

## Agreements and Contracts

### Resolution number 2 of 1999

A resolution approving an agreement between the Saline County Regional Solid Waste Management District and the Hot Springs Village Property Owners' Association for the transport of solid waste

### Resolution number 3 of 2002

A resolution of the Saline County Regional Solid Waste Management District, authorizing the Board Chairman to negotiate a final contract with Davis Rubber Company and Eaton Morey Environmental Services for the operation of an Inter-District Tire Program

### Resolution number 2 of 2005

A resolution approving an agreement for services with the City of Bryant; authorizing the Chairman and Secretary to execute the same

### Resolution 9 of 2005

Agreement with the City of Bryant for leachate Sewer Services

### Resolution 2 of 2007

A resolution approving an agreement Hot Springs Village Property Owners' Association and Garland County, Arkansas regarding flow control of solid waste; authorizing the Chairman and Secretary to execute the same; and, for other purposes

### Resolution number 5 of 2011

A resolution approving and accepting an Interlocal Agreement between the District and the Pulaski County Regional Solid Waste Management District for an exchange of fees based on solid waste services

### Resolution number 2 of 2013

A resolution authorizing the District Board Chairman to enter into a final contract with Davis Rubber Company, Inc., for operation of the Inter-Waste Tire Management Program

### Resolution number 1 of 2010

A resolution accepting, approving, and authorizing the making of an "Assets Purchase Agreement" to sell the District's landfill facility to BFI Waste Systems of Arkansas, LLC

## Capital Assets

### Resolution number 1 of 2005

A resolution declaring the policy of the Saline County Regional Solid Waste Management District regarding the capitalization of tangible assets and the useful lives of the assets

## Certificate of Need

### Resolution Number 1 of 2014

A resolution granting to BFI waste systems of Arkansas a certificate of need for a permit modification to the Saline County class 1 Landfill; and for other purposes

## District Board

Resolution number 14 of 1996

A resolution amending Article II, Section 2.02 of the By-Laws of the Saline County Solid Waste Management Board to provide for representation of The City of Haskell on the Board and to reduce the number of at-large members to one

Resolution number 1 of 2003

A resolution implementing the provisions of Arkansas Code Annotated 8-6-703(c)(5)(A) to allow use of proxy representation at meetings of the District Board

## District Records

Resolution number 3 of 2012

A resolution establishing policies and procedures for the District to follow in responding to request made to the District pursuant to the Arkansas Freedom of Information Act and establishing the responsibilities and authority of the Executive Director regarding such requests

Resolution number 5 of 2014

A resolution establishing a records retention policy for the Saline County Regional Solid Waste Management District

Employees—General

Resolution number 3 of 2013

A resolution to request authorization of referendum on full Social Security coverage for the employees of the SCRSWMD; and, for other purposes

## Fees

Resolution number 1 of 2002

A resolution establishing a \$40.00 service fee on each residence and business in Saline County

Resolution number 7 of 2011

A resolution assessing generation fees and host fees for wastes collected and disposed within the District

Resolution number 2 of 2012

A resolution establishing an incentive fee to encourage that certain solid waste generated outside the boundaries of the District to be directed to landfills within the District for disposal

Resolution number 1 of 2013

A resolution adopting and setting rates for recycling facilities

Resolution number 1 of 2015

A resolution establishing a fee of five dollars (\$5.00) for the issuance of coupons identifying households as eligible for disposal on up to two (2) days per year of household waste at the Sardis Road Landfill without payment of the gate charges or tipping fees and declaring an emergency

Resolution number 3 of 2015

A resolution replacing Resolution 1 of 2015; establishing a fee of five dollars (\$5.00) for the issuance of coupons identifying households as eligible for disposal on up two (2) days per year of household waste at the Sardis Road Landfill without payment of gate charges or tipping fees

### Illegal Dumps Control Officer

Resolution number 4 of 2014

A resolution recognizing the authority of the District's Illegal Dump Control Officer to enforce certain environmental laws and regulations and establishing the environmental citation as the record of the enforcement of said laws and regulations

### Needs Assessment

Resolution number 9 of 1994

A resolution recognizing the Regional Needs Assessment and the Regional Solid Waste Management Plan, and authorizes the Chairman to the submit the document to the Arkansas Department of Pollution Control and Ecology for their approval

### Personnel Manual

Resolution number 1 of 2012

A resolution adopting a Personnel Policy Manual covering employees of the Saline County Regional Solid Waste Management District; and, for other purposes

Resolution number 3 of 2014

A resolution adding a section concerning the use of office credit cards to the personnel policy of the District, and for other purposes

Resolution number 2 of 2015

A resolution adding a section concerning employee travel expenses to the personnel policy of the District, and for other purposes

### Professional Organizations

A resolution approving the District becoming a member of the Arkansas Association of the Regional Solid Waste Management Districts

### Real Property

Resolution number 6 of 2011

A resolution authorizing the District's purchase of certain real estate on Neeley Street in Benton, Arkansas, and approving and accepting a contract for said purchase

### Waste Haulers

Resolution number 2 of 2014

A resolution stating requirements for waste hauler licenses and vehicle permits and regulations applicable to waste haulers operating within the Saline County Regional Solid Waste Management District, and for other purposes.

**Agreements**

**And**

**Contracts**

BEFORE THE SALINE COUNTY REGIONAL  
SOLID WASTE MANAGEMENT BOARD

RESOLUTION NUMBER 2 OF 1999

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT AND THE HOT SPRINGS VILLAGE PROPERTY OWNERS' ASSOCIATION; AND FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management District (hereafter, the "District") has by prior Resolution directed that all solid waste generated in Saline County be disposed of at the landfill operated by the District; and,

WHEREAS, The Hot Springs Village Property Owners' Association (the "HSVPOA") collects solid waste from an area that lies partially in Saline County and partially outside Saline County, and pursuant to contract delivers all that solid waste to Garland County, Arkansas for further transport to disposal site(s); and,

WHEREAS, HSVPOA has entered into an Addendum dated June 19, 1999, to its December 17, 1997, Agreement with Garland County Arkansas (the "HSV-Garland Agreement") to direct that five (5) loads being approximately one hundred (100) tons of solid waste from Hot Springs Village per month be transported to the landfill operated by the District, which Addendum has been accepted and agreed to by Garland County; and,

WHEREAS, HSVPOA has requested that the District enter an Agreement with HSVPOA recognizing that performance of the HSV-Garland Agreement will constitute substantial and material compliance with the District's requirement for all solid waste generated in Saline County to be disposed of at the District's landfill, and the Board of Directors of the District has determined it proper to do so;

NOW, THEREFORE, Be It RESOLVED By The SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT:

Section 1. The District should, and hereby does, approve, accept and make an Agreement with the Hot Springs Village Property Owners' Association in the substance and form of the Agreement which is attached as Exhibit 1 to this Resolution and which is incorporated herein as if set out word for word.

Section 2. The Chairman and Secretary of the Board of Directors of the District should be, and they are hereby, authorized and directed to execute such documents on behalf of the District as shall be reasonably necessary to accomplish the purposes of this Resolution.

Section 3. The District recognizes that as of the date this Resolution is adopted the portion of HSVPOA solid waste directed to be transported to and disposed of in the District's landfill reasonably approximates the amount of solid waste generated in that part of Hot Springs Village lying and situate in Saline County, Arkansas. The District shall, annually, or from time to time, review the amount of solid waste being generated in the Saline County portion of Hot Springs Village, and

does hereby reserve the prerogative to withdraw from the Agreement hereby approved should it determine that the amount of HSVPOA solid waste being delivered to the District's landfill no longer reasonably approximates the amount of solid waste generated in that part of Hot Springs Village lying and situate in Saline County, Arkansas.

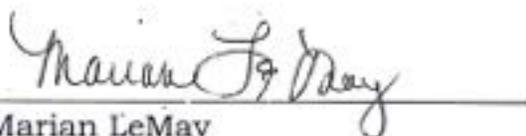
Section 4. All Resolutions and parts thereof in conflict herewith are hereby repealed.

Approved and Adopted this 18 day of August, 1999.



