

CONTINUATION OF BUSINESS FOR SEPTEMBER 7, 2011

PREBLE COUNTY COMMISSION RESOLUTION

#516-11-152

RESOLUTION PROPOSING TO FIX RATES & CHARGES PURSUANT TO SECTION 343.08 OF THE OHIO REVISED CODE FOR SOLID WASTE DISPOSAL SERVICES PROVIDED BY THE PREBLE COUNTY SOLID WASTE MANAGEMENT DISTRICT AT THE PREBLE COUNTY SANITARY LANDFILL

Commissioner Stonecash moved to approve the adoption of the following resolution.

Commissioner Wesler seconded the motion for adoption.

WHEREAS, The Preble County Board of Commissioners (the "Board") owns and operates the Preble County Sanitary Landfill (the "Landfill") and thereby operates the only solid waste facility that provides all residential and non-residential generators of solid waste within the Preble County Solid Waste Management District (the "District") with a locally available and environmentally safe solid waste disposal facility; and,

WHEREAS, The Board determined that no person is authorized to deliver solid waste generated within Preble County to any solid waste facility within the State of Ohio other than the Preble County Sanitary Landfill; and,

WHEREAS, Although the transfer station owned and operated by Rumpke in Richmond, Indiana is designated to receive solid waste generated within Preble County, such facility is not presently operating or accepting solid waste; and,

WHEREAS, The Board has determined that the Preble County Sanitary Landfill shall be the provider of disposal services to the improved parcels within Preble County and concluded that the costs for the operation of the Landfill and implementation of the District's Solid Waste Management Plan (the "Landfill and Plan Costs") should be obtained from the residential and non-residential generators of solid waste within the District based upon the projected volume and actual weight of solid waste generated by those generators; and,

WHEREAS, This annual assessment has not been revised since January 2004 and the Tipping Fee has not been revised since May 2008; and

WHEREAS, The Board has determined that, effective January 2012, all of the landfill and Plan Costs should be assessed as follows:

- A. Residential Improved Parcels will have an annual assessment of \$94.34.
- B. The following schedule shall reflect the assessment for Non-Residential Improved Parcels measured in tons per year as shown on the following schedule:

Estimated Waste Generated (Ton)	Annual Assessment	Number of Parcels in County	Total Revenue
0-1	\$ 94.34	192	\$ 18,113.28
1.1-6.9	\$ 118.83	188	\$ 22,340.04
7-14.9	\$ 375.61	247	\$ 92,775.67
15-49.9	\$ 1,125.06	97	\$109,130.82
50-99.9	\$ 2,771.87	40	\$110,874.80
100-149.9	\$ 4,909.76	10	\$ 49,097.60
150-199.9	\$ 7,171.07	5	\$ 35,855.35
200-249.9	\$ 8,899.63	4	\$ 35,598.52
250-499.9	\$14,786.72	6	\$ 88,720.32
500+	\$24,251.68	3	\$ 72,755.04
TOTAL		792	\$635,261.44

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WHEREAS, The Board has determined that there shall be a tipping fee at the Landfill for the disposal of all residential and non-residential solid waste generated within Preble County at the rate of \$40.00 per ton along with other adjustments to the rates as follows:

	Current	Proposed
Minimum (0-800 lbs.)	\$10.00	\$15.00
Solid Waste Per Ton	\$31.25	\$40.00
Exempt Waste Per Ton (Yard Waste)	\$10.00	\$10.00
Sludges	\$24.44	\$24.44
EPA Approved Contaminated Soil Per Ton	\$15.00	\$15.00
Construction/Demolition Debris Per Ton	\$31.25	\$40.00
Freon Recovery Charge Per Item	\$25.00	\$25.00
Tire Disposal Per Ton		\$150.00

; and,

WHEREAS, The Board has directed that rates and charges for the Landfill and Plan Costs should be published as required by Section 343.08 of the Ohio Revised Code and the Board shall conduct three public hearings following such publication to receive comments on the Landfill and Plan Costs and corresponding improved parcel assessments and Landfill tipping fees;

NOW, THEREFORE, BE IT RESOLVED, THE FOREGOING RECITALS ARE INCORPORATED HEREIN AND THE BOARD HEREBY RESOLVES AS FOLLOWS:

1. The proposed rates and charges as stated above for the Landfill and Plan Costs shall be published three times in a newspaper of general circulation within the District as required by Section 343.08 of the Ohio Revised Code on September 14, 2011, September 21, 2011, and September 28, 2011.
2. The Board shall conduct three public hearings on the proposed rates and charges at 10:00 A.M. on October 3, 2011; at 6:00 P.M. on October 3, 2011; and at 10:00 A.M. on October 5, 2011 in the Chambers of the Board of Preble County Commissioners at 101 East Main Street, Eaton, Ohio 45320.
3. Upon approval of the proposed rates and charges unless modified by the Board based upon comments at the (3) public hearings, the Board shall certify to the Preble County Auditor that:
 - A. Each improved residential parcel shall be assessed \$94.34 annually for all of the Landfill and Plan Costs, with such assessments to be first invoiced by the Preble County Auditor in January 2012;
 - B. Each non-residential improved parcel shall be assessed as illustrated on the schedule listed above, with such assessments to be first invoiced by the Preble County Auditor in January 2012;

BE IT FURTHER RESOLVED, That the foregoing resolution was adopted and all actions and deliberations of the Board of Preble County Commissioners relating thereto were conducted in meetings open to the public, in compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

ON CALL OF ROLL AND UPON ACCEPTANCE OF THE SAME, THE VOTE WAS AS FOLLOWS:

Commissioner Stonecash, Yes
 Commissioner Wesler, Yes
 Commissioner Day, Absent

CERTIFICATION OF CLERK

I, Connie L. Crowell, being the duly appointed Clerk of the Board of Preble County Commissioners do hereby attest that the foregoing is a true exact copy of Preble County Commission Resolution #516-11-152 approved and adopted on this 7th day of September, 2011, in a meeting open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Connie L. Crowell, Clerk