

MAY 04 2005

STATE OF ILLINOIS  
Pollution Control Board

To: Illinois Pollution Control Board  
Re: April 2005 Hearing – Public Comment

PCB04-186  
PC#22

**I. Public Involvement – Not!**

The law (ordinance) says on page 334 of the Kankakee County SWMP (Solid Waste Management Plan) under the heading "Additional Siting Criteria": **Public involvement is crucial throughout the landfill site selection process and should be solicited from the initial stages of the process. Through solid waste advisory committees, public hearings, etc., local criteria should be developed to identify a site which reflects the concerns of the public.**

The public has not been involved but has been totally excluded, denied, shut out of the "site selection process." Please, see the following document dated February 2004 for further details and documentation.

**II. Involved – WMI and Kankakee County officials – Long Before the 2002 Public Hearing.**

It is my personal opinion that the so-called "Public Hearing" is a misnomer -- albeit it is a very time-consuming and expensive procedure.

In letters dated October 18, 1999 and April 14, 2000, WMI communicated with a Kankakee county official about accepting/receiving out-of-county garbage. The BAN on OUT-OF-COUNTY Garbage was NOT removed until October 9, 2001! An October 5, 2001 letter from WM indicated that WM had the out-of-county garbage that could provide the money the County desired. (PROBLEM: Ban on out-of-county garbage). Five days later at the October Kankakee County Board meeting – **without any public input** – the ban on O-O-C garbage was removed!

This brazen act allowed the FINAL draft of the Host (Community) Fee Agreement to be written and approved. Then the way was clear to submit the WM Application for Expansion and later the so-called "Public Hearing".

Again, please refer to the following February 2004 document to view copies of the letters of 1999, 2000, and 2001, as well as October 9, 2001 Board minutes pertaining to removal of the ban on out-of-county garbage.



Pat O'Dell  
1242 Arrowhead Dr.  
Bourbonnais, IL 60914-4293

### III. Citizens Shut Out Again!

On March 17, 2004, the Kankakee County Board denied the WMI Application for Expansion, since the Board had voted against Criteria 1, 3, and 6.

Apparently WMI does not accept a negative vote or denial! They requested that the County Board re-consider, re-visit, and re-vote -- at their April meeting!

Desiring a seat in the first row (of public seating), on April 13, 2004, I arrived shortly after the County Building was unlocked. The last few months I'd had to wait a few minutes for the Board Room door to be unlocked, so I was surprised to see light under the door. Upon opening the door, I encountered two men who seemed almost to be guarding the door. I started to ask permission to enter -- thought again, and decided no permission was necessary!

I walked toward the front row (of public seating) and stopped -- dumbfounded! Every one of the 34 chairs was filled and a few men stood along the wall. My friend Ruth called my name and I joined her at the wall -- near the doorway. As I looked around the crowd, I detected that each and every "nametag" bore the identical message:

**WM** (one inch high green and gold logo)  
**GOOD FOR KANKAKEE COUNTY**

Amazing! Unbelievable! Unscrupulous! Shut out!

#### SHUT OUT #1

Some county employee apparently unlocked the Board room door much earlier than usual -- 30 minutes or more earlier! How could that person allow about 40 people, nicely dressed, all wearing the identical "**WM -- GOOD FOR KANKAKEE COUNTY**" nametags enter the room and fill the public section completely? It is my opinion that not even one of those 40 folks live and/or work in Kankakee County. I call this action SHUT OUT #1.

#### SHUT OUT #2

I believe people were "imported" by Waste Management for the sole purpose of shutting out Kankakee County residents from attending their local Board meeting. Imagine, 40 non-county residents all wearing identical WM nametags! Although the folks were quiet and well-behaved they filled all the seats and nearly all the "wall space" allowed by the Fire Marshall.



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Only 3 of us residents (Ruth Romer, Pat O'Dell, and Keith Runyon) managed to squeeze into the room, along the wall. Meanwhile, dozens of Kankakee residents waited out in the hallway – desiring admittance to their County Board Meeting.

Later, I was told that our county sheriff was at the door of the Board room – denying admittance to the waiting county people – because the room was already Full.

Waste Management, apparently with great calculation and organization, arranged for and/or delivered nearly 40 people to Kankakee to fill our County Board room and **SHUT OUT** local residents.

It was understood that WM desired another vote – presumably more positive toward their landfill expansion proposal, and I think that their blatant SHUT OUT of we residents is unconscionable! I call WM's action SHUT OUT #2!

### **SHUT OUT #3**

Certain of the County officials sit upon a dais facing the Board Members and the public seating area at the back of the room. Certainly they could see and had to be aware of all those people with WM badges – most, if not all, of whom I believe were not local residents. Why did they do NOTHING? I call this lack of action on behalf of Kankakee County residents – their constituents --- SHUT OUT #3.

### **SUMMARY:**

**Shut Out #1** – Someone unlocked the door early and allowed non-residents to fill the Kankakee County Board room.

**Shut Out #2** – Waste Management orchestrated the invasion of our County public seating area with 40 people – almost certainly non-Kankakee tax-paying residents.

**Shut Out #3** – Some County employees allowed this WM “invasion” with impunity!

Please consider my words and examine the copies of letters and minutes as well as the document dated February 2004. Thank you for “listening.”

Pat O'Dell

*Pat O'Dell*

1242 Arrowhead Drive  
Bourbonnais, IL 60914  
815-932-4197



February 2004

To: Members of the Kankakee County Board

Re: Application for Site Location Approval – for the Expansion  
of Kankakee Landfill

### Questions and Comments

#### Re: Contributions and Closed Doors

Since 1998, has Waste Management contributed and /or is WM currently contributing money, goods, or services to the campaign/cause of any person seeking election/appointment to an office/position in or representing Kankakee County? If so, what was/is the extent of the contributions and who were/are the recipients?

I am aware of one Sheriff's car being donated by WM more than a year ago – around the time of the 2002 Public Hearings?? Isn't that sort of like bribery? Is it legal to give large (\$40,000) gifts to a county in which a company desires to do business and is, in fact, awaiting that county's decision favorable to said company? Isn't that type of large gift likely to cause "undue influence"? Or maybe the influence is due?

Truly abhorrent to me is the notion that large gifts might be made to a decision-maker before the rendering of a decision – especially to the one and only "competitor/bidder" for the "proposed" project! Such a notion is

**FUNDAMENTALLY UNFAIR!**

By the way, who proposed the project ? How many RFP's were there? How many RFB's? How many companies responded? Who were those respondents?

It seems to me that this whole landfill "deal" has been just that! Meanwhile the residents have been dealt with **unfairly**. Residents were supposed to be an integral part of the brainstorming and creative problem – solving process of how to resolve our waste disposal dilemma. Instead, not only

was the "door" not opened to welcome us into the process, but also that "door" was slammed shut, locked, bolted, and barred!

The County officials have **shut out** citizens from the initial stages as well as every stage thereafter. This process has been and still is **FUNDAMENTALLY UNFAIR** – because it has been and still is in violation of the County's ordinance to involve the public—"crucial" from the "initial stages"!

### **Re: Out of County garbage—UNACCEPTABLE!**

Why is "service area" defined by the profiteer rather than by the servants of the public—reflecting the desires of said public—being "dumped" upon? The "dumpees" were not consulted, listened to, or even acknowledged when they expressed their strong desires, yea demands, to accept **NO out of County garbage!**

- I have seen copies of many pages of signatures under this heading:

We, the undersigned citizens of Kankakee County/Otto Township, **oppose** the formation of any new dump location within Kankakee County and the importation of **ALL** out of county garbage to current location. We **demand** that our local landfill accept **only** county waste.

