

**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.