

RESOLUTION NO. 92- 51 AS AMENDED *
A RESOLUTION
CREATING WEAKLEY, OBION, AND LAKE COUNTIES
MUNICIPAL SOLID WASTE
PLANNING REGION

WHEREAS, the adoption of the Subtitle D landfill regulations by the United States Environmental Protection Agency and companion regulations adopted by the Tennessee Solid Waste Control Board will impact on both the cost and method of disposal of municipal solid waste; and

WHEREAS, at the urging and support of a coalition of local government, environmental, commercial and industrial leaders, the 97th Tennessee General Assembly enacted T.C.A. § 68-211-801 et seq. titled "Solid Waste Management Act of 1991"; and

WHEREAS, with the view that better planning for solid waste will help control the additional cost that will be imposed by the new landfill regulations, help protect the environment, provide and improve solid waste management system, better utilize our natural resources, and promote the education of the citizens of Tennessee in the areas of solid waste management including the need for and desirability of reduction and minimization of solid waste, local governments in Tennessee supported and worked for the passage of this Act; and

WHEREAS, one of the stated public policies of this Act is to institute and maintain a comprehensive, integrated, statewide program for solid waste management; and

WHEREAS, as per T.C.A. § 68-211-881, the nine development districts in the State of Tennessee have completed a district needs assessment which are inventories of the solid waste systems in Tennessee; and

WHEREAS, Weakley County's Board of County Commissioners has given consideration to the needs assessment prepared by the Northwest Tennessee Development District; and

WHEREAS, T.C.A. § 68-211-813, requires that counties in the State of Tennessee form municipal solid waste regions no later than December 12, 1992; and

WHEREAS, the Act's stated preference in the formation of multi-county regions with counties having the option of forming single or multi-county municipal solid waste regions; and

WHEREAS, the State of Tennessee will provide grant monies of

varying amounts to single county, two county, and three or more county municipal solid waste regions to assist these regions in developing their municipal solid waste regions plans; and

WHEREAS, the primary and prevailing purpose of the municipal solid waste regions are the preparation of municipal solid waste regions plans which among other requirements must identify how each region will reduce its solid waste disposal per capita by twenty-five percent (25%) by December 31, 1995, and a planned capacity assurance of its disposal needs for a ten (10) year period; and

WHEREAS, the development of a municipal solid waste regional plan that results in the most cost effective and efficient management of municipal solid waste is in the best interest of the citizens of Weakley County.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Weakley County, Tennessee, acting pursuant to T.C.A. § 68-211-801 et seq., that there is hereby established a Municipal Solid Waste Region for and by Weakley, Obion, and Lake Counties, Tennessee; and

BE IT FURTHER RESOLVED, that this Resolution by the Boards of County Commissioners of Weakley, Obion, and Lake Counties evidences and constitutes the agreement of Weakley, Obion and Lake Counties in the joint formation of a multi-county municipal waste region; and

BE IT FURTHER RESOLVED, that pursuant to T.C.A. § 68-211-813(b)(1), a Municipal Solid Waste Region Board is hereby established to administer the activities of this Region; and

BE IT FURTHER RESOLVED, that this Municipal Solid Waste Region Board shall be composed of 9 members: and

BE IT FURTHER RESOLVED, that pursuant to T.C.A. § 68-211-813(b)(1), and as part of the participating counties' agreement, as evidenced and constituted by this Resolution, the Municipal Solid Waste Region Board shall be composed of the following number of members representing their respective County and the Cities or Towns within that County which collects or provides disposal services through its own initiatives or by contract:

Weakley County and the Cities or Towns of Dresden, Gleason, Greenfield, Martin and Sharon	3 members
Obion County and the Cities or Towns Kenton, Obion, Rives, South Fulton, Troy, and Union City	3 members
Lake County and the Cities or Towns of Ridgely and Tiptonville	3 members

BE IT FURTHER RESOLVED, that the Municipal Solid Waste Region Board members shall be appointed by the County Executive of the respective county the member shall represent and by the Mayor of the respective city or town the member shall represent and, that the member so appointed, shall be approved by the respective Board of County Commissioners and municipal governing bodies; and

