

## RHRC • Rock Hill C&D Reclamation Center / Yard Waste Processing

- ▼ **Late 2003** • Had conversations with David Harmon & other County staff
  - Conversation centered around possible outsourcing of operational duties at County facility
- ▼ **December 2003** • Recognized need for C&D facility in Southern or Northwestern York
  - confirmed by Joyce Engineering Study, Developers, The Herald, & Haulers
- **March 2004** • Received Demonstration of Need (DON) from SC DHEC for C&D landfill at 2560 Vernsdale Road, Rock Hill • Southway Industrial Park
- **August 2004** • Received Letter of Consistency (LOC) from SC DHEC stating we are consistent with the County's Solid Waste Management Plan (SWMP)
- ▼ **September - December 2004** • Extensive work with Rock Hill staff before we applied for zoning approval
  - ▼ Existing MH zoning would allow for our proposed operations but City decides we need approval via PUD
    - ▼ Rock Hill choose PUD to better control all aspects of the site plan and operations
      - PUD was very expensive and time consuming for Griffin Brothers but it better assured the maximum safety & benefit to the citizens
- ▼ **January 2005** • Made application for PUD zoning for a Compost & Building Materials Recycling Facility (*Facility description point of contention with opposition*)
- ▼ **March 2005** • Letter to neighbors fully explained all aspects of the proposed operations and invited them to a neighborhood meeting
  - Letter fully described the yard waste program
  - ▼ C&D landfill portion of this facility was defined by saying: '*Any other construction materials not reprocessed will be deposited on-site in the properly permitted areas.*'
    - ▼ Rock Hill was aware Sanitary landfill is not allowed under a PUD and determined C&D landfill is not a Sanitary landfill
      - Sanitary landfill is universally known as a household garbage landfill or MSW landfill
      - Rock Hill Planning Director confirmed with SC DHEC that Sanitary Landfill is a term used for a MSW landfill NOT a C&D landfill
      - Rock Hill and Griffin Brothers were careful to fully describe all aspects of business in order to minimize confusion on what type landfill we operate and to help public understand the other components of our operations
- ▼ **April 2005** • Public Hearing and Planning Board Vote
  - Planning Board approved PUD by a 4 to 1 vote
  - Neighbors express concern at Public Hearing and submit petition against our plans. The petition recognized it was a landfill and gave various suggestions to which some were adopted
  - The Herald covered the story and recognized the site included a C&D landfill
- ▼ **May 2005** • City Council 6 to 1 approval and 2nd reading of our PUD
  - ▼ Council approves the Yard Waste Agreement
    - Annual projected savings of \$411,000 for the City which equates to over \$25 million in savings for the City over the 60-year life of the facility
- ▼ **August 2005** • Submitted solid waste applications to SC DHEC
  - A tremendous amount of due diligence had to be done in order to submit application
- ▼ **December 2005** • DHEC is satisfied with application
  - DHEC considers issuing draft permit at beginning of year
- ▼ **Winter 2005** • Phantom group, *Concerned Citizens of Rock Hill (CCR)*, starts misinformation campaign
  - Two mass mailers, 'Stop the Dump' roadside signs, and fliers on utility poles show up all around the site

