

ORDINANCE 76-78

To Amend the Petition Filing for the Establishment  
of a Solid Waste Disposal District

WHEREAS, the Common Council passed Ordinance 76-58, To Approve Filing a Petition to Establish a Solid Waste Disposal District, on September 20, 1976, and

WHEREAS, the Monroe County Council passed an identical ordinance with minor amendments on October 18, 1976, and

WHEREAS, the City and County intend to file a joint petition with the Stream Pollution Control Board,


NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA THAT:

SECTION I. Add to Section 5 of the Petition for Organization of a Regional Solid Waste District subsection (e) to read as follows:

"who shall be a resident of Monroe County and an employee, faculty member, or administrator at Indiana University".

SECTION II. THIS ORDINANCE shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon the 4 day of November, 1976.


  
Clem J. Blume, President  
Bloomington Common Council

ATTEST:

  
Karel Dolnick, City Clerk

THIS ORDINANCE PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana upon the 5 day of November, 1976.

SIGNED and APPROVED by me upon the 5 day of November, 1976, at the hour of 10:00 o'clock, A.M.

  
Francis X. McCloskey, Mayor  
City of Bloomington

SYNOPSIS

ORDINANCE 76-78

This ordinance amends the petition to form a Solid Waste Disposal District approved by the Common Council on September 20, 1976 by requiring appointments made by the Monroe County Commissioners and Council be residents of Monroe County exclusive of the City of Bloomington, and provides the gubernatorial appointment be a resident of Monroe County and an employee, faculty member, or administrator of Indiana University.

These amendments were recommended by the Monroe County Council.

BEFORE THE STREAM POLLUTION CONTROL BOARD  
OF THE STATE OF INDIANA

IN THE MATTER OF            )  
THE MONROE COUNTY         )  
SOLID WASTE DISTRICT     )

PETITION FOR ORGANIZATION OF  
A REGIONAL SOLID WASTE DISTRICT

The Mayor of the City of Bloomington, Indiana, having been authorized by the Common Council of the City of Bloomington, Indiana, and the County Commissioners of Monroe County, Indiana, having been authorized by the County Council of Monroe County, Indiana, hereby jointly petition the Stream Pollution Control Board of the State of Indiana for an order establishing a Solid Waste Disposal District in Monroe County, Indiana and in support thereof, allege and say as follows:

1. Name. The name of the district shall be the Monroe County Regional Solid Waste District, hereinafter referred to as "District".
2. Principal Office. That the principal office of the District shall be located in the Municipal Building of the City of Bloomington, Indiana, or such other place as the Trustees may from time to time designate.
3. Purpose and Need.
  - a. That there is a need for the proposed District because of a lack of State Board of Health approved landfill sites within Monroe County, Indiana for disposal of solid waste and because of increased cost of landfill operations.
  - b. That the purpose of the District is to provide for methods of solid waste disposal that will not inhibit the development of Monroe County, and that will not pollute the environment of Monroe County, Indiana and the State, particularly the water supply of the area.
  - c. That the proposed District will be more conducive to the public health, safety, convenience and welfare than existing or proposed facilities.
  - d. That the existing methods of public solid waste disposal in the District are open landfill operations, except for the City of Bloomington's collection of waste paper, which is in turn sold to private scrap companies.
  - e. That there is no existing indebtedness in the proposed District for the purpose proposed herein.
  - f. That the present methods of solid waste disposal discharge contaminants into the environment in the form

of leachate both into the surface water and into the groundwater system, and that these discharges are particularly rapid, direct and dangerous because of the limestone Karst topography and bedrock conditions that allow easy flow of contaminants into the groundwater of the District so that the public health is endangered and further development cannot take place without an adequate system for the treatment and disposal of solid waste.

