

AUG 13 2019

**HAYWOOD COUNTY BOARD OF COMMISSIONERS
AGENDA FOR
June 15, 2015**

**The Board will meet in the HAYWOOD COUNTY COURTROOM
of the HISTORIC COURTHOUSE at 215 N. Main Street, Waynesville
beginning at 5:30 p.m.**

**Citizens must sign up for public comment prior to 5:20 p.m. and are limited
to three (3) minutes. Audience members may not address the Board at any time
during deliberations unless recognized by the Chairman.**

- I. Call to Order – Chairman Mark S. Swanger
- II. Pledge of Allegiance
- III. Public Hearing
Public Hearing concerning the approval of the execution and delivery of the
financing contract for the Haywood Community College public services training
facility – Julie Davis, Finance Director
- IV. Public Comment Session
- V. Constituent Concerns
- VI. Administrative/Agency Reports
Update on Francis Farm Landfill – David Francis, Tax/Solid Waste Administrator
- VII. Discussion /Adjustment to Agenda
- VIII. Consent Agenda
 1. Approve May 21, 2015 special meeting minutes and June 1, 2015
regular meeting minutes
 2. Approve May 2015 Refunds, Releases, Amendments and Discoveries –
David Francis, Tax & Solid Waste Administrator – ATTACHMENT 1
 3. Approve May 2015 Tax Collections Update – Mike Matthews, Tax Collector –
ATTACHMENT 2

AUG 13 2019

HAYWOOD COUNTY COMMISSIONERS

REGULAR MEETING – June 15, 2015

CALL TO ORDER

Chairman Mark S. Swanger convened the regular meeting of the Haywood County Board of Commissioners at 5:30 p.m. in the Historic Courtroom at the Haywood County Historic Courthouse, Waynesville, North Carolina, with Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick III, Commissioners L. Kevin Ensley, Michael T. Sorrells and Bill L. Upton present. Staff members present were County Manager Ira Dove, HCHHSA Director/Asst. County Manager Stoney Blevins, County Attorney Leon M. "Chip" Killian, III, Finance Director Julie Davis, and Executive Assistant/Deputy Clerk Candace Way.

PLEDGE OF ALLEGIANCE

Chairman Swanger led the Pledge of Allegiance.

INVOCATION

Vice-Chairman Kirkpatrick offered the invocation.

PUBLIC HEARING

Chairman Swanger opened the Public Hearing concerning the approval of the execution and delivery of the financing contract for the Haywood Community College public services training facility and recognized Finance Director Julie Davis.

Ms. Davis explained that the purpose of the public hearing is on the proposed execution and delivery by the County of a) an installment financing contract to pay for the construction of a public services training facility at Haywood Community College and b) to create a security interest on all or a portion of the property where the project is located. A notice of this public hearing was published on June 5, 2015. She explained that projected cost is 4.1 million dollars with the loan expected to be approximately 2.9 million dollars. There are also other sources of funds on the community college side. Estimates of debt services are between \$300,000-\$600,000 per year depending if it is a five or ten year loan. She said that the HCC project manager, Brek Lanning, is here if there are any questions. She said that the debt service will be satisfied by the sales tax that was voted in, and is dedicated by the Board.

Commissioner Ensley recalled that when the .25 cents sales tax was passed, the college agreed to do this, and he appreciates them following through.

With no comments from the public, Chairman Swanger closed the public hearing.

Ms. Davis noted that there will be a couple more actions to be taken on this as there is a calendar of actions that must be followed.

PUBLIC COMMENT SESSION

Chairman Swanger opened the public comment session. Comments are generally limited to three minutes per individual, unless the speaker is representing a group for which the comment period may be extended to five minutes.

No one addressed the Board.

CONSTITUENT CONCERNS

County Attorney Chip Killian asked for personal privilege time. He said that Balsam Range sang the National Anthem at the State Senate chamber last Wednesday and did an outstanding job. He said they performed later in the day behind the legislative building, which was well attended. He reported that the Lake Junaluska annexation bill was discussed during this legislature session.

ADMINISTRATIVE/AGENCY REPORTS**Update on Francis Farm Landfill**

Chairman Swanger recognized Solid Waste/Tax Administrator David Francis.

