

**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

STOP THE MEGA-DUMP,)	
)	
Petitioner,)	
)	
v.)	PCB 10-103
)	(Third-Party Pollution Control Facility
COUNTY BOARD OF DEKALB COUNTY)	Siting Appeal)
ILLINOIS and WASTE MANAGEMENT OF)	
ILLINOIS, INC.,)	
)	
Respondents.)	

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AUG 12 2010

**STATE OF ILLINOIS
Pollution Control Board**

WASTE MANAGEMENT OF ILLINOIS,)	
INC.)	
)	
Petitioner,)	
)	
v.)	PCB 10-104
)	(Pollution Control Facility Siting Appeal)
DEKALB COUNTY BOARD,)	(Consolidated)
)	
Respondent.)	

**RESPONDENT DEKALB COUNTY BOARD'S
RESPONSES AND OBJECTIONS TO PETITIONER STOP THE MEGA-DUMP'S
FIRST REQUEST TO PRODUCE DOCUMENTS**

Respondent DeKalb County Board (the "County") responds to Stop the Mega-Dump's ("STMD") First Request for Documents as follows:

GENERAL OBJECTIONS

The County makes the following general objections which are incorporated by reference into each of its responses to particular requests for documents:

1. To the extent that any request for documents can be construed as calling for information (or the identification or production of documents) subject to the attorney-client privilege, work-product doctrine, or any other privilege, the County hereby asserts that doctrine

or privilege and objects to the request on that basis. Pursuant to Section 50-54(c)(2) of the DeKalb County Siting Ordinance, the County retained Schiff Hardin as counsel in order to assist in developing a record sufficient to form the basis of an appeal of the County Board decision.¹ Accordingly, any exchanges between and among Schiff Hardin attorneys, DeKalb County State's Attorney, the County Board Members or County Staff that the County is withholding were made in anticipation of litigation or constituted attorney-client work product. To the extent STMD requests a log of all documents withheld indicating the grounds relied upon for withholding the documents, the County objects to such request as unduly burdensome, imposing discovery obligations above and beyond those required by the Illinois Administrative Code and Supreme Court Rules, and attempting to solicit privileged information.

2. The responses contained herein are made in a good faith effort to supply as much factual information as is presently known. All of the responses provided below are based only upon such factual information and documents that are presently available and specifically known to the County. It is anticipated that further discovery, investigations, legal research and analysis will supply additional facts, add meaning to the known facts, and establish new factual contentions and legal conclusions, all of which may lead to additions to, changes in and variations from the responses contained herein. The County expressly reserves the right to rely on or use, before or during trial, any facts or documents which may be subsequently uncovered as a result of ongoing discovery and investigation, or which may be adduced at hearing.

3. Inadvertent identification of any documents or information subject to any

¹ Article III: Regional Pollution Control Facility Siting Ordinance, Section 50-54(c)(2) provides: "In order to develop a record sufficient to form the basis of an appeal of the county board decision, the county department of health and the state's attorney's office may retain consultants on behalf of the county. The consultants and the county agencies shall then commence a study of the application. The applicant shall cooperate fully with the consultants and the technical staff of the county in their review of the application."

applicable privilege or doctrine, including but not limited to the attorney-client privilege and the work product doctrine, is not intended to be, and shall not operate as, a waiver of any such privilege, in whole or in part, nor is any such inadvertent disclosure intended to be, nor shall it constitute, a waiver of the right to object to any use of such document or information.

Without waiving any and subject to each of these general objections, and to the specific objections which follow, the County responds to each separate request for documents below. The County filed the Record on Appeal (“Record”) with the Board on July 20, 2010. These responses do not duplicate documents or information that has already been submitted as part of the Record.

RESPONSES AND SPECIFIC OBJECTIONS TO STMD’S FIRST REQUEST FOR DOCUMENTS

Respondent DeKalb County Board responds to Stop the Mega-Dump’s First Request for Documents as follows:

1. All documents in the possession or control of Respondent referring to the Application that were not included in the Record filed with the Pollution Control Board pursuant to Illinois Administrative Code Title 35, Section 107.300.

ANSWER: The County objects to this Request on the grounds that it is overly broad in seeking all documents “referring to the Application” and therefore seeks information that is irrelevant and not reasonably calculated to lead to the discovery of relevant or admissible information. Subject to and without waiving any objections, the County produces the documents attached as Exhibit A. To the extent Exhibit A includes documents responsive to STMD’s First Set of Interrogatories, the County has included information from January 1, 2009 through the present in Exhibit A.

2. Any document received or created by any member of the DeKalb County Board referring to the Application that was not included in the Record filed with the Pollution Control Board pursuant to Illinois Administrative Code Title 35, Section 107.300.

ANSWER: The County objects to this Request on the grounds that it is overly broad in seeking any document “received or created . . . referring to the Application”. Subject to and without waiving any objections, the County produces the attached documents as Exhibit B. These documents were received by DeKalb County Board Chairman Tobias from Ms. Nancy Proesel after the vote on the expansion in June 2010. Chairman Tobias states Ms. Proesel gave her a copy of notes that Ms. Proesel claimed proved WMII was interested in moving trash by rail. A copy of these notes is attached as Exhibit B to these Responses.

3. All documents in the possession or control of Respondent referring to WMII that were not included in the Record filed with the Pollution Control Board pursuant to Illinois Administrative Code Title 35, Section 107.300.

ANSWER: The County has no documents dated or created since January 1, 2010 that refer to WMII and that are not already included in the Record.

4. All documents relating to requests by any and all persons and entities for access to or copies of the siting Application.

ANSWER: Please see the Record at C0006823-C0006824.

5. All documents related to the possible, contingent, contemplated or future use of landfill host fees to be realized if the expanded landfill is permitted and built.

ANSWER: The County has no documents dated or created since January 1, 2010 that are responsive to this Request and that are not already included in the Record.

6. All minutes of meetings of any County Board committee, any County agency or department or the County Board during 2010 at which financing or payment Electronic Filing - Received, Clerk's Office, July 9, 2010 of any County capital improvements or issuance or payment of bonds was discussed, and all notices placed in any publication regarding the same.

ANSWER: The County objects to this Request on the grounds that it is overly broad and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of relevant or admissible information. Subject to and without waiving any objections, please see the documents attached as Exhibit C, which include minutes from the May 5, 2010 Finance Committee meeting and minutes from the February 22, 2010 Law and Justice Committee meeting.

7. All documents, not otherwise filed with the Pollution Control Board as part of the record herein, including, without limitation, notes, drafts, memoranda, correspondence and transcripts, considered by the DeKalb County Board regarding the Application.

ANSWER: The County objects to this Request on the grounds that it improperly seeks to invade the mental processes of the decisionmakers, is overly broad and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of relevant or admissible information.

8. All documents, not otherwise filed with the Pollution Control Board as part of the record herein, including, without limitation, notes, drafts, memoranda, correspondence and transcripts, available to the DeKalb County Board in its consideration of the Application.

ANSWER: The County objects to this Request on the grounds that it improperly seeks to invade the mental processes of the decisionmakers, is overly broad and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of relevant or admissible information.

9. All documents related to travel by any County Board member to any WMII facility and reimbursement or payment of costs thereof.

ANSWER: The County has no documents responsive to this Request.

10. All documents related to drafting, adoption or amendment of the County pollution control facility siting ordinance and the articles of rules and procedures of the pollution control facility committee.

ANSWER: The County objects to this Request on the grounds that it is overly broad and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of relevant or admissible information.

11. All minutes of meetings of the pollution control facility committee.

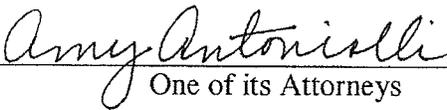
ANSWER: Please see the Record at C0008267-C0008272 and C0008384-C0008389.

12. All documents in the possession or control of Respondent reflecting any opinion or position on the Siting Application of any member of the DeKalb County Board that were not included in the Record filed with the Pollution Control Board pursuant to Illinois Administrative Code Title 35, Section 107.300.

ANSWER: The County objects to this Request on the grounds that it improperly seeks to invade the mental processes of the decisionmakers, is overly broad and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of relevant or admissible information.

Respectfully submitted,

DEKALB COUNTY BOARD


One of its Attorneys

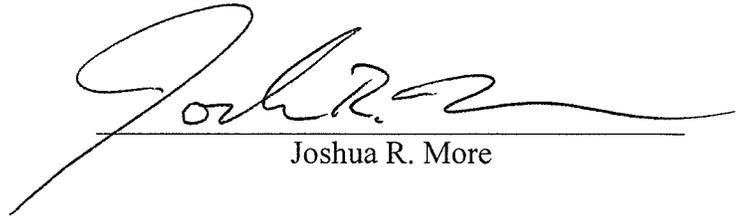
Dated: August 9, 2010

Renee Cipriano
Amy Antoniolli
SCHIFF HARDIN, LLP
233 South Wacker Drive, Suite 6600
Chicago, Illinois 60606
312-258-5500

CERTIFICATE OF SERVICE

I, certify that on this 9th day of August, 2010, I served by first class mail, postage affixed, copies of the attached **RESPONDENT DEKALB COUNTY BOARD'S RESPONSES AND OBJECTIONS TO PETITIONER STOP THE MEGA-DUMP'S FIRST REQUEST TO PRODUCE DOCUMENTS**, upon the attached service list.

DEKALB COUNTY BOARD,



Joshua R. More

Dated: August 9, 2010

Renee Cipriano
Amy Antonioli
SCHIFF HARDIN, LLP
233 South Wacker Drive, Suite 6600
Chicago, Illinois 60606
312-258-5500

SERVICE LIST

John Therriault, Assistant Clerk
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therriaj@ipcb.state.il.us

By Email and First Class Mail:

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george@muelleranderson.com

Brad Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601
hallorab@ipcb.state.il.us

Don Moran
Pedersen & Houpt
161 North Clark, Suite 3100
Chicago, Illinois 60601-3224
dmoran@pedersenhaupt.com

Exhibit A

Riley Oncken

From: Phil Young [younggis@gmail.com]
Sent: Monday, May 10, 2010 9:46 AM
To: rno@yourlawsmith.com
Subject: DeKalb County Board

Hi Riley,

As a Citizen of DeKalb County and a Republican Precinct Committeeman, I wanted to convey to all of the Republican County Board members my support for what you do. Having run twice for County Board in District 5, I understand some of the issues you face (but not all). I ran for the board to not only represent my constituents, but to also hopefully make positive decisions for the County.

I am writing this email today to voice my concern over the potential expansion of the County dump site. While Republicans may not be famous for environmental issues, this does not mean that we cannot be concerned about the environment and the legacy that such decisions can have for future generations.

I am not going to waste your time with reasons why I do not support the dump expansion. I do support the expansion of the county jail and other critical infrastructure, but I do not feel that the ends necessarily justify the means if we think a few million dollars a year in payments offset the potential long term environmental impact and quality of life that DeKalb County residents will face.

Best Regards,

Philip Young

Precinct Committeeman DK 13

note: this email was sent to all of the Republican County Board members.

Riley Oncken

From: edwmiguel1@comcast.net
Sent: Saturday, May 08, 2010 12:12 AM
To: rno@yourlawsmith.com
Subject: Dekalb County Landfill

Dear DeKalb County Board Member,

I am writing you in regards to the landfill expansion. I know you are going to vote on this Monday, May 10. I would like you to consider voting no and here are my reasons why you should consider this now:

- <!--[if !supportLists]-->1) <!--[endif]-->While the land-fill application has followed the procedure by-the-book, it has not been fully vetted in public. It has the appearance that there is some sort of agenda on the part of the county board to get this passed.
- <!--[if !supportLists]-->a. <!--[endif]-->Most of us who are normally well informed and get the paper were not aware of it until the hearings began. The hearings were run during the day and not in the evenings when working people are free. The hearings should have started sooner and been spread out over a period of weeks.
 - <!--[if !supportLists]-->b. <!--[endif]-->There was no concerted effort to get the word out. This has tremendous repercussions on the part of the Cortland community and the whole county for something of this magnitude and scope. Why wasn't there more public discussion?
 - <!--[if !supportLists]-->c. <!--[endif]-->As a public official you should realize that while it may be inconvenient to hear opposing views and deal with opinions that may differ from your own, something more should have been done to really make this issue heard.
 - <!--[if !supportLists]-->d. <!--[endif]-->The way this is going and the concerns that there are regarding the school and the impact of hydrogen-sulfide gas exposure with children, there is a good case for an appeal.
 - <!--[if !supportLists]-->e. <!--[endif]-->At least give the application a little more time so there can be an open forum with the community where the pros and cons can be shown side-by-side and seen for the first time. Get everything out onto the table.
- <!--[if !supportLists]-->2) <!--[endif]-->I am an engineer by trade for the last 35 years. If I have learned anything, there is no such thing as a perfect system nor a perfect measurement. You also must be open to the unexpected and assume that there may be variables unaccounted for.
- <!--[if !supportLists]-->a. <!--[endif]-->While we may prefer a simple solution or a simple answer to many of the concerns and questions, the fact is there was not enough time nor enough tests to verify everything except on maybe a very superficial level.
 - <!--[if !supportLists]-->b. <!--[endif]-->Why wasn't there an impartial committee consisting of a variety of non-county board members such as scientists and residents of each town?
 - <!--[if !supportLists]-->c. <!--[endif]-->There is such a thing as 'group-think', where a small group sets themselves up to make decisions and they become very outsider unfriendly to opposing views. This has all the earmarks of such a phenomenon. The same thing happened in the Cuban Missile Crisis and fateful Discovery shuttle explosion. In both of these cases the participants talked themselves into a course of

action that with all good intents and purposes, had catastrophic results. Open up the process and really let the opinions be heard.

- <!--[if !supportLists]-->3) <!--[endif]-->I understand that Waste Management may pullout if they do not get this. There is a great concern on your part that this could happen and then what?
- <!--[if !supportLists]-->a. <!--[endif]-->This is a real concern but I believe that we can find someone else to manage this if they do. I see many other garbage handlers. WM is not the only game in town. But if the otehers were to step forward with WM still there, they would probably get threatened. WM is the 800 lb gorilla and no one is going to come forward to help as long as they are there.
- <!--[if !supportLists]-->b. <!--[endif]-->You realize that this is a sort of threat on their part to influence your decision, right? It is the oldest trick in the book of negotiation. **Fear.**
- <!--[if !supportLists]-->c. <!--[endif]-->They have set themselves up to be the only game in town and we have become quite complacent because they have been dealing with it all for 10 years. Suddenly it could be thrown in our lap we have gotten used to not having to deal with it. Don't you see that this was probably their plan all along.
- <!--[if !supportLists]-->d. <!--[endif]-->If this is such a good deal, why didn't all the other counties go for it? One would think that there would be competition for dumps all over the place when in fact there are battles opposing landfills all over the place. **WHY? Because they are filled with problems and broken promises.**
- <!--[if !supportLists]-->e. <!--[endif]-->We used to manage landfills by limiting the waste to extend the period of time the landfill can operate. By making waste a business, such as WM does, they are actually promoting it, and therefore need it. Do we want someone like that? I would rather that we continue to call the shots.
- <!--[if !supportLists]-->4) <!--[endif]-->I want to say that I respect you and your position. I know that a public position is sometimes a thankless job and often it probably appears that your constituents do not care and are apathetic. I know that I have taken you for granted and assumed many times that you will make the right decisions in governing the county. But this is a huge undertaking and you may have met your match. We all may have. It appears that the gorilla is winning and will be here forever.
- <!--[if !supportLists]-->a. <!--[endif]-->I can only appeal to your initial reasons for becoming a county board member. It was probably something like to serve and do what is best for all people in the county. To expcute and promote the mission of the county making decisions to promote it and to help it grow.
- <!--[if !supportLists]-->b. <!--[endif]-->What was your first impression when you heard that you were going to have to decide on the landfill expansion application. Did you really think that this was a good idea? Did you really feel that choosing this promotes those values and strengths and mission of our community?
- <!--[if !supportLists]-->c. <!--[endif]-->Or do you now feel that you are backed into a corner by a process that prevents us from talking to you openly and that you may be attacked by that gorilla if you do not vote for it?
- <!--[if !supportLists]-->d. <!--[endif]-->This may be the decision of your life as a board member. Will you be proud of it?
- <!--[if !supportLists]-->e. <!--[endif]-->**Are you absolutely sure of all the evidence that was presented beyond a reasonable doubt?** As an engineer I am always skeptical at first and want to test and retest to get the best data under all conditions otherwise the margin for error is unknown. **If there is a reasonable doubt you have to vote No.**
- <!--[if !supportLists]-->f. <!--[endif]-->Are we really in control or is WM? Are they running the show the way they want to and are we getting manipulated or rushed into a decision? **If there is a reasonable doubt you have to vote no.**

<!--[if !supportLists]-->g. <!--[endif]-->You do not have to explain your vote and no one can make you change it.

<!--[if !supportLists]-->5) <!--[endif]-->Finally I just want to say that if this is defeated it may not go away but we can all pitch-in to find a solution. That is what a community does. Let's live up to that ideal or at least give it a chance. This is where we remember those initial reasons for doing what we do and try to make our ideals real.

<!--[if !supportLists]-->a. <!--[endif]-->WM might just want to regroup and try again with more of our goals in mind this time. At least we will be in control and maybe this outcry from the community will mean that you will get some help and opinions that will lead to a much better solution.

<!--[if !supportLists]-->b. <!--[endif]-->If WM goes away I am sure there will be many others that will knock on our door. There are many alternatives that we can do, we just have to present them and assume that this is our problem and someone else cannot solve it for us.

<!--[if !supportLists]-->c. <!--[endif]-->We need more time for the community to understand what are the issues and offer input. Once we go through that process we will make a decision and feel better about it.

Thank you for reading this all the way through.

I hope and pray that you can make a decision that you will feel comfortable with which will fit within the character of this county and community. Please feel free to call me for more discussion.

Ed Miguel
DeKalb, IL
815-501-4207

Riley Oncken

From: Steve Walt [stevedcb@mchsi.com]
Sent: Monday, February 22, 2010 9:34 AM
To: Supple, Mary
Cc: Anita Jo Turner; Derek Tyson (derektyson@verizon.net); edubin1627@comcast.net; Jeffery L. Metzger, Sr; John c. Emerson (jandjemerson@gmail.com); John Hulseberg; Fauci, Julia; Kenneth Andersen; Kevin Chambliss (kevinchambliss@gmail.com); Larry A. Anderson (laadistrict1@yahoo.com); Mark A. Todd (markatodd2006@yahoo.com); marlenedallen@gmail.com; Michael Stuckert; Mike Haines; mlgudmunson@yahoo.com; Pat LaVigne (plavigne@dekalbtownship.org); Vary, Patricia; 'Paul Stoddard'; Riley N. Oncken (rno@yourlawsmith.com); Ruth Anne Tobias (E-mail); Sally DeFauw; Scott M. Newport (newportdistrict8@gmail.com)
Subject: Re: FW: Landfill Applications - Discussion

I find it curious that this notification came from our county board coordinator, who is passing it on from our administrator, when it should have come from the board's legal representative, directly.

Is this our official legal position?

=-O

Supple, Mary wrote:

From: Bockman, Ray
Sent: Friday, February 19, 2010 4:10 PM
To: Andersen, Kenneth ; Anderson, Larry A.; Chambliss, Kevin; DeFauw, Sally; Dubin, Eileen ; Emerson, John; Fauci, Julia; Gudmunson, John; Haines, Michael; Hulseberg, John ; marlenedallen@gmail.com; Metzger, Jeffery L.; newport, Scott; Oncken; Pat LaVigne; Stoddard, Paul ; Stuckert Sr., Michael ; Tobias, Ruth Anne; Tobias, Ruth Anne; Todd, Mark; Turner, Anita J.; Vary, Patricia; Walt, Steve
Cc: Supple, Mary; Farrell, John
Subject: Landfill Applications - Discussion

Unlike the windfarm, the hearing process for the landfill expansion forbids not only any contact with the applicant (Waste Mgt) but also with any other interested parties. Whether they are for or against the application, whether they are your constituents or not contact with them is prohibited. If you are contacted by anyone regarding this matter please tell them that you may not discuss it until after the County Board has voted on it. You are to rely on the record created through the hearing process and upon evidence introduced at that hearing only in making your decision. Complaints and/or questions should be referred to the DeKalb County States Attorney - you can funnel them to me or go directly to the SA.

