

COLUMBUS COUNTY BOARD OF COMMISSIONERS**Monday, July 12, 2004****7:00 P.M. -Public Hearing**

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Guideway Elementary School Cafeteria, located at 11570 Swamp Fox Highway East, Tabor City, North Carolina 28463. The purpose of this Public Hearing is to receive input and comments from all interested parties on the general concept of the placement of two (2) C & D (Construction and Demolition sites at the following locations):

1. Dothan Road #1102, 290.35 Acres, State Line Environmental Services, LLC; **and**
2. Old Dothan Road #1100, 354 Acres, Coastal Carolina C & D Recycling and Processing Company, LLC.

COMMISSIONERS PRESENT:

Bill Memory, Chairman
 Kipling Godwin
 Amon E. McKenzie
 Lynwood Norris
 C.E. "Gene" Wilson

APPOINTEES PRESENT:

Billy Joe Farmer, County Administrator
James E. Hill, Jr., County Attorney
Darren L. Currie, Assistant County Administrator
June B. Hall, Clerk to Board

COMMISSIONERS ABSENT:

David L. Dutton, Jr., Vice Chairman
Sammie Jacobs

APPOINTEE ABSENT:

Gayle B. Godwin, Finance Officer

MEETING CALLED TO ORDER:

At 7:00 P.M., Chairman Memory called the Public Hearing to order. The invocation was delivered by Commissioner Godwin.

Chairman Memory stated the Public Hearing was being held due to the following:

1. The Board was originally approached by Richard M. Lovelace, Jr. and Freddie Whitaker, State Line Environmental Services, LLC, at which time these two (2) parties were together, in regards to building a C & D (Construction and Demolition) Landfill on Dothan Road #1102.
2. At a later date, the Board was approached by Freddie Whitaker, Coastal Carolina C & D Recycling and Processing Company, LLC, in regards to building a C & D (Construction and Demolition) Landfill on Old Dothan Road #1102. At this time, it was made known that these two (2) parties were no longer business affiliates.
3. We have received detailed information from State Line Environmental Services, LLC, but, as of this date, we have only received an Option to Purchase which has not been executed from Coastal Carolina C & D Recycling and Processing Company, LLC.
4. The Board informed both of the said parties, we needed to put this matter before the affected public for the purpose of discovering the general concept from them regarding this.
5. The Board will allow each party to present details regarding their proposed C & D (Construction and Demolition) Landfill for a period of twelve (12) minutes.
6. After both parties have finished their presentations, each person who is on the signup sheet will be allowed to speak in the order they signed up for a period of three (3) minutes.

Lofton Cox, private citizen, asked Chairman Memory why the three (3) minute limitation on the speaker. Chairman Memory replied stating Columbus County adopted a Policy for Comments at Public Hearings that limits each speaker to three (3) minutes and this method allows everyone in attendance the opportunity to speak and allows the public hearing to be conducted in a reasonable time period.

PRESENTATION by RICHARD M. LOVELACE, JR., State Line Environmental Services, LLC:

Richard M. Lovelace, Jr., State Line Environmental Services, LLC, presented the following information relative to the site he is proposing for Dothan Road #1102:

1. I would like to introduce the following people with us tonight to answer any applicable questions that may arise:
 - A. Ricky Hardie, the Horry County Solid Waste Authority, Director of the Advisory;
 - B. Dr. Lemar Priester, Retired Commissioner of DHEC;
 - C. Scott Sanders, North Carolina Air Quality Specialist; **and**
 - D. John Crowder, North Carolina State Solid Waste Management, Solid Waste Specialist.
2. I am proposing the construction of a C & D (Construction and Demolition) Landfill on Dothan Road #1102
3. A C&D Landfill has the limitation of accepting only debris resulting from the construction and demolition of buildings.
4. The C & D Landfills have a one hundred (100) years experience history.
5. These landfills can recycle materials such as cement, steel and clean wood.
6. The amazing factor to remember about C&D Landfills is that only twenty-five (25%) percent of the materials delivered to a C&D Landfill is recycled. The remaining seventy-five (75%) percent is deposited in the ground.
7. I am glad to know I am dealing with a community that is very conscious of their neighborhood and the environmental impact.