It is **FUNDAMENTALLY UNFAIR** to lift a decades-old-ban on out of county garbage in a manner that **prohibits** public input, discussion, and involvement! The citizens' petitions were totally ignored—**UNFAIR** both specifically and **FUNDAMENTALLY!** This **UNFAIR** treatment of citizens is in **direct default** of the **Additional Siting Criteria** on page 334 of Kankakee County's own SWMP!

- In a letter, dated October 18, 1999, to Effriam Gil, from Dale Hoekstra of WMI, there is a proposed daily volume of 1200 tons. When and how did the daily volume increase to 3500 tons per day? Also included in that letter:

- Host Community Benefits

1. Priority volume guarantee:

On an annual basis, Waste Management will reserve sufficient capacity for and give first priority to that volume of residential waste generated in Kankakee County and brought to the site. Any amount of unused volume may be replaced with out of county waste at Waste Management's discretion. \*1

On what basis could WM assert their "discretion" to accept out of county waste as far back as 1999? That is an implication that the long-standing ban on out of county garbage was not really consequential and would be lifted!

- It was two years later, October 9, 2001, that the out of county garbage ban was actually lifted in an abrupt manner—that allowed no comment, question, debate, or input from any Kankakee County resident! \*2

- In another letter from Dale Hoekstra of WMI to Effriam Gil, dated April 14, 2000, is this sentence:

2. WMI will have the ability to bring in out of county waste immediately as outlined in the "Host Agreement". \*3

- According to a letter dated October 5, 2001, from Dale Hoekstra of WMI to Mike Van Mill, "The volumes represented above more than exceed the annual volume required to meet the financial commitment made by WMI in the draft host agreement." \*4

- On October 9, 2001 the Kankakee County Board—after the failed motions to "table" and to "change Article Six so it precludes the bringing in of outside garbage, until the issue is brought before the board separately"—voted to amend the Solid Waste Management Plan. Clearly the people /citizens were not included /did not participate/ could not be heard in the process of deciding about bringing in huge amounts of garbage from outside the county! \*5

- Clearly for several years there has been both written and verbal communication between WM and County officials—elected or appointed! (See the above quoted letters dated October 18, 1999, April 14, 2000, and October 5, 2001.) There is also the underlying assumption that out of county garbage will be accepted at the landfill—in order "...to meet the financial commitment made by WMI in the draft host agreement." (see October 5, 2001 letter).

There was never any public hearing, committee meeting, or any time and place where citizens were allowed to give input and to interact with County officials regarding repealing the ban on out of county garbage!

This violation of our rights (Kankakee County SWMP page 334) \*6 is **FUNDAMENTALLY UNFAIR!**

That **FUNDAMENTAL UNFAIRNESS** completely negates the fulfillment of Criterion 8!

Sheryl Smith states, in Criterion 8: Solid Waste Plan Consistency on page 3 that "A citizen's advisory committee was actively involved in developing both the Kankakee Needs Assessment and the Kankakee County Plan." \*7 Earlier, however, on page 1, she also dates those plans as November 1, 1991 and October 12, 1993 respectively. \*8

- Any citizen who was "actively involved" – prior to 1993 – **does not** **qualify** as proof of compliance with the Kankakee County SWMP, page 334, Additional Siting Criteria!

Again! Criterion 8 has NOT been met! Inconsistencies abound! Be **FAIR!**  
**Reject** the proposed landfill expansion!

#### **Re: Trashed!**

Why did WM indicate at the 2002 Public Hearing that they were diligent about keeping the litter and any other junk picked up around their perimeter?

At the 2003 Hearing I heard at least 3 people witness about how their properties regularly were cluttered with debris from the landfill. Furthermore, they indicated that pickup of litter by WM employees had occurred only in recent months; in earlier times there was little or no pickup!

#### **Re: Quality Water???**

The State of Illinois requires that four (4) quarters of water quality data be submitted with a landfill application.

The one and only quarter of data included in the Application is dated February 2002. The WM Application was filed in September 2003 – allowing plenty of time to both gather the necessary data and to submit the requisite number of quarterly reports!

Is this WM Application **legal** or **not?**

I heard several people bear witness to the fact that they purchased property and /or houses with the understanding that the current landfill would be

closing down in the near future. They were dumbfounded and appalled when they learned about the WM Application to Expand – and that WM planned to import garbage from Chicago and even other states!

Is it possible that drilling (to gather water quality data) would have been too noticeable – too public – and would have alerted folks to the coming Expansion Application? Some of the people who recently purchased property said they would NOT have done so had they heard about expansion rather than closure of the landfill!!

Whatever the reason for submitting only one quarterly report, I insist on knowing why and who has allowed this (seemingly illegal) breach of the law!

#### **Re: Exit – 2005**

Does the Kankakee County Board have an “exit clause” in its Host Fee Agreement with WM? If not, why not? Waste Management has one!

It certainly isn't sound judgment nor very wise to lock oneself into a 30-year-agreement about waste disposal. Remember that developing technologies could very well make landfills obsolete in the near future.

- “The Kankakee County Plan recommended, however, that the economics of each alternate system be re-evaluated as part of the five year updates required under the SWPRA.” [ Quote: page 5, paragraph 1, of Criterion 8 prepared by Sheryl Smith of Environmental Marketing and Management, L.L.C. – September 23, 2003.] \*9

I believe the next update is due in 2005 – and that is only a few months hence!

#### **Re: Truth that hurts??**

This whole “site selection process” has been upside down and backwards! Please note that the first time (at the end of the “process”) the public is **allowed** to be involved – we hear, see, “smell”, and generally begin to detect many serious issues, flaws, and omissions.

Let me review and quote from the minutes of various Kankakee County Regional Planning Commission meetings:



January 26, 1999 --	*10
February 23, 1999 --	*11
May 25, 1999 --	*12
July 27, 1999	*13
September 28, 1999	*14
August 22, 2000	*15
November 28, 2000	*16
April 30, 2002	*17
January 16, 2003	*18
January 28, 2003	*19

Landfill Contract Committee Meeting  
November 20, 2001—page 2 \*20

During or after my “public comment” on January 20, 2004, one of our County public servants was overheard to say that somebody's coached her!

BAD NEWS: Only my husband and a lady friend even knew I was planning to attend the hearing.

MORE BAD NEWS: NOBODY knew what I would be saying!

MUCH MORE BAD NEWS: The statements I quoted (from the minutes of the County Board and the RPC) were included in my previously submitted (June 2003) document titled:

**To: Illinois Pollution Control Board**  
**Re: May 6, 2003 Hearing – Public Comment**

I am including copies of the specific pages from which I quoted, with the quotation highlighted. You are welcome to locate and read the entire document I submitted last year to the IPCB. Check it out! They're **your** words!

GOOD /BAD NEWS: Perhaps the truth hurts??

**Re: Gagged and Shut Out!**

What specific law prohibits elected officials from hearing and /or reading any citizen's concerns, questions, or comments about county business – especially regarding the siting of a landfill? Citizens are greatly impacted by a landfill decision – especially in Kankakee County! Remember our lovely aquifer? Remember the Titanic?



Why were we residents GAGGED? Why? or What? or Who? said the County officials could not listen to our input???

Why did our public servants refuse to allow us to communicate with them – regarding the siting of a landfill expansion??

