRON TO A BIDDER INTERESTED IN OPERATING THE FACILITY**

WHEREAS, at the time that Omtron purchased Townsend assets out of bankruptcy in February 2011, the company had processing plants in Siler City and Pittsboro, two feed mills and a hatchery, with a labor force of over 1,300; and

WHEREAS, many of these employees reside in Randolph County; and

WHEREAS, many of the over 125 contract growers' farms were in Randolph County as well; and

WHEREAS, all of the 1,300 jobs have been lost after Omtron ceased operations in September 2011 and the contract growers have lost their income stream; and

WHEREAS, bankruptcy proceedings in the United States District Court for the Middle District of North Carolina appear to be moving toward an auction;

NOW, THEREFORE, be it resolved by the Board of Commissioners of Randolph County that the bankruptcy court be encouraged to look favorably on any reasonable bid from an entity proposing to restart the poultry operation.

Note: Chairman Holmes read aloud the Resolution of Support of the Sale of the Assets of Townsend/Omtron to a Bidder Interested in Operating the Facility.

Addition to New Business Agenda

Chairman Holmes announced that *Item G. Approve Budget Amendment for 2013C Refunding Limited Obligation Bonds* had been added to the agenda.

Approval of Budget Amendment for 2013C Refunding Limited Obligation Bonds

Will Massie, Assistant County Manager/Finance Officer, said that in March, the County refinanced a portion of existing debt, and postponed two other issuances due to market conditions. Those conditions improved, and the County refinanced the 2006 COPS on April 10. The third and final refunding was scheduled for May 9, when the County will refinance the 2007 COPS. This should save the County a substantial amount in interest costs over the remaining terms. The new debt proceeds will be invested in U.S. guaranteed securities and held by U.S. Bank as trustee until the outstanding certificates will be retired. A budget amendment is necessary to record the issuance of the 2013C refunding debt and to budget the estimated costs associated with the refunding.

On motion of Haywood, seconded by Lanier, the Board voted unanimously to approve Budget Amendment #35, as follows:

2012-2013 Budget Ordinance-General Fund—Budget Amendment #35	
Revenues	Increase
<i>Other Financing Sources – Proceeds from 2013 Debt</i>	\$26,000,000

<i>Appropriations</i>	<i>Increase</i>
<i>Other Financing Uses – Payment to Escrow Agent</i>	<i>\$25,600,000</i>
<i>Debt Service</i>	<i>\$ 400,000</i>

Approval of Cooperative Extension Request for Additional County Funding for Full-time Horticulture Position

Will Massie reminded the Board that Carolyn Langley had informed them at the April retreat that the State Extension budget is being cut by 5.4%, which means a reduction in staff of 30 people at the county and state levels and 15 people at the university level. The state has recommended the combination of the Randolph and Chatham horticulture agent positions. This is unacceptable. Randolph is a large agricultural county with one of the top agricultural incomes in North Carolina. Our horticulture agent supervises and has responsibility for many programs. The Randolph office receives, on average, 30 calls a day asking for assistance and information on horticulture issues, and we also provide grower certificates for local farmers’ markets and organize and teach horticultural classes to the general public. This position is a key agent position in Randolph County. Without a full position, we would not be able to meet the needs of Randolph County residents and businesses.

Mr. Massie said that Randolph County Extension is requesting that the Commissioners provide a 65% match instead of the current 51% match to State funds for the Horticulture Extension Agent position, effective immediately. If approved, there is no additional money needed this fiscal year, as lapsed salary will cover the costs. However, an additional \$6,300 in salary and \$2,275 in benefits is needed in the upcoming budget year.

On motion of Lanier, seconded by Frye, the Board voted unanimously to provide a 65% match to State funds for a full-time Horticulture Extension Agent position, effective immediately.

Approval of Grant-funded Position at Health Department & Related Budget Amendment

Susan Hayes, Assistant Public Health Director, said that the Randolph County Health Department is participating with counties to our south in a project called Community Transformation, funded through the Centers for Disease Control. This is a five-year time-limited project, beginning its third year in June. Cumberland County Health Department is the lead county in the project. The purpose of the project is to assist communities in making systematic change that improves health. Examples are organizing and supporting local farmers’ markets and working to make healthy activities more accessible and safe. Cumberland County has asked Randolph to house the CTG employee who will take the lead for Randolph and Montgomery County. This employee will also be the specialist in the active living projects for all counties. The grant funds are adequate for covering the cost of this position. The Health Department would provide space and local supervision for the three-year period.

Ms. Hayes asked the Board to approve: 1) the creation of a Public Health Educator II position at a salary grade of 16, effective date 6/1/2013; and 2) a budget amendment accepting funds in the amount of \$4,568 for this project for the remainder of 2012-2013 (we will include this money in the 2013-2014 budget).

On motion of Haywood, seconded by Kemp, the Board voted unanimously to approve the addition of a Public Health Educator II (Grade 16) position, effective 6/1/13 and Budget Amendment #36 in the amount of \$4,568, as follows:

2012-2013 Budget Ordinance-General Fund- Amendment #36		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$4,568	
Appropriations	Increase	Decrease
<i>Public Health</i>	\$4,568	

Approval of Resolution Authorizing Sale of County Property (near DSS) to High Bidder

Associate County Attorney Aimee Scotton said that the County received an offer to purchase two small portions of property located on either side of a 75-foot-wide strip located at the southern end of the Department of Social Services property. This offer was for \$3,000 and was made by Sydney and Donna Lowe. She reminded the Commissioners that they had proposed to accept this offer at their March meeting to begin the upset bid process. On April 19, 2013, the offer was advertised and the statutorily-required 10-day period for upset bids passed without the submission of an upset bid.

On motion of Frye, seconded by Haywood, the Board voted unanimously to adopt the following resolution accepting the offer and authorizing the sale of property to the Lowes, as follows:

Resolution Authorizing The Sale Of Property To High-Bidders Sydney W. And Donna G. Lowe

WHEREAS, the County of Randolph owns a parcel of real property obtained by Randolph County in deeds recorded in Deed Book 1370, Page 1288 and Deed Book 1418, Page 1306 of the Randolph County Registry and identified by parcel identification number 7762034825; and

WHEREAS, North Carolina General Statute §160A-269 permits the County to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the County received an initial offer to purchase two small sections of the property described above for the amount of \$3,000, said offer submitted by Sydney W. and Donna G. Lowe; and

WHEREAS, the two small sections of the above-referenced property that are the subject of the offer are more particularly described as follows:

Tract One

BEGINNING at a set rebar, the southeast corner of property owned by Sydney W. and Donna G. Lowe (Deed Book 2024, Page 903) and continuing the following courses and distances: North 02 degrees 27 minutes 00 seconds West 79.32 feet to a rebar; North 13 degrees 57 minutes 17 seconds East 74.85 feet to a pinchtap iron pipe, a corner with Randolph County; then South 83 degrees 01 minutes 33 seconds East 25.00 feet to a point; then South 05 degrees 49 minutes 00 seconds West 152.59 feet to a point; then North 82 degrees 59 minutes 00 seconds West 25.00 feet to the point and place of BEGINNING and being 0.11 acres more or less.