BE IT FURTHER RESOLVED, that the members of the Board of the Municipal Solid Waste Region shall serve a six year term except that, as pursuant to T.C.A. § 68-211-813(b)(1) and as part of the participating counties agreement as evidenced by this Resolution, the following shall be the initial terms of office: one member representing Weakley County and the Cities or Towns of Dresden, Gleason, Greenfield, Martin and Sharon for a six (6) year term, one members representing Obion County and the Cities or Towns Kenton, Obion, Rives, South Fulton, Troy, and Union City for a six (6) year term, one member representing Lake County and the Cities or Towns of Ridgely and Tiptonville for a six (6) year term, one member representing Weakley County and the Cities or Towns of Dresden, Gleason, Greenfield, Martin and Sharon for a four (4) year term, one member representing Obion County and the Cities or Towns Kenton, Obion, Rives, South Fulton, Troy, and Union City for a four (4) year term, one member representing Lake County and the Cities or Towns of Ridgely and Tiptonville for a four (4) year term, one member representing Weakley County and the Cities or Towns of Dresden, Gleason, Greenfield, Martin and Sharon for a two (2) year term, three members representing Obion County and the Cities or Towns Kenton, Obion, Rives, South Fulton, Troy, and Union City for a Two (2) year term, one member representing Lake County and the Cities or Towns of Ridgely and Tiptonville for a two (2) year term; and

BE IT FURTHER RESOLVED, that this Municipal Solid Waste Region Board shall have all powers and duties as granted it by T.C.A. § 68-211-813 et seq. and, as part of the participation counties agreement as evidenced by this Resolution, it shall have the additional rights and is empowered to utilize existing governmental personnel, services, facilities, and records of the counties which are a party to this agreement evidenced by this Resolution, and to employ or contact with persons, private consulting firms, and/or governmental, quasi-governmental, and public entities and agencies in the performance of its duty to cause a municipal solid waste region plan to be produced; and

BE IT FURTHER RESOLVED, that at the Municipal Solid Waste Region Board's initial organization meeting it shall select from its members a chair, vice-chair, and secretary and shall cause the establishment of a municipal solid waste advisory committee whose membership shall be chosen by the Board and whose duties are to assist and advise the Board; and

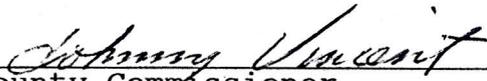
BE IT FURTHER RESOLVED, that the Municipal Solid Waste Region Board, in furtherance of its duty to produce a municipal solid waste region plan, is authorized to apply for and receive funds from the State of Tennessee, the federal government, the counties and municipalities that are within the Region, and donations and grants from private corporations and foundations; and

BE IT FURTHER RESOLVED, that the Municipal Solid Waste Region Board, will strive to coalesce with other municipal solid waste regions, to maximize education, collection, recycling and disposal of solid waste; and

BE IT FURTHER RESOLVED, that the Municipal Solid Waste Region Board, will plan in conjunction with other regions formed by Benton, Carroll, Gibson, Henry, Crockett, and Dyer Counties of the Northwest Tennessee Development District and Counties contiguous to the boundaries of the Northwest Tennessee Development District so as to encourage multi-county planning and make possible later mergers of smaller regions into larger regions if so desired; and

BE IT FURTHER RESOLVED, that upon the passage of this Resolution and at no later date than December 31, 1992, the County Clerk of Weakley shall transmit a copy of this Resolution to the Tennessee State Planning Office; and

RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WEAKLEY COUNTY, TENNESSEE, this 15th day of December 1992, the welfare of the citizens of Weakley County requiring it.

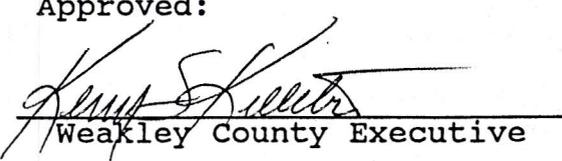

County Commissioner

Sponsor:

County Commissioner

Attest:

Weakley County Clerk

Approved:

Weakley County Executive

Approved as to form:

Weakley County Attorney

Motion to accept this resolution was made by Comm. Vernon Dunn and seconded by Comm. George Broussard. After a voice vote, 17 yes and 1 no, resolution passed. The no vote being Comm. Roger VanCleave.

* AMENDMENT TO RESOLUTION 1992-51

Amendment to recommend Commissioner Johnny Vincent to serve on the Regional Planning Board.

Motion made by Comm. George Broussard and seconded by Comm. Wayne McCreight. After a voice vote, motion carried.