



**RESOLUTION NO. 060-11**

Authorizing the Executive Director to enter into a Purchase Agreement or Lease with Option to Purchase for building and premises located at 2512 Jackson Pike (known as the "RASTRA" building and premises).

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**Administrative Services Committee**

SWACO owns a vacant office warehouse facility commonly known as the former "RASTRA" building. This building is sited on approximately 3 acres of real property (2512 Jackson Pike) owned by the City of Columbus and leased to SWACO as part of the Jackson Pike Property related to the former Waste-To-Energy Facility. SWACO desires to enter into a Purchase Agreement for a total sum of not less than \$1,050,000.00. Said Purchase Agreement may be part of a Lease Agreement with Option to Purchase ("Lease/Option Agreement") with lease payments credited to the total purchase price of the building.

Requested by: Ronald J. Mills, Executive Director

**BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:**

The Executive Director is authorized do the following:

1. Enter into Purchase Agreement, or Lease with Option to Purchase the former RASTRA Building, and sublease of the related premises.
2. Negotiate with any potential Buyer or Lessee deemed qualified by the Executive Director and for payment and financing terms that are in the best interest of SWACO, in accordance with the attached Term Sheet.
3. Ensure a total payment to SWACO of no less than \$1,050,000.00.

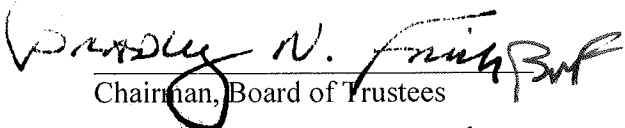
This resolution shall be in full force and effect from and immediately upon its adoption.

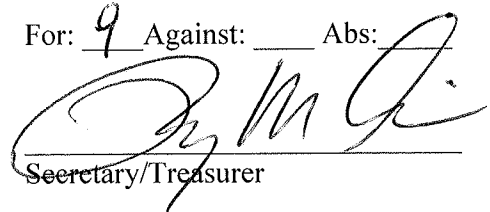
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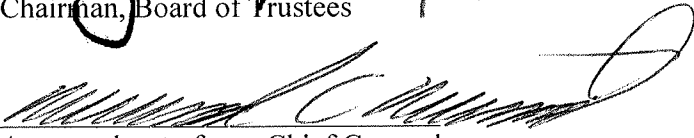
Date Adopted: June 7, 2011

Vote:

For: 9 Against:     Abs:    

  
Chairman, Board of Trustees

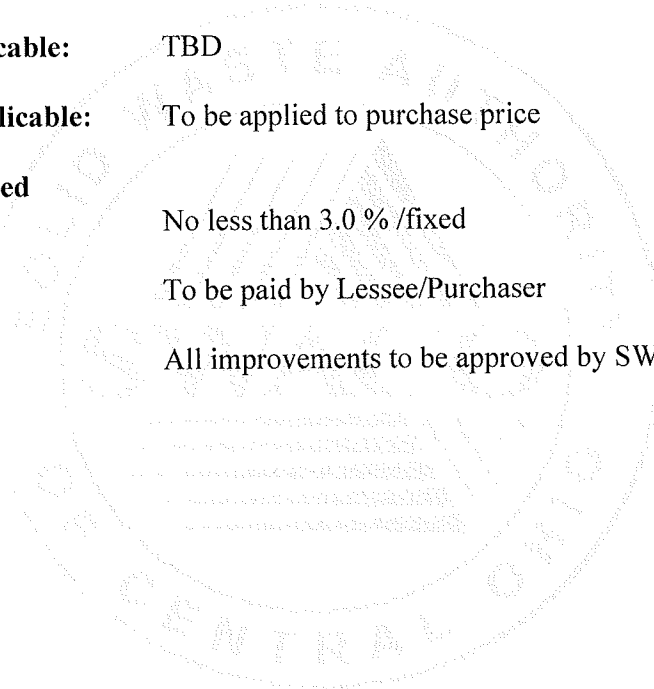
  
Secretary/Treasurer

  
Approved as to form, Chief Counsel

**2512 JACKSON PIKE (RASTRA BUILDING/PREMISES)  
PURCHASE AGREEMENT OR LEASE/OPTION AGREEMENT**

**TERM SHEET**

<b>Total Amount to be paid:</b>	\$1,050,000.00
<b>Term of Lease if applicable:</b>	TBD
<b>Lease Payments if applicable:</b>	To be applied to purchase price
<b>Interest Rate if Financed by SWACO:</b>	No less than 3.0 % /fixed
<b>Real Estate Taxes:</b>	To be paid by Lessee/Purchaser
<b>Improvements:</b>	All improvements to be approved by SWACO





## RESOLUTION NO. 061-11

### Amending Resolution No. 110-08, to amend District Rule 4-2008 "Acceptance Of Source Separated Recyclable Materials". (To Be Tabled)

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#### Planning and Programs Committee

SWACO is granted the authority to adopt or revise rules for the establishment and maintenance of its Solid Waste Management District ("District") pursuant to Ohio Revised Code (ORC) Chapter 343.01(G).

SWACO is charged with the responsibility of maintaining the safe and sanitary management of all solid wastes, including recyclable materials, generated within its District. Amendments to District Rule 4-2008, Acceptance of Source Separated Recyclable Materials, were passed by the Board of Trustees on March 1, 2011. Staff has continued to internally review the amendments to the Rule, and is proposing to eliminate the requirement that Source Separated Recyclable Materials must be Processed within the District or Adjoining Counties. The proposed text of District Rule 4-2008, including the previous revisions, is as follows:

#### District Rule 4-2008

All Source Separated Recyclable Materials generated within the District are exempt from SWACO flow control rules and fees ~~if when~~ delivered to an In-District or Out of District Facility ~~within the District or Adjoining Counties~~ for Processing. Any Person Processing Source Separated Recyclables must annually report to SWACO all volumes and types of Source Separated Recyclables Processed; brokers, recycling firms, or facilities that received the Source Separated Recyclables; and any residual Solid Waste generated. Any residual Solid Waste generated from the Processing of Source Separated Recyclable Materials generated within SWACO's District is subject to SWACO flow control rules and any applicable fees, and must be delivered to a SWACO Designated Facility for disposal. ~~Failure to return any residual Solid Waste to a SWACO Designated Facility for disposal shall subject said residual Solid Waste to SWACO's District Rules and fees.~~

~~This rule shall not be retroactively applied to those Persons Processing Source Separated Recyclable Materials outside of the District or Adjoining Counties if a contract pre-dating the adoption of this Rule is provided to SWACO and supported by an affidavit from the Person or its authorized representative. Said Persons demonstrating a pre-existing contractual relationship will qualify for the Source Separated Recyclable Materials exemption. A written request for said exemption must be submitted to SWACO by June 30, 2011.~~

The removal of the Processing requirement from District Rule 4-2008 allows businesses, institutions, and organizations within the District an unlimited opportunity to explore and utilize energy efficient recycling technologies, while furthering the mission of SWACO to promote environmentally sustainable methods of resource recovery. Staff recommends the Board table this Resolution in order to allow for a thirty (30) day comment period from the general public.

Resolution No. 061-11

Amending Resolution No. 110-08, to amend District Rule 4-2008 "Acceptance of Source Separated Recyclable Materials".

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**Requested By:** Danielle Kuskowski, Staff Attorney

**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

1. District Rule 4-2008, "Acceptance of Source Separated Recyclable Materials," is hereby amended.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Adopted: June 7, 2011

Vote:

For: 9 Against:     Abs:    

*Brenda W. Frick*  
Chairman, Board of Trustees

*J. M. A.*  
Secretary/Treasurer

*[Signature]*  
Approved as to form, Chief Counsel



## RESOLUTION NO. 048-11

### Amending Resolution No. 110-08, to amend District Rule 9-2008 "Unacceptable Waste Rule". (To Be Defeated)

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#### Planning and Programs Committee

SWACO is granted the authority to adopt or revise rules for the establishment and maintenance of its Solid Waste Management District ("District") pursuant to Ohio Revised Code (ORC) Chapter 3343.01(G).

SWACO is charged with the responsibility of maintaining the safe and sanitary management of all solid wastes located within its District. Special Handling and/or Unacceptable Solid Wastes are those which require additional handling prior to disposal based upon the condition or composition of the waste, or the method of delivery. Due to questions and uncertainties relating to the current Unacceptable Waste Rule, Staff proposes to amend SWACO District Rule 9-22008. The proposed amendments to the Rule clarify what is included under the definition of Solid Waste, and thus subject to SWACO's rules and fees, as well as the required submittals to determine acceptance at the Franklin County Sanitary Landfill. The full text of the amended Rule 9-20008 shall read as follows:

#### District Rule 9-2008

"Solid Waste" means such unwanted residual solid or semisolid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining or demolition operations, or other waste materials of the type that would normally be included in demolition debris, nontoxic fly ash, spent nontoxic foundry sand, and slag and other substances that are not harmful or inimical to public health, and includes, but is not limited to, garbage, tires, combustible and non-combustible material, street dirt, and debris.

As used in this section, "Solid Waste" includes such unwanted or residual solid or semisolid material, as results from industrial, commercial, agricultural, and community operations, including, but not limited to the following:

- (a) Solid Waste generated by community operations, such as wastes derived from single and multiple household residences, hotels, campgrounds, and recreation areas;
- (b) Solid Wastes generated by commercial operations, including stores, offices, restaurants, warehouses, and other non-manufacturing activities;
- (c) Solid Wastes generated from agricultural operations, including single-family and commercial farms, greenhouses, and nurseries;
- (d) Sludge from municipal, commercial, or industrial waste water treatment plants, water treatment plants, and air pollution control facilities that is co-disposed with wastes specified in paragraphs (a), (b), (c), or (e) of this rule in a sanitary landfill facility;
- (e) Fly ash and bottom ash generated from the incineration of Municipal Solid Waste, provided said ash is not regulated as a Hazardous Waste.