PRESENTATION by JOHN TAYLOR (Associate of Richard M. Lovelace, Jr.):

1. The C&D site that we are proposing is located six tenths (.6) mile off of Highway 904 up Dothan Road #1102.
2. This site is listed as two hundred ninety-four (294) acres, but actually only two hundred fifty-two (252) acres are involved.
3. As demonstrated in this drawing on display, seventy (70) acres in the front will be used as a buffer area.
4. In the middle of this site are twenty-five (25) acres cleared and thirty-two (32) acres to be cleared.
5. There are one hundred to one hundred twenty-five (100 - 125) acres of woods in between site and nearest buildings.
6. We have been contacted by Mr. Lofton Cox who has expressed concerns regarding noise and dust from the concrete buster.
7. Noise is measured in decimals and I visited a site where a concrete buster was in operation and at three hundred (300') feet from the concrete buster, the reading on the decimal recordation instrument was seventy-five (75) decimals and I will demonstrate to you what this noise sounds like by a low whistle.
8. We will control the dust resulting from this operation by the utilization of water trucks.
9. There are two thousand two hundred (2,200') feet of road from the highway to our Scale House.
10. The State requires a minimum of five hundred (500') feet from the nearest residence.
11. We request that you look at our operation individually.
12. Our present operation has never been cited by DHEC for forty-five (45) years.
13. If you would like to verify the information I am providing you, you may contact Carolina Sand, Incorporated.

PRESENTATION by FREDDIE WHITAKER, Coastal Carolina C & D Recycling and Processing Company, LLC:

Freddie Whitaker, Coastal Carolina C & D Recycling and Processing Company, LLC, presented the following information relative to the site he is proposing on Old Dothan Road #1100:

1. I have worked at a C & D Landfill in Conway, South Carolina for many years.
2. I now own my own C & D Landfill so entitled Coastal Carolina C & D Recycling and Processing Company, LLC.
3. It has always been my dream to own a C & D Landfill.

4. I hope to set a goal for other companies to follow.
5. Our plans are to establish a fifty (50) acre site in which thirty (30) acres will be utilized as the landfill and twenty (20) acres will be utilized as a recycling area.
6. In reference to a buffer area, my location is in the middle of a pine thicket, which is the best buffer you can have.
7. The presentation made by Mr. Taylor included most of the information I had to say relative to a C & D Landfill and there is no need to repeat that information.
8. On Saturday, July 24, 2004, we will be on the site from 10:00 A.M. until 12:00 Noon to show the site relative to its location, boundary lines, etc.

After the two (2) presentations were made, Chairman Memory opened the floor for the private citizens who signed up to speak for a period of three (3) minutes as follows.

1. **Jim Murph:** stated the following:
 - A. I am not familiar with the first site.
 - B. The second site is very low. It runs through Marlowe Branch which drains into the Waccamaw River.
 - C. This site is only two (2) miles from the Waccamaw River.
 - D. Mr. Whitaker, you were previously employed by Sand Line which exceeded their permit by forty-seven (47%) percent.

Rebuttal by Freddie Whitaker: I am aware that Sand Line did exceed their permit, but that was due to some confusion about the boundary lines.

Comment by Dr. Lamar Priester: there was some confusion relative to the footprint of the landfill that caused this problem and is currently being investigated.

2. **James W. Gore:** (skipped turn and spoke last) I am speaking in reference to the site on Old Dothan Road #1100, I am strictly opposed and agree with everything that has been stated here tonight.

At this point, Chairman Memory introduced Mr. John Crowder, Regional Waste Management Specialist, North Carolina Division of Waste Management, and requested him to present information regarding the rules and regulations relative to a C & D Landfill.

