

## MINUTES OF THE REGULAR MEETING OF NOVEMBER 4, 1999

The regular meeting of the Sussex County Planning and Zoning Commission was held on Thursday evening, November 4, 1999 at 7:30 P.M. in the County Council Chambers, County Administrative Office Building, Georgetown, Delaware.

The meeting was called to order at 7:30 P.M. with Chairman Allen presiding. The following members of the Commission were present: Mr. Allen, Mr. Hastings, Mr. Johnson, Mr. Lynch, Mr. Wheatley, Mr. Schrader - Assistant County Attorney, Mr. Lank - Director, and Mr. Abbott - Assistant Director.

Mr. Allen announced that there were no changes in the agenda since there was only one item.

Mr. Allen announced that there would be no action taken on the minutes of October 28, 1999 until the next regular meeting.

Mr. Schrader explained how the meeting would be conducted.

### IV. PUBLIC HEARINGS

C/U #1314 -- application of PERDUE-AGRIRECYCLE, LLC to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a micro-nutrient plant with related truck entrance and rail spur for the processing and handling of poultry litter to be located on a certain parcel of land lying and being in Broad Creek Hundred, Sussex County, containing 228.88 acres, more or less, lying west of U.S. Route 13A and north of Road 485.

Mr. Hastings stated that he will abstain from participating in the public hearing due to a possible conflict of interest.

Mr. Lank presented the Commission with a packet of information received to date.

The Commission found, based on the packet received, that several correspondences have been sent between Jerry L. Taylor and Robert L. Stickels, County Administrator, relating to scheduling of hearings.

The Commission found, based on the packet received, that Ralph Dill, a Seaford area resident, had sent E-mails and a letter voicing objections to the proposed location, not to the need for the use proposed, and suggesting that a more appropriate location for the use would be within an existing industrial area or industrial park.

The Commission found, based on the packet received, that Perdue-AgriRecycle, LLC, provided a fact sheet on the proposed micronutrient plant and a description of operations for the plant.



The Commission found, based on the packet received, that Perdue-AgriRecycle, LLC, presented their proposal to the State's Development Advisory Service, on August 5, 1999, and that comments were provided by the Office of the Secretary of the Department of Natural Resources and Environmental Control; the Air Quality Management Section of the Division of Air and Waste Management; the Waste Management Section of the Division of Air and Waste Management, which included comments from Hazardous Waste Branch, Solid Waste Branch, SIRB, and Underground Storage Tank Branch; the Division of Soil and Water Conservation; the Division of Water Resources, which includes comments from the Surface Water Discharges Section, the Water Supply Section, and CPCN; the Department of Agriculture; the Delaware State Historic Preservation Office; the Division of Public Health; the Office of the State Fire Marshal; and the Office of State Planning Coordination.

The Commission found, based on the packet received, that the County Engineering Department has reviewed the application and advised that the parcels are located in the Blades Sanitary Sewer District planning area, per the Western Sussex Water and Sewer Plan, and that sewer service will not be available in the near future.

The Commission found, based on the packet received, that the Office of State Planning Coordination has reviewed the application and advised that the parcels are located in the rural area on the Strategies for State Policies and Spending Map; that in these rural areas the State strategies encourage a rural lifestyle and discourage new development; that normally the State would not support industrial uses in these rural areas; that this type of facility is compatible with the rural character of the area and is complimentary and supportive of the areas predominant industry, which is agriculture; that the State supports this Conditional Use proposal; that the Department of Natural Resources and Environmental Control strongly supports the proposed facility as it will help to rid Delaware of nutrients that are clearly in excess and are causing water quality problems; and that the Office of the State Fire Marshal stated that the applicant would need to contact the Sussex County Office to submit site plans and building plans.

The Commission found, based on the packet received, that the Public Works Division of the County Engineering Department recommends that a formal site plan should be submitted to the Technical Advisory Committee for comments.

The Commission found, based on the packet received, that State Representative Charles P. West sent a letter expressing his strong support for the plant; that he is sure that the County is well aware of the importance of finding a way that is both economically and environmentally acceptable to turn some of our surplus poultry manure into a useful product; that the State's Nutrient Management Commission supports this type of project; that this plant will not be the entire answer to the problem, but it does represent a way to try to turn what has up to now been a problem for our State into a new product which can



be sold in other regions of the country and abroad; that the plant will help solve a problem that the Sussex County poultry industry faces, and it will add to the County's industrial base and provide new jobs.

