



Pollution Control Site Hearing Committee Agenda
Room 400, Government Center

Thursday, August 4, 2005

4:30 p.m.

1. Roll Call
2. Chairman's Approval of Minutes – September 2, 2004
3. Items Presented for Action:
 - A. Request Approval of First Amendment to the Host County Agreement
 - B. Request Approval of Resolution Repealing the Resolution Amending the Solid Waste Disposal Fee
4. Other Business and Communications
5. Adjournment

Minutes of the Pollution Control Site Hearing Committee

The Pollution Control Site Hearing Committee of the McLean County Board met on September 2, 2004 at 5:15 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Sweeney, Members Gordon, Ahart, Segobiano, Cavallini, and Rackauskas

Members Absent: Member Kalapp

Other Board Members Present: None

Staff Present: Mr. John Zeunik, County Administrator, Mr. Eric Ruud, First Assistant State's Attorney, Ms. Christine Northcutt, Recording Secretary, County Administrator's Office

Department Heads/
Elected Officials
Present: Mr. Phil Dick, Director, Building and Zoning

Others Present: Mr. Terry Bent, Environmental Manager, American Disposal Service (ADS), Mr. Dan Winters, General Manager, ADS, Mr. Randy Salmiche, District Manager, ADS, Mr. John McDonald, Development Manager, ADS

Chairman Sweeney called the meeting to order at 5:15 p.m.

Chairman Sweeney called the roll.

Member Gordon	"Present"
Member Segobiano	"Present"
Member Rackauskas	"Present"
Member Ahart	"Present"
Member Kalapp	Absent
Member Cavallini	"Present"

Chairman Sweeney informed the Committee that the purpose for this evening's meeting is to consider a Host County Agreement with American Disposal Services of Illinois, Inc. Chairman Sweeney asked Mr. Eric Ruud, First Assistant State's Attorney to present this item to the Committee.

Mr. Ruud informed the Committee that their action on this Host County Agreement in no way affects the approval of the proposed landfill expansion

itself. Mr. Ruud stated that the landfill expansion cannot occur until the application has been filed and public hearings take place.

Mr. Ruud informed the Committee that for the past seven months, staff has been in negotiations with representatives from American Disposal Services (ADS). The Host County Agreement that has been presented to the Committee is the result of those negotiations.

Chairman Sweeney noted that the County staff who have been involved with the negotiations with ADS are: Mr. John Zeunik, County Administrator, Mr. Eric Ruud, Mr. Jack Mitchell, County Engineer, Mr. Phil Dick, Director, Building and Zoning, Mr. Bob Keller, Director, Health Department, and Mr. Paul Russell, Director, Regional Planning.

Mr. Ruud stated that he wanted to highlight some of the important points of this proposed agreement.

- This agreement has a 30-year duration.
- There is a 7-year guaranteed waste capacity for waste disposal for residents of McLean County.
- Both parties have agreed to mandatory water monitoring of the wells in the vicinity of the landfill and its expansion, at ADS' expense.
- Exhibit "D" is a property value guarantee. This provides a measure of protection to the property values in the surrounding area of the proposed landfill.
- There are financial guarantees if the environment is endangered.
- There are design and operation safeguards.
- Annual performance reviews with changes made as necessary.
- Free carcass disposal for the County Highway Department.
- Host fee – As the County hosting the expanded landfill, under the law, we are permitted to charge a host fee.

Mr. Ruud explained that, currently, the County receives \$1.27 tipping fee per ton of municipal solid waste that is deposited at the landfill. After the final unappealable order at the end of the siting and permitting process, the Host Fee will then be \$2.54 per ton of waste deposited. Unlike the tipping fee, the Host Fee is an unrestricted General Fund Revenue source. Mr. Ruud stated that the tipping fee will be repealed and will be replaced with the Host Fee.

Mr. Ruud introduced the representatives from ADS that have been participating in this negotiation process. Mr. Terry Bent, Environmental Manager, Mr. Dan Winters, General Manager, Mr. Randy Salmiche, District Manager, and Mr. John McDonald, Development Manager.

Mr. Ruud informed the Committee these representatives would be happy to answer any questions that the Committee may have. Mr. Ruud stated that there are also drawings showing the expansion.

Mr. Ruud stated that the Host County Agreement is designed to make the landfill application process much less cumbersome than it was in the past.

Mr. Segobiano stated that any questions that may be raised by the members of the community will not happen until the public hearings begin. Mr. Segobiano stated that this agreement does not bind the County in any way. Mr. Ruud replied that is absolutely correct.