Meanwhile our county ordinance – Additional Siting Criteria – (page 334 of the SWMP) clearly states that: "Public involvement is crucial throughout the landfill site selection process and should be solicited from the initial stages of the process. Through solid waste advisory committees, public hearings, etc., local criteria should be developed to identify a site which reflects the concerns of the public."

But, no! We citizens are GAGGED! We have been SHUT OUT of the entire process!

Is our situation oxymoronic, illegal, or both???

Criterion 8 has **NOT been satisfied**!

The proposed expansion is located in Otto Township. Is there even one person representing Otto Township on the Regional Planning Commission?

Once again – Criterion 8 has been found lacking in public involvement – from the initial stages! However there has been no lack of involvement between WMI and Kankakee County officials!

**UNFAIR** initially! **UNFAIR** specifically! **UNFAIR** throughout! **UNFAIR** to and at the present time! **UNFAIR FUNDAMENTALLY!**

**Be FAIR! Reject the proposal for a landfill expansion!**

*Pat O'Dell*

Patricia (Pat) O'Dell  
1242 Arrowhead Drive  
Bourbonnais, IL 60914  
815-932-4197



**WASTE MANAGEMENT**

Northern Illinois/Indiana Region  
1031 E. Fabyan Parkway  
Batavia, IL 60510  
(630) 232-7664  
(630) 232-1087 Fax

October 18, 1999

A 1

Mr. Effriam Gil, Director  
County of Kankakee Planning Commission  
189 E. Court St.  
Kankakee, IL 60901

**RE: KANKAKEE LANDFILL PROPOSAL**

Dear Mr. Gil:

In response to your request, we are pleased to submit a proposal to expand the Kankakee Recycling and Disposal Facility.

Our proposal includes an approximate 76 acre expansion of which 50 acres will be adjacent to the existing landfill. The remaining 26 acres are a vertical expansion above the existing landfill. This expansion would contain approximately 6,000,000 gate tons with an estimated life of 20 years. The breakdown of the expansion with host community benefits to the county is as follows:

**KANKAKEE LANDFILL EXPANSION**

• 76 Acre Landfill Expansion

50 Acres Horizontal

26 Acres Vertical (over existing landfill)

• Estimated Life

20 Years

• Proposed Volume

Daily volume of 1,200 tons

• Host Community Benefits

1. Priority volume guarantee:

On an annual basis, Waste Management will reserve sufficient capacity for and give first priority to that volume of residential waste generated in Kankakee County and brought to the site. Any amount of unused volume may be replaced with out of county waste at Waste Management's discretion.

2. Waste Management will pay to the county \$1.00/ton on all out of county waste brought to the site. No host fee will be paid on in county waste. The \$1.00/ton will increase annually based on the annual increase for the preceding year CPI-U-US price index.

A Division of Waste Management of Illinois, Inc.

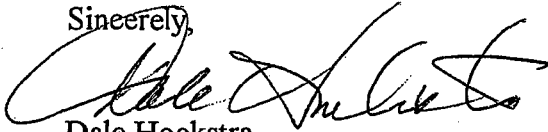


Mrs. Pat O'Dell  
1242 Arrowhead Dr  
Bourbonnais, IL 60914-4293

3. Waste Management also proposes to draft an agreement with Kankakee County which would allow the current surcharge of \$1.27 to be given unrestricted to the county's general fund.

Waste Management would be pleased to discuss this proposal in greater detail at the County's convenience. Should you have any additional questions, please feel free to contact me at 630/232-7664.

Sincerely,



Dale Hoekstra  
Division Vice President  
Northern Illinois Landfills

DH:mps

★ 1  
P-2

10-18-99



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Bourbonnais, IL 60914-4293

**ZBA Case Solid Waste management Plan Amendment**

A resolution was read for an amendment to the Solid Waste Management agreement, regarding the expansion of Kankakee County's present landfill. A motion was made by Mr. Quigley and second by Mrs. Faber to approve the resolution, a time of discussion followed. A motion was made by Mr. LeGesse and second by Mrs. Jackson to table the resolution. A roll call vote was taken, motion failed, 3 ayes to 24 nays. A motion was made by Mr. Martin and second by Mrs. Bernard to change article six so it precludes the bringing in of outside garbage, until the issue is brought before the board separately. A roll call vote was taken, motion failed, 11 ayes to 16 nays. A roll call vote was taken for the original amendment, motion passed, 26 ayes to 1 nay.

123 Cty Bd. Mtg. Min.

10-9-01

A 2



**SETTLER'S HILL RECYCLING AND DISPOSAL FACILITY**  
A WASTE MANAGEMENT COMPANY

1031 E. Fabyan Parkway  
Batavia, IL 60510  
(630) 232-7664  
(630) 232-1087 Fax

April 14, 2000

A 3

Mr. Effriam Gil  
County of Kankakee Planning Commission  
189 E. Court St.  
Kankakee, IL 60901

**RE: KANKAKEE LANDFILL PROPOSAL**

Dear Mr. Gil:

Per your request, Waste Management is pleased to submit the following proposal for an expansion of the Kankakee Recycling and Disposal Facility. We have outlined three variations of the expansion for your review and discussion. The specifics of the Host Community Agreement that apply to each variation are as follows:

1. Kankakee County will receive a Host Community benefit for all volume brought to the site beginning upon the signing of the "Host Agreement". The Host Community benefit increases each year by the CPI.
2. WMI will have the ability to bring in out of county waste immediately as outlined in the "Host Agreement".
3. The "Host Agreement" will include the siting approval by Kankakee County for a vertical and horizontal expansion of the landfill. WMI will guarantee capacity for Kankakee County residential waste for a period of 20 years.
4. Upon receipt of a non-appealable siting decision, WMI will pay the sum of \$1,000,000 to Kankakee County.
5. WMI shall have full control over the facility including pricing, staffing hours of operation, etc.

The three variations of the expansion are as follows:

Variation One:

- Expansion capacity of 12 million tons
- Site life of 26 years
- Estimated daily out of county volume of 1,000 tons
- Host Community benefit of \$1.00/ton for all tonnage received – estimated at



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\$19 million over life of site

- County landfill surcharge of \$1.27/ton or \$24 million over life of site

Variation Two:

- Expansion capacity of 15.5 million tons
- Site life of 26 years
- Estimated daily out of county volume 1,500 tons
- Host Community benefit of \$1.50/ton for all tonnage received – life of site benefit estimated at \$37 million
- County landfill surcharge of \$1.27/ton or \$31 million over life of site

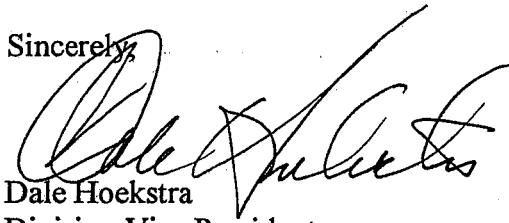
Variation Three:

- Expansion capacity of 19 million tons
- Site life of 26 years
- Estimated daily out of county volume of 2,000 tons
- Host Community benefit of \$2.00/ton on all tonnage received – life of site benefit estimated at \$59 million
- County landfill surcharge of \$1.27/ton or \$37 million over life of site

In each of the above variations, the out of county waste limit would be set on an agreed formula between WMI and Kankakee County. An annual volume with some allowances is one suggested method.

Please review each of the variations at your convenience. Should you have any additional comments or suggestions, please contact me at (630)232-7664. We look forward to working with you as this project progresses.