The Commission found, based on the packet received, that Lawrence B. Steele, III, Attorney, sent a letter in opposition to the application and referenced that there have been serious questions raised about the viability of the contractor and its experience in constructing and operating this type of facility; that while veracity of the presentation is normally not an issue, in this matter the County may want to consider a memo from the President of the Delmarva Poultry Industry concerning how it wishes the public hearing to proceed, and referenced that nine committees within the Delmarva Poultry Industry were notified that they need to fill the hearing room with supporters so as to outnumber the opposition; that fair presentation and fair opposition is the foundation on which the County decision making process rest; that to have one of the parties attempt to thwart that raises serious questions about the integrity of that parties presentation; that the plant will cause extraordinary traffic on roads which are not suitable for it; that State Rt. 13, on which the entrance is located, is acceptable; that getting to State Rt. 13 by back roads is unacceptable since they are inadequate to accept heavy truck traffic; that the facility will result in a heavy industry being placed on 200 acres of prime farmland; that the rail spur is not a simple siding, but consist of three separate holding tracks; that trains will be made up at the schedule and convenience of the rail-line operator; that loading and transferring of material will require the operation of the railcars at all hours; that in addition to the possibility of various types of pollution from the plant, there will be pollution and run-off from the rail equipment, and referenced the possibility of run-off from railcars, including residue from past loads, accumulated grease, dirt, and grime indigenous to railcar operations washing from the railcars to the land; that the use is not an agricultural usage whose purpose fully meets the intent of the zoning chapter; that the applicant does not meet the necessary test to allow the Conditional Use; that the applicant has no poultry operation on this land, has no prior ownership to this land, and has no legal ties to the parcels other than an application; that a heavy industry plant like this should be placed by Perdue at its heavy industry site north of Bridgeville; that not only would it be compatible with the surrounding industry, but there already exist the rail spur to service the plant; that the County and the City of Seaford have industrial parks for this kind of heavy industry; that the parks already have all the rail lines and other infrastructure available for this type of industry; that Dorchester County, Maryland, has approved this facility for a site near Hurlock by a 4-1 vote; that the Hurlock location is available and waiting, however, the Maryland incentives only amounted to \$500,000.00; that it appears that the sole reason to locate in Delaware is the potential grant of \$1,000,000.00 by the State of Delaware; and that the grant is not sufficient reason to place the heavy industry at this location.



The Commission found that John Sergovic, Attorney, was present on behalf of the applicants, and stated that he was present requesting a Conditional Use for a micro-nutrient plant with related truck entrance and rail spur for the processing and handling of poultry litter; that the facility is a type of use and technology not readily classifiable under the traditional zoning categories; that the state-of-the-art facility, fully enclosed, with a negative air system, bag house and cyclone fans to control dust and with odor controlled through air scrubbers creates a specially designed agri-business facility not contemplated by a zoning ordinance drafted in the terms of 1970's technology; that the system is designed to recycle a product; that the selection of the 228-acre site, which encompasses approximately 200 acres more than is needed for the plant alone, was directed by the concentration of poultry growers in the vicinity of southwestern Sussex County; that the proposed facility requires rail access for the distribution of the finished product; that a significant factor in selecting the site was the ability of the applicant to buy additional acreage so the plant could be sited 2,899 feet from U.S. Route 13A and 1,642 feet from Route 485, so that the plant's visibility will not be obtrusive; that the facility will not be visible to passing motorists; that the additional acreage will remain cultivated and/or wooded and will provide a visual buffer from traveling motorists; that the site is compatible and in compliance with the 1997 Comprehensive Plan; that the site is partially within a Development District; that even if the use is not in a development, district, the use would be allowed in the agricultural district, since it is a limited agri-business use providing district related services and embraces and enhances the "Right to Farm"; that the primary economic benefit is the protection of the family farm on the Delmarva Peninsula; that the facility will provide a method to assist poultry producers in the proper disposal of poultry litter; that secondary benefits are increases in the County tax base, increases in school taxes without burdens on the school system, and the creation of new skilled jobs in the County; that the facility benefits the environment; that the traffic impacts of the proposed 9 to 11 trucks per day is insignificant compared to other potential uses; that the project is proposed to enhance the viability of agriculture as the number one industry in Sussex County; that the need for the facility in response to claims that the agriculture industry is contributing to pollution of the inland bays will be documented in the formal presentation; and that the Delmarva Poultry Industry memorandum requesting more people to appear in support of the application was not requested, nor condoned, by the applicants.

