

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: 15 February 2017

SUBJECT: Markley Drive Nuisance Case -- Chronic Violator

PRESENTER: Charles Russell Burrell, Toby Linville

ATTACHMENT(S): Most recent violation report; aerial pictures of site; estimates

SUMMARY OF REQUEST:

On December 5, 2016, this Board voted to give notice to the property owner, Ernest McCall, that as a result of the condition in which he kept his property located on Markley Drive (off Highland Lake Road), he was a "chronic violator of the public nuisance ordinance", as required by N.C. Gen. Stat. §153A-140.2.

§ 153A-140.2. Annual notice to chronic violators of public nuisance ordinance. A county may notify a chronic violator of the county's public nuisance ordinance that, if the violator's property is found to be in violation of the ordinance, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the county gave notice of violation at least three times under any provision of the public nuisance ordinance.

Your Code Enforcement has made numerous visits to the site since the notice was delivered to Mr. McCall by the Henderson County Sheriff's Office, on January 6, 2017 (as well as by certified mail). Most recently, Code Enforcement staff again cited the owner for nuisance, for the same problems as before, on February 8, 2017. If the Board finds that insufficient (or no) progress has been made on remedying the nuisance, the Board may choose to "take action to remedy the violation", and take a lien on the property.

In the event the Board chooses to proceed with cleanup, cost estimates for the work are included. It is suggested that staff be given discretion to execute a contract for the same, after direction from the Chairman on terms, including terms such as salvage of items found on the property.

BOARD ACTION REQUESTED:

Determination of whether to proceed with remedy of the nuisance at this time.

If the Board is so inclined, the following motion is suggested:

I move that staff contract for the immediate remedying of the nuisance as previously cited, and direct and authorize the Chairman and staff to execute contracts for the same, with the issue of salvage of items removed from the site in the Chairman's discretion.

(Attachments Below)

Attachment 1: 87 Markley Dr

[https://henderson.roktech.net/gomaps4/?mapName=All Layers#](https://henderson.roktech.net/gomaps4/?mapName=All%20Layers#)

Basemaps - Select Map - Map Layers - Select Tools - Search - Tools - Results - Print - Share - Links - Help

Parcels Map Tips

Row 1&2 ~1500 sqft
Row 3 ~1250 sqft
Row 4 ~1750 sqft
Total Rows ~4500sqft@9ftdeep
=833cu yds/1.5 comp factor
=555 cu yds = 12 loads @ 7.5 ton
=5589 disposal minus metal, tires.

AREA 1 : 21700-1175-20523sqft
avg depth 6ft,
comp ratio 1.5 heavy ~3040cu yds
est 67 loads at 7 ton = \$28140
Area 1 includes 2 trailers, a big shed,
plus multiple vehicles and metal. its
anybody's guess as to salvage value.

AREA 2: 2500 sqft, avg depth 2ft,
includes minimum 1 rolloff full of tires
(30 cu yd) ~125cu yds = 3 loads est
\$1260 for debris plus tire disposal

AREA 3&4: 3850 sqft total, avg
depth 2ft incl tires etc. Approx
285cu yds=6 loads est \$2520
disposal plus tires.

Time Est: 87 Markley Dr
2 Trucks, Bobcat, Excavator, Crew
Total Cu Yds Est 4155
3 hrs roundtrip load/dump
Total loads ~100 = 300 truck &
excavator hrs @150/hr = \$35000.
Debris Est Cost ~\$38000.

Est \$1000 Tire Disposal @ \$2 ea.
Metal Salvage to be retained.
Differences in actual time and costs
will be credited/debited to
Henderson County.

QC Demolition & Debris LLC
Nate Breeding, Proprietor
(828)777-3433

Notes on this site:

There is a high volume of metal
included in the debris which will
take a lot of hand work to
salvage, which my trucks
emulate well using their
knucklebooms and grapples.
This design also minimizes heavy
dirt pickup which adds up fast.

The boxes are debris specialized
for high volume transport,
minimizing number of loads.

These specializations will
maximize the metal salvage and
minimize the debris costs.

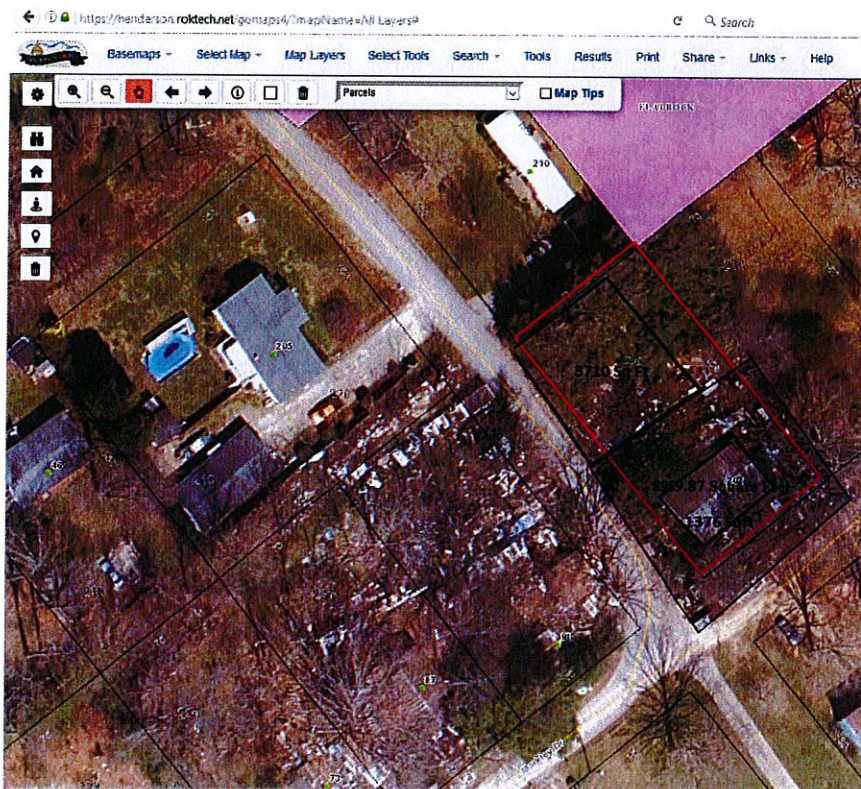
We plan to coordinate with a
local metal yard for them to
transport metal which will
reduce our time off site. Market
rates vary widely so accurate
estimates of salvage value on
this site are problematic.