Sincerely,



Dale Hoekstra  
Division Vice President  
Northern Illinois Landfills

DH:mps

A 3  
P. 2  
4-14-00



Mrs. Pat O'Dell  
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Bourbonnais, IL 60914-4293

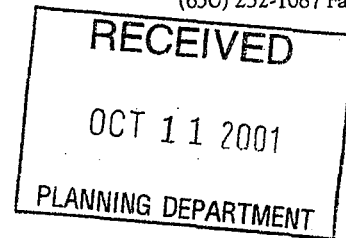


**WASTE MANAGEMENT**

Illinois Landfill Division  
1031 E. Fabyan Parkway  
Batavia, IL 60510  
(630) 232-7664  
(630) 232-1087 Fax

October 5, 2001

Mr. Mike Van Mill  
Regional Planning Director  
County of Kankakee  
189 E. Court St.  
Kankakee, IL 60901



RE: Kankakee Landfill Expansion

Dear Mr. Van Mill:

The County has requested that Waste Management provide support for the solid waste volumes as presented in the draft "host agreement" for the expansion of the Kankakee Landfill. Shown below are solid waste volumes currently managed by Waste Management, which could be disposed of in the expanded landfill.

- Laramie Transfer Station – owned & operated by WMI ;  
454,540 tons per year
- Hooker Street Transfer Station – owned & operated by WMI ;  
298,600 tons per year
- South Suburbs Transfer Station – owned & operated by WMI ;  
139,630 tons per year
- Gary Indiana Transfer Station – owned & operated by WMI;  
300,000 tons per year
- Chicago Recycling Facilities (4) – one owned by WMI, three owned by City of Chicago – all operated by WMI under contract with the City of Chicago;  
825,000 tons per year
- Total volume available for diversion to Kankakee Landfill = 2,009,770 tons per year

The current in-county tonnage disposed in the Kankakee Landfill is approximately 120,000 tons per year of which WMI has a contract for 64,000 tons per year. The volumes represented above more than exceed the annual volume required to meet the financial commitment made by WMI in the draft host agreement. Please review this information and feel free to contact me with any questions at 630/232-7664.

Sincerely,

Dale Hoekstra  
Division Vice President  
Illinois Landfill Division



Mrs. Pat O'Dell  
1242 Arrowhead Dr  
Bourbonnais, IL 60914-4293



KANKAKEE COUNTY  
BOARD MEETING  
SEPTEMBER 9, 2001

The meeting of the Kankakee County Board, Kankakee, Illinois, held October 9, 2001, pursuant to the adjourned meeting of July 11, 2000 was called to order at 9:08 a.m. by the chairman of the Board Karl Kruse with the following members present:

QUORUM PRESENT:

Mr. Thompson, Mr. Martin, Mr. Jensen, Rev. Rucker, Mr. Washington, Mr. LaGesse, Mr. Quigley, Mr. Meents, Mrs. Lee, Mr. Stauffenberg, Mr. Bertrand (O), Mr. Whitten, Ms. Kennedy, Mrs. Bernard, Ms. Jackson, Mr. Hoffman, Mr. Boudreau, Rev. Wilson, Mr. Marcotte, Mr. Baron, Mrs. Faber, Mr. James, Mr. McLaren, Mr. Kruse

MEMBERS ABSENT:

Mr. Wiseman

PUBLIC COMMENTARY

- Thomas Curl from Otto Township spoke against creating an additional landfill in Otto Township.
- Loraine Watson of Otto Township also spoke against creating an additional landfill in Otto Township.

VACANCY APPOINTMENT: None

CERTIFICATES OF RECOGNITION: None

MINUTES OF LAST MEETING

The minutes of the last meeting were submitted to the board. A motion was made by Mr. Meents and second by Mr. Marcotte to accept the minutes. A voice vote was taken, motion carried.

CLAIMS COMMITTEE

The claims committee report was read for the month of September 2001. A motion was made by Mr. Hoffman and second by Mrs. Faber to approve the claims. A roll call vote was taken, motion passed, 27 ayes to 0 nays.

COMMUNICATIONS

- Illinois Department of Transportation sent three separate audit reports for the period beginning January 1, 2000 and ending December 31, 2000.
- A letter was received regarding Governor's HomeTown Awards Project Summaries for 2001.

DEPARTMENT REPORTS

County Treasurer's Monthly Report for August, 2001  
County Collector's Monthly Report for August, 2001  
Coroner's Monthly Report for August, 2001  
Coroner's Receipt of Money for August, 2001  
Recorder of Deeds Monthly Report for August, 2001  
County Clerk's Monthly Report for August, 2001  
Building and Zoning Monthly Report for September, 2001  
Circuit Clerk's Monthly Report for August, 2001  
Animal Control Monthly Report for August, 2001  
County Monthly Resolution List for August, 2001

The department reports for August, 2001 were read. A motion was made by Mr. Washington and second by Mr. James to approve the reports. A voice vote was taken, motion carried.

COMMITTEE PRESENTATIONS AND RESOLUTIONS

Highway and Bridge Committee

A resolution was read for Essex Township. A motion was made by Mr. Hoffman and second by Mr. Meents to approve the resolution. A voice vote was taken, motion carried.

Planning/Zoning/Agriculture Committee

ZBA Case #01-23

A resolution was read for the rezoning of an A1 Agricultural District to a RA Rural Estate District. A motion was made by Rev. Rucker and second by Mr. Thompson to approve the resolution. A voice vote was taken, motion carried.

ZBA Case #01-32

A resolution was read for the rezoning of an A1 Agricultural District to a RA Rural Estate District. A motion was made by Mr. Bertrand (O), and second by Mr. Washington to approve the resolution. A voice vote was taken, motion carried.

ZBA Case Chelsea Sands Subdivision Final Plat

A resolution was read for the final plat of Chelsea Sands Subdivision. A motion was made by Mr. Stauffenberg and second by Mr. Meents to approve the resolution. A voice vote was taken, motion carried.

ZBA Case Solid Waste management Plan Amendment

A resolution was read for an amendment to the Solid Waste Management agreement, regarding the expansion of Kankakee County's present landfill. A motion was made by Mr. Quigley and second by Mrs. Faber to approve the resolution, a time of discussion followed. A motion was made by Mr. LaGesse and second by Mrs. Jackson to table the resolution. A roll call vote was taken, motion failed, 3 ayes to 24 nays. A motion was made by Mr. Martin and second by Mrs. Bernard to change article six so it precludes the bringing in of outside garbage, until the issue is brought before the board separately. A roll call vote was taken, motion failed, 11 ayes to 16 nays. A roll call vote was taken for the original amendment, motion passed, 26 ayes to 1 nay.

Assessor/County Clerk/Recorder/Treasurer

A resolution was read for the rewarding of the Parcel Mapping Contract for GIS to Bruce Harris & Associates in Batavia, Illinois. A motion was made by Mr. James and second by Mr. McLaren to approve the resolution. A roll call vote was taken, motion carried, 25 ayes to 3 nays.

Personnel/Automation/Insurance Committee

A resolution was read for the 2002 Holiday Calendar. A motion was made by Mrs. Jackson and second by Mr. James to approve the resolution. A voice vote was taken, motion carried.

Criminal Justice Committee

A resolution was read in the reimbursement for prisoner's medical expense, a time of discussion followed. A motion was made by Mrs. Lee and second by Mr. LaGesse to approve the resolution. A voice vote was taken, motion carried.

Finance/Purchase/Audit Committee

A resolution amendment was read for the State's Attorney budget, a time of discussion followed. A motion was made by Mr. Meents and second by Mr. LaGesse to approve the resolution. A roll call vote was taken, motion carried, 27 ayes to 0 nays.

a less significant impact on the site selection process. However, urban areas have less undeveloped land and land acquisition costs may be substantially higher causing land availability to become a significant consideration in the site selection process.