Mary please be sure the other board members get this notice

Riley Oncken

From: Addleman, Lee [laddleman@wm.com]
Sent: Monday, November 30, 2009 5:25 PM
To: Riley N. Oncken, Esq.
Subject: RE: Speaker for Rotary

Hola Riley,

i'll await Dave's email. Thanks!

Lee

-----Original Message-----

From: Riley N. Oncken, Esq. [mailto:rno@yourlawsmith.com]
Sent: Monday, November 30, 2009 4:03 PM
To: 'Dave McCann'
Cc: Addleman, Lee
Subject: RE: Speaker for Rotary

Dave:

As you requested, Lee Addleman's e-mail is laddleman@wm.com. Because Waste Management has now filed its application for the landfill, I cannot have any communication with him, other than simple pleasantries, so it would be best for you to contact him directly to schedule his talk at Rotary. Lee lives in Costa Rica and is only available during the third week of each month. I have cc'd him on this e-mail.

Sincerely,

Riley N. Oncken, Esq.
Smith, Wykes & Associates, P.C.
513 West State Street
Sycamore, Illinois 60178
Phone: (815) 895-1966
Fax: (815) 895-1968
www.yourlawsmith.com

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Waste Management recycles enough paper every year to save 41 million trees. By not printing this email, you can help save even more.

Riley Oncken

From: Dave McCann [dmccann@ResourceBank.com]
Sent: Monday, November 23, 2009 9:40 AM
To: rno@yourlawsmith.com
Subject: FW: Speaker for Rotary

Riley,

The third Wednesday in January is open. If this still works for you and Mr. Edelman, let's set it up. Do you want to get in touch with him, or can you get me his contact information?

Thanks for making the contact!

David McCann
Business Analyst
Resource Bank, N.A.
555 Bethany Road
DeKalb, IL 60115
Phone: (815) 748-1484
Fax: (815) 756- 1565

From: Brian Adams [mailto:brianadams62@hotmail.com]
Sent: Friday, November 20, 2009 4:21 PM
To: Dave McCann; Bill Nicklas
Subject: FW: Speaker for Rotary

To Dave & Bill:

Here's a potential speaker for your upcoming Program Committee months (January and February, respectively)....

Sincerely,
Brian A.

From: rno@yourlawsmith.com
To: brianadams62@hotmail.com
Subject: Speaker for Rotary
Date: Fri, 20 Nov 2009 14:08:57 -0600

Brian:

I was at the meeting of the County Board's Pollution Control Committee today and talked to Lee Edelman with Waste Management, about possibly coming to talk to Rotary about the landfill expansion issue and to answer questions people might have. He is available the third weeks of the month in December, January, and February, if we are interested in having him speak at a meeting.

Riley

Riley N. Oncken, Esq.

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Sycamore, Illinois 60178
Phone: (815) 895-1966
Fax: (815) 895-1968
www.yourlawsmith.com

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Riley Oncken

From: Supple, Mary [msupple@dekalbcounty.org]
Sent: Thursday, August 27, 2009 4:09 PM
To: laadistrict1@yahoo.com; Eileen Dubin; Julia Fauci; Mike Haines; Pat LaVigne; Jeff Metzger; Paul Stoddard; Mark Todd; Steve Walt; rno@yourlawsmith.com; Derek Tyson
Subject: Landfill Tour

Good Afternoon Everyone!

I need to confirm our next landfill tour for September 14th and those that can't make that, there will be a smaller van for the trip on 9/18.

I now need you to let me know by Monday, August 31, 2009 as to what date it good for you.

I have Riley Oncken down for Monday 9/14/09 along with Eileen Dubin, Paul Stoddard and Pat LaVigne.

I have Mark Todd down for 9/18/09.

We think those of you that have recently been appointed to the new Pollution Control Facility Committee may find this tour interesting

Please get back to me later this afternoon, tomorrow or by Monday afternoon on 8/31/09 and let me know if you are still going on those dates, that includes those of you that have responded already - to make sure that you are still coming on those dates - and those that have not responded yet.

I have to get the confirmed dates and names over to Waste Management so that they can schedule the vans.....

Thanks for your help with the scheduling.

Mary Supple

Riley Oncken

From: Supple, Mary [msupple@dekalbcounty.org]
Sent: Wednesday, August 12, 2009 1:47 PM
To: Anita Jo Turner; edubin1627@comcast.net; Jeffery L. Metzger, Sr; jandjemerson@gmail.com; John Hulseberg; Julia Fauci; Kenneth Andersen; kevinchambliss@gmail.com; laadistrict1@yahoo.com; markatodd2006@yahoo.com; Michael Stuckert; Mike Haines; mlgudmunson@yahoo.com; plavigne@dekalbtownship.org; Patricia S. Vary; Paul Stoddard; Rich Osborne; rno@yourlawsmith.com; Ruth Anne Tobias (E-mail); Sally DeFauw; newportdistrict8@gmail.com; Steve Walt
Subject: Possible new date for Landfill Tour
Importance: High

Good Afternoon Everyone!

I spoke with Lee Adlemann with Waste Management yesterday and he wanted me to extend an invite to those county board members that cannot make our August 18th tour to the Wilmington, IL Landfill Facility or who did not make the July one. Please let me know if you can make the following dates for a tour during the month of September. He proposed the following dates:

Friday, 9/11/09

Monday, 9/14/09, and
Tuesday, 9/15/09

Thanks, Mary

Riley Oncken

From: Anita Turner [anitajo1954@yahoo.com]
Sent: Monday, July 20, 2009 10:55 AM
To: Networked Department Heads; Networked Department Assistants; edubin1627@comcast.net; SrJeffery L. Metzger; jandjemerson@gmail.com; John Hulseberg; Julia Fauci; Kenneth Andersen; kevinchambliss@gmail.com; laadistrict1@yahoo.com; markatodd2006@yahoo.com; Michael Stuckert; Mike Haines; mlgudmunson@yahoo.com; plavigne@dekalbtownship.org; Patricia S. Vary; Paul Stoddard; Rich Osborne; rno@yourlawsmith.com; Ruth Anne Tobias (E-mail); Sally DeFauw; newportdistrict8@gmail.com; Steve Walt; MarcellusAnderson; PaulBorek; LoriBradshaw; WayneDavey; Doug Dashner; gregmillburg@dekalbfarmbureau.org; HerbHolderman; KarenKahl; Kate Romano; Linda Heinisch; AaronRuder; LisaSanderson; MarilynStromborg; RebeccaVon Drasek; KathrynWest; MarySupple
Subject: Re: Weekly agenda for the week beginning 7/20/09

Good Morning everyone,

I just wanted to encourage everyone in the county government to go on the fieldtrip to the Waste Management Facility in Joliet. Besides having a facinating history, it was the most fascinating, educational activity that I have been to in quite awhile.

I feel that now when I attend the hearings in our county that I will know exactly what is being presented. I encourage you all to attend. Have a great day.

Anita Jo Turner

--- On Thu, 7/16/09, Supple, Mary <msupple@dekalbcounty.org> wrote:

From: Supple, Mary <msupple@dekalbcounty.org>
 Subject: Weekly agenda for the week beginning 7/20/09
 To: "Networked Department Heads" <NetworkedDepartmentHeads@dekalbcounty.org>, "Networked Department Assistants" <NetworkedDepartmentAssistants@dekalbcounty.org>, "Anita Jo Turner" <anitajo1954@yahoo.com>, edubin1627@comcast.net, "Jeffery L. Metzger, Sr" <jeffmachv8@yahoo.com>, jandjemerson@gmail.com, "John Hulseberg" <hulseberg@comcast.net>, "Julia Fauci" <juliafauci@verizon.net>, "Kenneth Andersen" <kenandersendist3@yahoo.com>, kevinchambliss@gmail.com, laadistrict1@yahoo.com, markatodd2006@yahoo.com, "Michael Stuckert" <mjstuck@aol.com>, "Mike Haines" <mhaines@niu.edu>, mlgudmunson@yahoo.com, plavigne@dekalbtownship.org, "Patricia S. Vary" <pvary@niu.edu>, "Paul Stoddard" <prs17@yahoo.com>, "Rich Osborne" <rposborne@gmail.com>, rno@yourlawsmith.com, "Ruth Anne Tobias (E-mail)" <rtobias@niu.edu>, "Sally DeFauw" <sdefauw@westchicago.org>, newportdistrict8@gmail.com, "Steve Walt" <stevedcb@mchsi.com>, "Anderson, Marcellus" <manderson@dekalbcounty.org>, "Borek, Paul" <borek@dcedc.org>, "Bradshaw, Lori" <LBradshaw@dekalbcounty.org>, "Davey, Wayne" <wdavey@dekalbcounty.org>, "Doug Dashner" <dougdashner@dekalbfarmbureau.org>, gregmillburg@dekalbfarmbureau.org, "Holderman, Herb" <hholderman@dekalbcounty.org>, "Kahl, Karen" <kkahl@dekalbcounty.org>, "Kate Romano" <kate_romano@mail.autometer.com>, "Linda Heinisch" <Heinisch@dcedc.org>, "Ruder, Aaron" <ARuder@dekalbcounty.org>, "Sanderson, Lisa" <LSanderson@dekalbcounty.org>, "Stromborg, Marilyn" <MStromborg@dekalbcounty.org>, "Von Drasek, Rebecca" <RVonDrasek@dekalbcounty.org>, "West, Kathryn" <kwest@dekalbcounty.org>
 Date: Thursday, July 16, 2009, 1:51 PM

Riley Oncken

From: Brei, Leaann [leaann.brei@countryfinancial.com]
Sent: Monday, May 10, 2010 12:55 PM
To: kenandersendist3@yahoo.com; laadistrict1@yahoo.com; kevinchambliss@gmail.com; sdefauw@westchicago.org; edubin1627@comcast.net; jandjemerson@gmail.com; juliafauci@verizon.net; mlgudmunson@yahoo.com; mhaines@niu.edu; hulseberg@comcast.net; plavigne@dekalbtownship.org; jeffmachv8@yahoo.com; nerportdistrict8@gmail.com; rno@yourlawsmith.com; prs17@yahoo.com; mjstuck@aol.com; rtobias@niu.edu; markatodd2006@yahoo.com; anitajo1954@yahoo.com; pvary@niu.edu; stevedcb@mchsi.com
Subject: FW: When You Thought I Wasn't Looking

Good afternoon! I received this email today and felt compelled to share this with all of you. I felt it tied in nicely with the monumental decision you have to make today. The future generations of DeKalb County are counting on each and every one of you to make the responsible choice to vote NO to allow Waste Management to expand the landfill. YOU cannot guarantee our children and grandchildren that this landfill will not negatively impact them in SO many ways; Waste Management can't guarantee our children and grandchildren that this landfill will not negatively impact them. Regardless of the promises that they make to our COUNTY - will we really have any control over them???? NO !! - they have been fined millions of dollars for not abiding by the rules and regulations and it doesn't stop them. Be responsible to the residents of DeKalb County - we are all looking! Our children's future is not for sale!

Thank you

Lea Ann Brei
16 year resident of Cortland - mother of 3 boys at Cortland Elementary School

The picture is priceless, but the verse is wonderful ..



WHEN YOU THOUGHT I WASN'T LOOKING

A message every adult should read because children are watching you and doing as you do, not as you say.

When you thought I wasn't looking I saw you hang my first painting on the refrigerator, and I immediately wanted to paint another one.

When you thought I wasn't looking I saw you feed a stray cat, and I learned that it was good to be kind to animals.

When you thought I wasn't looking I saw you make my favorite cake for me, and I learned that the little things can be the special things in life.

When you thought I wasn't looking I heard you say a prayer, and I knew that there is a God I could always talk to, and I learned to trust in Him.

When you thought I wasn't looking I saw you make a meal and take it to a friend who was sick, and I learned that we all have to help take care of each other.

When you thought I wasn't looking I saw you take care of our house and everyone in it, and I learned we have to take care of what we are given.

When you thought I wasn't looking I saw how you handled your responsibilities, even when you didn't feel good, and I learned that I would have to be responsible when I grow up.

When you thought I wasn't looking I saw tears come from your eyes, and I learned that sometimes things hurt, but it's all right to cry.

When you thought I wasn't looking I saw that you cared, and I wanted to be everything that I could be..

When you thought I wasn't looking I learned most of life's lessons that I need to know to be a good and productive person when I grow up.

When you thought I wasn't looking I looked at you and wanted to say, 'Thanks for all the things I saw when you thought I wasn't looking.'

**I AM SENDING THIS TO ALL OF THE PEOPLE I KNOW
WHO DO SO MUCH FOR OTHERS,
BUT THINK THAT NO ONE EVER SEES.
LITTLE EYES SEE A LOT ..**

**Each of us (parent, grandparent, aunt, uncle, teacher, friend)
influences the life of a child.**

***How will you touch the life of someone today? Just by sending this to someone else, you will probably make them at least think about their influence on others.
Live simply. Love generously. Care deeply.
Speak kindly.
Leave the rest to God.***

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The New Busy is not the too busy. Combine all your e-mail accounts with Hotmail. [Get busy.](#) =

Riley Oncken

From: trb503@verizon.net
Sent: Thursday, May 06, 2010 9:57 AM
To: rno@yourlawsmith.com
Subject: mega dump

Riley,

As our representative on the DeKalb County Board, we ask you to vote NO on the mega dump. I do not think it will be good for the health of the people in the county in the years to come. It appears Waste Management did this even though they knew there was a school close by. I do not want my grandchildren breathing that polluted air from the dump.

Tom & Caryl Bowers

Riley Oncken

From: packerbackers2@verizon.net

Sent: Thursday, April 29, 2010 9:35 PM

To: rno@yourlawsmith.com

Riley,

I am emailing you to ask that you do not vote yes to the Waste Management Dump Expansion.

Mr. Ballerini

Riley Oncken

From: Lou Scheri [lscheri@foremantool.com]
Sent: Wednesday, April 21, 2010 9:31 AM
To: rno@yourlawsmith.com
Subject: No Dump Expansion

Dear DeKalb County Board Member,

Please vote no on the Waste Management Inc.'s application for expansion of the De Kalb County Landfill.

I do not agree with the plan to truck garbage into our county from 16 northeast Illinois counties. Citizens of De Kalb County have the highest recycling percentage of any county in the Waste Management service area. We presently add just over 100,000 tons of garbage a year to the landfill, but the expansion will allow 2,000 tons per day or over 700,000 tons per year. We should not agree to use our vital space to store garbage from other counties for hundreds of years. Also the other counties would have little incentive to recycle. This expansion will leave our children with a mountain of garbage in just 45 years and no place for their waste. If the same area of land were to be used just for our garbage the landfill would be available for many generations.

I am also concerned about the increased truck traffic that the expansion will bring into our county. The expansion will lead to over 237 truck loads of garbage per day one every five minutes. One hundred will be semi-trucks. I am concerned about the increased traffic and the impact this will have on our roads.

I am also concerned about the safety of our citizens who live near the land fill. Over ten toxic gases are released by landfills. This includes hydrogen sulfide and methane. Why should we put our citizens and our children at risk of exposure to these gases? The present landfill is already leaking and there are no guarantees that future leaks will not occur as well.

I urge the County Board to vote no to this application for expansion. Vote no for the safety and well being of our citizens now and for the coming generations.
Sincerely,

Lou Scheri
219 w. Carol Ave
Cortland, IL 60112
lscheri@foremantool.com

Riley Oncken

From: Jenny Tomkins [jtomkins@earthlink.net]
Sent: Friday, April 09, 2010 11:07 AM
To: rno@yourlawsmith.com
Subject: Landfill Letter

**17596 Buzzell Rd.,
Sycamore, IL 60178**

April 9, 2010

Kenneth Andersen and the DeKalb County Board
407 Hadley Court
Sycamore, IL 60178

Dear Mr. Andersen and fellow Board Members,

I have followed the discussions and the hearing concerning the extension of the existing landfill, though I was not able to attend all of the hearing sessions. I have also undertaken some research into the best practices in municipal solid waste disposal.

As a result, I am not opposed in principle to the extension of the landfill. My concerns as a citizen and resident of DeKalb County are that we get the very best quality landfill possible with the best safety measures and state of the art landfill practices.

It appears to me that the committee of the board that studied these issues last year and worked on the agreement with Waste Management did a good and conscientious job. However, I do urge that, if possible, certain clauses of the agreement be modified. It is my understanding that this can be done if the amendments to the original agreement relate specifically to the nine issues considered during the hearing.

Four issues particularly concern me: methane recovery, recycling, well water pollution, and potential dumping of toxic waste. I hope that the County Board will investigate with their lawyers and ILEPA ways to strengthen the obligation to undertake methane recovery, increase recycling incentives and accessibility, and independently ensure toxic wastes don't find their way into the extended landfill, and protect nearby wells.

As the agreement stands, WM is able to determine when and if to recover methane. Yet methane recovery would do much to make the landfill more acceptable because it would generate power that might be used in the school, for instance, and would reduce the toxins that are currently a concern. (The sheer folly of building a school in such proximity to an existing disposal facility is another matter!) I urge that the board examine ways to require WM to undertake methane recovery after the first year of taking waste from out of county.

7/28/2010

CTY 0162

Also, as the agreement stands, it seems that Waste Management alone will determine whether any toxic substances are dumped in the landfill. Is there a way to get that independently monitored at WM's expense? Again, that would safeguard people and the environment.

On the recycling issue, I don't think that the four sites where rural residents can bring recyclables will be adequate to promote recycling. We are rural residents and I would guess are in the tiny minority of people who continue to recycle. But the hurdles are HUGE. WM no longer has a location where you can bring recyclables at any time because people were abusing it. Now you can only recycle during certain week day hours when the site is staffed. This makes it impossible for most people to recycle, even if they want to. My husband actually takes a morning off work to take our recycling in every month or two. We are fortunate that he has that flexibility to do this, but unless you are unemployed or retired, few people have such latitude. And few people would be sufficiently motivated to take the extreme measures we are prepared to take. I imagine rural recycling levels are incredibly low. And I don't believe they will increase under the current terms of the agreement with WM.

I am not sure this can be remedied at this point and this is my strongest criticism of the agreement as negotiated. The best practices concerning solid waste are the good old trio of reduce, recycle and reuse. Individuals in DeKalb are already reusing through Freecycle. We can be proud of having a 55% recycling rate, but what of the other counties who will use the DeKalb Co landfill. I very much regret that the County Board did not insert a paragraph in the agreement requiring WM to financially support township initiatives to recycle. I wonder if it is too late to do this?

I also wish WM had been required to institute the same kinds of recycling programs that DeKalb Co. has in all of the counties that are allowed to dispose of their municipal waste in our county. This would have been the right and environmentally and civically responsible thing to do. Looking at this issue in a little broader perspective, it is clear that we cannot continue our currently wasteful and over-consumptive ways. DeKalb could have taken a more progressive stance on this critically important economic and environmental issue.

Finally, there is the issue of well water. Again, water is a precious commodity that we have taken for granted for far too long. As I understand it, the agreement requires WM to monitor the wells and if they are contaminated to provide potable water. I am hoping that your attorneys and ILEPA will find this insufficient. There should be NO contamination in the first place, and if there is, it should be investigated at once and measures taken to halt it. We simply cannot afford to externalize the costs of maintaining unpolluted natural resources. It has happened for centuries in industry after industry and now we know better – which means we should do better.

Finally, I urge the County Board to be more open and communicative with citizens of the county when critical issues such as this arise. I understand that this is representative government, but I do think it behooves our representatives to engage with their constituents. I do not feel that the County Board educated us sufficiently about this issue and now, if there is a great deal of uninformed comment, they are partly to blame for that.

Having said that, I applaud and thank the Board for all its hard work and diligence.

