

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING ON THE PROPOSED SWINE FARM
PUBLIC HEARING
JANUARY 26, 1995

The Board of Commissioners (the "Board") of the County of Chatham, North Carolina, met in special session for the purpose of receiving public comment on the Proposed Swine Farm, in the Superior Courtroom, located in the Courthouse, Pittsboro, North Carolina, at 7:30 P.M., on January 26, 1995.

Present: Chair Uva Holland; Vice Chair Betty Wilson; Commissioners Margaret Pollard, John Grimes, and Henry Dunlap

The meeting was called to order by the Chair at 7:35 P.M.

The Chair thanked those present for attending the special hearing concerning the possible location of a swine finishing operation to be located south of Siler City. She stated that since the Farmers Home Administration has declined several requests to hold a public hearing, the Commissioners decided to hold this special hearing to allow citizens to make comment on the proposed operation. She then called on Mr. John Alderman, of the North Carolina Wildlife Resources Commission to make a presentation regarding possible impacts of the proposed swine finishing operation.

PRESENTATION BY JOHN ALDERMAN

John Alderman, Regional Biologist with the North Carolina Wildlife Resources Commission, gave a slide presentation and addressed the ecological significance of the Rocky and Deep Rivers. He stated that the Cape Fear River Basin covers approximately one fifth of North Carolina, originating near the Virginia Border, flowing on to the Wilmington, NC coast; that within this large area, there are significant natural resource values; that unknown to most people, North America provides habitat to nearly 300 species and sub-species of fresh-water mussels; that because mussels are filter feeders, they are highly vulnerable to sedimentation of their aquatic habitats and they are very sensitive to toxic substances in the water and the effects of increased nutrient loading; that they are now considered by many within the scientific community as the most endangered final group; that almost 75% of our North American mussel species are considered extinct, endangered, threatened, or of special concern; that mussel declines warn us of changes in water quality; that there have been major changes in the mussels within the last twenty years, in both diversity and abundance; that now only two areas remain significant, one is the Black River Sub-Basin in the lower Cape Fear River Basin and the other is the Deep River Sub-Basin in Randolph, Moore, Lee, and Chatham Counties. He stated it can be concluded that (1) significantly rare species still exist in these rivers and some of the tributaries; (2) declines have occurred during the recent past under existing conditions (3) activities which negatively affect water quality will result in future decline of the mussel species diversity and abundance; that because losses of mussels and endangered fish have occurred during the past decade, there is a need to insure good water quality in other areas of the Rocky and Deep Rivers for rare aquatic species conservation; that clearly this area is nationally important, however, it needs help from local governments and land owners to insure its future viability.

The Chair asked that any other public officials in attendance be allowed to speak.

There were none who wished to make comment.

The Chair opened the floor for public comment.

Cheyney Hales, 528 Will Be Lane, Siler City, NC, showed some slides and stated that he felt everyone was in attendance to support the scientific approach to healthy land use; that we need greater management to pay attention to the monitoring of land use; that his display would be placed on file in the library for public viewing .

Richard Kirkman, 20416 US #64 West, Siler City, NC, a large animal veterinarian stated that he was concerned about how the agricultural population in Chatham County would be unnecessarily affected by increased government regulation; that several of his clients during the past year have had to file waste management plans with the division of Environmental Management and have two years to comply with any complaints against any violations anyone might have; that some of the operations are concerned with air and water quality within their operations to maximize the health of their animals; that since Chatham County is such a large agricultural base, we need to take our time about this thing to make sure we're doing the right thing.

W. Wrenn Dark, 1817 Sam Fields Road, Siler City, NC, stated that he lives approximately one mile from the proposed swine farm; that if the wind is blowing, he will have to stay inside as the odor will be so bad; that the water table in his area is minimal. He asked how deep a well would have to be drilled to get 27,000 gallons per day. He also asked how a man would ever pay his bills or his loan off with hogs bringing an average price of 28-35 cents per pound.

Donna J. Sivulka, 3942 Rives Chapel Road, Siler City, NC, that is not the nature of the proposed operation that has her concerned, but rather its size; that one of the things that concern her the most is odor; that it is unbelievable that the FmHA did not take the time to study the literature and to evaluate the impact of odor on Siler City and its environs; that there have been many ills reported from odors from large livestock operations; that the citizens of Chatham County have a right to demand a more thorough evaluation of an operation that could substantially impact their environment and quality of life before it is put in and not after.

Diana Hales, 3755 Rives Chapel Road, Siler City, NC, stated that the number of small farmers are declining, both in the nation and in North Carolina; she expressed concern regarding the distance of residences from the farms and the impact thereof.

