



RANDOLPH COUNTY PLANNING BOARD

MINUTES

SEPTEMBER 13, 2022

The Randolph County Planning Board held its monthly public hearing on September 13, 2022, at the 1909 Historic Courthouse, 145-C Worth St, Asheboro, NC.

Chairman **Reid Pell** called the meeting to order at 6:30 p.m. and welcomed those in attendance.

County Manager, **Hal Johnson** called the roll of the Planning Board members:

- Reid Pell, Chair, *present*;
- John Cable, *present*;
- Kemp Davis, *present*;
- Melinda Vaughan, *present*;
- Reggie Beeson, *present*;
- Ken Austin, *present*;
- Barry Bunting, *present*; and
- Brandon Hedrick, Alternate, *present*.

County Attorney **Ben Morgan** was also present for the meeting.

Johnson informed the Chairman there was a quorum of the members present for the meeting.

The Chair called for consideration and approval of the consent agenda.

- Approval of agenda for September 13, 2022, Planning Board meeting.
- Approval of the minutes from the August 2, 2022, Planning Board meeting.

Davis made the motion to approve the consent agenda as presented, and **Bunting** made a second to the motion to approve the consent agenda as presented. **Pell**, having a proper motion and a second, called the question on approving the consent agenda, and the Planning Board members voted unanimously to approve the consent agenda.

The following case was presented with site plans and pictures of the site.

SPECIAL USE PERMIT REQUEST #2022-00002160

THE CITY OF GREENSBORO, Greensboro, NC, is requesting to obtain a Special Use Permit on Starmount Rd, Liberty Township, Sandy Creek

Balance Watershed, Tax ID #8717520081, 135.72 acres, *RA - Residential Agricultural District*. It is the desire of the applicant to obtain a Special Use Permit to specifically allow a sewer lift station for the Greensboro-Randolph County Megasite as per the site plan.

An oath was administered to **Bruce Ashley**, **Michael Borchers**, and **Brian Boyd**. The witnesses had previously submitted PowerPoint slides prior to the public hearing and those slides are following these minutes as Exhibit #1.

Bruce Ashley, 3805 O'Briant Pl, Greensboro, NC, an attorney representing the City of Greensboro, explained to the Board that they had acquired a portion of this larger tract by the condemnation process for a sewer lift station which is needed for the development in that area of the County. He said the request is in harmony with the area and in general conformity with the County's *Growth Management Plan*.

Johnson asked **Ashley** to explain to the Board how the condemnation process works. **Ashley** said the government can condemn all or just a piece of property for public projects and must pay *just* compensation for the property taken, considering any damage it will cause to the property. He explained some of the factors for calculating compensation for the property and if it is unresolved with the owner, will go to trial for a jury to decide the *just* compensation.

Michael Borchers, 4747 River Oaks Dr, Randleman, NC, Director of Water Resources for the City of Greensboro, explained there would be a 1.8 million gallons per day sewer outfall for this project which will support the Toyota development as well as the surrounding area.

Brian Boyd, 2602 S Elm Eugene St, Greensboro, NC, Project Manager for the City of Greensboro, told the Board this site was chosen because of the gravity collecting flows to be captured. **Boyd** said the site will have security fencing, locked access, remote monitoring, and odor control. **Boyd** also said there will be twenty-four hours a day, seven days a week monitoring and response, as well as weekly site visits.

Johnson asked how they determine what area or site of land is needed for a lift station.

Boyd said the final location of a lift station is determined based on the topography of the land and drainage area it will serve and this site has the potential to convey sewer from four different basin areas which make this site the best location to put a lift station.

Johnson asked what type of inspections would be performed to ensure health safety and prevent accidents on the property and if there are State inspections as well. **Boyd** said they must obtain approval from the State before construction begins and the building process requires building code approvals and then operations must follow State regulations that require certain alarms. **Boyd** told the Board that there will be visual and audible alarms on site and monitoring with real-time data showing how the pumps are running. **Boyd** also said there are generators on site that will run the pump station in the

event of power loss and additional redundancy measures that will bypass the onsite system if needed. **Borchers** said the State performs annual inspections on their records, procedures, and field inspections as well.