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### Additional Siting Criteria

Public involvement is crucial throughout the landfill site selection process and should be solicited from the initial stages of the process. Through solid waste advisory committees, public hearings, etc., local criteria should be developed to identify a site which reflects the concerns of the public.

### GIS Process

In the past 10 years, Geographic Information Systems (GIS) have been developed to assist in the siting screening and election process. A GIS can assemble a complex assortment of paper maps and tabular information into an understandable array of "electronic" maps that can be easily viewed and analyzed according to any set of siting criteria.

The GIS is a computerized system designed to capture, store, process and analyze data which can be represented as points, lines, or polygons. Data are digitalized and

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## 2.0 OVERVIEW OF THE PHASE I KANKAKEE COUNTY SOLID WASTE NEEDS ASSESSMENT

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The Kankakee County Plan was developed in compliance with the SWPRA, and conforms with the waste management hierarchy established as state policy in the Illinois Solid Waste Management Act (415 ILCS 20/1 et seq., formerly Ill. Revised Statutes, Chapter 111½, ¶17501 et seq.) which places the highest priority on volume reduction and recycling and reuse, with the lowest priority on disposal in landfill facilities. The Kankakee County Solid Waste Management Plan consists of two volumes, the Phase I Kankakee Needs Assessment and the Kankakee County Plan (considered Phase II in the planning process). The Kankakee County Plan evaluates a 20 year planning period from 1990 - 2010. A citizen's advisory committee was actively involved in developing both the Kankakee Needs Assessment and the Kankakee County Plan.

Nov. 1, 1991

Oct. 12, 1993

revised/amended  
Aug 8, 1995  
per P.I.  
#2

The Kankakee Needs Assessment evaluates employment and population projections for Kankakee County over the 20 year planning period. Generation rates for residential, commercial and industrial waste (total waste) were calculated and forecasts of annual waste generation and disposal requirements over the planning period were presented. Total waste in Kankakee County was estimated at 8.4 pounds per capita per day ("pcd"). MW, which is a subset of total waste, excludes industrial processing and manufacturing wastes. MW generation in Kankakee County was estimated at 6.8 pcd. The Kankakee Needs Assessment also discusses the waste management systems in place in 1990, identifies the haulers servicing the communities, types of service provided, facilities where recyclables are processed and summarizes the facilities used for final disposal of the waste stream that is not recycled.

The Kankakee Needs Assessment presents the following conclusions related to landfilling of Kankakee County waste in the year 1990:

- ▶ 89% of the MW generated in Kankakee County is landfilled; of this amount, 58% of the residential waste and 65% of the commercial/industrial waste is disposed of at the Kankakee Landfill.
- ▶ Landfilling is the primary method of waste disposal in Kankakee County.

Sheryl Smith

## 1.0 INTRODUCTION

The purpose of this report is to determine whether the proposed expansion of the Kankakee Recycling and Disposal Facility (Kankakee Landfill or existing facility) is consistent with the *Phase I Kankakee County Solid Waste Needs Assessment* ("Kankakee Needs Assessment"), *Kankakee County Solid Waste Management Plan* ("Kankakee County Plan"), the *Kankakee County Five Year Municipal Waste Management Plan Update* ("Kankakee Plan Update") and subsequent amendments adopted by the County Board of Kankakee County ("Kankakee County Board"). This determination is required by Criterion No. 8 of Section 39.2 of the Illinois Environmental Protection Act, that a proposed pollution control facility is consistent with the solid waste management plan of the county in which the facility is located. Environmental Marketing & Management, L.L.C. ("EM&M") was retained by WMII to review the Kankakee Needs Assessment, Kankakee County Plan, Kankakee Plan Update and subsequent amendments and evaluate whether the proposed expansion (Subject Site) is consistent with the goals and principles contained in these documents.

In order to prepare this report, EM&M reviewed the following materials: 1) Kankakee Needs Assessment dated November 1, 1991; 2) Kankakee County Plan dated October 12, 1993 and further amended and re-adopted on August 8, 1995; 3) Kankakee Plan Update dated August 1, 2000; 4) Landfill Agreement between Waste Management, Inc. and Kankakee County dated August 20, 1974 ("1974 Landfill Agreement"); 5) Amended and Restated Host Community Agreement between Waste Management of Illinois, Inc. and Kankakee County, dated December 21, 2001 ("2001 Host Agreement"); 6) Kankakee County Resolution # 01-10-09-393 approved by the Kankakee County Board on October 9, 2001; 7) Kankakee County Resolution # 02-03-12-481 approved by the Kankakee County Board on March 12, 2002; and 8) Kankakee County Resolution # 03-02-11-725 approved by the Kankakee County Board on February 11, 2003. All of these documents were adopted by the Kankakee County Board and forwarded to IEPA in accordance with the Illinois Solid Waste Planning and Recycling Act (415 ILCS 15/1 et seq. formerly Ill. Revised Statutes, Chapter 85, §15951, et seq.) ("SWPRA").



### 3.0 KANKAKEE COUNTY SOLID WASTE MANAGEMENT PLAN

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The Kankakee County Plan consists of six chapters and outlines the integrated waste management system the County selected to meet its recycling and waste reduction goals, while landfilling the non-recycled portion of its total waste. The Kankakee County Plan explored other options for long-term disposal, including incineration for volume reduction or energy recovery, open chamber incineration for MW and closed chamber incineration for wastes such as tires, auto fluff or plastics. Many of these options were eliminated due to the higher capital and operating costs when compared to landfilling. The Kankakee County Plan recommended, however, that the economics of each alternate system be re-evaluated as part of the five year updates required under the SWPRA.

2000  
2005

According to the Kankakee County Plan, the County intends to focus its efforts on developing waste reduction programs county-wide, while relying on private industry to provide the recycling, processing and disposal services for the non-recyclable portion of the total waste stream. The reliance on the private sector to develop disposal services will minimize the financial outlays and risks the County would face in developing its own disposal facilities. Chapters Four, Five and Six of the Kankakee County Plan are applicable to the Subject Site and will be summarized below to provide insight on the goals, principles and objectives of Kankakee County in managing its total waste.

#### Chapter Four Incineration for Volume Reduction

This chapter focuses on an evaluation of combustion technologies, including open chamber and closed chamber (pyrolysis) processes. Open chamber technologies include mass burn and refuse derived fuel (RDF) technologies. Closed chamber systems involve heating waste in the absence of oxygen at relatively low temperatures.<sup>3</sup> The analysis evaluates air emissions, air pollution control equipment, energy production and markets, risk issues, economics, federal and state regulations governing the operations and the economic feasibility of developing an incinerator for managing the

<sup>3</sup> Kankakee County Solid Waste Management Plan, Kankakee County Regional Planning Commission, Gil & Associates, Inc. and Patrick Engineering, Inc., re-adopted August 1995, p. 242.



to make a recommendation to the County Board to sign a letter of support for the Kankakee River Basin Stewardship Plan. A motion to recommend the Kankakee River Basin Plan and forward the Plan to the Kankakee County Board was made by Mr. Millirons and seconded by Mr. Moline. The motion carried by unanimous vote.

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Mr. Van Mill went over the results of the Planning Questionnaire with the Commission. The following issues were discussed in detail.

Who did it?

Some Commission members were surprised by how high the landfill was prioritized and how low aesthetic design and greenways and trails were prioritized.