Billy Bob Ourtis  
Chairman

Attest:



Marian LeMay  
Secretary

# AGREEMENT

THIS AGREEMENT made and entered into on the date noted hereinbelow by and between SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT, hereinafter referred to as "DISTRICT", and HOT SPRINGS VILLAGE PROPERTY OWNERS' ASSOCIATION, an Arkansas Not-For-Profit Corporation, hereinafter referred to as "HSVPOA."

## WITNESSETH:

WHEREAS, the parties recognize that part of the private community known as Hot Springs Village is located in Garland County, Arkansas and part in Saline County, Arkansas; and

WHEREAS, it is neither possible nor practical for HSVPOA to separate its solid waste by county from which it is collected; and

WHEREAS, DISTRICT has adopted a resolution requiring all solid waste generated or collected within the boundaries of Saline County, Arkansas to be disposed of, treated or handled at the DISTRICT'S landfill and has made demand upon HSVPOA to comply with said resolution; and

WHEREAS, HSVPOA has entered into an Agreement and First Addendum to Agreement with Garland County, Arkansas under which all solid waste collected within



the boundaries of Hot Springs Village is delivered to a collection facility of Garland County, Arkansas and disposed of from that facility; and

WHEREAS, the parties have attempted to resolve the situation and to outline the resolution of such herein;

NOW, THEREFORE, for the mutual considerations contained herein, the parties do hereby agree as follows:

1. The parties acknowledge that the First Addendum to Agreement between HSVPOA and Garland County, Arkansas is attached hereto and made a part hereof, and marked for identification purposes as Exhibit "A."

2. The parties further acknowledge that as a result of the HSVPOA - Garland County Agreement (paragraph 2), a certain tonnage of solid waste will be transported from the Garland County collection facility to the Saline County Landfill, and that this amount is a reasonable amount of the solid waste collected from that portion of Hot Springs Village located in Saline County. Furthermore, the parties acknowledge that this collection and disposal percentage will meet the legal requirements of Arkansas law and the Saline County resolution.

3. DISTRICT agrees that it will directly bill HSVPOA for all solid waste delivered to it by the Garland County delivering system under the HSVPOA - Garland County Agreement.

WITNESS our hands and seals this \_\_\_ day of \_\_\_\_\_, 1999.

HOT SPRINGS VILLAGE PROPERTY OWNERS' ASSOCIATION

By: \_\_\_\_\_  
President

Attest: \_\_\_\_\_  
DAVID E. JOHNSTON,  
Secretary

Dated: \_\_\_\_\_

SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT

By: \_\_\_\_\_  
President

Attest: \_\_\_\_\_

Dated: \_\_\_\_\_

# FIRST ADDENDUM TO AGREEMENT

THIS FIRST ADDENDUM TO AGREEMENT made and entered into on the date noted hereinbelow by and between GARLAND COUNTY, ARKANSAS, hereinafter referred to as "COUNTY", and HOT SPRINGS VILLAGE PROPERTY OWNERS' ASSOCIATION, an Arkansas Not-For-Profit Corporation, hereinafter referred to as "HSVPOA".

## WITNESSETH:

WHEREAS, the parties hereto entered into an Agreement on December 17, 1997, whereby HSVPOA would deliver all of its Class I solid waste collected within the boundaries of Hot Springs Village to a County owned and operated transfer station on Highway 7 North, Garland County, Arkansas; and

WHEREAS, said Agreement is in full force and effect as of the date hereof and shall remain in full force and effect except as modified and amended herein; and

WHEREAS, the parties have determined certain amendments and modifications of said Agreement would be in the best interest of both parties; and

WHEREAS, it is the purpose and intention of this First Addendum to put all such modifications into writing;

WOOD, SMITH, SCHNEPPER & CLAY  
ATTORNEYS AT LAW  
SOUTH BUILDING  
423 HARBERT STREET  
HOT SPRING, ARKANSAS  
71901  
501/624-1252  
FAX 501/624-4553



NOW, THEREFORE, for the mutual considerations contained herein, the parties do hereby agree as follows:

1. Throughout the term of this Agreement and First Addendum HSVPOA shall continue to transport all of its Class I solid waste collected from within the boundaries of Hot Springs Village to the Garland County owned transfer station located on Highway 7 North, Garland County, Arkansas.

2. COUNTY agrees that each month during the term hereof it will transport five (5) loads or approximately one hundred (100) tons of Class I solid waste to the Saline County Regional Landfill for disposal, for which HSVPOA will pay directly to Saline County for the actual tonnage so delivered upon receipt of a statement from the Saline County Landfill.

3. For each ton of solid waste delivered by COUNTY to the Saline County Landfill and billed as set forth above, HSVPOA will pay to COUNTY the difference between the per ton rate charged HSVPOA by COUNTY and the total landfill disposal rate (including all state fees and surcharges) paid by COUNTY to BFI under its current Solid Waste Disposal Agreement.

4. The parties agree to annually review the percentage of solid waste derived from that portion of Saline County located within Hot Springs Village to determine the amount of total tons sent by the COUNTY to the Saline County Landfill.

5. Paragraph 5 of the December 17, 1997 Agreement is hereby amended to make the term of this Agreement equal to the term of the July 28, 1998 Agreement between BFI Waste Systems of North America, Inc. and the Southwest Regional Solid Waste Management District, which is the disposal district for COUNTY. The parties specifically agree that this Agreement and First Addendum shall expire under the same terms and conditions and at the same time as the transporting district.

6. All other terms and agreements of the December 17, 1997 Agreement shall remain in full force and effect.

WITNESS our hands and seals this 19 day of June, 1999.

GARLAND COUNTY, ARKANSAS

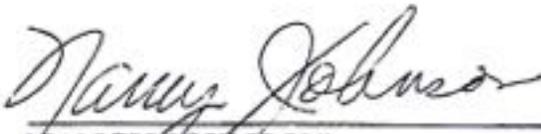
HOT SPRINGS VILLAGE PROPERTY OWNERS' ASSOCIATION

By: Larry Williams  
HONORABLE LARRY WILLIAMS  
Garland County Judge

By: Bob Smith  
PRESIDENT, Hot Springs Village  
Property Owners' Association

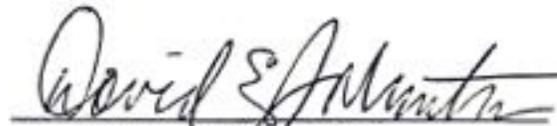
DATED: 7/19/99

DATED: 7/29/99

  
\_\_\_\_\_  
NANCY JOHNSON

Garland County Clerk

DATED: 7/19/99

  
\_\_\_\_\_  
DAVID E. JOHNSTON

Secretary, Hot Springs Village  
Property Owners' Association

DATED: 7/28/99

Resolution No. 3 of 2002

**A Resolution of the Saline County Regional Solid Waste Management District (District) Authorizing the Board Chairman to negotiate and enter into a final contract with Davis Rubber Company and Eaton Morey Environmental Services for the operation of Inter-District Waste Tire Program.**

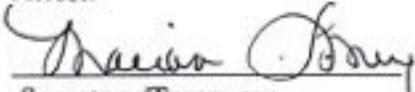
- Whereas, The District receives Waste Tire Management Program grant funds from the State of Arkansas and other fees and interest; and,
- Whereas, The District participate in a Waste Tire Management Program with three other Central Arkansas Regional Solid Waste Management Districts; and,
- Whereas, The waste tire management contract for the Inter-District Waste Tire Program expires February 28, 2003; and,
- Whereas, The Inter-District Waste Program has solicited proposals from qualified companies to operate the waste tire program; and,
- Whereas, One proposal was received and review by the staff and the staff recommends that the four regional solid waste management districts comprising the Inter-District Waste Tire Management Program approve a new contract with Davis Rubber and Eaton Morey Environmental Services; and,
- Whereas, The Inter-District Program Oversight Board will review the waste tire proposal and act on it January 8, 2003.