Tract Two

BEGINNING at a point, the southwest corner of property owned by Sydney W. and Donna G. Lowe (Deed Book 1154, Page 913) and continuing the following courses and distances: North 82 degrees 59 minutes 00 seconds West 25.00 feet to a point; thence North 05 degrees 49 minutes 00 seconds East 152.59 feet to a point; thence South 83 degrees 01 minutes 33 seconds East 25.00 feet to a rebar; thence South 05 degrees 49 minutes 00 seconds West 152.59 feet to the point and place of BEGINNING and being 0.09 acres more or less.

WHEREAS, the Randolph County Board of Commissioners, at its March 11, 2013 meeting, proposed to accept said offer and to begin the upset bid process set out in N.C.G.S. §160A-269; and

WHEREAS, the initial bid was duly published in accordance with N.C.G.S. §160A-269 on April 19, 2013 and the prescribed 10-day period passed with no submission of an upset bid;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Randolph County, this 6th day of May, 2013, that, pursuant to N.C.G.S. §160A-269, the Board hereby awards the sale of the two above-described tracts to Sydney W. and Donna G. Lowe as the highest responsible bidders; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby authorizes County legal staff and management to prepare and the Chairman of the Board of Commissioners to execute such documents as may be necessary to effectuate the sale of the two tracts described above to Sydney W. and Donna G. Lowe.

Approval of Aging Services Requests

Candie Rudzinski, Aging Services Planning Committee (ASPC) Chair, reported that the ASPC met on April 9, 2013 and approved a recommendation for the HCCBG agency allocations for FY 13-14 totaling \$758,391. The ASPC recommends that the Randolph County Board of Commissioners approve the HCCBG Funding Plan, requesting a total of \$758,391 for fiscal year 2013-2014 for Randolph County aging services providers. Ms. Rudzinski also asked that the Board accept additional/supplemental funding, should it become available, and to allow the Aging Services Planning Committee to decide how to allocate these funds, as appropriate, according to the existing "Policy for Distribution of Aging Services Funding."

On motion of Kemp, seconded by Frye, the Board unanimously 1) approved the HCCBG Funding Plan, as indicated on Form DOA-731, requesting a total of \$758,391 for fiscal year 2013-2014; and 2) agreed to accept additional/supplemental funding, should it become available, and to allow the Aging Services Planning Committee to decide how to allocate these funds, as appropriate, according to the existing "Policy for Distribution of Aging Services Funding."

Recess

At 6:35 p.m., the Board recessed.

Meeting Resumed

At 7 p.m., the Board returned to regular session.

Proposed Regional Landfill Matters

Rachel Kirkman, geologist with Golder Associates, presented the Preliminary Facility Plan, including proposed waste management activities. She said that questions have arisen in the community regarding other disposal options, including waste to energy. She presented a schematic related to costs per ton for land filling versus potential waste to energy. She pointed out that the tipping fees were quite a bit higher than those for the proposed landfill. However, she emphasized that waste to energy is a viable technology, but the capital outlay costs are much higher than those for building a landfill and it's difficult to obtain competitive tipping fees and to sustain that type of technology in this area. Also, with waste to energy, approximately 10% of the waste turns to ash, which has to be disposed of, and sometimes the ash is hazardous, requiring very stringent regulation. But, if the Board wants to consider the waste to energy option, it could be included as part of the RFQ process.

Next, Ms. Kirkman, reviewed the alternate site evaluation (displays were on hand), which was presented at the February 2011 Commissioners meeting and has been publically available

for review since November 2011. Completed in accordance with the NC General Statutes, approximately 16 sites were evaluated, regarding size, topography, streams, and proximity to infrastructure.

Commissioner Frye asked about whether the landfill would adversely affect a minority population near the proposed site. Ms. Kirkman said that she planned to address that issue later in her presentation.

Ms. Kirkman showed a map of the current closed landfill and transfer facility and the proposed adjacent facility, with reference points to highways. Initial screening pared it down to 16 sites, largely based on size. Secondary screening delved into surface water, flood plains, ownership, and infrastructure. Then, it was pared down to three sites, including the proposed site. Based on additional criteria, namely proximity of the site to the airport, which is a federal and state requirement, the existing landfill property deemed most suitable for landfill development.

Regarding minority populations, Ms. Kirkman presented a slide showing the proposed facility with a radius within 1 mile, and showed the larger percentages of minority populations. None were adjacent to the proposed facility or along the proposed traffic route. Demographic data was reviewed in terms of both minority population and socioeconomic conditions. Based on that data, the minority population within the vicinity of the landfill was not noted to be any higher than the county average nor was the median value of the homes in that area; it was right at or above the county average. Therefore, based on those findings, it was determined that the proposed landfill would not be an impact on those groups.

Ms. Kirkman showed a slide on the proposed landfill and proposed liner system, and pointed out areas such as leachate collection, gas collection, and beneficial reuse, storm water collection and treatment and monitoring, and groundwater monitoring. She said that there are many state agencies involved in the approval process for landfills. The proposed bottom liner system (double liner system with a leak detection zone) exceeds the state's requirement. Ms. Kirkman said that there are several agencies beyond the Division of Waste Management that are involved in regulatory oversight. As for landfill operations, under NCDENR, new landfills are designed to protect human health and the environment, under the approved program with the state. Operators are required to have certifications, and health and safety training. She noted some of the typical concerns related to litter, noise, odor, dust and animal control, which are heavily regulated by state agencies and said that inspectors come out to make sure the facility is operated as it should be and records are kept. There are daily cover requirements for the working waste area, which is kept small to minimize these impacts. She listed things that are not allowed in a household municipal solid waste facility: household cleaners, Roundup, and medical waste, which are banned because of their chemical nature. Other things are banned to encourage recycling. Ms. Kirkman said that there are strict requirements for the unauthorized waste program, which details the screening that's involved with the incoming loads and working base of the landfill. There is training for employees and penalties for improper disposal activities, as well as, contingency plans for any unauthorized disposal so it can be properly disposed of at an approved facility.

Ms. Kirkman referred to some concerns raised due to a public presentation at a Board of Health meeting related to several human health criteria, such as airborne pathogens (fungi, bacteria). She said that waste handling is very comparable to other types of activities already occurring in the county (textiles, moldy hay, agriculture-related activities). These pathogens

decrease very rapidly with distance from the source and having vegetative buffers helps to minimize these and keep them on the property. She also referred to a presentation to the Commissioners in April related to diesel exhaust particulates. This was not a landfill or waste specific presentation. She said that the proposed route was chosen for several criteria including the density of homes and distance from the road to help minimize these impacts. Ms. Kirkman also referred to some questions related to landfill gas composition, and said that the gas will be collected for beneficial reuse for a potential energy project. Regarding questions about mercury, she showed a graph of the Mercury concentration, which are in trace amounts and below applicable standards.

