

**: OFFICIAL PROCEEDINGS :****: FOR THE CITY OF PEORIA, ILLINOIS :**

Peoria, Illinois, November 19, 2008, a Peoria City/County Landfill Committee Meeting was held this date at 8:06 A.M., at 3505 N. Dries Lane, Peoria, Illinois, with Mr. Lester D. Bergsten presiding.

**ATTENDANCE**

The following Committee Members were physically present: Bob Akers, Les Bergsten, Patrick Nichting, Eldon Polhemus, Ryan Spain, Steve Van Winkle and Merle Widmer - 7. Absent: 0

City/County Staff present: Bill Atkins, Dave Barber, Mindy Mannlein, Patti Pitcher, Randy Ray

Other interested parties: Emily Ambroso, Darren Black, Dan Erni, Jenny Hinton, Steve Matheny, Carl Niemann, Joe Roberts, Dave Schaab, Patrick Sloan, Mike Wiersema, Jerry Wyatt.

**ANNOUNCEMENTS, ETC.**

Mr. Bergsten asked all attendees to review the Contact Information list being passed around and verify their information so an updated list can be distributed in January.

**MINUTES**

Mr. Van Winkle moved to approve the minutes of the Regular Peoria City/County Landfill Committee Meeting held on October 15, 2008; seconded by Mr. Akers.

Approved by viva voce vote.

**AGENDA ITEMS****ITEM NO. 1. REPORT from FOTH INFRASTRUCTURE & ENVIRONMENT, LLC****A. Permit approvals as needed.**

Mr. Patrick Sloan, Environmental Engineer from Foth Infrastructure, discussed the seven (7) permits in the meeting packet: **(1)** Greenbrier Castings [Casting scrap and sweepings]; **(2)** M&O Environmental Company [Non-friable asbestos containing materials]; **(3)** M&O Environmental Company [Friable asbestos containing materials – uncontaminated]; **(4)** M&O Environmental Company [Friable asbestos contained material – uncontaminated]; **(5)** M&O Environmental Company [Non-friable asbestos containing materials]; **(6)** Komatsu Mining Systems, Inc. [Processed waste materials] and **(7)** Utility Services, Inc./Am. Water [Spent abrasive].

Committee approval is required since they're new applications. Asbestos profiles won't need approval if the next Agenda item – "Approval of Waste Acceptance Procedure" is changed.

Mr. Van Winkle moved to approve all seven (7) permit applications as outlined; seconded by Mr. Akers.

Approved by viva voce vote.

**B. Approval of Waste Acceptance Procedure**

Mr. Sloan reviewed the Waste Acceptance Procedure discussed at last month's meeting, explaining the only items to be changed would be quantity limitations for petroleum-contaminated waste and asbestos waste. The current procedure was written in the late 1980's and is outdated, especially considering today's waste trends. Also, Waste Management has an overall limit in which they have to abide, so these items would be covered under their contractual obligations.

Mr. Nichting moved to approve revising the Waste Acceptance Procedure as outlined; seconded by Mr. Widmer.

Approved by viva voce vote.

**C. 2008 Engineering Services Agreement**

Foth's Annual Engineering Services Agreement with the Landfill Committee is due for renewal. He explained the only change is the dollar amount which matches the budget amount approved a couple of months ago. Currently, Foth's services to date continue to be under budget. He will provide additional details at the January meeting.

Mr. Nichting moved to approve the renewal of the Annual Agreement with Foth Infrastructure & Environment, LLC; seconded by Mr. Van Winkle.

Approved by viva voce vote.

**D. RFQ Status – Landfill Expansion**

Mr. Sloan said the RFQ is lengthy, about 12 inches thick when printed if any Committee member is interested in reviewing it.

Foth is preparing a map showing all the property owned by the City/County within 1-1/2 miles from site as requested by a bidder.

Bidders have also had legal questions pertaining to perpetual care issues, which fall under the County's Ordinance, that remain unanswered. Mr. Atkins stated he would be responsible for responding and stated he would email the response to Mr. Sloan. Mr. Sloan, in turn, would forward to the bidders.

Mr. Sloan noted there's one consultant on plan holder's list who has indicated they're representing someone else. He was asked to find out who, but there isn't anything in the proposal specifically stating disclosure is required. It may or may not be an issue since they will eventually have to let us know anyway who they're representing.

Mr. Nichting moved to approve Foth Infrastructure's report; seconded by Mr. Akers.

Approved by viva voce vote.

**ITEM NO. 2 REPORT from WASTE MANAGEMENT, INC.****A. Monthly Activity Reports**

Mr. Matheny reviewed the Monthly Report, noting the MSW has increased from last year but the Special Waste has decreased. Yardwaste receipts have also increased for the year. No discussion.

**B. Permit approvals as needed**

Mr. Erni reported he has two reports - one (1) routine groundwater matter and (1) leachate sampling for a pipe that will be installed later this month. Both of which would be subject to Mr. Sloan's review and approval, requiring Mr. Barber's signature.

