

Agrmnt for Ownrshp & Oper of WWRWMF (PWUT06-01); Response from Mayor Sears

8/20/2005 3:05 PM

Dear Honorable Mayor Sears,

Thank you for responding to one of our New Hill Community Association members. You might remember me and my wife Sue from our appearance at a Town of Holly Springs meetings where I supported your fight against siting a Land Fill in Holly Springs. I asked that you consider the fight you are pursuing as being similar to the one New Hill is fighting -- Sewage Plant in center of our community.

I have replied below in **RED** to your comments. Please do not think I used **RED** because I'm yelling. Only wanted to make it easier to see my response :-).

Paul Barth, President
New Hill Community Association
2108 New Hill - Olive Chapel Rd
New Hill, NC 27562
919-362-7905

-----Original Message-----

From: Dick Sears

Sent: Tuesday, August 16, 2005 5:25 PM

To: 'GARDNERNewHill@aol.com'

Cc: 'Bassgawgbc@aol.com'; 'wwakecitizens@theotts.org'; Carl Dean; Charles Simmons; Joni Powell; John Schifano; Joe Bryan ; Peter Atwell; Chet VanFossen ; Hank Dickson Work ; Parrish Womble; Ernie Pearson Work; Hank Dickson

Subject: RE: Subject: Re: Agreement for Ownership & Operation of WWRWMF (PWUT06-01)

Vickie,

I have reviewed your email with great interest. I must tell you that there is apparently a lot of misinformation out there. Please allow me to attempt to set the record straight from what I have learned after counseling with several on our staff. Please see below:

Dick Sears

Mayor of Holly Springs

919.557.3901 (office)

919.621.9906 (mobile)

please note new email address

dick.sears@hollyspringsnc.us

rgsears@aol.com

visit our website at www.townofhollyspringsnc.net

-----Original Message-----

From: GARDNERNewHill@aol.com [mailto:GARDNERNewHill@aol.com]

Sent: Saturday, August 13, 2005 11:41 AM

To: Dick Sears

Subject: Subject: Re: Agreement for Ownership & Operation of WWRWMF (PWUT06-01)

Honorable Dick Sears:

I am a bordering property owner of the proposed waste treatment facility. The Gardner families have lived in New Hill for five generations. We live in historical homes within the historical district. We attend the historical church of our forefathers. And never have we felt so native, so vulnerable and so violated by the legal system. **AS I UNDERSTAND IT, THIS IS IN THE COUNTY OF WAKE'S ETJ AND JURISDICTION.**

Response: You are correct. However, Wake County did not fairly represent the interests of the New Hill community during the siting process. New Hill community was never involved in any of the projects proceedings. This lack of vote and lack of voice in the process was not only unfair, it was wrong.

Personally, I am of the opinion that if Holly Springs had lived up to their original commitment with the Western Wake Partners, this site would never have moved from option 10D (Progress Energy land) to #14 (the New Hill Community).

I HAVE BEEN INFORMED BY OUR MEMBER OF THE COMMITTEE AND OUR ATTORNEY THAT THIS IS NOT THE CASE. Multiple municipal partners were involved in the selection of the wrf and went through a logical, defensible process for site selection. AS FAR AS WE KNOW, THE COUNTY AND THE CONSULTANT PICKED THE SITE WITH LITTLE OR NO CONCURRENCE OR INVOLVEMENT FROM ANYONE ELSE. INFORMAL DISCUSSIONS AFTER THE FACT WITH PROGRESS ENERGY DID NOT IMPLY THAT THEY HAD ANY INTEREST IN HOUSING THIS FACILITY.

Response: TM 8.0 clearly showed (3) PE sites as being preferred over (3) New Hill sites. It was not until Holly Springs decided not to participate in the WRF except for effluent water processing that TM 8.1 was created. Cary has told us that because Holly Springs "backed out" there was no longer a reason to site the facility South and East of US 1. Cary picked the site, not Wake County or any of the other (3) WWP's. However, by you signing the letter dated June 7, 2005, -- Selected Sites for Western Wake Regional Wastewater Management Facilities" Holly Springs agreed to the New Hill site. The letter you signed states in part -- "Holly Springs agrees with and concurs in the selection of the sites". I have personally spoken with PE officials, They told me that Cary has never asked PE for land. Cary told PE that their land was not being considered because they had already selected the New Hill site.

Continually, it is referenced in "Western Wake Partners Frequently Asked Questions":

Question #5 "Why did the Partners modify the alternative for the Option 10D that was selected?"

Answer: "Original 10D was initially selected as the preferred alternative because HOLLY SPRINGS was *thinking* of using the water reclamation facility. Holly Springs ultimately *decided not to participate* in the plant itself *but* only in *other* parts of the system, which made original 10D *no longer the best fit*. THIS WAS A BUSINESS DECISION ON OUR PART AND I AM CONVINCED THAT OUR DECISION HAD NOTHING TO DO WITH THE FINAL LOCATION RECOMMENDATION. HOWEVER, I AM TOLD THAT SOMEONE DID MAKE THAT COMMENT AT A COUNTY COMMISSIONER'S MEETING AND UNLESS SOMEONE KNOWS SOMETHING THAT OUR TOWN DOES NOT KNOW, WE DO NOT ACCEPT THIS AS FACT.

Response: We understand the business decision Holly Springs made. However, it does not alter the fact that the decision did alter the site selected. The comment came from Cary, not the County Commissioner's. The above FAQ's published by Cary on the WWP website confirms this.