Golder Associates engineer Ron DiFrancesco reviewed some information that was presented previously to the Planning Board. He said that newly built landfills are lined with a high density polyethylene geomembrane, which is a high density plastic, similar in production to plastic bottles, corrosion resistant piping, and plastic lumber. He showed a graphic on relative thickness to some common things such as aluminum cans, plastic sheeting or even HTPE milk jugs. But, he emphasized that geomembrane liners are on a magnitude of 4-5 times thicker than those materials. According to the Geosynthetic Research Institute, the half-life of these liners is about 450 years. That means after 450 years, the properties have been reduced by about one-half. He said that the liner's purpose is to protect the ground and the groundwater from leachate from getting into the ground. He showed a graph that displayed a half-life decay out to about 450 years of liner. He also showed the leachate generation of a landfill to where it peaks at the end of the life of the landfill and then diminishes after that. In the scenario of where the landfill was 40-50 years of life and then diminishes at 100 years, it is well within the half-life of the geomembrane liner. Seepage is predicted using an EPA model called the Help Model, which is a hydrogeologic evaluation of landfill performance, that basically looks at different stages of landfills, water balance, how much water transpires and how much goes down to the liner system. It also looks at the quality of liner construction and predicts seepage rates. Numbers that Golder ran on this facility predicted the seepage rate at about 2/100,000 of one percent of what is produced in terms of liquid in the landfill. That equates to about two cups of water in an Olympic size swimming pool. Since this proposed landfill has a leak detection layer, and a secondary containment layer, that seepage is expected to be captured by that secondary layer.

Mr. DiFrancesco presented information on geomembrane liner testing. The proposed landfill bottom liner system not only has one geomembrane, but it has three geomembranes in its construction. The material goes through stringent testing requirements at the manufacturer, which certifies over 20 physical qualities of the material before it's delivered to the job site. Once at the job site, the construction quality assurance firm takes samples of material and confirms what the manufacturer says those properties are and then upon installation, it's tested again for water tightness—all the welded seams are checked for air and water tightness. The geomembrane system is tested three times in the construction of a landfill. Mr. DiFrancesco also presented information on landfill gas to energy, and said it is a viable project. Landfill gas is used in different ways to generate energy: to heat buildings on-site (medium BTU fuel), put into diesel engines to generate electricity, and can also be refined on-site to be made available to a third party industry that may use natural gas to fuel boilers or something of that nature. This site is probably a very good candidate for electrical generation. The methane gas would be collected through a vacuum system, a series of vertical and horizontal wells that are placed in the waste mass. A vacuum is applied and gas is drawn out and then taken to a building that runs diesel

retrofitted engines that turn turbines which generate power that is sold back to their grid. He said that there are hundreds of landfill gas to energy partners available.

Mr. DiFrancesco said that since their presentation to the Planning Board, they refined the master site plan for the proposed landfill, which is now about 198 acres (down from 200 acres) for the landfill footprint. It still is approximately the same height and would contain approximately 45 million cubic yards of gross airspace capacity. Onsite, more than eight acres were retained for storm water management ponds. To put it into perspective, the typical disposal area is about one acre in size compared to the 198 other acres. He said that the landfill would have well over 30 years of life at 1500 tons per day.

Mr. DiFrancesco said that a traffic study was performed by CDM Smith and was based on an upper limit of 100 trucks per day. This represented only a 1% increase of the existing road capacity. The road geometries were suitable for the type of vehicles that are proposed and it was recommended that a left-turn lane be designed and built to turn into the facility. Also, a voluntary relocation of mailboxes by the County and reduction of speed limit and other special use permit conditions would be put into the permit at approval. Mr. DiFrancesco provided an update on the buffers: 300-ft buffer, specifically on the eastern side, is now well within the 300 feet after moving the setback. The closest disposal area is about 395 feet to the east and on the southern portion, where there was a 400-ft. buffer, the actual waste footprint is about 460. Some small revisions on distances and size resulted as they took the site plan to the next level to make sure everything graded in properly. He showed a diagram of the proposed entrance off Old Cedar Falls Rd. He said that the distance is approximately ¼-mile from the facility entrance to the scalehouse area where trucks are inspected and weighed. This would allow some 17 trucks to queue. Also, there is very hilly terrain as soon as you turn the first corner after entering the facility, putting the elevation of trucks at about 10 feet lower than Old Cedar Falls Road, so it effectively mitigates the noise impacts since they are at a much lower road grade. He showed a diagram of the proposed facility, which included the scale house, office/maintenance buildings, active disposal area (about 1-acre) at any given time, storm water ponds, and the area to manage leachate prior to it being pumped offsite. He noted that power lines would be re-located to the western portion of property and pointed out some potential areas for soil borrow for operations. He also pointed out an area that has been identified as a good area for landfill gas management where a gas to energy facility plant might be located. Mr. DiFrancesco noted an access back to the old closed landfill site/transfer station/sanitary sewer pump station, where leachate would be handled by pumping offsite through a pump station to minimize the number of trucks coming into the site. A location for a forced main has been identified.

Ms. Kirkman said that the Environmental Impact Study has been submitted to the state clearinghouse. She displayed a double sided copy of the document, which is quite significant in terms of the data and the analysis that are required by the state clearinghouse to go through this process. Pending tonight's outcome, there would be a submittal of a geotechnical hydrogeologic report, and some finalization of the conceptual site plan, which will help the County obtain better cost estimates while going through the RFQ process for selecting an operating partner. She said that all this data can be used to the County's benefit to help narrow in these costs. These data are also required as part of the site suitability plan. The site suitability report would be submitted, then the facility plan and design hydrogeologic report, then the next steps would be the RFQ, followed by the application for permit to construct the landfill. She reminded everyone that there

will be many more opportunities for public comment: a hearing for the state agencies, including NCDENR, and a public hearing for the franchise agreement with the operating partner.

Commissioner Haywood asked where the leachate would be pumped to (offsite).

Mr. DiFrancesco said that it would be pumped to a sanitary sewer pump station and eventually discharged to the City of Asheboro's water treatment plant.

Commissioner Haywood asked if we had an agreement with the City to take that leachate.

Ms. Kirkman said that there had been some preliminary discussions with the City and that data had been provided to give them an idea of the composition of leachate.

County Manager Richard Wells confirmed that the City is willing to take the leachate, even if it has to be pre-treated. He added that many mills and plants still have to pre-treat waste before the municipality will take it into their sewage system. Mr. Wells said that all the buffers are no-cut buffers and most of them are trees.

Ms. Kirkman said that there is a lot of existing natural vegetation including some mature hardwood, and it's quite common to supplement vegetation of areas for visual and noise screening between any potential resident and the landfill activity.

At 7:30 pm, County Attorney Ben Morgan read aloud the rules of procedure and conduct for the public hearing on the proposed regional landfill, as follows:

“This public hearing is being conducted to comply with two state law requirements. First, pursuant to G.S. 153A-136(c), the board of commissioners seeks input from any citizen on the alternative site analysis conducted by Golder Associates. This study was presented in detail at a public meeting on February 7, 2011, and the materials have been available through the county manager's office and public works department since then. The same materials presented in 2011 are here tonight and the presentation you will hear in a moment will address it again.

