

COLUMBUS COUNTY
BOARD OF COMMISSIONERS

MINUTES

The Honorable Board of Columbus County Commissioners met in their said office at Bowers Auditorium, Lee Street, Whiteville, NC at 7:30 P.M., April 16, 2001 to hold their regularly scheduled Board Meeting, it being the third Monday.

BOARD MEMBERS PRESENT:

Spruell R. Britt, Chairman

Sammie Jacobs, Vice Chairman

David L. Dutton, Jr.

Amon E. McKenzie

Bill Memory

Lynwood Norris

C.E. Wilson

James E. Hill, Jr., County Attorney

Dempsey B. Herring
County Administrator

Ida L. Smith
Clerk to Board

PUBLIC MEETING RECONVENED - RIEGEL RIDGE FRANCHISE AGREEMENT

AMENDMENT

Chairman Britt reconvened the public meeting that was recessed April 2, 2001 to consider a clarification on the Riegel Ridge Franchise Agreement Amendment and announced that each person who signed-in to speak will be limited to three (3) minutes.

There were approximately four-hundred (400) persons in attendance.

Chairman Britt announced the names in the order they were listed on the sign-in sheet and the following persons made comments:

1. **Greg Peverall:** Mr. Peverall, representing Riegel Ridge, LLC, advised that he and his partners (Bill Dreitzler and Dan Marlowe) have fifty (50) plus years

combined experience. There is environmental security as there are no known environmental clean-up associated with Sub-Title D Landfill in the USA. There is economic opportunity for Columbus County in the development of a regional landfill with a useful life of twenty-five (25) years.

2. **Samuel Koonce:** Mr. Koonce, Chadbourn, NC, reported that the New Hope Landfill, which is unlined, has had no events to compromise Columbus County in its thirty (30) years of existence. Mr. Koonce stated that he served on the Solid Waste Advisory Committee ten (10) years ago and it was decided that a regional landfill was the most practical alternative for solid waste disposal and still agrees this is the best method.
3. **Gordon Hobbs:** Mr. Hobbs, Leland, NC, reported that the Commissioners should not sell out Columbus County for a short-term fix for the rest of the State of North Carolina. It is immoral and illegal to put a mountain of trash in the Green Swamp.
4. **Mason Malpass:** Mr. Malpass, Bolton, NC, reported the Commissioners will suffer in the next election for approving the Franchise Agreement.
5. **Sammy Hinson:** Mr. Hinson, Whiteville, NC, reported the liners used to contain lechate in landfills are still an inexact science and that they cannot be depended on to protect groundwater.
6. **Frank Wilson:** Mr. Wilson, Bolton Town Mayor, stated the Town of Bolton is in opposition to the proposal, stating that the landfill will damage a delicate environment and requested the Board to consider alternative sites.
7. **Bo McNeill:** Mr. McNeill, Lake Waccamaw Mayor, stated that the Town of Lake Waccamaw strongly opposes the landfill site. Mr. McNeill reported that he has resolved it is all about money that Riegel Ridge will make twelve million dollars (\$12,000,000) and we will be left with the trash forever.
8. **Denise Lee:** Ms. Lee, Wadesboro, NC, reported of the rodents the landfill will attract and the constant fires from combustion of gases which will cause respiratory problems for residents.