Mr. Van Mill asked the Commission member about land use issues. Several Commission members felt that farmland preservation should be a priority. Mr. Meyer indicated that farmland preservation is difficult for a farmer who wishes to sell off his farmland and use the proceeds to fund his retirement. There should be incentives for farmers to leave farmland in production.

Mr. Moline asked why rural sprawl was not addressed under housing issues. The Commissions concerned that rural sprawl is an issue of importance to address. The further from a municipality a home is located, the greater the burden to serve the home with utilities, safety, etc., costs our local government. The issue should be studied soon.

Transportation was the next issued discussed. Several Commission members agreed that access to east/west highways and better access to industrial parks needs to be studied.

A majority of the Commission felt that there should be no county-wide park and open space agency. It should be dealt within the municipalities. Recreational and park areas in rural developments should be maintained by developers or the appropriate established agency.

- || The State requires that the County Solid Waste Plan be updated by 2000. More education is needed to improve County-wide recycling and to get people involved in both the private and public sector. Tempico, a paper manufacturing company, is looking at locating a plant in Kankakee County that will bring in approximately 400 jobs and possibly extend the life of the landfill by 20 years. A Tempico representative will be at the February 17, 1999, Planning, Zoning, and Agriculture Committee meeting to give a presentation, all Commission members are invited to attend. This Commission will be making all recommendations on the landfill.

A draft of the 5-year work program of the Planning Commission was put together from the results of the survey. The work program will be documented and endorsed by the Commission. The work program will be broken down into subcommittees, according to each section of the program. What subcommittees are needed and who will be on them will be discussed at the February meeting.

A public hearing on the Greenways and Trail Plan is scheduled for the April meeting. Status reports from subcommittees will be heard at the June meeting. September's meeting will be the annual meeting with appointment of officers. The October, November and December meetings



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A motion was made by Mr. Koehler and seconded by Mr. Jaffe to approve the 5-Year Work Program. Motion carried by unanimous vote. It will be sent on to the Planning, Zoning, and Agriculture Committee.

Mr. VanMill briefly discussed the Land Use Element. We would like to have the cost of sprawl study done this year or early part of 2000.

Mr. Saindon asked if this would be done in office or outside sources.

Mr. Van Mill stated it would be done within the office. Mr. Van Mill and Mr. Howell will be attending a meeting in Ottawa and they have done similar studies in counties in Northern Illinois. Would like to get some idea from them on process and procedure.

Mr. Saindon asked if there was a possibility that impact fee would come out of this. Mr. Van Mill stated no, the County has no enabling legislation to propose anything like that. Mr. Washington stated that impact fees are available from the State for mileage or/and roads, but the County didn't qualify because of population. Mr. Jaffe asked about available grants for land use planning. Mr. Van Mill stated that there is not must available.

Mr. Van Mill stated that we will continue to update the Land Use Plan, it will be an on going thing for the next several years. We will be completing the Pembroke Comprehensive Plan. Updating the LESA System and municipal boundary agreements will be ongoing for the next couple years.

Mr. Van Mill then turned it over to Dr. Gil to discuss Solid Waste Management.

Dr. Gil stated that the first thing would be to update of the Solid Waste Plan, it is a State law that the Plan be updated every 5 years, it is due in 2000. Then there is the Landfill Study. The current landfill is scheduled to close in 2005 according to the State. It takes approximately 5 years to site and develop a new landfill, therefore we will need to review available options. The options to keep the landfill would be to bring limited garbage from outside of the County, expansion of the current landfill under current ownership and management, County ownership and management, County ownership with private management, and private/County ownership with private management. The committee would research as to what option is most beneficial.

Mr. Saindon asked about an option to buy additional land for the landfill. Dr. Gil stated that it is an option if they choice to do so. Kankakee County is the only county that has a contract with it landfill operator that only garbage from inside the County is allowed.

Mr. Jaffe stated that the Kankakee County Training Center is losing money on recycling and may have to close its doors. Dr. Gil informed them that the County is giving money to Kankakee County Training Center to help elevate the cost. The County will be working with Steve Mitchell from Kankakee County Training Center to solve this problem.

Mr. Millirons asked about the progress with Tempico coming into the County. Mr. Washington



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Mr. Saindon made a motion to adopt the Corridor Standards. Mr. Bergdahl seconded the motion. The motion carried by unanimous vote.

Mr. Lammey stated that they are identifying every driveway, agriculture entrance, parcel, etc. on County Line Road. Traffic from airport would be using north/south roads.

Mr. Koehler stated the new interchange issue between Bradley and Manteno is primarily to make accessibility to Diversatech easier. It appears the 6000N Road is the best location for the potential interchange and the Transportation Subcommittee is recommending it.

Mr. Lammey stated the a diamond interchange is recommended with a grade separation at the IC and Illinois Route 50.

Mr. Jaffe stated that Rep. Novak is working on a wish list and he could recommend the interchange to the Governor.

Mr. Van Mill informed the Commission that letters have been sent out to the Representatives. Also Manteno Township Planning Commission would like to assist in the Will/Kankakee County road alignments and in the planning process.

Mr. Bergdahl made a motion to except the Interchange at 6000N Road with grade separation. Mr. Jaffe seconded the motion. The motion carried with a vote of 11 ayes to 1 nay.

The I-57 Corridor Study has formed a study group to look at corridors. They will be meeting on May 27, 1999 in Manteno. Commission members are encouraged to attend. Mr. Saindon stated that funding is just for this fall and things are moving along, but need more representatives from Kankakee County.

Mr. Koehler informed the Commission that the County received a \$20,000 grant for Handicap Accessibly Study (ADA). Mr. Van Mill stated that the credit goes to Brian Billingsley for getting the grant. The Plan will take approximately one year and the project is in the Planning Commission's work program.

Dr. Gil stated that the landfill tour was informative, 25 people attended the tour and learned how the landfill operates. To prevent seepage they have a leach system and the methane is cleaned and piped to produce electric. Neighboring citizens are concerned about the landfill's option to buy additional property to expand and the pending Tempico decision. If things stay the way they are, the landfill will last another 7 years and it will take 5 years to site a new landfill. There are two things the Solid Waste Subcommittee must do: 1) review and revise the Solid Waste Plan that is due in 2000, and 2) complete the landfill study. Some of the option included in the landfill study are the Tempico project, no landfill, County owned and operates, County owned and private operators, extend contract with landfill, etc. This Subcommittee will look at financial feasibility,

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For that all



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Mr. Lamme informed the Commission that they are still waiting for legal opinion from the States' Attorney's Office.

Mr. Van Mill feels that the Land Use Subcommittee should be involved with the right of way issue.

Mr. Saindon presented the Solid Waste Subcommittee report. He stated that they are moving forward with the Solid Waste Plan. Looking at all options. Need to only look at feasibility and what the best proposal is for the County. *public invited?*

Mr. Jaffe stated that citizen do not want waste from outside of the County.

Mr. Saindon stated that is true, some want Tempico to eliminate some amount of waste. The Commission should evaluate proposals that include and exclude outside County waste. Dr. Gil is working on the feasibility of the different options. Within the next year to year and a half the Solid Waste Plan update and Landfill Study should be done. Other communities told Dr. Gil they were first choice for Tempico.

Mr. Van Mill informed that Commission that Tempico is going to East Chicago as a pilot project.

Mr. Saindon stated that this can not hurt, could get more information on how this will work.

Mr. Howell gave status report on Land Use. He stated that the major point is to get a baseline on housing stats in last 10 years. Do we need a cost study? Comprehensive Plan and Zoning Map do not match, more residential zoning than what's on the land use map. We will be looking at the changes over the last 10 years on housing states, travel of school buses, fire/police, etc.