The Commission found that Keith Rinehart, Vice-President of Environmental Services for Perdue, stated that the litter issue needs to be addressed; that the site is proposed to be located in the most concentrated area of poultry growers; that the poultry industry is determined to find and implement a visionary alternative for poultry manure management; that local, State, and Federal agencies, and Universities continue to look for alternatives for manure management; that the manure is a valuable resource which is capable of being made into pellets for fertilizers or fuel; and that Perdue has joined with Agri Recycle, Inc. to try to resolve the problem.



The Commission found that Mike Ferguson of Agri Recycle, Inc. stated that his company is a manure management company that has joined with Perdue and ASTEC, Inc., a machinery company, to create Perdue-AgriRecycle, LLC; that a large supply of material is needed to accommodate a plant; that the large concentration of poultry growers in the area can provide the supply in close proximity to the plant; that Sussex County is an appropriate location for a plant; that he has a seven year history in the making of pellets; and that his father has operated a plant making pellets for fourteen years.

The Commission found that Mr. Sergovic provided bottles of MicroStart 60, manure pellets, for inspection.

The Commission found that Wayne Hudson, General Manager for Perdue AgriRecycle, LLC, stated that he has been in the industry for 15 years; that in the recycling loop, corn is railed from the Midwest to help feed poultry in the Mid-Atlantic area, the poultry is corn-fed, processed and sold in East Coast Markets, and the poultry litter is processed into pelleted starter fertilizer for transport back to the Midwest, to the Southeast or to International Markets; that Sussex County is the most concentrated poultry growing county in the world; that the southwestern region of the County has the most concentration; that the site is in proximity to the highest concentration of producers; that 16.5 million chickens are produced annually within a 10 mile radius of the site; that rail access is necessary; that a isolated parcel of 80 acres is needed; that the site contains the appropriate location and acreage with rail access; that the entrance along Route 13A is proposed at the safest location; that the access road has been revised to provide a safer railroad crossing; that the house on Route 13A will be removed; that Leyland Cypress, Pines, Cedars, and Bayberry shrubs will be planted to improve the vegetated buffers proposed; that a retention pond will be provided to improve rainfall run-off; that the remaining acreage will continue to be tilled; that the site will be provided with on-site septic and water wells; that the only existing woods to be cleared are the area of the proposed rail spur; that all poultry producers are eligible to contract with the service; that clean-out services will be provided at no cost to producers; that cake-out service will be provided at no cost to the producer; that material will be stored in the producer's litter barn until a trailer load is accumulated; that 176 producers have already signed for service; that an average of 9 to 11 trucks will enter the plant during daylight hours Monday through Saturday; that haulers and trucks must meet all DelDOT requirements, which include the trailers being enclosed with waterproof tarps, and the trucks traveling designated truck routes; and that more trips per day would be created if the site were to be developed as a subdivision or a mobile home park.

The Commission found that Keith Rinehart stated that all loads of litter will be covered for farm to plant transport; that all trucks and equipment will be cleaned, disinfected and inspected at the plant prior to going to another poultry farm; that litter will not be accepted if it contains field mortality; that no litter will be stored outside at the plant;



that plant personnel will do inspections for compliance with the covering of loads, the cleaning, disinfecting of trucks and equipment, and the type of litter; that the State vet will regulate the handling of the litter and the site; that the company will not process any litter that has disease; that if diseases are found the farms can be quarantined; and that the plant will welcome visitors with proper authorization.

