

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

Peoria, Illinois, February 18, 2009, a Peoria City/County Landfill Committee Meeting was held this date at 8:01 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, Brad Harding, Patrick Nichting, Ryan Spain, Steve Van Winkle and Merle Widmer - 7. Absent: Les Bergsten – 1.

City/County Staff present: Dave Barber, Julie Dewey, Steve Giebelhausen, Patti Pitcher, Karen Raithel

Other interested parties: Emily Ambroso, Roger Beecher, Kiley Beecher, David Ehnle, Dan Erni, Jenny Hinton, Steve Matheny, Carl Niemann, Joe Roberts, Dave Schaab, Patrick Sloan, Mike Wiersema, Jerry Wyatt.

ANNOUNCEMENTS, ETC.

Due to Chairman Bergsten's absence, Mr. Van Winkle moved to appoint Mr. Nichting as Chairman Pro-Tem for today's meeting; seconded by Mr. Spain.

Approved by viva voce vote.

MINUTES

Mr. Van Winkle moved to approve the minutes of the Regular Peoria City/County Landfill Committee Meeting held on January 21, 2009; 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.**

Ms. Ambroso distributed a Special Waste Permit handout to the Committee which had also been emailed to members previously. The hard copies did not make the packet deadline.

The handout includes three (3) profiles, only one of which - Midwest Generation [Treated wood – weathered] – requires action. This waste stream consists of wood products which may include telephone poles and railroad ties. Foth has no technical objections but Committee approval is required.

The other two profiles – Evonik Goldschmidt Corp. [Tallow tank bottoms] and Evonik Goldschmidt Corp. [Salt quat, filter cake] – are recommended for conditional approval with new analytical information required by September 15, 2009. No action required at this time.

Ms. Ambroso also needs authorization for securing Mr. Barber's signature on an annual air monitoring report required by the IEPA.

Mr. Van Winkle moved to approve the Special Waste Permit and securing Mr. Barber's signature as outlined; seconded by Mr. Akers.

Approved by viva voce vote.

B. RFP Status – Landfill Expansion

Mr. Sloan handed out an Update on RFQ #40-08 which includes an overall summary of the schedule, documents that have been issued, including another addendum expected February 20th, a list of the plan holders, the selection process and the evaluation criteria. The deadline for proposals is March 25, 2009.

Mr. Sloan and City officials held a meeting last week with the bidders. The Selection Committee will rank the proposals and select the top three (3) for interviewing in May and Committee recommendation will be presented in June. It will then need to go before the City Council and the County Board for approval. No discussion.

Mr. Barber explained the Selection Committee should be determined at next month's meeting and asked that members consider appropriate nominations. The committee will consist of Patrick Urich, County Administrator; and himself, Public Works Director as well as two Landfill Committee members – one from the County, one from the City – and Foth as the technical consultant. The Selection Committee was created in such a way that it would not require public notices for its meetings.

It was agreed the RFQ Selection Committee would be an Agenda item for the March 2009 Landfill meeting.

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

Approved by viva voce vote.

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

Mr. Matheny distributed a revised Monthly Activity Report due to a formula error in the spreadsheet. He reviewed the report and noted there has been some decrease in waste due to the economy.

Mr. Niemann reported Waste Management has been approached by the U of I regarding participation in a research study at the Peoria City/County Landfill site to grow bio mass crops – prairie grass, elephant grass, etc. Waste Management staff has already discussed this opportunity with Mr. Sloan, Mr. Barber and Mr. Urich, but wanted to inform the Committee and address any possible concerns. The intent of this project is to determine the applicability of these crops as landfill cover as well as buffer ground from a technical standpoint in addition to testing the ability to harvest these crops for renewable energy production.

Mr. Nichting supported the idea and asked that Waste Management keep the Committee informed. Mr. Widmer inquired about any downsides to this proposed project; Mr. Niemann explained it's an applied research project, so there are no real downsides nor long-term commitments.

B. Permit approvals as needed

No permits.

Mr. Widmer moved to approve Foth's reported; 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. Giebelhausen stated the only thing to report was that a meeting was held with Mr. Phil Comella, Mr. Ray, Mr. Barber and himself and representatives of Waste Management. It was decided that Mr. Comella would be hired as outside counsel to handle the Cook County court issues. Ms. Kujaca will continue to handle the bankruptcy issues.

ITEM NO. 4 FLARE BIDS

Mr. Sloan reported there's no action regarding the flare bids at this time.

Mr. Spain moved to defer this item for one month; seconded by Mr. Van Winkle.

Approved by viva voce vote.