Second, pursuant to NC Administrative Code 15A NCAC .1618, the board of commissioners must decide whether to approve a landfill at the proposed location. Although a special use permit was issued by the planning board, the final decision whether to approve the landfill and to submit an application to NCDENR belongs to the Board of Commissioners.

If you have submitted written comments, your comments have been forwarded to each member of the board of commissioners.

Anyone who wishes to speak will need to sign-in with the clerk and provide your name and address. If you have written materials for the board, you should also give a copy to Ms. Ivey, Clerk to the Board, for the record.

When you step to the podium to speak, you must repeat your name and address clearly.

Public comments will be limited to one appearance per person.

Each commenter will be limited to three minutes of speaking time in order for all interested citizens to have the opportunity to speak.”

Chairman Holmes opened the public hearing and invited citizens to speak.

Ronald Hudson, 1018 Hudson Lane, Asheboro, said that he lives near the proposed site. He went to Troy to see that landfill that is said to be similar to what will be constructed here, if approved. He said he met 10 trucks on the road to the landfill before 7 a.m. He also observed 21 more trucks going in and out of the landfill, before 8 a.m. Mr. Hudson said that in one of the meetings, one of the experts said that there would probably be no trucks before 8 a.m., but he observed 31 trucks before 8 a.m. at the Troy landfill. He was told most of the noise would be during the construction of the landfill. But, when he sat outside the Troy landfill, he heard trucks hauling dirt and saw the dust from the trucks. He also said he could smell a little methane in the air, but mentioned that he doesn't know if that's harmful to a person's breathing. He also said that his cousin's wife said that she saw them burning it (the methane) at night. Mr. Hudson said he heard noise from Jake brakes inside the site, even without his hearing aids. He said he remembered at the first meeting, the expert commented that the trucks would be in a cage-like area to keep the birds from scratching the material, which wouldn't be too practical. When the special use permit request was presented to the Planning Board, it had been changed to a 50-ft high fence. He didn't see any birds at the landfill. Mr. Hudson said that the County Finance Officer mentioned this landfill would bring in \$1 million to the County; the lawyer said \$3 million. Mr. Hudson also mentioned that the liner has been changed.

Robert Morrison, 1735 Viewmont Ct., Asheboro, said that he had listened to the same presentation that the Board did and heard a lot of technical statements indicating that this landfill is going to be safe. A question he urges to ask is, “Who guarantees those statements? Twenty years from now, if there is a leak or damage to land or water or air, who stands behind it?” If the answer is nobody, he hopes the County buys insurance to protect those landowners nearby. The threats of serious and environmental damage and risk of public health and the certainty of aesthetic damage begins as the landfill is constructed and continues for generations after it's full. A full landfill produces only risk, not revenue. Mr. Morrison said he understands the need for jobs, for economic development and tax revenue and expense reduction, but he thinks there are better ways to get there than a landfill. He said he would like to see county government very active in economic development and strategic planning with a vision statement and goals for what we need to achieve and a plan for how to do it and how we can work together for those goals. He said that the County has participated with RCC, YMCA, the hospital, downtown Asheboro, senior adults, and other places. He said that our county is full of good people who work hard. We need leadership and realistic optimism from our elected officials. He said there are many people in attendance tonight, and others throughout the county who would work to back a sound plan for economic development. He said he hopes the Board will drop the landfill idea before spending any more money or any more time and engage the people of the county in a planning and goal setting process to determine how we can grow and thrive in the future. If we develop that vision and if we believe in ourselves, according to Mr. Morrison, Randolph County can be a leader in growth, development and quality of life. But, who wants to locate their new business to a county whose best economic idea is a landfill? He encouraged the Board to share the faith in a bright future. Instead of trying to win a race to the bottom by dedicating our land as a cemetery for other people's trash.

Jim Meredith, 5326 Ramseur Julian Rd., Liberty, said that he and others oppose the landfill and think it's a bad idea for Randolph County. He said they are convinced it will cause serious long lasting

harm to our image, to our people, and to our environment. It's not our job to say where the landfill should be located, but it's our job and our responsibility to say that it should not be located here. There may be better sites elsewhere and that's someone else's job to find them. He said we're home to the zoo; we have our beautiful mountains, rivers, streams, countryside, and our farms. People come to visit this area and enjoy it, and they bring in tourist dollars. People retire here and enjoy living here. Mr. Meredith said he thinks that the landfill is going to damage our image, our reputation and will bring financial hardship to businesses and individuals who depend on tourism. Real estate values will be reduced. There are also traffic and health hazards. Large truck traffic will make driving more hazardous on 64 and 220, and they're not particularly safe now, as we've all seen accidents there. Adding scores more large trucks will not be helpful. Also, in the vicinity of the landfill, diesel fumes, dust, air pollution contributed by the traffic and air pollution from the landfill itself will harm the health of people nearby and will damage pedestrians and wildlife. Also, there is the potential for water pollution. With all respect, there are no 100-year-old or 400-year-old liners. None of us are going to be around to prove that they didn't leak. Finally, he said that they do applaud the commissioners' effort to find ways to reduce fees and avoid tax increases. But, they don't think the landfill is the way to do it.

Rashidi Everette, 427 S. Main St. Asheboro, said that he is a Vietnam vet, and has lived here in Asheboro except for the time he was in the service. He said his question is, do any of the Commissioners live within the 3- or 4-mile radius of a dump or would intentionally move to within a 3- or 4-mile radius of a dump? He said he personally believes that the Board has not gotten enough negative information concerning the bad fallout of this dump. What about the wildlife? How will they be affected? Will they become vicious animals, running into the city? Will they multiply more rapidly than we can handle? He thinks that we should consider the health risk of each citizen in Asheboro. He said that if you can smell it, it's harmful. He thinks that everyone will have a better life without this dump and hopes the Board will honor the citizens' requests.

Janet Pate, 3901 Hillsdale Park Dr., Sophia, said that the High Point Enterprise, Greensboro News and Record, and Asheboro City Council talk about WHEN the landfill opens and the Randolph County Commissioners and local news talk about IF, not when. Ms. Pate said that government is supremely unqualified to engage in business and we need look no further than the 51 cities who entered the utility business back in the 70s to see this. Their citizens have paid 15% more for power in the past four years. She said that *My Connection* is a cable company created in Davidson County seven years ago under similar circumstances as the proposed landfill. The end result is about a \$90 million liability to the taxpayers and their best quarter was a negative \$1 million profit. *My Connection* has never made a profit, has poor customer service and costs more than cable service elsewhere. When elected officials asked about the poor performance of *My Connection*, they blamed business consultants. They claimed the consultants led them down a primrose path. Ms. Pate next talked about the Welcome Centers in the southern part of county. She said they started out as a contract-operated enterprise like the proposed landfill, lost tens of thousands of dollars, and now government runs the Welcome Centers at a large price to taxpayers. She reminded the Board that the Welcome Centers were supposed to be self-supporting. Ms. Pate said that government does a handful of things well, but running a business is not one of them. According to Ms. Pate, government never needs to be in business for itself or compete with private enterprise. She said that if we ever derive any revenue from this proposed landfill, the Board intends for it to be the County's cookie jar, but plans don't include any provisions for technological advances. She said if the landfill opens, it will be only 15 years before consumer technology renders it obsolete, and taxpayers will be responsible for the maintenance bill from then on. It's apparent that our Commissioners want to make a decision that will only affect the budget 2%, but it could go the other way much more.