During the Phase II studies, engineering and cost analyses were conducted to evaluate

the feasibility of Holly Springs' sharing in the effluent pumping and transmission system with Apex, Cary, and Morrisville. The findings indicated that the proposed modification to Option 10D could be accomplished technically and would be financially favorable for the citizens of Apex, Cary, and Morrisville. Based on these analyses, the Project Partners agreed to move forward with the implementation of the modified Option 10D."

Question #10. When and why were sites south and east of US 1 (20, 22, 25, 28) eliminated from consideration?

Answer: "Sites south and east of US 1 were eliminated when the current partners (Apex, Cary, *Holly Springs* and Morrisville) began the final level of the site selection process, after TM 8.0 was completed and *after Holly Springs chose not to participate in use of the WRF*. WE ARE PART OF THE DISCHARGE BUT NOT PART OF THE PLANT ITSELF AND AGAIN I WOULD OFFER THAT ONE HAD NOTHING TO DO WITH THE OTHER.

Response: With all due respect, it had everything to do with site selection. Again, in the FAQ above -- Cary states "*and after Holly Springs chose not to participate in use of the WRF*". It seems to me that Holly Springs does not completely understand what Cary is doing or saying.

When Apex, Cary, Fuquay-Varina, *Holly Springs*, Morrisville, and Wake County originally identified 29 potential sites for consideration, several of the options for meeting regional wastewater treatment needs included *Holly Springs* sending raw wastewater to the WRF for treatment. *Therefore, the 29 sites were all located north and west of HOLLY SPRINGS since HOLLY SPRINGS was the southernmost partner*. After those sites were further screened to a group of 12 sites, TM 8.0 was completed in August 2004.

Before the current partners (Apex, Cary, *Holly Springs* and Morrisville) began the next level of the site selection process, *Holly Springs* decided to continue treating its own wastewater and not send raw wastewater to the WRF. Instead, *Holly Springs* would now send raw wastewater to the site for discharge to the Cape Fear River. With this change, *it no longer made sense to consider sites south and east of US 1*. PLEASE ADVISE THE SOURCE OF THE LAST SENTENCE IF POSSIBLE. AGAIN, I THINK THIS IS NOT THE CASE BUT WOULD BE HAPPY TO RESEARCH.

Response: The source is from the FAQs posted to your WWP website. We are NOT making this stuff up. The facts are -- Cary says Holly Springs backed out of the WRF thus causing a change in site location. If you doubt these statements then I recommend you meet with Mayor McAlister.

I have been thinking that *Holly Springs* is the culprit here. Now *Holly Springs* wants to expand their ETJ by 4,363 acres, roughly 8.6 miles. What is that going to cost *Holly Springs* in the long run? Wouldn't that cost *Holly Springs* more than the \$27 million that the partners claim would cost them to move from Option 10D to the proposed preferred site (#14 New Hill) before *Holly Springs* pulled out? AGAIN, WITH ALL DUE RESPECT, I DO NOT THINK THIS IS RELEVANT.

Response: Sorry but it is relevant to the New Hill community. If Holly Springs did use the WRF to treat their wastewater then site location would have stayed on PE land. The point is, we know you made a business decision but that decision also impacted New Hill. As a WWP partner, we would like to have your Town's support in working with Cary to revisit the site selected.

And how much is it going to cost *Holly Springs* for the 4,353 acres? And how long is an expansion going to meet their needs? And how long before *Holly Springs* decides to tie into the proposed waste treatment facility planned for New Hill versus Harnett County? And how much more money is that going to cost the citizens of *Holly Springs* and/or the state? How long before the growth of *Holly Springs* requires them to send raw waste water to New Hill? WE ARE SPENDING MONEY TO UPGRADE OUR EXISTING FACILITY TO HANDLE THOSE NEEDS WHICH WE FEEL ARE IN OUR BEST INTERESTS.

Response: Yes, this we understand. As a neighboring community to your ETJ expansion plans we would like Holly Springs support in doing the right thing. After all, it is the WWP's wastewater not New Hill's. We have not had a vote. We have not had a voice. We have not had any official forum for Public comments. We can not use this system so there is no benefit to New Hill. This is a lose lose situation for New Hill.

I just can't believe that if I, a common citizen of the commonwealth, can see the writing on the wall, that the state and other elected officials cannot, or will not. They or DENR or we need to hold *Holly Springs'* feet to the fire and make *Holly Springs* live up to their original commitment. AGAIN, THE LOCATION DECISION HAD VERY LITTLE OR ANY EFFECT FROM ANYTHING HOLLY SPRINGS DID TO MY KNOWLEDGE. I APPRECIATE YOUR CONCERN BUT I THINK YOUR EFFORTS ARE MISGUIDED AS IT RELATES TO HOLLY SPRINGS DEGREE OF INVOLVEMENT. IF YOU HAVE FURTHER INFORMATION THAT I DO NOT HAVE, I WILL BE HAPPY TO REVIEW. AGAIN, THANK YOU FOR SHARING YOUR CONCERNS.

Response: You keep saying your decision had nothing to do with New Hill selection. I have now provided you with facts to the contrary. You can look away like Apex and Morrisville is doing and just point to Cary but Holly Springs is a partner in this project so that makes Holly Springs jointly responsible for all consequences to New Hill. I understand and respect your business decision not to completely use the WRF but the decision has had far reaching affects beyond Holly Springs interests.

Our community needs a sponsor to help us revisit the site location and we hope that sponsor will be Holly Springs.

ORIGINAL 10D IS THE BEST FIT. And I will continue to ***FIGHT FOR IT***, and encourage all others to do the same.

Best regards,

Vickie Gardner

2904 New Hill-Holleman Road

New Hill, North Carolina 27562

New Hill Community Association, Secretary

New Hill Baptist Church, Chair, Building and Grounds

919-362-5049