

Appendix A

Resolution of District Formation

RESOLUTION

IN THE MATTER OF RESOLUTION (R-9-89) TO ESTABLISH THE "DARKE COUNTY SOLID WASTE MANAGEMENT DISTRICT"

Mr. Barga moved the adoption of the following:

WHEREAS, The Board of County Commissioners of Darke County did make application to the Director of the Ohio E.P.A. for an exemption to form a solid waste management district with a population of fewer than 120,000; and

WHEREAS, the Director of the Ohio E.P.A. has issued the following final finding and order:

FINDINGS

1. All Areas of County Commissioners are required to form, or join with other counties to form, a solid waste management district (SWMD) that includes all the territory of the participating counties. Each single county or multi-county SWMD must have a population of 120,000, but under certain circumstances the Director can waive this requirement of the law. See ORC Section 3734.52.
2. The Board of County Commissioners of Darke County has applied to the Director for a waiver of the 120,000 population requirement for a proposed SWMD to include only that county.
3. The Director may by ORC Section 3734.52, Div. (C)(2) grant a waiver of the 120,000 population requirement if the waiver request provides a statement of how the proposed district will provide for sufficient solid waste facility capacity within the district, or will provide for access to sufficient capacity, to dispose of all solid wastes generated within the district for at least ten years after the waiver request is filed.
4. The Director finds that the county has made the necessary demonstration referred to in Finding No. 3 above.

ORDER

The Request by Darke County for waiver of the 120,000 population requirement is granted.

IT IS ORDERED:

Richard L. Shane
Richard L. Shane, Ph.D.
Director

February 21, 1989

Ohio Environmental Protection Agency
ENTERED COMMISSIONER'S OFFICE

WHEREAS, Section 343.01, Div.(A) and 3734.52, Div. (5) of the Ohio Revised Code require the Board of County Commissioners of each county, prior to March 24, 1989, to establish, by resolution, and maintain a county solid waste management district that consists of all the incorporated and unincorporated territory within the county.

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Darke County, Ohio, does hereby establish a solid waste management district, pursuant to Section 343.01, Div. (A) and 3734.52, Div. (5) of the Ohio Revised Code and that such district shall be known as the "Darke County Solid Waste Management District"; and

BE IT FURTHER RESOLVED that the "Darke County Solid Waste Management District" shall consist of all incorporated and unincorporated territory with the county; and

BE IT FURTHER RESOLVED that a Certified Copy of this Resolution be forwarded to Mr. Michael Greenberg at the Ohio E.P.A.

BE IT FURTHER RESOLVED that the Chairman of the Board of Darke County Commissioners be our representative to this "Darke County Solid Waste Management District".

Mr. Fourman seconded the Resolution and the vote was as follows:

Margaret Hill
Margaret Hill
Clerk/Adm. Secy.

