

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

Peoria, Illinois, August 19, 2009, a Peoria City/County Landfill Committee Meeting was held this date at 8:30 A.M., at Peoria County Courthouse, 324 Main Street, 4th Floor County Board Room, Peoria, Illinois, with Mr. Lester D. Bergsten presiding.

ATTENDANCE

The following Committee Members were physically present: Bob Akers, Les Bergsten, Brad Harding, Tim Riggerbach, Ryan Spain, Merle Widmer, Steve Van Winkle - 7. Absent: None.

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

Other interested parties: Lee Addleman, Emily Ambroso, George Armstrong, Chris Coulter, Matt Coulter, Royal Coulter, Ron Edwards, Dan Erni, Steve Harenberg, Dale Hoekstra, Steve Matheny, Brian Meginnis, Devin Moose, Carl Niemann, Joe Roberts, Dave Schaab, Ron Welk, Mike Wiersema

ANNOUNCEMENTS, ETC.

Mr. Bergsten asked that everyone please sign the Sign-In sheet being passed around the room.

MINUTES

Mr. Van Winkle moved to approve the minutes of the Regular Peoria City/County Landfill Committee Meeting held on July 15, 2009; seconded by Mr. Harding.

Approved by viva voce vote.

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

Ms. Ambroso explained Mr. Sloan's absence is due to the recent passing of his father.

Ms. Ambroso reported routine Special Waste approvals were needed, three of which were in packet: (1) Commonwealth Edison [Arsenic contaminated soil]; (2) Midwest Generation [Unused/Off-Spec product (solid)] dated July 10, 2009; and (3) Midwest Generation [Unused/Off-spec product (solid)] dated July 13, 2009. No technical objections.

Several other Permit applications pre-approved or administratively approved were included in the packet as information only: (1) Ameren Energy Resources Generation Co. [Spent abrasive]; (2) City of East Peoria [Soil]; and (3) AES Median Valley [Oily rags and oil absorbent].

In referencing the detailed report on the entrance road to the dam, Ms. Ambroso explained there is some slope failure on the downstream face of the entrance roadway embankment prior to reaching the scale house. A similar failure was repaired by Waste Management at the same location approximately eight (8) years ago but needs additional attention. She assured the Committee there's no imminent danger but should be included in next year's budget. Foth is monitoring the situation and requests the Committee to receive and file with understanding future action will be required.

Ms. Ambroso estimated the costs to be around \$50,000. The Department of Natural Resources (DNR) will be involved and she plans to contact DNR regarding requirements and procedures.

Mr. Harding suggested the Soil Water & Conservation District (SWCD) be used as a local resource as well.

Mr. Harding moved to approve the items as outlined and to accept Foth Infrastructure's report; seconded by Mr. Spain.

Approved by viva voce vote.

ITEM NO. 2 REPORT from WASTE MANAGEMENT, INC.

A. Monthly Activity Reports

Mr. Matheny noted the Monthly Activity Report continues to show volume lagging behind from a year ago. No discussion.

B. Permit approvals as needed

There are three (3) permits to be completed:

1. Construction Quality Assurance Report documenting the construction of an expansion of the leachate recirculation system.
2. Construction Quality Assurance Report documenting the installation of the new utility flare.
3. Proposed adjustment to groundwater well monitoring frequency and submittal of new groundwater statistics.

Permits require Mr. Barber's signature contingent upon Foth's review and approval.

Mr. Spain moved to approve Waste Management's report and authorize securing Mr. Barber's signature contingent upon Foth's approval; seconded by Mr. Widmer.

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 indicated Executive Session would be needed in order to update the Committee regarding pending litigation.

No royalty monies have been received.

ITEM NO. 4 FLARE BIDS

Ms. Ambroso referenced a memo and supplemental memo regarding the need for a flare at Landfill No. 1.

Foth recommends a temporary flare be installed because of requirements by two (2) different IEPA Divisions.

The IEPA construction permit has been secured. Both PCCLI (PDC) and Waste Management (WMI) bid on the project. Foth's recommendation is Waste Management as they bid "no charge." Mr. Giebelhausen agreed; Mr. Ray concurred.

Mr. Widmer made a Motion to award the flare installation bid to Waste Management; seconded by Mr. Spain.

Approved by viva voce vote.

ITEM NO. 5 DISCUSSION and APPROVAL of BID AWARD for LANDFILL EXPANSION PROJECT

Mr. Bergsten noted there were two well-qualified bidders for this project. He opened the meeting for discussion stating a Motion would need to follow regarding the Committee's decision.