4. Territory. That the District shall include Monroe County, Indiana, the areas all situated within the State of Indiana and containing lands that are owned, controlled or leased by the Indiana Department of Natural Resources and other subdivisions of State government.
5. Board of Trustees. That the petitioners recommend that the manner of selection, the number of terms of the Board of Trustees of the District be as follows:
  - a. One member appointed by the Mayor of the City of Bloomington, Indiana, who shall be a resident of the Civil City.
  - b. One member appointed by the Common Council of the City of Bloomington, Indiana, who shall be a resident of the Civil City.
  - c. One member appointed by the County Commissioners of Monroe County, Indiana, who shall be a resident of Monroe County.
  - d. One member appointed by the County Council of Monroe County, Indiana, who shall be a resident of Monroe County.
  - e. One member appointed by the Governor of the State of Indiana, who shall be a resident of Monroe County and an employee, faculty member, or administrator at Indiana University.

Each member shall serve a four year term, except the initial Board of Trustees shall serve as follows:

- a. The member appointed by the Mayor of the City of Bloomington, Indiana, shall serve four years.
- b. The member appointed by the Common Council of the City of Bloomington, Indiana, shall serve two years,
- c. The member appointed by the County Commissioners of Monroe County, Indiana, shall serve for four years,
- d. The member appointed by the County Council of Monroe County, Indiana, shall serve for two years,
- e. The member appointed by the Governor of the State of Indiana shall serve for two years.

6. Initial Financing. That until the receipt of revenues from the operations of the District or proceeds from the sale of revenue bonds, whichever occurs first, that the local governmental units, including Monroe County, and the City of Bloomington, underwrite necessary expenses incurred for legal fees, engineering services, and other expenses reasonably necessary to the formation and organization of the District; that out of the first revenues from the operation of the District, or from the proceeds of the sale of revenue bonds, whichever occurs first, the District may repay the local governmental units all of the monies so advanced by the units for the foregoing purposes. The necessary expenses incurred for legal fees, engineering services, and other expenses reasonably necessary to the formation and organization of the District may also be paid out of funds received from proposed users, or through grants received from federal or state sources.
7. Estimated Cost of Plant and Equipment. That the estimated cost of construction for the method providing the most cost-efficient disposal of solid waste compatible with the preservation of the environment will vary depending on which alternative method that the Board of Trustees determines to use. The cost of fulfilling the purposes of the District are estimated at Eight Million Dollars [\$8,000,000]. The estimated cost of operation of the method to be chosen cannot be determined until the method is chosen by the District's Board of Trustees.
8. Powers and Duties. That subject to applicable provisions of state and federal laws, the District and the Board of Trustees of the District be authorized to:
  - a. Borrow money for the purposes of carrying on the duties of the District from any bank and to issue notes and securities therefore.
  - b. Issue revenue bonds as provided in IC 19-3-1.1-1 through IC 19-3-1.1-20 as amended by the Acts of 1972, 1973, and 1976 of the Indiana General Assembly,
  - c. Contract with any governmental unit, person, firm, corporation, user, or entity that the Board of Trustees deems appropriate.
  - d. Receive grants from any source,
  - e. Do everything necessary, proper, advisable, or convenient for the accomplishment of any of the purposes or the attainment of any objects or the furtherance of any powers set forth in IC 19-3-1.1-1 through IC 19-3-1.1-20 as amended by the Acts of 1972, 1973, and 1976 of the Indiana General Assembly.

9. Addition of Territory. At any time after the creation of the District, any political subdivision whose territory is not wholly included within the District may file an application with the District setting forth a general description of the territory within the District, that it will be conducive to the public health, safety, convenience or welfare, and that it will be practical and feasible for that territory to be included within the District. If the application is approved by a majority of the Board of Trustees of the District, the territory described in the application shall thereupon become part of the District.

WHEREFORE, the petitioners pray that the Monroe County Solid Waste District be created and authorized by the Stream Pollution Board of the State of Indiana, to encompass all of Monroe County, Indiana.

Respectfully submitted this    day of December , 1976.

BY: Monroe County Commissioners

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BY: President, County Council, Monroe County

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BY: Mayor, City of Bloomington

Francis K. McCloskey

BY: President, Common Council, City of Bloomington

Alvin Blum