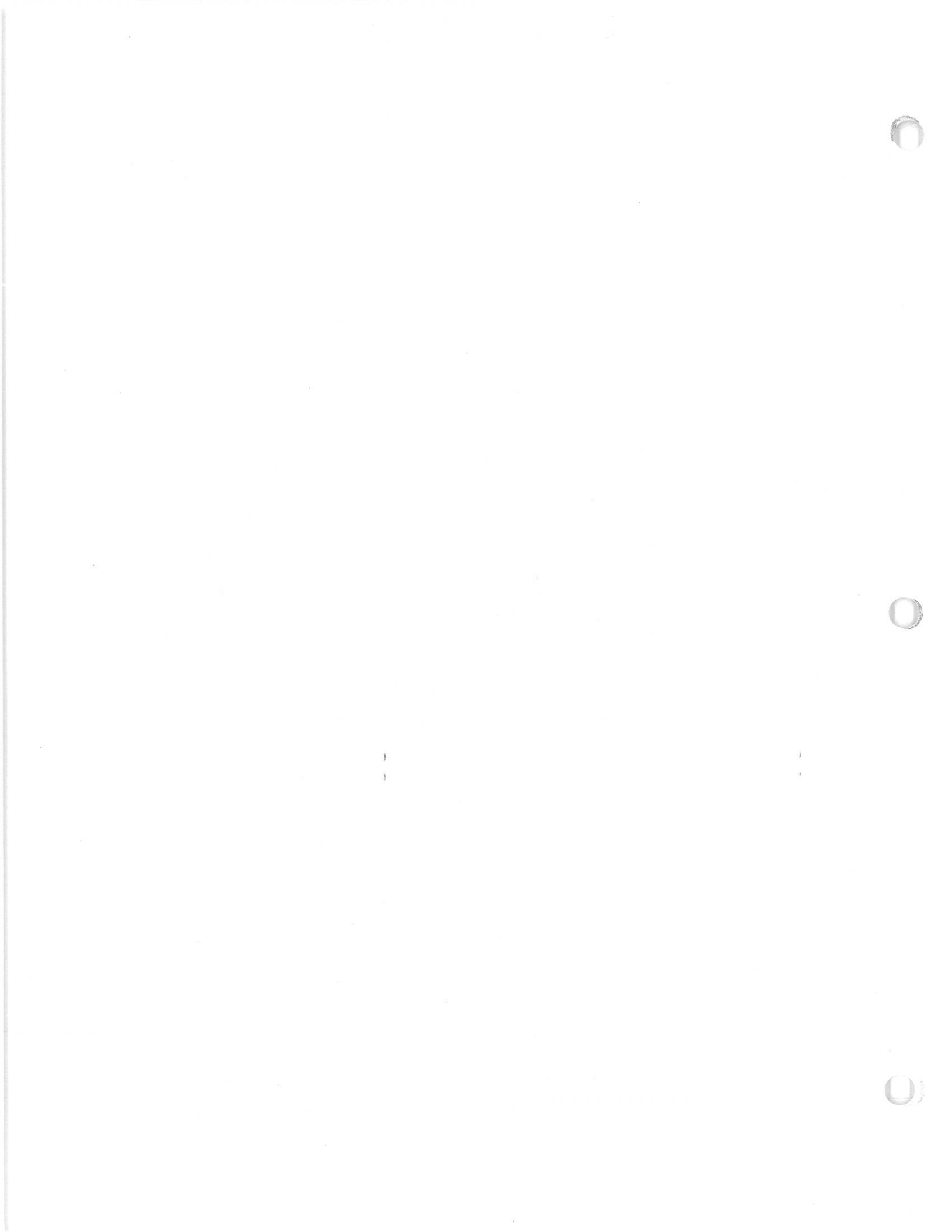
Adopted this 3rd day
of March, 1989

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Richard A. Graeff
Richard A. Graeff
Vote

Jerry L. Fourman
Jerry L. Fourman
Vote

James L. Barga
James L. Barga
Vote
DARKE COUNTY BOARD OF COMMISSIONERS



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1989

RESOLUTION

In The Matter of Resolution (R-16-89) To Establish The
Darke County Solid Waste Management Policy Committee

Mr. Bueger moved the adoption of the following:

WHEREAS, on March 15, 1989 this Board by Resolution established the Darke County Solid Waste Management District; and

WHEREAS, Division (B) of Section 3734.54 of the Ohio Revised Code thereupon requires this Board to establish and convene a Solid Waste Management Policy Committee; now therefore

THEREFORE, BE IT RESOLVED, that the Darke County Solid Waste Management Policy Committee be, and hereby is established in accordance with Section 3734.54 (B) of the Revised Code; and

BE IT FURTHER RESOLVED that the said Committee shall have the duties and obligations, rights and privileges as confirmed upon it under Chapters 343. and 3743. of the Ohio Revised Code; and

BE IT FURTHER RESOLVED that the membership to such Committee shall be as specified in Section 3734.54 of the Ohio Revised Code, with the President of the Board of County Commissioners being one of the Members thereof; and

BE IT FURTHER RESOLVED that a copy of this Resolution, and Resolution R-9-89 be served by a Clerk of this Board upon the Mayor of the City of Greenville and upon the Boards of the various Township Trustees of each Township located within the Darke County Solid Waste Management District such that they may designate a member of said Policy Committee, and upon Dr. Terence Holman, Health Commissioner of the Darke County General Health District; and

BE IT FURTHER RESOLVED that said Committee shall be first convened upon the call of the President of this Board for the purpose of designating the fifth, public, member to such Committee and to establish a Solid Waste Management Plan and any and all other duties required of such Committee by law.

Mr. Foureman seconded the Resolution and the vote was as follows:

Richard A. Graeff Yes
Richard A. Graeff Vote

Larry L. Foureman Yes
Larry L. Foureman Vote

James L. Barga Yes
James L. Barga Vote
DARKE COUNTY BOARD OF COMMISSIONERS

Margaret Hile
Clerk/Secretary

Adopted this 24th day of May, 1989.

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FILED
MAY 24 1989
DARKE CO., OHIO
COMMISSIONERS
MARGARET HILE, CLERK