Mr. Crowder stated the following:

- At this time, there are no specific rules;
- We are using the old permits with MSW for 93-98;
- We are using the five hundred (500) year rule;
- There are two (2) types of asbestos which are regulated and viable. The regulated asbestos will be allowed but will have to be packaged property and monitored. The viable asbestos will not be allowed;
- No hazardous liquid waste will be allowed;
- No municipal solid waste will be allowed;
- The South Carolina rules for C & D Landfills are five (5) years old and are specific for C & D Landfills;
- The North Carolina Rules are twenty-five (25) years old and are not specific for C & D Landfills;
- The South Carolina rules do not require monitor wells at the C & D Landfills; **and**
- We are in the process of revising the existing rules and are pushing for the permit to be only good for five (5) years.

Freddie Whitaker stated the runoff water from his proposed C & D Landfill would go into a sediment pond which would be monitored every day.

Mr. Whitaker stated in response to the concerns voiced, he would not accept lead-based paint and asbestos in his proposed C & D Landfill.

Hampton Shuping, Jr. asked John Crowder if they required a liner for a C & D Landfill. Mr. Crowder replied, stating, at this point, no liner is required and the reason for this is that we collected

data for years from this type of facility and the data that was collected showed no contamination.

- 3 **Charles W. Gore:** stated the following:
- A. In response to the talk about noise decibals, you can hear people talking from the neighbors' houses and you can hear the traffic on Highway #9.
 - B. Two (2) cars cannot pass each other on Old Dothan Road #1100 at the same time.
 - C. Let it go on record, I am strongly opposed to a C & D Landfill at this location.
- 4 **Stan Welch (Conway, South Carolina):** stated the following:
- A. In reference to Mr. Whitaker's previous employment with Sand Line, they exceeded their boundary by five to ten (5-10) acres and that cannot be considered a mere oversight or small mistake; **and**
 - B. Mr. Whitaker is scheduled for a hearing in Columbia tomorrow, July 13, 2004 regarding this matter.
- 5 **Herman Stephens:** stated the following:
- A. I reside at the intersection of Big Avenue and Highway 905;
 - B. The same site on Road #1100 was cited in the paper years ago as a possibility for a landfill. Why didn't you use this cite then?;
 - C. My house is presently on iron stilts while repair is being done to the foundation due to water damage;
 - D. This area is too low for such type operation;
 - E. The area in questions is considered an overflow; **and**
 - F. Let it go on record, I am strictly opposed to this location.
- 6 **Keith Lay:** stated the following:
- A. What guarantee do we have the trucks carrying this lumber and debris will have adequate measures to prevent lumber with nails from falling off?;
 - B. We all know that major construction is being done in Brunswick and Horry Counties and not Columbus County. It appears this location at Old Dothan Road #1100 may be a dumping ground for Brunswick and Horry Counties; **and**
 - C. What will the operating hours be for these C & D Landfill sites?.
 - D. Let it go on record that I am strictly opposed to either site.

Answer by John Taylor:

1. It would not be our responsibility if the trucks were not properly equipped to prevent lumber and debris from falling off on the road, but we are certainly aware that this does happen and we would certainly monitor this within our limitation; **and**
2. Our operating hours would be from 6:00 A.M. until 5:00 or 6:00 P.M., Monday through Saturday, and one-half (½) day on Saturday.

Answer by Freddie Whitaker:

1. I concur with Mr. Taylor, we cannot control what happens with the trucks transporting the material to our site, but we would scrutinize closely what happens once the trucks are on our property; **and**
2. Our operating hours would be from 7:00 A.M. until 5:00 P.M., Monday through Friday and one-half (½) day on Saturday. The grinding hours would be from 8:00 A.M. until 4:00 P.M. and if enough complaints were received from nearby neighbors, these hours would be modified to accommodate their requests.