Sincerely yours,

Jennifer Tomkins

Riley Oncken

From: Ruth Anne Tobias [ruthanne12@mchsi.com]

Sent: Monday, March 01, 2010 7:55 PM

To: Mark Todd; Riley Oncken; John Emerson; Scott Newport; Vary, Patricia; Sally Defauw; Paul Stoddard; Pat Lavigne; Mike Stuckert; Larry Anderson; Ken Andersen; Julia Fauci; John Hulseberg; John Gudmunson; Jeffery Metzger; Haines, Michael; Eileen Dubin; Anita Jo Turner; Steve Walt

Subject: Hearing Today

Hi everyone,

Thanks to all of you who were able to make the time to attend. I can say it's been fascinating, although slow at times. We are on target for tomorrow at 9 am -we only made it through one of waste management's presenters today!!! and there will be an open meeting tuesday night at 7 pm for public comments. I hope WM will be able to present a short version of their project before the hearing officer opens the floor.

Ruth Anne

Riley Oncken

From: D A Yaeger [dyaeger@mchsi.com]
Sent: Wednesday, February 24, 2010 8:11 AM
To: rno@yourlawsmith.com
Subject: Landfill

March 1, 2010

Members of the DeKalb County Board:

I am David Yaeger. I live at 14643 State Route 38, DeKalb Il. 60115. Since I will be out of the country until March 31, I would like to comment on the expansion of a landfill located off Gurler Road and the Tollway (Rte. 88) in Cortland Township.

"A Flawed Process!" When you can't talk to your elected representatives concerning any topic that will effect you!

"Why have the citizens of this country lost trust and faith in government?"

I live within a mile of the proposed landfill and strongly object to having the site increased to taking in more than the garbage generated in DeKalb County.

I have lived at my present address for 66 years and have been involved in problems with the landfill from its beginning as a way of filling gravel pits. We have been lied to by elected county officials. The operation of the landfill has been less than desired from a stand point of health, odor, rodents, littering, fire and leakage problems.

We were promised that the landfill in Cortland Township would be for DeKalb County garbage only. It was written in the present agreement with Waste Management. Along comes Waste Management and offers a few pieces of silver to our county administrator and county board to break that promise.

I was told by an old gentleman early in life that there was one thing you could give and still keep - YOUR WORD. We have your word in writing and now for a few pieces of silver you are willing to renege.

"Why have citizens of this country lost trust and faith in government"?

I am asking the county today to live up to its agreement with those they made a commitment to, to limit the garbage to DeKalb County. If Waste Management doesn't want to agree to that commitment than there are other operators that can and will operate a landfill here in DeKalb County that will agree to a commitment that this county made to its residents. That is the beauty of private enterprise.

Because a major aquifer runs under the landfill I have great reservations about water quality problems caused by leakage. This aquifer supplies many communities with their water and right now there is leakage from the present landfill. What is to keep liners from developing leaks that contaminate water supplies even if they are built to specifications especially if they are sited above an aquifer. What type of damage might an earthquake do to a liner? How important is our water supply here in Northern Illinois?

Increasing the amount of garbage from 350 tons per day to two thousand tons (2000) per day will create a health hazard for residents that live in the subdivisions of Cortland, some within a half mile from the landfill. I drove to Michigan very often and went past a Waste Management Operation along I94 and Hwy 421 in Indiana which took in 2000 ton per day and the smell from that operation could be smelled from anywhere up to three miles away and down wind even further. It was enough to gag a person.

When the site at Cortland was first proposed, the people living around the gravel pits were told by the zoning board at that time that as soon as the pits were filled the landfill will be closed. I guess the pits are not filled yet even though the landscape is two hundred feet above the existing ground or maybe it is because some committee gave their WORD but has not kept it! We were then told that the landfill would only take county garbage. That was written into the agreement with Waste Management. I guess that is the only way you will get a governmental body to honor their WORD. Get it in writing!

The county has a responsibility to handle its garbage problem but should not, I repeat, should NOT have to take any other counties garbage.

I will close by stating that I have been involved with our local community all my life. I have served as a drainage commissioner for 30 years, a school board member for 9 years, a director of our local Farm Bureau for 8 years and a township trustee for 4 years. In all my years serving on a public board I was NEVER told " You can't talk to your constituency about a topic!"

"Do you wonder why the citizens of this country have lost faith and trust in their government"? Would it be because our representatives don't listen to their constituency and vote the way their paid administrators want them to?

I ask that you vote down the expansion of the new land for a landfill. Do not sell out the citizens of our county for a few pieces of silver.

Sincerely,

David Yaeger

14643 State Rte 38

DeKalb, Il. 60115

Cc DeKalb County Board Members.

Riley Oncken

From: Fazekas Family [dlmfazekas@msn.com]
Sent: Tuesday, February 23, 2010 10:46 AM
To: plavigne@dekalbtownship.org; pvary@niu.edu; rtobias@dekalbcounty.org; rno@yourlawsmith.com; kenandersendist3@yahoo.com; laadistrict1@yahoo.com; kevinchambliss@gmail.com; sdefauw@westchicago.org; edubin1627@comcast.net; jandjemerson@gmail.com; juliafauci@verizon.net; mlgudmundson@yahoo.com; mhaines@niu.edu; hulseberg@comcast.net; jeffmachv8@yahoo.com; newportdistrict8@gmail.com; prs17@yahoo.com; derektyson@yahoo.com; anitajo1954@yahoo.com; markatodd2006@yahoo.com; stevedcb@mchsi.com
Subject: Swager

Dear Board Member:

While you may be "gagged" and prohibited from discussing the landfill expansion, can we talk about your staff? In addition to Mr. Bockman's straying out of bounds, you also have a county employee calling people out as NIMBYs and such. It is highly irritating to be forbidden to talk to you about the landfill proposal, while administrators go where they will and say whatever they want on behalf of Waste Management.

Good day to you.

Regards,
Lynn Fazekas

<http://www.dekalbcounty-il.com/index.php/2010/02/de-kalb-county-board-members-under-administrative-gag-order-told-not-to-talk-to-their-constituents/>

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Riley Oncken

From: Charles Mansfield [wayneski1@comcast.net]
Sent: Friday, February 12, 2010 5:26 PM
To: Riley N. Oncken, Esq.
Subject: Re: landfill expansion

I have been laid off since the first week of Dec. I have worked very little in the past 2 years. In 2008 I worked a total of 60 days. Like I said in a previous email if it were not for the windfarm I would have lost my house. I had to drive up to Galena back in April to work a 2 day job. Lets bring the jobs back to DeKalb. I will never forget back about 12 years ago I sat in on a meeting in Wilmington, IL over this same issue a landfill. A father got up to speak and said he was helping his daughter with her homework and noticed her textbook was 15 years old. You could have heard a pin drop in room. Now I am not saying DeKalb schools are like that. The money that landfill could bring into DeKalb could pay for a lot of much needed things.

----- Original Message -----

From: Riley N. Oncken, Esq.
To: 'Charles Mansfield'
Sent: Friday, February 12, 2010 2:51 PM
Subject: RE: landfill expansion

Mr. Mansfield:

Thank you for your input regarding the landfill expansion. You are one of the first people to provide input on the issue. I will keep your support of the project in mind.

Sincerely,

Riley N. Oncken
 County Board District 3

Riley N. Oncken, Esq.
 Smith, Wykes & Associates, P.C.
 513 West State Street
 Sycamore, Illinois 60178
 Phone: (815) 895-1966
 Fax: (815) 895-1968
www.yourlawsmith.com

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From: Charles Mansfield [mailto:wayneski1@comcast.net]
Sent: Friday, February 12, 2010 2:45 PM
To: rno@yourlawsmith.com
Subject: landfill expansion

Riley

My name is Charles Wayne Mansfield. I live south of the soccer fields off of Fairview in DeKalb. I am also an Local #150 Operating Engineer. If it were not for the windfarm project last year I would have lost my house. I worked for Blattner building the service roads to each wind turbine. I encourage you to support the landfill expansion. As a former employee of Waste Management at Settlers Hill Landfill in Kane County I feel this expansion would be a great benefit to DeKalb County.

Thanks for you time and look forward to the meeting on March 1st.

Charles Wayne Mansfield

Riley Oncken

From: mattpasteris@aol.com
Sent: Friday, April 03, 2009 3:20 PM
To: mhaines@niu.edu; anitajo1954@yahoo.com; juliafauci@verizon.net
Cc: kenandersendist3@yahoo.com; laadistrict1@yahoo.com; evinchambliss@gmail.com; sdefauw@westchicago.org; edubin1627@comcast.net; jandjemerson@gmail.com; mlgudmunson@yahoo.com; hulseberg@comcast.net; plavigne@dekalbtownship.org; jeffmachv8@yahoo.com; newportdistrict8@gmail.com; rno@yourlawsmith.com; rposborne@gmail.com; prs17@yahoo.com; MJSTUCK@aol.com; rtobias@niu.edu; markatodd2006@yahoo.com; pvary@niu.edu; stevedcb@mchsi.com
Subject: Re: Landfill Expansion OK - Waste Dump for Suburbia NOT!

Thank-you to all three of you for responding. Your comments are very helpful in understanding the situation. Going forward then, what agreements have we stapled down with Waste Management as far as their responsibility and accountability to their surrounding neighbors with assurance of:

- 1) Quality of Life.
- 2) Environmental Safety and Conformance.

I live approximately 2 miles from the site (south end of Cortland). Over the last year and a half, if the wind blows right (S by SE direction), we get the noxious methane smell. On a damp/humidity day it will turn your nose hairs and actually make your nose run. Now I've heard that the excess rain and building materials have caused the most recent smells. From my research, this types of factors effecting the land fill can be dealt with closer more frequent monitoring and proactive actions. What provisions are we going to demand of Waste Management in advance of the expansion and more garbage volume so we don't have these issues like smell that we have now?

More importantly, what is the adverse health affect to the neighbors of Waste Management. I have researched studies and articles discussing the land fill gases exposures on people. There is much discussion, but one thing that is common, if there is no proactive plan in place to contain smell from Waste Management, there will be complaints and a deteriorating relationship between the Community and Waste Management. We need to make sure we get a comprehensive agreement on how Waste Management will stay ahead of these potential and issues before they arise.

If the odor issue is not addressed, I would fear Cortland's viable economic growth could/would be negatively effected for the obvious reasons. Also, current property values may have a down turn as well. I can't say what a PR mess we will have with the new elementary school site being directly in harms way of prevailing SW wind (see article below).

I have faith that you and the rest of the elected County Board will assure our County residents that all quality of life and environmental issues are to be closely examined and that agreements are reached that exceed the current standards that are in place today. As long as Waste Management is squeezing us, let's make sure we hold them above board on accountability and responsibility to it's neighbors.

Please give your thoughts moving forward and call upon me for testimony. It would be nice to hear from you other Board Member with regards to the subject matter. I would be glad to call any of you to come over to my house on one of those ugly south to southeast winded days at my residence. First hand knowledge is always the best.

Attached are 3 articles you may find of interest.

thank-you,

Matt Pasteris
815-756-3349

7/28/2010

CTY 0171

Articles of Interest:

Pittsburg area school issue article:

<http://www.thepittsburghchannel.com/news/18911928/detail.html>

Can we head off in advance such issues as one by Grayslake (please read):

http://www.pioneerlocal.com/highlandpark/news/1506220.g3-landfillodor-040209-s1-wastemanagement_article

WasteExpo 2009 article (landfill managers need to be proactive):

http://wasteage.com/mag/waste_whats_smell/

In a message dated 4/3/2009 10:38:17 A.M. Central Daylight Time, mhaines@niu.edu writes:

Hi Matt,

Let me see if I can provide some info. First, the Ad Hoc Solid Waste Committee of the DeKalb County Board has been looking at the Landfill issue for two years. They have been in dialogue with Waste Management and other Companies about the future waste needs of DeKalb County. Here's what I understand to be the facts:

- Waste Management owns the current landfill.
- The County and Waste Management have an agreement from many years ago that sets the amount of out-of-county garbage (10%) as well as the low fee for in-county garbage.
- Waste Management says that the current contract is a losing proposition for them.
- The landfill will be filled in 6,8 years.
- Waste Management will not expand or continue the landfill unless they can get outside garbage or increase our in-county fee so high that it is the same as outside garbage.
- The Solid Waste Committee has solicited other companies to create a new landfill with less out-of-County garbage to no avail.. (Let alone where would we site it?)

Our choices are:

- 1- Let the landfill close in 6.8 years and pay to ship our garbage to some other County. (Watch your taxes double or more.)
- 2- Work with Waste Management to expand the current landfill, keep our fees low, and let WM accept out-of-County garbage to make money.

Landfill expansion without out-of -County garbage is not an economically viable option for the garbage companies unless the DeKalb County garbage fee was raised high enough to make up the difference. (Watch your taxes double or more.)

Mike Haines
815-751-0624

-----Original Message-----

From: mattpasteris@aol.com [mailto:mattpasteris@aol.com]

Sent: Wednesday, April 01, 2009 10:46 AM

To: kenandersendist3@yahoo.com; laadistrict1@yahoo.com; evinchambliss@gmail.com; sdefauw@westchicago.org; edubin1627@comcast.net; jandjemerson@gmail.com;

juliafauci@verizon.net; mlgudmunson@yahoo.com; mhaines@niu.edu; hulseberg@comcast.net; plavigne@dekalbtownship.org; jeffmachv8@yahoo.com; newportdistrict8@gmail.com; rno@yourlawsmith.com; rposborne@gmail.com; prs17@yahoo.com; MJSTUCK@aol.com; rtobias@niu.edu; markatodd2006@yahoo.com; anitajo1954@yahoo.com; pvary@niu.edu; stevedcb@mchsi.com

Subject: Landfill Expansion OK - Waste Dump for Suburbia NOT!

Ladies and Gentlemen of the DeKalb County Board,

My name is Matt Pasteris a 16 year resident of Cortland and a lifetime resident of DeKalb County. With regards to expanding the land fill, I don't have a problem with expansion (capacity limitations). I do have to say that I'm not to knocked out about becoming the garbage dumping grounds of the ever expanding Chicagoland western suburbs. Especially, when the waste tonnage out of County is proposed to be many times greater than DeKalb County's waste.

It is my understanding (speaking to others that are a bit more knowledgeable than me) that the county board passed resolution, proclamation, or policy (not sure which) a few years ago that stated no more than 10% of out of county garbage would be excepted in the Dekalb fill. Please correct me if this statement is not accurate. If true, I would be interested hearing the rational from those of you who are proponents or opposed to this change of greater outside waste acceptance? I would especially like to hear from Cortland board members. Here are some questions I would ask you to reflect on in advance of voting for or against the proposal:

- 1) Why - why would we change our direction and critical thinking/planning now with respect to excepting more waste out of county now?
- 2) Have our strategic plans and values changed since the past resolution?
- 3) What is the rational today vs. yesterday for excepting proposed outside of county waste tonnage much greater than DeKalb County creates?
- 4) Has anyone gone back to the board members at this time to understand why they wrote what they wrote?
- 5) Is it really ALL about the MONEY\$\$\$???

I myself never try to make critical decision on emotion. I do see the revenue addition as attractive. But in this case I can't help but feel a bit degraded, or used, maybe shameful as to being labeled the mega dump of the Chicagoland area. I believe one of our fine citizens of the County recently mentioned (with regret) in an editorial "feeling kind of whored out". Ugly words, but they do hit home. Do we want that label?

I say expand, stick to current minimum acceptance of outside waste, look for more creative (methane use) and attractive (renewable/green energy) means of bringing revenue in and/or cost savings to the County.

I thank-you for your time and look forward to your thoughts and rational on this issue.

Concerned citizen going forward,

Matt Pasteris
815-756-3349

Note: Acknowledgment In advance and soon to follow - a 2nd email stating "Quality of Life and Environmental Concerning Neighbors of the Waste Management Site."

I know the main factor of expansion and excepting greater tonnage outside the County is a

\$revenue maker for the County. I also realize that expansion of the current landfill is necessary due to up and coming limited capacity. I would like to believe that Waste Management reputable business, will stay in strict compliance of the governmental and environmental law, and be a good neighbor to us close to the action.

- 1) Why - why would we change our direction and critical thinking/planning now with respect to excepting more waste out of county now?
- 2) Have our strategic plans and values changed since the past resolution?
- 3) What is the rational today vs. yesterday for excepting proposed outside of county waste tonnage much greater than DeKalb County creates?
- 4) Has anyone gone back to the board members at this time to understand why they wrote what they wrote?
- 5) Is it really ALL about the MONEY\$\$\$???

In advance of board approval for expansion and taking on other Illinois county waste, could I ask that board members to give me your rational and view points (pro or con) so I can understand more clearly understand this important decision in advance

I am fairly certain that this expansion will not be a positive for property values for us Cortland residents and surrounding neighbors of the Waste Management dump. So in principle I have to say I'm not in favor of the expansion. Nevertheless, it is my understanding that this will be a cash revenue generator and it is my bet that you will approve the expansion (otherwise surprise me)? With this said, I have added some points of contention that I ask you to consider and cover in your final negotiated agreements that are hammered out with Waste Management:

* Accountability and responsibility of Waste Management and the expanded site to it's surrounding neighbors:

- 1) Air Quality - Over the last year and half, if we get a south, to slight southeast wind you would not want to come over to my house. The reason being is a STRONG methane smell that will curl the hairs in your nose. It seems to be worst when it is damp out, VERY STRONG.

Feeling the pinch at the grocery store? Make dinner for \$10 or less.

Feeling the pinch at the grocery store? Make dinner for \$10 or less.

Tobias, Ruth Anne

From: William F. Moore [bja@lovejoysociety.org]
Sent: Tuesday, May 18, 2010 2:35 PM
To: Tobias, Ruth Anne
Subject: Reconsideration

Dear Member of the DeKalb County Board, Illinois

If many of us had been informed earlier that the site expansion was 7 times larger, with waste from 17 other counties, close to an elementary school, and that a "non-appealable" agreement would last for 46 years, there would have been a much more vigorous professional adversarial presentation which may have given a little credence to the legal ruse that the Board was acting as a jury and therefore had the right to silence dissent at the critical decision-making time of usual public involvement. The fact that neither the Board nor the public was given the legal source of that ruling or the penalties for superseding that "unusual state rule" is astounding.

The impressive record of the Board dealing with the nine guidelines required by the State Pollution Control Board also indicates a persistent pattern of how a corporation has shifted the potential costs of serious future problems off of their Corporation onto the County and State. For example disputed claims whether the site was in an earthquake zone resulted in earthquakes being considered as a legal "act of God" for which the county and state would have to pay the full remedial costs. The "Host benefit fee" was required by the state for such contingencies.

The record shows that during the process numerous rights of citizens and the Board were abrogated. For example in approving the site agreement the Board relinquished authority to require either alterations or termination for 46 years. Transferring risks to the public and eroding citizens' rights seriously threatens a republican form of government.

Safety standards are important but so are principles of fairness and reliability.

It is hoped that a majority of the Board will find the civic courage to stand up for all that is precious in a democratic system and be willing to listen to some more input from the people by voting to reconsider their approval of the site. Forty-six years is a long time to be kept silent on the questions of safety, fairness and reliability of a "non-appealable" agreement approving this landfill site. Board Members and citizens, "Let not future generations lament that you failed to do your duty." Encourage reconsideration of the site approval with citizen input!