**Now therefore be it resolved by Saline County RSWMD board of Directors that:**

- Section 1: The proposal submitted by Davis Rubber Company and Eaton Morey Environmental Services is the best proposal in terms of price and qualifications.
- Section 2: The District Chairman is here by authorized to negotiate and enter into a new contract with Davis Rubber Company and Eaton Morey Environmental Services for operation of the Inter-District Waste Tire Management Program.
- Section 3: Execution of said contract will be contingent upon approval and recommendation of the Inter-District Oversight Board.

Adopted: 11/20/2002

Attest:

  
Secretary/Treasurer

Approved:

  
Billy Bob Curtis, III, Chairman

## RESOLUTION NO. 2 OF 2005

A RESOLUTION APPROVING AN AGREEMENT FOR SERVICES WITH THE CITY OF BRYANT; AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE THE SAME; AND, FOR OTHER PURPOSES

WHEREAS, The Board of Directors of the Saline County Regional Solid Waste Management District ("District") at its regular meeting February 16, 2005, by motion authorized the Executive Director to make a contract with the City of Bryant substantially in the form and substance of the "Agreement for Services" document attached to and made part of this Resolution; and,

WHEREAS, The District finds that it should make this Resolution formally approving the "Agreement for Services" contract with the City of Bryant and authorizing the Chairman and Secretary of the Board to execute the "Agreement for Services" on behalf of the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: The making of the "Agreement for Services," in the form and substance of the document attached to this Resolution, between the District and the City of Bryant should be and is hereby approved.



SECTION 2: The Chairman and Secretary of the Board should be and are hereby authorized and directed to execute the said "Agreement for Services" on behalf of the District and to execute such other documents as may be necessary or convenient effectuate the purposes of this Resolution.

SECTION 3: This Resolution is adopted to state formally the approval of the "Agreement for Services," the making of which the District approved by motion February 16, 2005.

SECTION 4: All Resolutions and parts thereof in conflict with this Resolution are hereby repealed to the extent of such conflict.

PASSED AND APPROVED this 18 day of May, 2005.

  
CHAIRMAN

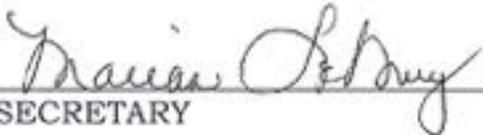
  
SECRETARY



## CERTIFICATE

THE FOREGOING is a true, correct and complete copy of Resolution No. 2 of 2005 of the Saline County Regional Solid Waste Management District which was passed and approved May 18, 2005, I certify.

DATED This 18 day of May, 2005.

  
SECRETARY

## AGREEMENT FOR SERVICES

THIS AGREEMENT is made as of the date last written below between the City of Bryant, Arkansas ("Bryant") and the Saline County Regional Solid Waste Management District ("District") for and in consideration of the mutual covenants made and accepted herein.

1. *Parties.* Bryant is an Arkansas City of the First Class, and District is an Arkansas Regional Solid Waste Management District. Each party was created and exists pursuant to provisions of the Arkansas Code. This Agreement is made in accordance with the provisions and procedures of Arkansas Code Annotated § 25-20-104 (h).

2. *Reciprocal services available.* During the term of this Agreement, subject to the special conditions and for the price set out herein, Bryant will accept leachate from District for disposal into the Bryant wastewater system and the District will accept wastewater sludge from Bryant for disposal at the District's landfill.

3. *Term.* The term of this Agreement shall be one (1) year, and shall begin on the first day of the month in which this Agreement is executed by the parties. This Agreement shall automatically be renewed for like terms of one (1) year each successively until this Agreement is terminated in accordance with the termination provisions set out herein.

4. *Price.* District will pay Bryant a rate of Five Cents (\$0.05) per gallon for dumping leachate into the Bryant Sewer System. Bryant will pay District

persons signing this Agreement are the properly authorized representatives of the party for which they sign. Two(2) fully signed copies of this Agreement shall be executed, with each party retaining one (1) of the manually signed original copies.

IN WITNESS WHEREOF, The Parties Have set their hands as of this \_\_\_\_\_ Day of March, 2005.

The City of Bryant, Arkansas

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Saline County Regional Solid Waste  
Management District

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

RESOLUTION NO. 2 OF 2007

A RESOLUTION APPROVING AN AGREEMENT HOT SPRINGS VILLAGE PROPERTY OWNERS' ASSOCIATION AND GARLAND COUNTY, ARKANSAS; AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE THE SAME; AND, FOR OTHER PURPOSES

WHEREAS, The Board of Directors of the Saline County Regional Solid Waste Management District ("District") by motion passed at its regular meeting July 18, 2007, authorized the Executive Director to make a contract with the Hot Springs Village Property Owners' Association and Garland County, Arkansas, substantially in the form and substance of the "Solid Waste Agreement" document attached to and made part of this Resolution, subject to the Board adopting revisions to its "Flow Control" Resolution; and,

WHEREAS, The District by Resolution adopted August 15, 2007, has adopted revisions to its "Flow Control" Resolution which permit the making of the Agreement approved by this resolution; and,

WHEREAS, The District finds that the sum of money to be paid by Hot Springs Village Property Owners' Association to the District pursuant to the agreement approved by this resolution adequately compensates the District for the amount of revenue the District would receive from tipping fees for solid waste generated within the boundaries of Hot

Springs Village which are within the boundaries of the District, giving due regard to the effect such agreement would have on the long-term capacity of the District's landfill and further giving due regard to the revenue needs of the District for retirement of indebtedness secured by the revenue stream generated by solid waste to be collected, handled, or disposed of by the District; and,

WHEREAS, The District finds that it should make this Resolution formally approving the "Solid Waste Agreement" contract with the Hot Springs Village Property Owners' Association and Garland County, Arkansas, and authorizing the Chairman and Secretary of the Board to execute the "Solid Waste Agreement" on behalf of the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: The making of the "Solid Waste Agreement," in the form and substance of the document attached to this Resolution, between and among the District and the Hot Springs Village Property Owners' Association and Garland County, Arkansas, should be and is hereby approved.

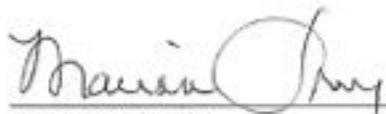
SECTION 2: The Chairman and Secretary of the Board should be and are hereby authorized and directed to execute the said "Solid Waste Agreement" on behalf of the District and to execute such

other documents as may be necessary or convenient effectuate the purposes of this Resolution.

SECTION 3: All Resolutions and parts thereof in conflict with this Resolution are hereby repealed to the extent of such conflict.

PASSED AND APPROVED this 15 day of August, 2007.

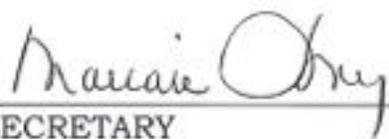
  
CHAIRMAN

  
SECRETARY

## CERTIFICATE

THE FOREGOING is a true, correct and complete copy of Resolution No. 2 of 2007 of the Saline County Regional Solid Waste Management District which was passed and approved August 15, 2007, I certify.

DATED This 15 day of August, 2007.

  
SECRETARY



## SOLID WASTE AGREEMENT

THIS SOLID WASTE AGREEMENT made and entered into on the dates specified and noted herein, by and between SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT, hereinafter referred to as "DISTRICT", GARLAND COUNTY, ARKANSAS, hereinafter referred to as "COUNTY", and the HOT SPRINGS VILLAGE PROPERTY OWNERS' ASSOCIATION, an Arkansas Not-For-Profit Corporation, hereinafter referred to as "HSVPOA".