The Commission found that Wayne Hudson stated that the micro-nutrient plant will be a totally enclosed 100' by 630' facility constructed on concrete flooring with concrete stem walls so that no leakage can get outside of the walls; that the floor of the building slopes toward the center of the building; that dust is controlled using baghouses and cyclone fans; that odors are controlled through air scrubbers; that the building will be equipped with an automatic fire sprinkler system; that the building is designed for negative air pressure which creates air pressure when doors are opened so that no air escapes; that the building is designed for automatic louvers when the doors are closed; that all trucks are weighed and a moisture analysis is conducted; that trucks are then backed into the receiving area; that once the doors are closed, the trailer will be unloaded; that front-end loaders will stack the litter at a maximum height of 10 feet; that after the litter is stored for 4 days, to allow the material to go through its natural heating process, it will be loaded onto a belt conveyor; that the litter is then passed under a magnet to remove any foreign materials and through a series of shredders and screeners to remove lumps for uniform size; that the lumps are then sent to a grinder; that sized litter is then dehydrated and cooked in a rotary dryer at 180 degrees for 4 to 6 minutes to kill mold, fungus and weed seed; that steam is then added to the pasteurized litter to condition it for pelletization; that the conditioned litter is passed through a die to form a pellet; that the pelleted litter is conveyed to a cooler to bring it to within 5 degrees of room temperature; that the cooled pellets are passed through a set of cracking rollers to make the pellets a uniform size; that residual material is recovered and re-routed to the die for pelletization; that the finished product is conveyed to a bucket elevator to elevate it to an overhead distribution conveyor; that the overhead distribution conveyor and retractable spout enables even filling of the finished product area floor; that a conveyor down the center of the finished product area ( below floor level ) moves the product to a bucket elevator which flows into a bulkweigher; that the bulkweigher weighs the finished product as it is loaded into railcars; that the fully-loaded railcar is sealed and move out of the finished product area; that the project may cost \$10,000,000.00; that no expansion is intended for this site; that the building measures approximately 30' in height at the eaves and approximately 60' at the tower height; that Norfolk Southern Rail Service designed the spur; that the railcars have hopper bottoms and the tops are sealed; that it is more economical to haul by rail than trucks; that trucks will be required to utilize watertight tarps; that all materials are shipped in bulk; that the product can be utilized by local processors if the processor has a nutrient management plan; that a 200,000 gallon water tank will be located on the site for fire protection.



The Commission found that Bill Woodstuff, Director of Application for AC Corporation, the manufacturer of the air scrubbers, explained the air scrubber process; that the air scrubbers are used to eliminate odors; that no noticeable odors will be detected; and that air cannot escape the system.

The Commission found that Allen Redden, South District Engineer for DelDOT, stated that Route 13A is suitable for trucks; that the company shall be required to utilize truck routes; that Route 13A, Route 20, and Route 9 are considered truck routes; that Route 485 is not an appropriate road for truck traffic; that Route 470 could be upgraded for a truck route.

The Commission found that Randall Handy, a real estate appraiser, stated that he performed a site inspection and evaluation of the project; that an appraisal was not performed; that two properties may be impacted by the plant and referenced lands of Jason Waldrige and Leslie Weldon, and lands of Russell and Stephanie Ebron; that the two properties may experience a relatively minor reduction in property value during the construction of the plant and until screening has matured; and that after the plant is completed and the landscape screening has matured, the market value of both properties should return to a near normal condition.

The Commission found that Jack Tarburton, Secretary of the State Department of Agriculture, stated that he supports the use; that the use will solve overproduction issues; that nutrient management is necessary; and that the Administration is convinced that the proposal will help resolve some of the problems.

The Commission found that John Hughes, Director of the Division of Soil and Water Conservation of the State Department of Natural Resources and Environmental Control, stated that the Department recognizes that the super abundance of nutrients impacts water bodies; that excess nutrients have been a problem; that the Federal Clean Water Act requires action; that poultry litter is a valuable resource to farmers; that the Department supports the application; and that the Department will oversee all permitting for the project.

The Commission found that Kenny Bounds, President of the Delmarva Poultry Industry, apologized for the memorandum referenced earlier; that the memorandum was not prepared with his knowledge or authority; that the Industry supports the proposal; that Sussex County is the largest producer in the nation; that excess nutrients must be dealt with; and that a need exists for this type of facility.

The Commission found that Dale Boyce, Chairman of the Growers Committee for the Delmarva Poultry Industry, stated that he supports the application on behalf of the Committee; that the by-product is useful; and that nutrient management programs need to be addressed.

The Commission found that William Vanderwende, Chairman of the Nutrient Management Commission, stated that the Delaware Nutrient Management Commission supports the concept of pelletizing chicken litter as a viable alternative use; that poultry litter has proven to be a valuable resource to agriculture, but not one without its problems; that storage issues, application rates, litter variability and soil phosphorus buildup have all established a need for a stable, exportable, consistent, nutrient product made from litter; that the Commission believes that no single solution can solve all the problems arising from litter generation, storage and application and notes that the proposal will deal with only a portion of the total amount of litter; and that the County, State, and Federal Agencies should be working with the applicants in seeing that the plant, when operational, will meet all applicable laws and regulations so that the plant will make environmental and economic sense in helping solve the nutrient management problem.

