

September 28, 2010

**RESOLUTION NO. 2010-55**

**RESOLUTION BY THE RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE  
PLANNING COMMITTEE RECOMMENDING ADOPTION OF THE WMWI METRO LANDFILL  
FACILITY GREENSPACE PROTECTION AND LIMITED LANDFILL EXPANSION  
AGREEMENT**

To the Honorable Members of the Racine County Board of Supervisors:

**WHEREAS**, on or about February 28, 2003, Waste Management of Wisconsin (the "Operator") began negotiations for the siting process to expand the Waste Management of Wisconsin Metro Landfill in the host City of Franklin; and

**WHEREAS**, throughout the duration of the more than seven years of siting negotiations, Racine County participated on the Local Committee (also known as the Waste Facility Siting Committee created under Wis. Stat. 289.33); and

**WHEREAS**, Metro Recycling and Disposal Facility is owned by Waste Management of Wisconsin, Inc. and is located within the area with geographic boundaries of West Oakwood Road to the north, South 112<sup>th</sup> Street to the east, West County Line Road (8 Mile Road) to the south, and US Highway 45 to the west, all in the City of Franklin; and

**WHEREAS**, Racine County, the Town of Norway and the Town of Raymond are parties to the negotiations for siting a landfill expansion, as Affected Municipalities in the Agreement; and

**WHEREAS**, the Agreement arises out of, and is related to, an expansion of the Metro Recycling and Disposal Facility; and

**WHEREAS**, in August of 2010, an Agreement was finalized between all Affected Municipalities relative to the proposed expansion area; and

**WHEREAS**, the Affected Municipalities acknowledge, along with the Operator, that the land filling will not expand to the east of South 112<sup>th</sup> Street; and

**WHEREAS**, a Conservation Greenbelt area is established east of South 112<sup>th</sup> Street in the event the DNR approves a further expansion within the Active Fill Area, to facilitate the development of green space for future generations, as well as to provide an effective buffer between current and future land filling operations and the nearby residents; and

**WHEREAS**, to ensure that the per ton value of the benefits provided in this Agreement are comparable to the benefits being paid by the adjacent Emerald Park Landfill to the west, a professional consultant study concluded that the total value of benefits per ton being provided by Emerald Park is similar to the benefits found in this Agreement; and

**WHEREAS**, the final negotiated agreement provides Racine County, the Town of Norway and the Town of Raymond with Initial and Direct Payments as Affected Municipalities; and

**BE IT RESOLVED** by the Racine County Board of Supervisors that this Agreement is the complete Agreement as to the Northern Footing Active Filling Area and the Active Fill Area pursuant to Wis. Stat. 289.33, between the Affected Municipalities, the Operator, and the Local Committee.

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that the Racine County Clerk is directed to transmit certified copies of this resolution to all municipal clerks, to the City of Franklin Clerk and to the Waste Management of Wisconsin, Inc., (WMWI) within seven (7) days after this resolution is adopted.

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2 **Page Two**

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8 1st Reading \_\_\_\_\_

**ECONOMIC DEVELOPMENT AND LAND USE  
PLANNING COMMITTEE**

9  
10 2nd Reading \_\_\_\_\_

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12 **BOARD ACTION:**

13 Adopted \_\_\_\_\_  
14 For \_\_\_\_\_  
15 Against \_\_\_\_\_

\_\_\_\_\_  
Robert Grove, Chairman

\_\_\_\_\_  
Mark Gleason, Vice-Chairman

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18 **VOTE REQUIRED: MAJORITY**

\_\_\_\_\_  
Joseph F. Bellante, Jr., Secretary

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20 Prepared by:  
21 Planning & Development

\_\_\_\_\_  
Thomas Pringle

\_\_\_\_\_  
Monte Osterman

\_\_\_\_\_  
David Cooke

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Ronald Molnar

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34 **The foregoing legislation adopted by the County Board of**  
35 **Supervisors of Racine County, Wisconsin, is hereby:**

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37 **Approved:** \_\_\_\_\_

38 **Vetoed:** \_\_\_\_\_

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40 **Date:** \_\_\_\_\_,

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44 **William L. McReynolds, County Executive**  
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1 **Resolution No. 2010-55**

**FISCAL NOTE**

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6 **LANDFILLS**

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8	Franklin Landfill	100.4591.200	\$15,000 (2010)
9			\$15,000 (2011, initially)
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11			\$30,000

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14 Additional payments will be paid on the 25<sup>th</sup> of each month for the previous calendar month.  
15 Beginning on January 1, 2011, the amount of the Direct Payment and the Active Fill Direct  
16 Payment shall each be subject to the Consumer Price Index (All-Urban Consumer's Index) annual  
17 increases. Such annual increases shall be applicable and shall continue to increase until the  
18 Northern Footing Active Filling Area and the Active Fill Area actually begin receiving waste.  
19 Thereafter, the Northern Footing and the Active Fill Direct Payments shall be made with  
20 succeeding annual Consumer Price Index (CPI) increases until waste is no longer received in the  
21 Northern Footing Active Filling Area and Active Fill Area, respectively. All of the Direct Payments  
22 shall be subject to CPI annual increases beginning with the first adjustment as of January 1, 2011  
23 and continuing until Final Closure. Initial Payments and Direct Payments for Racine County  
24 Affected Municipalities shall be paid as follows:

- 25
- 26 Town of Raymond: 7.8%
- 27 Racine County: 2.5%
- 28 Town of Norway: 2.0%

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30 (All other Affected Municipalities sum total equals 100%)  
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