Mr. Francis presented a power point on the landfill explaining what led to this current situation and where it is going.

- The landfill was originally 28.25 acres, waste believed to be 18.25 acres. It is now expanded to a County owned 73 acre tract.
- In 1973, the landfill began accepting waste and was unlined at that time because it was not a requirement. Industrial and household waste was accepted with no screening required. The landfill closed in 1993.
- The County must provide post-closure care which includes: landfill gas (methane) monitoring; facility maintenance and monitoring of ground water and surface water. The County must maintain this care forever.
- There are problems associated with the landfill. Some issues are: waste is buried close to boundaries; methane gas detected above limits at boundaries; soil cap has settled; groundwater contaminated beneath landfill and off site close to landfill. Water becomes leachate after traveling through the waste and moves towards the boundaries. The surface water is not affected however and the creek is monitored to make sure there is no contamination. An interesting fact is that 1 inch of rain over 1 acre creates 27,000 gallons of water.
- DENR has compliance standards that must be met and the landfill does have some issues. These include: landfill gas exceed limits; soil cap needs interim maintenance and the groundwater exceeds limits. The County must develop a task list and timeline to address these compliance issues. The formal plan will be an Assessment of Corrective Measures (ACM).
- The County is in the (ACM) phase, first the landfill boundaries will be moved. DENR will review the ACM and the County will have a public meeting per statute. A remedy will be selected through DENR. The timeline for this has been extended due to financial restraints and DENR has agreed to this exception.
- Solutions for the Landfill problems have been established which include: expanding the facility boundary which has been done by the purchase of surrounding property; submit new landfill gas monitoring plan to DENR; install new landfill gas monitoring wells; continue to operate landfill gas recovery system.
- Solutions for issues facing the soil cap have been implemented which include: stockpile of 100,000 cubic yards of soil from a DOT road project, which has only included the cost of hauling the soil to the landfill; completion of the cap maintenance plan of 43,000 cubic yards which was approved by DENR and the regrade of the facility to improve surface drainage. This is the first major cap maintenance since the landfill closed, and it is a part of the normal required post closure care. An interesting fact in comparing the 100,000 cubic yards of soil from the DOT project is that this would be enough dirt to fill a football field 51 feet high, or enough dirt to fill the Haywood County Courthouse 19 times.
- Solutions for groundwater issues include the assessment of the extent of groundwater impacts, identify remedies in the ACM; select a remedy; prepare a corrective action plan (CAP); implement the corrective action; and return facility to compliance. There are wells throughout the facility that are monitored.
- DENR will review the ACM report and a public hearing will be held. After the public hearing, a remedy will be selected. A corrective action plan will be prepared and DENR will approve. The County will then implement the corrective action.
- Some potential remedies to remove the contaminates from the landfill were explained. These are: placement of a soil cap over the waste area; construct a half inch thick membrane between two layers of dirt; leachate recovery & disposal which will pull moisture out; recovery wells/recapture zone/pump & treat where there will be a holding area for treatment and sanitizing; phytoremediation will grow plants to take contaminates out of the ground; active soil vapor extraction system which pulls the soil and water out and goes through a chemical process; bioremediation with injection wells which injects a microorganism to eat the contaminate; passive reactive barrier which is a trench dug around the landfill and the water will have to run through chemicals to get to there and will be cleansed out; monitored natural attenuation is where it directs itself out through time; The County can pick one or a combination of 2 or 3.
- After some questions about why the solid waste fees were raised from \$92 to \$164/yr. (\$13.66/month), these are some utilities by comparison: average monthly

electricity bill in NC is \$117; average monthly water and sewer bill in NC is \$80.25, Verizon average \$148.

- Solid waste fee covers 10 convenience centers & MRF with 540 weekly hours of operation. It provides a sanitary landfill and transfer station for further convenience and protects human health & the environment.

Commissioner Ensley stated that by being proactive and getting the methane grant which took care of the methane recovery system, saved taxpayers a million dollars. He reminded the audience that having the dirt available through the DOT, the County has only had to pay for the hauling to bring the dirt to the landfill, which has saved a million dollars.