9. **Howard Richardson:** Mr. Richardson, Wadesboro, NC, reported there will be human health impacts and questioned who will be responsible for the liability as Riegel Ridge will assume limited liability control.
10. **Jeff Lane:** Mr. Lane, Bolton, NC, and Chairman of the Friends of the Green Swamp, reported that the County should consider a long-term lease with Sampson County for garbage disposal as they are interested. Mr. Lane reiterated that the Green Swamp is not the place for a landfill.
11. **Dr. Bill Elaesser:** Dr. Elaesser, Lake Waccamaw, an emergency room physician, told Commissioners that serious and fatal injuries could be expected as 100-200 garbage trucks travel N.C. 211 to the landfill site. Dr. Elaesser also warned of the threat of disease, noting that cancer risks could increase if contaminants enter the water system.
12. **Harold Rains:** Mr. Rains, Buckhead, NC, spoke in favor of the landfill. Mr. Rains said the County needs a solution. Mr. Rains reported he was a member of the Solid Waste Advisory Committee some ten (10) years ago and toured a similar landfill facility in Virginia as proposed by Riegel Ridge and stated he came away impressed. I feel this is the best road to travel for a solution for the majority of the people in Columbus County.
13. **Annie Campbell:** Ms. Campbell, Whiteville, NC, reported that if doctors are telling the Board the landfill is going to be a problem for our health, you should say no to this stuff. It looks like there are a lot of Esaus up there selling out for dollar bills.
14. **Garland McCullen:** Mr. McCullen, Lake Waccamaw, NC, reported he and his children and grandchildren live around the lake, but he is not concerned about threats to the lake from the proposed landfill. Mr. McCullen said that without an economical solution to the solid waste problem in Columbus County, taxpayers will continue to suffer higher garbage costs. Mr. McCullen stated that if we can put a man on the moon, he feels modern technology can be used to build a safe landfill.

15. **Joy Pinson:** Ms. Pinson, Horry County, SC, reported she is concerned about the viability of the entire watershed. Horry County depends on Waccamaw River for its drinking water.
16. **Amelia Wood:** Ms. Wood, Horry County, SC, stated she is a teacher at Conway Middle School and she has been teaching her class environmental issues for the past five (5) years. Ms. Wood suggested waste reduction and recycling and invited the Board to consider shipping their solid waste to South Carolina as they accept trash from everywhere.
17. **Scott Crabtree:** Mr. Crabtree, Lake Waccamaw, NC, asked the Commissioners if the Reigel Ridge proposal is economically, politically and morally the right thing to do and requested the Board to vote which is as follows:

Ayes: Commissioners McKenzie, Jacobs, Norris, Britt, Wilson and Dutton.
Noes: Commissioner Memory.
18. **Red Rooks:** Mr. Rooks, Whiteville, NC, stated the State and Federal Governments have permitting the landfill under control and supports the Commissioners in the proposed regional landfill. Mr. Rooks reported he lives near the New Hope Landfill and there have never been any problems.
19. **Joseph Pinson:** Mr. Pinson, Georgetown, SC, stated the Green Swamp is a natural treasure and asked how many people are going to visit the Green Swamp once a Landfill is constructed there.
20. **John Runkle:** Mr. Runkle, Chapel Hill, NC, Friends of the Green Swamp Attorney, stated the Green Swamp is a poor choice for a landfill. Mr. Runkle reported that he does not believe the site selection will be approved by the State. Mr. Runkle reported the Commissioners do not have to enter into this Franchise Agreement with Riegel Ridge as there is no obligation or liability at this time.
21. **Stanley Rehder:** Mr. Rehder, Wilson, NC., reported he is concerned with the venus flytraps as Southeastern North Carolina is the only place in the world

you can find them.

22. **Forest Riggs:** Mr. Riggs, Lake Waccamaw, NC, reported he moved to Lake Waccamaw two (2) years ago after retirement and sees the County as the opportunity to ride the wave of prosperity to position itself as a travel, leisure and retirement destination in the future but that could change if the Columbus County Green Swamp becomes a regional dumping ground.
23. **Chandler Worley:** Mr. Worley, Fair Bluff, NC, spoke in favor of the regional landfill as the tobacco allotment has been cut in half and is paying more taxes than he can afford. Mr. Worley reported he wished there was a better way to handle garbage but if this is the most reasonable and feasible way he supports the regional landfill concept.
24. **Carolyn Lancaster:** Ms. Lancaster, Fayetteville, NC, stated her family owns a home at Lake Waccamaw and said she is a little disheartened as she feels the Commissioners do not have an open mind about the proposed regional landfill. We have quite an investment at Lake Waccamaw and we want to enjoy the investment. How can you possibly take this upon your shoulders to make this decision for generations to come. Ms. Lancaster asked the Commissioners to reconsider their decision.
25. **Cathy Neilson:** Ms. Neilson, Lake Waccamaw, NC, a member of Lake Waccamaw Town Council, stated if the waters in and around the lake are degraded the property values will be devalued and what are you going to do then? Ms. Neilson said that approval of the landfill application appears imminent, even at State and Federal levels, despite the opposition from the Friends of the Green Swamp.
26. **Lonnie Fox:** Mr. Fox, Lake Waccamaw, NC, reported this is a difficult, emotional issue and is the worst possible location for the landfill in Columbus County. Liners are no panacea for the problems with groundwater contamination we may experience. Mr. Fox requested the Board to reverse their decision regarding the location of the proposed regional landfill.