**RESOLUTION NO. 048-11**

Amending Resolution No. 110-08, to amend District Rule 9-2008 "Unacceptable Waste Rule". (To Be Defeated)

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"Solid Waste" does not include any material that is a Hazardous Waste or an Infectious Waste.

"Hazardous Waste" means Solid Waste which, by reason of its listing, composition or characteristics is a hazardous waste as defined in the Resource Conservation and Recovery Act, 42 U.S.C Section 6901 et seq., as amended (including, but not limited to, amendments thereto made by the Solid Waste Disposal Act Amendments of 1980) and related federal, state and local laws and regulations, or in any additional or substitute federal, state or local laws and regulations pertaining to the identification, treatment, storage or disposal of toxic substances or hazardous wastes; as any of the foregoing is from time-to-time amended or replaced.

"Infectious Waste" includes, but is not limited to the following:

- (a) Cultures and stocks of infectious agents and associated biological;
- (b) Laboratory wastes that were, or likely to have been, in contact with infectious agents that may present a substantial threat to public health if improperly managed;
- (c) Pathological wastes, including human and animal tissues, organs, fluids, body parts and carcasses that are or likely to be contaminated with infectious agents;
- (d) Sharp wastes used in the treatment, diagnosis, or inoculation of humans or animals; or
- (e) Any other waste materials hereafter designated as Infectious Waste. "Special Handling Waste" means a portion of Solid Waste which consists of sludge, treated infectious/pathological waste, ash residue, petroleum contaminated soils or other Solid Wastes accepted for disposal at the Franklin County Sanitary Landfill. Special Handling Waste includes Solid Waste that requires additional handling prior to disposal based upon the condition or composition of the waste or method of delivery of the waste. Special Handling Waste includes "Automotive Shredder Residue" or "Shredder Fluff" consisting of non-recyclable residue that is generated as a direct result of processing automobiles, light duty trucks, appliances (including White Goods), sheet steel, and other ferrous and nonferrous scrap metals through a hammel shredder for purposes of Recycling and that meets all of the following requirements:
  - (i) The residue is solid waste.
  - (ii) The residue is not hazardous waste.
  - (iii) The residue created during the recycling process comprises not more than thirty-five per cent (35%) of the total weight of material that is processed for Recycling.
  - (iv) The residue is generated by Processing Recycled Materials that are to be sold, used, or reused within ninety (90) days of the time when the material is processed.

Special Handling Waste are subject to a Special Handling Waste rate or charge established by the SWACO Board of Trustees.

Category I: Unacceptable Wastes Not Subject to SWACO Fees – For the purposes of this Rule, listed or characteristic Hazardous Wastes, Infectious Wastes, any materials not included within the definition of "Solid Waste" as defined above, and/or those Solid Waste materials prohibited from disposal at the Franklin County Sanitary Landfill pursuant to local, state, or federal regulations shall not be accepted at the Franklin County Landfill and are not subject to SWACO's fees. This category includes, but is not limited to:

- (a) Dedicated loads of Yard Waste;
- (b) Radioactive materials;
- (c) Untreated chemotherapeutic waste;
- (d) Untreated infectious/pathological or biological waste;
- (e) Liquid wastes, including used motor oil.

**RESOLUTION NO. 048-11**

Amending Resolution No. 110-08, to amend District Rule 9-2008 "Unacceptable Waste Rule". (To Be Defeated)

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Category II: Waiver-By-Rule for Unacceptable Wastes Subject to Applicable SWACO Fees –

The following waste streams shall not be accepted for disposal at the Franklin County Sanitary Landfill, but remain subject to any applicable fees. This category includes, but is not limited to:

- (a) Asbestos – Regulated asbestos-containing material is defined to include:
  - i. Friable asbestos material;
  - ii. Category I non-friable asbestos-containing material that has become friable;
  - iii. Category I non-friable asbestos-containing material that will be or has been subjected to sanding, grinding, cutting, or abrading; or
  - iv. Category II non-friable asbestos-containing material that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.
- (b) Automotive waste including any non-liquid, unwanted, and discarded automobile parts without value weighing in excess of fifty (50) pounds including, but not limited to transmissions, rear ends, frames, springs and fenders, agricultural and farm machinery and equipment, marine vessels and major parts thereof, and any other types of large equipment or machinery. This does not include Automotive Shredder Residue ("ASR" or "Shredder Fluff").
- (c) Chemical salts
- (d) Circuit boards
- (e) Combustible chemicals
- (f) Dedicated loads of sharps (medical waste)
- (g) Dry cleaning sludge
- (h) Explosive and ordnance materials
- (i) Fluorescent light bulbs
- (j) Lead acid batteries
- (k) Leather wastes
- (l) Lime stabilized pickle liquor
- (m) Liquid waste including used motor oil
- (n) Photographic wastes
- (o) Whole and shredded tires\*
- (p) Wood Block flooring

\*NOTE: Any Person who delivers a scrap tire for disposal at the Franklin County Sanitary Landfill will be charged the following fees for its removal: \$5 per passenger tire; \$50 per large (truck) tire.

Haulers and receiving facilities of said waste streams are permitted to transport and receive Category II wastes as long as the following conditions are met: 1) at least five (5) days before the transport of a Category II Waste, submittal of a notarized Category II Waiver-By-Rule Certification Form by the hauler stating where such waste will be transported and the estimated tonnage, prior to final disposal; and 2) the disposal facility shall remit to SWACO any applicable fees and report tonnage received under this category on a monthly basis. Upon receipt and review of the completed, notarized Category II Waiver-By-Rule Certification Form by SWACO, the submitter shall be notified by SWACO whether said Certification Form has met the approval requirements so that the hauler may operate under a Category II Waiver-By-Rule. This approval shall be effective for the calendar year.

All haulers of Category II Solid Waste operating under a Waiver-By-Rule shall be required to re-submit a notarized Category II Waiver-By-Rule Certification Form annually for review and approval by SWACO.

**RESOLUTION NO. 048-11**

Amending Resolution No. 110-08, to amend District Rule 9-2008 "Unacceptable Waste Rule". (To Be Defeated)

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Category III: Special Handling Wastes Subject to Applicable SWACO Fees – This category includes Solid Wastes that may be taken to a facility other than the Franklin County Sanitary Landfill only with prior SWACO approval. Determination of acceptability will be made on a case by case basis depending on analytical information, waste volumes, odors, and other operational restrictions. Solid Wastes listed in Category III must go through the following process to determine acceptability at the Franklin County Sanitary Landfill:

1. Prior to acceptance of such waste streams at the Franklin County Sanitary Landfill, a SWACO Special Waste Packet and Analytical Statement must be submitted to SWACO for evaluation. The Special Waste Packet, Analytical Requirements, and Waste Types information can be found on SWACO's website ([www.swaco.org](http://www.swaco.org)). Upon completion of the review, SWACO Staff shall issue a notification to the submitter whether the Solid Waste stream is acceptable for disposal at the Franklin County Sanitary Landfill.
2. If the Solid Waste stream is denied acceptance for disposal at the Franklin County Sanitary Landfill, the Executive Director may issue an interim Waiver for the hauler to dispose of the Solid Waste at an alternative facility. Upon issuance of the interim Waiver, the hauler must submit, within twenty-four (24) hours, a notarized Category II Waiver-By-Rule Certification Form stating where such waste will be transported and the estimated tonnage prior to final disposal. Upon receipt and review of the completed, notarized Category II Waiver-By-Rule Certification Form by SWACO, the submitter shall be notified by SWACO whether said Certification Form has been verified as complete so that the hauler may operate under a Category II Waiver-By-Rule. The disposal facility designated on the Certification Form shall remit to SWACO any applicable fees and report tonnage received under this category on a monthly basis, unless a Waiver from said fees is applied for and granted by the SWACO Board of Trustees. If a hauler operates by Waiver-By-Rule under this section, said shall be effective for the calendar year. Sixty (60) days prior to the expiration of the Waiver-By-Rule, applicants must submit a SWACO Special Waste Profile and analytical report to SWACO Staff detailing the composition of the waste and whether any changes in the character of the waste have occurred. This analytical report will be evaluated by SWACO Staff to determine whether the Solid Waste stream identified is acceptable for disposal at the Franklin County Sanitary Landfill for the following calendar year.

This category includes, but is not limited to:

- (a) Agricultural wastes, meaning any waste material generated by crop, horticultural, or livestock production practices, and includes such items as woody debris and plant matter from stream flooding, bags, cartons, structural materials, and landscape wastes that are generated in agricultural activities, but does not include land clearing waste, buildings, garbage, dead animals, animal waste, motor vehicles and parts thereof, nor economic poisons and containers thereof. See OAC 3745-19-01.
- (b) Automotive Shredder Residue (ASR) or "Shredder Fluff" consisting of non-recyclable residue generated as a direct result of processing automobiles, light duty trucks, appliances (including White Goods), sheet steel, and other ferrous and nonferrous scrap metals through a hammer mill shredder for purposes of Recycling
- (c) Dedicated loads of waste contaminated with anti-freeze
- (d) Bughouse dusts – ferrous, non-ferrous, powder coating
- (e) Delisted or non-hazardous residue from the treatment of hazardous waste
- (f) Empty containers, drums, barrels, buckets when lids are removed and interiors are clean and free of residue in accordance with applicable law and regulations
- (g) Gas cylinders when empty and valve is removed
- (h) Grease trap wastes, i.e. such as from commercial or industrial operations
- (i) Metallurgical sludge

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Amending Resolution No. 110-08, to amend District Rule 9-2008 "Unacceptable Waste Rule".  
(To Be Defeated)

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- (j) Petroleum contaminated wastes – dedicated loads of waste contaminated with petroleum materials such as hydraulic oils, gasoline, crude oil, mineral oil, transformer oil, and diesel fuel (excludes Auto Shredder Residue)
- (k) Used or spent catalyst
- (l) WWTP sludge (commercial) – includes filter cake sludge
- (m) WWTP sludge (industrial) – includes filter cake sludge
- (n) WWTP sludge (municipal) – includes filter cake sludge

Staff has determined that in order to streamline the process and clarify the Rules regarding Unacceptable Wastes, it is in the best interest of SWACO to amend the Unacceptable Waste Rule as proposed. The amended District Rule 9-2008 shall replace the current Rule in its entirety.