Nick Davis, 240 Shady Grove Rd., Pittsboro, spoke on behalf of the *Orange County Voice*, of which he is a Board of Directors member, and *Preserve Chatham County*, a group that was formed in 2010 when a regional landfill was proposed in Chatham. He said that at that time, there were many groups who opposed the landfill for the same reason as in Randolph County now. The proposal from the Richardson Smith Garnder study suggested that Randolph County would be Chatham County's partner in filling the regional landfill. Now he said he was here with Chatham subject to be a partner with Randolph County for a regional landfill, which is Whac-A-Mole. He said every time he turns around, there is another regional landfill popping up, and it's environmentally insensitive due to social justice issues. It's not a good idea. He argued that you've got 30 years of landfill life and then 60 more years of monitoring and then only have to monitor 30 years. He asked the presenters about their cost comparison of tipping fees to a landfill for waste to energy, which they dismissed because tipping fees are more for a waste to energy plant. But, according to Mr. Davis, what they didn't tell say was that a waste to energy plant brings capital investment to the county and pays taxes, and they produce electricity. He did hear them say that they do produce 10% ash and ash has to be disposed of. But it's an odd comparison when they compare only tipping fees and don't allow you to hear the other benefits. Mr. Davis said that leachate going to the wastewater treatment plant is another question. According to Mr. Davis, wastewater treatment plants are not able to treat chemicals. This leachate is all chemicals. We don't know what it consists of.

Pam Cooper, 618 Libra Place, Randleman, said that she is one of people who can't walk across the street in 5.5 seconds on a cold rainy day with a brace on her knee. Numerous people told her that this is a done deal, and we're too late. It's already been bought and paid for. She said that several risks have been mentioned. What kind of liability insurance is the County planning to have in the case of a large truck that can't stop before it gets to a stopped school bus, or in case fugitive methanes from the landfill catch fire or in the case of a huge smoke disaster that forces people out of their homes for weeks. The other thing about the waste to energy comparison that was overlooked is that those are used in areas that have very expensive land. They are used in coastal Florida, Orlando and Miami, and northeastern states where everything is more expensive. How does that difference in the waste shipping and tipping fees compare to the difference in the cost of land and income in those areas? She said that \$15 more for garbage to someone who is used to living in a \$5 million house is nothing; it's not an apples to oranges comparison. They don't use landfills. They build industrial areas that already have an electrical grid that has heavy highways for trucks and rails. They would not consider this landfill property. It's a whole different thing. But they could build it at no cost to the county. Ms. Cooper said that we've already spent \$1.4 million and we're still going. It would be about five years before we get any income from it. The sound of the diesels was really dismissed as being like a garbage disposal. Not many have 10 in their kitchen and turn them on at 7:30 am and run them all day.

Therese Vick, 4617 Pearl Rd., Raleigh, spoke on behalf of the Blue Ridge Environmental Defense League and said that she joins others in Randolph County in opposition to the regional landfill. There are too many questions left unanswered and the presentation tonight didn't answer them. She told the Board that they can say no right now and can stop throwing good money after bad and listen to their people. They're the ones who have to live with this. But at the very least, she asked the Board to enact a one-year moratorium on this process to look at the questions that the community has raised at the Planning Board meeting, in the media and privately. She asked the Board not to depend on a consulting firm who are only doing what the County wants them to do. She also asked what impact will the landfill have on local control? Empty space in a publicly owned and operated single county landfill is an asset. Empty space in a regional landfill is a hole waiting to be filled. What

true impact will there be on public health? What will be the impact of siting a new landfill at the same site as an old landfill, which is currently contaminating groundwater? How much is that already costing the County to monitor that? What will the County's ultimate liability be forever? How does the siting of another landfill in same area impact people's quality of life and environmental justice? She suggested going to the EPA website site to use the EGA mapper to look at the vicinity around the landfill. Also there should be a thorough investigation of the track record of companies who are being considered to operate the landfill. Listen to your people.

Virginia York Halverson, 1908 Leonard York Dr., Randleman, urged the Commissioners to abandon plans for a regional landfill in Randolph County. Abandoning this plan will help salvage Randolph's reputation for leadership, which is now in shambles. This plan, if implemented, will go down as the rape of Randolph County, its land and natural resources, animal habitat and birds and most especially, its people. It will be an assault forced upon the people and character of Randolph County. Taking this plan off the table should help remove some of the cynicism surrounding Randolph's government and the firm belief that this has been a done deal all along. Especially when we have heard that NCDENR was in on the original proposal with Randolph officials. How can there be any objectivity from a state department that must issue a permit for a landfill when its purpose all along has been to get the landfill into operation. Of course, the Randolph Planning Board made it easy for the NCDENR by approving the necessary zoning permit. I doubt seriously that any persons in leadership positions who have been swayed in the landfill plan have done any private research to gather information and compare studies with paid consultants hired by the County. Ms. Halverson said that one of the most disturbing stipulations from the Planning Board concerns onsite education at the landfill for students. How could any responsible group of adults knowingly approve exposing young people to the chemicals and germs at a landfill, much less one that will generate 1500 tons of garbage a day? Ms. Halverson commended Wayne Joyce of the Planning Board for voting to deny the special use permit. She said that we study ethics and we learn what is good and right. The landfill is not good and not right. No community should have to be taken advantage of by something of this magnitude, adding that one might say that it is unethical to force something that is harmful and unsafe on people who pay taxes hoping for informed representation that doesn't buckle to the political pressure from the big boys from the state. She also commended Commissioner Stan Haywood for his stand against the landfill.

William Henley, 3213 Old Cedar Falls Rd., Asheboro, said that he is probably the closest resident to the landfill, adding that the entrance road is within the buffer behind his house. He is concerned with the safety of his family who live on the property with him. He has two adult children who have children. He said that there are flaws in the traffic study that said that there were no school buses on this route. His grandchildren got on the bus that morning and got off that afternoon. It's over a blind hill that you can't see over. No one has done a study on it. The Planning Board required a study on site distances on this road, but it hasn't been done. He asked if a moratorium should be put into place to figure out if the road will be safe. He also said that he found out at the Planning Board meeting that there isn't enough soil onsite to cover the trash; it will have to be imported. That wasn't included in the 100-truck estimate. He asked how many loads of dirt would it take to cover one load of trash? He has lived 47 years at his and his children's home. This will ruin his life.