### *WITNESSETH:*

WHEREAS, the parties recognize that the private community of Hot Springs Village is located partially within Garland County, Arkansas and partially within the boundaries of the Saline County Regional Solid Waste Management District; and

WHEREAS, the parties further recognize that the streets of Hot Springs Village are built without regard to the boundaries of COUNTY or DISTRICT, so that it is neither possible nor practicable for the solid waste collected within Hot Springs Village to be separated in accordance with the boundaries of the respective districts from it is collected; and

WHEREAS, the parties have had previous agreements whereby the solid waste generated within the entire boundaries of HSVPOA, was collected by HSVPOA, delivered to a collection facility of COUNTY where a portion was disposed of, but a portion was transported by COUNTY to the DISTRICT, requiring HSVPOA to pay COUNTY the transportation cost, as well as pay DISTRICT for the cost of the disposal of the solid waste; and

WHEREAS, the parties have come to an agreement for HSVPOA to pay to the DISTRICT a sum of money which, in the determination of the Board of the DISTRICT, adequately compensates the DISTRICT for the amount of revenue the DISTRICT would receive from tipping fees for solid waste generated within the boundaries of Hot Springs Village and which are within the boundaries of the DISTRICT, giving due regard to the effect such agreement will have on the long-term capacity of the DISTRICT landfill, and further giving due regard to the revenue needs of the DISTRICT for retirement of indebtedness secured by the revenue stream generated within the geographic boundaries of the DISTRICT, but which agreement does not require COUNTY to transport the solid waste to the DISTRICT, and assures HSVPOA of the continued collection and disposal of its solid waste at a reasonable cost, this being a resolution which all parties consider to be fair, reasonable, and adequate;

NOW, THEREFORE, for the mutual considerations contained herein, the parties do hereby agree as follows:

1. This agreement shall commence on the 1<sup>st</sup> day of October, 2007, and shall end on the 30<sup>th</sup> day of September, 2009. With consent of all three parties, this agreement may be extended for two (2), two (2) year option terms, the first said option term to commence October 1, 2009. Such extension will require the written consent of all parties.
2. HSVPOA shall collect all Class I solid waste throughout Hot Springs Village (both Garland County and that portion of Hot Springs Village lying within the geographic boundaries of the DISTRICT), and shall be responsible for transporting such waste to COUNTY'S transfer station located on Highway 7 North, Garland County, Arkansas, where such waste will be disposed of by COUNTY. HSVPOA agrees to pay COUNTY the sum of \$34.00 per ton for all such Class I solid waste delivered to said transfer station.
3. The parties acknowledge that previously COUNTY has been transporting an agreed number of tons of the solid waste to DISTRICT and for which HSVPOA was required to pay COUNTY a transportation charge and to pay DISTRICT for the disposal of the solid waste. During the term of this agreement, COUNTY shall not transport any tonnage to DISTRICT.
4. HSVPOA hereby agrees to pay DISTRICT the sum of Forty-Five Thousand Dollars (\$45,000.00) cash, said sum to be paid Eleven Thousand Two Hundred Fifty Dollars (\$11,250.00) on or before October 1, 2007, and a like amount of January 1, 2008, April 1, 2008, and July 1, 2008, as well as a continuation of said payments on each quarter during the term of this agreement. It is agreed that this payment by HSVPOA to DISTRICT represents a reasonable sum for the solid waste that would have been delivered to DISTRICT by COUNTY. By entering into this agreement, the Board of the DISTRICT declares that it has determined that the said sum of money adequately compensates the DISTRICT for the amount of revenue the DISTRICT would receive from tipping fees for solid waste generated within the boundaries of Hot Springs Village which are within the geographic boundaries of the DISTRICT, giving due regard to the effect this agreement will have on the long-term capacity of the SCRSWMD landfill, and further giving due regard to the revenue needs of the DISTRICT on retirement of indebtedness secured by the revenue stream generated by solid waste to be collected, handled, or disposed of by the DISTRICT from within the

boundaries of Hot Springs Village which are within the geographic boundaries of the DISTRICT.

5. All parties hereby agree and acknowledge that the collection and disposal of the solid waste collected from Hot Springs Village by HSVPOA and the payments recited herein meet all requirements of Arkansas and all County Ordinances and District Resolutions, and are satisfactory to all parties.
6. The parties declare that this agreement shall supersede any and all other agreements between the parties dealing with the subject of the collection, disposal, and payment for solid waste from Hot Springs Village.
7. This Agreement may be executed in any number of counterparts, each of which shall be considered an original.

WITNESS our hands and seals on the dates hereinbelow written.

**"HSVPOA"**

HOT SPRINGS VILLAGE PROPERTY OWNERS' ASSOCIATION

By: \_\_\_\_\_  
RICHARD BRECKON,  
President

Attest: \_\_\_\_\_  
DAVID E. JOHNSTON,  
Secretary

DATED: \_\_\_\_\_

**"DISTRICT"**

SALINE COUNTY REGIONAL SOLID  
WASTE MANAGEMENT DISTRICT

By: \_\_\_\_\_  
STEVE METCALF  
Chairman

Attest: \_\_\_\_\_  
MARIAN LE MAY  
Secretary

DATED: \_\_\_\_\_

EXHIBIT

**"COUNTY"**

GARLAND COUNTY, ARKANSAS

By: \_\_\_\_\_  
LARRY WILLIAMS,  
Garland County Judge

Attest: \_\_\_\_\_  
TAMMY LAMBERT,  
Garland County Clerk

DATED: \_\_\_\_\_

EXHIBIT

This Solid Waste Agreement has been presented to the Board of Directors of the Southwest Central Regional Solid Waste Management District and its attorney, and said Board has specifically authorized the delivery of the waste as described in the agreement and approved the action on the part of all parties to the agreement.

SOUTHWEST CENTRAL REGIONAL  
SOLID WASTE MANAGEMENT DISTRICT

By: \_\_\_\_\_  
President

Attest: \_\_\_\_\_  
Secretary

DATED: \_\_\_\_\_

## RESOLUTION NO. 5 OF 2011

### A RESOLUTION APPROVING AND ACCEPTING AN INTERLOCAL AGREEMENT; AND, FOR OTHER PURPOSES

WHEREAS, the Saline County Regional Solid Waste Management Board (the "Board") has before it a proposed "Interlocal Agreement Between Saline County Regional Solid Waste Management District and Pulaski County Regional Solid Waste Management District" (the "Interlocal Agreement"); and,

WHEREAS, the Board has found and determined that approval of and entry into the Interlocal Agreement is in the best interest of the Saline County Regional Solid Waste Management District (the "District") and is in the best interest of the citizens residing within the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: The Board should, and does hereby, accept and approve the Interlocal Agreement in the form and substance of the copy of the same which is attached to, and made a part of, this Resolution.

SECTION 2: The Chairman of the Board is authorized and directed to execute the Interlocal Agreement on behalf of the District, and is further authorized and directed to execute such other documents incidental to the Interlocal Agreement as may be convenient or necessary

or reasonably requested by the other party to the Interlocal Agreement to put the Interlocal Agreement into force and effect.

SECTION 3: The immediate entry of the District into the Interlocal Agreement is in the best interest of the District, and this Resolution shall be effective and in force on and after its passage and approval by the Board.

PASSED AND APPROVED this 16<sup>th</sup> day of November, 2011.

  
\_\_\_\_\_  
JEFF AREY, CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
LANNY FITE, SECRETARY



# **Interlocal Agreement**

**Between Saline County Regional Solid Waste Management District**

**And**

**Pulaski County Regional Solid Waste Management District**

---

This Interlocal Agreement (herein called the "Agreement") is entered into between Saline County Regional Solid Waste Management District (herein called the "Saline District") and Pulaski Regional Solid Waste Management District (herein called the "Pulaski District") and shall govern and define the division of fees assessed and collected as related to the movement or disposal of solid waste between the Saline District and the Pulaski District. This shall include such fees as may be assessed and/or collected as the same are defined under Act 209 of the 2011 Arkansas General Assembly and this Agreement is entered into pursuant to Section 2 of said Act 209 of the 2011 Arkansas General Assembly.

WHEREAS, the parties acknowledge that a portion of the Saline District's waste may be collected within the Saline District and delivered and disposed of at a location within the Pulaski District and vice versa;

NOW THEREFORE, the parties agree and acknowledge as follows:

For the Saline District the following fees shall be assessed and collected as follows:

1. Generation fee of \$1.00 per ton of all waste within Saline District which is collected, transferred, transported or otherwise moved to Pulaski District for the disposal of said waste.
2. Host fee of \$1.00 per ton of all waste generated within Pulaski District which is collected, transferred, transported or otherwise moved to the Saline District for the disposal of said waste.