Johnson asked if there would be any impact on well water if there were an accident at the lift station. **Boyd** said the lines are less than twelve feet deep and are constructed with iron material, and manholes will be set two feet above flood plain elevation so there should not be an active flooding event that would cause contamination.

Borchers said there are hundreds of miles of forced mains within their system which are actively monitored to make sure there are no potential problems for surrounding wells.

Austin asked who monitors the alarms and who responds if there are any problems. **Boyd** said the employees are on-call with a rotating schedule and are required to respond within two hours if there is an emergency. **Austin** asked if the security fencing is monitored by camera and who responds to a security issue. **Boyd** said the fencing is monitored by camera and the Sheriff's department would be contacted in the event of a security breach and then they would do a follow-up visit.

Cable asked if the lines would continue to be pressurized in the event of an active alarm on the system. **Boyd** said the forced mains are only pressurized when the pumps are in use.

Davis said one of the reminders that are considered for a Special Use Request is that "the use will not substantially injure the value of adjoining or abutting property" and as a part of the condemnation process, he would like to know what type of effect it will have on the adjoining property. **Ashley** said any effect it has on the property will be addressed as part of the condemnation proceedings. **Ashley** said in his experience, lift stations are typically placed in an area where it will not negatively affect values and they usually bring in new development because of public utilities. **Davis** asked how the lift station will affect the agricultural use of the property. **Ashley** said they will be able to continue the agriculture use on the remaining acreage.

Morgan pointed out that this application for a Special Use Permit is a little different than the Board normally has before them. He also said the second part of test number three, as mentioned by **Davis** also states "or that the use is a public necessity".

Cable asked if he understands that the City of Greensboro has diligently looked at multiple sites for a lift station, this is the best selection to utilize the acreage for growth so that it will not require a second lift station in the area, and that this is absolutely the best location for the lift station. **Ashley** answered yes.

Beeson asked if there is a reason that the Special Use Permit is being requested for the entire parcel of land rather than the five or six acres needed for the lift station area. **Ashley** said they will only use the acreage obtained from the condemnation rather than the entire

tract. **Beeson** asked what effect the Special Use would have on the remaining tract. **Morgan** said the Special Use Permit will be for the acreage on the site plan only. **Pell** asked if anyone else wanted to speak in favor of the request. Hearing none, **Pell** asked if anyone would like to speak in opposition to the request.

Morgan administered the oath to **Ard Koopman**.

Ard Koopman, 204 Loyd Rd., Statesville, NC, having taken the oath, stated that until a few weeks prior, he and his wife thought they were the owners of 135 acres on Starmount Rd and were told by the City of Greensboro, that they are not. He said they started a dairy farm in 2001 which has grown to multiple locations over the years with the largest farm located in Liberty, NC. He talked about the steady employment their farm has provided, and the business they have provided to other local companies such as dairy processing, purchasing feed, veterinary services, and others. He said with the development of the Megasite, their economic viability is in great danger.

Koopman said they have already lost acreage due to the Megasite and the remaining acreage is being threatened because the City of Greensboro has no regard for private property rights and is trying hard to bully them into submission for the Special Use Permit.

Koopman said the Board should agree to the request if agriculture, and local thriving businesses, are no longer important to the County or State and if they are still important, he would respectfully ask that the request be denied.

Davis asked **Koopman** if the City of Greensboro were to take the proposed 5.9 acres of his land, what effect it would have on their property. **Koopman** said the City of Greensboro's plan will make the impacts on his field as least invasive as possible, but he still does not want to have sewer pipes in his backyard. He also said he has issues with the government being able to take someone's land and do whatever they want.

Davis told **Koopman** he is also a farmer near Randleman Lake and has been in the same situation and understands what he is going through.

Koopman talked about the impacts he would face with the loss of property. He said he would have to find additional property in another location to continue his operation which would impact the costs of operation tremendously.

Pell asked if there was anyone else that would like to speak in opposition to the request. Hearing none, he closed the public hearing for discussion among the Board members and a motion.

Davis said understanding the power of eminent domain is hard to understand but is one of our government privileges. He said he has been through it himself and knows the challenges that you face through the process.

