



October 1, 2020

Mayor Name
Municipality Name
Address
Address

Re: Allen-Champaign-Hardin-Madison-Shelby-Union Joint Solid Waste
Management District (NCO Solid Waste District)
Generation Fee Abolishment Ratification

Dear Mayor:

The NCO Solid Waste District (District), which is comprised of Allen, Champaign, Hardin, Madison, Shelby and Union counties, has conducted a process to replace its main funding system over the last several months. As anticipated in the District's current solid waste management plan, the District is switching funding from Generation Fees to Contract Fees through Designation. In order to accomplish this transition, the District's Policy Committee initiated a process to abolish/repeal the current Generation Fees. The process included the following:

- The District's Policy Committee passed a resolution on August 26, 2020 to propose to abolish/repeal the Generation Fee funding mechanism.
- The Policy Committee then made public notice of the resolution on August 31, 2020 for a public hearing.
- The Policy Committee held a public hearing on September 30, 2020 for interested residents, businesses or political jurisdictions to provide comments on the Generation Fee Abolishment.
- After considering public comment, the Policy Committee, On September 30, 2020, adopted a resolution to abolish/repeal the Generation Fees.

Once the Policy Committee adopts this resolution (attached), a copy shall be delivered to the County Commissioners and the legislative authority of each municipal corporation and township that are under the District's jurisdiction for approval through a ratification process.

Attached is a copy of the resolution passed by the District Policy Committee. The District has chosen the ratification period to be: **October 7, 2020 until December 5, 2020.** **Within sixty days** of receiving a copy of the Generation Fee Abolishment resolution, the Board of County Commissioners and the legislative authority of each municipal corporation and township in the District shall approve or disapprove of the resolution by ordinance or resolution and send to the District. The District determines that the resolution has been ratified when a combination of municipal corporations and townships with a combined population comprising 60 percent of the District has approved the resolution in 4 of the 6 counties of the District. That combination must include the approval of the County Commissioners and the municipal corporation having the largest population within each county of the District.

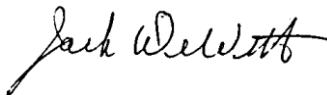
Because of the 60-day timeframe, which cannot be extended, we would appreciate your immediate attention to this request. A sample resolution is attached for your convenience. Please mail your resolution or ordinance approving or disapproving the Plan to:

Mr. Jack DeWitt, Executive Director
NCO Solid Waste District
815 Shawnee Road, Suite D, Lima, OH 45805
Phone: 419-228-8278, **Fax:** 419-229-2156
Email: jack@ncowaste.org

We look forward to hearing from you between **October 7, 2020 and December 5, 2020.** Resolutions approving or disapproving the Generation Fee Abolishment enacted outside of the time period stated above cannot be counted toward the ratification of the Generation Fee Abolishment. Because of the 60-day timeframe which cannot be extended, we would appreciate your immediate attention to this request.

Please do not hesitate to contact me if you have any questions regarding the ratification process or the Generation Fee Abolishment resolution. Thank you.

Sincerely,



Jack DeWitt
Executive Director
Enclosures

Resolution/Ordinance No. _____

A RESOLUTION/ORDINANCE TO APPROVE / DISAPPROVE GENERATION FEE ABOLISHMENT / REPEAL FOR THE NCO SOLID WASTE DISTRICT

WHEREAS; the _____(county, city, village, township) is located within the jurisdiction of the NCO Solid Waste District (District).

WHEREAS, the District Policy Committee prepared and adopted a resolution proposing the Generation Fee Abolishment/Repeal in accordance with Ohio Revised Code Section 3734.573.

WHEREAS; the District has provided a copy of the adopted resolution abolishing the generation fees for ratification to each of the legislative authorities of the District.

WHEREAS; the _____(please enter name of county, city, village, township) must decide whether it approves of said Resolution within sixty days of receipt of the Resolution.