Barry Foushee, 2222 A. S. Fayetteville Street, Asheboro, NC, who works for the CoOperative Extension Service in Chatham and Randolph Counties, stated that in 1993, the 0200 Regulations were passed which stated that all existing farms with confinement situations of 250 head of hogs and 100 head of cattle had to register with DEM; that they have until 1997 to get a plan written; that he is certified to write the plans; that DEM has said that they are going on a complaint driven basis; that DEM will keep copies of the registered farm locations; that if the farms are found in violation, they can be charged from 5-10 thousand dollars per day until the situation is changed; that if the farmer wishes to expand his operation, he has to have all of the right waste management facilities in place.

L. B. Davis, 6528 Carl Brady Road, Bennett, NC, voiced her concern regarding not being heard by the State Legislature; that NC State University isn't sure if the swine odors are harmful; that odors may ruin her quality of life; that in 15 years her well-water may be ruined; and the threat of physical violence against someone who opposes something.

Don Clark, Route 4, Box 276, Pittsboro, NC, asked what happens when there is a flood in the area of the proposed swine farm. He asked how many wells will be lost when there is an eventual flood and Ecoli gets in the well water.

Otto Thomas, Box 1336, Rives Chapel Road, Pittsboro, NC, pointed out a possible discrepancy in what the gentleman from the State stated about no solids being used and wastewater being recycled; that the wastewater would be only spread on the

fields; that if it is recycled and is spread on the fields, where does the difference come from?

Steve Seilkop, 3942 Rives Chapel Road, Pittsboro, NC, stated that he owns and lives on property within a mile of the proposed facility; that he doesn't stand against agriculture, but he is concerned about the scale of Mr. Craig's operation; that we are not talking about a small independent hog or poultry farm, but a major industrial facility that has numerous potential negative impacts on the living conditions and the economy of the community; that the track record for these large scale operations in the Eastern part of the State is not good; that given the documented problems with large swine operations, he is disgusted that tax dollars are being used by the Farmer's Home Administration to guarantee Mr. Craig's loan; that he opposes overly restrictive regulations but when a business infringes upon his health, ability to enjoy his property, and his savings, it is time for regulations; that he is encouraging the Board of Health to evaluate and adopt a County code that assures that residents are protected from these operations' potential adverse effects.

Anne VonGruenigen, 980 Hal Clark Road, Siler City, NC, stated that she had consulted experts and studied scholarly publications and from this research, she is convinced that large hog facilities mean big bucks for a select few and economic hardship or disadvantage for everyone else; that scientists studying the swine industry in 1993 in Eastern North Carolina found that there was an 83% increase in the number of hogs between 1985-92 and the corresponding 50% decrease in the number of independent hog farmers; that there has been a net loss of jobs from people who have quit hog farming and those who have lost jobs in marketing facilities, processing plants, businesses which service the independent hog farmer; that there was a lowered county tax base due to property devaluation; and that the cost of run-off accidents are usually born by the tax payer.

Karen Jordan, 2631 Coleridge Road, Siler City, NC, spoke in favor of the farming community and the right to farm for a living; She stated that she appreciates the interest the Commissioners and the Board of Health have shown in the agricultural community; that the dairy and swine industry are usually the first to rapidly adopt new technology for the efficient production of milk or pork and are the first to stay up-to-date on the best way to handle manure for a clean run farming operation; that some are against any type of livestock operation; that there had been a lot of false information spread about lagoons and odors and the supposed lack of regulations on waste management; that farmers are responsible stewards of the land and caretakers of the various livestock operations; that they must take this opportunity to show that the farmers work on a daily basis with waste management plans in order to protect the water supply.

Norman Jordan, Jr., 2631 Coleridge Road, Siler City, NC, stated that citizens need to become aware of the changes that have taken place in agriculture over the last forty years; that small farms have gone out of production; that with the adoption of new technology and management practices, there remains an adequate supply of milk; that the 1.7% productivity feeds 100% of the nation and exports food products throughout the world; that the decision of the Commissioners will determine whether Chatham County's farm families, especially the Craig family, will be able to compete on a state, national, and world market.

Bill Johnson, PO Box 278, 2648 NC #22 South, Ramseur, NC, stated that as editor of the *Progressive Farmer Magazine* for twenty-three years in five states, that he knew that smelling the odors was part of living in the country; that he wished it could be perfect on the farm, but that it can't be; that if we eat, we must grow it somewhere.

Tommy Emerson, 186 John Emerson Road, Siler City, NC, stated that our ancestors came with the motivation to own their own piece of land; that a young man has come and put his capital at risk to operate a lawful, economic enterprise which will be

beneficial to the County. He cautioned that decisions be made on science, fairness, and logic.