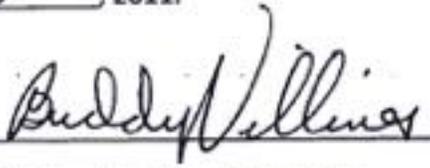
For the Pulaski District the following fees shall be assessed and collected as follows:

1. Generation fee of \$1.00 per ton of all waste within Pulaski District which is collected, transferred, transported or otherwise moved to Saline District for the disposal of said waste.
2. Host fee of \$1.00 per ton of all waste generated within Saline District which is collected, transferred, transported or otherwise moved to the Pulaski District for the disposal of said waste.

It is so agreed on this 11<sup>th</sup> day of October, 2011.

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Saline County Regional Solid Waste  
Management District  
Jeff Arey, Chairman

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Pulaski County Regional Solid Waste  
Management District  
F.G. "Buddy" Villines, Chairman

## RESOLUTION NO. 2 OF 2013

A RESOLUTION AUTHORIZING THE CHAIRMAN TO ENTER INTO A FINAL CONTRACT WITH DAVIS RUBBER COMPANY, INC., FOR OPERATION OF THE INTER-DISTRICT WASTE TIRE MANAGEMENT PROGRAM; AND, FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management Board (hereafter, the "Board") is authorized and empowered by the Arkansas Code, and specifically by ACA § 8-6-704(a)(11), to take the actions set out in this Resolution; and,

WHEREAS, The Saline County Regional Solid Waste Management District (hereafter, the "District"), receives Waste Tire Management Program grant funds from the State of Arkansas and other processing fees; and,

WHEREAS, The District participates in the Inter-District Waste Tire Management Program with four other central Arkansas Regional Solid Waste Management Districts; and,

WHEREAS, The waste tire management contract for the Inter-District Waste Tire Management Program expires on March 15, 2013; and,

WHEREAS, The Inter-District Program publicly issued a Request

for Proposals (RFP) to solicit proposals from qualified companies to operate the Waste Tire Management Program; and,

WHEREAS, One proposal was received and reviewed by the Inter-District Program and the staff recommends that the five Districts comprising the Inter-District Waste Tire Management Program accept the Davis Rubber Company, Inc., proposal and establish a new contract with Davis Rubber Company, Inc.; and,

WHEREAS, The Inter District Program's Oversight Group approved the recommendation at its January 9, 2013 meeting and passed a resolution authorizing its Chairman, Judge Buddy Villines, to enter into an agreement with Davis Rubber Company, Inc.; and,

WHEREAS, The Oversight Group Chairman, Judge Buddy Villines, authorized the new contract with Davis Rubber Company, Inc., by his signature on March 15, 2013,

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: Honorable Jeff Arey, as Chairman of the District is authorized and directed to enter into a new contract with Davis Rubber Company, Inc., for operation of the Inter District Waste Tire Management Program.

SECTION 2: This Resolution be effective and in force on and after the date of its passage and approval.

PASSED AND APPROVED this 20<sup>th</sup> day of March, 2013.

  
CHAIRMAN

  
SECRETARY

## RESOLUTION NO. 1 OF 2010

A RESOLUTION ACCEPTING, APPROVING AND AUTHORIZING THE MAKING OF AN "ASSET PURCHASE AGREEMENT" TO SELL THE DISTRICT'S LANDFILL FACILITY TO BFI WASTE SYSTEMS OF ARKANSAS, LLC; AND, FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management Board (the "Board") has before it a certain "Asset Purchase Agreement" (the "Republic Agreement") by the terms of which "BFI Waste Systems of Arkansas, LLC, a Delaware limited liability company ("Republic"), agrees to purchase, and the Saline County Regional Solid Waste Management District, a statutorily created entity under the Arkansas Code (the "District" or "SCRSWMD") agrees to sell to Republic the District's Landfill Facility located at 18511 West Sardis Road, Bauxite, Arkansas 72011, along with certain other assets of the District used in connection with the operation of the Landfill Facility; and,

WHEREAS, the offer by Republic to purchase the Landfill Facility from the District was the result of Republic's response to the District's publicly advertised Request for Qualifications and Proposals and of negotiation with Republic after the District's receipt of Republic's response; and,

WHEREAS, The sale will provide capital to the District for

implementing current and future ADEQ requirements for recycling, composting, and public education. The District expects to have net receipts of over 3 million dollars from the sale after all expenses are paid; and,

WHEREAS, Annual royalty payments following the sale will provide the District with operating funds to carry out its required duties in the future. Royalties are based on the amount of waste disposed of and are guaranteed at 450,000 \$/year for first 5 years. Royalty payments to the District will be indexed to the consumer price index; and,,

WHEREAS, The sale price of \$7.75 million is well above the appraised value of between \$3.77 and \$5.18 million; and,

WHEREAS, Disposal rates for residents of Saline County and for existing commercial haulers handling waste generated within the county will be frozen for two years following the sale. After two years disposal rates will be tied to increases in the consumer price index or to the average increase at other area landfills. If the District continues to own and operate the landfill the gate rate will immediately increase by several dollars per ton and will likely increase more in the near future in order to provide necessary capital and operating funds to meet ADEQ requirements; and,

WHEREAS, Following the sale, Republic will pay property taxes to help support the Bauxite School district and other governmental entities.

Currently the District does not pay any property taxes; and,

WHEREAS, Although not a part of the sale agreement, Republic has agreed with Bauxite to pave and make other improvements to Sardis Road between Highway 183 and the landfill; and,

WHEREAS, Following the sale, Saline County residents will no longer be subject to an annual property tax assessment if the District were to default on the landfill bond issue; and,

WHEREAS, All Saline County residents will be provided two free disposal days at the landfill under the proposed sales agreement; and,

WHEREAS, Republic will provide up to 12 roll off containers twice a year for clean up events within the county under the proposed sales agreement; and,

WHEREAS, A minimum of 2 to 3 million dollars in improvements and deferred maintenance will be required over the next several months to get the landfill into full compliance with current ADEQ regulations if the District continues to own and operate the landfill; and,

WHEREAS, The proposed sale agreement obligates Republic to pursue additional, suitable property for future expansion of the landfill. This will provide a long term disposal facility for Saline County residents and will ensure a continual revenue stream for the District; and,

WHEREAS, At two public hearings, the Board received and considered comments from the public, members of the Board and other



interested persons about the question of whether to accept the offer of Republic to purchase the Landfill Facility from the District; and,

WHEREAS, After due consideration of the results of the public hearings, and deliberation at its Board meetings, the Board has decided that taking the action set out herein is in the best interest of the Saline County Regional Solid Waste Management District; and,

WHEREAS, The Board has made a maximum effort to protect the interest of the District's employees in negotiating the Republic Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: The Board should, and does hereby, accept and approve the Republic Agreement in the form and substance of the copy of the Republic Agreement which is attached to this Resolution and incorporated herein by reference.

SECTION 2: The Board should, and does hereby, authorize and direct each individual member of the Board who votes in favor of the adoption of this Resolution to execute the Republic Agreement on behalf of the District by affixing his or her signature thereto on behalf of the District.

SECTION 3: The Board should, and does hereby, authorize and direct the Chair of the Board and the Secretary of the Board to

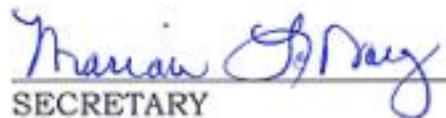
execute by affixing their respective signatures thereto all documents necessary, convenient or reasonably requested by either party to the transaction to accomplish the Closing of the transaction in accordance with the terms and conditions of the Republic Agreement.

SECTION 4: All Resolutions of the Board and parts thereof in conflict with the provisions of this Resolution are, upon the effective date of this Resolution, repealed to the extent of such conflict, but not otherwise.

SECTION 5: The immediate approval of, and entry into, the Republic Agreement, is in the best interests of the SCRSWMD, and this Resolution shall be effective and in force on and after its passage and approval by the Board.

PASSED AND APPROVED this 23 day of November, 2010.

