

MINUTES OF THE MEETING OF THE BOARD
OF ROWAN COUNTY COMMISSIONERS
ADJOURNED SESSION
JANUARY 19, 1990
RED ROOM - COMMUNITY BUILDING

The Rowan County Board of Commissioners met in Adjourned Session on January 19, 1990 at 10:00 a.m. in the Red Room of the Community Building.

PRESENT: J. Newton Cohen, Chairman
Wilborn S. Swaim, Vice-Chairman
Henry H. Palmer, Member
Jamima P. DeMarcus, Member

ABSENT: George C. Knox, Member

The County Manager, County Attorney, Finance Director and Clerk to the Board were also present, as well as various concerned citizens.

Chairman Cohen called the meeting to order, and Commissioner Palmer gave the invocation.

ADDITIONS TO AGENDA:

Commissioner DeMarcus: Fax Machine for County Manager's Office

Emergency Plans for Rowan County

Commissioner Palmer: Nomination for the Board of Health

REPORT FROM WESTINGHOUSE ENVIRONMENTAL & GEOTECHNICAL SERVICES,
INC.:

Chairman Cohen briefly explained to the audience how Rowan County was approached with the news that it had been selected as one (1) of four (4) possible sites for a Low-Level Radioactive Waste Facility.

Mr. Jack Amar, Branch Manager and Brian Lucas, Geologist with Westinghouse Environmental Services, Inc. presented the report of findings regarding the proposed Low-Level Radioactive Site in Rowan County, as attached to these minutes. Copies were also distributed to members of the audience.

According to Mr. Amar, the issue of the water-level in the area should disqualify it from being selected for the waste site, according to criteria produced by Chem-Nuclear. Mr. Amar explained the process by which Westinghouse obtained and compiled their information, leading to their conclusions.

County Manager Tim Russell asked Westinghouse Geologist Brian Lucas to characterize what was found through the borings on the potential site. Mr. Lucas replied that many rock fractures were found, as well as iron-staining in the upper surface rock.

In addition, Mr. Amar then stated that it would still be possible to build the facility on the Rowan County site but, to do so, Chem-Nuclear would have to modify the site conditions and disqualify all present criteria, resulting in an above-ground facility.

Lastly, he reminded the Commission of prior efforts to place a solid waste landfill in the southeastern area. The area "wouldn't support the development of such a project, and certainly wouldn't support this facility" concluded Mr. Amar.

At this point, Commissioner DeMarcus stated that "the report from Westinghouse Environmental & Geotechnical Services, Inc. proves what we've always known and stated frequently: there is a 'fatal flaw' in the Rowan site - high ground water and high rock level. Any kind of communication from the State or its agency before site selection, would have saved the Rowan County Commissioners and our citizens a lot of grief, time and money."

"It would seem to me that these results would send a strong message to State government. It is time for the State of North Carolina and its agents to become partners with County government, and not adversaries. The State should never put County government in the position of spending time and resources in an effort to prove that their decisions are wrong. I call on the Governor and members of the General Assembly, especially those persons representing Rowan in Raleigh, to change their approach concerning the whole subject of waste management and siting."

"If, in spite of the evidence presented here, the Rowan site remains on the 'possible' list, then much of the land previously eliminated must be re-examined. In view of all this, I move that we submit a bill documenting all of our expenses to the Authority, asking for reimbursement."

Commissioner Palmer seconded, with unanimous approval.

The question was raised, by Commissioner DeMarcus, should this information not disqualify the Rowan site, what steps should be taken next? County Attorney John Holshouser replied that the siting criteria would have to come under court review. He continued that he does not believe Chem-Nuclear could still "stand on their present criteria" and select Rowan County.

Commissioner DeMarcus then made a motion to receive the report as information and forward it to the Authority, State Departments, Governor's Office, and Chem-Nuclear. Commissioner Swaim seconded, with unanimous approval.

Mr. Ed Clement, representatives from S.E.R.V.E., and other various citizens expressed their appreciation to the Commission for their strong efforts against the proposal from Chem-Nuclear.

In response, Chairman Cohen stated he believed that, regarding this issue, "this Commission has put partisan politics to one side, and tried to do everything it could to represent the citizens of Rowan County."

REPORT FROM COUNTY ATTORNEY ON LITTERING STATUTES AND PENALTIES -
JOHN HOLSHOUSER:

Mr. Holshouser stated, in his opinion, that the penalties for littering would not be a "waiverable" offense. G.S.160A-175 states that these offenses could be treated as deserving more stringent fines and jail sentences. He then volunteered to send a draft of

the penalties to Judge Montgomery for additional input.

Commissioner DeMarcus suggested reflective vests with appropriate wording to identify violators. Commissioner Palmer suggested a \$250 fine for second-offenders, as well as imposing community service work as a part of the penalty. Mr. Holshouser will research all possible options and report back to the Board.

REPORT ON RECOMMENDATION FOR TIME EXTENSION REQUEST FROM PAPCO ON LANDFILL CONSTRUCTION PROJECT:

Due to lack of adequate time for members to review the information, Chairman Cohen suggested that this issue be deferred to the next meeting.

ADDITIONS TO AGENDA:

FAX Machine: Commissioner DeMarcus made a motion to approve the purchase of a FAX machine for the County Manager's Office. The cost will be at the discretion of the County Manager and County Finance Director. Commissioner Palmer seconded, with unanimous approval.

Emergency Plan for County: Commissioner DeMarcus presented a book of hazardous waste materials, and suggested that Mr. Russell obtain an updated version for members. She stated that a plan needs to be devised to notify all Commissioners and the County Manager of any incidents which involve endangering situations in Rowan County (evacuations, hazardous waste spills, etc. Mr. Russell responded that he is currently being contacted in the event of such an incident and, should such situations arise, he will contact the Commissioners immediately.

Logo Contest: Commissioner DeMarcus asked members to sign a Certificate of Appreciation to each co-winner in the Recycling Logo Contest. The winners will be publicly recognized at the February 5th meeting at 10:00 a.m.

Nomination for Rowan County Board of Health: Commissioner Palmer made a motion to appoint Mr. Lonnie Goodman to replace Dr. Norman Sloop on this board. Commissioner Swaim seconded, with unanimous approval.

There being no further business, Commissioner Palmer made a motion to adjourn. Commissioner Swaim seconded, with unanimous approval.

Respectfully submitted,

Denise J. Barrow
Clerk to the Board