

NBC 17

Judge To Rule On Validity Of 'Poo Hill' Sewage Plant

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RALEIGH, N.C. -- A judge will decide Friday whether four towns can continue with plans to build a regional wastewater treatment plan in southwest Wake County.

Apex, Cary, Holly Springs and Morrisville want to locate the \$145 million plant on 200 acres in New Hill, but local residents have filed suit to block construction.

Members of the New Hill Community Association maintain that, once the communities agreed to build the plant, municipal employees chose the site with no public vote or debate. The four mayors then wrote letters agreeing with the decision, the residents say.

"It's in direction violation of open meeting law, which states public business should be carried out in public," said Bryan Brice, the attorney for the New Hill residents.

"The thing we've complained about is that we had no vote in process -- no voice in any decision -- and we can't even use the plant," said Paul Barth, president of the New Hill Community Association.

The plant would be located across the street from a church and in an area that residents consider the heart of their community. Residents also worry about the traffic and odor a sewage plant would bring -- protesters sarcastically dubbed their town "Poo Hill" -- and a potential drop in local property values.

Attorneys for the four towns argue state law allows so-called interlocal agreements, where towns can join together on big projects and let staff members work out the details. Other sites within a few miles were considered but rejected, they said.

"The town of Cary, as the lead agency, was charged with acquiring the property, and it was voted on in open session, and people from New Hill were there," Cary spokeswoman Susan Moran said. "We appreciate they don't want it in their neighborhood, but we believe all procedures were followed."

The towns acquired the title to the property last August, and officials have repeatedly said the plant is necessary to meet a state mandate that treated wastewater be returned to the Cape Fear River basin by 2011.

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