He also requested that a provision be made regarding any issues that may arise during December when there will be no Landfill Committee meeting. Mr. Bergsten suggested said provision be incorporated into the Motion.

Mr. Nichting moved to approve the reports as outlined, further stating issues arising during the month of December should be administratively approved, pending Mr. Sloan's approval, by securing Mr. Barber's signature with the concurrence of Chairman Bergsten; seconded by Mr. Van Winkle.

Approved by viva voce vote.

Mr. Wiersema reported staff is preparing the Landfill for winter and everything's going well.

Mr. Widmer moved to approve Waste Management's report; seconded by Mr. Akers.

Approved by viva voce vote.

**ITEM NO. 3 REPORT on RESOURCE TECHNOLOGY CORPORATION**

There were no representatives of RTC present at the meeting.

Mr. Atkins stated there are some updates he needs to discuss briefly with the Committee in closed session regarding pending litigation.

Mr. Sloan reported that, to his knowledge, RTC has not done any surface admission monitoring in 2008, so Foth conducted this scan, but does not yet have the results in writing.

There is one groundwater well that shows an impact regarding this gas migration which will need to be addressed within the next week or so with the IEPA Bureau of Land.

Mr. Van Winkle asked if Foth was keeping the Bureau of Air informed as well; Mr. Sloan confirmed he is, along with USEPA and IEPA.

Mr. Sloan clarified this well is within 50 feet of our waste, to the south and next to our compost facility, so it's a compliance issue more so than a hazard issue. The problem being it will cost extra money to determine the extent of the contamination. Foth will keep costs down and present information to the Committee before any money is spent.

**ITEM NO. 4 APPROVAL OF LINDA M. KUJACA INVOICE**

Mr. Nichting moved to approve this invoice in the amount of \$7,718.16; seconded by Mr. Akers.

Mr. Widmer commented the bulk of the invoice pertains to telephone calls for which paper and a secretary's time was wasted detailing each and every call. He suggested a flat fee be charged to cover telephone calls. He also noted an email to Ms. Floyd regarding the case status that took \$120 worth of time, yet no details were provided. Mr. Widmer requested a copy of this email to Ms. Floyd.

Approved by roll call vote:

Yeas: Bergsten, Akers, Nichting, Polhemus, Spain, Van Winkle  
Nays: Widmer

**ITEM NO. 5 PROPOSED LANDFILL INSURANCE POLICY**

Mr. Barber explained the County looking at risk management regarding off-site environmental insurance. Mr. Sloan and Mr. Ray have looked into this issue. The City/County has environmental coverage through Waste Management, but review of this matter isn't finished yet.

Mr. Sloan distributed a memo summarizing the existing coverage of the 600 acres but which excludes pre-existing (gas and groundwater) issues and odor issues. Landfill No. 2 is covered.

Mr. Barber stated this is informational for the Committee at this point. The County may purchase this additional coverage regardless but he wanted to keep the Committee informed. Mr. Ed Hopkins, the City's Safety & Risk Manager, is also involved in the assessment of this matter. The goal is to ensure the City/County is adequately covered. If the City doesn't agree with the County that this policy should be purchased, Mr. Atkins stated the funds to purchase would come from the County's budget; however, the County may wait until the City makes a decision before pursuing the matter.

Mr. Bergsten suggested this item be on the January 2009 Agenda. All agreed.

Mr. Van Winkle asked the status of the existing policy, the one against which the Committee previously attempted to file a claim, and its term. The RFP should specify the desired coverage. Mr. Sloan said Waste Management's current policy expires in 2040 as in includes the 30-year post-closure timeframe.

Mr. Matheny assured the Committee Waste Management's standard policy is for \$10 million and \$20 million respectively even though their contract only requires \$3 million and \$6 million.

Mr. Nichting moved to receive and file; seconded by Mr. Widmer.

Approved by viva voce vote.

**ITEM NO. 6 FLARE BIDS**

Mr. Akers moved to defer the discussion of this item for one month; seconded by Mr. Spain.

Approved by viva voce vote.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**PUBLIC COMMENT**

None.

**NEXT MEETING**

The next Regular Landfill Committee meeting will be held at City Hall, 419 Fulton Street, Room #404, Peoria, on Wednesday, January 17, 2009, at 8:00 a.m.

**EXECUTIVE SESSION**

Mr. Widmer moved for the Landfill Committee to go into Executive Session to discuss 2(c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that such an action is probable or imminent; seconded by Mr. Spain.

Approved by viva voce vote.

**ADJOURNMENT**

Mr. Widmer moved to adjourn the Regular Peoria City/County Landfill Committee meeting; seconded by Mr. Spain.

Approved by viva voce vote.

The regular Landfill Committee meeting adjourned at 8:31 A.M.

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Lester D. Bergsten  
Chairman