27. **Virginia Lane:** Ms. Lane, Riegelwood, NC, reported the only positive thing she has heard regarding the Regional Landfill is money. When you lose your clean water and your health to cancer, what good is money?
28. **Richard Hopkins:** Mr. Hopkins, Whiteville, NC, stated he is opposed to any landfill in Columbus County. If you have a methane gas leak, who would be responsible?
29. **Adam Walker:** Mr. Walker, Whiteville, NC, stated he is opposed to the landfill. The Board can vote yes to make the Riegel Ridge partners millionaires but I am for saving the Green Swamp.
30. **Bonnie Ward:** Ms. Ward, Burgaw, NC, reported she is against the Regional Landfill and requested the Board to reconsider their decision.
31. **Lee Conner:** Mr. Conner, Delco, NC, stated that he is frustrated because of the district electoral system for County Commissioners which means that the Board Members (6 of 7) who are for the landfill are insulated from the voters of the eastern part of the County, where much of the opposition is centered.
32. **Jack Council:** Mr. Council, Lake Waccamaw, NC, stated a better alternative would be to construct a regional landfill that would serve Columbus and two (2) to three (3) other counties in the immediate area. A smaller, County-operated regional landfill would give the people in the area greater control.
33. **Greg Parker:** Mr. Parker, Whiteville, NC, reported there are other alternatives to a mega landfill. For example, Pamlico, Craven and Carteret Counties have formed a solid waste authority to handle their own garbage. Mr. Parker stated he is adamantly opposed to a regional landfill in Columbus County. He also asked what history Riegel Ridge has in operating a landfill and what measures are planned to reduce waste from counties within the 100-mile radius and what happens if Riegel Ridge goes out of business.
34. **Bill Ball:** Mr. Ball, Whiteville, NC, reported he feels the Commissioners need to find another solution. Some of you have a small voice in the back of your heads saying, have I given this the very best I have?

35. **Becky Westbrook:** Ms. Westbrook, Chadbourn, NC, and representing the Environmental Science Program at Southeastern Community College, said she uses the Green Swamp area for water quality laboratories. Ms. Westbrook requested the Board to consider a new site, it is OK to admit you have made a bad decision.
36. **Charles Hickman:** Mr. Hickman, Lake Waccamaw, NC, reported we need to look at the future and not be stuck in the past. The Green Swamp is a wonderful place and has already been bombarded by man. We do not need a regional dumping ground in the Green Swamp.
37. **J.W. Hammonds:** Mr. Hammonds, listed no address, reported a yes vote from the Commissioners for a Regional Landfill in the Green Swamp would be pulling the plug on Columbus County.
38. **Steve Smith:** Mr. Smith, Lake Waccamaw, NC, stated the Waccamaw drainage basin is the crown jewel of not only Columbus County but also this region's natural resources. Mr. Smith reported the Governing Body has a website which includes Lake Waccamaw as a natural attraction, but to allow a regional landfill in the Green Swamp is hypocritical.
39. **Dr. Todd Hanover:** Dr. Hanover, Whiteville, NC, a Columbus County Surgeon, stated that the County's natural resources will be more important to it in the future, adding a landfill is a risk to Columbus County which it is not worth it.
40. **Al Leonard:** Mr. Leonard, Tabor City, NC, Town of Tabor City Manager, stated the County has been pinned into a corner by State and Federal mandates and that the cost for solid waste disposal is too much. Mr. Leonard reported the County is already overburdened with tasks such as paying for a new jail and increasing Medicaid reimbursements. Mr. Leonard stated he supports the Commissioners in the Regional Landfill concept.
41. **Matthew Thomas:** Mr. Thomas, Raleigh, NC, reported he is against the Regional Landfill being placed in the Green Swamp due to water quality, plant

