

TOWN OF UNIONVILLE MINUTES OF PUBLIC HEARING

The Unionville Town Council held a public hearing on Tuesday, December 20, 2011 at 6:00 p.m. in Piedmont High School's auditorium, 3006 Sikes Mill Road, Monroe, NC. The purpose of the public hearing was to hear comments regarding Griffin Farm & Landfill's franchise application for a C&D landfill on their property located on Morgan Mill Road, Monroe, NC.

Mayor Simpson and all Commissioners were present. Town Attorney Tom Griffin was also present.

Everyone stood and recited the Pledge of Allegiance to the United States flag, after which Commissioner Robert Crutch led the prayer of invocation.

Mayor Simpson called the meeting to order and welcomed everyone present.

Upon motion duly made by Ken Brown, seconded by Edd Little, Council unanimously opened the public hearing for comments.

Mayor Simpson recognized Town Attorney Tom Griffin, who addressed everyone. He stated that the purpose of the public hearing is to hear comments on an application from Griffin Farm and Landfill to expand their operation of a C&D landfill on their property to a larger footprint. He stated that the Town is required to hold this public hearing by North Carolina general statutes and the Town's ordinance. An application was submitted to Union County's Public Library at 316 East Windsor Street, Monroe, NC, as required by NC and Town statutes. The Town sent out letters to adjoining landowners, and Griffin Farm and Landfill was also required to send letters to adjoining landowners. This public hearing has been advertised twice in the local newspaper. There are currently four people signed in to speak, and they will be given a reasonable amount of time to speak. Others who would like to talk may do so. Mr. Griffin advised Mayor Simpson to call the first person signed in to speak to come to the microphone and address Council. At the end, the Town will invite Griffin Farm and Landfill's lawyer, Ed Koch, and engineer, Wayne Sullivan, to speak if they would like to.

Mayor Simpson asked if anyone else would like to sign in to speak.

Mayor Simpson called J.B. Preslar.

Mr. Preslar, 4540 Secest Short Cut Road, Monroe, is a local grading trucking contractor. He asked the Town to reinstate the franchise agreement for a C&D landfill for Griffin Farms. There is a need within our county and this region for a landfill of this nature. He has prepared many lots and has hauled debris to Griffin Farms in the past. In 2005 he demolished an abandoned bank on Franklin Street, purchased by Health Quest and Mr. Griffin allowed him to dump debris at a reduced rate to cover his tipping fees to Town of Unionville. In 2007, the land

for Hospice Hospice, Mr. Griffin allowed debris to be dumped at a reduced rate and furnished fill dirt. The City of Unionville has lost an income stream and Union County has lost a business that gives back to the community. There is a great need for this type of landfill in Union County.

Mr. Gary Helms, 1111 Presson Farms Lane, Monroe, thanked the Council for the opportunity to speak. In the last few years, Mr. Griffin has made efforts to continue and expand his current C&D LCID landfill and has met with vigorous opposition by the community. Part of this opposition led to the group, Citizens Against Pollution, who led the opposition to previous efforts by Griffin Farm and Landfill. This group retained the services of John Runkle, an attorney from Chapel Hill, who is unable to attend tonight's meeting. Mr. Helms provided copies of a letter Mr. Runkle wrote to Council members. He read the letter to Council, a copy of which is appended to these minutes. Mr. Runkle's comments paint a clear picture of what we can expect if the franchise is approved. He asked that, in the interest of the community and citizens of the Town of Unionville, that the Council unanimously and completely reject this application.

Mr. Douglas Kiker, 4001 Sikes Mill Road, Monroe, NC, spoke on behalf of Unionville. It's a need for the community. Probably everyone in here has had debris that has been disposed of over there. It allows construction debris to be disposed of. It is good for City of Unionville taxes. Richard will create jobs with employees. He keeps his place running as good as you would find in any facility. It's remarkable. The roads going in and out of there are better than the rest of the county or state regarding trash. If you take stuff there that shouldn't be there, it won't stay there. He's asked Mr. Kiker to leave. It is good for construction people in the county rather than to take the stuff a farther direction. Mr. Griffin has bought the property, and pays his taxes; it's time City of Unionville and Union County and the state grant the permits to open back up.

Mr. Joe Hudson, 2203 Stafford Street, Monroe, NC, came to speak as one of the old-timey waste/garbage haulers. He used Richard Griffin solely ever since the opening until it was closed. He's been in about as many sanitary landfills as there are around here. He thought he was in the wrong meeting when the fellow talked about the size. He goes to the speedway, one of the largest in the southeast. Richard Griffin won't compete with them. He takes only demolition and makes it more practical and economical. From seeing all these places, he can tell what a good facility Mr. Griffin runs. He asked that the Town grant the franchise he needs to operate a business to help the community. People talk about all the bad things. Although he's been to a bunch of them, we don't see all the bad things. You will challenge any way you want to about what the bad things are. With rules and regulations now, they don't exist anymore. We don't have garbage dumps or trash piles now. All of those are up-to-date. It wouldn't hurt, he doesn't think, to live next to one. He doesn't live next to one, but wouldn't mind living next to one. Think about the responsibility as an elected official to look upon this request and stay open-minded and make a favorable move to grant the franchise for Richard Griffin.

