

RESOLUTION 98-2 -A

BE IT RESOLVED BY THE CITY OF CHEROKEE VILLAGE, ARKANSAS, A RESOLUTION ENTITLED:

A RESOLUTION ALLOWING INITIAL APPLICATION AND TESTING FOR, AND EXPANSION OF, THE LANDFILL AREA BY CHEROKEE SANITARY LANDFILL, INC.

A RESOLUTION EXPRESSING THE PERMISSION OF THE CITY OF CHEROKEE VILLAGE, ARKANSAS, FOR THE FOLLOWING:

WHEREAS, the City of Cherokee Village, Arkansas, hereinafter referred to as "City", acknowledges the fact that Cherokee Sanitary Landfill, Inc., hereinafter referred to as "CSL", owns and operates a Class I Sanitary Landfill in Fulton County, Arkansas, located in the SE ½ of the SE ¼ of Section 20 and the N ½ of the NE ¼ of Section 29, Township 19 North, Range 7 West, Fulton County, Arkansas. The existing landfill currently operates in accordance with Solid Waste Permit #S-0083-S1-R2, originally issued by the Arkansas Department of Pollution Control and Ecology in September 1975.

WHEREAS, CSL wishes to expand the existing landfill operations to include the planning, permitting, design and development of a Class I municipal solid waste landfill on an approximate 80 acre tract adjacent to the existing permitted landfill area presently owned by CSL.

WHEREAS, in accordance with A.C.A. S8-6-1501 and Arkansas Regulation 22.205, the City hereby acknowledges the fact that a rebuttable presumption exists against permitting construction or operation of any new landfill within twelve miles of any existing high-impact solid waste facility, or permitting an expansion of the permitted landfill capacity of an existing landfill.

WHEREAS, the City is now the nearest governmental unit as measured along the major facility access roads and highways, possessing zoning authority encompassed within a twelve-mile radius of the proposed Class I Landfill.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY THAT, the City hereby resolves to allow Cherokee Sanitary Landfill to make initial application to the Arkansas Department of Pollution Control and Ecology for a determination of the need and feasibility of expansion of CSL's present Class I Sanitary Landfill in Fulton County, Arkansas, and for a determination, said expanded facility would have on the ecology of the subject property and it's surrounding areas.

FURTHERMORE, the City withholds it's agreement to accept the proposed location of the expansion of CSL's present landfill in Fulton County, Arkansas until more information is supplied to the City Council as to the impact said expanded landfill will have on the ecology, economics, population, and wildlife in the surrounding area including, but not limited to, the City proper.

November 16, 1998

APPROVED:

City of Cherokee Village, AR

By: *Majorie L Rogers*

ATTEST:

Dusan E Maynard
Recorder/Treasurer