life and tourism.

42. **Leo Mercer:** Mr. Mercer, Chadbourn, NC, Chadbourn Town Mayor, spoke in favor of the Landfill. You have no alternatives as you are mandated to deal with solid waste. Twenty-five percent of the people in Columbus County are on a fixed income and they can't stand any more taxes. I have seen a Landfill in Beaumont, Texas approximately one-half mile from the river and it does not affect the water quality.

There were no other comments.

PUBLIC MEETING CLOSED

At 9:52 P.M., A motion was made by Commissioner Dutton, seconded by Commissioner McKenzie and passed unanimously to close the Public Meeting.

REGULARLY SCHEDULED BOARD MEETING COMMENCED

At 10:00 P.M., Chairman Britt called the regularly scheduled Board Meeting to order and Commissioner Memory gave the invocation.

CONSENT AGENDA ITEMS

A motion was made by Commissioner Dutton, seconded by Commissioner Jacobs and passed unanimously to approve the following Consent Agenda Items.

Tax Refunds:

Request a refund in the name of Moore, Noel Delane, 157 Moore Rd., Bolton, NC 28423. This property is located in Bladen County. Amount \$100.00, Value \$0.00, Year 2000, Account # None.

Request a refund in the name of Shirden, Shirley M., 3250 Joe Brown Rd., Whiteville, NC 28472. Refund the value of a mobile home and the Klondyke fire fee. Home is double listed in the name of Christine M. Williams. Amount \$167.10, Value \$12,600.00, Year 1996, Account # 12-24868, Bill # 63599.

Request a refund in the name of Shirden, Shirley M., 3250 Joe Brown Rd., Whiteville, NC 28472. Refund the value of a mobile home and the Klondyke fire fee. Home is double listed in the name of Christine M. Williams. Amount \$246.88, Value \$19,200.00, Year 1997, Account # 12-24868, Bill # 61863.

Request a refund in the name of Shirden, Shirley M., 3250 Joe Brown Rd., Whiteville, NC 28472. Refund the value of a mobile home and the Klondyke fire fee. Home is double listed in the name of Christine M. Williams. Amount \$246.88, Value \$19,200.00, Year 1998, Account # 12-24868, Bill # 67039.

Request a refund in the name of Shirden, Shirley M., 3250 Joe Brown Rd., Whiteville, NC 28472. Refund the value of a mobile home and the Klondyke fire fee. Home is double listed in the name of Christine M. Williams. Amount \$246.88, Value \$19,200.00, Year 1999, Account # 12-24868, Bill # 29439.

Budget Amendments:

Decrease 10-348-1501	Environmental Health	(\$1,500)
Decrease 10-348-0503	Food Lodging	(\$1,786)
Decrease 10-575-0200	Salaries	(\$1,500)
Decrease 10-575-0200	Salaries	(\$1,786)
Increase 10-348-0605	Folic Acid Mini Grant	\$3,454

Expend as follows:

10-574-1101	Postage	\$ 20
10-574-3300	Departmental Supplies	\$ 969
10-574-4600	Drugs and Supplies	\$2,000
10-574-5700	Miscellaneous	465
Increase 10-348-3100	State Library Aid	\$3,489.46

Expend as follows:

10-630-3307	Machine Readable Material	\$2,481.00
10-630-7400	Capital Outlay	8.00
10-630-1600	M/R Equipment	\$1,000.46
Appropriate 10-399-0000	Fund Balance Reserve	\$2,088.00
Expend 10-620-7400	Capital Outlay	\$2,088.00

APPOINTMENT - FAIR BLUFF PLANNING AND ZONING BOARD

A motion was made by Commissioner Norris, seconded by Commissioner Wilson and passed unanimously to reappoint Monroe Enzor, III to the Fair Bluff Planning Board for a

two (2) year term, expiring April 30, 2003.