Mr. Francis noted that the soil cap has to be varying depths, some 3 to 7 feet. He said that since 2009, the County has been steadily working on a solution.

He spoke of the bus garage that is there near the site, and stated that it is monitored and will have also have a new monitoring system in July.

Commissioner Upton commented that the key is the cap and keeping the water from moving through, and off of the site.

Chairman Swanger said that the County has a moral and legal obligation to repair and protect the land and water. He stated that he does not know what this will do with availability fees once the remediation is complete, it will be for a future Board to examine at that time with the needs of Solid Waste and other factors.

Commissioner Ensley asked about where the solid waste fees are kept and Mr. Francis responded that it is kept in a separate special fund which has moved away from the enterprise fund.

Chairman Swanger explained this is a fund that is used for expenditures that is funded largely through ad valorem and sales tax.

Mr. Francis explained that there are different categories in this fund such as White Oak, Francis Farm, and hauling.

Mr. Francis explained that seniors 65 years or older or disabled, and with an income not over \$29,000, qualify for an exemption from paying the availability fee. He explained that the citizen would have to contact Jennifer Chandler in the Tax Assessor's office, as this requires the individual to come to County if they want to apply. Although it is over for this year, it can be done now for next year. The contact information is also on the back of the tax bill.

Commissioner Sorrells commented that \$13.66/ month is \$3.42 a week, which is a good deal to dispose of your trash.

DISCUSSION / ADJUSTMENT TO AGENDA

There were no discussions/adjustments to the agenda

CONSENT AGENDA

Commissioner Upton made a motion to approve the consent agenda as presented.

Commissioner Ensley seconded, the motion carried unanimously.

1. Approval of May 21, 2015 special meeting minutes and June 1, 2015 regular meeting minutes.
2. Approval of May 2015 Refunds, Release, Amendments and Discoveries – David Francis, Tax and Solid Waste Administrator
Mr. Francis reported that there was nothing unusual to report.
3. Approval of May 2015 Tax Collections update – Mike Matthews, Tax Collector –
Mr. Matthews explained that ad valorem collections are 96.82% which is an increase of \$185,000 from last year. He noted that the current year delinquent collections are \$3,500 down as of the end of May. This should be caught up by the end of the month.



SOLID WASTE

- **A Busy Year:**
- **Began Expanded Management at WOLF**
- **Completed upgrades at Hazelwood CC**
- **Added Single Stream Recycling Program**
- **Completed the final phase of Private Public Partnership at the MRF**