**Requested By:** Danielle Kuskowski, Staff Attorney

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**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

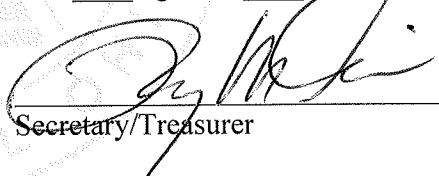
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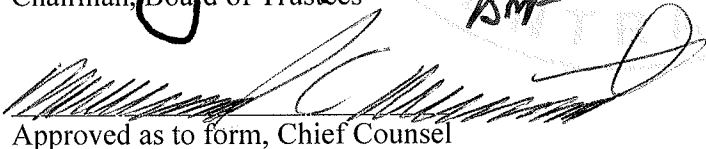
Date Adopted:

Vote:  
For: 9 Against:      Abs:     

  
Chairman, Board of Trustees

BMF

  
Secretary/Treasurer

  
Approved as to form, Chief Counsel



Amending Resolution No. 110-08, to amend District Rule 9-2008 "Unacceptable Waste Rule". (To Be Tabled)

**Planning and Programs Committee**

SWACO is granted the authority to adopt or revise rules for the establishment and maintenance of its Solid Waste Management District ("District") pursuant to Ohio Revised Code (ORC) Chapter 343.01(G).

SWACO is charged with the responsibility of maintaining the safe and sanitary management of all solid wastes located within its District. Special Handling and/or Unacceptable Solid Wastes are those which require additional handling prior to disposal based upon the condition or composition of the waste, or the method of delivery. After posting the draft Rule and receiving comment from interested parties, Staff conducted an internal review and redraft. The proposed amendments to the Rule clarify what is included under the definition of "Special Wastes", and thus subject to SWACO's rules, fees, and reporting requirements. The full text of the District Rule 9-2008, including the previous revisions, is as follows:

**RULE 9-2008: UNACCEPTABLE WASTE RULE**

~~No Person shall deliver for disposal any Unacceptable Waste to the Franklin County Sanitary Landfill unless the Executive Director, upon request, approves in writing that such wastes are acceptable for disposal at the Franklin County Sanitary Landfill. The Executive Director shall report any such approvals or rejections to the Board. Unacceptable Waste, unless otherwise exempted, is subject to a Generation Fee.~~

Proposed Rule 9-2008

**Category I: Unacceptable Wastes Not Subject to SWACO Fees**

~~For the purposes of this Rule, listed or characteristic Hazardous Wastes, Infectious Wastes, any materials not included within the definition of "Solid Waste" as defined above, and/or those Solid Waste materials prohibited from disposal at the Franklin County Sanitary Landfill pursuant to local, state, or federal regulations shall not be accepted at the Franklin County Landfill and are not subject to SWACO's fees.~~

~~This category includes, but is not limited to:~~

- ~~\_\_\_\_\_ (a) Dedicated loads of Yard Waste;~~
- ~~\_\_\_\_\_ (b) Radioactive materials;~~
- ~~\_\_\_\_\_ (c) Untreated chemotherapeutic waste;~~
- ~~\_\_\_\_\_ (d) Untreated infectious/pathological or biological waste;~~
- ~~\_\_\_\_\_ (e) Liquid wastes, including used motor oil.~~

**Category II: Waiver By Rule for Unacceptable Wastes Subject to Applicable SWACO Fees**

~~The following waste streams shall not be accepted for disposal at the Franklin County Sanitary Landfill, but remain subject to any applicable fees. Haulers and receiving facilities of said waste streams are permitted to transport and receive Category II wastes as long as the following conditions are met: 1) at least five (5) days before the transport of a Category II Waste, submittal of a notarized Category II Waiver By Rule Certification Form by the hauler stating where such waste will be transported and the estimated tonnage, prior to final disposal; and 2) the disposal facility shall remit to SWACO any applicable fees and report tonnage received under this category on a monthly basis. Upon receipt and review of the completed, notarized Category II Waiver By Rule Certification Form by SWACO, the submitter shall be notified by SWACO whether said Certification Form has met the approval requirements so that the~~

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Amending Resolution No. 110-08, to amend District Rule 9-2008 "Unacceptable Waste Rule".  
(To Be Tabled)

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~~hauler may operate under a Category II Waiver By Rule. This approval shall be effective for the calendar year.~~

~~This category includes, but is not limited to:~~

- ~~\_\_\_\_\_ (a) Asbestos – Regulated asbestos-containing material is defined to include:
  - ~~\_\_\_\_\_ i. Friable asbestos material;~~
  - ~~\_\_\_\_\_ ii. Category I non-friable asbestos-containing material that has become friable;~~
  - ~~\_\_\_\_\_ iii. Category I non-friable asbestos-containing material that will be or has been subjected to sanding, grinding, cutting, or abrading; or~~
  - ~~\_\_\_\_\_ iv. Category II non-friable asbestos-containing material that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.~~~~
- ~~\_\_\_\_\_ (b) Automotive waste including any non-liquid, unwanted, and discarded automobile parts without value weighing in excess of fifty (50) pounds including, but not limited to transmissions, rear ends, frames, springs and fenders, agricultural and farm machinery and equipment, marine vessels and major parts thereof, and any other types of large equipment or machinery. This does not include Automotive Shredder Residue ("ASR" or "Shredder Fluff").~~
- ~~\_\_\_\_\_ (c) Chemical salts~~
- ~~\_\_\_\_\_ (d) Circuit boards~~
- ~~\_\_\_\_\_ (e) Combustible chemicals~~
- ~~\_\_\_\_\_ (f) Dedicated loads of sharps (medical waste)~~
- ~~\_\_\_\_\_ (g) Dry cleaning sludge~~
- ~~\_\_\_\_\_ (h) Explosive and ordnance materials~~
- ~~\_\_\_\_\_ (i) Fluorescent light bulbs~~
- ~~\_\_\_\_\_ (j) Lead acid batteries~~
- ~~\_\_\_\_\_ (k) Leather wastes~~
- ~~\_\_\_\_\_ (l) Lime stabilized pickle liquor~~
- ~~\_\_\_\_\_ (m) Liquid waste including used motor oil~~
- ~~\_\_\_\_\_ (n) Photographic wastes~~
- ~~\_\_\_\_\_ (o) Whole and shredded tires\*~~
- ~~\_\_\_\_\_ (p) Wood Block flooring~~

~~\*NOTE: Any Person who delivers a scrap tire for disposal at the Franklin County Sanitary Landfill will be charged the following fees for its removal: \$5 per passenger tire; \$50 per large (truck) tire.~~

~~All haulers of Category II Solid Waste operating under a Waiver By Rule shall be required to re-submit a notarized Category II Waiver By Rule Certification Form annually for review and approval by SWACO.~~

**Category III: Special Handling Wastes Subject to Applicable SWACO Fees**

~~This category includes Solid Wastes that may be taken to a facility other than the Franklin County Sanitary Landfill only with prior SWACO approval. Determination of acceptability will be made on a case by case basis depending on analytical information, waste volumes, odors, and other operational restrictions. Solid Wastes listed in Category III must go through the following process to determine acceptability at the Franklin County Sanitary Landfill:~~

- ~~1. Prior to acceptance of such waste streams at the Franklin County Sanitary Landfill, a SWACO Special Waste Packet and Analytical Statement must be submitted to SWACO for evaluation. The Special Waste Packet, Analytical Requirements, and Waste Types information can be found on SWACO's website ([www.swaco.org](http://www.swaco.org)). Upon completion of the review, SWACO Staff shall issue a notification to the submitter whether the Solid Waste stream is acceptable for disposal at the Franklin County Sanitary Landfill.~~

~~2. If the Solid Waste stream is denied acceptance for disposal at the Franklin County Sanitary Landfill, the Executive Director may issue an interim Waiver for the hauler to dispose of the Solid Waste at an alternative facility. Upon issuance of the interim Waiver, the hauler must submit, within twenty-four (24) hours, a notarized Category II Waiver-By-Rule Certification Form stating where such waste will be transported and the estimated tonnage prior to final disposal. Upon receipt and review of the completed, notarized Category II Waiver-By-Rule Certification Form by SWACO, the submitter shall be notified by SWACO whether said Certification Form has been verified as complete so that the hauler may operate under a Category II Waiver-By-Rule. The disposal facility designated on the Certification Form shall remit to SWACO any applicable fees and report tonnage received under this category on a monthly basis, unless a Waiver from said fees is applied for and granted by the SWACO Board of Trustees. If a hauler operates by Waiver-By-Rule under this section, said shall be effective for the calendar year. Sixty (60) days prior to the expiration of the Waiver By Rule, applicants must submit a SWACO Special Waste Profile and analytical report to SWACO Staff detailing the composition of the waste and whether any changes in the character of the waste have occurred. This analytical report will be evaluated by SWACO Staff to determine whether the Solid Waste stream identified is acceptable for disposal at the Franklin County Sanitary Landfill for the following calendar year.~~