Cable said even though it is hard to understand and very emotional for the property owner and even the Board members, we would not have the roads or even airports that we have available to us without eminent domain and progress would stand still. He said it is hard to understand that something that you have worked hard for, can be taken away but when you consider the strategic planning that went into deciding on this location, it is for the greater good.

Cable said he weighs information heavily when trying to make a decision and has great respect for a hardworking business owner. He said the Board's job is to review the four-part test for a Special Use Permit request and feels this request meets all the criteria to approve the request.

Austin had questions on whether satisfactory compensation for obtaining the property had been made. **Morgan** said it is irrelevant in making a decision, but his understanding is that it has not been settled at this time.

Cable said all the criteria have been met, the City has done its due diligence and for the record, would like it noted that the Special Use Permit request is for approximately 5.9 acres rather than the total 135-acre tract of property.

Cable made the motion the motion to **APPROVE** this Special Use Permit request on the specified parcel(s) on the Special Use Permit application, based upon the sworn witness testimony included in the minutes, as well as the site plan(s) with all agreed-upon revisions, and that the use will not materially endanger the public health or safety, the use meets all required conditions and specifications, the use will not substantially injure the value of adjoining property, that the use is a public necessity and the location and character of the use if developed according to the plan(s) as submitted and approved, will be in harmony with the area and in general conformity with the *Randolph County Unified Development Ordinance*. **Vaughan** seconded the motion to approve the issuance of the Special Use Permit.

Having a proper motion and second, and by show of hands, the Planning Board members voted unanimously to approve this request.

Having no further business, **Cable** made the motion for the Planning Board meeting to adjourn. **Beeson** seconded the motion for the Planning Board meeting to adjourn. The Chair, having a proper motion and second, called the question on adjourning the meeting. The Planning Board members voted unanimously to adjourn the meeting.

The meeting adjourned at 7:18 pm, with 6 citizens in attendance.

**RANDOLPH COUNTY
NORTH CAROLINA**

Planning Director

Clerk to the Board

Date



**Approved by
Randolph County Planning Board
October 3, 2022**

Exhibit #1

Randolph County Planning & Zoning	
Special Use Permit Application - Sandy Creek Lift Station	
Mike Borchers, Director Brian Boyd, Project Manager	
City of Greensboro Water Resources Department	September 13, 2022

1

Outline
• Project Background • Example Lift Station • Takeaways • Safety

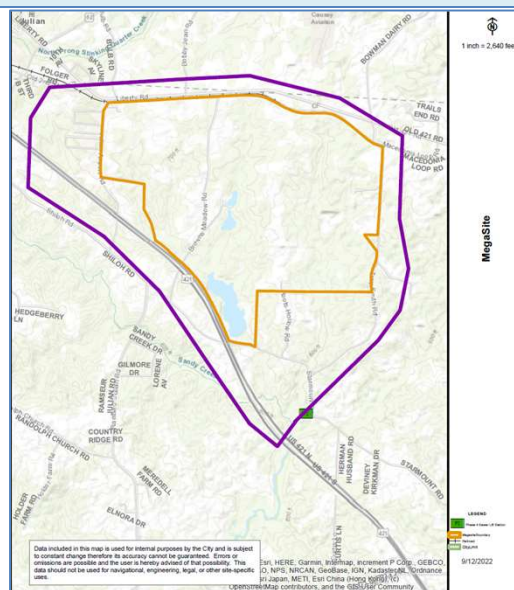
2

Project Background

- Construct a 1.8 million gallon per day (MGD) duplex lift station, sewer outfall, and forcemain
- Directly supports economic development within the basin, including Toyota Battery Manufacturing of North Carolina (TBMNC) with the development at the Megasite
- Site chosen given its location within the overall drainage basin. Sweet spot for collecting the flow within the Sandy Creek drainage basin

3

Lift Station Drainage Basin



4

Takeaways

- Greensboro owns and operates 51 public sanitary sewer lift stations
- To minimize the impact to area residents and the community, Sandy Creek lift station will include a covered wet well and carbon odor scrubbing system

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Safety

- Security Fencing
- Locked Access
- Remote Monitoring / Telemetry
- Covered Wet Well
- Odor Control
- Fall Protection
- 24/7 Response and Weekly Site Visits

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