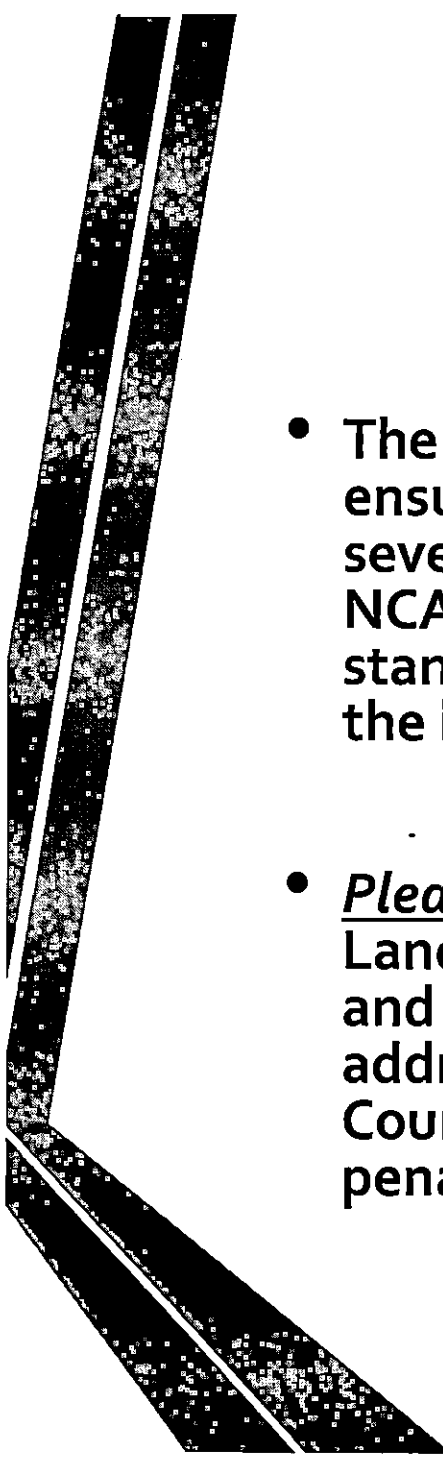


Francis Farm Landfill



HISTORY

- Francis Farm Landfill started in the early '70s and received its closure letter on December 13, 1995, from NCDENR.
- June 12, 1996: A letter from NCDENR was sent informing the County to sample in accordance to the new standards.
- October 16, 1997: Received a letter from NCDENR in reference to "Exceedances of Ground Water Standards."



October 6, 2000: Notice of Violation

- The letter stated the reason for an assessment is to ensure the protection of public health. Concentrations of several toxic, synthetic organic chemicals that exceed 15A NCAC 2L groundwater standards and EPA drinking water standards have been detected in wells located at or near the landfill property boundary.
- ***Please note:*** The current condition at the Francis Farm Landfill is a violation of Solid Waste Management Rules and Law (Title 15A NCAC 13B) and failure to adequately address this situation at once may subject Haywood County to enforcement, including an administrative penalty.



August 2004: Groundwater Assessment

- *A Groundwater Assessment Plan was submitted by the County to NCDENR.*
- *NCDENR requested additional information after the submittal.*
- *Haywood County requested additional time before submitting a schedule for implementation of the plan.*



September 11, 2009

- ***NCDENR sent a letter stating Haywood County had not submitted any additional correspondence pertaining to the 2004 Groundwater Assessment Monitoring Plan.***



July 21, 2010: Noted Violations

- ***15A NCAC 13B.0203 for not complying with the conditions of the permit.***
- ***Concentration of methane exceeded the LEL in structure and at the property boundary.***