~~This category includes, but is not limited to:~~

- ~~(a) Agricultural wastes, meaning any waste material generated by crop, horticultural, or livestock production practices, and includes such items as woody debris and plant matter from stream flooding, bags, cartons, structural materials, and landscape wastes that are generated in agricultural activities, but does not include land clearing waste, buildings, garbage, dead animals, animal waste, motor vehicles and parts thereof, nor economic poisons and containers thereof. See OAC 3745-19-01.~~
- ~~(b) Automotive Shredder Residue (ASR) or "Shredder Fluff" consisting of non-recyclable residue generated as a direct result of processing automobiles, light-duty trucks, appliances (including White Goods), sheet steel, and other ferrous and nonferrous scrap metals through a hammermill shredder for purposes of Recycling~~
- ~~(c) Dedicated loads of waste contaminated with anti-freeze~~
- ~~(d) Baghouse dusts—ferrous, non-ferrous, powder coating~~
- ~~(e) Delisted or non-hazardous residue from the treatment of hazardous waste~~
- ~~(f) Empty containers, drums, barrels, buckets when lids are removed and interiors are clean and free of residue in accordance with applicable law and regulations~~
- ~~(g) Gas cylinders when empty and valve is removed~~
- ~~(h) Grease trap wastes, i.e. such as from commercial or industrial operations~~
- ~~(i) Metallurgical sludge~~
- ~~(j) Petroleum contaminated wastes—dedicated loads of waste contaminated with petroleum materials such as hydraulic oils, gasoline, crude oil, mineral oil, transformer oil, and diesel fuel (excludes Auto Shredder Residue)~~
- ~~(k) Used or spent catalyst~~
- ~~(l) WWTP sludge (commercial)—includes filter cake sludge~~
- ~~(m) WWTP sludge (industrial)—includes filter cake sludge~~
- ~~(n) WWTP sludge (municipal)—includes filter cake sludge~~

**PROPOSED RULE 9-2008: DELIVERY OF SPECIAL WASTES TO NON-DESIGNATED FACILITIES**  
**Except as otherwise permitted by Rule, Solid Wastes referred to as "Special Wastes" or "Special Handling Wastes" under these Rules are hereby exempted from Rule 1-2008, provided before the acceptance of any Special Waste materials, the Solid Waste Collection Facility supplies to SWACO a signed, notarized Certification Form stating the Facility agrees to remit any and all applicable fees for all Special Wastes received. These fees include, but are not limited to, the SWACO Generation Fee and Waiver Fee. For purposes of this section, any Facility operating under this Rule consents to any**

Resolution No. 073-11

Amending Resolution No. 110-08, to amend District Rule 9-2008 "Unacceptable Waste Rule".

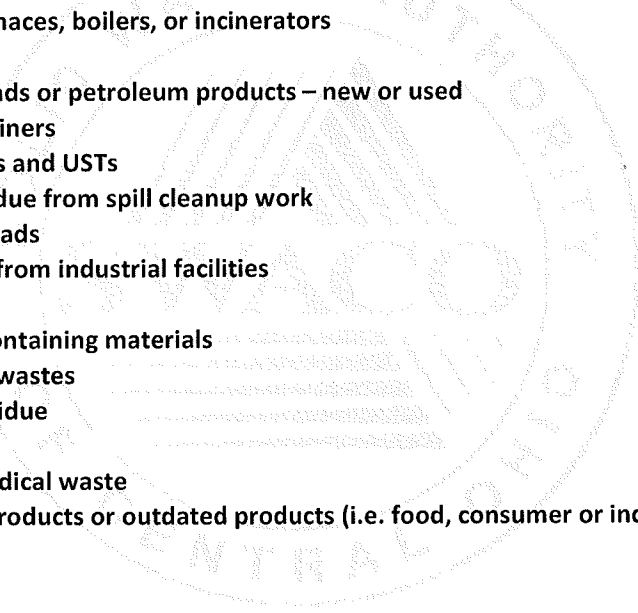
(To Be Tabled)

Page 4 of 4

and all reasonable requests made by SWACO as to reporting information and/or shall permit SWACO staff to inspect any Facilities which receive, handle, or dispose of Special Wastes generated within the District. Submittal of the Certification Form, and subsequent operation pursuant to the requirements of this Rule, shall be in effect for the calendar year of issuance and can be renewed for subsequent calendar years.

"Special Handling Wastes" or "Special Wastes" are defined as any waste material, which, because of its physical characteristics, chemical makeup, or biological nature requires either special handling procedures or permitting, or poses an unusual threat to human health, equipment, property, or the environment.

"Special Handling Wastes" or "Special Wastes" can include, but are not limited to:

- 
- Ash from fires, furnaces, boilers, or incinerators
  - Bellville wastes
  - Chemical compounds or petroleum products – new or used
  - RCRA empty containers
  - Contaminated soils and USTs
  - Debris and/or residue from spill cleanup work
  - Drums and drum pads
  - Demolition waste from industrial facilities
  - Filter cakes
  - Friable asbestos containing materials
  - Industrial process wastes
  - Manufacturing residue
  - Medical wastes
  - Non-infectious medical waste
  - Off-specification products or outdated products (i.e. food, consumer or industrial products)
  - Oil and grease
  - PCB waste
  - Pharmaceutical wastes
  - Pollution control wastes
  - Process wastes
  - Railroad ties
  - Resource exploration, mining and production wastes
  - Sandblast grit
  - Sludge and/or paste type material
  - Tank bottoms

Special Handling Wastes or Special Wastes do not include Automotive Shredder Fluff.

"Unacceptable Wastes" are those materials prohibited from disposal at the Franklin County Sanitary Landfill pursuant to local, state, or federal regulations, or operational restrictions as determined by SWACO. This category includes, but is not limited to:

- Asbestos (friable and non-friable)

- Automotive Waste including any non-liquid, unwanted and discarded automobile parts weighing in excess of fifty (50) pounds, as well as Scrap Tires. This does not include automobile shredder residue.
- Contaminated soil - soil which contains petroleum based products.
- Dedicated loads of Yard Waste
- Drums, barrels, buckets and other containers unless lids have been removed and interiors are cleaned and free of residue in accordance with applicable law and regulations
- Explosive and ordnance materials
- Gas cylinders, unless empty and delivered separate from other Solid Waste and vented to atmosphere
- Hazardous Waste
- Lead acid batteries
- Liquid wastes, including used motor oil
- Radioactive materials
- Untreated Chemotherapeutic waste
- Untreated Infectious/Pathological or Biological waste
- Whole and shredded tires – passenger and large vehicle
- Solid Waste generated outside of the District, unless approved in writing by the Executive Director

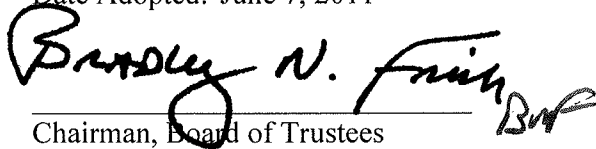
Staff has determined that in order to streamline the process and clarify the Rules regarding Special Handling/Unacceptable Wastes, it is in the best interest of SWACO to amend the Unacceptable Waste Rule as proposed. The amended District Rule 9-2008 shall replace the current Rule in its entirety. Staff therefore recommends the Board table this Resolution in order to allow for a thirty (30) day comment period by the general public.

Requested By: Danielle Kuskowski, Staff Attorney

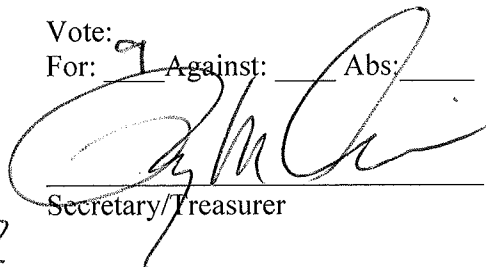
**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

1. District Rule 9-2008, "Unacceptable Waste Rule" is hereby amended.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Adopted: June 7, 2011

  
 Chairman, Board of Trustees

Vote:  
 For: 9 Against:     Abs:    

  
 Secretary/Treasurer

  
 Approved as to form, Chief Counsel



**RESOLUTION NO. 062-11**

Authorizing a contract modification with Uni-Facs Steel Works LLC for general building maintenance and fabrication services (\$200,000).

---

**Engineering, Operations and Compliance Committee**

Previously, SWACO entered into a contract with Uni-Facs Steel Works LLC for general building maintenance and fabrication services. Services performed under this contract include installation of the fire suppression system and other finalization work to the 2512 Jackson Pike facility; major improvements to the Transfer Operation truck wash area at the Jackson Pike facility; and additional small projects at other SWACO facilities on an as needed basis. Staff recommends the contract be modified to remove the \$1,575,000 increase (via Resolution No.107-10) earmarked for use in connection with the anticipated sale of the 2512 Jackson Pike Facility (referred to as the RASTRA building) and increase the contract amount by \$200,000 for general building maintenance and fabrication services. Total compensation under the contract shall not exceed \$340,000. Funding for the contract modification is included in the 2011 budget.