The Revs Bill and Jane Ann Moore
119 Windsor Dr.
DeKalb, IL, 60115
815 756 5350
baj@lovejoysociety.org

7/21/2010

CTY 0175

Far VAREY COMPUTER FILES #1

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Name	Date Modified	Size	Kind
PCFC			
1\Final Public Comment L... 041210 and 041310..pdf	Apr 13, 2010, 1:45 PM	4 MB	Adob.
1\FinalPubComLtrHickey,Wells Part #1..pdf	Apr 7, 2010, 9:14 PM	9.8 MB	Adob.
2-5-10 Lorence Letter.pdf	Apr 12, 2010, 2:40 PM	28 KB	Adob.
2\Final Public Comment ... 041210 and 041310..pdf	Apr 13, 2010, 1:50 PM	4.7 MB	Adob.
3\FinPubComment Ltr #3.pdf	Apr 14, 2010, 3:25 PM	5.6 MB	Adob.
4\FinPub Comment Ltr #4.pdf	Apr 14, 2010, 3:27 PM	6.9 MB	Adob.
5\FinPublic ComRecd 040610 and 040710..pdf	Apr 7, 2010, 9:14 PM	2.6 MB	Adob.
Chronicletr5.12.docx	May 14, 2010, 12:08 PM	148 KB	Micro.
Cipriano1.pdf	Apr 6, 2010, 9:40 AM	32 KB	Adob.
DCEDC Comments and p... of the hearing record..pdf	Apr 7, 2010, 9:02 PM	892 KB	Adob.
Don Morant's Brief Scanne...ce (CH-7548-01)001.pdf	Apr 7, 2010, 9:14 PM	480 KB	Adob.
DRAFT PCFC Minutes 4-13-10.doc	Apr 17, 2010, 3:32 PM	44 KB	Micro.
Final Public Comment Let... received on 040810..pdf	Apr 8, 2010, 2:25 PM	888 KB	Adob.
FinalRevsdReprCipriano.pdf	Apr 30, 2010, 10:44 AM	348 KB	Adob.
Landfill legal logistics	Today, 10:58 AM	--	Folder
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Mark Charvat letter o...n dated 031210..pdf	Mar 16, 2010, 12:35 PM	448 KB	Folder
Mark Charvat letter o...es dated 031210..pdf	Mar 16, 2010, 12:35 PM	432 KB	Adob.
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Mark Charvat letter o...n dated 031210..pdf	Mar 16, 2010, 12:35 PM	572 KB	Adob.
dekalbcounylandfillbrief.pdf	Apr 6, 2010, 9:48 AM	144 KB	Adob.
Environmental Protection ActTitle X-1.pdf	Mar 1, 2010, 2:45 PM	148 KB	Adob.
LandfillRecCipriano.DOC	Apr 13, 2010, 10:35 AM	164 KB	Micro.
LandfillResponse.docx	Feb 24, 2010, 10:44 AM	56 KB	Micro.
LandfillUpdate2.DOC	Apr 26, 2010, 2:45 PM	744 KB	Micro.
LtrEditorMy Vote for the Landfill Expansion.docx	May 11, 2010, 10:07 AM	140 KB	Micro.
Mac McIntyre legal brief.pdf	Apr 7, 2010, 9:14 PM	144 KB	Adob.
Objector's Exhibits #1 ~ #4 .pdf	Apr 7, 2010, 9:02 PM	4.6 MB	Adob.
Petitioner's Exhibit #13 - Public Comment..pdf	Apr 7, 2010, 9:14 PM	1.2 MB	Adob.

PART VARY COPY FILES

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Name	Date Modified	Size	Kind
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Chronicle5.12.docx	May 14, 2010, 12:08 PM	148 KB	Micro...ument
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DRAFT PCFC Minutes 4-13-10.doc	Apr 17, 2010, 3:32 PM	44 KB	Micro...ument
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LandfillUpdate2.DOC	May 11, 2010, 10:07 AM	140 KB	Micro...ument
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Mac McIntyre legal brief.pdf	Apr 7, 2010, 9:02 PM	4.6 MB	Adob...ument
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Objector's Exhibits #1 - #4 .pdf	Apr 7, 2010, 9:14 PM	1.2 MB	Adob...ument
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Petitioner's Exhibit #13 - Public Comment..pdf	Apr 7, 2010, 9:07 PM	4.8 MB	Adob...ument
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Petitioner's Exhibits #4 - #12 - FINAL .pdf	Apr 7, 2010, 9:08 PM	5.7 MB	Adob...ument
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Petitioner's Exhibits #4 - #12 - FINAL Part #2 .pdf	Apr 7, 2010, 9:06 PM	6.4 MB	Adob...ument
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Petitioner's Exhibits #4 - #12 - FINAL Part #3 .pdf	Apr 23, 2010, 4:55 PM	408 KB	Adob...ument
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Staff Report Landfill.pdf	Apr 26, 2010, 4:16 PM	352 KB	Adob...ument
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UpdateRptLandfill.pdf	Jan 29, 2010, 2:21 PM	--	Folder
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QualityofLifeSeminars			
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TEXT.htm

Good Morning!

Attached, you will find the following materials that are on the record from the landfill hearings:

1. Public Comments to date (4/5/10) and more received on 4/6/10 and 4/7/10
2. Don Moran's Brief
3. Mac McIntyre's legal brief
4. Petitioner's Exhibit #13 made part of the Public Comment now - from the hearings

I will be sending the following items in a second email.....

5. Objector's Comments #1 - 4 - from the hearings
6. Petitioner's Exhibits #4 - 12

Mary

TEXT2.htm

From: Supple, Mary
Sent: Wednesday, April 07, 2010 11:59 AM
To: Bockman, Ray; Drake, Bob; Farrell, John; Kenneth Andersen; marienedalton@gmail.com; mhaines@niu.edu; Miller, Paul; Patricia S. Vary; 'Paul Stoddard'; Riley N. Oncken (rno@yourlawsmith.com); Ruth Anne Tobias
Subject: Materials for the Pollution Control Facility Committee
Importance: High

Good Morning!

Attached, you will find the following materials from Part #2 that are on the record from the landfill hearings:

5. Objector's Exhibits #1 - 4 - from the hearings
6. DeKalb County Economic Development Corporation's public comment at the public hearing.

Item #7 - Petitioner's Exhibits #4- 12 is too large for this email. I will need to send it in a separate email.

From: "Ruth Anne Tobias"

To: Patricia Vary; Mike Stuckert; Eileen Dubin; John Hulseberg; Pat Lavigne; John Emerson; Kevin Chambliss; Scott Newport; Sally Defauw; Steve Walt; Steve Walt; Michael Haines; Julia Fauci; Anita Jo Turner; Derek Tyson; Jeffery Metzger; Ken Andersen; Larry Anderson; Mark Todd; John Gudmunson; Paul Stoddard; Riley Oncken

CC: ghanson@dekalbcounty.org; Ray Bockman

Date: 3/30/2010 11:06 PM

Subject: additional regular meeting in May

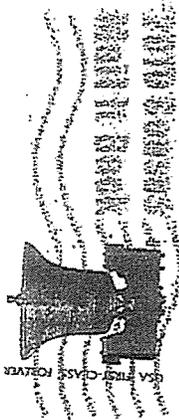
Hello all,

The Pollution Control Facility Committee will receive the report on the landfill expansion application on April 12. We will have two committee meetings in April, and we will vote on whether to send our approval to the full board. If we vote to approve sending it on, there will be an additional regular meeting of the board on May 10 at 7:30 pm, during which the full board will vote on the expansion application. I'm sure you will have some material on why or why not regarding the approval after the committee vote. I hope you will all be able to attend.

Ruth Anne

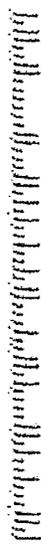
Mr. "Sgt." James
17216 Anderland Rd.
Dekalb, IL 60115

CAROL STREAM IL 601
08 APR 2010 PM 3 L



Patricia S. Vary
138 Mattek Ave.
Dekalb, IL 60115

601154449



JOHN H. BOIES

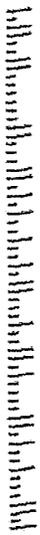
1026 DEKALB AVE.
SYCAMORE, IL 60178

CAROL STREAM IL 601
08 APR 2010 PM 4 T



*Ms. Patricia S. Vary
138 Mattek
Dekalb, IL 60115*

601154449



JOHN H. BOIES
SYCAMORE, ILLINOIS

1026 DeKalb Avenue
Sycamore, IL 60178
April 2, 2010

Ms. Patricia S. Vary
138 Mattek
DeKalb, IL 60115

Dear Ms. Vary,

Contrary to most of the De Kalb County Board, we were able to attend the entire site evaluation public hearing recently held pursuant to the statutory requirements imposed on Waste Management. Having listened carefully to all of the presentation we want to go on record as being vehemently opposed to the expansion of the Cortland dump. A number of facts came out at the hearing --- which in our opinion was judiciously run though statutorily flawed --- we would like to bring to your attention in case you are not able to review the 6700 page written application.

First, this expansion of the Cortland dump is gargantuan in size. It would allow over twenty three million additional tons of garbage to be buried at this site. While it is admirable to plan for our own county's needs for the next 46 years, the testimony showed that our need was five and one half million tons. The remaining 18 millions tons or 36 billion pounds of garbage is to be trucked into our county from sixteen other counties. Based on the population of these counties the principal source of the garbage will be Cook County. We do not believe our county's pristine fertile agricultural land should be permanently diverted for the storage of Chicago's garbage. This use of our farmland is so contrary to the policies you have followed for decades with your careful even stringent agricultural zoning laws.

Another fact brought out in the hearing was one of which we can all be proud. Over fifty percent of the waste generated in our county is recycled. Our citizens have conscientiously used our recycle bins for years. Why should we then expand our landfill to provide space for counties who recycle at the state average of twenty percent or less? What message are you sending to the people you represent about the importance of recycling?

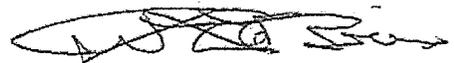
Another startling fact we learned at the hearing was the amount of truck traffic that will be generated to bring all that out of county garbage to Cortland. Not even including the local garbage trucks trips to and from the Cortland site, we calculate over 800,000 semi trucks (or 18,000 per year) will come and go to and from Cortland over the life of the contract. No testimony was given as to what pollution will be generated by that many giant garbage semis, let alone any smell or waste that will inevitably escape from those trailers.

The final and most crucial fact presented at the hearing did not even come from the cadre of high paid professional witnesses brought to the hearing by the petitioner. It came instead from a highly qualified interested citizen who also attended all of the hearing, Dr. Aubrey Serewicz, a respected, retired chemistry professor who has spent his lengthy professional career studying gases, testified as to the potential damaging effects of the remaining hydrogen sulfide gas that is not fully burnt off at the site. It is that gas that you smell when passing the existing landfill. The petitioner's expert testified in detail about the gas recapture system but it was clear to us from Professor Serewicz considered testimony that not all the lethal gases can be disposed of in the open burning proposed by Waste Management. We urge you to not place any of your citizens under this enhanced health risk from the dangers of hydrogen sulfide. No amount of money is worth taking this risk. Why is it do you think the other sixteen counties involved are not approving landfills, even for their own garbage?

Finally, one important fact that was not mentioned at the hearing is how much money is involved. We are not so naïvé to think that you are not under pressure to raise revenues. The host agreement you have made with the petitioner -- which we think should have been exposed to a public hearing last year when it was made -- even without any price inflation, means over 75 million dollars to the county over the 46 year life of the contract. It is indeed very tempting for you to take this easy way out for the financing of future county needs. We do not think it is worth the risk you will be taking.

Our county has always been proud to be able to provide for its needs from the hard work and wealth of the citizens. Whether it has been a building, a bridge, a forest preserve or a charitable or religious endeavor, we have found a way to get them accomplished. It was not always the easiest, but they were done without risking the health and welfare of future generations. We urge you to not approve the expansion of the landfill.

Sincerely yours,




John H. Boies
Mary-Glynn Boies

April 7, 2010

Re: Landfill Expansion

Dear County Board Member:

Our farm is on Anderland Road. I am the fifth generation on this farm which my family homesteaded about 145 years ago. I care about what goes on in this county. First of all I think a project of this magnitude should be voted on by the public. We are asked to vote on much smaller issues all the time. This colossal expansion of our local landfill feels like yet another assault on this county's way of life. THIS IS A FARMING COUNTY with some of the best farmland in the country!. Waste Management's landscape planner states "the location is in a primarily rural area away from population in areas primarily agricultural in land use" as if agricultural areas don't matter. The loss of this farmland to a mega landfill should not be taken lightly for any amount of money. The answer is NOT to expand our landfill so 17 other counties do not have to take responsibility for their own waste.

The dangers of hydrogen sulfide are well documented. We were very fortunate to hear Dr. Aubrey Serewicz, a retired NIU chemistry professor, testify in great detail about these dangers and risks. His career has spanned 50 years. He stated in part:

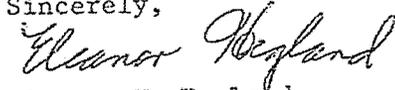
1. All landfills are unsafe
2. Everything in a landfill will become toxic
3. 60 year old regulations won't work now
4. If there is no control a landfill can become a bomb
5. Hydrogen sulfide is lethal
6. H₂S is more dangerous to children because they are still growing
7. The smell is always stronger at night
8. Anything above 20 parts per billion is toxic
9. We are all at risk
10. Waste Management has made a valiant attempt to control something that cannot be controlled
11. All sulfides are toxic, level depends on how it enters the body

He gave us a wealth of information--the above is only a small fraction. Please give his testimony careful consideration.

After listening to the WM traffic engineer Dave Miller, it is apparent that little if any thought or consideration was given to farm equipment traffic. This is vital in a farming county. He did not seem to comprehend how wide it is and how long it takes to stop a farm vehicle. He also understated the impact an additional 240 very large vehicles per day would have on our local roadways.

Please vote no on this expansion. Thank you.

Sincerely,



Eleanor N. Hegland
17216 Anderland Rd.
DeKalb, IL 60115

CTY 0184

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Thursday, July 29, 2010 10:35 PM
To: Supple, Mary
Subject: FW: Thank you

FYI

From: Eileen [mailto:edubin1627@comcast.net]
Sent: Wednesday, May 12, 2010 10:34 AM
To: 'Lisa G. Wilcox'
Subject: RE: Thank you

My main reason for voting no is that, particularly since the BP oil disaster, I do not trust that we know all about the science nor the protections or good will of large corporations to guarantee we would be voting for the good of the community.

Eileen

From: Lisa G. Wilcox [mailto:lisa@webgirlconsulting.com]
Sent: Tuesday, May 11, 2010 8:59 PM
To: edubin1627@comcast.net
Subject: Thank you

I wanted to write you and personally thank you for voting against the landfill expansion. It may not much coming from one person, but as for me and my kids, I thank you for your actions.

Sincerely,
Lisa Wilcox
1466 Moluf St.
DeKalb

7/30/2010

CTY 0185

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Thursday, July 29, 2010 10:30 PM
To: Supple, Mary
Subject: FW: Objection to landfill expansion

FYI

From: Eileen [mailto:edubin1627@comcast.net]
Sent: Monday, May 10, 2010 9:14 PM
To: 'olga guer'
Subject: RE: Objection to landfill expansion

Thank you for your message. We met this evening and the vote was 16 - 8 for the resolution. I personally voted against the resolution.

Eileen Dubin
County Board District 8

From: olga guer [mailto:omsk2@hotmail.com]
Sent: Monday, May 10, 2010 2:41 PM
To: kenandersendist3@yahoo.com; laadistrict1@yahoo.com; kevinchambliss@gmail.com; juliafauci@verizon.net; plavigne@dekalbtownship.org; prs17@yahoo.com; sdefauw@westchicago.org; mlgudmunson@yahoo.com; jeffmachv8@yahoo.com; mjstuck@aol.com; edubin1627@comcast.net; mhaines@niu.edu; newportdistrict8@gmail.com; rtobias@dekalbcounty.org; jandjemerson@gmail.com; hulseberg@comcast.net; mo@yourlawsmith.com; markatodd2006@yahoo.com; stevedcb@mchsi.com; pvary@niu.edu; derektyson@yahoo.com; anitajo1954@yahoo.com
Subject: Objection to landfill expansion

To Dekalb county board member:

I am a resident of Cortland and I DO NOT support the proposed landfill expansion. I have read the Pollution Control Facility Committee Documents and Application for Siting Approval by Waste Management. I have an M.D. degree and I am quite concerned about health risks and oppose the expansion.

Thank you
Olga Guer

The New Busy is not the old busy. Search, chat and e-mail from your inbox. Get started.

7/30/2010

CTY 0186

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Thursday, July 29, 2010 10:13 PM
To: Supple, Mary
Subject: FW: At the hearing, March 1

FYI

Eileen

From: JOHN FARRELL [mailto:astrokat7@verizon.net]
Sent: Wednesday, March 03, 2010 6:27 AM
To: Eileen
Subject: Re: At the hearing, March 1

Eileen,

I received an e-mail from Lisa Wilcox yesterday asking me to look into Riley's comments. I will be speaking with Renee Cipriano today about the accusation. I will keep you posted as to our thoughts and plan moving forward.

John

From: Eileen <edubin1627@comcast.net>
To: JOHN FARRELL <astrokat7@verizon.net>
Sent: Tue, March 2, 2010 1:17:19 PM
Subject: FW: At the hearing, March 1

John,

This is the letter I called you about.

Eileen

—Original Message—

From: Dave -DK- Kolars [mailto:dkolars@comcast.net]
Sent: Tuesday, March 02, 2010 7:52 AM
To: mhaines@niu.edu; juliafauci@verizon.net; kenandersendist3@yahoo.com; laadistrict1@yahoo.com; stevedcb@mchsi.com; kevinchambliss@gmail.com; sdefauw@westchicago.org; edubin1627@comcast.net; jandjemerson@gmail.com; mlgudmunson@yahoo.com; hulseberg@comcast.net; plavigne@dekalbtownship.org; jeffmachv8@yahoo.com; newportdistrict8@gmail.com; prs17@yahoo.com; mjstuck@aol.com; rtobias@niu.edu; markatodd2006@yahoo.com; anitajo1954@yahoo.com; derektyson@yahoo.com; pvary@niu.edu
Cc: bob@pritchardstaterep.com
Subject: At the hearing, March 1

At yesterday's public hearing at Kishwaukee College (Mar 1, 10), Riley Oncken, Dist 3, was heard to make rude comments about the anti-dumping group being lazy and having nothing better to do than show up for the public hearing; Riley also made comments about Clay Campbell tanking his election and being on the "wrong side". He also told an observer "I don't know why these people are here, we've already made up our minds."

As for myself, I have plenty to do, as do the several people who took

7/30/2010

CTY 0187

a day off work to attend the hearing. His comments show an extreme lack of understanding of the democratic process, and belittle those who choose to believe that it still exists and that citizens can have a say in the workings of their elected government.

Are we to assume that the County Board will condone this approach to democracy? The last I knew, the purpose of this public hearing was to present the evidence so that the County Board could THEN decide the future of the landfill expansion. Apparently Riley missed that memo? Or, perhaps he DOES speak for the rest of the County Board members?

IF THAT IS THE CASE, then this hearing, while following the letter of the law, is, indeed, a sham. If he does NOT speak for the rest of the County Board, I would hope that he be censured in some way... perhaps a lesson in humility for starters? He is a Board member, not by edict, but by the election process.

I'm now wondering if his public comments have legal ramifications concerning the ability of the County Board to fairly evaluate the situation? I, for one, think that he should not be allowed to vote on this matter based upon his prejudicial statement.

dk

<http://www.davekolars.com>
Member:
Hawaiian Steel Guitar Assoc. --- <http://www.hsga.org>
Aloha International Steel Guitar
Club --- <http://www.alohainternationalsgc.org/index.html>

We're all so caught up in wanting to sound different, wanting to sound original-- but we should stop trying so hard. We're all unique at birth. We'll come out sounding original without giving it a thought. (Feet Rogers)

We cannot defend freedom abroad by deserting it at home.
&
No one can terrorize a whole nation, unless we are all his accomplices.
(Edward R. Murrow)

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Thursday, July 29, 2010 9:58 PM
To: Supple, Mary
Subject: FW: NO MEGA DUMPING!!!!

FYI

From: gras53@aol.com [mailto:gras53@aol.com]
Sent: Saturday, May 08, 2010 8:40 AM
To: kenandersendist3@yahoo.com; laadistrict1@yahoo.com; kevinchambliss@gmail.com; sdefauw@westchicago.org; edubin1627@comcast.net; jandjemerson@gmail.com; juliafauci@verizon.net; mlgudmunson@yahoo.com; mhaines@niu.edu; hulseberg@comcast.net; plavigne@dekalbtownship.org; jeffmachv8@yahoo.com; newportdistrict8@gmail.com; rno@yourlawsmith.com; prs17@yahoo.com; mjstuck@aol.com; rtobias@dekalbcounty.org; markatodd2006@yahoo.com; anitajo1954@yahoo.com; pvary@niu.edustevetcb@mchsi.com
Subject: NO MEGA DUMPING!!!!