The Commission found that Dr. Bruce Richards, Executive Director for the Center for the Inland Bays, stated that the Center supports the application; that excess nutrients have been linked to abundant algae growth in the Inland Bays; that to reduce the input of nutrients has gained support from members of the Center; that the Inland Bays have a mass-balance problem; that there is too much nitrogen and phosphorus coming into the watershed, and not enough going out; that we have a build-up of excess nutrients which eventually end up in our waterways; that with 72 million chickens produced per year and 60,000 people in the Inland Bays watershed alone, and a resulting nitrogen load estimated at 3.7 million pounds per year, most Center members believe that nitrogen needs a new home; that pelletizing makes sense for the environment and for the community; that if enough farmers and citizens buy-in to the program, we'll see a beneficial impact on our water quality in the Inland Bays; and that the proposal seems to be a winning situation.

The Commission found that Charles P. West, II, stated that he is a third generation family farmer and a member of the Nutrient Management Commission; that alternative uses are needed; that if alternative uses are not established, agriculture may not become profitable; that water quality needs to be improved; that the poultry industry is the number one industry in the County; and that he supports the proposal personally.

The Commission found that Mr. West presented petitions in support of the application containing approximately 1,300 signatures.



The Commission found that Mr. Sergovic stated that the application meets the purpose and the goals of the Comprehensive Plan and the Zoning Ordinance; that all legitimate issues have been addressed, and that the application is an appropriate use of the land.

The Commission found that Til Purnell spoke in support and stated that the application is a step in the right direction; that the applicants appear to be trying to safeguard against any problems; that the project will help improve the Inland Bays; and that the Secretary of the Department of Natural Resources and Environmental Control will enforce all necessary regulations.

The Commission found that Gary Smith of the Delaware Economic Development Office spoke in support and stated that the Office supports the application that will establish a viable solution to solving the litter problem in the State; that the use should protect the environment in the future; that the site seems appropriate for the use; that transportation cost should not impact the use; and that the use is more agricultural oriented than industrial park oriented.

The Commission found that Frank Calio, Director of the Sussex County Economic Development Department, spoke in support and stated that Sussex County produces more chickens than any county in the world; that there are 1,200 poultry growers in the County; that the largest concentration of chicken houses in the County are in the Laurel area; that there are 15,000 people employed by the poultry industry in the County; that for every poultry grower there are seven related jobs, which affects an additional 10,500 people, about 25% of the County work force; and that something has to be done to curb pollution if we are to continue our quality of life.

The Commission found that Carl J. Solberg, representing the Delaware Chapter of the Sierra Club, spoke in support of the application and stated that the scale of our regions impairment of recreational and potable water quality created by the long history of industrial poultry operations, together with the social and economic dependency of growers on this continued corporate investment, sets this Conditional Use apart from other comparable applications; that commercial implementation of new technology and processing corporation investment in the alternative uses of poultry litter and animal manure is critical to resolving the excessive accumulations of nitrogen and phosphorous in Sussex County's soils and waters; that the Delaware Chapter endorses the concept of pelletization if it can be demonstrated that the facts presented are true; that the interests of the local community who host the plant, and the growers whose direct economic well-being may be tied to the successful performance of the plant, will be best served by the open exchange of all information which each of the permitting agencies will require; that the Delaware Chapter urges the Commission to approve the application on the stipulation that the plant will comply with the highest standards for highway safety, air and water impacts, on-site natural resources and local concerns; that site specific conditions should



be incorporated into the final approval of the record plan as enforceable site planning and operations requirements; that some of the considerations which should be conditioned include: hours of operations; limitations on tonnage or volume; superior stormwater biofiltration and constructed stormwater management practices for water resource protection in the event of unplanned discharging events; generous native hedgerow species landscape buffering to render the activity compatible with the agricultural landscape in which the plant will operate; non-intrusive lighting standards for low-impact site design; avoidance of excessive facility construction to maintain setbacks from adjacent land uses; a fixed footprint for the active operation; non-disturbance of on-site forest lands and wetlands; wetland setbacks; and adequate provisions for the safety of plant employees.

The Commission found that Jody Brown, a poultry grower, spoke in support and stated that the plant is needed for the growers; that some growers have small parcels that may be impacted by the nutrient management regulations; and that if the plant is denied, other resources will need to be found to get rid of the litter, especially on the smaller parcels.

