



Lake County Illinois

Legislation Text

File #: 10-0495, **Version:** 1

Joint resolution requesting an emergency appropriation for transfer of a portion of the Solid Waste Management Tax Fund balance to the Solid Waste Agency of Lake County.

- Subsequent to a new intergovernmental agreement between SWALCO and Lake County that was approved by SWALCO on June 24, 2010 and Lake County on July 13, 2010, an emergency appropriation is needed to transfer a portion of the fund balance derived from collection of the Solid Waste Management Tax, also known as the Surcharge Fees, related to the landfills in Lake County.
- In the new intergovernmental agreement SWALCO and the County made changes to how the Solid Waste Management Tax and the Affected Area Compensation Fee would be collected and transferred by and between SWALCO and Lake County.
- As part of the new intergovernmental agreement SWALCO and Lake County desire to transfer a portion of the balance \$1,866,221 in the Solid Waste Management Tax Fund to the SWALCO operating fund.

WHEREAS Lake County and the Solid Waste Agency of Lake County, (SWALCO) have common interest in the safe and efficient operation of the treatment, storage and/or disposal of municipal waste within the corporate limits of Lake County, Illinois; and

WHEREAS Lake County has imposed a fee pursuant to the authority granted to it by 415 ILCS 5/22.15(j) upon the permanent disposal of solid waste within Lake County (Surcharge Fee); and

WHEREAS Lake County has previously used the fees collected pursuant to 415 ILCS 5/22.15 (j) to fund the creation, updating and implementation of the Plan by SWALCO as well as for the operations of the Health Department inspection and/or enforcement program; and

WHEREAS Lake County and SWALCO have previously entered into intergovernmental agreements providing for the transfer of Affected Area Compensation Fees received by SWALCO from the disposal of solid waste at the Zion Landfill and the Countryside Landfill to Lake County, and for the transfer of certain Surcharge Fees received by Lake County from the disposal of solid waste at the Zion Landfill and the Countryside Landfill to SWALCO, said Agreements having respective effective dates of January 26, 1994 and July 7, 1994; and

WHEREAS the Host Agreement between Veolia ES Zion Landfill, Inc, Lake County and SWALCO dated January 28, 2010 provides that the Affected Area Compensation Fee (Host Fees) under the Agreement are paid directly to Lake County; and

WHEREAS Lake County and SWALCO desire to have all Host Fees received from the operation of the Zion Landfill and the Countryside Landfill to be paid directly to Lake County; and

WHEREAS SWALCO and Lake County have recently entered into a new intergovernmental

agreement (approved by SWALCO on June 24, 2010 and Lake County on July 13, 2010) to allow SWALCO to impose directly its portion of the Surcharge Fee to allow said fee to be collected by SWALCO; and

WHEREAS as consideration in the execution of the new intergovernmental agreement regarding fees, Lake County and SWALCO desire that a portion (\$1,866.221.00) of the balance in the Solid Waste Management Tax Fund be transferred to the SWALCO operating fund; and

WHEREAS an emergency appropriation is needed in the Solid Waste Management Tax fund to allow such transfer as follows:

270-1110010-79940-000-000-000-00000 in the amount of \$1,866.221.00

such amount being available from fund balance.

THEREFORE BE IT RESOLVED by this County Board of Lake County, Illinois, that an emergency appropriation be approved to facilitate the new intergovernmental agreement between SWALCO and Lake County regarding fees and allow a transfer of fund balance as follows:

270-1110010-79940 in the amount of \$1,866.221.00 such amount being available from fund balance.

DATED, at Waukegan, Lake County, Illinois, on this 13th day of July A.D., 2010.