January 2014: Status of Past Noted Violations

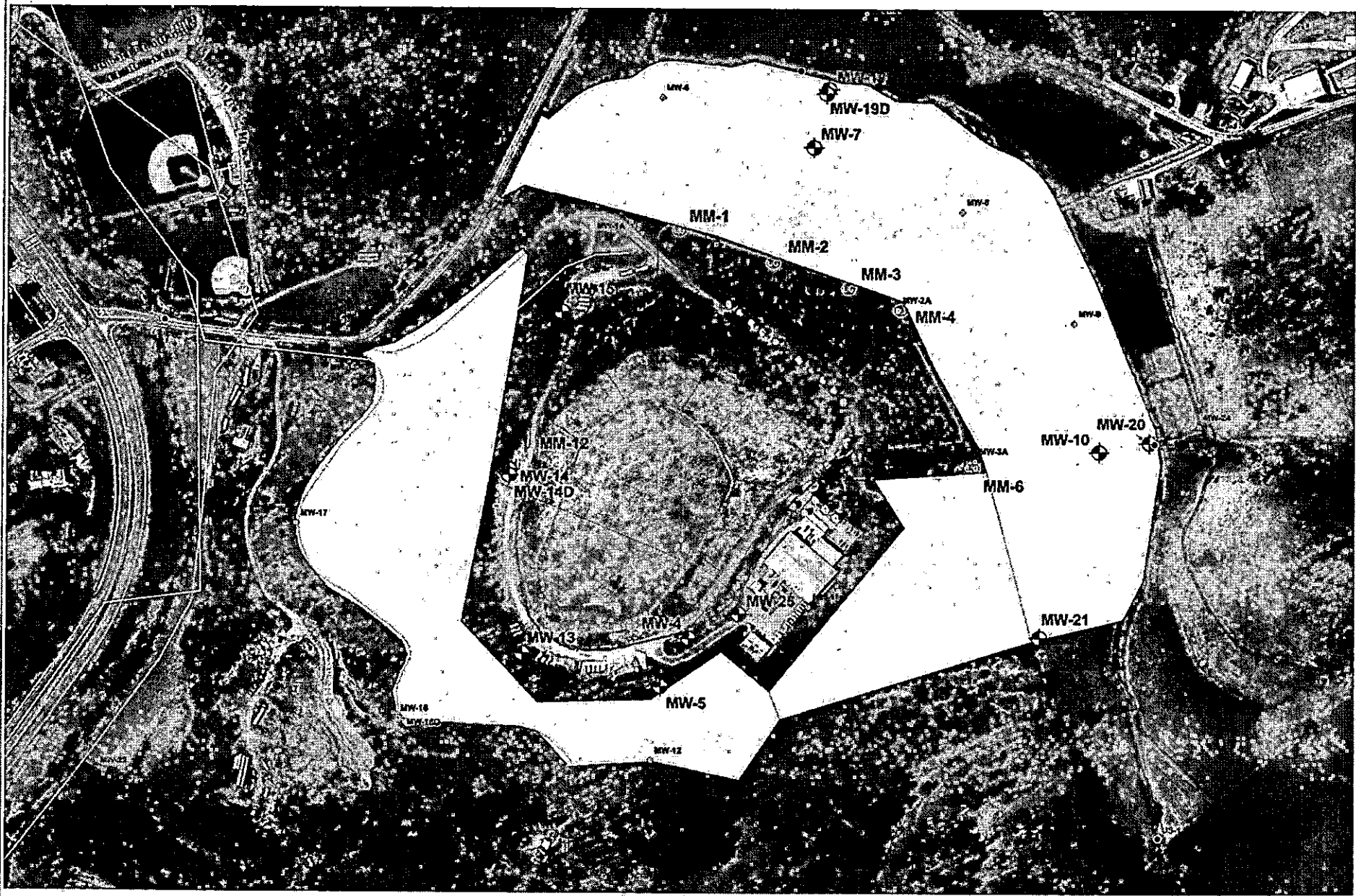
- ***Exceedance of Landfill Gas (LFG) at the property boundary still occurring***
- ***15A NCAC 13B .0203(d) Failure to comply with conditions of permit for gas remediation at property boundary***
- ***15A NCAC 13B .0503 (2)(a)(ii) for exceedance of the lower explosive limit for the gases at the property boundary***



Assessment Begins 2009-2014

- ***25 Groundwater Monitoring Wells Installed on landfill and surrounding properties to determine extent of plume***
- ***6 of the 13 Methane Monitoring Wells are exceeding limits on the boundary of the landfill***

Francis Farm Landfill



Francis Farm Landfill, 10000 Francis Farm Road, Raleigh, NC 27617. This map was prepared by the North Carolina Department of Environment and Natural Resources, Division of Environmental Quality, Raleigh, NC 27617. The map was prepared for the purpose of monitoring the landfill and is not to be used for any other purpose. The map is not a warranty of any kind and is not to be used for any other purpose. The map is not a warranty of any kind and is not to be used for any other purpose.

Map Created on 05/13/15



- Optical Feat
- Sewer Wayaside
- Surface Water Monitoring Sites
- Normal Well
- HOT Well
- Gas Well
- Edge of Waste
- Wayaside Water Lines
- Landfill Buffer Purchases