7 **Mark Henniford:** stated the following:

- A. I am a contractor myself and I know how easy it is for some of your workers to get slack and place items in their dump loads that are not allowed, and it is virtually impossible to sift through tons of waste to detect this;
- B. I reside near Highway 905 and the very reason for relocating was to get away from so much congestion;
- C. The traffic on Highway #9 is traveling at a speed of sixty-five to seventy (65-70) miles per hour and you can imagine what would happen if debris of this type would fall off the trucks and hit these vehicles; **and**
- D. I am totally against the construction of both sites.

8 **Reba Long:** state the following:

- A. I live between both sites and I can hear the train in Tabor City;
- B. How can you control the dust?; **and**
- C. I am totally against both sites.

Answer by John Taylor:

We would control the dust by the utilization of water trucks on an as-needed basis.

Answer by Freddie Whitaker:

I concur with Mr. Taylor on handling the dust problem.

9 **Paula Clay:** stated the following:

- A. Let it go on record that I am opposed to both sites; **and**
- B. Mr. Taylor should have talked to everyone in the surrounding area and just to a chosen few.

10 **Lofton Cox:** stated the following:

- A. It wasn't long ago, a Regional Landfill was proposed for the Green Swamp area and now these two (2) sites are being proposed;
- B. Columbus County will soon become known as the regional dump site for North Carolina;
- C. On the proposed Dothan Road #1102 site, the soil is sandy and loamy (Bluehill Field);
- D. On the proposed Old Dothan Road #1100, the soil is gumbo clay;
- E. Neither types of soil is suitable for this type construction. The sandy and loamy soil allows drainage too quickly and the gumbo clay allows for no drainage;
- F. There are one hundred fifty-seven houses that would be impacted within a one and one-half (1 ½) mile radius of the proposed site on Dothan Road #1102;
- G. I know, for a fact, a commercial crushed is very noisy and would exceed 75 decibels of noise;
- H. The main thing that should be considered when selecting a site of this type is to choose one with the least impact on people and one with suitable soil conditions; **and**
- I. Relative to the liner, it is not a matter of if it will leak, it is a matter of when it will leak.

11 **Herman King:** stated the following:

- A. I live on Ramsey Ford Road, but own property in this area;
- B. During rains, it floods easy;
- C. You can't build houses on the property because you can't get the land to perk;
- D. We certainly do not need a landfill located in this area; **and**
- E. I am against both sites.

12 **Margie Hooks:** stated the following:

- A. What I wanted to say has previously been stated and I concur;
- B. I own land in this area and I oppose both sites; **and**
- C. We do not need a landfill located in the proposed areas.

13 **Jerry Suggs:** stated the following:

- A. I concur with what has been stated previously;
- B. I am very concerned about the environment and what impact this would have on it; **and**
- C. I am opposed to both sites.

14 **Hampton Shuping, Jr.:** stated the following:

- A. Waccamaw River is a very small and fragile river;
- B. Neither proposal should not be considered until the rules and regulation have been put into place on this type facility;
- C. The location should be moved away from the Waccamaw Watershed;
- D. The locations that have been chosen is a problem due to the close proximity of the Waccamaw River; **and**
- E. I am opposed to both sites.

15 **E. H. Cox, Jr.:** stated the following:

- A. I have two (2) questions I would like to have answered. One (1) question is for the County Commissioners and one (1) question is for Mr. Crowder. They are: 1) Has an Environmental Impact Study been done?, and there are twenty-one (21) people who live on Garland Cox Road, and, 2) Are you going to line either of these facilities? The properties that have houses located on them had to be built up tremendously in order for them to even perk.

Answer from Chairman Memory:

Question #1: An Environmental Impact Study has not been done due to the fact we wanted the general concept of these proposal presented to the public for their input to see if there was a need to proceed any further.

Answer from John Crowder:

Questions #2: No liner will be required at this time, but there is a possibility once the revised rules and regulations are put into place, one may be required.

