

Windsor, North Carolina
March 13, 2018
SPECIAL MEETING

The Bertie County Board of Commissioners met for a special meeting inside the Glass Conference Room at the County Administration Building located at 106 Dundee Street, Windsor, NC 27983. The following members were present or absent:

Present: Ronald “Ron” Wesson, District I
 Stewart White, District II
 Tammy A. Lee, District III
 John Trent, District IV
 Ernestine (Byrd) Bazemore, District V

Absent: None

Staff Present: County Manager Scott Sauer

At 11:00 a.m. in County Administration’s conference room, Mr. Albrecht McLawhorn, AIA and Vice President of MHAworks of Greenville, NC and Mr. Carl Bonner, PE and Principal of Terracon Geotechnical Engineers of Winterville, NC provided a technical briefing to review the proposed library and cooperative extension joint use facility’s proposed site (owned by Spruill Farms, Inc.) and located at 308 West Camden Street.

The briefing report, entitled “Report of Additional Limited Site Investigation Services” (Terracon Project No. 72187005) was led by Terracon’s Carl Bonner, PE regarding the additional ground water testing and subsequent results on the Spruill site.

County Manager Sauer’s meeting notes and report to the Board of Commissioners via email dated March 13, 2018 is provided below:

“For a more clear understanding, please refer to Appendix A, Exhibit 3 in the attached report. The additional testing revealed that the plume of groundwater contamination has migrated further onsite, impacting the areas where construction **was** planned. I use the past tense in this context because the “take away” from this meeting is to abandon this site, after listening to the conversation in the room this morning.

The testing was based on NCDEQ 2L standards:

- NCDEQ 2L standard for PCE is 0.7
- NCDEQ 2L standard for TCE is 3
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Five of the nine test wells exceeded the NCDEQ 2L standard (0.7) for PCE, ranging from 6.6 to 47.2 as seen on Exhibit 3.

Two of the nine test wells exceeded the NCDEQ 2L standard (3) for TCE, ranging from 3.8 to 33.7 also seen on Exhibit 3.

Page 4 of the Terracon report states: ***“PCE and TEC exceed Residential and Non-Residential Vapor Intrusion Screening Levels (VISLs) in certain wells at the site.***

According to our architect, remediation and site mitigation will be costly (adding at least \$10 per square foot for initial construction) and time consuming (up to two years) and the minimum period for ongoing testing and monitoring is 10 years. My notes included terms such as ***solvents—volatized—carcinogens—vapor mitigation—future liability for the County.***

Based on these findings, and as a result of the Board’s due diligence, I offer these recommendations:

- 1) Instruct the legal team to send correspondence (and a copy of the Terracon report) to the primary property owner of the former dry-cleaning site, notifying the owners of the testing results. The correspondence should include a recommendation that the property owner should report these findings to the appropriate State regulatory agencies and copy the County and Town with this communication.
- 2) Direct the legal team to send notification to the seller of the subject property (Spruill Farms) of the County’s intent to immediately withdraw the offer to purchase and include a copy of the Terracon report.
- 3) Notify the Golden LEAF Foundation of these findings, the proposed action and the impact on the project schedule.
- 4) Request the architect (MHAworks) to provide a summary of activities and charges incurred for both programming/preliminary design and site evaluation (Phase 1 environmental assessment and groundwater testing studies).
- 5) Begin phase two of the site selection process.

According to Terracon, at least two programs are available for property owners to address these types of situations. North Carolina offers funding through the Dry Cleaner Solvent Clean-Up Act to address both onsite contamination and evaluation to delineate the migration of the plume in the groundwater. The federal government offers the brownfields program for site mitigation and removes liability for the property owner. This option could entail a project delay of up to two years and require a minimum of ten years for monitoring and testing at the site.

It is my understanding that the responsibility and liability rests with the property owners. The County's role should be limited to putting the property owners on notice, and possibly, informing State regulators regarding these findings. I offer these thoughts and recommendations as a quick summation of today's conference with Terracon and MHAworks, in order to keep everyone informed! I certainly welcome other comments and observations from today's conference participants. I have also copied both Allen Castelloe and Albi McLawhorn with this communication."

End of email communication from March 13, 2018.

Mr. Allen Castelloe, Windsor Town Administrator was called and invited to join the meeting in the conference room at approximately 12:00 p.m. and he remained in the meeting until its conclusion at approximately 12:30 p.m.

Ernestine Bazemore, Chair

Sarah S. Tinkham, Clerk to the Board