Requested by: Joe Huston, Director of Operations

---

**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

1. The Executive Director is authorized to execute a contract modification with Uni-Facs Steel Works LLC to remove the \$1,575,000 funding that was added in connection with the anticipated sale of 2512 Jackson Pike facility, and to expend an amount not to exceed \$340,000 for general maintenance and fabrication services.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

---

Date Adopted June 7, 2011

*Brendley N. Frish* *BMF*

Chairman, Board of Trustees

Vote:

For: 9 Against:     Abs:    

*[Signature]*  
Secretary/Treasurer

*[Signature]*  
Approved as to form, Chief Counsel

Resolution 062-11

Authorizing a contract modification with Uni-Facs Steel Works LLC for general maintenance and fabrication services (\$200,000).

Page 2 of 2

## TERM SHEET

### Description

The contract was established through a Request for Proposals. The agreement with Uni-Facs Steel Works LLC was established on October, 26, 2009 and expires on October 25, 2012. Resolution No. 12-10 authorized an increase in the contract from \$40,000 to \$140,000. Resolution No.107-10 authorized an increase of \$1,575,000 in connection with the anticipated sale of the 2512 Jackson Pike facility to the City of Columbus. These funds were earmarked for this specific project.

### Term of agreement

The agreement is set to expire on October 25, 2012.

### Terms of Payment

Uni-Facs Steel Works LLC shall submit to SWACO an invoice for services provided under the terms of the agreement. SWACO, within 30 days of the receipt of the invoice, shall make the payment to Uni-Facs Steel Works LLC without incorporating any late or delinquent penalty charges.



**RESOLUTION NO. 063-11**

Authorizing a contract modification with The Righter Company, Inc. for general building maintenance and fabrication services (\$100,000).

---

**Engineering, Operations and Compliance Committee**

Previously, SWACO entered into a contract with The Righter Company, Inc., for general building maintenance and fabrication services. Services performed under this contract include finalization of work to the 2512 Jackson Pike facility; a major repair of the roof and fire suppression system at the Georgesville Road Transfer Station; and smaller projects at SWACO facilities on an as needed basis. Staff recommends the contract be modified to remove the \$1,575,000 increase (via Resolution No. 108-10) earmarked for use in connection with the anticipated sale of the 2512 Jackson Pike facility (referred to as the RASTRA building) and an increase of the contract amount by \$100,000 for general building maintenance and fabrication services. Total compensation under the contract shall not exceed \$240,000. Funding for the contract modification is included in the 2011 budget.

Requested by: Joe Huston, Director of Operations

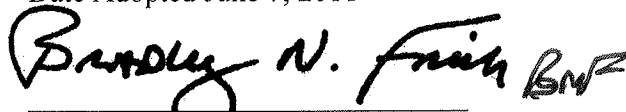
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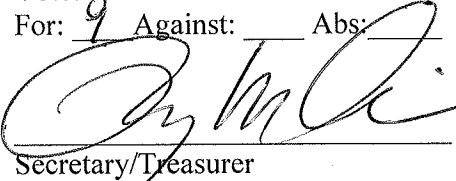
**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

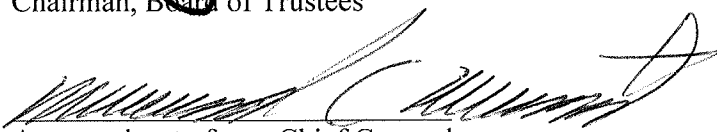
1. The Executive Director is authorized to execute a contract modification with The Righter Company, Inc. to remove the \$1,575,000 funding that was added in connection with the anticipated sale of 2512 Jackson Pike facility and to expend an amount not to exceed \$240,000 for general maintenance and fabrication services.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

---

Date Adopted June 7, 2011

  
Chairman, Board of Trustees

Vote:  
For: 9 Against:     Abs:      
  
Secretary/Treasurer

  
Approved as to form, Chief Counsel

Resolution 063-11

Authorizing a contract modification with The Righter Company Inc. for general building maintenance and fabrication services (\$100,000).

Page 2 of 2

TERM SHEET

Description

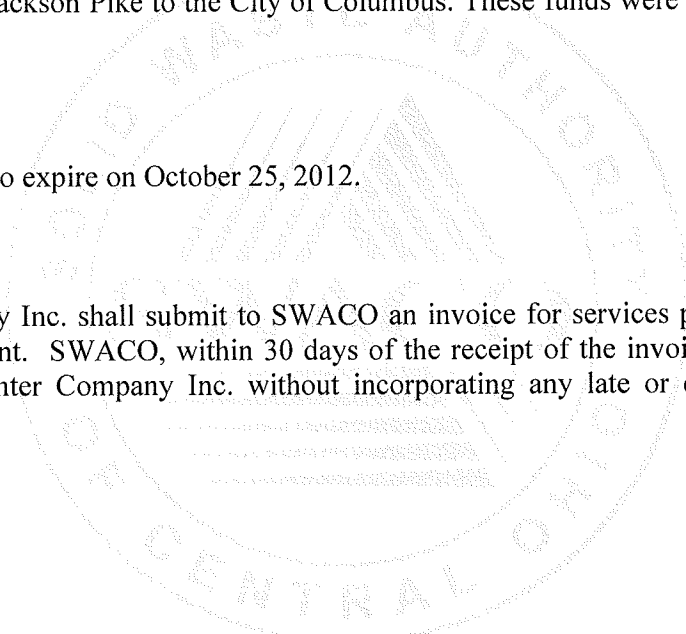
The contract was established through a Request for Proposals. The agreement with The Righter Company Inc. was established on October, 26, 2009 and is set to expire on October 25, 2012. Resolution No. 11-10 authorized an increase in the contract amount from \$40,000 to \$140,000. Resolution No. 108-10 authorized a contract amount increase of \$1,575,000 in connection with the sale of the 2512 Jackson Pike to the City of Columbus. These funds were earmarked for this specific project.

Term of agreement

The agreement is set to expire on October 25, 2012.

Terms of Payment

The Righter Company Inc. shall submit to SWACO an invoice for services provided under the terms of the agreement. SWACO, within 30 days of the receipt of the invoice, shall make the payment to The Righter Company Inc. without incorporating any late or delinquent penalty charges.





**RESOLUTION NO. 064-11**

Authorizing a contract with Pettibone Construction, Inc. for replacement of the main entrance apron at Jackson Pike Transfer Station (\$58,080).

---

**Engineering, Operations and Compliance Committee**

SWACO has a need to replace the main entrance apron at Jackson Pike Transfer Station to provide adequate access to the facility for its customers. SWACO staff solicited competitive sealed bids. Staff evaluated the bids and Pettibone Construction, Inc. is qualified to perform this work and submitted the lowest and best, responsive bid. Funding for the contract is included in the 2011 Capital Improvements Plan.

Requested by: Joe Huston, Director of Operations

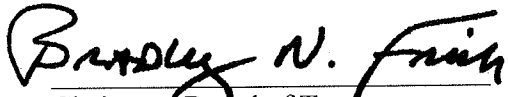
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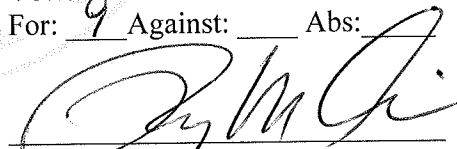
**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

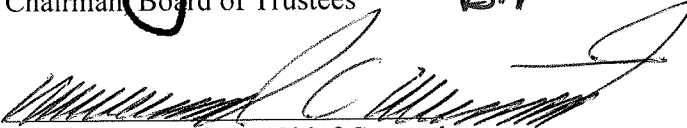
1. The Executive Director is authorized to execute a contract with Pettibone Construction, Inc. for the main entrance apron at Jackson Pike Transfer Station and to expend an amount not to exceed \$58,080.
  2. This resolution shall be in full force and effect from and immediately upon its adoption.
- 

Date Adopted June 7, 2011

Vote:  
For: 9 Against:     Abs:    

  
Chairman Board of Trustees *BNF*

  
Secretary/Treasurer

  
Approved as to form, Chief Counsel

Resolution No. 064-11

Authorizing a contract with Pettibone Construction, Inc. for replacement of the main entrance apron at Jackson Pike Transfer Station. (\$58,080).

Page 2 of 3

## TERM SHEET

### Description

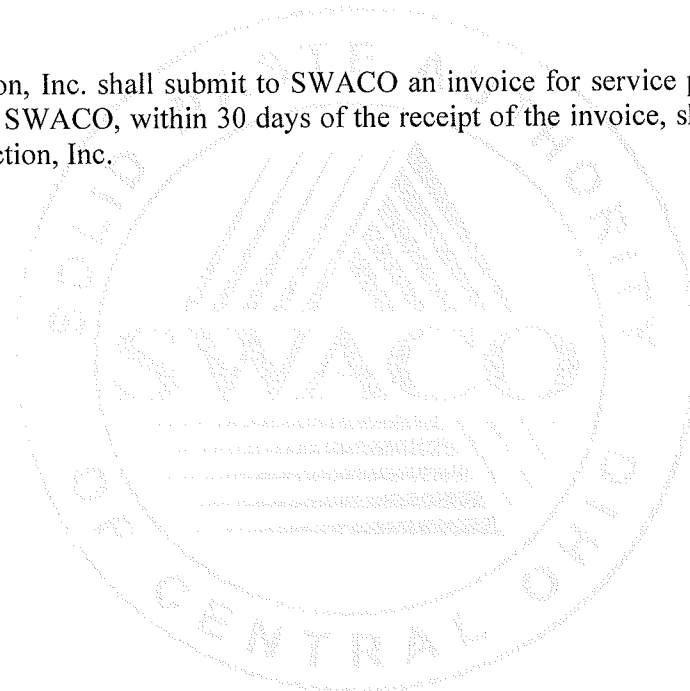
SWACO will enter into a contract with Pettibone Construction, Inc. for the main entrance apron at Jackson Pike transfer station.