This is to inform all of you that we **do not want** Mega Dumping in DeKalb County. I actually find it very hard to believe that there is even any discussion of the possibility!!!! To bring garbage to our county from 17 other counties is **insanity!** Have you even actually looked at the dump lately??? Can you not imagine what it would look like if this passed!!! — Not to mention all the environmental risks, and wear and tear on our roads with all those trucks...PLEASE don't let this pass/slide through!@!!!!

Ginny/Steve Rasmussen
1422 Sunflower Drive
Sycamore, IL 60178

7/30/2010

CTY 0189

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Thursday, July 29, 2010 9:56 PM
To: Supple, Mary
Subject: FW: Dump expansion

FYI

Eileen

From: William F. Moore [mailto:bj@lovejoysociety.org]
Sent: Monday, May 10, 2010 6:49 AM
To: edubin1627@comcast.net
Subject: Dump expansion

Eileen Dubin
Member of the DeKalb County Board
RE: DeKalb Dump expansion,

QUESTIONS FOR THE DEKALB COUNTY BOARD ON THE EXPANSION OF THE CORTLAND DUMP

- (1) Were there adequate comparable dump studies available? What helpful data did they provide?
- (2) Were there air quality studies available of dumps of comparable size and proximity to a school? What are the penalties if air monitors exceed expectable limits? Will Waste Management (WM) reimburse medical bills if serious illness results?
- (3) Were there multiple geological studies available on the possible impacts of earthquakes over 47 years? Will WM take the full risk and reimburse costs of cleaning up toxic damage, medical bills and loss of useable farmland?
- (4) If pollution increases to unsafe levels what are the penalties and cost reimbursement requirements for WM?
- (5) What effects of increased heavy truck traffic have been found in regard to traffic accidents, cost for noise attenuation, road repairs and cost of cleaning up increases in debris of the highways?
- (6) Have you received any studies or polling to estimate the possible negative effects of the image of the County as the "Dump Capital of the Region" would have on business and real estate values? Or of the public reaction of meeting high standards of reducing waste to the dump over the past year and achieving such a high rate of recycling only to be rewarded by receiving the waste of 17 other counties?
- (7) What is the legal basis for your constituents being prohibited from direct contact with Board Members on this serious subject after a certain time? Why was there not any acknowledgement of that legal basis of that recommendation by the County Administrator? Do you feel that such a ruling is fair to your constituents?
- (8) Do you doubt that you may not have been given enough data to meet the high standards of the Illinois Pollution Control Board and the EPA? Are you willing to extend the time period in order to receive more information?

7/30/2010

CTY 0190

(9) Do you know the full costs that would accrue if at a later date the DeKalb County Board decided not to renew the extension of the Dump?

The Revs. Bill and Jane Ann Moore
119 Windsor Sr.
DeKalb, IL 60115

7/30/2010

CTY 0191

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Wednesday, July 28, 2010 11:55 PM
To: Supple, Mary
Subject: FW: Landfill expansion proposal

FYI

Eileen

-----Original Message-----

From: Steve Walt [mailto:stevedcb@mchsi.com]
Sent: Monday, May 10, 2010 12:13 PM
To: rosemarie slavenas
Cc: kenandersendist3@yahoo.com; laadistrict1@yahoo.com; kevinchambliss@gmail.com; sdefauw@westchicago.org; edubin1627@comcast.net; jandjemerson@gmail.com; juliafauci@verizon.net; mlgudmunson@yahoo.com; mhaines@niu.edu; hulseberg@comcast.net; plavigne@dekalbtownship.org; jeffmachv@yahoo.com; newportdistrict8@gmail.com; mo@yourlawsmith.com; prsl7@yahoo.com; mjstuck@aol.com; rtobias@dekalbcounty.org; marktodd206@yahoo.com; anitajol1954@yahoo.com; derektyson@yahoo.com; pvary@niu.edu; dkenney53@hotmail.com; rcipriano@schiffhardin.com; dmoran@pedersenhoupt.com
Subject: Re: Landfill expansion proposal

Dear Rosemarie Slavenas:

I recommend that you don't put any time into preparing a speech, because you won't be giving it.

You had your turn to speak, now it's our turn.

Steve Walt
DeKalb County Board, District 6

rosemarie slavenas wrote:

> Dear County Board Members and relevant legal counsels,
>
> Regarding the proposed landfill expansion, contradictory information
> about constituents speaking with board members, seen as a gag order by
> some, has led to rancor and confusion. My understanding is that
> constituents and board members may speak, but board members may not
> allow these conversations to interfere with their responsibility to
> fulfill the terms of the contract entered into by the DeKalb County
> Board and Waste Management.
>
> In the record of proceedings place before April 14, 2010, concern is
> expressed that DeKalb County Board members should be protected from
> the undue mental stress that speaking to their constituents would
> entail. Meanwhile, the electorate has been entirely deprived of
> communicating with their representatives about concerns that have
> nothing to do with the landfill. I believe members of the DeKalb
> County Board can differentiate between conversations and contracts
> without undue mental stress.
>
> The record shows that an unnamed DeKalb County staff member states
> there is no danger that workers at the site will be exposed to H2S at
> levels above OSHA standards. Samples of fume levels at the current
> site, which takes in about 275 tons of trash per day, can't predict
> fume levels when the site takes in 2,000 tons of trash per day over
> the 25- to 45-year life of the landfill.
>
> OSHA standards for workers are not accurate predictors of effects on
> children exposed 24 hours/day from birth to adulthood. Standards

> change and scientific research evolves. Where children are concerned,
> particular caution should be exercised.
>
> An independent evaluator should be used to evaluate Waste Managements
> compliance with health standards and all other aspects of the
> contract. Waste Management is regularly in litigation with the
> Illinois Pollution Control Board, according to the website of Pedersen
> & Houpt. Litigation often takes a long time. Meanwhile, people,
> especially children, will be exposed to fumes, ground water poisoning,
> and other circumstances detrimental to their health, safety, and
> welfare.
>
> As the contract stands, property owners, in order to be reimbursed for
> losses in property values, have to /prove /the/ /losses were the
> result of their property's proximity to the landfill. What would
> constitute such proof? What about owners who not able to sell their
> property at all?
>
> If constituents speak tonight, the board can still take timely action
> on the contract with Waste Management. I respectfully request that the
> people be allowed to speak.
> Thank you for representing the citizens of DeKalb County.
> Sincerely,
> Rosemarie Slavenas,
> 1629 Park Avenue, Sycamore, 4th District of Cortland Township, DeKalb
> County, IL.
>
>
>
>

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Wednesday, July 28, 2010 11:55 PM
To: Supple, Mary
Subject: FW: Landfill expansion proposal

FYI

Eiloeen

From: rosemarie slavenas [mailto:rosemarie121219@yahoo.com]
Sent: Monday, May 10, 2010 11:29 AM
To: kenandersendist3@yahoo.com; laadistrict1@yahoo.com; kevinchambliss@gmail.com; sdefauw@westchicago.org; edubin1627@comcast.net; jandjemerson@gmail.com; juliafauci@verizon.net; mlgudmunson@yahoo.com; mhaines@niu.edu; hulseberg@comcast.net; plavigne@dekalbtownship.org; jeffmachv@yahoo.com; newportdistrict8@gmail.com; mo@yourlawsmith.com; prs17@yahoo.com; mjestuck@aol.com; rtobias@dekalbcounty.org; marktodd206@yahoo.com; anitajo1954@yahoo.com; derektyson@yahoo.com; pvary@niu.edu; stevedcb@mchsi.com; dkenney53@hotmail.com; rcipriano@schiffhardin.com; dmoran@pedersenhoupt.com
Subject: Landfill expansion proposal

Dear County Board Members and relevant legal counsels,

Regarding the proposed landfill expansion, contradictory information about constituents speaking with board members, seen as a gag order by some, has led to rancor and confusion. My understanding is that constituents and board members may speak, but board members may not allow these conversations to interfere with their responsibility to fulfill the terms of the contract entered into by the DeKalb County Board and Waste Management.

In the record of proceedings place before April 14, 2010, concern is expressed that DeKalb County Board members should be protected from the undue mental stress that speaking to their constituents would entail. Meanwhile, the electorate has been entirely deprived of communicating with their representatives about concerns that have nothing to do with the landfill. I believe members of the DeKalb County Board can differentiate between conversations and contracts without undue mental stress.

The record shows that an unnamed DeKalb County staff member states there is no danger that workers at the site will be exposed to H2S at levels above OSHA standards. Samples of fume levels at the current site, which takes in about 275 tons of trash per day, can't predict fume levels when the site takes in 2,000 tons of trash per day over the 25- to 45-year life of the landfill.

OSHA standards for workers are not accurate predictors of effects on children exposed 24 hours/day from birth to adulthood. Standards change and scientific research evolves. Where children are concerned, particular caution should be exercised.

An independent evaluator should be used to evaluate Waste Managements compliance with health standards and all other aspects of the contract. Waste Management is regularly in litigation with the Illinois Polution Control Board, according to the website of Pedersen & Houpt. Litigation often takes a long time. Meanwhile, people, especially children, will be exposed to fumes, ground water poisoning, and other circumstances detrimental to their health, safety, and welfare.

As the contract stands, property owners, in order to be reimbursed for losses in property values, have to *prove* the losses were the result of their property's proximity to the landfill. What would constitute such proof? What about owners who not able to sell their property at all?

7/29/2010

CTY 0194

If constituents speak tonight, the board can still take timely action on the contract with Waste Management. I respectfully request that the people be allowed to speak.
Thank you for representing the citizens of DeKalb County.

Sincerely,

Rosemarie Slavenas,

1629 Park Avenue, Sycamore, 4th District of Cortland Township, DeKalb County, IL.

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Wednesday, July 28, 2010 11:56 PM
To: Supple, Mary
Subject: FW: PLEASE Vote NO

FYI

From: dmsmith69@aol.com [mailto:dmsmith69@aol.com]
Sent: Monday, May 10, 2010 8:57 AM
To: marlenedallen@gmail.com; kenandersendist3@yahoo.com; laadistrict1@yahoo.com; kevinchambliss@gmail.com; sdfauw@westchicago.org; edubin1627@comcast.net; juliafauci@verizon.net; mlgudmunson@yahoo.com; plavigne@dekalbtownship.org; newportdistrict8@gmail.com; prs17@yahoo.com; mjstuck@aol.com; rtobias@niu.edu; derektyson@yahoo.com; pvary@niu.edu; stevedcb@mchsi.com; markatodd2006@yahoo.com
Subject: PLEASE Vote NO

Please vote NO on the mega dump situation here in DeKalb County. Why should we have to take in all the garbage from Chicago and counties around us and contaminate our GOOD FARM land???? We are taking a chance with our children's and grandchildren's future health. I know that money is important because of the way the economy is right now BUT NOT AT THE RISK OF OUR HEALTH!

PLEASE VOTE NO NO NO NO ON THE MEGA DUMP!!! Thank you.
Diane Smith, DeKalb

7/29/2010

CTY 0196

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Wednesday, July 28, 2010 11:59 PM
To: Supple, Mary
Subject: FW: your Landfill Vote Monday night

FYI

From: Brian Morsch [mailto:morschbrian@yahoo.com]
Sent: Saturday, May 08, 2010 7:33 PM
To: anitajo1954@yahoo.com; derektyson@yahoo.com; edubin1627@comcast.net; hulseberg@comcast.net; jandjemerson@gmail.com; jeffmachv8@yahoo.com; juliafauci@verizon.net; kenandersendist3@yahoo.com; kevinchambliss@gmail.com; laadistrict1@yahoo.com; markatodd2006@yahoo.com; mhaines@niu.edu; mjstuck@aol.com; mlgudmunson@yahoo.com; newportdistrict8@gmail.com; plavigne@dekalbtownship.org; prs17@yahoo.com; pvary@niu.edu; rno@yourlawsmith.com; rtobias@dekalbcounty.org; sdefauw@westchicago.org; stevedcb@mchsi.com
Subject: your Landfill Vote Monday night

Dear DeKalb County Board members,
My Name is Brian Morsch living in DeKalb, many of you know me, most of you do not. I'm a real estate investor within and about the County for 35-years with a common sense attitude towards most problems and dilemmas. As I see it, this expansion will not benefit our County but rather hinder it going forward. Have you asked yourself the tough questions, is this in the best interest of our County, who will be held liable when this expansion impacts us in negative manner, will this be worth the promised potential legal action to come with boards Yes vote? What impact will this have on our drinking water and potential health benefits. Will the County be ready for legal action with regards to the present location of the grade school, my understanding is this expansion comes within 1500 ft. of this school, what will this do to the city of Cortland and these students? A Yes vote will be sure to spark multiple law suits merely were this school is located to expansion of landfill. All this for a few tipping bucks. This expansion has many problems and quite honestly is not worth jeopardizing our fine land for. Plain and simple this is a bad idea. I'm calling out to you today to vote No Monday night and against approval of the Landfill expansion.

Respectfully, Brian Morsch
815-739-5785

7/29/2010

CTY 0197

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Wednesday, July 28, 2010 11:58 PM
To: Supple, Mary
Subject: FW: oppose the dump

FYI

-----Original Message-----

From: Herb Rubin [mailto:hruhin@niu.edu]
Sent: Sunday, May 09, 2010 7:48 AM
To: Patricia Vary; Pat Vary; Julia Fauci
Cc: Eileen Dubin; Ruth Anne Tobias; Paul Stoddard
Subject: oppose the dump

Pat and Julia,
(carbonned to other friends)
As you know I am usually supportive of public decisions, but the dump really bothers me. The only justification to me is the trade off for the money for garbage for the needed county infrastructure and to me that is a Faustian bargain. Because of my ankle I have not been attending the public meetings and protests on the matter but it seems to me the Board is not looking at the issue from a correct perspective.

Board is saying: if it appears safe let's do it we need the cash. That is not enough.

To me the logic is different: if it appears not to be safe of course you don't do it, but even if it appears safe the question is is it worth the potential harm (if WM doesn't maintain it right) for the supposed economic benefits? Since it appears that the economic benefits have been presented in the most favorable life -- cash is counted, but the negative externalities of even a safe dump ignored -- I simply think the decision is an unwise one

Vote no, please

Herb R

Herbert J. Rubin
Professor Emeritus-Sociology
NIU
hruhin@niu.edu
1-815-756-6862

"A community will evolve only when the people control their means of communication." Fanon

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Thursday, July 29, 2010 12:05 AM
To: Supple, Mary
Subject: FW: Special Request

FYI

From: Dan Kenney [mailto:dkenney53@hotmail.com]
Sent: Tuesday, May 04, 2010 10:48 PM
To: Eileen Dubin; Eileen Dubin
Subject: Special Request

Eileen,

I urge you to request the vote on the landfill expansion be moved from May 10th to the regular meeting on May 19th. It was originally scheduled for the 19th I believe back at the end of the public hearing.

At any rate I know how unhappy the people of Cortland Township are with this whole process and truly they did not know the expansion was coming. They feel let down by the town of Cortland and by the Town Board of Cortland. So it would mean a lot to them if the county board would respect their situation of having the landfill in the heart of their township and allow them to have their vote first.

Please read the press release that went out to the press tonight. And consider making a request for the vote to be moved back to the 19th.

Thank You,
Dan Kenney

PRESS RELEASE

Contact: Dan Kenney
Chair of the Stop the Mega-Dump
Citizens' group
815-793-0950

Citizen's Group Urges DeKalb County Board to Postpone Landfill Expansion Vote: "Give the People of Cortland Township a Voice First" at a Special Township Meeting May 18th

The Stop the Mega-Dump citizens' group is asking the DeKalb County Board not to turn their backs on the citizens of Cortland again. Citizens of Cortland Township have petitioned the Cortland Township Board of Trustees for a special meeting to vote on a resolution that would prevent any landfill expansion in their township. The special meeting will be held on the evening of Tuesday May 18th, the day before the DeKalb County regularly scheduled board meeting. However the county has added an earlier meeting of May 10th at 7:30 to vote on the landfill expansion application by Waste Management Inc.

"We urge the DeKalb County Board to postpone the vote on the landfill expansion until their regularly scheduled

7/29/2010

CTY 0199

meeting on May 19th.” Dan Kenney Chair of the Stop the Mega-Dump group said in a press release of May 4th. “The citizens of Cortland Township who will be the most impacted by this expansion have been left out of the process. We believe the county board deserves to let them have a chance to express what they want first, before the county votes to add 2,000 tons of garbage a day to the landfill in the heart of their township.”

Many Cortland citizens who attended a Town Hall meeting on the landfill expansion, sponsored by the Stop the Mega-Dump group on April 24th in Cortland were angry that they didn't have a vote in what was going to happen in their front yard.

One resident of DeKalb County said, “Its like if we are taking our garbage and dumping it on our neighbor's front lawn.”

The citizens of Cortland were also angry that the town board entered into an agreement with Waste Management that involved Waste Management paying the town \$1 million dollars in exchange for the town not to lodge an objection to the expansion or support any effort on the part of citizens to lodge such a complaint.

“We feel we have been sold out.” One angry Cortland citizen said at the town hall meeting.

The citizens of Cortland Township are relying on the authority provided the township under the Illinois Township Code (60 ILCS 1/30-120) Sec. 30-120. Which reads “The electors may prevent the deposit of night soil, garbage, or other offensive substances within the limits of the township. This section does apply to refuse disposal facilities regulated by the Illinois Department of Public Health and the county in which the facilities are located. (Source: P.A. 82-783; 88-62)

So the resolution that the Cortland Township citizens will be voting on will state, “Be it therefore resolved by a vote of the Electors of Cortland Township that no expansion of the landfill located in Cortland Township along Somonauk Road just South of I-88 will be allowed.”

“By moving the landfill expansion application vote up to May 10th over a week earlier than it was scheduled is another insult to the people who will have to literally live with this decision forever. It will be their property values that are most affected by this. It will be their children at the Cortland elementary school who will be breathing the air everyday coming from the mega-dump.” Dan Kenney said, “I can't imagine what it will feel like to people of Cortland Township if the county board goes ahead and votes on this before the citizens of Cortland vote. It will be like the county board members turning their backs on the citizens of Cortland Township one more time. They are saying by voting before the people of Cortland have their say, that the county board doesn't care what the people of Cortland want, they don't care what the people of Cortland Township want, and we are going to have this expansion any way we can get it.”

Hotmail is redefining busy with tools for the New Busy. Get more from your inbox. See how.

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Thursday, July 29, 2010 12:06 AM
To: Supple, Mary
Subject: FW: clark to eileen and pat

FYI

From: Clark Neher [mailto:clarkneher@hotmail.com]
Sent: Monday, May 03, 2010 7:22 PM
To: edubin1627@comcast.net; pvary@niu.edu
Subject: clark to eileen and pat

Dear Eileen and Pat, I have long tried to make sense out of the mega-dump issue, but am frustrated because the County Board members I have talked with state that discussion with them is not appropriate, as they are "judges". I do not understand the logic of this stand, as expansion of the dump appears to be a public policy issue that will have long-term effects on our lives. Virtually, all the persons with whom I have spoken about the dump oppose expansion, and argue that the Board views the issue primarily as a means to get funds to be used for good purposes (such as jail expansion).

I have written you, because of my huge respect for you both, and because I do not want to take your time on the phone. I and many friends are ready to join the anti-dump-expansion rally May 8, but we still have an open mind and desire your views on why a 'yes' vote makes sense to accept other counties' garbage. The gossip is that the democrats have been "bought" by Waste Management through funds for pet projects. Please let us know why the Board should accept the proposal or why you will oppose it. Thanks so much. Clark

Clark Neher cneher@niu.edu or clarkneher@hotmail.com

7/29/2010

CTY 0201

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Thursday, July 29, 2010 12:08 AM
To: Supple, Mary
Subject: FW: NO MEGA DUMP

FYI

From: klsycamore@comcast.net [mailto:klsycamore@comcast.net]
Sent: Sunday, May 02, 2010 9:41 PM
To: edubin1627@comcast.net
Subject: NO MEGA DUMP

We are sending you this e-mail to let you know we are opposed to the expansion of the Dekalb county landfill. Although expansion may be needed in the future we do NOT believe it should include garbage from surrounding counties. This mega-dump will not improve the quality of life in our county and should not proceed. Please vote NO to this expansion. We will be watching how you and the other county members vote. Thank you. Jeff and Susan Leifheit 770 Fairway Ln. Sycamore

7/29/2010

CTY 0202

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Thursday, July 29, 2010 12:11 AM
To: Supple, Mary
Subject: FW: mega dump

FYI

From: David Barrow [mailto:david@ocimageworks.com]
Sent: Thursday, April 29, 2010 8:14 PM
To: edubin1627@comcast.net
Subject: mega dump

Ellen,
Vote NO! We don't deserve this.

