

Environmental Advisory Committee

Minutes August 4th, 2015

The Matthews Environmental Committee met in regular session on August 4th, 2015 at the Public Works Facility. Members present were Chairman Gordon Miller, Scott Baranowski, John Lynch and Bob Stratton. Also present were David Holt from Republic Services, along with Rosalind Cumming and CJ O'Neill from Public Works.

Mr. Miller called the meeting to order at 7:00pm. The July minutes were reviewed and approved.

Mr. Holt gave the Republic Services report stating that yard waste had been fairly light, and that all residential trash and recycles were running well. He said they were starting to prepare for Matthews Alive and would get in touch with the Street Supervisor, Robert Cooper, to co-ordinate the effort. Mr. Holt also mentioned the issue that Mrs. Cumming had raised about so many carts being broken each month. During July there were over a hundred carts broken. He said he has talked with Mr. Jack Killiebrew and that Mr. Killiebrew was looking into it, and would be talking with all the drivers about it by the end of the week. The concern of recycle carts being emptied and left with their lids open was brought up again. Mr. Holt said there is a fine line between putting the carts down too hard and breaking them, and putting them down too softly where they don't close. He said he will look into this issue.

Under storm water issues, the appeal of the civil penalty at 2601 Briar Trail Court was presented. Attending for the hearing were Richard Farmer and Chad Broadway of Charlotte Mecklenburg Storm Water Services. Also attending, were Mrs. Kim Phan owner of 2601 Briar Trail Court, and her sister in law Mrs. Hoang who was there to help the homeowner communicate with us.

Firstly, Mecklenburg County presented their findings. They were originally alerted to the problem on 4/24/2015, when the Town of Matthews was contacted by a neighboring resident and the Town contacted the county for assistance. When Mecklenburg County arrived at the residence at 2601 Briar Trail Court, they found the septic tank uncovered, with approximately 225 feet of pipe attached to it, which was discharging contaminated water into the ditch line. The contaminated water had already reached the neighborhood storm water system. Mr. Broadway stated that the brother in law Mr. Hoang was working on the broken system and said they couldn't find anyone to come out and fix it. Mr. Broadway stated that they were there at the inspection from 3:30 pm until 4:20 pm, approximately. Sewage was being pumped out of the septic tank by a sump pump. Mecklenburg County told them to cease pumping immediately and to clean it up using lime and a vacuum truck, and gave them a list of companies to contact for clean up. On Saturday 4/25/2015 when Mecklenburg County employees arrived at the residence, the septic tank had been replaced, the pipe and pump had been removed, lime was put out, and

the contaminated water at the storm water outfall had ceased and been vacuumed up. On the following Monday they prepared the notice of violation.

Mrs. Hoang then spoke on behalf of Kim Phan and said that the family is from Vietnam and had only been in the USA one and a half years, and they did not understand that they were breaking the rules, as things are very different in Vietnam. She asked for mercy, stating that it would be a hardship for Kim Phan to pay the penalty of \$1000. The expenses paid on the clean up already were, about \$50 for the lime bags, and about \$300 for the vacuum truck, a total of about \$350.

Mr. Broadway stated that he felt the resident had done the clean up in a timely and satisfactory manner. After much discussion, and a review to identify that it is Union County that currently runs a line near this property, a motion was made by Mr. Bob Stratton.

The motion stated that the penalty would be waived as long as the resident goes ahead and taps into the Union County sewer system within 6 months. The resident will need to provide evidence that this has been done in the form of receipts from Union County for the hooking up fees, and also from the plumber, a private company that does the work to connect them. If we don't receive the receipts or hear back from the resident within the 6 month time frame (February 4, 2016), then the fine will be issued for the full \$1000. The motion was seconded by Mr. Lynch and passed.

Also, under storm water issues, the committee discussed the notice of violation and penalty that had been issued for 10416 E. Independence Boulevard. A sewer had been stopped up at this location, allowing sewage to flow into a storm drain which drained into Irwins creek. A NOV was sent to the landlord of the shopping center. This violation happened twice within a two month period. A penalty was initiated and sent by the Town Manager. A response to the penalty was received stating that the lender had foreclosed on this property and the partnership was no longer in existence, and the owner on record at the time was now in Florida. Last month the committee made a resolution to recommend to the Town Manager that the Town attorney Mr. Buckley look into this to see if there are any other ways of obtaining the payment from the penalty such as an escrow account or a lien on the property.

It was reported that Mr. Buckley the Town attorney had investigated this and had stated that a lien could not be made, and the only way to follow up on this, was to file a claim in the small claims court. Mr. Lynch made a resolution of recommendation that the Code Enforcement Officer file a civil action in Small claims or Environmental claims court, in order to process this penalty.

Regarding Air Quality, Mr. Ross had sent an email that reported that everyone in the Matthews area is in compliance, and there were no violations of air quality in the past month in Matthews.

It was mentioned, that we will be getting new ozone standards in October, but as of now, we remain in compliance.

Regarding Physical Agents, there were no physical agent issues.

Under other business, the plan for the garbage contract was discussed. It was mentioned that the last time the Solid Waste contract had been put out for bid was in 1996. Mr. Miller stated that he had not started on the RFP (request for Proposal) yet. The committee had asked the Town Manager and the Mayor to contact other Towns and to let us know feedback they received on the four companies we received SOQ's from: Republic Services, Advanced Disposal, Waste Mgmt and Waste Pro. Mrs. Cumming presented the feedback received.

Concord, use Waste Pro & switched from Republic (price & service)

Stallings, use Waste Connections (not one of our 4)

Mint Hill, use RCS (not one of our 4)

Pineville, left Republic in 2010, (missed pickups, dirty leaky trucks), use none of the 4

Cornelius, Republic past 5 years and good experience (switched from WM, not good service)

Davidson, Republic (good service)

Indian Trail, Waste Pro (consistent & good value)

With other business completed, a motion was made at 8:25 pm to adjourn the meeting, which was seconded, and passed. The next meeting will be held on Tuesday September 1st, 2015.

Rosalind Cumming

Secretary