Statement by Richard M. Lovelace, Jr.:

I live on the Waccamaw River and I have no concern about this matter.

16 **Rachel Scott:** stated she would pass.

17 **B. J. Vanhoy (Jim Murph will speak for me):** stated the following:

- A. There are two (2) entities here tonight which I thought was in the same;
- B. The large dump trucks delivering this material play havoc on the roads which will ultimately have to be repaired by the State; **and**
- C. It is very expensive to fix roads and the County will lose money and cost the taxpayers in higher taxes.

18 **Barbara Daniels:** stated the following:

- A. At present, we are having to tolerate the odor hog farms to the point you cannot enjoy the outside or even raise your windows for fresh air;
- B. We do not need the noise or the traffic that will be generated from these facilities;
- C. A facility of this type will create more problems than good; **and**
- D. I am opposed to both sites.

19 **Diane Stanley:** stated the following:

- A. I have only one (1) question and that is "What will this do to the value of our property?"; **and**
- B. I am opposed to both sites.

20 **Eddie Stanley:** stated the following:

- A. In 1985, this site was denied as being suitable for a landfill;
- B. Nothing has been done since that time to improve the conditions, so what would make it suitable for such at this time?;
- C. If these big trucks are allowed to travel these roads, they will demolish the roads and require constant repair at the taxpayers' expense; **and**
- D. I am opposed to both sites.

21 **Douglas Richey:** stated the following:

- A. Does anyone know how much money will be made on either of these proposed projects?; **and**
- B. I am opposed to both sites.

Answer by Chairman Memory:

One (1) company has furnished us with some financial figures as to profit, but we have not received any financial figures from the other company.

22 **Elton K. Farmer:** stated the following:

- A. We were told there was a possibility of our area getting water and sewer which we need badly and a lot more than we need a landfill;
- B. Speaking of dreams, it is my dream to be able to pass my property down to my children and grandchildren one day, but if this landfill materializes, it will be of no

- value to pass on to anyone; **and**
- C. I am opposed to both sites.
- 23 **Bob Farmer:** stated the following:
- A. I am speaking in reference to the proposed landfill on Dothan Road #1102;
- B. My daughters can't build a house on the property I own because it is too low and will not even perk;
- C. The water stands after a little rain; **and**
- D. I am opposed to both sites.
- 24 **Marcella Farmer:** stated the following:
- A. We should consider the children of tomorrow's health;
- B. When our environment has been contaminated, there is not easy and fast fix and could be very detrimental to people's health; **and**
- C. I am opposed to both sites.
- 25 **David Cartrette:** stated the following:
- A. I live on Sandy Plains Church Road; **and**
- B. I am opposed to both sites.
- 26 **Equilla Long:** stated the following:
- A. I am greatly concerned about the heavy traffic; **and**
- B. I am opposed to both sites.
- 27 **Jo Ann Huggins:** stated the following:
- A. We don't need any more problems in this area, we already have enough; **and**
- B. I am opposed to both sites.
- 28 **Johnny Huggins:** did not speak (left premises).
- 29 **Retha Sturdivant:** stated the following:
- A. I live at 6271 Dothan Road and let it be known I am opposed to both sites;
- B. The land in both of these areas does not perk;
- C. We should be concerned about the future children; **and**
- D. We have individual water wells and do not need the possibility of this contamination in our water.
- 30 **Marilyn Bellamy:** stated the following:
- A. I live on 3782 Old Dothan Road and I am strongly opposed to both sites;
- B. The area where I live floods when a small rain comes; **and**
- C. We do not need the noise from this facility or the destruction of our roads.
- 31 **Greg Farmer:** stated the following:
- A. I am strongly opposed to both sites;
- B. We have a serious water problem all the time;
- C. Everyone that has built in this area has had to bring dirt in to get their land to perk and I have been living in this area for fourteen (14) years;
- D. We are infested with various types of insects due to the water problem;
- E. Water in this area settles, but does not leave;
- F. We are able to hear the traffic on Highway #9;
- G. We have enough problems in this area like it is, we do not need anymore;
- H. The only way water disappears in this area is for it to evaporate; **and**
- I. We are having to tolerate a foul odor from the hog farms already, we do not need anymore odors.
- 32 **Jane E. Hickman:** stated the following:
- A. We need to think about the impact of how this would affect the children of tomorrow; **and**
- B. I am strongly opposed to both sites.
- 33 **Tamara J. Hickman:** stated the following:
- A. I concur with the previous speaker, we have to think of how this will affect our