Mr. John McDonald, Development Manager, ADS informed the Committee that once ADS files the application for the landfill expansion, it begins a "quiet period" between ADS and the County pursuant to State of Illinois law.

Mr. Ruud handed out a corrected "Attachment D" to the Committee. Mr. Ruud informed the Committee that there was a grammatical correction. Mr. Ruud stated that when the Committee moves to approve the Host County Agreement, they should refer to it as the "Revised Host County Agreement."

Mr. Cavallini asked how many wells are subject to the mandatory water monitoring. Mr. Terry Bent, Environmental Manager, ADS, responded that it is 5 – 6 residential wells that will be effected. Mr. Bent stated that this is subject to field verification.

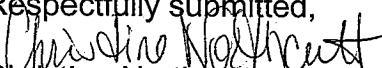
Chairman Sweeney asked if there were any further questions from the Committee. Hearing none, Chairman Sweeney called for a motion on the question.

Motion by Segobiano/Ahart to recommend approval
of the revised Host County Agreement with American
Disposal Services of Illinois, Inc. Motion carried.

Chairman Sweeney asked if there were any other items to come before the Committee. Hearing none, Chairman Sweeney stated that he would entertain a motion to adjourn the meeting.

Motion by Cavallini/Ahart to adjourn at 5:36 p.m.

Respectfully submitted,


Christine Northcutt

Recording Secretary

FIRST AMENDMENT TO THE HOST COUNTY AGREEMENT

WHEREAS, on September 21, 2004 the McLean County Board entered into a Host County Agreement with ADS of Illinois, Inc., the solid waste disposal facility located in McLean, Illinois; and

WHEREAS, said Host County Agreement specifically provides that ADS of Illinois, Inc. shall pay to the County of McLean a Host Benefit Fee and that such Host Benefit Fee shall replace the "tipping fee" on the Effective Date of the Host County Agreement; and

WHEREAS, said Host County Agreement specifically permits the McLean County Board and ADS of Illinois, Inc. to mutually agree on amendments to the Host County Agreement; now therefore,

IT IS AGREED AS FOLLOWS:

1. The parties hereto agree that for purposes of establishing when ADS of Illinois, Inc. shall commence paying the County of McLean the Host Benefit Fees, the Effective Date of the Host Fee Agreement shall be July 1, 2005.
2. Correspondingly, the parties hereto further agree that ADS of Illinois, Inc. shall no longer pay the County of McLean "tipping fees" for solid waste permanently disposed of at the ADS of Illinois, Inc. solid waste disposal facility on or after July 1, 2005.
3. The parties hereto further agree that the McLean County Board shall repeal the Resolution Amending the Solid Waste Disposal Fee effective July 1, 2005.

IN WITNESS WHEREOF, the parties hereto have caused the signatures of their legally authorized representatives to be affixed hereto on the ____ day of August, 2005.

COUNTY OF McLEAN

ADS OF ILLINOIS, INC.

BY: _____
MICHAEL F. SWEENEY, CHAIRMAN
MCLEAN COUNTY BOARD

BY: _____
ITS: _____

ATTEST:

ATTEST:

BY: _____
PEGGY ANN MILTON
McLEAN COUNTY CLERK

ITS: _____

**RESOLUTION REPEALING THE RESOLUTION AMENDING
THE SOLID WASTE DISPOSAL FEE**

WHEREAS, on November 19, 1991 the McLean County Board established a solid waste management fee, commonly know as a "tipping fee", of \$1.27 per ton of solid waste permanently disposed of at a solid waste disposal facility; and

WHEREAS, on September 21, 2004 the McLean County Board entered into a Host County Agreement with ADS of Illinois, Inc., the solid waste disposal facility located in McLean, Illinois; and

WHEREAS, said Host County Agreement specifically provides that ADS of Illinois, Inc. shall pay to the County of McLean a Host Benefit Fee and that such Host Benefit Fee shall replace the "tipping fee" on July 1, 2005, which is the effective date of the Host County Agreement; and

WHEREAS, said Host County Agreement specifically provides that the County's "tipping fee" Resolution dated November 19, 1991 be repealed by the McLean County Board, now therefore,

BE IT RESOLVED by the County Board of McLean County, Illinois that effective July 1, 2005, the Resolution Amending the Solid Waste Disposal Fee be and is hereby repealed.

Adopted this ____ day of August, 2005.

MICHAEL F. SWEENEY
CHAIRMAN OF THE
MCLEAN COUNTY BOARD

ATTEST:

PEGGY ANN MILTON
COUNTY CLERK OF THE
MCLEAN COUNTY BOARD