PROCLAMATION - MOTORCYCLE AWARENESS MONTH

A motion was made by Commissioner Memory, seconded by Commissioner McKenzie and passed unanimously to adopt the following Proclamation.

MOTORCYCLE AWARENESS MONTH

2001

**by the COLUMBUS COUNTY BOARD of COMMISSIONERS
PROCLAMATION**

WHEREAS, many North Carolina citizens enjoy the sun, wind and freedom of the open road by wheeling out their motorcycles and riding the highways. Yet, along with that enjoyment comes a responsibility to operate those motorcycles safely; **and**

WHEREAS, since motorcycles lack the protective armor of automobiles and trucks, their operators are at a greater risk for serious injury or death by accident. All motorists should be aware that motorcyclists will be sharing the road this summer and throughout the year with other transportation vehicles; **and**

WHEREAS, the Concerned Bikers Association, along with the North Carolina Motorcycle Safety Education Program, stresses the importance of educational programs designed to reduce the number of motorcycle accidents that end in injury, loss of life and destruction of property. These groups are doing their part to ensure that people who enjoy motorcycles for recreation and pleasure do so safely.

NOW, THEREFORE, we, the Columbus County Board of Commissioners, do hereby proclaim May, 2001 as "MOTORCYCLE AWARENESS MONTH" in Columbus County, and urge our citizens to commend its observance.

ADOPTED this the 16th day of April, 2001.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ **SPRUELL R. BRITT, Chairman**

ATTESTED BY

/s/ **IDA L. SMITH, Clerk to Board**

WILDLIFE - FOX HARVEST SEASON

Bill Enzor requested the Board to consider a Fox Hunting Season in Columbus

County similar to the Fox Hunting designated in contiguous Counties.

A motion was made by Commissioner Wilson, seconded by Commissioner Memory and passed unanimously to contact our local legislators to introduce legislation to the General Assembly requesting a Fox Hunting Season for Columbus County, the same as Brunswick County has in effect (S.L. 1993.c.208).

RESOLUTION - EAST COAST HUNTERS ASSOCIATION

David McPherson, representing the East Coast Hunter's Association, updated the Board on the activities of the Association.

A motion was made by Commissioner Wilson, seconded by Commissioner Memory and passed unanimously to adopt the following Resolution.

RESOLUTION of COMMENDATION

EAST COAST HUNTERS ASSOCIATION

WHEREAS, hunting has been a long and valued tradition in Columbus County; **and**

WHEREAS, through responsible stewardship for the outdoors, generations of hunters have instilled the values of the outdoors to our youth; **and**

WHEREAS, through positive hunting programs, hunters have helped in the awareness of preserving and maintaining wildlife populations; **and**

WHEREAS, respect for property rights have been championed by responsible hunting clubs; **and**

WHEREAS, a great number of hunters, hunting clubs and non-hunting citizens have come together under the East Coast Hunters Association; **and**

WHEREAS, the East Coast Hunters Association's objective is to be at the forefront in perpetuating positive hunting methods, providing hunter education to young and old and to be good neighbors to public and private land owners.

NOW, THEREFORE, BE IT RESOLVED that the Columbus County Board of Commissioners congratulates and commends the efforts of the East Coast Hunters Association for providing a means by which hunting will continue to be a positive recreational past time for the many citizens of Columbus County who enjoy the outdoors and the traditions and family values that go hand-in-hand with hunting.