### Term of Agreement

The agreement will be for 180 days.

### Terms of Payment

Pettibone Construction, Inc. shall submit to SWACO an invoice for service provided under the terms of agreement. SWACO, within 30 days of the receipt of the invoice, shall make payment to Pettibone Construction, Inc.



RESOLUTION NO. 064-11

Authorizing a contract with Pettibone Construction, Inc. for replacement of the main entrance apron at Jackson Pike Transfer Station. (\$58,080).

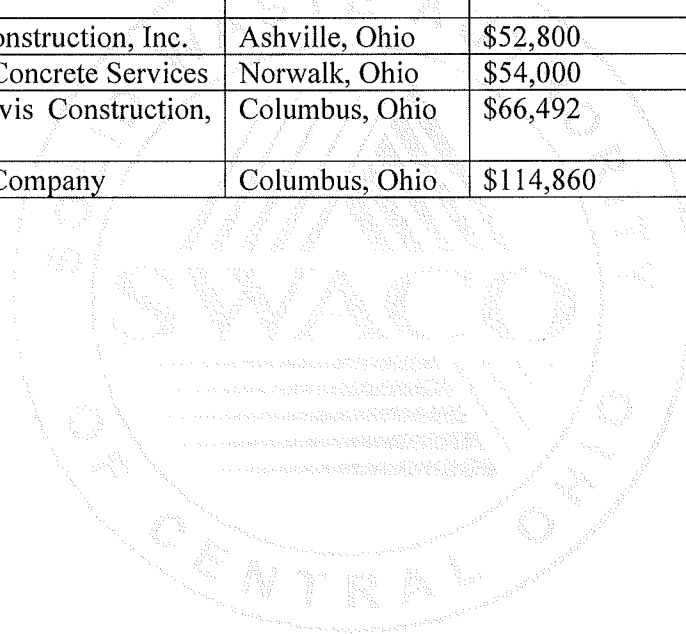
Page 3 of 3

**Selection Process**

- SWACO publicly advertised this project in the Columbus Dispatch on May 13, 2011 and made the Invitation To Bid packet available.
- Bids were due on May 20, 2011
- Four (4) ITB packages were received by SWACO
- Pettibone Construction, Inc. was the lowest and best, responsive bid to perform the services

ITB SUMMARY

Rank	Company Name	Location	Bid Amount	With 10% Contingency
1	Pettibone Construction, Inc.	Ashville, Ohio	\$52,800	\$58,080
2	Newcomer Concrete Services	Norwalk, Ohio	\$54,000	\$59,400
3	Legg & Davis Construction, Inc.	Columbus, Ohio	\$66,492	\$73,141
4	The Shelly Company	Columbus, Ohio	\$114,860	\$126,346





**RESOLUTION NO. 065-11**

Authorizing a contract modification with LSC Environmental Products, LLC for the purchase of alternative daily cover materials (\$275,000).

---

**Engineering, Operations and Compliance Committee**

In November 2010, the SWACO Board of Trustees passed Resolution No. 142-10 authorizing a contract with Landfill Services Corporation to purchase alternative daily cover materials in the amount of \$300,000. After the resolution was passed, Landfill Services Corporation merged with LSC Environmental Products, LLC. SWACO staff subsequently entered into a \$25,000 contract with LSC Environmental Products, LLC to provide alternative daily cover materials in April 2011. Staff recommends the contract be modified to increase the contract amount by \$275,000. The total cost of the proposed contract to SWACO will not exceed \$300,000. Funding for this contract is included in the 2011 budget.

Requested by: Scott Perry, Sr. Landfill/Equipment Manager

**BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:**

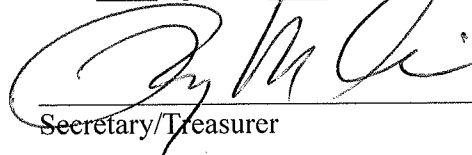
1. The Executive Director is authorized to modify the contract with LSC Environmental Products, LLC for the purchase of alternative daily cover materials, and to expend a total amount not to exceed \$300,000.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

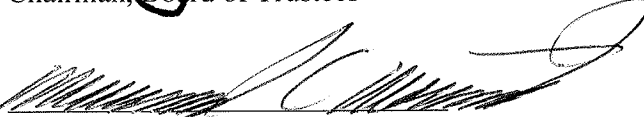
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Date Adopted June 7, 2011

  
Chairman, Board of Trustees

Vote:  
For: 9 Against:      Abs:     

  
Secretary/Treasurer

  
Approved as to form, Chief Counsel

Resolution 065-11

Authorizing a contract modification with LSC Environmental Products, LLC for the purchase of alternative daily cover materials (\$275,000).

Page 2 of 2

## TERM SHEET

### Description

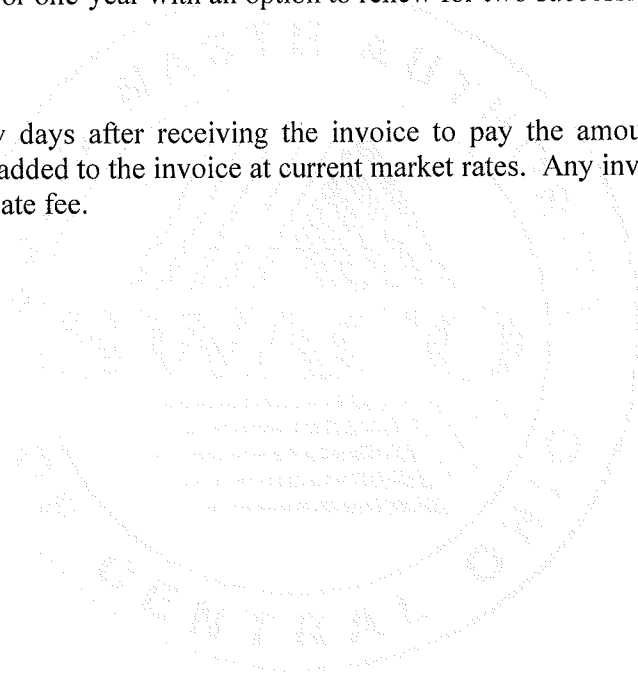
LSC Environmental Products, LLC will supply alternative daily cover materials for the Franklin County Sanitary Landfill on an as-needed basis. The contract term started in April of 2011.

### Term of agreement

The supply agreement is for one-year with an option to renew for two successive one-year terms.

### Terms of Payment

SWACO will have thirty days after receiving the invoice to pay the amount of the invoice. Shipping charges will be added to the invoice at current market rates. Any invoice not paid in 30 days is subject to a \$100 late fee.





**RESOLUTION NO. 066-11**

Authorizing a contract with Landmarc Environmental Systems, LLC for 2011 landfill gas collection and control system construction (\$720,000).

**Engineering, Operations and Compliance Committee**

The continued waste placement at the Franklin County Sanitary Landfill necessitates yearly additions to the gas collection and control system (GCCS). The 2011 construction project will include a new header system on the north face of the landfill to service the Phase H3 vertical expansion, air and leachate lines to extract accumulated liquids in the gas extraction wells on the north face of the landfill, and twenty-three additional gas extraction wells on the east side of the landfill. Construction is expected to be completed by November 15, 2011.

SWACO was awarded an American Recovery and Reinvestment Act Grant for the gas collection and control system construction. The Grant Agreement requires SWACO must comply with Federal Procurement standards. As a result, the local preference policy was omitted from the bidding process.

Cornerstone Environmental Group LLC completed the engineering design and SWACO staff solicited competitive sealed bids for the construction of the project. Landmarc Environmental Systems, LLC is qualified to perform the work and was deemed the lowest responsive bidder. Funding is included in the 2011 Capital Improvements Plan.

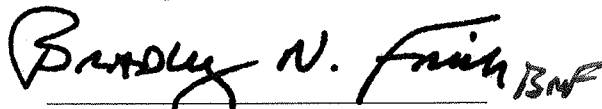
Requested by: Scott Perry, Sr. Landfill/Equipment Manager

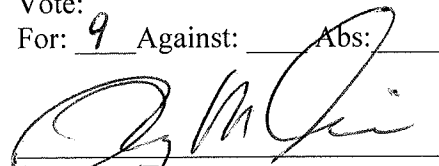
**BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:**

1. The Executive Director is authorized to execute a contract with Landmarc Environmental Systems, LLC for 2011 landfill gas collection and control system construction, and to expend an amount not to exceed \$720,000.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Adopted June 7, 2011

Vote:  
For: 9 Against:      Abs:     

  
Chairman, Board of Trustees

  
Secretary/Treasurer

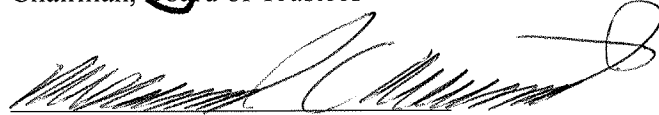
  
Approved as to form, Chief Counsel

Exhibit A  
Resolution 066-11

Authorizing a contract with Landmarc Environmental Systems, LLC for 2011 landfill gas collection and control system construction (\$720,000).

Page 2 of 4

## TERM SHEET

### Description

The 2011 construction project will include a new header system on the north face of the landfill to service the Phase H3 vertical expansion, air and leachate lines to extract accumulated liquids in the gas extraction wells on the north face of the landfill, and twenty-three additional gas extraction wells on the east side of the landfill. The selection process was by means of competitive sealed bids.

### Term of agreement

Substantial completion of the work is expected to be complete by November 15, 2011.