-- David Barrow
President, OC Imageworks
1600 E. Lincoln Hwy., Suite A
DeKalb, IL 60115
phone: 815-756-8000
cell: 815-751-3076
fax: 815-756-7796
email: david@ocimageworks.com

Supple, Mary

From: Eileen [edubin1627@comcast.net]
Sent: Thursday, July 29, 2010 12:08 AM
To: Supple, Mary
Subject: FW: NO MEGA DUMP

YI

rom: klsycamore@comcast.net [mailto:klsycamore@comcast.net]
ent: Sunday, May 02, 2010 9:41 PM
o: edubin1627@comcast.net
ubject: NO MEGA DUMP

We are sending you this e-mail to let you know we are opposed to the expansion of the Dekalb county landfill. Although expansion may be needed in the future we do NOT believe it should include garbage from surrounding counties. This mega-dump will not improve the quality of life in our county and should not proceed. Please vote NO to this expansion. We will be watching how you and the other county members vote. Thank you. Jeff and Susan Leifheit 770 Fairway Ln. Sycamore

7/29/2010

CTY 0204

-----Original Message-----

From: Steve Walt [mailto:stevedcb@mchsi.com]

Sent: Wednesday, April 14, 2010 9:22 AM

To: Steve Walt

Cc: Pat LaVigne; 'Ruth Anne Tobias'; 'Mark Todd'; 'Riley Oncken'; 'John Emerson'; 'Scott Newport'; 'Vary, Patricia'; 'Sally Defauw'; 'Paul Stoddard'; 'Osborne, R.'; 'Mike Stuckert'; 'Larry Anderson'; 'Ken Andersen'; 'Julia Fauci'; 'John Hulseberg'; 'John Gudmunson'; 'Jeffery Metzger'; 'Haines, Michael'; 'Eileen Dubin'; 'Anita Jo Turner'

Subject: Europe Finds Cleaner Energy Source by Burning Trash

<http://www.nytimes.com/2010/04/13/science/earth/13trash.html>

Exhibit B

Will the City Of De Kalb be impacted by the Landfill? List of Frequently Asked Questions

1. Who gets to approve the Landfill expansion?
2. What is the time line for the approval?
3. What is the history of the current dump?
4. How big will the landfill including the expansion be?
5. How many acres are in one square mile?
6. What load inspections will there be?
7. What types of waste will be in the landfill and how much of each?
8. How will the trash be moved to the landfill?
9. What is the difference between a Roll-Off, Packer, and a Semi-tractor Trailer?
10. Are there any weight limits on the roads?
11. What impact will this have on the roads?
12. How many trucks will there be?
13. Is there away to lessen the traffic increase?
14. Are there any areas in the country that have regional trash by rail and when?
15. Is rail mentioned in any of the county's information?
16. Does the trash on the rail go directly onto the landfill site?
17. What is a Spur?
18. What is a siding?
19. Where are the sidings located?
20. What is a Transfer Station? Recycling Center? Materials Reclamation Facility?
21. How Does a Transfer Station Work?
22. Who governs Recycling Centers?
23. How long does it take a train to load/unload?
24. What does the DeKalb Municipal Code state regarding Transfer Stations/Recycling Centers?
25. Are the railroads and tracks under Federal jurisdiction?
26. What recent legislation has been passed regarding solid waste rail transfer?
27. What does the Municipal code have regarding rail sidings?
28. What can a Municipality do about the lack of legislation or ordinances?
29. What kinds of things should be considered in any new ordinances?

Frequently Asked Questions

1. Who gets to approve the Landfill expansion?

IL PCB
The County Board of Commissioners (County Board) ^{*County*} sets conditions and votes on the approval, then, following an appeal window the approved application goes to the Illinois Environmental Agency (IEPA). The County Board uses the Pollution Control board (PC) as the group that does the initial work before submitting it to the full board for a vote. The PC is a working committee made up from *among* 24 members of the County Board.

2. What is the time line for the approval?

*additional items to be met
me IPCB conditions*
The PC worked and came up with 31 items that had to be met. The County Board held 10 days of hearings in March 2010. The vote to approve the application was on May 10, 2010. The appeals time is 35 days from May 10, 2010 vote. Then the approved application moves to the IEPA. The IEPA approval can take from 2-4 years.

3. What is the history of the current dump?

“The existing facility has been operating since 1956 or somewhere thereabouts.” “
“It’s an 88 acre footprint just east of Somonauk...”
“In 1970 the Illinois Environmental Protection Act was enacted and the Illinois Environmental Protection Agency was established...”
“Waste Management of Illinois acquired this property in 1991...”
Excerpts from Don Moran Applicant Waste Management of Illinois March 1, 2010 Hearing.

4. How big will the landfill including the expansion be?

“...a total of 594 acres...”
“Now the peak height of the east expansion is one hundred and thirteen feet...That peak height represents an elevation of 981 mean sea level.”
Excerpts from Andy Nickodem Civil Engineer with Golden Asso. March 1, 2010 Hearing

The Service Area, as defined by the applicant, is the 17 County region including DeKalb, Boone, Bureau, Cook, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, LeSalle, Lee, Ogle, Putnam, Will, Winnebago, and McHenry counties.
(pages 13) April 12, 2010 Pollution Control Board
See Maps

5. How many acres are in one square mile?

640 acres is one square mile.

6.What load inspections will there be?

For any amount of tonnage received above an average of 500 tons per day, the number of inspections shall be increased on the following basis: For each 500 ton per day average increase, the number of random weekly inspections shall be increased by two.... If the weekly rate is between 1000 and 1500 tons per day, then 7 random inspections shall be included. If the weekly rate is between 1500 and 2000 tons per day, the inspection rate is nine random inspections. After two years of operations WMII may request a reconsideration...

Number 8 of the Pollution Control Board's 31 conditions.

7.What types of waste will be in the landfill and how much of each?

Summary of Service Area Waste Generation

The following quantities of waste are estimated and require disposal from the service area over the 46-year operating life of the Facility:

Net Municipal Waste for Disposal (Table 3):	403,942,334 tons
Net Industrial Waste for Disposal (Table 3):	48,431,280 tons
Contaminated Soils for Disposal (Table 4):	38,047,836 tons
Total Waste = 490,421,450 Tons	

DeKalb County Landfill Extension Need Report (for the WMII Application)

To break the Total Waste amount down

Total waste =	490,421,450 tons over 46 years
Waste per year =	10,661,335.87 tons per year
Waste per day =	29,209.14 tons per day

The number often used is a daily rate of 2000 tons per day

[A difference from the above Total Waste of 14.6 times the 2000 tons per day]

8.How will the trash be moved to the landfill?

Trash is currently moved by the following:

Vehicle	Full weight	Width	Length	Average load
Roll-off Truck	2,000-50,000 lbs	8' wide	30'long	4 ton average load
Packer Truck	45,000-56,000 lbs	8'wide	32'-36'long	8 ton average load
Semi-tractor				
Transfer Trailers	80,000 lbs	8'wide	73'-76'long	22 ton average load

DeKalb County Landfill Extension Need Report (for the WMII Application)

9. What is the difference between a Roll-Off, Packer, and a Semi-tractor Trailer?

Roll-off is a rectangular container that can be placed on a truck bed or a rail bed for transporting. Often seen around buildings undergoing renovation.

Packer is a truck that is commonly referred to as a "Garbage truck"

Semi-t Transfer Trailers are what is commonly called a "Semi"

10. Are there any weight limits on the roads?

State roads have a maximum weight limit of 80,000 pounds.
County roads have a maximum weight limit 73,280 pounds unless otherwise posted.
Illinois Secretary of State website.

11. How many trucks will there be?

Existing facility trip generation	Total Waste Vehicles (Roll offs, Packers)	114
Facility Trip Generation	Total Waste Vehicles (Roll Offs, Packers, Semi-tractor Trailers)	354 / 2
DeKalb County Landfill Extension Need Report (for the WMII Application)		

12. Is there away to lessen the traffic increase?

Rail – the CNX ad states “CNX can move 1 ton of freight 436 miles on 1 gallon of gas”

13. Are there any areas in the country that have regional trash by rail and when?

Los Angeles County's refuse could be carried 200 miles away by train and truck to Eagle Mountain ...
The landfill would be 2.5 miles long, 1 mile wide and 2000 feet deep.
The specter of a train carrying Los Angeles' garbage and dumping it in the largest-ever landfill in the Western U.S.

Under the plan, the county would get \$4-\$6 of the \$40-a-ton tipping fee for Eagle Mountain.
Excerpts from Liz Mullen, Los Angeles Business Journal June 8 1992

...Burlington Northern train travels 340 miles before unloading at a Rabanco Landfill in eastern Washington. Using efficient double stack rail cars, the operation makes more than 100 round trips a year.

Using boxcars, he is moving more than 500 tons of baled municipal solid waste to a landfill 100 miles south of Atlanta.
Excerpts from Waste-By-Rail: a System that's been working on American Railroads December 1 1993, Paul Cohan, Waste Age

14. Is rail mentioned in any of the County's or Waste Management's information?

ASSESSMENT OF LOCAL SITING CRITERIA

A CRITERION 1 -THE FACILITY IS NECESSARY TO ACCOMIDATE THE WASTE NEEDS OF THE AREA IT IS INTENDED TO SERVE

In the Closing Briefs filed by the objectors, mention is also made that Ms. Smith did not use the Spoon Ridge Landfill capacity...Further, ...the Fulton County, Illinois location of the facility and lack of rail capacity essentially renders the landfill non-competitive as a waste disposal unit for the service area.

(Pollution Control Board April 12, 2010 (pages 15-16)

15. Does the trash on the rail go directly onto the landfill site?

The rail does not currently go to the landfill site. [The garbage can go to a transfer station which can be located on a spur or siding].

Google Map search

16. What is a Spur?

Spur- (US): A stretch of rail that branches off the main line. Different from a siding or stub, spurs can be miles in length, and usually have only one destination at the end.

Translation dictionary.com – Rail glossary

17. What is a siding?

Siding : A section of track off the main line. Sidings are often used for storing rolling stock or freight. A siding is also used as a form of rail access for warehouses and other businesses, where the siding will often meet up with loading docks at rail car height in the building.

Translation dictionary.com – Rail glossary

18. Where are the sidings located?

The sidings are located in the city of DeKalb. The sidings come off the main line that runs East/West along Lincoln Highway and off of a line that runs along Peace down to Harvestore/Corporate Drive.

Google Maps

19. What is a Transfer Station?/Recycling Center? Material Reclamation Facility?

A transfer station is facility designed to accept, process and transfer municipal solid waste. Wastes are brought to the facility by franchise collection vehicles ...The waste is dumped onto a concrete floor (the “tipping” floor) inside of a large building..The garbage is then loaded into large-capacity trucks and shipped to a landfill ... Transfer stations are usually sited on industrially-zoned land due to the nature of the business (operation of heavy equipment, big trucks and commodities warehousing).

City of Elk Grove California webpage

The Stanford Recycling Drop-Off Center: the recycling bin is emptied into a larger container. Once the larger bin is full, it is either hauled to a mill, factory, or broker and then sold to a manufacturer who uses the material to make a new product. Glass is made into fiberglass or glassphalt used on surface roads. Newspaper and magazines often become new newspaper and magazines. Mixed paper and corrugated cardboard are used to make the thin liner in corrugated cardboard or made into another paperboard product. White paper is used to make new paper. Aluminum cans become new aluminum cans, car parts, or any other aluminum product. Plastic soda bottles become new plastic containers, fiberfill for pillows or sleeping bags, and car parts. Steel is made into new steel products.

A Materials Reclamation Facility example is the Ken Mills Engineering website that talks about the equipment: Installation has just been completed on our latest MRF system which is designed to process up to 15 tons per hour of co-mingled recyclable material....V-Screen separator for separation of paper from containers, Glass breaking and clean up system, MSS optical sorting equipment for cleaning paper, Fully automatic balers for card, plastic bottles, steel and aluminum cans.

[Note 1:A Transfer Station , Recycling Center and or Materials Reclamation Facility may be combined.

Note 2:Other terms may be used including salvage, processing, intermodal facilities, buyback centers, material recovery facilities, vehicle and container maintenance operations]

20. How Does a Transfer Station Work?

At the transfer station, solid waste is dumped into pits and compacted with large Amfab and SSI compactors, then inserted into 40-foot...trucks.

Excerpt from Is Waste Working on the Railroads? March , 1 1995, Lynn Merrill, Waste Age

21. Who governs Recycling Centers?

The Illinois EPA does not directly permit recycling centers.

IEPA Website

22. How long does it take a train to load/unload?

The first train arrives at the Roosevelt Landfill at 7a.m. It will finish unloading around noon when the second train arrives. It takes approximately 12 hours to remove, empty,and reload the containers onto the train. The roundtrip is 24 hours and it requires another 12 hours before each container is loaded and ready to start the cycle again. Each of the four dedicated train sets complete a cycle in 48 hours.

Excerpts from

Is Waste Working on the Railroads? March , 1 1995, Lynn Merrill, Waste Age

23. What does the DeKalb Municipal Code state regarding Transfer Stations/Recycling Centers?

5.11“LI” Light Industrial District

5.11.03 Special Land Uses and Developments

The following land uses and developments may be permitted under conditions and requirements specified in Article 14, “Permits”

4.Recycling Centers:

5.Sanitary landfills, solid waste transfer stations, energy reclamation facilities, recycling plants, incinerators and similar solid waste management facilities, but excluding hazardous or radioactive waste disposal.

5.12“HI”Heavy Industrial District

...The “HI” Heavy Industrial District is intended to be located in selected areas so that its permitted and special uses' noise, vibration, smoke, dust, toxic or noxious materials orders, fire, explosive, glare, heat, and other hazardous characteristics are not detrimental to the rest of the community.

5.12.2Permitted Land Uses and Developments

The following land uses are permitted in this district:

5. Recycling centers

8. Sanitary landfills, solid waste transfer stations, composting, energy reclamation facilities, recycling plants, incinerators, and similar solid waste management facilities, but excluding hazardous or radioactive waste disposal

Excerpts DeKalb (Illinois) Municipal Code Chapter UDO (Unified Development Ordinance), Article 23

24. Are the railroads and tracks under Federal jurisdiction?

The railroads are under Federal Jurisdiction, but in 2008 new legislation was passed.

25. What recent legislation has been passed regarding solid waste rail transfer?

On October 8, 2008 the President signed into law the Clean Railroads Act of 2008. H.R.2095, Title VI. The Act, which is part of a broad law aimed at improving railroad safety, closes a loophole in the Interstate Commerce Commission Termination Act that preempts states and local governments from regulating solid waste transfer stations that are owned or operated by or on behalf of railroads. Staying Ahead with Saul Ewing, LLP.

26. What does the Municipal code have regarding rail sidings?

There is not currently anything in the DeKalb Municipal Code regarding rail sidings possibly due to the newness of the recent legislation.

27. What can a Municipality do about the lack of legislation or ordinances?

A Municipality can pass ordinances that address the new legislation on Rail Sidings. A Municipality can write current ordinances that govern Transfer Stations and/or Recycling stations regarding the location, volume and other aspects.

28. What kinds of things should be considered in any new ordinances?

Location for a Transfer station/recycling center within the city limits

Distance from schools and homes. (safety, home values, traffic etc)

Current zoning LI versus a possible need for HI

Possible need for noise control

Possible problems with gasses and/or smells

Possible problems from rodents, flies, birds etc

Possible need for extra fire equipment or personnel

Possible toxicity problems from waste

Possible ground and/or groundwater contamination from leaking etc.

Possible weather conditions

Other Possible safety issues

The limits of the IEPA

The new Clean Railroads Act of 2008 as it relates to municipalities

Possible problems from leaking rail cars

Possible problems from rail cars on the tract/siding etc for a prolonged amount of time

Possible need for extra fire equipment or personnel for the sidings

Possible toxicity problems from waste for the sidings

Possible ground and/or groundwater contamination from leaking etc. from the sidings

Possible weather conditions

Other Possible safety issues for the sidings

Possible need to insure trucks are using the proper routes for the load they carry while in the city

The need for regulations for Recycling Centers, salvage, processing, intermodal facilities, buyback centers, material recovery facilities, vehicle and container maintenance operations etc.

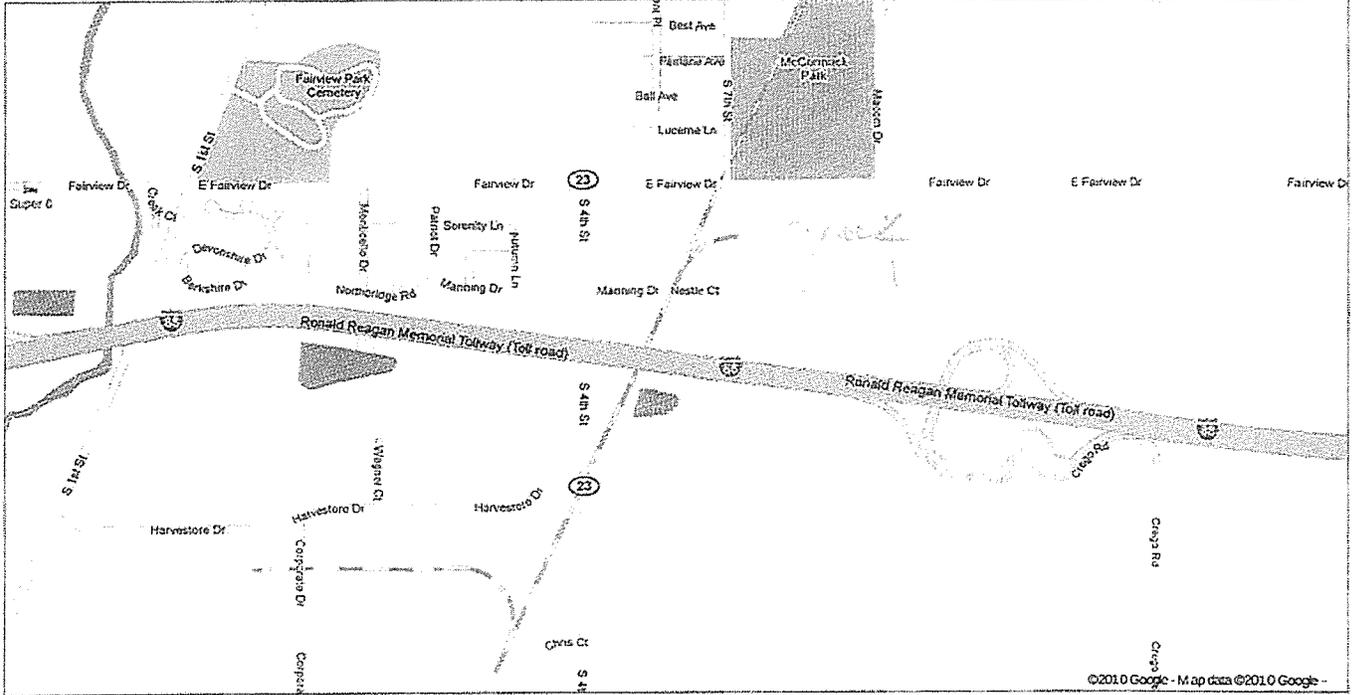
Cost to the city for the above issues and or testing/enforcing these issues

Google maps Address

To see all the details that are visible on the screen, use the "Print" link next to the map.