Richard Peter, 256 Joe Brown Road, Bear Creek, NC, stated that he searched for a place to settle where he could carry on a farming enterprise; that he settled on Chatham County because the people were friendly and accepting; that the community should be left a farming community.

Regina Thomas, 509 West Main Street, Sanford, NC, branch office manager at Piedmont Credit, stated that hers is the office that originated the loan for the Craigs; that before the loan decision was made and any information was compiled, they were definitely sure that the operation was in full compliance with DEM and environmental regulations; that the hog farm is a very viable operation; that farming needs to be given a chance and she agrees with all of the statements made in support of agriculture.

Barbara Lorie, PO Box 841, Pittsboro, NC, stated that she owns a farm but is concerned about the quality of life for her neighbors and herself; that we can allow the abortive, giant, conglomerates to build in our midst thus spoiling the life for hundreds of people or we can find a way to keep this unnatural kind of farming out of Chatham County; that history speaks for itself as to how these kinds of factories destroy the life for the earth and for the human beings wherever they are built; that the Commissioners pass the Halifax Code, to include the performance bond at the beginning of this operation if it passes, and include a closing bond if this operation is forced to shut down.

Don Webb, 8648 Gardners School Road, Stantonsburg, NC, President of the NC Alliance for Responsible Swine Industry, stated that he had met with twenty-two counties with groups that want their right of domestic tranquillity exercised; that the right guarantees each individual to have a home free from feces and odor, free from the unhappiness and the psychological damage it can do to families, the right all people deserve; that his organization does not want to shut down the swine industry, however, they do want the swine industry to be a responsible industry. He stated that his organization fights for small farmers across the nation.

Charlie Wolfe, Route 4, Box 870, Sanford, NC, President of the 1995 Board of Realtors of Chatham County, reaffirmed his support of the farming in Chatham County; that speaking on behalf of the Board of Realtors, they recognize the importance to both the economy and the quality of life that the farming community has had and hope will continue to have in Chatham County; that they do have concerns regarding the type of facility the swine farm will have in the area, the environment, the quality of life and property values; that potential buyers of property in the area have already raised concerns; that as good citizens and stewards, we must all be diligent to protect our environment, quality of life, and property values; that property values directly affect the tax base from which the County derives income to provide all of us the services we desire and need. he requested that careful study be given to the matter by the Board of Commissioners.

Gary Phillips, Big Meadows Community, Silk Hope, NC, stated that he stands with and for farmers in every possible way; that the people he is most allied with, he must disagree with; that he does not believe

that factory farming is family farming; that by trade he is a Realtor and real estate appraiser and there is an stigma to property adjoining hog farms; that in this County, we have the obligation to support the farmers and we also have the obligation to the quiet enjoyment of our properties so we must forever strike the balance between the two.

Rev. S. J. Farrar, Cary, NC stated that he is highly concerned because he supervises eight churches within a one mile radius of the proposed farm, comprised of approximately twelve hundred members; that the majority of them are retired senior citizens; that he wondered how many of the people who had spoken in favor of the swine farm lived within smelling distance and water drinking distance of the proposed site; that

there are some senior citizens who have trouble breathing now; that church windows and doors have to sometimes be closed due to the smell in order to worship comfortably.

Connie Allred, 4908 Pleasant Hill Church Road, Siler City, NC, stated that she lives downstream from the proposed operation; that she would like to respond to some false statements that have been made: (1) Mr. Craig's waste management plan has not been certified. (2) The burden of pollution, smell, etc. for DEM enforcement will be put on the citizen. (3) There is no plan for odor. She stated that there are two land applications which are failing: (1) Golden Poultry on the Deep River and (2) Weyerhaeuser in Moncure; that both are washing into the creeks, they are violating their permits and are being allowed to dump excess pollutants into the creek until they can do something about it; that Golden Poultry is being considered for a special order by consent because their system isn't working either.

Ray Greenlaw, 2 Jordan Woods, Pittsboro, NC, stated that he is glad to live in Chatham County where agricultural enterprises are alive and well; that some of the Commissioners remember the hassle gotten into over the Broadlands developments in Hickory Mountain Township; that it was a clear case of incompatibility between residential uses and agricultural uses; that in developing the water shed protection rules for this County, the task group of the Planning Board that wrestled over the issues, continually came upon questions about agriculture; that they were told the counties did not have the authority to fool with agricultural regulations and rules; that it was curious to note that in the initial rules adopted by the Environmental Management Commission, they didn't even require best management practices anywhere except within the half mile critical areas immediately adjacent to the water sources; that our County now requires best management practices virtually throughout the County; that as we look at the Statutes, two questions arise: (1) Are these protection measures adequate, in and of themselves? (2) Are they effectively enforced? He stated that he hopes in the long run, as the County continues to develop land use planning, we will seriously consider the establishment of agricultural districts which are so located and so buffered and separated from residential uses, that we will not have these kinds of continual fights about whether farmers can do the work vital to our County and nation and yet people can live in their residences and be safe and secure in their own activities.