Kim Markham, 963 Edge Ct., Asheboro, said that if the Board moves forward with this, he challenged them to go to the highest level possible, utilizing as many Randolph County companies as possible, although he realizes there are limitations based on experience levels. He said that he supports the landfill based on the economic side, which is in creating jobs. He is a small business owner with

28 employees, down from 30. Every day he tries to come up with a way to create more jobs. It's hard to find jobs and create jobs in this county. He said that he supports it either way and admires the Commissioners for having to make the decision and for giving the time they're giving. He stressed that we've got to provide jobs and put people back to work in this county.

Dwight Ayers, 3686 Old Cedar Falls Rd., Randleman, said that he admired the Commissioners and considered them as men of honesty and integrity and character. This is a matter of morality, and asked which is most important: health and welfare of citizens, or a few cents on the tax evaluation? He said that he remembers that Judas Iscariot had to make a decision years ago and hopes the Board's decision is much wiser than the one he made.

Reynolds Lisk, 1763 Old Lexington Rd., Asheboro, spoke in support of the landfill, although there have been many good points against the landfill. However, he said that if the Board votes to move forward with this, he hopes they will consider all the safety aspects. He commended the Board for taking this on, primarily from an economic standpoint. He's a small business owner in the insurance business, and he sees a lot of commercial clients who are having a hard time. There have been a lot of lost jobs in Randolph County. Real estate values are down. He said that about five years ago, 44% of the revenues in the County's budget came from property tax. But now, we're looking at 54% and it appears to be increasing. Anything that we can do safely to alleviate the increase in our property taxes, he supports. He said that his FICA tax has gone up this year, along with income taxes. The Affordable Care Act is going to create more taxes in 2014 going forward. The City of Asheboro has already announced that they will be increasing property taxes next year. He's not sure how much more citizens can take from that standpoint when every penny of taxation takes thousands of dollars from our economy. If the landfill can be done safely, he supports it, and from what he has read, it appears that it can be. He knows the Board will consider that.

Michael Trogdon, 3463 Old NC Hwy 13, Asheboro, said that any county that's worth its weight would certainly hire those to come and share all the technical aspects of what they want to do. Studies that he's done and read said that the things that were not supposed to happen, happen. He said that it's never smart to promise anything. He said that this liner is expected to do this, but the reality is that you can't guarantee anything. If the landfill does come here, and it does not hold up to what it's supposed to do, the most we can say is, oops, or I'm sorry. And then it becomes the responsibility of the taxpayers to insure the welfare of our community. So simply based on the fact that you cannot insure the reliability of this landfill, he prays that the Board will think twice before accepting a license.

William Dula, 1320 Randolph Tabernacle Rd., Asheboro, said that all the commissioners were good men, but they just have some bad information. He thanked Terry Brindall, Gary Grant (NC Environment Justice) David Caldwell, Denise Spurlocker (UNC Chapel Hill) City and Regional Planning Commissioner Mark Dornan, NC Chapel Hill School of Law, Rev. Trogdon and Christopher Henney, from Johns Hopkins University. He presented a map from the E. J. Hugh Environmental Justice Office at NC State showing one mile, 36 percent minority; three miles, 36 percent minority; two miles, 35 percent minority. He said he didn't know where the consultants got their figures. He said a slide was displayed that said that hay was worse than landfill gas. According to Mr. Dula, that study was done in the 70's in England. At the Planning Board meeting, they were told that presenters couldn't use anything that was done in South Carolina, but now they're being allowed to use a study from England. He referred to a study done by Dr. Christopher Henney from National Institute of Health in 2012 in Chapel Hill, that states that if you can smell it, it will make you sick. It's the stuff that's underneath the smell that makes you sick. He then referred to the traffic study that the

County paid \$58,000 for, but Mr. Dula said that the traffic study folks weren't smart enough to figure out that we have the city schools system; they only used the county. They did their math, but they missed it. They estimated 90 trucks coming one way and 20 the other and they came up with a total of 200 trucks, which doesn't add up correctly. Mr. Dula recalled someone saying two trucks turned over on Henley Country Road, but they didn't say they were landfill trucks. He said that NC State HB 1492 says what a landfill can and cannot do. It says a landfill cannot be built within five miles of a national wildlife refuge or two miles of a state park. But, it can be built 3.5 miles from a hospital and two miles from a school. He asked the Commissioners if they were going to disregard Dr. Koslow and his recommendation. Mr. Dula introduced 11 exhibits into the record.

Dean Brooks, 2777 Old Cedar Falls Rd., Asheboro, said that he lives within 1¼-mile of the proposed site. He appreciates the Board's objective attention to his statements. He moved to the county from the city for better water and air quality. He's had radiation resulting from asthma, bronchitis, allergies, emphysema, and COPD. This will only contribute to further poor air quality and toxins in the area's drinking water. He said his immune system has been compromised as it is. He asked the Board to consider this proposed landfill site as if it was in their immediate neighborhood and if it was their families' health in jeopardy. He's seen in that area old broken batteries in water pools. There are wildlife that drink from area streams and pools, which are possibly contaminated with the broken batteries. These game animals are also wildlife that are harvested and consumed by humans. He referred to a water analysis dated 4/25/13 from the NC State Laboratory of Public Health and said it would be interesting to see this same analysis two or five years in the future, to compare what the levels are then and who would be liable and responsible for that? There are better ways to bring money into Randolph County. Is real estate value going to go up because of the proposed landfill?

Addie Luther, 828 MLK, Jr. Drive, Asheboro, said she lives on the east side of Asheboro. She spoke against the regional landfill coming in her front door. She said that on the east side they already have the odor from the NC State Zoo because of the sewage line running through her neighborhood. She said that they gave them a telephone number to call when the odor gets unbearable. They have had to call, especially in the summertime. She asked the Board to please not dump another odor that close to Eastside Asheboro.

Duffy Johnson, 1184 Cedar Creek Dr., Asheboro, said that he knows what a difficult decision the Board faces and that there are many factors involved. He said he knows that the Board will do what's best for the citizens of this county. He said that after reviewing much of the available information on the project, he has reached several conclusions. By law, local governments are required to have a solid waste solution: a plan for dealing with solid waste. Randolph County does not have sufficient solid waste to operate a modern facility solely for the benefit of Randolph County citizens. Establishing a regional landfill will create a new revenue source for the County. The County would be re-using an underutilized asset in property that is currently available. Revenues generated by the regional landfill would reduce the pressure on our property tax rate by expanding the revenue base available to fund local public service projects. The county would hire an outside company, experienced in the operation of a regulated landfill. The facility would create much-needed jobs here. The landfill operator would spend millions of dollars here that would result in additional indirect jobs. The County would have a cost savings by eliminating the need to transport our solid waste to an outside facility. Local residents would see savings for their own solid waste disposal needs. The county would retain ownership of the land and control of the facility. NCDENR would mandate strict enforcement of all rules established by the NC Solid Waste management division. There are many economic benefits to establishing a regional landfill here to include new jobs, growth and development, and cost savings for the citizens,

and a broader revenue base for the county. He said that he believes that the controls and the guidelines that have been proposed are sufficient to protect our citizens. Based on these factors, he supports consideration of a new regional solid waste facility in Randolph County.