- children and the future children; **and**
 B. I am strongly opposed to both sites.

32 **Kay King:** stated the following:

- A. Both sites are too low for a C & D Landfill;
 B. There are enough problems in both areas without creating more; **and**
 C. I am strongly opposed to both sites.

After everyone had spoken that requested to speak, Commissioner Godwin stated he had two (2) questions for John Crowder and one (1) other requests.

Question 1: How many C & D Landfills are in North Carolina? Mr. Crowder replied stating there were sixteen (16). The closest site to Columbus County is located in Brunswick County and they only accept Brunswick County waste

Question 2: Under the current North Carolina law, can a company open a C & D Landfill operating site with consent from the County Commissioners? Mr. Crowder replied stating no.

Commissioner Godwin requested that both parties state their company name, ownership of land, the size of the proposed site and the number of employees they would utilize in the operation of this business. The response was as follows:

- D. **Freddie Whitaker:** the name of my company is Coastal Carolina C & D Recycling and Processing Company, LLC, it will be located on a three hundred fifty-four (354) acre tract which I do not own at the present, but have an Option to Purchase, and I will have twenty (20) employees in this operation.
- E. **Richard M. Lovelace, Jr.:** the name of my company is State Line Environmental Services, LLC, it will be located on a two hundred fifty-two (252) acre tract which I do own, and I will have five to ten (5-10) employees in this operation.

Commissioner McKenzie requested that both parties state an explanation of how this type of business would benefit Columbus County.

1. **Freddie Whitaker:** this type of business would bring money into Columbus County.
2. **Richard M. Lovelace, Jr.:** this type of business would indeed mean more revenue for Columbus County, and, when finished, the area would look like a plush green mountain.

Commissioner Wilson asked how it would be determined if there were any lead-based paint and asbestos located in the materials carried to the C & D Landfill. John Crowder replied stating this information should be listed on the permit obtained by the contractor that was scheduled to do the demolition. We are presently using the TCLP Rule which states the generator of the debris which prove it.

Kay King, private citizen stated she had worked for the military division involved in the demolition of buildings, etc. and she was familiar with a situation where the permits state that no lead-based paint or asbestos existed, but later in the process, it was determined that these conditions did, indeed, exist.

John Crowder stated that only one to two (1% - 2%) percent of the material that was delivered to C & D Landfills is checked.

Chairman Memory stated a vote would be taken for those in favor of this C & D Landfill by the uplifting of hands at the appropriate time, and everyone who was not in favor of this C & D Landfill likewise. The results were as follows:

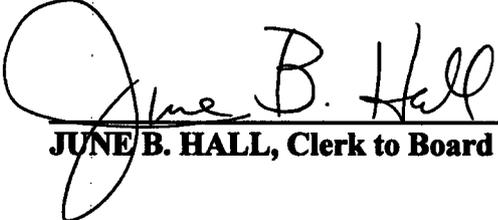
IN FAVOR OF: -0-

NOT IN FAVOR OF: 100%.

The question was asked from the audience if this matter would go any further. Chairman Memory stated this matter may be discussed at the August 5, 2004 Meeting.

PUBLIC HEARING CLOSED:

At 9:07 P.M., the Public Hearing was closed.



JUNE B. HALL, Clerk to Board

APPROVED:


BILL MEMORY, Chairman