Mr. Billy Canupp, 2618 Concord Highway, Monroe, NC thanked the Council for their time. He wanted to address the landfill as an adjoining property owner. He is close to

completing his new home and had some construction and land debris. He is not opposed to Mr. Griffin running his own business. However, he is concerned about the information provided in Mr. Griffin's letter indicating a 12.7 million-ton landfill that would be 814 feet above sea level, which equates to 300 feet above ground. His concern is for a 300-foot landfill behind him. The practical problem in the wintertime when the sun sets there, he will be without sunlight from approximately 3:30 or 4:00 p.m. on. His concern is that the landfill is ten times the height of his house. It will impact property values. He's concerned that Mr. Griffin hasn't provided what his intent is once the landfill is completed; what will happen to it; how wide it will be, and the length, etc. These are my concerns. He understands Mr. Griffin has a current landfill, but would he continue to use it not to exceed the current height. He is definitely opposed to the current request.

Mayor Simpson recognized Town Attorney Tom Griffin, who asked if anyone else desired to speak. Mr. Griffin gave Richard Griffin's attorney the opportunity to speak before closing the public hearing.

Mr. Richard M. Koch, 3220 Prosperity Church Road, Charlotte, NC thanked Council for the opportunity to speak. He stated that some folks came to the podium in favor of the landfill and have been eloquent and specific in demonstrating the need for a facility in the area. Mr. Griffin is a local man who has a substantial investment in the property. He has run a good landfill in the past. There is a need here for that type of facility. Construction debris needs to go somewhere. The debris is generated here, so it seems fitting that it be disposed of here. There are always concerns about landfills. They are a necessity. How do you run your landfill? Mr. Griffin runs it properly. Mr. Runkle's letter speaks of state regulations and his concern about landfills. He suggests a different way to look at it: regulations provide protection and monitoring and oversight makes them a safe type of business to be engaged in—for those who work in it and surrounding property owners and neighbors. He suggested that this is an appropriate way to view it. It is a permitted activity in the state. It is a necessity. He requested that the Town look favorably on Mr. Griffin's application.

Mr. Steven Kirkpatrick, 1106 Presson Farms Lane, Monroe, doesn't have a hard time with an American man having a business of his own. Every American should be able to do that. The problem is that the nice quiet Town of Unionville is going to become known as "Mount Unionville", not the nice quiet Unionville. This is the largest, tallest facility in this area besides Charlotte—approximately 400 feet tall or 350 in my front yard. There will be a lot of construction debris, especially with the new Monroe bypass coming in. He doesn't have a problem with construction debris, as it biodegrades. He has a problem with other construction debris such as concrete and oils that will leech from other areas into our water. Remember, we all came here several years ago and opposed this and there were a lot more people here. He is a neighbor of Mr. Griffin's. He waves to him every time he sees him. He doesn't have a hard time with him; he has a hard time with his yard being right in sight of this landfill. He doesn't think Town of Unionville would like to have or be known as "Mount Unionville". Look at our children. His 13-year-old son is a Boy Scout. He helped with the flag ceremony at the Unionville Christmas tree lighting this year. He has a hard time explaining to his children that

we're gonna have a mountain of debris in front of our house. Waste is waste. We all make it, but do we really want to be known as the place for it to come? If he wants to sell his house, he asked Mr. Griffin's lawyer and the gentleman who stood up and said he goes to the facility every day at the racetrack--we all go up to Concord Mills and see the great big hill on the side of 485. Does Unionville want to be known for that or for the good godly community that has an outstanding barbecue every year? He thinks if you look at this again, we need to study it. Maybe the federal government should come in and say let's look at it. There are other areas where we could put this product that would not so dramatically affect this small-knit community.

There being no one else to speak, and upon motion duly made by Edd Little, seconded by Ken Brown, Council unanimously closed the public hearing.

Mr. Tom Griffin stated that the process is now two-fold. Council appointed Commissioners Randy Baucom and Ken Brown to review the application. They will address any questions they have for Griffin Farm and Landfill and his folks. After the application has been reviewed thoroughly, then it will be considered at a regular or special meeting of the Town Council. A franchise agreement must be approved in two separate meetings. One question he has is the length of time of the franchise. The Town's ordinance limits it to five years. He is unclear on the timing from Griffin Farm and Landfill. If they wanted to have a longer franchise, they must amend the Town's ordinance. It will be either a one- or two-step process--depending on the actions of how to handle the franchise and pending information received from Griffin Farm and Landfill.

Upon motion duly made by Ken Brown, seconded by Edd Little, Council unanimously adjourned the meeting.

Respectfully submitted,

Sonya W. Gaddy
Clerk

Approved as to form:

Thomas N. Griffin, III, Town Attorney