Get Directions My Maps

Print Send Link

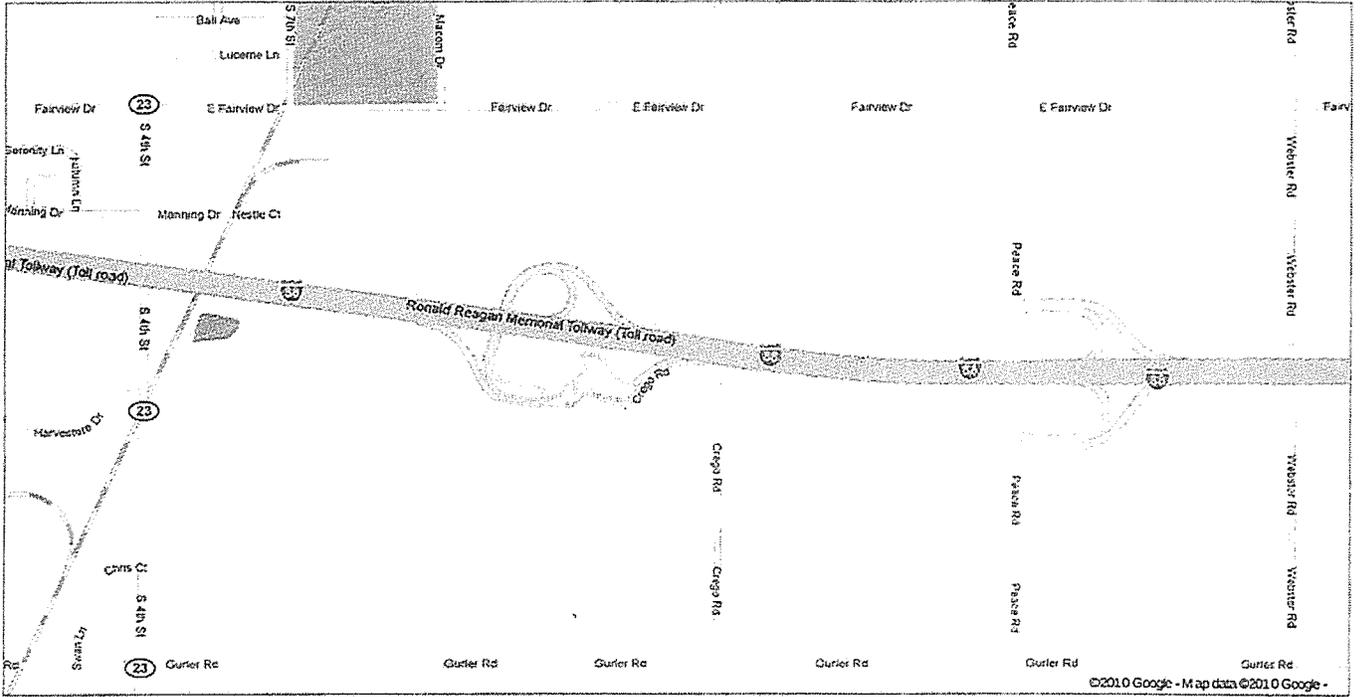


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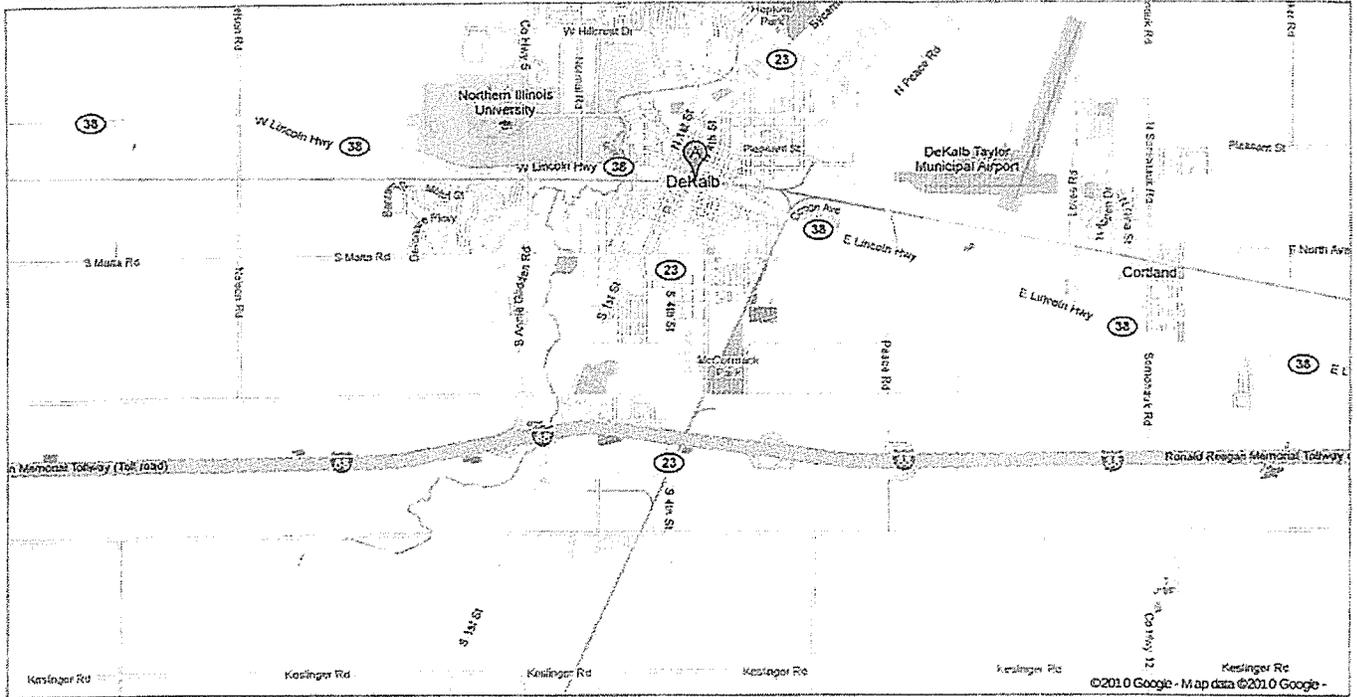


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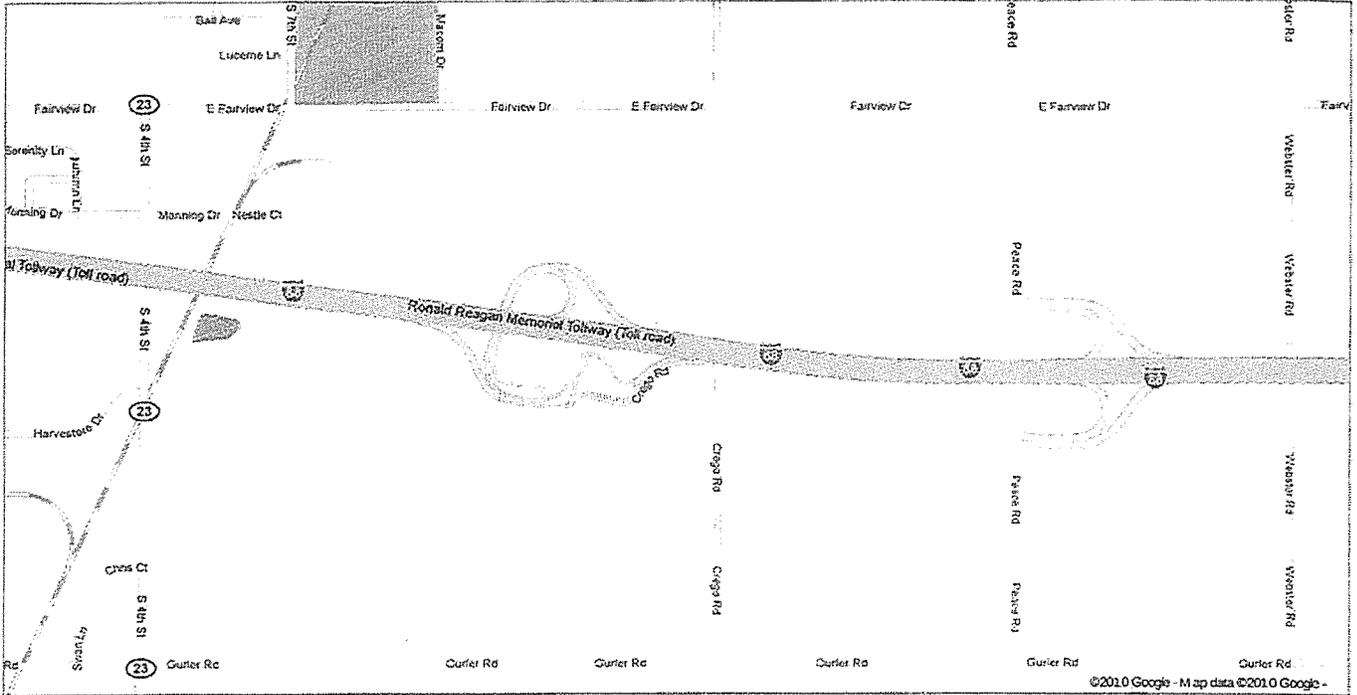
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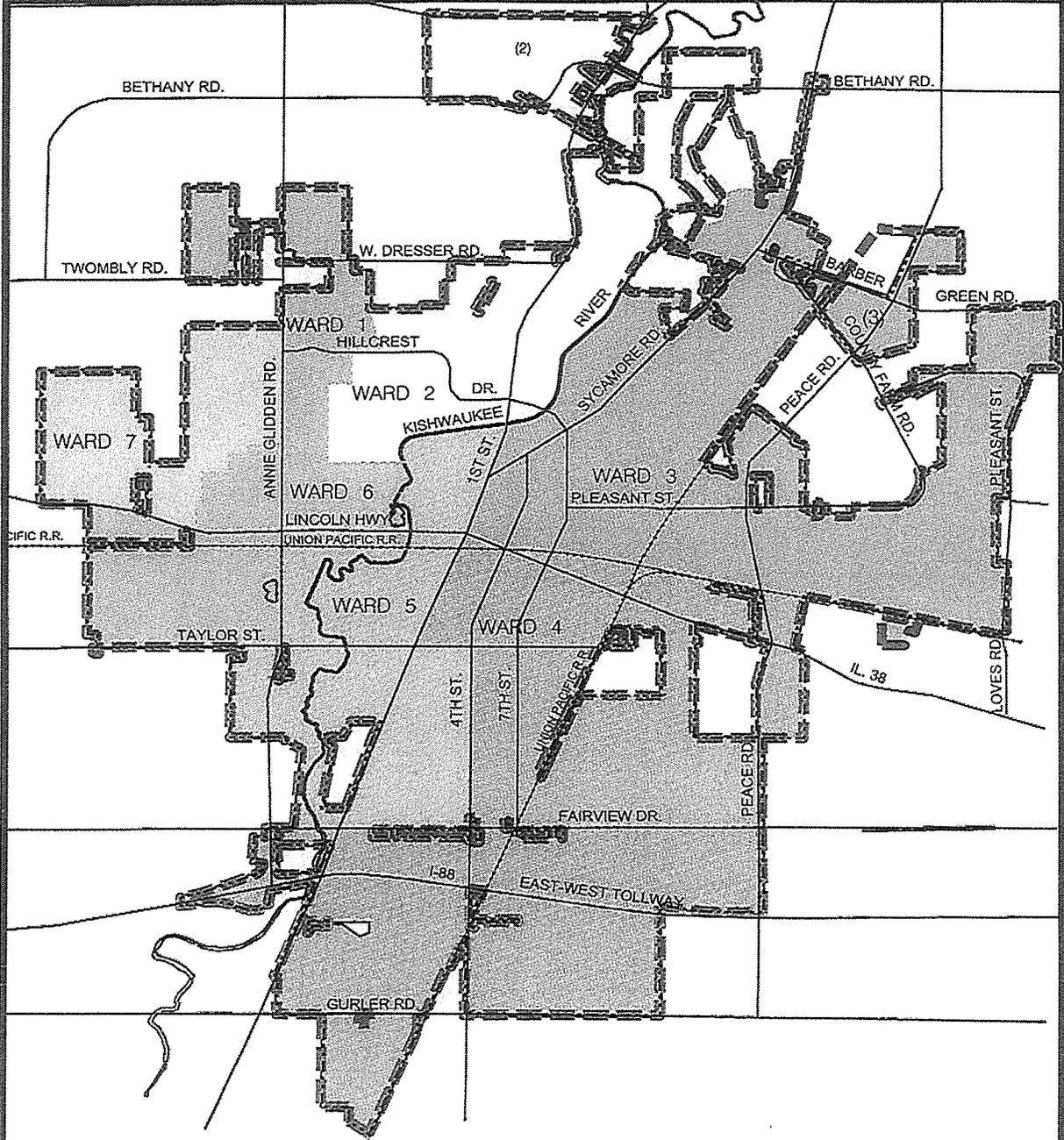


OFFICIAL WARD MAP

MAYOR: Kris Povlsen, 149 Joanne Lane, 815-758-4682

- WARD 1: Bertrand Simpson, 2570 Soros Ct., 815-766-1087
- WARD 2: Tom Teresinski, 119 Ileshamwood Dr., 815-758-2523
- WARD 3: Victor Wogen, 729 N. 11th St., 815-901-1772

- WARD 4: Brendon Gallagher, 423 S. Second St., 815-787-7727
- WARD 5: Ronald Naylor, 328 W. Sunset Pl., 815-756-2359
- WARD 6: David Baker, 560 W. Lincoln Hwy., 815-739-1668
- WARD 7: Brent Keller, 855 Regent Dr. Unit A, 847-778-6076