Mr. Van Mill stated that intern has map done. Committee needs to discuss what degrees we are seeing sprawl, progressive or leap frog. Need to study outside urbanized area. What is the basis for doing the sprawl study? The study will take time.

Mr. Van Mill stated that an extension to August for the Greenways and Trails Plan was given. The Plan is in the process of being printed. We are working on getting the Municipalities and Park Districts to sign on to the Plan. County Board has endorsed the Plan. Final print should be ready for annual meeting.

Mr. Van Mill informed the Commission that the Airport Subcommittee has not yet meet. Hoping to get meeting set soon with Ed Pasel, working around his schedule. A scaled down proposal of the 3<sup>rd</sup> Airport was handed out.

Mr. Saindon stated that funds have been budgeted by the State for the purchase of land for the airport.

Mr. Howell informed the Commission that money was coming from Illinois First.



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Mr. Millirons made a motion to forward a resolution to the County Board to resolve the interchange agreement issues. Mr. Howell seconded the motion.

Ms. Dugan stated that would be in the best interest.

Mr. Saindon noted that without airport <sup>as with would be a</sup> need for interchange, but would be in the best interest of County to encourage the villages to settle on a boundary line.

Above stated motion carried with a vote of 7 ayes to 1 nay.

Mr. Bergdahl informed the Commission that the final copy of the Greenways & Trails Plan was passed out to them at this meeting. There has been no meeting since the approval of the Plan.

Mr. Van Mill informed the Commission that the Brochure Plan is in the print stage. The Bourbonnais Park District and the Village of Manteno have used the Greenways and Trails Plan.

Mr. Saindon stated that the last Solid Waste meeting was with Dean Olson, SW director for Will County. Mr. Olson had good information on the development of their landfill.

Dr. Gil stated that Tempico will be in air for a number of years. The County's options are for Waste Management to expand the existing landfill and look at new ways to get host fees and market competition. Mike Watson a local hauler is interested in owning and operating a landfill. The County wants to see from possible new landfill operators, the highest host fee, evidence of landfill operation skills, and a guarantee for 20 years of capacity.

Mr. Saindon informed the Commission that some garbage is not going to our landfill.

Mr. Van Mill stated that Will County lost \$250 million for <sup>ing</sup> not bring in outside waste.

Dr. Gil stated that one proposal wants to include garbage from the third airport.

Dr. Gil thinks this Commission has to question the drawbacks and advantages of accepting outside waste.

Mr. Van Mill gave an overview of the work program that was approved in February and most of the issues are successful and/or moving forwards.

1. Land use will be over time; boundary agreement and prison important.
2. Rural transit is getting off the ground.
3. ADA Grant is underway.
4. Greenways and Trails Plan - done.
5. Major transportation issues moving forward.
6. Transportation Long Range Plan will be approved very soon.



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Motion passed.

Land Use:

Mr. Howell: They are working on objectives to allow a decision on how much sprawl, if any, where the problems are and cost of sprawl study done here would be.

Mike VanMill: Passed out report on growth of Kankakee County, and setting criteria to measure economic development in the county. These indicators will be the basis for policy decisions to the board. Asks board to consider these and provide feedback. Need sound basis for decisions and policies, there is a lot of data to review. This will be a working report and take some time to write. Brian wrote an excellent report on the number of subdivisions in unincorporated Kankakee and how they are filling up, considered school data, traffic count and agriculture is the backbone of Kankakee. Of 102 counties Kankakee ranked 10 in cash receipts in soybeans. Approximately 4,300 acres has been converted from agriculture to other uses and this number will be changing. In the future the forest preserves and open land usage can be considered.

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A two to three week time frame and a working report for the July meeting.

RH: Passed out copies of an article from the Tribune, "Smart Growth: The Lesson we can't seem to Learn".

RH: Soil and Water Conservation District, farmland protection jury scheduled for Friday June 2 that will show the bad aspects of development. RH and Brian B. will be attending, anyone is welcome to attend.

Solid Waste:

CS: There has been several meetings reviewing/developing documents received. This is not the solid waste plan that is being updated. This draft for siting procedures and criteria used should municipality or private entity wish to establish a pollution control facility in an unincorporated area of the county. The application must be in accordance with the solid waste plan in use at that time. In summary there are 9 criteria established by state law to be used in an application. There is a fee for the process, a public hearing by the solid waste subcommittee, summary and recommendation made to PZA and then passed to County Board for final review and decision on application.

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RH: What is the rule of the Health Dept in this?

CS: To file environmental impact type statements, sign off by Health, traffic, highway, etc.

Mike VanMill: Any corrections notify Michelle. It will be ready for PZA for review and brought back for public hearing.



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RH - Project for future. Should have been more active role at the scoping mtg.

CS - Dot in ~~agor~~ consensus on the issue. Need to move forward.

MUM - Consensus of Subc can pass all the resol. it wants, w/ little effort.

CW - Stop issue is all political. Industrial in the immediate area, not housing (growth) 10-15 yrs. Small airport w/ freight + becoming international. Not going to move forward until Poliran issue is solved.

CS - SW hasn't met since final of RPC facility. Remain life of Landfill is 5 yrs, need to look closely at the solution of this + move forward to PZA + CB. "Tipping fees could help the City budget problems, work w/ explain + the different options, 107

FK - Will be transp. issues in relation to the landfill

CS - "Easier to expand the current landfill. Timeline will be reduced, otherwise longer process."

Landfill can not be within

MUM - 6 mile radius of airport unless expanding

FK - Contract + life of landfill one in the same.

MUM - Yes, contract would be renewed if expansion done.

Mr. Bergdahl made a motion to accept the Quality Inn as the location of the public hearing for the Landfill Siting process, second by Mr. Blanchette. Motion carried.

Mr. Jaffe made a motion to accept the dates and times of the public hearing as follows: July 22-25, 2002 and July 29, 2002 with 3 sessions each day: 9:00 a.m. - 11:30 a.m., 1:30 p.m. - 4:00 p.m., and 6:00 p.m. - 8:30 p.m. In addition July 30 - 31, 2002 and August 1, 2002 with 1 session each day: 6:00 p.m. - 8:30 p.m. Mr. Washington seconded the motion. Motion carried.

Mr. Van Mill talked about the selection of the hearing officer. The staff in the Planning Department and Mr. Helsten reviewed a number of individuals that are qualified. We received a statement of qualifications from a number of individuals and further looked into whether they had represented Waste Management in any way. With the help of Mr. Helsten, the staff recommends John McCarthy. Mr. McCarthy has the experience, has served as hearing officer on landfill sitings, and has no involvement with Waste Management at this time.

Mr. Saindon stated that the cost of the hearing officer would be covered by Waste Management application fee.

Mr. Blanchette asked how the hearing officer bills the County.

Mr. Van Mill explained that it is an hourly rate plus travel and lodging. His rates are comparable with the others considered.

Mr. Meyer made a motion to accept John McCarthy as the hearing officer for the Waste Management Landfill Siting process. Mr. Spilsbury seconded the motion. Motion carried.

Mr. Saindon stated that it was brought up about whether there is a requirement to have a quorum of the Regional Planning Commission Members for the hearing sessions. Mr. Helsten informed us that a quorum of 6 members of the Planning Commission is not required, but it is recommended that at the start of each day there is a quorum. We encourage Planning Commission Members and County Board Members to be at as many sessions as possible.

Mr. Van Mill also stated that Mr. Helsten is strongly encouraging a quorum.