  
\_\_\_\_\_  
ACTING CHAIRMAN

  
\_\_\_\_\_  
SECRETARY

# Capital Assets

## RESOLUTION NO. 1 OF 2005

A RESOLUTION DECLARING THE POLICY OF THE SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT REGARDING THE CAPITALIZATION OF ASSETS; AND, FOR OTHER PURPOSES

WHEREAS, The auditors of the Saline County Regional Solid Waste Management District ("District") have advised the District to adopt formally a policy regarding the capitalization of assets and to approve the past practice of the District with regard to the accounting treatment of capital assets of the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: It is the policy of the District to treat any tangible asset having a cost value of One Thousand Dollars (\$1,000.00) or more and a useful life of three (3) years or longer as a capital asset, and for accounting purposes to depreciate such capital asset across its useful life.

SECTION 2: It is the policy of the District to treat any tangible asset having a cost value less than One Thousand Dollars (\$1,000.00) or a useful life of less than three (3) years as a non-capital asset, and for accounting purposes to recognize the purchase of such

non-capital asset as an expense in the year of its purchase.

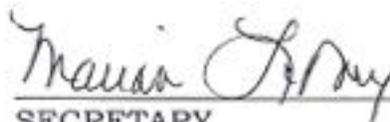
SECTION 3: This Resolution is adopted to state formally the practice that the District has followed in the past and to set the practice that the District shall follow in the future.

SECTION 4: If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end, the provisions of this Resolution are hereby declared to be severable.

SECTION 5: All Resolutions and parts thereof in conflict with this Resolution are hereby repealed to the extent of such conflict.

PASSED AND APPROVED this \_\_\_\_\_ day of February, 2005.

  
CHAIRMAN

  
SECRETARY

# Certificate of Need

## RESOLUTION NO. 1 OF 2014

A RESOLUTION GRANTING TO BFI WASTE SYSTEMS OF ARKANSAS A CERTIFICATE OF NEED FOR A PERMIT MODIFICATION TO THE SALINE COUNTY CLASS 1 LANDFILL, AND FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management Board (hereafter, the "Board") is authorized, empowered, and directed by the Arkansas Code, and specifically by ACA § 8-6-704(a)(4), and by Arkansas Pollution Control & Ecology Commission Regulation 22.205 to take the actions set out in this Resolution; and,

WHEREAS, A Notice of Intent for a Certificate of Need was filed on March 26, 2014, for the BFI Saline County Class 1 Landfill, ADEQ Permit No. 0261-S1-R2; AFIN: 63-00155, Terracon Project No. 35147075 which Notice of Intent was submitted to the District by Terracon on behalf of BFI Waste Systems of Arkansas (hereafter, the "Application"); and,

WHEREAS, The Board conducted public hearings on Wednesday, May 21, 2014, on Wednesday, June 18, 2014, on Wednesday, July 16, 2014, and pursuant to public notice published in the Saline Courier, a daily newspaper of general circulation throughout the area covered by the Saline County Regional Solid Waste Management District (hereafter, the "District"), on Wednesday, August 20, 2014; and,

WHEREAS, At those public hearings and throughout the period of public comment which began at the date stated above of the first public

hearing the Board received and considered comments from the public, members of the Board and other interested persons about the Application; and,

WHEREAS, After due consideration of the results of the public hearing, and deliberation at its regular Board meeting, the Board has found and determined that the permit modification:

- (1) Is consistent with the regional planning strategy adopted by the Board in the regional needs assessment or the regional solid waste management plan;
- (2) Does not conflict with existing comprehensive land-use plans of any local governmental entities;
- (3) Does not disturb an archaeological site as recognized by the Arkansas Historic Preservation Program, or a rare and endangered species habitat as recognized by the Arkansas State Game and Fish Commission or the United States Fish and Wildlife Service;
- (4) Will not adversely affect the public use of any local, state, or federal facility, including, but not limited to, parks and wildlife management areas;
- (5) Does not conflict with the requirements of local, state or federal laws and regulations on the location of disposal facilities as outlined in this regulation; and,



WHEREAS, After due consideration of the results of the public hearing, and deliberation at its regular Board meeting, the Board has further found and determined that a need exists for a Class 1 Landfill within the District; that the Application for a Class 1 landfill permit modification is consistent with the requirements and considerations of the District's Needs Assessment and overall regional planning strategy; that the location of the Class 1 landfill has been deemed satisfactory by the District, based on the District's needs, and is situated in close proximity to State Highway 183 (Reynolds Road) which services the District; that the statements listed in the Application are true and correct and support the issuance of a Certificate of Need; that by signing the Certificate of Need petition and findings included herein, the District hereby makes the determination, based on criteria established by the District and the documented evidence supporting the Application, to issue such Certificate of Need; and,

WHEREAS, The Board has found and determined that taking the action set out herein is in the best interest of the Saline County Regional Solid Waste Management District and is in the best interest of the persons and entities served by the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: The proposed modification is for a vertical expansion of the Class 1 Landfill, and the incorporation of the footprint of the existing facility Class 4 landfill into the Class 1 landfill, that will result in an increase in the permitted disposal capacity.

SECTION 2: The Application is well taken, and it should be, and it hereby is, approved by the District as presented. The Certificate of Need is hereby issued as requested by the applicant. A certified copy of this Resolution shall be sufficient proof of such issuance for all purposes.

SECTION 3: The Chairman and Secretary of the Board of the District are authorized and directed to issue on behalf of the District such documents as may be necessary or as may be reasonably requested by any interested party to give effect to the purposes of this Resolution.

SECTION 4: The Executive Director is authorized and directed to provide documentation of the adoption of this Resolution to the Arkansas Department of Environmental Quality and to provide to said agency all material considered by the Board of the District in connection with the adoption of this Resolution.

SECTION 5: The provisions of this Resolution are separable, and if any section, phrase or provision of this Resolution shall be declared invalid, such declaration shall not affect the validity of the remaining portions of this Resolution, and they shall remain in full force and effect.

SECTION 6: All Resolutions of the Board and parts thereof in conflict with the provisions of this Resolution are, upon the effective date of this Resolution, repealed to the extent of such conflict, but not otherwise.

SECTION 7: The application of this Resolution shall be effective and in force on and after the date of its passage and approval.

PASSED AND APPROVED this 24<sup>th</sup> day of September, 2014.

  
\_\_\_\_\_  
CHAIRMAN

  
\_\_\_\_\_  
SECRETARY

# District Board

BEFORE THE SALINE COUNTY REGIONAL  
SOLID WASTE MANAGEMENT BOARD

RESOLUTION 14 OF 1996

A RESOLUTION AMENDING ARTICLE II, SECTION 2.02 OF THE BY-LAWS OF THE SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT BOARD TO PROVIDE FOR REPRESENTATION OF THE CITY OF HASKELL ON THE BOARD AND TO REDUCE THE NUMBER OF AT-LARGE MEMBERS TO ONE.

WHEREAS, The By-Laws of the Saline County Regional Solid Waste Management Board (hereafter, the "Board") approved March 24, 1993, provide in Article II, Section 2.02 for two members at large, and do not provide for representation on the Board by the City of Haskell; and,

WHEREAS, The City of Haskell has recently grown large enough to be entitled to a position on the Board pursuant to the appropriate provisions of the Arkansas Code;

NOW, THEREFORE, BE IT RESOLVED BY THE SALINE COUNTY SOLID WASTE MANAGEMENT BOARD:

Section 1. Article II, § 2.02 of the By-Laws of the Saline County Regional Solid Waste Management Board is Repealed and Replaced with the following language:

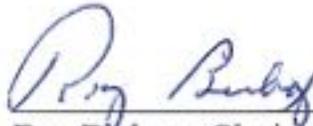
2.02 Members. The Board shall be composed of the following members who shall be appointed and shall serve in accordance with the provisions of Arkansas Code Annotated § 8-6-703:

Saline County Judge, or Designee  
Mayor of Benton, or Designee  
Mayor of Bryant, or Designee

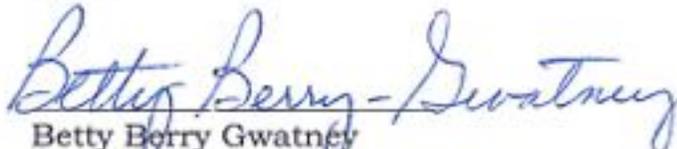
Mayor of Haskell, or Designee  
One (1) Member at Large

Section 2. This amendment to the By-Laws shall become effective upon its passage and approval at the first regular meeting of 1996.

