

**Resolution of the Madison County Fiscal Court pertaining to
Administration of Kentucky Infrastructure Grant E-91-05 Regional
Recycling Project**

Resolution 92-05

WITNESSETH:

WHEREAS, it is the policy and goal of the Commonwealth of Kentucky, as set forth in KRS Chapter 224 to develop integrated waste management systems and recycling programs and to reduce by 25% the weight of solid waste disposed of at municipal solid waste facilities by July 1, 1997; and

WHEREAS, counties have primary solid waste planning obligations within the Commonwealth pursuant to KRS Chapter 224; and

WHEREAS, the obligations of KRS Chapter 224 require plans to reduce the need for land disposal of solid wastes through provision of recycling opportunities; and

WHEREAS, the Madison County Fiscal Court has determined that a cooperative regional approach is the most effective method of meeting the statutorially imposed waste reduction and recycling requirements; and

WHEREAS, the Madison County Fiscal Court has determined that a cooperative regional approach is also the most efficient and effective method of addressing the health and environmental threat of reduced landfill space; to provide recycling opportunities and to ensure adequate volume for a stable market for a broad spectrum of recyclable materials; and

WHEREAS, the counties have applied for and received a conditional grant commitment (E 91-05) from the Kentucky Infrastructure Authority for establishment of a regional recycling project; and

WHEREAS, the following 14 counties of Bourbon, Boyle, Clark, Estill, Garrard, Harrison, Jessamine, Lincoln, Madison, Mercer, Nicholas, Powell, Scott and Woodford are the counties herein referred to as the 14 counties participating in KIA Grant E-91-05; and

WHEREAS, the grant commitment (E 91 05) requires adherence to specific administration procedures listed below as items 1 through 12:

1. The Bluegrass Area Development District, hereon referred to as the Bluegrass ADD, will maintain all eligibility requirements specified in 200 KAR 17:020, as amended, revised or modified (e.g., universal collection, approved solid waste management plant) and provide to the Division of Waste Management.
2. The Bluegrass ADD will initiate or complete the application process for a registered permit-by-rule with the Division of Waste Management. This includes complying with all operating requirements, reporting requirements, and Environmental Performance Standards, specified in 401 KAR Chapters 47 and 48.
3. The Bluegrass ADD will verify, date and document in writing all in-kind matching funds. In addition, documentation of final funding commitments from all parties other than KIA will be provided to the Division of Waste Management prior to executing the assistance agreement and disbursement of the grant monies. Rejections of any anticipated project funding from sources other than KIA will be immediately reported to the Division of Waste Management and may cause the grant to be subject to reconsideration.
4. The Division of Waste Management will be consulted prior to bidding specifications for guidance on federal or state requirements.

5. The Bluegrass ADD will secure the services of legal counsel to advise on bidding and procurement procedures.
6. The Bluegrass ADD will provide to the Division of Waste Management a bid certification from their legal counsel stating that they have prepared construction specifications in accordance with all applicable state or federal wage rate laws, and that bidding procedures used are in compliance with applicable federal and state laws.
7. The Bluegrass ADD will work in conjunction with participating local elected officials and recycling consultants in the review and selection of appropriate equipment and supply vendors and building contractors.
8. The Bluegrass ADD will provide to the Division of Waste Management a certification from their legal counsel that procurement procedures for land, equipment and professional services have been followed in accordance with all applicable state or federal laws.
9. Upon receipt of bids, the Bluegrass ADD will tabulate bids, qualify bidders and/or contractors, and make recommendations for award, when applicable, forward to the Division of Waste Management and KIA for final approval.
10. Madison County agrees that, since the Bluegrass ADD is their grant administrator, the Bluegrass ADD will be responsible for establishing and maintaining the financial management system acceptable to KIA. To this end, the Bluegrass ADD will provide a bank account for the express purpose of disbursing funds on behalf of all 14 counties.
11. All land acquisition will be completed prior to commencement of construction, or acquisition of equipment, and reported to KIA and the Division of Waste Management.
12. The Bluegrass ADD will coordinate with the 14 counties and the Lexington-Fayette Urban County Government to secure passage of an interlocal agreement between the 14 counties and the Lexington-Fayette Urban County Government pertaining to the operation and responsibility of establishing and maintaining the regional processing/transportation facility.

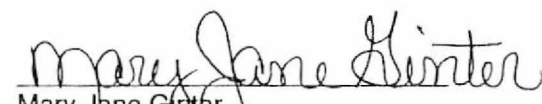
NOW, THEREFORE, BE IT RESOLVED that the Madison County Fiscal Court authorizes the Bluegrass ADD to undertake the administration of the KIA grant (E 91 05) as detailed in items 1 through 12 above.

BE IT FURTHER RESOLVED that all resolutions, orders, or ordinances, in conflict herewith, are hereby repealed or amended to the extent of such conflict, and this resolution shall be in force immediately upon its adoption and approval.

Approved on this 4th day of August, 1992.



George William Robbins
County Judge-Executive



Mary Jane Ginter
County Court Clerk

MADISON COUNTY FISCAL COURT, a
political subdivision of the
Commonwealth of Kentucky

BY: George W. Robbins
GEORGE WILLIAM ROBBINS
COUNTY JUDGE EXECUTIVE

Pursuant to 92-05
passed on August 4, 1992

ATTEST:

Mary Jane Winter