

RESOLUTION NO. 14-617

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ERIE COUNTY, OHIO, APPROVING AMENDMENTS TO THE RATES, CHARGES AND RULES FOR THE DISPOSAL OF GARBAGE AND REFUSE BY AND WITHIN THE ERIE COUNTY SOLID WASTE MANAGEMENT DISTRICT**

The Board of County Commissioners of Erie County, Ohio met this 15th day of December, 2014 in regular session with the following members present:

William J. Monaghan, Patrick J. Shenigo, and Thomas M. Ferrell, Jr.

Mr. Ferrell introduced the following resolution and moved its adoption:

**WHEREAS**, this Board of County Commissioners has heretofore, by appropriate legislation, established the Erie County Garbage and Refuse Disposal District, pursuant to Chapter 343 of the Ohio Revised Code, and has constructed garbage and refuse disposal facilities, including a sanitary landfill; and

**WHEREAS**, by order of the director of the Ohio Environmental Protection Agency, effective January 1, 1994, a Solid Waste Management District known as the Erie County Solid Waste Management District was established pursuant to the Assembly of the State of Ohio, and effective June 24, 1988; and

**WHEREAS**, by Resolution No. 99-109, adopted April 8, 1999, this Board fixed the current rates and charges for disposal of garbage and refuse at the Erie County Landfill by and within the Erie County Garbage and Refuse District; and

**WHEREAS**, prior resolutions amending rates and rules include Resolution 99-109, amended by Resolution No. 99-170, Resolution No. 00-300, Resolution No. 03-112, Resolution No. 04-181, Resolution No. 05-485, Resolution No. 06-25, Resolution No. 06-118, Resolution 07-533, Resolution No. 09-523, Resolution 10-137, Resolution 11-611 and Resolution 14-411; and

**WHEREAS**, the Erie County Solid Waste Management District Board of Directors established Rule 4 for the Establishment and Operation of District Solid Waste Collection System by the adoption of Resolution No. 199-5 on February 25, 1999, which requires all trash haulers (service providers) to contract with the District to provide collection services to generators in the District; and

**WHEREAS**, Erie County desires to correct the monthly account Paragraph N section language to continue the current process for late payments for monthly customers of the Erie County Landfill; and

**WHEREAS**, as required under Section 343.08 (B) and (C) of the Ohio Revised Code three (3) public hearings were held on August 7, 14, and 21, 2014 to discuss proposed rates or charges for garbage and refuse disposal or collection, refuse recycling or resource recovery services; **NOW THEREFORE**,

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ERIE COUNTY, OHIO:**

**THAT, Erie County Sanitary Landfill amendment in bold and underlined in Paragraph N below, shall take effect upon approval of this resolution:**

A. GENERAL BULK RATES:

The general bulk rate will be \$41.00 per ton disposal fee for municipal Solid Waste plus all appropriate Other Fees.

Exempt Waste, Construction and Demolition Debris Waste (CD&D) and nonhazardous contaminated soil disposal rate is \$30.00 per ton inclusive of all fees.

Municipal Wastewater Plant Sludge disposal rate shall be \$30.00 per ton inclusive of all fees and disposal volumes may be limited daily by the Sanitary Engineer for operational purposes.

Under an intergovernmental agreement with the Huron County Commissioners, Erie County will haul and dispose of Municipal Solid Waste from the Huron County Transfer Station to the Erie County Sanitary Landfill at a charge to Huron County  
of \$24.10 per ton for year 2015,  
of \$24.25 per ton for year 2016,  
of \$24.38 per ton for year 2017,  
of \$26.48 per ton for year 2018, and  
of \$26.58 per ton for year 2019,  
inclusive of all other fees, plus 30% of fuel surcharge for hauling.

B. SMALL VEHICLE RATES

\$10.00 minimum for the first 400 pounds, and  
\$20.00 minimum for 401-800 pounds, and

for loads in excess of 800 pounds shall be assessed the appropriate bulk rate plus other fees for municipal solid waste currently at \$52.00 per ton. The above "Small Vehicle" rates include all "Other Fees".