NOW, Therefore, Be It Resolved by the _____(please indicate if commissioners, council or trustees) of _____(please indicate if county, city, village, township):

1. The _____ (city, village, township or county commission) either (please indicate):
 - a. _____approves the Generation Fee Abolishment/Repeal; or
 - b. _____disapproves the Generation Fee Abolishment/Repeal
2. The Clerk is hereby directed to send the District a copy of this resolution to the attention of Mr. Jack DeWitt, Executive Director, NCO Solid Waste District, 815 Shawnee Road, Suite D, Lima, OH 45805.
3. That it is found and determined that all formal actions of this _____ (Board, council or trustees) concerning and relating to the passage of this resolution/ordinance were adopted in an open meeting of this _____ (Board, council or trustees) and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including Sections 121.22 of the Ohio Revised Code.

Approved / Disapproved (please indicate): _____ Date: _____

Signature of Appropriate Officer: _____

**NORTH CENTRAL OHIO SOLID WASTE DISTRICT
POLICY COMMITTEE**

Resolution No. 2020-03

Re: Abolishing Generation Fees Levied by the North Central Ohio Solid Waste District Pursuant to O.R.C. 3734.573 on Each Ton of Solid Waste Generated Within Said District

The Policy Committee of the North Central Ohio Solid Waste District (NCOSWD or District), pursuant to Am. Sub. House Bill 197 and proper public notice, met in open special session on **Wednesday, September 30 at 11:00 a.m.** via teleconference with 23 members present.

Bob Guillozet moved that the following resolution be adopted:

WHEREAS, pursuant to Section 3734.573 and NCOSWD's amended solid waste management plan approved by the Director of the Ohio Environmental Protection Agency on December 22, 2010, the District currently levies a fee of Five Dollars (\$5.00) per ton on each ton of solid waste generated within the District; and

WHEREAS, NCOSWD's updated amended solid waste management plan approved by the Director of the Ohio Environmental Protection Agency on June 21, 2017 provides for replacing the District's generation fee with a designation fee collected from landfills and transfer stations that are designated to receive solid waste generated within NCOSWD; and

WHEREAS, on July 22, 2020, the Board of Directors of NCOSWD adopted a resolution of intent to designate solid waste facilities that are authorized to receive solid waste generated within the District; and

WHEREAS, on August 26, 2020 the Policy Committee adopted a resolution proposing to abolish NCOSWD's generation fee and providing notice of a public hearing on said resolution to be conducted on September 30, 2020; and

WHEREAS, on September 30, 2020, the Policy Committee conducted a public hearing on its resolution proposing to abolish NCOSWD's generation; and

WHEREAS, having considered the statements made during the public hearing, the Policy Committee believes it is in the best interest of NCOSWD, its residents, businesses, and constituent communities, to proceed with the abolishment of NCOSWD's generation fee.

NOW, THEREFORE, BE IT RESOLVED by the Policy Committee of the North Central Ohio Solid Waste District that:

Section 1. The Policy Committee hereby abolishes the generation fee currently levied by NCOSWD pursuant to Section 3734.573 of the Ohio Revised Code in the amount of Five Dollars (\$5.00) per ton on each ton of solid waste generated within the District.

Section 2. A copy of this resolution shall be delivered to the board of county commissioners of each county forming NCOSWD and to the legislative authority of each municipal corporation and township under the jurisdiction of NCOSWD, for the approval or disapproval of said resolution by each such board and legislative authority within sixty (60) days following delivery of the resolution.

Section 3. The Policy Committee finds that this Resolution was adopted in a meeting open to the public and pursuant to publication of notice in compliance with the Open Meetings provisions enacted in Am. Sub. House Bill 197 on March 27, 2020.

Beth Seibert seconded the motion.

Vote was taken and resulted as follows:

Policy Committee Members: 23 YES 0 NO

Certified by:



Diane Lee
Administrative Assistant