City of DeKalb, Illinois

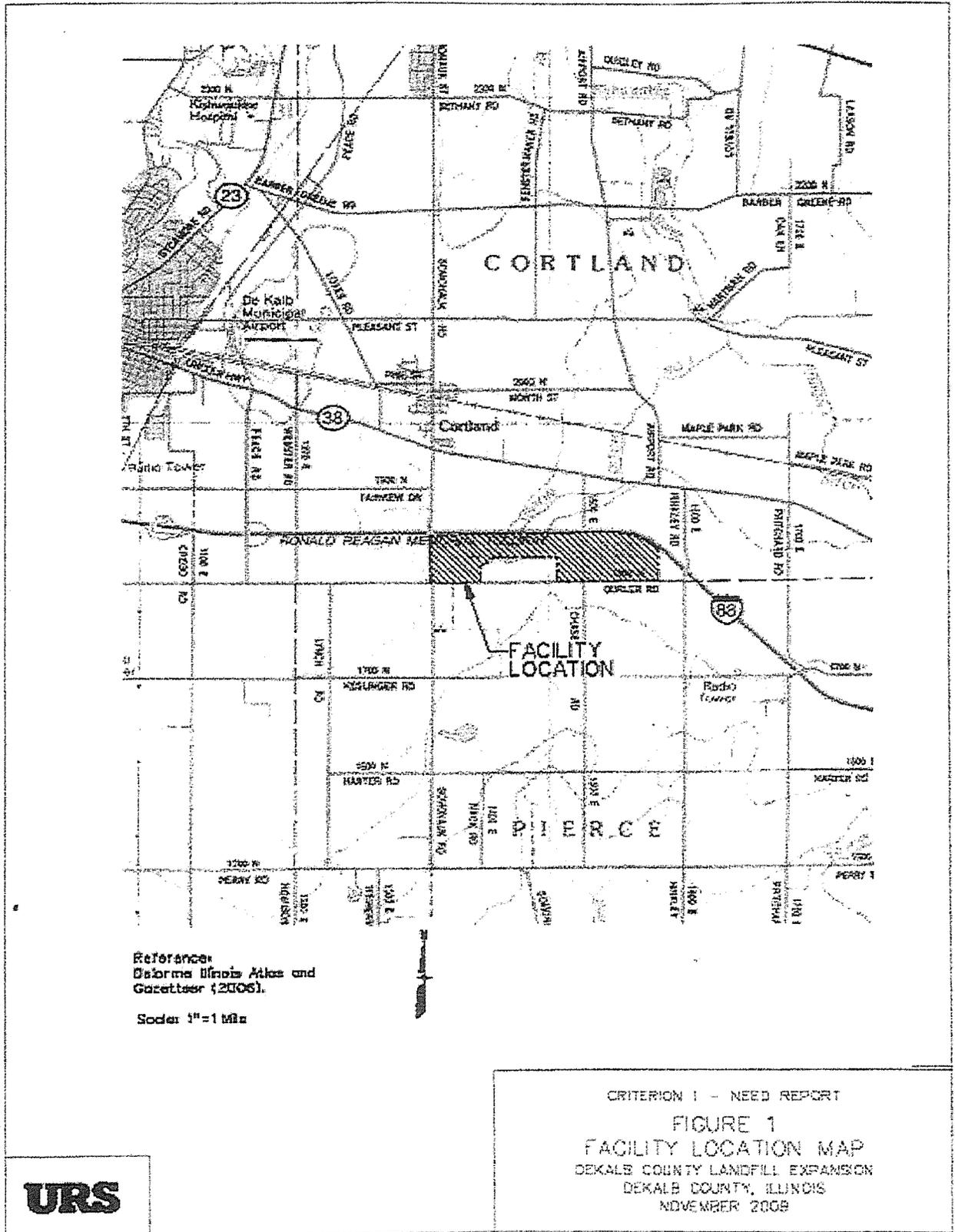


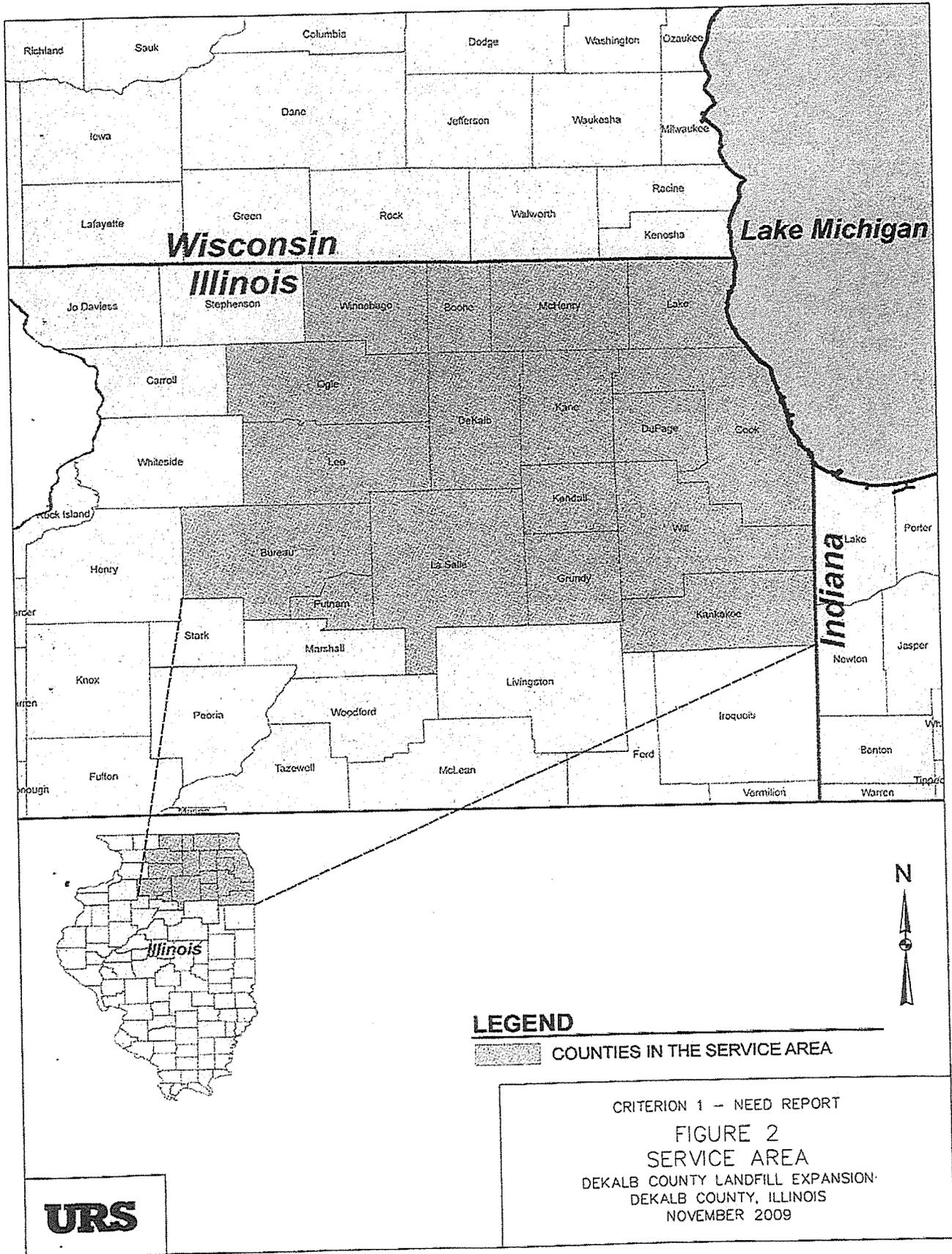
NORTH
↑

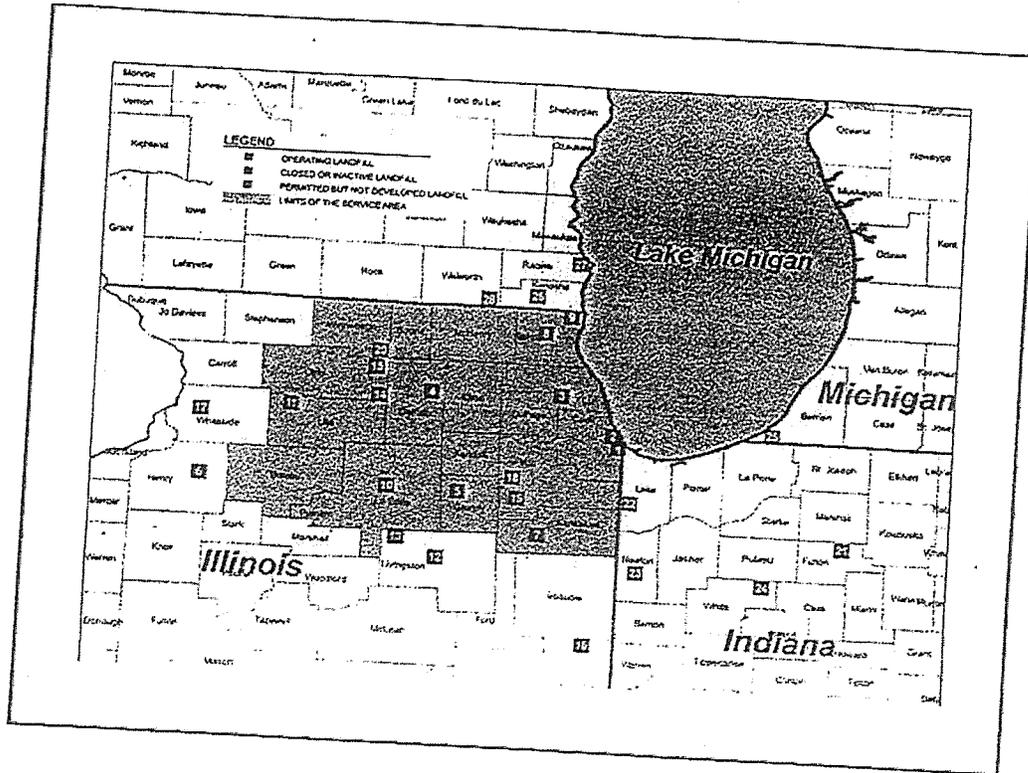
0 1500 3000 FT

WARD

CITY OF DEKALB GIS
Prepared by
Information & Technology Div.
REVISED April 9, 2009 DJE







Available Disposal Capacity

	Capacity (Million Tons)
Illinois Landfills	151.2
Indiana Landfills	46.9
Wisconsin Landfills	8.5
Available Permitted Capacity	123.3
Potential Additional Capacity	83.3

Google maps Address

To see all the details that are visible on the screen, use the "Print" link next to the map.

Get Directions My Maps

Print Send Link

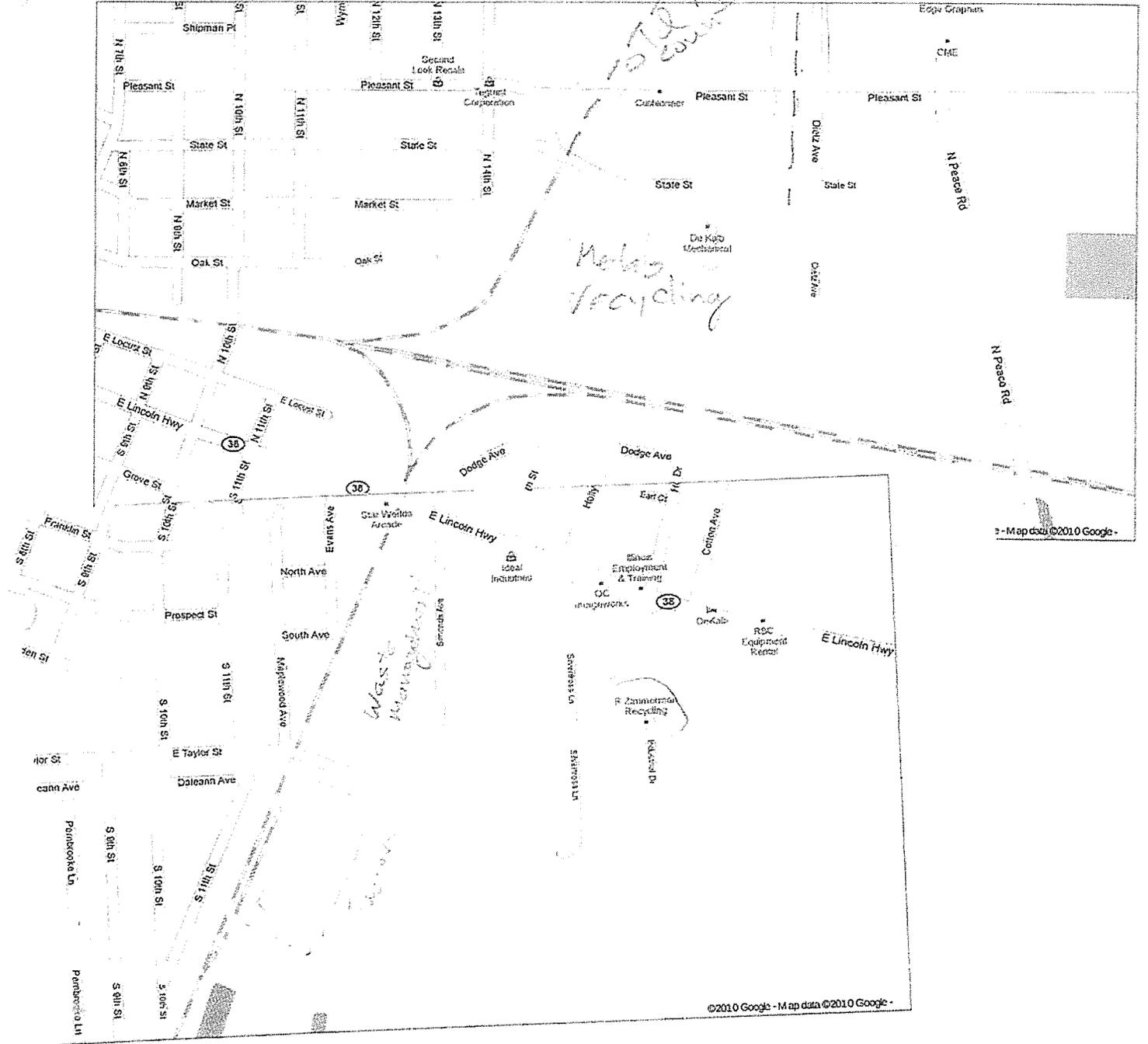


Exhibit C

DRAFT
Finance Committee
Minutes
May 5, 2010

The DeKalb County Finance Committee met on Wednesday, May 5, 2010 @ 7:00p.m., in the Administration Building's Conference Room East. Chairman Michael Haines called the meeting to order. Members present were Ken Andersen, John Hulseberg, Paul Stoddard, Mike Stuckert, Mark Todd and Ruth Anne Tobias. Mr. Scott Newport was absent. Others present were Gary Hanson, Ray Bockman, Karen Kahl, Christine Johnson, Joan Berkes-Hanson and Fred Lantz.

APPROVAL OF THE MINUTES

Moved by Mr. Stuckert, seconded by Ms. Tobias, and it was carried unanimously to approve the minutes from April 7, 2010.

APPROVAL OF THE AGENDA

Moved by Mr. Hulseberg, seconded by Mr. Stoddard, and it was carried unanimously to approve the agenda as presented.

UPDATE TO THE EMAIL POLICY

Ms. Joan Berkes-Hanson, Director of the DeKalb County Information Management Office (IMO), presented an updated Email Usage Policy to the committee. The goal of this change is to create an opportunity for users to easily store and retrieve email correspondence. This change has the approval of the Mr. John Farrell, DeKalb County State's Attorney. IMO's responsibility is to maintain the system. She stated that this change came about from some departments who had to fulfill Freedom of Information Act Requests (FOIA) requests, which can be very cumbersome. This change would enable users to easily save and retrieve public records. The user would just have to drag that email to their personal folder. Employees would place them in the Personal Folders on the individual's "home" or "h" drives. The responsibility of saving the official "public record copy" of both "sent" and "received" email correspondence rests with the employee. All email messages, sent or received, that are "public records" (as defined in the Illinois Local Records Act, 50 ILCS 205/3) should either be printed and retained in paper form, or electronically saved in Personal Folders on the Network Drives.

Mr. Newport arrived at 7:04p.m.

Moved by Ms. Tobias, seconded by Mr. Hulseberg, and it was carried unanimously to forward this Email Policy change to the full board for approval.

REVIEW OF THE ANNUAL AUDIT – MR. FRED LANTZ, SIKICH

Mr. Fred Lantz, of Sikich, LLP, presented the annual audit report. He said that the report also covers the Forest Preserve District and the Public Building Commission.

The Audit Report is a clean and unqualified audit as of 12/31/2009. He mentioned that out of a little over 3,000 counties in the U.S. only 600 counties have this distinction.

In the Single Audit Report the County did expend a little over \$3.5 million in Federal funds. Sikich tested three major programs this past year, which consisted of about 60% in total Federal funds in this last year. It included the Special Supplemental Food Program for Women, Infants and Children, Vet Programs, Public Health Emergency Preparedness Grant, and through the Community Block Grant Program the County received some ARRA funds. These ARRA funds need to be accounted for in separate accounts.

Some of the highlights that were covered by Mr. Lantz included in the Comprehensive Audit were the following. The assets of the governmental activities of the County exceeded its liabilities at the close of the fiscal year by \$102 million and increased in the current year by \$5.2 million. The Rehab and Nursing Center is reporting total net assets of \$10.3 million in 2009 compared to \$10.7 million in 2008. Fiscal Year 2009 also marks the eleventh straight year that the facility has operated without any property tax or other subsidy from other County funds. During 2004 the Rehab and Nursing Center loaned \$2.3 million dollars to the County that was then given to the City of DeKalb for toll-way interchange improvements. In exchange for this payment additional sales tax revenues from the City of DeKalb will be given to the County on certain property within the County. This loan is for a ten-year period payable annually and in full on July 1, 2014, and will be paid with the additional sales tax revenues received.

The County's combined net assets increased to \$112.7 million in 2009 from \$107.9 million during 2008. The majority of the increase is from governmental activities with the business type activities showing a decrease of \$365,432. There was an increase in property taxes of \$1.6 million and the Community Outreach Building Construction in Progress of \$5 million in 2008 became an increase to Buildings in 2009 of \$5.7 million, an increase of \$.7 million. Another part of this increase is due to the revenues out-pacing the expenses for the year 2009 by \$1.7 million. The County is continuing to make an effort to reduce expenses in any way that can be managed without affecting the services to the residents of DeKalb County.

For the fiscal year ending December 31, 2009, revenues totaled \$60.8 million. This is down by \$1.2 million from 2008. Property Taxes increased during 2009 by \$2 million. Income taxes are also shared by the state, but on a per-capita basis. Between 2008 and 2009 the County's income tax revenues decreased by approximately \$8,200.

Mr. Lantz said that the County did have some cushion in the General Fund, but he cautioned the committee to not let the County's General Fund go below 25%.

Mr. Bockman asked Mr. Lantz if the County's total utilization of debit limit was zero?

Mr. Lantz said yes.

Chairman Haines and the committee thanked Mr. Lantz for a very informative presentation.

APPROVAL OF SUPPLEMENTAL BOND ORDINANCE FOR COURTHOUSE

Chairman Haines said that this is the bond issuance that we discussed last month. He said it is the \$16 million bond to cover the expansion of the courthouse and preliminary design of the jail and before this can be let we need to send it on to the full board for approval.

Moved by Ms. Tobias, seconded by Mr. Stoddard, to forward this resolution to the full board for approval to let the bonds for the courthouse expansion and preliminary design of the jail.

Mr. Stoddard said that if we are going to do it, now is the time to do it. Do we really need this expansion?

Mr. Bockman said that the judicial opinion is that the courthouse either needs to be expanded or abandoned because the departments are outgrowing the space. After a great deal of study the recommendation from the citizen's committee was to stay at the current courthouse and add space.

Ms. Tobias said that she thought that with the expansion another judge would be assigned and another courtroom would be needed.

Mr. Stoddard asked what is the projected lifespan to the expansion before we outgrow that?

Mr. Bockman said that he felt the committee was told that this expansion could last for up to 30 to 35 years.

Mr. Bockman reminded the committee that while you may authorize the bonds to be sold this month, they will not be sold until this project is approved.

Mr. Andersen said that if he understood things correctly, this expansion would be funded with sales tax revenue.

Mr. Bockman said yes and if they are not sufficient then we will augment them with other funds from Operations.

Ms. Tobias asked, would there be increased revenue from the Wind Farm?

Mr. Bockman said yes.

Mr. Bockman said that \$14.5 million will be for the courthouse and the remaining \$1 million or so will be for the planning of the Jail expansion. That should be enough to get up to the bid documents.

Mr. Hulseberg said what happens if all the parties interested in doing something say it can be done for \$8 or \$9 million?

Mr. Bockman said then that money becomes available for the other projects. When you authorized up to \$45 million earlier this year you authorized for two projects.

Mr. Hanson said that tonight's resolution is "up to \$16.5 million."

Moved by Ms. Tobias, seconded by Mr. Stoddard, and it was carried to forward this resolution to the full board for approval. There were 7 yes votes and 1 no vote. Mr. Newport voted no.

UPDATE ON THE FAMILY MEDICAL LEAVE ACT POLICY (FMLA)

Chairman Haines said that at the April County Board meeting this committee had sent a resolution regarding a change to the FMLA Policy to the full board for approval. The language change that was sent in April was found in a footnote allowing coverage for same sex domestic partners.

At the April County Board meeting the resolution was sent back to committee to consider the wording changes to include "non-married, opposite sex partners." Chairman Haines said that he did speak with the State's Attorney and Mr. Farrell said that this language is what this committee is supposed to consider this evening. Mr. Farrell said that we have already approved a resolution to the full board with the wording "same sex" in it.

Mr. Hulseberg asked Mr. Hanson how many people have we had that have used the FMLA on a yearly basis?

Mr. Hanson said about 50 or 75 employees, but they have used it more for maternity leave or for taking care of their parents and not all for 12 weeks.

Mr. Newport said that he is still concerned that this wording goes beyond the scope of the county department head or employee's responsibility to police this issue.

Chairman Haines said that it reminds him a little bit of the idea that we don't want to provide a benefit because it could be a problem or be abused, without knowing whether it would be.

Chairman Haines said that if the committee does not send the new wording, then we go back to the board at the next meeting and vote on the original resolution on the updated FLMA Policy that we sent to the full board last month to include the footnote that defines "spouses and same sex partners".

Chairman Haines said that we don't need a motion tonight unless we try to extend benefits to unmarried opposite sex partners. Does someone want to make that motion or not?

No motion was made for the "unmarried opposite sex partners" language. The original updated FMLA Policy that went to the full board last month will be sent again to the full board at their May County Board meeting.

ADJOURNMENT

Moved by Ms. Tobias, seconded by Mr. Stoddard, and it was carried unanimously to adjourn the meeting.

Respectfully submitted,

Michael Haines, Chairman

**LAW AND JUSTICE COMMITTEE
MINUTES
February 22, 2010**

The Law and Justice Committee of the DeKalb County Board met on Monday, February 22, 2010 @ 6:30p.m. in the DeKalb County Administration Building's Conference Room East. Chairman Marlene Allen called the meeting to order. Those present were Kevin Chambliss, Riley Oncken, Michael Stuckert, Anita Turner and Derek Tyson. Mr. Ray Bockman, County Administrator and Ms. Margi Gilmour were also present.

APPROVAL OF THE MINUTES

Moved by Mr. Oncken, seconded by Ms. Turner, and it was carried unanimously to approve the minutes from December 2009.

APPROVAL OF THE AGENDA

Moved by Ms. Turner, seconded by Mr. Oncken, and it was carried unanimously to approve the agenda

COURTHOUSE OVERSIGHT COMMITTEE UPDATE

Mr. Ray Bockman, County Administrator, briefly reviewed for the committee what the Courthouse Oversight Committee has been doing. He said that they have been selecting a Construction Management Firm who is Gilbane Building Company. They were selected out of 29 qualified applicants.

The Architectural selection is now completed. PSA Dewberry contract discussions are underway. Once the scope of work is determined the design process will begin.

Mr. Bockman said that the landfill application was filed on November 30, 2009.

The Bond counsel did authorize the single authorization resolution, which ultimately, you will have before you a bond resolution authorizing \$45 million in bonds with \$32 million being allocated to the jail project and \$13 million to the courthouse project. We are still only going to issue \$15-\$16 million in the first round since that is really all the cash flow that we have to cover it at this point. He continued by stating that whatever is left will be sold, if revenue is available, to back it up either from host fee revenues or place it on the ballot.

Mr. Bockman said that in February 2010 we began the process, in March 2010 we will hold the public hearings and in April there will be the resolution authorizing for the bonds. We will then be in line to issue May 1, 2010 at

historically low rates. He said that the committee is excited about getting this done as quickly as possible. He continued by saying that the County Board would then have the cash on hand to not only do the courthouse projects, but also have enough cash to begin the planning of the jail project.

PUBLIC DEFENDER'S REPORT

Ms. Regina Harris, the DeKalb County Public Defender, was not present, she did however send a note to the committee for Chairman Allen to read.

Ms. Harris said in her note that for January and February 2010 they are on track with the same numbers as last year – just below 400 each month on the new appointments.

They have been appointed on two shooting cases and a stabbing case just in the last three weeks.

Drug Court continues to be a popular option for clients to apply to. She said that they are having their next graduation in May, and the members of the County Board will be invited. She thinks that they will have four or five people graduating.

COURT SERVICES REPORTS – MS. MARGI GILMOUR

Ms. Gilmour, Director of the DeKalb County Court Services Department, said that with regards to the Adult Report - her department is maintaining their caseload. The CRS hours continue to see growth.

Ms. Gilmour then reported that under the Juvenile Court Services Report there were 3 detentions for the month of December with 1 being for the first time, 1 for the 2nd time and 1 for the 5th time. She explained to the committee that all three placements are at Onarga. The IGA report on Detention Expenditures shows that the numbers are down in 2009 compared to 2008.

Ms. Gilmour also said that her department has met with a couple for the the Safehouse and that couple has been selected. They are Ben and Emily James. He is a pharmacist and she is a stay at home mom. Mr. Gilmour hopes that that Open House for the new Safehouse will be in April 2010.

JAIL REPORT

Chairman Allen briefly covered the Jail Report for December 2009 and January 2010. She said that there were 129 inmates housed in the Jail for the month of January 2010 with 116 in December 2009. She said that in November 2009 there were 128 inmates housed in the Jail.

She said that their detention expenditures for fiscal year '09 were down compared to '08. They budgeted \$125,000 and spent just a little over \$54,000.

Ms. Turner asked why is that?

Mr. Gilmour said that they changed their philosophy about detaining juveniles. They found that some of the things that they were doing were not working and they found other ways of working with the kids that are more effective, she feels.

ADJOURNMENT

Moved by Mr. Oncken, seconded by Ms. Turner, and it was carried unanimously to adjourn the meeting.

Respectfully submitted,

Marlene Allen, Chairman

MA:mcs

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