### Terms of Payment

Under the terms of the agreement, Landmarc Environmental Systems, LLC will submit weekly invoices for progress payments to SWACO. Within thirty days of receipt of the invoice, SWACO can make payment without incurring any late or delinquent charges. Retainage as follows:

### LABOR PAYMENTS

- Progress payments to the Contractor for labor performed under either a Unit Price or lump sum Contract shall be made at the rate of 92% of the labor invoiced through the Application for Payment.
- After the Contract is 50% complete, as evidenced by payments in the amount of at least 50% of the total Contract Price to the Contractor, no additional funds shall be retained from payments for labor.

### MATERIAL PAYMENTS

- SWACO shall pay to the Contractor, at the rate of 92% of the costs invoiced on the Application for Payment, not to exceed the Bid amount in a Unit Price or lump sum Contract, for material delivered to the site of the Project, or other point in the vicinity of the Project, or other storage site approved by the Project Representative, provided the Contractor provides the following information with the Application for Payment:
  - A list of the fabricated materials consigned to the Project, giving the place of storage, together with copies of invoices, in order to verify quantity and cost.
  - A certification of materials stored on or off site, prepared by the Contractor and signed by the Project Representative to evidence that the materials are in conformity with the Specifications and have been tagged with the Project name and number for delivery to the Project. All costs incurred by the Project Representative to visit a

Exhibit A

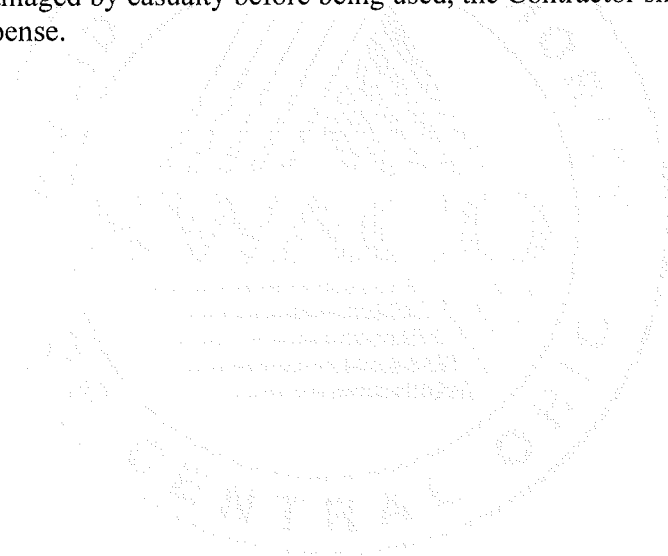
Resolution 066-11

Authorizing a contract with Landmarc Environmental Systems, LLC for 2011 landfill gas collection and control system construction (\$720,000).

Page 3 of 4

storage site, other than the areas adjacent to the Project, shall be paid by the Contractor.

- Representative to visit a storage site, other than the areas adjacent to the Project, shall be paid by the Contractor.
- The balance of such invoiced cost shall be paid when such material is incorporated into and becomes a part of the Work of the Project.
- When payment is allowed on account of material delivered on the site of the Project or in the vicinity thereof or under the possession and control of the Contractor but not yet incorporated therein, such material shall become the property of SWACO upon inspection and approval of the Project Representative, but if such material is stolen, destroyed, or damaged by casualty before being used, the Contractor shall replace it at the Contractor's expense.



Resolution 066-11

Authorizing a contract with Landmarc Environmental Systems, LLC for 2011 landfill gas collection and control system construction (\$720,000).

Page 4 of 4

## ITB SUMMARY

### Selection Process

- SWACO publicly advertised this project in the Columbus Dispatch on May 16, 2011 and made the ITB packet available.
- Bids were due on June 3, 2011.
- Six submittal packages were received by SWACO.
- Landmarc Environmental Systems, LLC was the lowest responsive bidder to perform the services.

### Bidders

#### BID TABULATION

Rank	Company Name	Location	Bid	Total with 10% Contingency
1	Landmarc Environmental Systems, LLC	Naperville IL	\$653,833	\$719,216.30
2	King Development LTD	Arlington OH	\$667,414	\$734,155.40
3	R.B. Jergens Contractors, Inc.	Vandalia OH	\$682,641.45	\$750,905.60
4	American Environmental Group Ltd.	Richfield OH	\$690,252	\$759,277.20
5	SCS Field Services	Reston VA	\$747,116	\$821,827.60
6	Catskill Remedial Contracting Services Inc.	Otsego MI	\$766,937.75	\$843,631.53



**RESOLUTION NO. 067-11**

Authorizing a contract modification with the John Zink Company, LLC for flare parts and maintenance services (\$50,000).

---

**Engineering, Operations and Compliance Committee**

SWACO has a need to purchase flare parts and maintenance services to keep the Franklin County Sanitary landfill gas collection control system blower station and enclosed flare in operating condition to maintain compliance with the facility Permit to Install and all environmental regulations. Staff recommends the contract amount be increased by \$50,000 and the contract term be extended until December 31, 2012. The total contract amount will not exceed \$75,000. Funding for this contract modification is in the 2011 budget.

Requested by: Scott Perry, Sr. Landfill/Equipment Manager

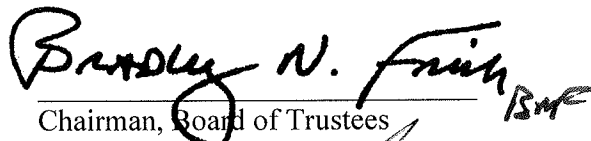
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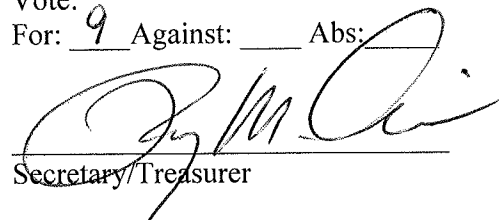
**BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:**

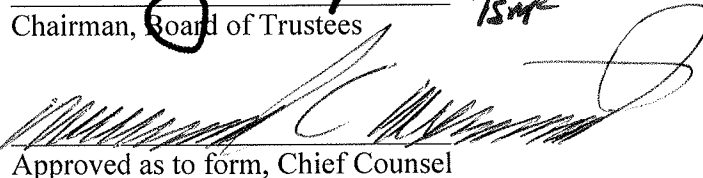
1. The Executive Director is authorized to modify the contract with John Zink Company, LLC for flare parts and maintenance services, and to expend a total amount not to exceed \$75,000.
  2. This resolution shall be in full force and effect from and immediately upon its adoption.
- 

Date Adopted June 7, 2011

Vote:  
For: 9 Against:     Abs:    

  
Chairman, Board of Trustees

  
Secretary/Treasurer

  
Approved as to form, Chief Counsel



**RESOLUTION NO. 068-11**

Declaring that SWACO has surplus property that is not needed for public use and authorizing the sale, trade-in, and disposal thereof.

---

**Engineering, Operations and Compliance Committee**

SWACO owns certain equipment described on the attachment titled "Exhibit A." Continued use of this equipment is no longer cost effective or needed for operational use. Staff is recommending that the equipment listed on Exhibit A be disposed of by sale, trade-in, auction, or other means of disposal.

Requested by: Scott Perry, Sr. Landfill/Equipment Manager

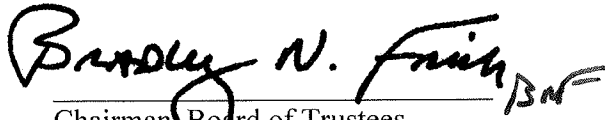
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**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

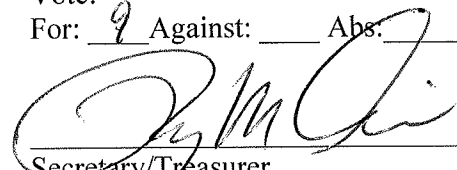
1. The Board of Trustees declares that the equipment listed on Exhibit A attached hereto, constitutes surplus property which is no longer needed for public use.
2. The Executive Director is authorized and directed to enter into such agreements as are necessary for disposal of the surplus property by sale, trade-in, live auction, web-based auction, or other means as appropriate.
3. This resolution shall be in full force and effect from and immediately upon its adoption.

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Date Adopted June 7, 2011

  
Chairman, Board of Trustees

Vote:  
For: 9 Against:     Abs:    

  
Secretary/Treasurer

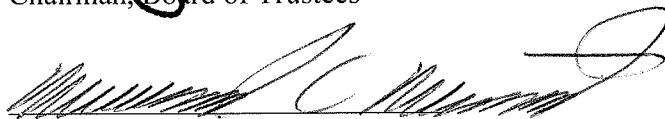
  
Approved as to form, Chief Counsel

Exhibit A

Resolution 068-11

Declaring that SWACO has surplus property that is not needed for public use and authorizing the sale, trade-in, and disposal thereof.

Page 2 of 2

- 1) Panasonic electric typewriter - Model KX-E2000
- 2) LFG 4000 scfm capacity blower skid, spare blower, and spare electric motor
- 3) Dell GX240 Desktop
- 4) Four Neoware CA5 Thin Clients with power cords
- 5) Four Neoware CA5 Thin Clients without power cords
- 6) Three voltage convertors
- 7) Two HP Laser Jet 3000 black toner cartridges
- 8) Three HP 95 tri-color toner cartridges
- 9) MS-DOS 6.22 Operating System Upgrade





**RESOLUTION NO. 069-11**

Authorizing a contract with Bentley Machinery Co., Inc. to purchase a used Caterpillar 836H waste compactor for the Franklin County Sanitary Landfill and to waive competitive sealed bids (\$565,000).