The Commission found that Donna Brown spoke in support and stated that the use will help the environment; that litter needs to be moved away from water bodies, streams and ditches; and that the product will be a benefit to other states and countries.

The Commission found that John Zooke spoke in support and stated that the site appears to be a feasible location for the use.

The Commission found that Mr. Sergovic submitted a set of proposed findings of facts for consideration.

The Commission found that Barbara Constantine, Ann Davis, Russell Ebron, Sherry Clark, John Baumgarten, Gwen Davis, Richard Bolton, Thomas McDonald, Doug LeCates, Sam Wilson, Merrill Vandewende, and Kathy Layfield, of the 22 parties present in opposition, stated that they were concerned about the construction; children's safety; the social impact; the equipment to be utilized; that schools should be considered; that people living along the railroad should be considered; that the people are not opposed to the use, only the location; that the County has the responsibility to protect the neighborhood, property values, and the quality of life; that the site is surrounded by homes along Route 13A from Laurel to Seaford; that the use is an industry, not an agricultural use; questioning if Industrial Revenue Bonding is available; questioning if other plants are proposed at other locations; questioning how much manure is to be acquired from other areas of the Eastern Shore; questioning how many facilities of this type exists in the United States; opposing the height of the structure; that the proposed structure is too large and impossible to hide with Cypress trees; questioning where vehicles will be washed down; questioning the number of loads received per day;



questioning the weight of the trucks empty and full; questioning what days the trucks will operate; that the impact on the rural community should be considered; that the use is a minimal cure for the problem and such a small benefit for the price; questioning what will come out of the flue; concerned about the health of neighboring children and elderly; concerned about noise from trucks and trains; questioning the impact that other plants of this type have had on communities within 5 miles of their site; questioning why the State has offered \$1,000,000.00 for the project without verification of an approval for the use; stating that the Perdue site in Bridgeville may be a more appropriate location; questioning the noise levels permitted; questioning how the structure will be insulated; questioning reuse of the railcars; stating that a report from the University of Missouri recommends that manure should not be stacked higher than 8 feet; stating that the manure has odors whether dry or wet; concerned about the impact on road and the maintenance of roads; questioning when the last traffic count was performed; questioning the truck routes used by local farmers hauling to the site; questioning why so many Maryland growers are present and interested in the plant; stating that the use is a business and should be located in an industrial park; concerned that manure will be hauled to the site from out of the State; concerned about run-off; and informing the Commission that a local resident has a petition with 1,300 signatures in opposition that will be presented to the County Council when their public hearing is scheduled.

The Commission found that Mr. Ebron submitted a photo of a totally enclosed facility, the artist rendering of the plant, a grid map of the 1993 Broiler Production Capacity on the Delmarva Peninsula, and a weight limit fact sheet.

The Commission found that Mr. Wilson submitted a copy of a news article titled "Regs will decimate ag".

The Commission found that Wayne Hudson, Mike Ferguson, and Keith Rinehart responded to some of the concerns and stated that the plant will not accept field mortality (dead birds) unless already decomposed; that all loading and unloading is done in the building; that the railcar movers are diesel powered; that the railcar movers can move approximately 5 railcars at one time; that trailers will be swept and disinfected with chemical spray within the building; that the only flue discharge should be CO<sub>2</sub> and H<sub>2</sub>O; that the water storage tank is proposed to be 32' in diameter and 40' in height; that the cyclone fans will be inside the building; that the State DNREC controls noise levels; that approximately 80,000 tons of manure will be handled annually; that opposition photos of a plant interior are photos of a soil purification plant; that the building will be a metal structure with insulated walls; that the railcars may be reused since they will be Perdue railcars; that smaller plants exist in Monet, Missouri and Benton, Arkansas; and that the majority of the litter processed will be from Sussex County.



Mr. Schrader advised the Commission that the sign-in sheets indicate that 76 people signed-in in support, 22 people signed-in in opposition, and 1 person was undecided.

The public hearing was closed at 12:00 Midnight.

Motion by Mr. Wheatley, seconded by Mr. Johnson, and carried with 4 votes, with Mr. Hastings abstaining, to defer action until the next regular meeting due to the length of the meeting, the presentations and documentation presented, and the oppositions input.

Meeting adjourned at 12:10 A.M.