ITEM NO. 5 DISCUSSION and ACTION on any NECESSARY CHANGES in the LANDFILL INTERGOVERNMENTAL AGREEMENT

Mr. Barber explained this item has two components, as previously requested by Chairman Bergsten. First, to revise the Committee structure by increasing the number of members from seven (7) to nine (9) and secondly, to increase the Committee's spending authorization from the current \$50,000 to \$100,000. Mr. Nichting stated these would be treated as two separate issues. He also stated that it's wise to keep some continuity on the Committee, especially with regard to the ongoing litigation.

Mr. Spain stated, as mentioned last month, he understands the importance of increasing the Committee size to carry on institutional knowledge and it should strongly be considered; however, increasing the spending authorization is of great concern and he does not support it from a budgetary perspective.

Mr. Van Winkle stated he had been involved in several discussions since these issues were raised at the last meeting and has changed his opinion on the second issue. He, too, now agrees with increasing the Committee size but not the spending authorization. He feels since the Committee currently controls its spending through the budget, which is approved by the City Council and the County Board, we're able to spend whatever necessary and still have some flexibility as well. Therefore, he sees no need to increase the Committee's spending authority.

Mr. Barber clarified that the issue of Committee size is addressed in Articles IV and V in the current Intergovernmental Agreement where it states one member shall be appointed by the Mayor and one member appointed by the County. The other issue is found in Section E where it talks about the ability of the Committee to contract for expenditures as long as it's budgeted, and references the \$50,000 limit. He stated that whatever changes might be approved by the Committee, would then be drafted by staff and sent to the City Council and the County Board for their respective and timely approvals.

Mr. Widmer stated the County Chairman's position is that the current number of Landfill Committee members – seven – is sufficient.

Mr. Spain moved to approve the increase the number of Committee members; seconded by Mr. Van Winkle.

Yeas: Nichting, Spain, Van Winkle,
Nays: Akers, Harding, Widmer
Absent: Bergsten

Motion fails.

No Motion made for approval of spending authorization increase.

Motion dies.

ITEM NO. 6 FARMING (R. Beecher) & GRAZING (P. Ehnle) LEASE RENEWALS

Ms. Dewey reported four bids were sent out for grazing and 12 bids for farming, resulting in one (1) response each. She noted David Ehnle as well as Roger and Kiley Beecher were present if the Committee had any questions.

Mr. Roger Beecher informed the Committee that the deer population is problematic because they eat a lot of the crop; however, he is willing to do whatever the Committee thinks is fair.

Ms. Dewey also stated she spoke with the Farm Bureau and the U of I to determine the average cost per acre is \$160 with many variable factors considered.

Concerns regarding upkeep were also addressed through soil samples. Limestone was found in the soil samples, but this is deemed satisfactory. No discussion.

Ms. Dewey will have copies of the bids and their respective responses in next month's packet.

Mr. Barber questioned the price, as mentioned last month. Ms. Dewey explained the bids were opened on February 5th and missed the packet deadline for this month's meeting. The farming lease is \$2,100/year or \$100/acre; the grazing lease is \$2,300/year or \$7.80/acre. Pricing appears to be in line, including factors impacting the viability of the land which include fencing, water and shade.

Mr. Akers asked about the number of years' duration of the extension. Ms. Dewey responded they are four-year renewals with possible 4-year extensions. In the past, they've been two-year leases; however, it's up to the Committee to extend or renew with possible extension.

Mr. Van Winkle made a motion requesting staff bring back recommendations next month along with data for review by the Committee; seconded by Mr. Akers.

Approved by viva voce vote.

Mr. Van Winkle moved to defer this item for one month; seconded by Mr. Nichting.

Approved by viva voce vote.

UNFINISHED BUSINESS

Mr. Spain stated the City has concerns regarding the continued representation on the Landfill Committee. He commended Mr. Nichting for his dedication and willingness to continue on the Committee. He hopes the door will remain open to finding a solution to this matter.

Mr. Widmer also expressed his gratitude towards Mr. Nichting and suggested Mr. Nichting be invited back to provide information as needed from time to time.

Mr. Nichting thanked Mr. Spain and Mr. Widmer for their comments, adding that he will leave it up to the Committee's discretion as he knows they must be accountable to the taxpayers.

Mr. Van Winkle noted for the record that a memo as included in the packet regarding the additional insurance coverage issue. It has since been determined that adequate coverage is already in place under Waste Management's policy and both the City and the County are in agreement this additional coverage is not needed at this time.

NEW BUSINESS

None.

PUBLIC COMMENT

None.

NEXT MEETING

The next Regular Landfill Committee meeting will be held at 3505 N. Dries Lane, on Wednesday, March 18, 2009, at 8:00 a.m.

EXECUTIVE SESSION

None.

ADJOURNMENT

Mr. Van Winkle moved to adjourn the Regular Peoria City/County Landfill Committee meeting; seconded by Mr. Akers.

Approved by viva voce vote.

The regular Landfill Committee meeting adjourned at 8:33A.M.

Lester D. Bergsten
Chairman