Mr. Van Winkle asked Mr. Giebelhausen for his assessment of what can be expected during negotiations with regard to allowable discussion, whether it would be limited to the formal contract, etc. Mr. Giebelhausen's response was that any negotiation would need to remain within the scope of the RFQ and proposal submitted for consideration.

Discussion was had regarding quarterly details to ensure fair comparisons, but no more details can be provided other than what's already in the proposals. Mr. Bergsten requested that next month's Agenda include written comments or concerns from Committee members which they would like to have included in the negotiation process. This would give advance notice before the negotiating process begins.

Mr. Barber reminded the Committee that they need to get through the process before pinpointing exact numbers. They shouldn't be significantly different than what's been provided in the respective proposals but some change would typically be expected as part of the negotiating process. Mr. Ulrich agreed, giving the County's recent healthcare plan negotiations as an example.

Mr. Bergsten also reminded the Committee that the negotiated contract would need to come back to the Committee before going to the City Council and County Board for approval.

Discussion was had regarding the procedure required if changes were offered during the negotiation process. It was determined if significant changes arise, then the Committee would need to re-start the entire process by advertising for bids. It was also noted that if after the negotiation process is completed but the Committee isn't satisfied with the results, the Committee would have the legal option to open up negotiations with the other bidder.

Mr. Spain agreed with Mr. Bergsten's assessment that the Committee was fortunate to have had two solid proposals from reputable companies. He acknowledged the complexity of a landfill operation is challenging for the layman to grasp and that many items in both proposals are appealing to our community; however, the Committee needs to look at the bottom dollar and be very cognizant of changes in relation to the operator as well as revenue and immediate benefits.

Mr. Harding said he's looking at leadership into the 21st Century with regard to technology, gas rights and RTC resolution. He noted Peoria is a unique community in that the County is both urban and rural, presenting recycling challenges among others. As a County Board representative, the County's preference is to work with the local company – PDC.

Mr. Van Winkle stated he's been on the Landfill Committee since the early 1980's and has worked with both companies and can say with great pride they've been great with work with as they've always been professional and gone above and beyond.

Mr. Widmer stated he's worked with Waste Management and thought they were excellent and that PDC is honorable. He trusts that regardless of who wins or loses, they will work together. His vote is for PDC but he wishes the best of success to whoever wins this bid.

Mr. Riggerbach thanked Mr. Bergsten, staff, PDC and Waste Management for educating him on landfill issues since his recent election [onto the City Council] and also feels both companies are very well qualified.

Mr. Akers echoed the positive comments regarding the two companies but feels PDC proposes to offer greater community service.

Mr. Bergsten called a roll call vote to confirm each member's vote:

Akers – PDC
Bergsten – PDC
Harding – PDC
Riggerbach – PDC
Spain – PDC
Van Winkle – PDC
Widmer – PDC

Motion passed unanimously for staff to begin negotiations with PDC.

Mr. Giebelhausen clarified that this vote means the bid is to be awarded to PDC but the final contract must be approved by the Landfill Committee before going to City Council and the County Board.

Mr. Spain stated Mayor Ardis strongly recommends that Mr. Van Winkle be on the negotiating team given his tenure with the Landfill. Extensive discussion was had regarding the negotiating procedures and parties involved. It was determined the matter would be placed on the Agenda for discussion at next month's meeting.

UNFINISHED BUSINESS

Ms. Ambroso reported the flare construction requires the existing permit to be extended but involves a \$500 extension fee for which she asked for Committee approval.

Mr. Van Winkle moved to approve the expenditure of the \$500 fee for extending the permit allowing the flare installation; seconded by Mr. Spain.

Approved by viva voce vote.

NEW BUSINESS

None.

PUBLIC COMMENT

None.

NEXT MEETING

The next Regular Landfill Committee meeting will be held at the Lester D. Bergsten Operations & Maintenance Facility at 3505 N. Dries Lane, Peoria, on Wednesday, September 16, 2009, at 8:30A.M.

Mr. Bergsten reminded everyone that meeting packet materials are due to Ms. Pitcher no later than Friday, September 4th due to the Labor Day holiday.

ADJOURNMENT

Mr. Van Winkle moved to adjourn the regular meeting to go into Executive Session in Room #402 to discuss pending litigation; seconded by Mr. Akers.

Approved by viva voce vote.

The regular Landfill Committee meeting adjourned at 9:30A.M.

Lester D. Bergsten
Chairman

/pp