**Engineering, Operations and Compliance Committee**

SWACO has the need to purchase a used Caterpillar 836H waste compactor for the operations of the Franklin County Sanitary Landfill and to maintain the rolling stock replacement schedule. This unit maximizes the compaction of the waste for cost effective use of airspace. The contract price includes delivery. Funding for this purchase is included in the approved 2011 Capital Equipment Budget.

**Justification for Waiver**

Pursuant to Section 7(c) of SWACO's procurement policy, it is in the best interest of SWACO to waive competitive sealed bids. SWACO staff has determined it is in SWACO's best interest to purchase this used Caterpillar 836H waste compactor as it is a better value than purchasing a new unit at State of Ohio contract prices.

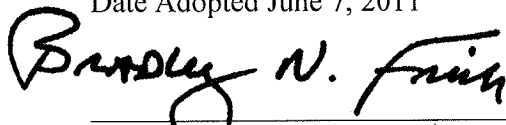
Requested By: Scott Perry, Sr. Landfill/Equipment Manager

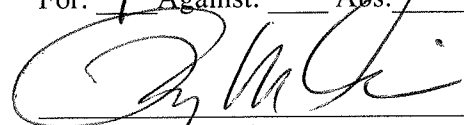
**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

1. The Executive Director is authorized to execute a contract with Bentley Machinery Co., Inc. consistent with the attached Term Sheet, Exhibit A, to purchase a used Caterpillar 836H waste compactor and to expend an amount not to exceed \$565,000.
2. Pursuant to Section 7(c) of SWACO's Procurement Policy, it is in the best interest of SWACO to waive competitive sealed bids.
3. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Adopted June 7, 2011

Vote  
For: 9 Against:      Abs:     

  
Chairman, Board of Trustees *BWF*

  
Secretary/Treasurer

  
Approved as to form, Chief Counsel

Exhibit A- 069-11

Authorizing a contract with Bentley Machinery Co., Inc. to purchase a used Caterpillar 836H waste compactor for the Franklin County Sanitary Landfill and to waive competitive sealed bids (\$565,000).

Page 2 of 2

## TERM SHEET

### Description

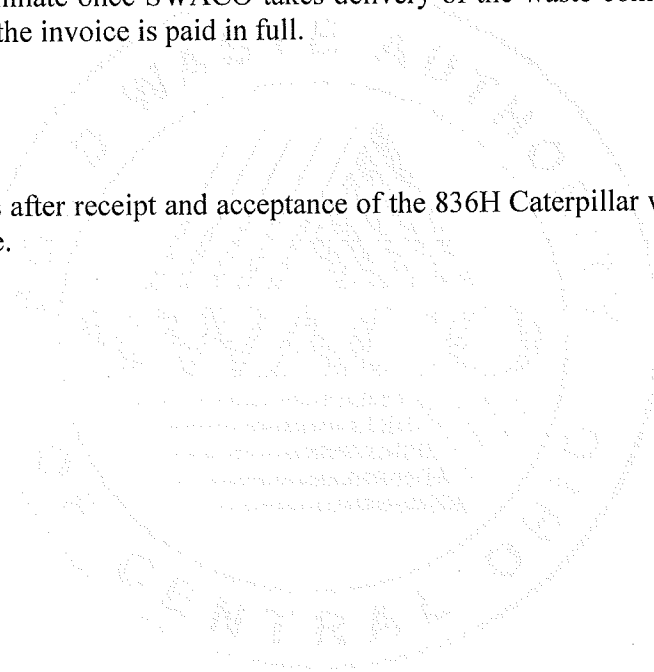
To purchase a used Caterpillar 836H waste compactor for the Franklin County Sanitary Landfill.

### Term of agreement

The agreement will terminate once SWACO takes delivery of the waste compactor, accepts the piece of equipment and the invoice is paid in full.

### Terms of Payment

SWACO has thirty days after receipt and acceptance of the 836H Caterpillar waste compactor to pay the vendor's invoice.





RESOLUTION NO. 070-11

Authorizing the Executive Director to enter into a new legal services agreement relating to real estate matters with The Plank Law Firm (\$25,000).

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Legal and Legislative Committee

SWACO previously entered into an agreement for outside counsel legal services relating to real estate issues with The Plank Law Firm (Plank). SWACO regularly assigns Isaac Brant various matters concerning real estate development. However, the existing agreement has several modifications which overlap, and the delineation of terms and services provided under each modification is unclear. This resolution terminates any and all existing agreements and authorizes the Executive Director to enter into a new contract with Plank not to exceed twenty-five thousand dollars (\$25,000.00) that will be in effect until December 31, 2011.

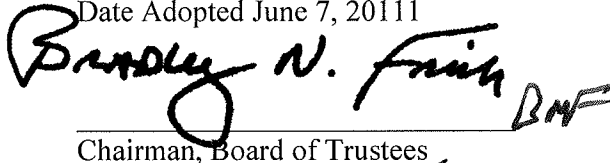
Requested by: Michael C. Mentel, Chief Counsel

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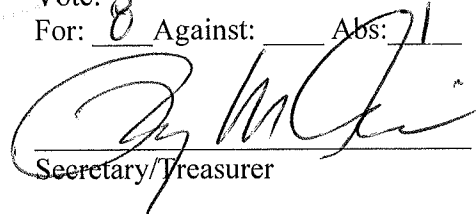
**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

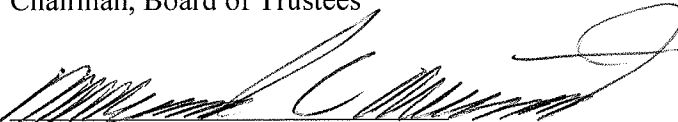
1. The Executive Director is authorized to terminate any and all previous agreements with The Plank Law Firm and enter into a new agreement with for legal services, and to expend a total amount not to exceed \$25,000.
  2. This resolution shall be in full force and effect from and immediately upon its adoption.
- 

Date Adopted June 7, 2011

  
Chairman, Board of Trustees

Vote: \_\_\_\_\_  
For: 8 Against: \_\_\_\_\_ Abs: 1

  
Secretary/Treasurer

  
Approved as to form, Chief Counsel



RESOLUTION NO. 071-11

Authorizing the Executive Director to enter into a new legal services agreement relating to solid waste management planning and environmental matters with the law firm of Eastman & Smith, Ltd. (\$75,000).

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Legal and Legislative Committee

SWACO previously entered into an agreement for outside counsel legal services relating to solid waste management planning and environmental issues with the law firm of Eastman & Smith, Ltd. (Eastman). However, the existing agreement has several modifications which overlap, and the delineation of terms and services provided under each modification is unclear. This resolution terminates any and all existing agreements and authorizes the Executive Director to enter into a new contract with Eastman not to exceed seventy-five thousand dollars (\$75,000.00) that will be in effect until December 31, 2011. Of the amount requested, approximately thirty-six thousand dollars (\$36,000.00) will be used to pay pending invoices received from January through April 2011.

Requested by: Michael C. Mentel, Chief Counsel

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**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

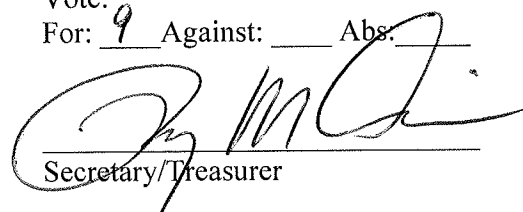
1. The Executive Director is authorized to enter into a new agreement with for legal services with Eastman & Smith, Ltd., and to expend a total amount not to exceed \$75,000.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

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Date Adopted June 7, 2011

Vote:  
For: 9 Against:     Abs:    

  
Chairman, Board of Trustees

  
Secretary/Treasurer

  
Approved as to form, Chief Counsel



**RESOLUTION NO. 072-11**

**Authorizing the Executive Director to enter into a new legal services agreement relating to litigation matters with Squire, Sanders & Dempsey (\$100,000).**

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**Legal and Legislative Committee**

SWACO previously entered into an agreement for outside counsel legal services relating to litigation issues with the law firm of Squire, Sanders & Dempsey (Squire Sanders). However, the existing agreement terminated at the time funds were exhausted. This resolution authorizes the Executive Director to enter into a new contract with Squire Sanders not to exceed one hundred thousand dollars (\$100,000.00) that will be in effect until December 31, 2011. Of the total amount requested, approximately thirty-three thousand dollars (\$33,000.00) will be applied to pending invoices received from January through April, 2011.

Requested by: Michael C. Mentel, Chief Counsel

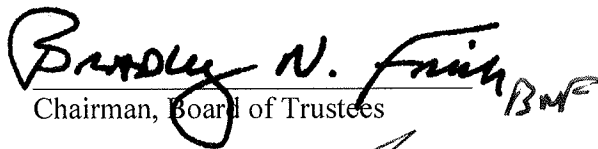
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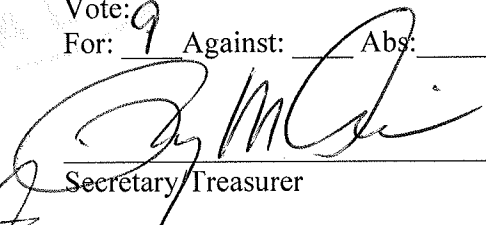
**BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:**

1. The Executive Director is authorized to enter into a new agreement with for legal services with Squire, Sanders & Dempsey, and to expend a total amount not to exceed \$100,000.
  2. This resolution shall be in full force and effect from and immediately upon its adoption.
- 

Date Adopted June 7, 2011

Vote: 9  
For: 9 Against:      Abs:     

  
Chairman, Board of Trustees *BMF*

  
Secretary/Treasurer

  
Approved as to form, Chief Counsel