

FORSYTH COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: First Reading-January 25, 2016
Second Reading-February 8, 2016

AGENDA ITEM NUMBER: 10
18

Second Reading on:
SUBJECT: ORDINANCE GRANTING A TEMPORARY EXCLUSIVE RESIDENTIAL AND SMALL
BUSINESS FRANCHISE TO COLLECT, TRANSPORT, AND DISPOSE OF SOLID
WASTE IN AREAS 7 AND 14 OF FORSYTH COUNTY
(OFFICE OF ENVIRONMENTAL ASSISTANCE AND PROTECTION)

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: Recommend Approval

SUMMARY OF INFORMATION:

See attached

ATTACHMENTS: YES NO

SIGNATURE: J. Kimberly Watts, Jr. cdh
COUNTY MANAGER

DATE: February 3, 2016

**ORDINANCE GRANTING A TEMPORARY EXCLUSIVE
RESIDENTIAL AND SMALL BUSINESS FRANCHISE TO
COLLECT, TRANSPORT, AND DISPOSE OF
SOLID WASTE IN AREAS 7 AND 14 OF FORSYTH COUNTY
(OFFICE OF ENVIRONMENTAL ASSISTANCE
AND PROTECTION)**

WHEREAS, pursuant to the provisions of N.C.G.S. 153A-136, Chapter 19 of the Forsyth County Code, and other applicable laws, Martin D. Locklear doing business as Locklear's Garbage Service was granted an exclusive residential and small business franchise to collect, transport, and dispose of solid waste in Areas 7 and 14 of Forsyth County by ordinance adopted on second reading by the Board of County Commissioners on March 24, 2008; and

WHEREAS, for good cause shown, Locklear's Garbage Service has requested that the Forsyth County Board of Commissioners grant a temporary franchise for the collection, transportation, and proper disposal of solid waste and/or recyclables for Areas 7 and 14 as authorized by Chapter 19 of the Forsyth County Code to Rural Garbage Service, Inc.; and

WHEREAS, pursuant to the provisions of Chapter 19 of the Forsyth County Code, Chris Parrish as president of Rural Garbage Service, Inc. has filed an application on behalf of Rural Garbage Service, Inc. with the County Manager's Office to operate a franchise for collection, transportation, and disposal of solid waste and/or recyclables in Areas 7 and 14; and

WHEREAS, based upon the information provided in the said application, Rural Garbage Service, Inc. holds a currently valid solid waste management permit issued by the County, has equipment available to serve the proposed franchised areas, has sufficient financial resources and the business experience to serve the franchised areas; and Rural Garbage Service, Inc. agrees to be bound by and fully comply with all provisions of the Forsyth County Code, and other applicable laws, and the exclusive franchise to collect, transport, and dispose of solid waste and/or recyclables in Areas 7 and 14 of Forsyth County; therefore, the County Manager recommends that a temporary franchise be granted to Rural Garbage Service, Inc.; and

WHEREAS, for good cause shown, a grant of a temporary franchise for Areas 7 and 14 to Rural Garbage Service, Inc. would be in the best interests of the citizens of Forsyth County;

NOW, THEREFORE, BE IT ORDAINED, based upon the information provided that the Forsyth County Board of Commissioners is satisfied that Rural Garbage Service, Inc. will render prompt, efficient and continuing solid waste collection, transportation, and disposal services to Areas 7 and 14 of Forsyth County and that Rural

Garbage Service, Inc. has sufficient equipment and personnel to render such service to all within the franchised area.

BE IT FURTHER ORDAINED that the Forsyth County Board of Commissioners hereby approves a temporary exclusive residential and small business franchise for the collection, transportation, and disposal of solid waste and/or recyclables for Areas 7 and 14 of Forsyth County, as it is now constituted, to Rural Garbage Service, Inc. for the remainder of the franchise term, which expires December 31, 2016.

BE IT FURTHER ORDAINED that the Forsyth County Board of Commissioners further authorizes the County Manager and Clerk to the Board to execute any necessary documents on behalf of Forsyth County in order to complete the said grant of temporary franchise, subject to approval as to form and legality by the County Attorney and a pre-audit certificate thereon by the County Chief Financial Officer, if applicable.

This ordinance shall become effective on February 8, 2016.

Adopted on first reading this the 25th day of January, 2016.

Adopted on second reading this the 8th day of February, 2016.