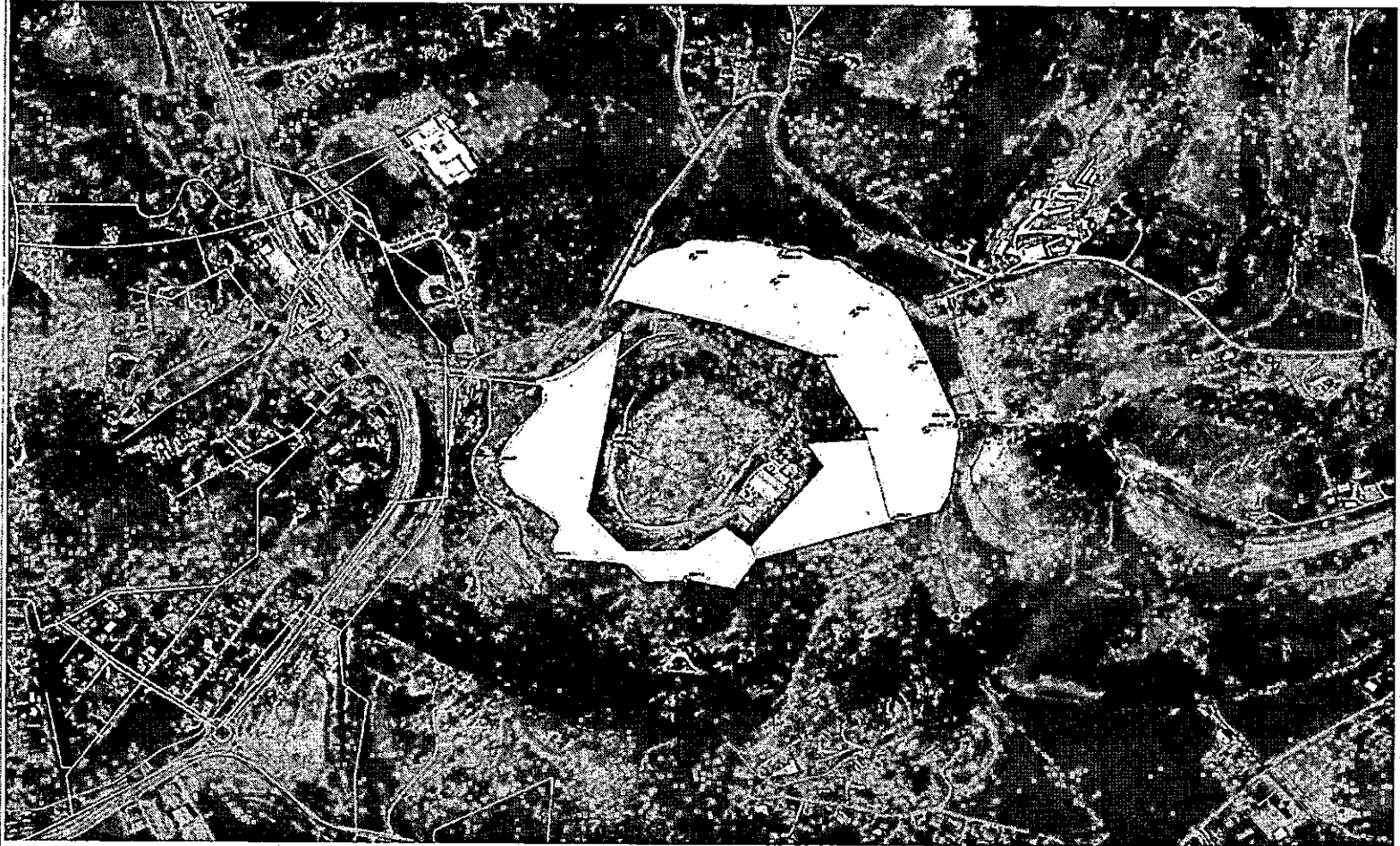


Buffer Purchases

- ***Three surrounding properties were purchased in 2014 for \$1,250,000***
- ***County avoided legal proceedings due to contamination of the properties by purchasing the surrounding properties creating a buffer as required by NCDENR***

Buffer Purchases

Francis Farm Landfill



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- Legend**
- Optical File
 - Street Vicinity
 - Surface Water Shading Class
 - Shading Class
 - Edge of Waste
 - Watershed Water Lines
 - Landfill Buffer Purchases

Map Created on 11/19/2014



What's Next?

- ***Begin Cap Maintenance of placing 43,000 cubic yards of dirt on top of landfill. 2015***
- ***Begin saving for Construction. 2015***
- ***Continue to develop Assessment of Corrective Measures to be approved by NCDENR. 2015-2016***
- ***Permit Modification and Construction Design 2016-2018***
- ***Begin Construction 2018-2019*** *what Construction?*

2015 Solid Waste Budget

• White Oak Landfill	\$ 530,300
• Convenience Centers	840,363
• Hauling	687,982
• Materials Recovery Facility	1,555,100
• Francis Farm Landfill	2,152,912
• Contingency	
• Total	\$6,266,987
• Recommended Availability Fee	\$164.00

$$\frac{6,266,987}{164} = 38,213$$