

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

Peoria, Illinois, September 23, 2009, a Peoria City/County Landfill Committee Meeting was held this date at 8:35A.M., at the Lester D. Bergsten Operations & Maintenance Facility, 3505 N. Dries Lane, Peoria Illinois, with Mr. Lester D. Bergsten presiding.

**ATTENDANCE**

The following Committee Members were physically present: Bob Akers, Les Bergsten, Tim Riggensbach, Merle Widmer, Steve Van Winkle - 5. Absent: Brad Harding, Ryan Spain – 2.

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

*Other interested parties:* Emily Ambroso, Joyce Blumenshine, Chris Coulter, Ron Edwards, Dan Erni, Tracy Fox, Steve Harenberg, Jenny Hinton, Steve Matheny, Brian Meghinnes, Carl Niemann, Joe Roberts, Patrick Sloan, Dennis Triggs, Mike Wiersema, Jerry Wyatt

**ANNOUNCEMENTS, ETC.**

Ms. Blumenshine wanted to note for the record that three (3) other guests attended the August meeting but did not sign the sign-in sheet and, therefore, were not listed. The three attendees were: Cara Rosson, Tracy Fox and Joyce Blumenshine.

**MINUTES**

Mr. Van Winkle moved to approve the minutes of the Regular Peoria City/County Landfill Committee Meeting held on August 19, 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 stated Foth did an independent audit of the airspace to verify Waste Management's data for the annual Airspace evaluation. Results indicated there's plenty of capacity to meet the 2014 contractual obligations and beyond, probably into 2017. A chart was included in the packet for the Committee's information.

She updated the Committee regarding the entrance road dam. The preliminary assessment of the Department of Natural Resources (DNR) is that it is a Class II dam, requiring further analysis. Foth would then need to prepare some design drawings. They continue to monitor the dam and ensure there aren't any safety issues. Foth assured the Committee the dam is not in dangerous condition currently and is stable.

Ms. Ambroso announced there will be a public hearing following the October 21<sup>st</sup> Landfill Committee meeting to be held at the Dries Lane Conference Room. This is to formally follow IEPA's requirements to present the three (3) options as presented in the Corrective Action Assessment regarding gas mitigation issues impacting Well GO4S. The Notice was in yesterday's Journal Star and letters will also be sent to local residents and public officials as well.

No Special Waste permit approval requests for today's meeting.

Mr. Widmer moved to approve Foth Infrastructure's report; seconded by Mr. Riggenbach.

Approved by viva voce vote.

**ITEM NO. 2 REPORT from WASTE MANAGEMENT, INC.**

**A. Monthly Activity Reports**

Mr. Matheny noted the Monthly Activity Report in the packet is correct; however, when payment to the County was processed, it was generated from an unaudited report. Ms. Raithel has since pointed out the County was shorted \$31.65 which Mr. Matheny will be sure to include in next month's payment. He explained the error was due to a staff member's illness and someone from another office filling in to process the payment. No discussion.

**B. Permit approvals as needed**

No permit requests for today's meeting; however, Mr. Matheny asked for Administrative approval if something should arise that needs timely attention, contingent upon Foth's review and approval.

Mr. Van Winkle moved to approve the Monthly Report and grant Administrative approval if/as needed; 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 indicated Executive Session would be needed in order to update the Committee regarding pending litigation.

No royalty monies have been received.

**ITEM NO. 4 APPROVAL of SEYFARTH & SHAW INVOICE for \$7,206.10**

Mr. Giebelhausen explained this invoice is for the assistance of outside counsel [Mr. Comella] regarding the Cook County case.

Mr. Van Winkle moved to approve the invoice in the amount of \$7,206.10; seconded by Mr. Akers.

Approved by viva voce vote.

**ITEM NO. 5 LANDFILL EXPANSION PROJECT**

Mr. Bergsten asked each Committee member for their comments regarding this matter.

Mr. Akers – As stated in his memo included in the packet, he has four (4) points of concerns as noted in his memo included in the packet: (1) Recycling centers are desired; (2) Place a cap on gate rates; (3) Hours of operation to the public are convenient; and (4) money should be there as proposed.

Mr. Harding – Absent

Mr. Riggensbach – As stated in his memo included in the packet, his biggest concern is the Perpetual Care Fund and that it will be used strictly for post-closure expenses.

Mr. Spain – Absent

Mr. Van Winkle – No comment at this time.

Mr. Widmer – No comment at this time.

Mr. Ulrich told the Committee he appreciates their comments as they will help with the next step in the process.

Mr. Bergsten announced if any Committee member is interested in helping or has questions or comments to please discuss with Mr. Barber or Mr. Ulrich.

Mr. Giebelhausen clarified that a Committee member who may wish to participate in the process would be a liaison and not involved in the actual negotiations. He also said he anticipates negotiations will take a minimum of 60 days, perhaps 90-120 or longer.

Mr. Bergsten acknowledged Mr. Meginnis, legal counsel for PDC, who is drafting a contract for the development and operation of Landfill No. 3 for Mr. Giebelhausen.

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

None.

### **PUBLIC COMMENT**

Ms. Joyce Blumenshine – She reiterated points previously noted in her letter to the Committee dated July 3, 2009. Members of the public hope to keep the municipal landfill for municipal waste only and feel toxic or hazardous waste should not be allowed in this landfill. The Perpetual Care Fund should be restricted to post-closure expenses. She noted there was some language in PDC's original proposal – which she is unsure if it's been carried forward to this point - that 'the Committee would not unreasonably deny any application for waste disposal.' This could potentially restrict the Committee's actions and wanted to bring it to the Committee's attention. In another section of PDC's original proposal, there was also language about 'non appealable sitings...' She is unclear if this would alter the design with regard to mines, etc., and hopes the Committee will address these issues as they finalize details. She also thanked the Committee for their work on this Landfill project.

Ms. Tracy Fox – She seconded Ms. Blumenshine's comments, stating there are numerous members of the community who are interested in this project. She referenced a comment made by Chairman Bergsten (in a conversation yesterday with Ms. Blumenshine) that the public needs to get involved with the RTC issue. Ms. Fox stated she and Ms. Blumenshine are both willing to help in whatever capacity necessary and asked that the Committee please let them know how they can be of help.

### **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, October 21, 2009, at 8:30A.M.

**ADJOURNMENT**

Mr. Van Winkle moved to adjourn the regular meeting to go into Executive Session to discuss pending litigation, not returning to Regular Session; seconded by Mr. Akers.

Approved by viva voce vote.

The regular Landfill Committee meeting adjourned at 8:52A.M.

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Lester D. Bergsten  
Chairman

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