C. SPECIAL CHARGES

1. \$20.00 for each appliance containing Freon.
2. \$25.00 (minimum) per 15 minute dig-out.
3. \$10.00 extra for untarped/unsecured loads.
4. Charges related to the Yard Waste Program and Scrap Tire Program.
5. \$5.00 additional charge for mattresses, box springs and sofa beds with mattresses



- D. OTHER FEES may include, but are not limited to the following:
1. Host Township Fee
  2. Ohio State Disposal Fees
  3. Solid Waste District/Generation Fees
  4. Out-of-State Fees
  5. All mandated outside charges, not controlled by the Board of Erie County Commissioners are subject to change.
- E. The application of all fees and charges are subject to the discretion of the scale attendant.
- F. Roadside litter is exempt from disposal fees with the advance approval of the Landfill Superintendent.
- G. Government litter is exempt from disposal fees with the advance approval of the Landfill Superintendent.
- H. Landfill Hours of Operation:
- a. 7:00 a.m.-3:00 p.m. Mondays through Fridays
  - b. 8:00 a.m. – 12:00 Noon Saturday
  - c. Closed Sundays and POSTED HOLIDAYS
  - d. Closed on the following holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day
- I. Industrial waste generators with potentially prohibited waste streams are required to provide a disclosure and comply with the procedure for Industrial Waste and Potential Prohibited Waste Disposal prior to disposal.
- J. The Erie County Sanitary Landfill may not exceed the Ohio EPA Permit Authorized Maximum Daily Waste Receipts which is currently at 800 tons per day, but subject to change if approved by Ohio EPA. The Landfill will close for the remainder of the day once the Authorized Maximum Daily Waste Receipt limit has been received and reopen the following scheduled day.
- K. Out-of-County waste generators or haulers may be required to provide a disclosure and shall be required to enter into an agreement with the Erie County Commissioners limiting the quantity of waste and concerning liability issues. Approval from the Solid Waste District of origin of Out-of-County waste and Erie County Commissioners shall be provided *prior* to acceptance.
- L. The Erie County Sanitary Landfill may close because of high winds resulting in uncontrollable litter blowing onto private property upon approval of the County Administrator and Sanitary Engineer.

- M. All wooden railroad ties, guard rail posts, fence posts and telephone poles need to be reduced in size to no longer than 4 feet in length for disposal at the Erie County Landfill.
- N. Monthly account customers shall be mailed invoices on or near the 1<sup>st</sup> day of the month for prior month solid waste disposal at the Erie County Landfill. Payment is due on the last workday of the same month. **Should payment not be received by the due date a finance charge of 3.0% will be charged against all past due amounts. Should payments become more than 2 months past due the customer's account will be placed on a cash basis for the remainder of the calendar year and until all past dues amounts are paid in full.** The exception to this finance charge would be governmental agencies that are exempt from late fees. Customers must own property in Erie County to be eligible for a Landfill Monthly Account.

**THAT**, the Sanitary Engineer is hereby ordered and directed to conduct a review of the foregoing rates and charges for disposal of solid waste at least every twelve (12) months from the effective date of this resolution and report to the Board concerning the necessity of amending said rates and charges: and

**THAT**, this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board; and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

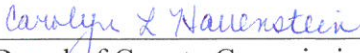
Mr. Shenigo seconded the motion for the adoption of said resolution; and the roll being called upon its adoption, the vote resulted as follows:

**Roll Call:** Mr. Ferrell, Aye; Mr. Shenigo, Aye; Mr. Monaghan, Aye

**Adopted:** December 15, 2014

### CERTIFICATE

I, Carolyn L. Hauenstein, Clerk of the Board of County Commissioners of Erie County, Ohio, hereby do certify that the above is a true and correct copy of resolution adopted by said Board under said date, and as same appears in Commissioners' Journal Volume #201.

  
Clerk  
Board of County Commissioners  
of Erie County, Ohio

Approved by County Administrator

  
Peter S. Daniel