Jeff Marotto, 1200 Skyline Dr., Asheboro, said that the County has got a great site to build a defensible fort, but as far as a landfill, there is running water on three sides; you would be building a landfill on a peninsula. If something should go wrong, all that pollution is going downstream. He asked the Board if they were prepared for the suits of all of the counties downstream that will come this way if it does fail. Remember, the Titanic was unsinkable, and the Trade towers should never have crumbled. He said he could probably think of 100 other technological things that should never have failed, but have. He said that we're taking the word that something is going to last 450 years. "How do they figure that out? Have you had it for 450 years and it hasn't failed? Or, are you just making a guesstimate? Folks, I grew up in North Jersey. You want to talk about landfills? They smell. They're 300 feet high piled with garbage that you see every day. We have just gotten Asheboro the certification to be a destination for retirees. And you're turning it in to Trasheboro, the place nobody wants to move to. The Deep River has a wild hog population running on it. And you're putting 1500 tons per day of garbage for them to feed on? Folks, common sense says trash has to go somewhere and I'm not against you guys thinking of a better place for it. Why don't you just dump it in the ocean because you're going to get it in that body of water one way or the other." He said he's not an environmentalist, but he is a conservative and understands the need for these things. Somebody has to put it in their back yard. Someone has to live with it. But to put it right on the edge of a town that's making some moves to increase its economy, there's got to be a better place to put this.

Melvin Marley, 890 Lansdown Rd., Asheboro, said that there is already a mess in his neighborhood off of Presnell St. He said they hear trucks all day long, and some heavy earth moving equipment. He strongly suggests not putting it in his neighborhood, because his wife is bothered with asthma. Also Old Cedar Falls Rd. is not capable of handling big trucks. There have been four people killed because it's too narrow and because folks speed. He said, "We have petitioned to cut the speed limit in low rent areas to 25 mph, 45 and 55 mph off of Cedar Falls Road from Presnell Street all the way to Cedar Falls. That's not fair. We deserve to pull onto the highway without speeding cars." He said that they are taxpayers just like everyone else and deserve better than what they're getting. He moved to Asheboro in 1982 because he found a good job and he was a good worker. He asked the Board not to do this to them again. They've been through it already. "It's time for someone else to bear it. Does Asheboro really need this? No. This is not good. It's going to cause a lot of sickness and the health costs won't be worth the money because people have breathing problems. Why not work on something to make health better in this city rather than trash dump. It's a graveyard. We don't deserve that. Randolph County has prime land; we can do better and attract good jobs to this community. This isn't one of them. You're going to get some outsider to run it who doesn't give a hoot about Randolph County citizens."

Angela Moore, 1707 Berry Lane, Pleasant Garden, moved to Randolph County approximately 19 years ago and found it was a county she loved after living in Guilford County. It seemed Randolph County was more peaceful and cared more for its citizens. She asked the board to, instead of listening to a panel that the Board has paid, listen to the people who've elected the Commissioners in good faith.

Ronnie Pugh, 411 Hillview St., Asheboro, said that when dealing with a situation, it's good to ask oneself if it is a crisis or an opportunity. In most cases, we determine that by how we approach the

solution. He said he owns property in this area and some will see this as a crisis. For those folks, the Board has the responsibility and expectations as a board to minimize any impact the project could have on property and lives. As to the opportunity side of this question, this project should impact the citizens in the county in an overall positive way. It should allow us to control our future and place us in an advantageous position with our neighboring counties. It should create jobs and help us maintain a lower tax rate. He said that we have the asset in place and he encouraged the Board to use it.

Josh LeRoy, 921 Sequoia Ave, Asheboro, said that he has lived in Asheboro for six years; his wife is from here and they love living here. He was raised in Chapel Hill where there is a road there called Rogers Rd., which is 90% African American. That's where their dump was. As a child, he said he remembered getting up on Saturdays and loading his daddy's truck with trash and going there and dumping their trash in someone else's neighborhood. Like everyone else in Chapel Hill, Carboro and Hillsboro, they took their trash to the black side of town and dumped it there and they didn't think about it. His family were good people, just as everyone else who took their trash to Rogers Rd. But he said that the problem is, bad things happen when good people don't think. He said that you can say all you want to about the demographics of that area, but if you're from here, you know where that dump is going. When he drives there, his eyes tell him a different story than 12% minority. That is not the case. He feels very strongly that the Board members are good people. He believes that the people who spoke in favor of the landfill are good people. But, bad things happen when good people don't let themselves think or feel clearly. Financial gain cannot be the only basis for this decision. He implores the Board to think and to feel.

Hope Moody, 3368 Carl Allred Rd., Franklinville, said that her question is for Reynolds and Mr. Pugh and Kim, who had already left and "the other gentleman, "Which one of these men asked you to come and speak tonight?"

Approximately 70 people stood in opposition to the landfill. Three people stood in favor of the landfill.

Chairman Holmes closed the public hearing.

Paxton Arthurs, Public Works Director, asked that the Board consider the resolution, which gives the history of the project to date and authorizes the project to move forward.

Commissioner Kemp made a motion to adopt the proposed resolution, which authorizes the submission of a permit application to NCDENR for a municipal solid waste landfill in Randolph County. Commissioner Lanier seconded the motion.

Commissioner Stan Haywood said that he is against the proposed landfill. He listened to the voice of the people, which is what elected officials are obligated to do, not necessarily to be swayed, but to hear. But one of the voices that we had already heard spoke the loudest to him, when Dr. Koslow presented science that told us that people who live within a mile of the site, long-term, would probably develop more allergies, and the older folks would probably have more asthma and COPD. He took an oath to protect the health of people when he graduated in 1968 from pharmacy school. The voice of the people and Dr. Koslow are loud in his ears. Perhaps the emotion of seeing his father die of COPD causes him to take the stand he's taking. But he thoroughly hopes that this Board will reconsider this and just say no.

Vice Chair Frye said that when this process started, he stated at every meeting that dealt with this issue, he wanted to be informed and to know everything about the process and about this facility. He still has some questions that would need to be answered. He asked the County Attorney, "Is this the final vote? Where do we go from here?"

County Attorney Ben Morgan said that if you vote no, it's a final vote. If you approve the resolution, you're approving the application to NCDENR for a permit.

Vice Chair Frye said, "If NCDENR approves the permit, where does this board stand?"

Mr. Morgan said that if you have a permit, but you're not required to go forward until you sign a contract with a landfill operator.

Vice Chair Frye said that he still has some questions.

