

FORSYTH COUNTY
BOARD OF COMMISSIONERS

**BRIEFING
DRAFT**

MEETING DATE: First Reading-February 13, 2017
Second Reading-March 13, 2017

AGENDA ITEM NUMBER:

mf
9

SECOND READING ON
SUBJECT: **ORDINANCE GRANTING AN 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:

On February 8, 2016, Rural Garbage Service, Inc. was awarded a temporary exclusive franchise to provide residential and small business solid waste collection, transportation and disposal services in franchise areas 7 and 14 through December 31, 2016. These areas were previously served by Locklear's Garbage Service, which went out of business in early 2016. The third and final two-year renewal term of the current franchise agreement began January 1, 2017 and ends December 31, 2018. Rural Garbage Service has demonstrated the ability to provide reliable and consistent service to customers in areas 7 and 14 continuously since February 2016, with virtually no complaints from citizens. By awarding an exclusive franchise to Rural Garbage Service, the availability of dependable curbside garbage collection service will be ensured for all participating households and small businesses in franchise areas 7 and 14.

ATTACHMENTS: YES NO

SIGNATURE:

J. Dudley Watter, Jr.
COUNTY MANAGER

DATE:

February 8, 2017

**ORDINANCE GRANTING AN 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, Rural Garbage Service, Inc. was granted a temporary 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 Forsyth County Board of Commissioners on February 8, 2016; and

WHEREAS, for good cause shown, Rural Garbage Service, Inc. has requested that the Forsyth County Board of Commissioners grant an exclusive franchise for the collection, transportation, and proper disposal of solid waste 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, Rural Garbage Service, Inc. has filed an application 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, Rural Garbage Service, Inc. holds a valid solid waste management permit issued by Forsyth County, has equipment available to serve the proposed franchised areas, has sufficient financial resources and the business experience to serve franchised Areas 7 and 14; 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 in Areas 7 and 14 of Forsyth County; therefore, the County Manager recommends that an exclusive franchise be granted to Rural Garbage Service, Inc. to serve Areas 7 and 14 of Forsyth County; and

WHEREAS, for good cause shown, a grant of an exclusive 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 areas.

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 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, 2018.

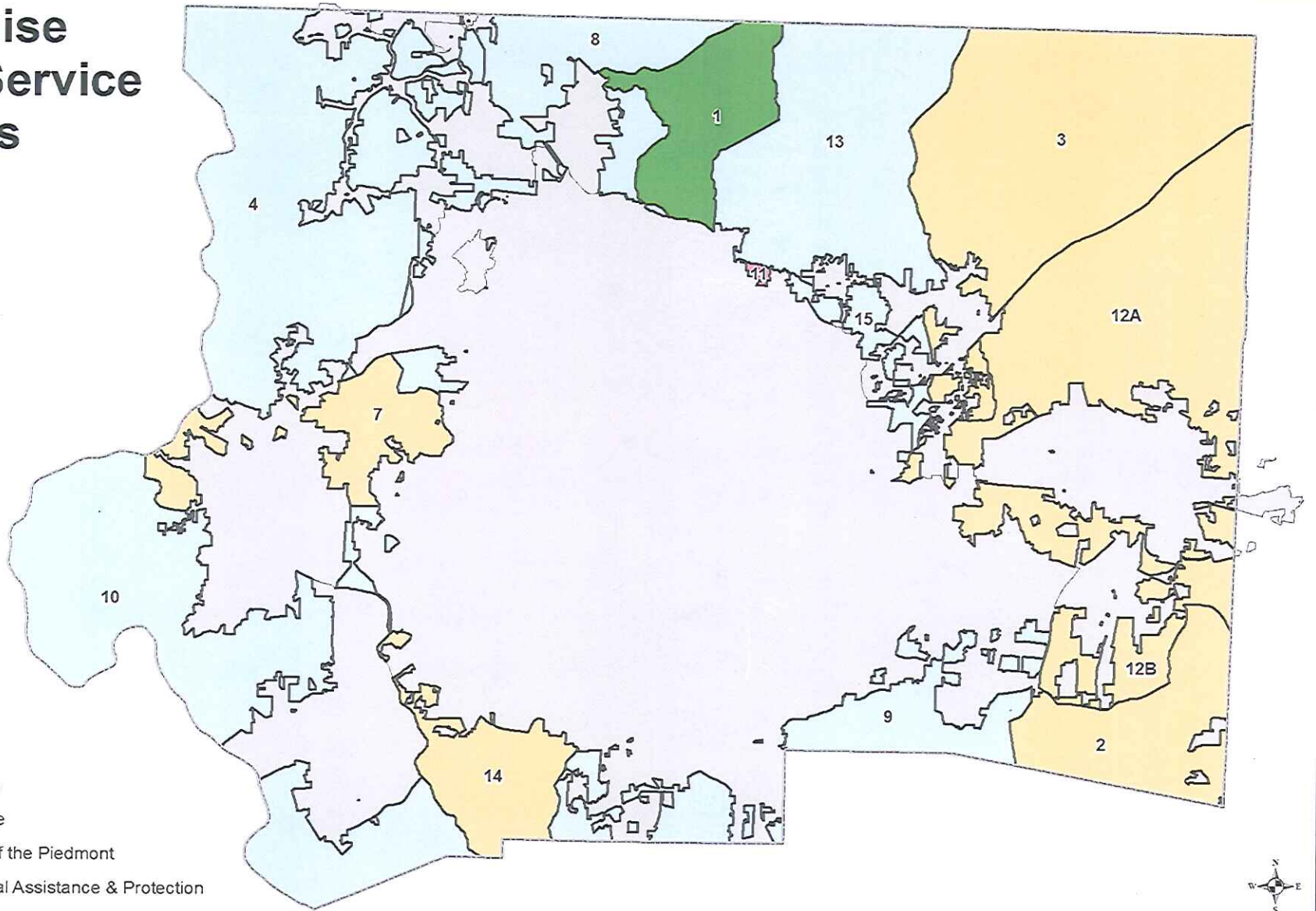
BE IT FURTHER ORDAINED that the Forsyth County Board of Commissioners further authorizes the County Manager and Clerk to the Board to execute any necessary documents on behalf of Forsyth County in order to complete the said grant of exclusive franchise, subject to approval as to form and legality by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

This ordinance shall become effective on March 13, 2017.

Adopted on first reading this the 13th day of February, 2017.

Adopted on second reading this the 13th day of March, 2017.

Franchise Garbage Service Areas



Refuse Provider

-  ABC Garbage Service
-  Rural Garbage Service
-  Waste Management of the Piedmont
-  Office of Environmental Assistance & Protection
-  Municipal Service Provider
-  County Boundary

