

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2009-058

AN ORDINANCE FOR THE AMENDMENT OF THE AGREEMENT
ESTABLISHING THE SOLID WASTE AGENCY OF LAKE COUNTY, ILLINOIS

THE 18TH DAY OF NOVEMBER 2009

Published in pamphlet form by the
Authority of the President and Board
Of Trustees of the Village of Vernon
Hills, Lake County, Illinois, this 19th
Day of November 2009

ORDINANCE 2009-058

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FOR THE AMENDMENT OF THE AGREEMENT
ESTABLISHING THE SOLID WASTE AGENCY OF
LAKE COUNTY, ILLINOIS**

WHEREAS, the Solid Waste Agency of Lake County, Illinois was formed on or about February 21, 1991 by intergovernmental agreement (hereinafter referred to as the "Agreement"); and

WHEREAS, the Village of Vernon Hills of Lake County is a member, in good standing, of the Solid Waste Agency of Lake County, Illinois; and

WHEREAS, the Agreement provides for amendment of said Agreement only upon the written agreement of all of the Members of the Solid Waste Agency of Lake County, Illinois, said agreement to be authorized by a duly enacted ordinance; and

WHEREAS, the Solid Waste Agency of Lake County, Illinois wishes to amend the Agreement to authorize the amendment of the Agreement and the Bylaws of the Solid Waste Agency of Lake County, Illinois to clarify the eligibility of individuals to be a Director or Alternate Director and the make-up of the Executive Committee.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS

SECTION ONE: Section 8.3 of the Agreement establishing the Solid Waste Agency of Lake County, Illinois is hereby amended and shall read as follows:

8.3 Any Member may appoint one or more persons to serve as the Alternate Director. Any such appointee shall meet the qualifications for office as a Director established in paragraph 8.2, except in the case where a Member is unable to appoint such an appointee because it is impracticable because of size or time commitments. In that case a Member may appoint an Alternate Director who is a full time employee in an executive level position with the Member. An executive level position is generally intended to mean a person who is a department head or equivalent. The Alternate Director may attend any meeting of the Board of Directors and may vote as Director in the absence of the Director from that Member or if there is a vacancy in the position of Director from that Member. The term of the Alternate Director shall be the same as the term of the Director from the appointing Member. Except as provided in paragraph 8.4, a person serving as Alternate Director shall serve until his or her term expires and thereafter until the successor is appointed.

SECTION TWO: Section 8.9 of the Agreement establishing the Solid Waste Agency of Lake County, Illinois is hereby amended and shall read as follows:

8.9 There is established an Executive Committee of the Agency. The Executive Committee shall consist of nine (9) Directors. The Executive

Committee shall be selected by vote of the Board of Directors of the Agency. The Executive Committee shall include the Director from the County of Lake as a permanent member, and two (2) persons who are Directors from Members in good standing, having a population of more than 30,000 persons. Population shall be determined on the basis of the most recent federal census as reported in the Illinois Counties and Municipalities, dated June 1, 1989, or as thereafter updated, and published by the Secretary of State of the State of Illinois. The remaining six (6) persons shall be elected from the remaining Directors of Members in good standing, without regard to population. The terms of office of members of the Executive Committee shall be established in the Bylaws. Whenever practicable, the Member shall appoint a Director to sit on the Executive Committee. With the consent of the Member, a specified Alternate Director for that Member may be elected to the Executive Committee on behalf of that Member. If the elected representative (Director or Alternate Director) is unable to attend the Executive Committee Meeting(s), no such substitute shall be allowed to count towards a quorum or shall be allowed to vote at the Executive Committee Meeting(s). The Executive Committee may take any action with respect to the Agency which the Board of Directors is authorized to take, except the Board of Directors shall have the sole authority to: approve the annual budget; to make all appropriations; to adopt any ordinances or resolutions providing for the issues of Bonds; to adopt rules, regulations and By-laws of the Agency; to admit Additional Members; to approve all System Development and Implementation Agreements; to undertake siting of all Waste Projects; to impose any charge on Members not provided for in a System Development and Implementation Agreement; and to take such other action as may be reserved to it in the rules, regulations, By-laws or Ordinances of the Agency. Members of the Executive Committee shall not be compensated for their service in such capacity, but may be reimbursed for reasonable and necessary expenses incurred in performance of their duties.

SECTION THREE: Article II Section 2 of the Bylaws is hereby amended and shall read as follows:

Each Member municipality and the County government shall select an Alternate Director as provided by Section 8.3 of the Agreement, who may act on behalf of the municipality or County at any scheduled meeting of the Agency, in the absence of the duly appointed Director, except as provided in paragraph 8.9. An Alternate Director shall be an official as provided by Section 8.2 or 8.3 of the Agreement.

SECTION FOUR: Article IV Section 1b of the Bylaws is hereby amended and shall read as follows:

- (i) The Directors from the County of Lake shall serve a perpetual term. The two (2) Directors from the Members having a population of more than 30,000 shall be

elected from those eligible Members and shall serve alternating terms of two (2) years. One Director shall serve a term of one (1) year, beginning with his/her election in 2010. The second Director shall serve a term of two (2) years beginning in 2010. Subsequent terms for both of these seats shall be for two (2) years. The initial terms of these two (2) Directors shall be chosen by lot.

- (ii) The terms of the remaining six (6) Members of the Executive Committee shall begin in 2010 and they shall serve until the end of their respective terms for the Executive Committee and thereafter until their respective successors are elected. Three (3) Directors shall serve terms of one (1) year, beginning with their election in 2010. Subsequent terms for these three (3) seats shall be for two (2) years. The other three (3) Directors shall serve terms of two (2) years, beginning with their election in 2010. Subsequent terms for these three (3) seats shall be for two (2) years. The initial terms of these remaining six (6) Directors shall be chosen by lot.

SECTION FIVE: All ordinances or parts of ordinances in conflict herein are expressly repealed.

SECTION SIX: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

AYES: 6-Koch, Marquardt, Schultz, Schwartz, Williams, Hebda

NAYS: 0-None

ABSENT AND NOT VOTING: 0-None



Roger L. Byrne

Village President

PASSED: 11/18/2009

APPROVED: 11/18/2009

PUBLISHED IN PAMPHLET FORM: 11/19/2009

ATTEST:



Linda Pelletier

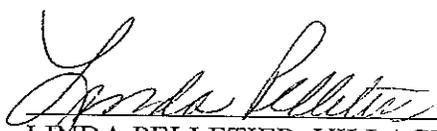
Village Clerk



AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, LINDA PELLETIER, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, SHE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE 2009-058, AN ORDINANCE FOR THE AMENDMENT OF THE AGREEMENT ESTABLISHING THE SOLID WASTE AGENCY OF LAKE COUNTY, ILLINOIS.



LINDA PELLETIER, VILLAGE CLERK

SUBSCRIBED AND SWORN to Before
Me this 2 day of December 2009



Notary Public