- ▼ **January 2006** • CCR mailer gets the attention of Rep Bessie Moody-Lawrence
  - Local SC Senators and Representatives send resolution to DHEC asking for a 120 day stay and asked DHEC to coordinate two hearings before having the official public hearing
- **January 2006** • Presented our plans to Student Improvement Council for South Pointe High School and Saluda Trail Middle School
- ▼ **February 2006** • Community Meeting hosted by DHEC
  - Nobody from CCR at the meeting
- ▼ **March 2006** • Rep. Bessie Moody-Lawrence attends Council meeting to request the County oppose our facility
  - ▼ Councilman Chappell states he wishes he could do something but the County does not have a legal right to get involved.
    - Chappell implores those in opposition to continue the fight
- ▼ **March 2006** • Community Meeting hosted by DHEC
  - Nobody from CCR at the meeting
- ▼ **May 2006** • DHEC Public Hearing
  - Christi Cox, her mother, Annie Williams, and Ernie Wilkerson (from C&D landfill industry) take the public lead in opposing our facility. They become the primary opposition group.
    - DHEC permit approval or denial should be made within 120 days from this public hearing
- **June 1, 2006** • Christi Cox and law partner propose Buddy Clawson site to DHEC as an alternative for our facility
- **Summer 2006** • Opposition group constantly inquire with DHEC to question every aspect of the permit and start working with certain Council members on SWMP changes
- **Fall 2006** • DHEC hires attorney who specializes in zoning to review our PUD application
- **November 2006** • DHEC states zoning was properly done and proceeds with permit issuance
- **Winter 2006** • DHEC references work backlog and other issues for delay in permit issuance
- ▼ **January 2007** • DHEC promises to issue permit by January 4th
  - DHEC gets request from Senator Wes Hayes (or his office) to delay permit issuance until he is apprised of permit situation
- **January 8, 2007** • County Council uses extraordinary means via an 'Emergency Ordinance' to create a 60-day moratorium on landfill permits.
- ▼ **January 2007** • Griffin Brothers and Rock Hill sue County
  - Temporary Restraining Order (TRO) is issued which prevents County Council from making changes to Solid Waste Management Plan (SWMP) that may effect our permit application
- **February 15, 2007** • TRO is released with Judge Hayes stating it is 'DHEC and DHEC alone' that has the right to issue solid waste permits
- ▼ **February 22, 2007** • DHEC issues permit for our site
  - 15-day appeal period for permit expires on Friday, March 9th
- **February 28, 2007** • County Council adopts new SWMP with last second changes that do not allow any new landfill PLUS adds provisions that make operating a new landfill unprofitable
- **March 2007** • York County Council vote 5 to 2 to hire attorney, Jimmy Chandler, to appeal the SC DEHC issued permit.
- **March 2007** • Barbara Polk files civil action against Rock Hill questioning the validity of the PUD zoning issued back in May 2005. Ms. Polk also 'piggybacks' the County's appeal of the SC DHEC issued permit.
- **April 2007 through March 2008** • Multiple depositions performed for the Polk zoning civil action and for the Polk / County appeal of the SC DEHC permit.
- **April 8, 2008** • Request for Summary Judgement on Polk Civil Action against Rock Hill in front of Judge Kimball.
- **May 9, 2008 - (RH Zoning)** Judge kimball ruled to grant Summary Judgement in favor of City of Rock Hill.
- **May 19, 2008 - (RH Zoning)** Christi Cox appealed Judge Kimball's ruling for Summary Judgement.
- **May 27, 2008 - (DHEC Permit Appeal)** ALC Columbia. The judge agreed that Christi should remove herself from

being Ms Polk's lawyer due to conflicts.

- **July 10, 2008 - (RH Zoning)** Judge Kimball heard Christi Cox's appeal of the Rock Hill zoning. He made a bench ruling in favor of the city.
- **July 29, 2008 - (DHEC Permit Appeal)** Barbara Polk withdrew her appeal of the Vernsdale permit.
- **August 1, 2008 - (DHEC Permit Appeal)** Deposition proceedings of Christi Cox, David Larson and Alex Hafele
- **August 8, 2008 - (DHEC Permit Appeal)** York County Counsel, Jimmy Chandler, request more depositions of DHEC and Griffin Brothers staff scheduled for August 20, 2008.
- **August 11, 2008 - (DHEC Permit Appeal)** Motion to Intervene is filed by Nazareth Baptist Church.
- **August 15, 2008 - (DHEC Permit Appeal)** Counsel for DHEC and Griffin Brothers file paperwork to prevent this from happening
- **September 24, 2008 - (DHEC Permit Appeal)** Hearing on Nazareth Baptist Church's motion to intervene and to determine of County attorney should be allowed more time for discovery
- See [www.griffinbrothers.com/rockhill](http://www.griffinbrothers.com/rockhill) for details.