ADOPTED this the 16th day of April, 2001.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

/s/ SPRUELL R. BRITT, Chairman

ATTESTED BY:

/s/ IDA L. SMITH, Clerk to Board

RIEGEL RIDGE FRANCHISE AGREEMENT (ADDENDUM NUMBER 1) - FIRST

READING APPROVED

A motion was made by Commissioner Wilson, seconded by Commissioner Dutton and passed to approve the first reading of the following Riegel Ridge Franchise and Host Community Agreement for Solid Waste Collection and Disposal Services Addendum Number 1.

Ayes: Commissioners McKenzie, Wilson, Jacobs, Norris, Britt and Dutton.

Noes: Commissioner Memory.

ADDENDUM NO. 1

**FRANCHISE AND HOST COMMUNITY AGREEMENT FOR SOLID WASTE
COLLECTION AND DISPOSAL SERVICES**

RIEGEL RIDGE, L.L.C. AND COLUMBUS COUNTY, N.C.

North Carolina General Statutes Chapter 130A-294(7)(b)(3) requires that the following be included in a Franchise for a Sanitary Landfill:

1. A statement of the population to be served including a description of the geographic area.
2. A description of the volume and characteristics of the waste stream.
3. A projection of the useful life of the landfill.

Each of the three (3) items listed above are referenced in general terms in the existing Franchise and Host Community Agreement for Solid Waste Collection and Disposal Services. The following is provided for further clarification and compliance with NCGS 130A-294(7)(b 1)(3):

1. Section 3.06 of the Agreement lists 25 specific North Carolina Counties and 14 specific South Carolina Counties, which comprise the service area for this

- Franchise Agreement. The approximate population for this area is 3,445,000.
2. Page one of the Agreement includes a definition of Acceptable Waste. In addition, Section 4.01(b) and 4.01(c) references acceptable waste and special wastes. The proposed Riegel Ridge Landfill is provided for the disposal of standard municipal household waste, commercial waste and any other waste product considered acceptable by the North Carolina Division of Solid Waste Management. Special Wastes must receive approval of the North Carolina Division of Solid Waste Management and the Columbus County Board of Commissioners prior to disposal in the Facility. The waste volume for this Facility is estimated at 1,500 tons per day.
 3. Section 3.04 of the Agreement defines the term of the Agreement at not less than 20 years nor greater than the life of the Facility. Calculations included in the Site Study estimate the life of the proposed landfill to be 23.2 years. For the purpose of this Franchise and Host Community Agreement, the estimated life of the Riegel Ridge Landfill is 25 years.
 4. Section 3.06 of the Agreement lists the 39 Counties included in the service area. County No.5 under the South Carolina list is hereby changed from Cheraw to Kershaw.

RIEGEL RIDGE FRANCHISE AND HOST AGREEMENT FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES - ADDENDUM TO ARTICLE I, DEFINITIONS, "ACCEPTABLE WASTE"

A motion was made by Commissioner Wilson, seconded by Commissioner Dutton and passed to amend the original Riegel Ridge Franchise and Host Agreement, **ARTICLE I, Definitions, "Acceptable Waste"** replace paragraph to read as follows:

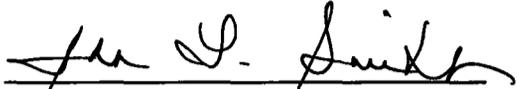
"Acceptable Waste"-----Solid Waste which, under the terms and conditions hereof, may be accepted, handled and disposed at the Facilities, consisting of Solid Waste (including Special Waste) which must have been initially generated within the Service Area, as defined within Section 3.06 herein, and not transported to the Service Area from outside of the Service Area and which does not include or constitute Excluded Waste.

Ayes: Commissioners McKenzie, Wilson, Jacobs, Norris, Britt and Dutton.

Noes: Commissioner Memory.

ADJOURNMENT

A motion was made by Commissioner Norris, seconded by Commissioner Wilson and passed unanimously to adjourn the Board Meeting at 10:25 P.M.


Ida L. Smith, Clerk to Board

APPROVED:

Spruell R. Britt, Chairman