

Information Item

Date: October 11, 2022

To: Mayor, Mayor Pro Tempore, and Members of the City Council

From: Aaron King, Assistant City Manager
Courtney Driver, Utilities Director

Subject:

Information Relating to Extension of the Franchise Granted to Winston-Salem/Forsyth County Utilities to Operate Hanes Mill Road Landfill

Strategic Focus Area: Healthy Environment

Strategic Objective: No

Strategic Plan Action Item: No

Key Work Item: Yes



NCGS 130A-294(b1)(2) requires that an applicant for a municipal solid waste landfill permit obtain a franchise for the operation of the landfill from each local government having jurisdiction over any part of the land on which the landfill is located. Accordingly, such a franchise to operate Hanes Mill Road Landfill was adopted by the City of Winston-Salem Board of Aldermen in two readings on February 21, 2000, and March 6, 2000; and was approved by the Winston-Salem/Forsyth County Utility Commission on May 8, 2000. This non-exclusive franchise was granted for a term of 30 years to operate and maintain Hanes Mill Road Landfill.

In 2019, an application to amend the landfill's permit was submitted to the North Carolina Department of Environmental Quality (DEQ). This amendment would increase capacity available for waste by approving construction of an earthen berm around the perimeter of the currently permitted disposal area. The earthen berm would serve as a retaining wall, allowing waste to be deposited between the slope of the existing landfill and the berm. The elevation of the landfill would not rise, but the life of the landfill would be lengthened. Technical review comments received from DEQ in 2020, in response to the application to amend the landfill's permit, requested that the current franchise (scheduled to expire on March 6, 2030) be extended to coincide with the permit expiration date of April 9, 2057. Consequently, an item requesting approval of an extension of the franchise will be on the agenda of the November 1st City Council meeting. A second reading of this franchise ordinance would then be scheduled for the November 14th meeting. The item will request that the term of the franchise be extended an additional 27 years and 33 days, beginning in 2030, the date when the original term of the franchise is set to expire.

NCGS 130A-294(b1)(3) requires that a public hearing must be conducted prior to the award of a franchise, and that a minimum of 30 days' notice be given. This notice will be posted on or before October 1, and pertinent materials made available to the public at the Forsyth County Public Library.