Passed and approved this 17 day of January, 1996.

  
\_\_\_\_\_  
Roy Bishop, Chairman

Attest:

  
\_\_\_\_\_  
Betty Berry Gwatney  
Secretary

*BEFORE THE SALINE COUNTY REGIONAL  
SOLID WASTE MANAGEMENT BOARD*

**RESOLUTION NUMBER 1 OF 2003**

**A RESOLUTION IMPLEMENTING THE PROVISIONS OF  
ARKANSAS CODE ANNOTATED § 8-6-703(c)(5)(A) TO  
ALLOW USE OF PROXY REPRESENTATION AT  
MEETINGS OF THE DISTRICT BOARD; AND, FOR  
OTHER PURPOSES**

WHEREAS, The Saline County Regional Solid Waste Management District (hereafter, the "District") desires to implement the authority of Arkansas Code Annotated § 8-6-703(c)(5)(A) which was amended by the Arkansas Legislature, effective July 2003, to allow use of proxy representation at meetings of the District Board;

NOW, THEREFORE, Be It RESOLVED By The SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT:

Section 1. Members of the Board of the Saline County Regional Solid Waste Management District may attend meetings of the Board by representation by proxy.

Section 2. A member of the Board may extend a proxy to any other person, including another member of the Board or an employee of the District.

Section 3. A proxy is effective only for the meeting on the date for which it is given. A proxy may be made at anytime in advance of the meeting for which the proxy is given. The Secretary of the Board shall receive all proxies, and attach such proxies to the minutes of the meeting to which they apply.

Section 4. A proxy is effective only if it is in writing and signed by the member of the Board making the proxy.

Section 5. A proxy may be general in nature, and if a proxy is given as a general proxy, the person to whom it is given may cast the vote of the Board member who makes the proxy on any and all issues that come before the Board at the meeting to which the proxy applies, and such vote or votes shall be counted as if the member making the proxy had been present in person and cast each such vote in person. A proxy that does not state limitations is a general proxy.

Section 6. A proxy may be limited in nature if the proxy so states. A limited proxy may be given for the purpose only of counting the Board member present for purposes of determining the presence of a quorum at the meeting to which the proxy applies; or, a limited proxy may be made with such other limitations as the Board member making the proxy may state in it, such as limiting the person to whom the proxy is given to vote the proxy only on certain issues or only in favor of, or in opposition to, certain issues as the same might be stated in the limited proxy.

Section 7. Notwithstanding the provisions of Section 4 above, in extraordinary circumstances a Board member may communicate a proxy by telephone, e-mail or facsimile transmission, at any time in advance of, a meeting of the Board. A proxy so communicated shall be valid, provided that the Board member making the proxy shall cause an original, manually signed, written proxy to be



delivered to the Secretary of the Board within five (5) business days following the meeting to which the proxy applies and the Secretary attaches that written and signed proxy to the minutes of the meeting for which the proxy was made.

Section 8. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end, the provisions of this Resolution are hereby declared to be severable.

Approved and Adopted this 20<sup>th</sup> day of August, 2003.

  
Billy Bob Curtis For  
Chairman

Attest:

  
Marian LeMay  
Secretary

# District Records

## RESOLUTION NO. 3 OF 2012

A RESOLUTION ESTABLISHING POLICIES AND PROCEDURES FOR THE DISTRICT TO FOLLOW IN RESPONDING TO REQUESTS MADE TO THE DISTRICT PURSUANT TO THE ARKANSAS FREEDOM OF INFORMATION ACT; AND, FOR OTHER PURPOSES

WHEREAS, the Saline County Regional Solid Waste Management Board (the "Board") is fully committed to the purposes and intent of the Arkansas "Freedom of Information Act of 1967" (Arkansas Code Annotated §§ 25-19-102 *et seq.*) (the "FOIA"), and believes that it is vital in a democratic society that public business be performed in an open and public manner so that the electors shall be advised of the performance of public officials and of the decisions that are reached in public activity and in making public; and,

WHEREAS, to ensure that the Board and the staff of the Saline County Regional Solid Waste Management District ("SCRSWMD" or the "District") comply with the spirit as well as the letter of the FOIA, the Board has prepared policies and procedures as stated in this Resolution for the District to follow in responding to requests made to it pursuant to the FOIA; and,

WHEREAS, the Board has conducted a public hearing on the details of the proposed policies and procedures; and,

WHEREAS, the Board has found that the actual cost of reproduction of paper copies of the records of the District, including the costs of the medium of reproduction, supplies, equipment, and maintenance, but not including existing District personnel time associated with searching for, retrieving, reviewing, or copying records is twenty-five cents (\$0.25) per page;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: The Board should, and does hereby, direct that SCRSWMD provide and maintain on its website the following information which shall be available to the general public in one or more formats which can be copied and printed without charge by persons desiring to obtain copies of the same:

- A. News regarding SCRSWMD.
- B. Events regarding SCRSWMD.
- C. Licensed Waste Haulers list and info.
- D. ADEQ Solid Waste Plan.
- E. Financial Audit reports from third-party CPA firm.
- F. Board Member information.
- G. Board Meeting minutes as they are approved by the Board.
- H. By-Laws that the SCRSWMD Board operates within.
- I. Calendar of all SCRSWMD activities.

J. Recycling information in regards to types, tonnage, and revenue.

K. Such other SCRSWMD records, documents or publications which the Executive Director may, from time to time, determine to place on the District website.

SECTION 2: The Board should, and does hereby, establish the following procedure for responding to requests for printed copies of any information regardless of whether the requested information could be obtained from the District website, or if the request is for SCRSWMD records, documents or publications not available from the District website.

A. If the request is for information that the requester could obtain at no charge from the District website, the Executive Director shall ensure that the requester is aware of the availability of that information from the District website at no charge so that the requester can choose to obtain the desired copies from the website or obtain them from the District office and pay the reasonable reproduction costs authorized by this Resolution.

B. Requests should be in writing or email directed to the attention of the Executive Director to ensure timely and complete response to the request. If a request is presented by telephone or otherwise not in writing, the determination of the Executive Director with respect to when the request was received and with respect to the scope of the information requested shall be final.

C. The Executive Director shall have one (1) full business day after receipt of an FOIA request to determine any associated cost prior to proceeding. A duplication charge of twenty-five cents (\$0.25) per page shall apply to cover the cost of reproduction. The Executive Director shall inform the requester of the estimated total duplication charge. If the Executive Director estimates that the

duplication charge for the pages requested will exceed Twenty-Five Dollars (\$25.00), SCRSWMD shall require the requester to make an advance payment of the entire estimated charges. Upon acknowledgment from the requester of the estimated duplication charge, and payment of the same if it is estimated to exceed \$25.00, the SCRSWMD will comply within three (3) working days thereafter to fulfill the request. Provided, however, that if the volume of copies requested is such that the District cannot reasonably comply with the request within three (3) working days, the Executive Director will promptly inform the requester of the estimated date the copies will be completed.

D. As soon as the copies are completed, which will normally be the beginning of the fourth business day after the request is made, the requester may, upon payment of the reproduction costs by U.S. Dollars or by money order payable to "SCRSWMD," take delivery of the copies at the SCRSWMD office, located at 114 W, Sevier Street, Benton, Arkansas 72015. The District shall not keep the copies available for the requester for more than thirty (30) calendar days from the date the copies are first available for the requester to accept delivery. All payments made to SCRSWMD for reproduction costs are final and non-refundable. The Executive Director may require a requester to pay the reproduction costs of any previous request made but not picked-up by the requester before complying with any subsequent request made by the same requester.

SECTION 3: The implementation of the policies and procedures set forth in this Resolution and the response of the District to any request pursuant to the FOIA, but not specifically covered by the policies and procedures set forth herein, shall be governed by the provisions of the FOIA.