Mr. Saindon stated that at a later date we may send out a survey as to who can attend the morning sessions.

Mr. Washington informed the members that tomorrow morning, Mr. Van Mill will be taking to the Planning, Zoning, and Agriculture Committee a request to approve a per diem of \$40 per session for the member that attends. The per diem will also be covered by Waste Management's application fee.

Mr. Jaffe asked if the Planning Commission Members can bring in experts to testify.

Mr. Van Mill explained that no they can not. You are to base your recommendation on what is presented. The Solid Waste Subcommittee acts as a quasi-judge. If someone from the public wants to bring in an expert, they can. (After being shut out from the initial stages, how can we have experts at the end of the process? which we have to pay for required???)

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the company  
bring?

see page 4-30 or we can have experts at the end of the process which we have to pay for required???

Minutes  
Kankakee County Regional Planning Commission Meeting  
January 16, 2003  
4<sup>th</sup> Floor Administration Building  
9:00 a.m.

A 18

Members Present

Craig Bayston  
Dave Bergdahl  
Mike Spilsbury  
Mike Finnegan  
John Meyer, Jr.  
Barry Jaffe  
Loretto Cowhig  
Mel Blanchette  
Jim Tripp  
Ralph Paarlberg  
Curt Saindon  
George Washington, Jr.

Members Absent

Dennis Peters  
Dennis Millirons

Others

Elizabeth Harvey, Attorney

Mr. Washington called the meeting in order at 9:10 a.m.

Roll Call was taken and a quorum was present. The public was informed that these proceedings are open to the public but closed for public participation and comments.

Once again, the public is excluded from participating

Ms. Harvey went over the instruction and overview of what the Commission's role in the proceedings are. The Commission can accept or deny the Hearing Officers recommendation based on the application, hearing, transcripts and public comment. The Commission must determine if all nine (9) criteria have been met. Each issue and criteria should be voted on individually.

The first issue to be addressed was whether the County has jurisdiction over the application.

The Commission discussed this issue and noted that the Hearing Officer denied all the motions made on this issue.

Motion was made by Mr. Meyer to accept the Hearing Officer ruling on the County having jurisdiction over the application, seconded by Mr. Jaffe. Motion Carried.

Next is the issue of the proceedings being fundamentally fair.

The Commission discussed this issue and also noted that the Hearing Officer denied all the motions made on this issue. (The Commission was disappointed in the public participation. //

at the Public Hearing - at lengthy times that the average citizen cannot attend?)

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review the Phase One and Phase Two prequalification recommendations of staff, and that the work on the grant would begin in July, and would be a two year process. He further stated that the next meeting of the Subcommittee would be on February 25, 2003, at 6:30 p.m.

Mr. Howell also stated that the review of the Subdivision Process to see if there is a role for the Land Use Subcommittee to play is a topic of conversation. General discussion about the potential role of the Land Use Subcommittee, and the Planning Commission in this area was held.

Mr. Washington reported on the Work Program of the Airport Subcommittee, stating that having members become more involved in the many meetings discussing the Airport is an immediate goal. Mr. Van Mill stated that an Airport Subcommittee meeting will be on February 6 at 5:00 p.m. with two speakers scheduled, one from Natural Resources to speak on Stormwater runoff, and Mr. Doctor, who is the IDOT Clearinghouse for the Airport.

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Mr. Spilsbury reported on the Work Program of the Community Development Subcommittee, beginning with the questionnaire that was sent to a number of local jurisdictions, stating what was asked on the questionnaire, and stating that two responses had been received, with a February 28 deadline. Mr. Van Mill stated that there will be a meeting to discuss Enterprise Zones and Tax Increment Financing issues, and that it tentatively is set for March 6.

Mr. Spilsbury suggested that an additional item be added to the Work Program of the Community Development Subcommittee, that of Investigate and Initiate the Preparation of a Kankakee County Economic Development Strategy.

Mr. Bergdahl reported on the Work Program of the Transportation Subcommittee, stating that the first Corridor Study on 6000 N Road/Warner Bridge Road is coming to an end, with a Public Meeting scheduled for March 5, 2003, from 4:00 p.m. to 7:00 p.m. at the Quality Inn. He further stated that the Corridor Preservation Process is also coming to a Public Meeting, and Mr. Lammey announced that the Public Meeting on this issue will be held over two days, from 4:00 p.m. on 7:00 p.m. on March 20, 2003, and from 8:30 a.m. to 11:00 a.m. on March 21, 2003.

11 Mr. Saindon reported on the Work Program of the Solid Waste Committee, stating that the recommendations of the Solid Waste Committee will go to a special session of the County Board on Friday, January 31, 2003. He summarized the two amendments that have been made to the Kankakee County Solid Waste Management Plan as (1) lifting of the ban on out-of-county waste; and (2) reconfirmation of the one facility only policy. He stated that future events may require further amendments. 6

Mr. Washington reported on the Work Program of the Executive Committee, and Mr. Saindon stated that if any members of the Planning Commission had topics they wished discussed, to bring those topics to a member of the Executive Committee, which is



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A motion to nominate Mike Quigley as Chairman of the Landfill Contract Committee was made by Mr. Wiseman and seconded by Mr. Graves. Roll Call Vote (3-ayes/0-nays/1-absent Lee). Motion carried.

Mr. Quigley started off with a statement: Since a lot of these <sup>which</sup> issues have been addressed, he didn't believe in redundancy, but at the same time he felt it was important that all those issues be talked about in this Committee. He also want to make it understandably that this Committee during its purpose was to negotiate a "Host Agreement". When he was asked to work with Waste Management; the Planning Department, Doug, Wes and Pam they were doing so with the fact of bringing a proposal to the table - not a contract and this Committee was put together to finalize this proposal. <sup>when by whom?</sup> Although this is a public meeting, Mr. Quigley felt this is the place where they negotiate the Host Agreement with Waste Management and it's not a place to cite the merits of whether or not we want a Landfill. The two (2) public hearings that will be held in the process - one a public siting hearing which will be held by both entities and there will also be another public forum when there is a siting and approval by the State. <sup>public agreed when?</sup> At the last meeting it was a suggestion to possibly look at outside counsel - someone (from outside) to look at the Host Agreement. Mr. Quigley advised that in working with this document and working with the people they have, there have been several people who voiced their opinion that we were not getting the best bang for our buck and they have looked at all the agreements within this region/area and he believed that we have (or close to) an agreement - maybe with the exception of a few things. There were issues regarding the "Tipping Fees" and if anyone does not understand that, Mr. Gil or Van Mill can address that issue. In this proposal, they chose to take the position that 3,500 tons a day was something we could live with because with the process of the expansion over the next 20 years, that 3,500 tons of waste could be circumvented by our own waste and reduce the out of County waste as the County grows. So in essence, we would still get to keep our proportion/share of whatever we generate in this County, but still have enough of the process coming into the County so that we can make sure that it's a dollar amount that's acceptable to anybody. They tried to bend and look at a happy medium that makes everybody happy; that makes the Landfill where it has enough generation to be profitable not only for the people running it, but also for the communities that are involved. Mr. Quigley also mentioned there are also a couple of issues that Mr. Smith may be able to clarify for us. In the Host Agreement there is also some offers made to help out the County in different areas (i.e., the Sheriff's Department). Those issues were brought to the table by Waste Management to make sure if there were needs, those needs would be addressed. <sup>public?</sup>

3500 or  
+500  
4000 pkr

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A motion was made by Mr. Graves and seconded by Mr. Wiseman that the recording Secretary for the Landfill Contract Committee will be Chris Richardson. As per the