Following discussion, the Board voted, 3-2, with Haywood and Frye opposing, to approve the following resolution:

RESOLUTION APPROVING A MUNICIPAL SOLID WASTE LANDFILL

WHEREAS the Randolph County Board of Commissioners has authorized site studies to determine the suitability of a 667-acre site for a Subtitle D Municipal Solid Waste Landfill; and

WHEREAS, Randolph County staff has conducted numerous well-publicized and well-attended information sessions in 2011 and 2012, where members of the surrounding neighborhood, the county, the Board of Commissioners and the Randolph County Board of Health could ask questions of engineers regarding landfill construction, landfill safety and a modern landfill's effects on the surrounding areas; and

WHEREAS, the Board of Commissioners heard a presentation from Golder Associates NC, Inc. on February 7, 2011, presenting an Alternate Site Evaluation report, which was done in accordance with North Carolina General Statute 153A-136(c), showing the County property adjacent to the closed landfill to be the most suitable for landfill development based on several criteria and a county-wide search; and

WHEREAS, the Alternate Site Evaluation included a demographic review, which did not indicate that operation of a landfill at the existing landfill property would disparately impact any minority population or disadvantaged socio-economic group; and

WHEREAS, the Board of Commissioners heard the results of a Fatal Flaw Study prepared by Golder Associates NC, Inc. on February 7, 2011, which revealed that no significant technical issues related to airports; faults/seismic impact zones; state nature and historic preserve, national wildlife refuge, state game lands, and state parks; or water supply watersheds existed for the subject property, and that additional investigation was warranted for wetlands/streams/100-year floodplains; cultural resources and threatened/endangered species; and vertical separation from bedrock and groundwater; and

WHEREAS, the Board of Commissioners was presented a Market Study and Financial Analysis prepared by Golder Associates NC, Inc. in November 2011 for the proposed regional landfill, which presented that up to 1,500 tons per day of waste may be available from surrounding counties and that the capital investment may be recovered after a period of approximately 6 to 10 years; and

WHEREAS a Neighborhood Information Meeting was held on September 24th, 2012 in the Historic County Courthouse Meeting Room at 145 Worth Street, and approximately 60 citizens who owned property in the vicinity attended and/or made comments and asked questions; and

WHEREAS a well-publicized public information session was conducted on October 1, 2012 at the Historic County Courthouse where citizens from across the county could hear presentations from engineers and others and approximately 75 citizens attended and 15 citizens made comments and asked questions; and

WHEREAS, two local newspapers, the Courier Tribune and the Randolph Guide, have published numerous articles over the past two years in an attempt to keep the public informed on the proposed facility; and

WHEREAS, County staff have made presentations on the proposed landfill to approximately twenty (20) civic groups and municipal councils in 2011 and 2012, providing the public opportunity at each meeting to ask questions; and

WHEREAS, at the request of a member of the Board of Commissioners, the Randolph County Board of Health advertised and conducted a public meeting on February 11, 2013, to hear presentations from engineers regarding the health effects related to landfill activities; and

WHEREAS, on March 7 and 8, 2013, the Randolph County Planning Board heard and decided applicant Randolph County's application for a Special Use Permit for a regional landfill which was attended by 117 citizens over a ten-hour period, and the Board found by a vote of five to one (5-1) that Randolph County had provided competent, material and substantial evidence that it met the requirements for the issuance of a special use permit; and

WHEREAS, Golder Associates NC, Inc. submitted an Environmental Impact Study for the subject property to the North Carolina Department of Environment and Natural Resources (NCDENR) on the County's behalf on April 12, 2013, which evaluates potential environmental impacts from landfill development at the subject property and associated mitigation measures, as well as socioeconomic factors; and

WHEREAS, Golder Associates NC, Inc. is in the process of preparing a Site Suitability Report and a Design Hydrogeologic Report based on field investigations that have been in progress since 2011 for submittal to the NCDENR upon approval of the Commissioners of this resolution; and

WHEREAS, in order to determine if the County wished to grant local approval and proceed with a landfill application through the processes dictated by N.C. Administrative Code, Subchapter 13B, Sec. 1618(5), the County issued press releases to radio, TV and newspaper media outlets and published notices in local newspapers that citizens could attend a public meeting at the Historic County Courthouse on May 6, 2013 to become better informed of the proposed waste management activities as described in the proposed Facility Plan and to offer information and comments to the Board of Commissioners on such activities; and

WHEREAS, the aforementioned public notices for the May 6, 2013 public meeting notified citizens where they could obtain or review copies of the preliminary Facility Plan drawings and other engineering details and where they could find information on a county website or by calling the county manager's office or calling a "Proposed Regional Landfill Information Line"; and

WHEREAS, the County also notified citizens that written comments could be sent to the County Manager, which written comments have been shared with the all members of the Board of Commissioners; and

WHEREAS, the Board of Commissioners opened the public meeting at the appointed time on May 6, 2013, and heard comments and questions from 24 citizens; and

WHEREAS, engineers from Golder Associates NC, Inc. were present to answer questions posed by members of the public and the Board of Commissioners; and

WHEREAS, after having heard and considered all comments at this public meeting and previous public meetings where many of the same citizens presented comments to the Board, and having received and considered written comments provided by members of the public, the Board of Commissioners, after due and proper consideration of all available information, determines that it is in the best interests of the County to grant local approval for the proposed municipal solid waste landfill;

NOW, THEREFORE, BE IT RESOLVED that the Randolph County Board of Commissioners hereby establishes and grants local approval for the proposed Subtitle D Municipal Solid Waste Landfill; and

BE IT FURTHER RESOLVED that the Randolph County Board of Commissioners approves the submission of all necessary materials to NCDENR as required by N.C. Admin. Code 13B .1600 et. seq. for NCDENR's consideration and review of Randolph County's application for a Subtitle D Municipal Solid Waste Landfill in Randolph County; and

BE IT FURTHER RESOLVED that the County shall take initial and necessary steps to select a design-build operating partner.

Paxton Arthurs, Public Works Director, asked the Board to approve a contract with Golder Associates for additional engineering and assistance with the RFQ process to choose an operating partner (once we have received the Site Suitability approval from NCDENR) at a cost not to exceed \$150,000 and to approve the purchase of the remaining property that is needed for this project, which includes: 42 acres from Eastside Baptist Church at a price of \$252,000, and 90 acres from Judith & Darrell Bailey at a price of \$629,400.

On motion of Kemp, seconded by Lanier, the Board voted 3-2, with Haywood and Frye opposing, to award a contract to Golder Associates and Budget amendment #37, as follows:

2012-2013 Budget Ordinance-General Fund- Amendment #37		
Revenues	Increase	Decrease
<i>Appropriated Fund Balance</i>	\$150,000	
Appropriations	Increase	Decrease
<i>Solid Waste Management</i>	\$150,000	

and to approve the purchase of the remaining property that is needed for this project, which includes 42 acres from Eastside Baptist Church at a price of \$252,000, and 90 acres from Judith & Darrell Bailey at a price of \$629,400, and Budget Amendment #38, as follows:

2012-2013 Landfill Closure Fund- Amendment #38		
Revenues	Increase	Decrease
<i>Appropriated Fund Balance</i>	\$881,400	
Appropriations	Increase	Decrease
<i>Public Works</i>	\$881,400	

Adjournment

At 8:55 p.m., on motion of Kemp, seconded by Lanier, the Board voted unanimously to adjourn.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Arnold Lanier

Stan Haywood

Cheryl A. Ivey, Clerk to the Board