Daniel Whittel, PO Box 659, Chapel Hill, NC, Attorney, stated that he had significant experience with State and Federal Environmental regulations and preparation of environmental impact statements; that if not properly sited and managed, they can bring tremendous impacts on the environment, public health, and on the community's well-being; that DEM regulations have been strengthened but DEM still only focuses on a small part of hog operations.

John McSween, 617 East Raleigh Street, Siler City, NC, stated that everyone in attendance is here because they are concerned about the quality of life of residents in Chatham County; that he is saddened because they are pitted against each other instead of working with each other which he feels is going to be required to meet the challenges of the future; that he thinks everyone needs to work together to find common

ground to live together in the County the way we wish to live in the future.

Larry Bozzo, 6168 Bonlee Bennett Road, Bear Creek, NC, stated that he had heard no one say how the hogs of Chatham County smell; that he lives next to one which doesn't smell bad; that he hears people talk about the bad smell caused by the hogs but he never hears anyone talk about the two farms that are already here; that animals have to have properly managed air quality inside the house to survive; that there is no pay on condemned pigs.

Thomas Andrew, 421 E. Raleigh Street, Siler City, NC, read portions of a letter which he had received from Locke Properties which were trying to sell the property. He stated that the individual who had made an offer on the property withdrew the offer after being advised of the pending swine farm operation.

Thomas Glosson, Route 2, Box 380, Pittsboro, NC, stated that as long as we live in North Carolina, there are going to be hogs; that the young man building the farm is not breaking any law; that if anything is to be done, the people are going to have to go to the State level; that Environmental Management goes out to check on complaints; that if rules are made too stringent, they will pull out of Chatham County and go elsewhere where they do not have to pay ad valorem taxes.

Wayne Sherman, Chatham County Health Department Director, stated that the Board of Health has been asked to address this issue; that the Board of Health is appointed by the Commissioners and is responsible and charged with responsibility of protecting the health and environment of the County; that the Board of Health is looking at this issue to determine whether there are any public health issues related to intensive livestock operations in this County; that there is a concern with regard to odor and that there may be a contamination of ground and surface water. He stated that on Tuesday, the Board of Health held their first meeting to address the issue and experts, including technicians from Soil Conservation Service and from the CoOperative Extension Service, were in attendance; that they are now in the process of forming a committee that will be made up of Board of Health members and other public members to review some model ordinances which have been presented to them but that they have to look at the regulations currently in place. He continued by stressing that the Board of Health will be working with citizen input into determining whether there is a need for further monitoring and expectation in the way of an ordinance for the County of Chatham.

John Kent, Route 7, Box 592, Chapel Hill, NC, stated that we have an effect on our neighbors and we need to be good neighbors; that we do have things in common, one which is our water; that there is change in this County which involves the agricultural community; that we are talking about a large scale hog operation that we have never had in the County before; that we are at the edge of the Triangle and change is coming; that we must have responsible change; that he is very concerned about the quality of the EA; and that we are talking about an applicant who is applying for a government sponsored loan.

Tim Craig, stated that he would be glad to address any questions anyone would like to ask; that there has been talk about there being no regulations, but the Department of Environmental Management does regulate the farms; that he had to have a waste management plan in place before the bank would consider his loan; that no tax payers money had been used, as Farm Home was not loaning the money, they were just guaranteeing it; that he would like the chance to show he can do a good job; that the size of the operation in Randolph County is three times larger than his proposed operation; that the small farmers have had to turn to a larger scale operation to be able to make a living; that his operation will only pump twice a year; that he has 204 acres on which he will need to pump but is only required to have 63 acres; that the lagoon is out of the 100 year flood plain; that it is designed by a competent engineer; that instead of considering himself an environmental activist, he considers himself an active environmentalist.

The Chair called for a motion to end the Public Hearing.

Commissioner Pollard moved to adjourn the meeting. Commissioner Wilson seconded the motion and the motion adjourned at 10:52 P.M.

Uva R. Holland, Chairman

ATTEST:

Sandra B. Lee
Clerk to the Board