

APPROVED BY THE BOARD OF COUNTY  
COMMISSIONERS AT ITS MEETING

JAN 24 1995 *rlj*

RESOLUTION NO. 95-M-04

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, REGARDING THE A TO Z RECYCLING & SALVAGE SITE; PROVIDING FUNDING FOR THE REMOVAL OF MATERIALS AT THE A TO Z RECYCLING & SALVAGE SITE UNDER CERTAIN CONDITIONS.

WHEREAS, it is the policy of the Orange County Board of County Commissioners (the "Board") to minimize the amount of space used at its landfill for construction and demolition debris;

WHEREAS, it is the policy of the Orange County Board of County Commissioners to promote recycling;

WHEREAS, the State has mandated certain recycling requirements;

WHEREAS, it is likewise the policy of the Board of County Commissioners to act in the public interest to prevent nuisance and other conditions which present a risk to the public health, safety, or welfare; and

WHEREAS, the Board finds that the following Resolution will balance the interest of promoting recycling while acting in the best interests of the public welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA AS FOLLOWS:

The Board hereby appropriates a sum not to exceed \$90,000 to which it will use to pay all or part of the costs of transporting 10,000 cubic yards of material from the A to Z Recycling & Salvage, Inc. Site to a properly permitted

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private landfill selected by the County, all as may be negotiated between the County and A to Z Recycling & Salvage, Inc., and approved by the Court, and subject to the following express conditions:

1. The initial 10,000 cubic yards of materials removed from the Site shall not be factored into any previous Court ordered requirements that 33% more materials go off the Site than are brought on.

2. No further materials to be brought into the A to Z Recycling & Salvage Site located at 18800 E. Colonial Drive (hereinafter the "Site") until the Court authorizes such intake of materials. A to Z Recycling & Salvage, Inc., or anyone acting by or on behalf of A to Z Recycling & Salvage, Inc. or its successors or assigns (hereinafter "A to Z") shall not petition the Court to bring in more materials until it can establish that 10,000 cubic yards of processed, recycled materials have been taken off the Site. In determining whether this requirement has been met, the Court shall consider receipts as well as topographical surveys.

3. Should the Court allow the intake of additional materials by A to Z, ten percent (10%) of the proceeds obtained from bringing in additional materials or \$1,000, whichever is greater, shall be paid to the County on a monthly basis in order to reimburse the County for the funding authorized by this Resolution.

4. All existing Court Orders in Case No. CI93-2191 shall remain in full force and effect.

5. A to Z shall cease and desist operation at the Site by November 19, 1996 and the Site shall be subject to a Court appointed receivership and otherwise be subject to the enforcement powers of the Court as to all existing orders in the event that "Pile Compliance Deadline" as defined in that certain Settlement Agreement between Orange County and A to Z Recycling & Salvage, Inc. is not met.

6. This Resolution and appropriation shall become effective upon Court approval of an agreement incorporating the terms and conditions set forth herein or other Court Order incorporating the terms and conditions set forth herein, provided that such Court approved agreement or other Court Order is effective no later than February 28, 1995.

DONE AND RESOLVED THIS 24th day of January, 1995.



ORANGE COUNTY, FLORIDA

BY: BA  
for the County Chairman

DATE: 1/24/95

ATTEST: Martha O. Haynie, County Comptroller  
As Clerk of the Board of County Commissioners

BY: [Signature]  
Asst Deputy Clerk