Our contract is to include
"Picker's Rights" for occasional
small useful/valuable salvage
items, not to include vehicles
but may include a utility trailer
or two as appropriate.

Metal Salvage to be retained
to pay for Costs. Records will
be kept and available.

Total Truck/Crew hours will be
negotiable as the job proceeds.
We aim to provide good value.

Attachment 2: 202 Markley Dr



202 Markley Dr Estimates & Proposal

Debris sqft 1376+3710=5086
avg 4ft deep density heavy d/t burned site
=753 cu yds/2 compress ratio = 378cu yds
378/40=9.45loads(7.5ton)=54238

Metal sqft 8970-1376 MH=7594
avg 3 ft deep, density light
=84 cu yds/3 compress ratio = 281cu yds
281/45=6.25 loads=\$2500 w steel @ 3c/lb

Proposed Procedure:

Equipment to include up to
2 Self Loader Trucks, Bobcat,
Excavator with Magnet and Grapple.
Trucks to be charged at \$150/hr each
Excavator paid with metal rights
Bobcat and Crew included

Time Estimate at 16 hrs = \$2400 (easier access)
Debris estimate at \$4200

Metal Salvage to be retained
Mobilization Charges Included

Differences in actual Equipment Hours
and Debris Costs to be credited /
debited to Henderson County.

**This estimate is for machine
clean - no raking/detailing**

GQC Demolition & Debris, L.L.C.
Specialty Demolition & Structures to 3 Stories
Nate Breeding, Proprietor
Ph: (828) 777-5433, Email: gqc.demolition@yahoo.com

Toby Linville
Henderson County
Phone: 828-691-9948
Email: tlinville@hendersoncountync.org

Sites: 87 & 202 Markley Dr, Flat Rock NC
Feb 2017

08

Estimate for Cleanup of junk yard/ hoarder site at 87 & 202 Markley Dr, Flat Rock NC.

(See more details on attachments as to methodology for estimate and volume numbers.)

Our proposal limits the risk for both the County and ourselves for total cost of the cleanup while providing a fair rate for the work. Equipment to be used includes specialized debris pick-up self loading trucks that the County has benefited from on the abandoned mobile home cleanup program.

We also plan to coordinate with a specialized metal salvaging excavator provided by a local metal yard to speed the process of debris/metal separation and therefore minimize time charged for the combined effort.

Actual costs of equipment hours and debris disposal are to be credited/debited to Henderson County. A record log with receipts will be kept for legal documentation of hours worked, debris disposal and metal salvaged. Repair downtime will not be charged to the County.

Recyclables & Salvage:

- All Salvage, metal and otherwise becomes property of GQC Demolition & Debris upon award of contract with the exclusion of vehicles and other equipment with clear ownership titles.
- Disposal/recycling of vehicles and travel trailers to be determined on a case by case basis.

Finishing Work:

- Site to be left in "machine clean" state, defined as a rough cleanup obtainable without hand raking of debris fields or removal of dirt. Lumber and other piecemeal items will be taken away but completely burned charcoal and potential buried debris are to remain unless otherwise agreed upon and provided for in the cost structure.

Items excluded in cleanup prices:

- All Hazardous Materials, some fluids (oil tanks), and other materials/items that need special handling will be left organized/secured on site.

- Some materials (Tires) will be included for disposal on a case by case basis and allowing for Henderson County Regulations.

Permits:

- Permits not included in above pricing.

Access:

- It will be necessary to cut some trees for access on both sites. Trees to be cut will generally be small 'trash trees' and on the burned site, larger trees as needed that have had their bark burned badly enough to kill them. Brush and logs will be piled on site for separate disposal at the option of the County.

Site Preparation:

- Septic tanks and fields must be marked with orange flagging/paint to avoid damage to working systems. Damage will be avoided with best efforts but is **not** guaranteed.
- All utilities must be disconnected before demolition begins. These include electricity, gas lines, oil lines, water & sewer.
- Natural gas lines must be disconnected at the street.

Estimated Cost Summary: (see attached for details)

87 Markley Dr: (the Main site)

Approx 300 truck/excavator hours @ \$150/hr = \$35000

Debris Disposal Estimate on 4155 Cu Yds = \$38000

Tire Disposal (est 500 tires total both sites) = \$1000

202 Markley Dr: (the Burned site)

Approx 16 truck/excavator hours @ 150/hr = \$2400 (majority work by excavator)

Debris Disposal Estimate on 753 Cu Yds = \$4200

Tire Disposal is Included Above

The Total Cleanup Estimate includes the big barn/shed, two storage trailers and other items that may not be included in the final cleanup and debris totals. The Debris field is also sparse in many areas covered by our necessarily broad brush estimates on these sites. We expect this total to be a worst case scenario.

Total Cleanup Estimate: \$80K.

Insurance information is on record with Henderson County and we are a registered vendor.

Thanks for the opportunity!

Nate Breeding
GQC Demolition & Debris LLC
(828)777-5433
gqc.demolition@yahoo.com