SECTION 5: The provisions of this Resolution are separable. If any section of this Resolution or any part thereof shall be deemed or

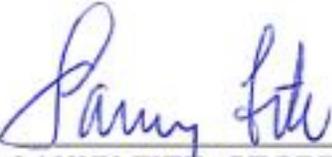
found to be unenforceable generally or with respect to a particular circumstance, such determination shall not affect the validity or enforceability of the balance of this Resolution and with respect to all other circumstances.

SECTION 6: The immediate implementation of the policies and procedures set forth herein by the District is in the best interest of the District, and this Resolution shall be effective and in force on and after its passage and approval by the Board.

PASSED AND APPROVED this 20 day of June, 2012.

  
\_\_\_\_\_  
JEFF AREY, CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
LANNY FITE, SECRETARY

## RESOLUTION NO. 5 OF 2014

### A RESOLUTION ESTABLISHING A RECORDS RETENTION POLICY FOR THE SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT; AND, FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management Board (hereafter, the "Board") was established and exists pursuant to Arkansas Code Annotated §§ 8-6-701 *et seq.*, and as such, is a State Agency as defined by ACA § 25-18-603(2)(A) which therefore is within the purview of ACA §§ 25-18-601 *et seq.*, and Arkansas Department of Finance and Administration Agency Policy #200.00 "The Arkansas General Records Retention Schedule" Version 2.0, dated August 2006 promulgated thereunder (collectively, the "State General Records Retention Policy"); and,

WHEREAS, The Board of Directors of the Saline County Regional Solid Waste Management District ("District") has determined that the District has to date maintained public records for periods of time in excess of those required by the State General Records Retention Policy to the extent that the District's accumulated public records now exceed the space available to the District for storage of those records, and has decided therefore that the District should adopt a formal policy governing the retention of public records of the District; and,



WHEREAS, The State General Records Retention Policy does not cover all public records maintained by the District; and,

WHEREAS, The Executive Director has proposed the records retention policy set forth in this Resolution, and after deliberation the Board has found and determined that the proposed policy conforms to and complies with the State General Records Retention Policy and adequately and appropriately provides for the administrative needs of the District and for the needs of the public; and,

WHEREAS, Pursuant to public notice given in accordance with ACA § 25-15-204 (1) the Board has conducted a Public Hearing on December 17, 2014, and has solicited comments from the public regarding the substance of this Resolution; and,

WHEREAS, The Board has considered all public comment and other information presented to it and has determined that taking the action set out herein is in the best interest of the Saline County Regional Solid Waste Management District and is in the best interest of the persons and entities served by the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: *Policy Established; Compliance Required.* The Board does hereby establish, adopt and put into force this Resolution as the Records Retention Policy of the District. All employees of the District

are hereby required to comply with the provisions of this Resolution in the discharge of their duties involving the creation, retention and/or destruction of all public records of the District.

SECTION 2: *State General Records Retention Policy.* The Board hereby adopts as the District records retention policy the State General Records Retention Policy, subject, however, to the exceptions stated in Section 3 below. The Executive Director shall maintain at all times at least one (1) copy of the State General Records Retention Policy in either paper or electronic format at the office of the District.

SECTION 3: *Exceptions.* Notwithstanding the requirements stated in Section 2 above, the District shall retain the following listed records for the periods indicated below:

- |   |                                       |
|---|---------------------------------------|
| a. Employee pay records:  | Five years after employment has ended |
| b. Financial Records evidencing the day-to-day business of the District | Five years                            |
| c. Audit Reports  | Permanently                           |
| d. Bank Statements  | Five years                            |

SECTION 4. *Existing Records.* The Executive Director is hereby authorized and directed to determine as of the effective date of this Resolution which District public records are not required by this Resolution to be maintained, and forthwith dispose of the those records,

and thereafter on at least an annual basis to dispose of the District public records which are no longer required by this Resolution to be maintained.

SECTION 6. *Prior Conflicting Resolutions Repealed.* All Resolutions of the Board and parts thereof in conflict with the provisions of this Resolution are, upon the effective date of this Resolution, repealed to the extent of such conflict, but not otherwise.

SECTION 7: *Effective Date.* This Resolution is effective and in force from and after the date of its passage and approval.

PASSED AND APPROVED this 17 day of December, 2014.

  
CHAIRMAN

  
SECRETARY

Employees

## RESOLUTION NO. 3 OF 2013

A RESOLUTION TO REQUEST AUTHORIZATION OF REFERENDUM ON FULL SOCIAL SECURITY COVERAGE FOR THE EMPLOYEES OF THE SCRSWMD; AND, FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management Board (hereafter, the "Board") declares that it is the express purpose and intention of Saline County Regional Solid Waste Management District (hereafter, the "District") to extend to its employees (positions) an opportunity to participate in Full Social Security on as broad a basis as is permitted under applicable State and Federal Law;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: Honorable Jeff Arey, as Chairman of the District is authorized and directed to make written request to the Arkansas State Social Security Administrator for authorization to hold a referendum to determine whether a majority of said employees desire Full Social Security coverage effective.

SECTION 2: The Chairman of the District and the Executive Director of the District are further authorized and directed to take any and all actions as may be necessary or convenient to give full force and effect to this Resolution.

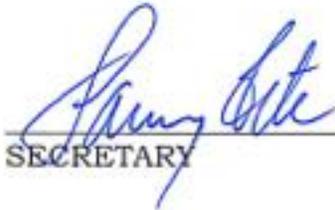
SECTION 2: This Resolution be effective and in force on and after the date of its passage and approval.

PASSED AND APPROVED this 16 day of October, 2013.

CHAIRMAN



SECRETARY



FULL SOCIAL SECURITY COVERAGE  
SECTION 218 COVERAGE QUESTIONNAIRE

Official Agency Name Saline County Regional Solid Waste Management District

Mailing Address 114 West Sevier Street  
Benton, Arkansas

Zip Code 72015

Street Address Same as Mailing Address

Telephone Number  
(501) 776-2533

Under what State Statutes was the Agency organized?

ACA Section 8-6-701 et seq.

a Does the Agency now have a retirement plan?  
b If yes, Name APERS

Yes XX No

Total number of Agency employees (include members of Governing Body)

6

How many of these employees are in active duty military? None

How many of these employees will receive

6

Social Security or  
"Medicare-Only" coverage

Are the Board Members elected? No (note: all hold office because of election to other office)  
Do you wish to cover Board Members? No

What Date does the Agency wish "Full Social Security" coverage to begin?

October 1, 1993

Who will execute the Resolution to Request Authorization of Referendum and Agreement? (Give the name and title of position)

Board Chairman, Hon. Jeff Arey

IRS Employer Identification Number: 071- 073-1696

Have you requested a refund of social security taxes for this group of employees?

Yes \_\_\_\_\_ No X

Miscellaneous comments:

Signature	Title	Date
<u>Michael Arey</u>	<u>Executive Director</u>	<u>1-15-14</u>

RETURN TO: ARKANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM  
ATTN: SOCIAL SECURITY ADMINISTRATOR  
124 WEST CAPITOL AVENUE - SUITE 400  
LITTLE ROCK, AR 72201

**Referendum Election Committee**

The Referendum Committee will consist of the following individuals:

Chairman: Michael Grappe, Executive Director  
(Name) (Title)

Member No 2: Shane Knight, Operations Manager  
(Name) (Title)

Member No 3: Tiffany Dunn, Marketing Coordinator  
(Name) (Title)

Alternate Member: Shawn Vergason, Recycle Center Supervisor  
(Name) (Title)

Michael Grappe  
Chairman's Signature

1-15-14  
Date



Fees

SALINE COUNTY REGIONAL  
SOLID WASTE MANAGEMENT DISTRICT  
BOARD RESOLUTION NO. 1 of 2002

WHEREAS, pursuant to Resolution No. 4 of 1993, adopted May 21, 1993 ("Resolution No. 4 of 1993") and Arkansas Code Annotated §8-6-714 (Repl. 2000), the Saline County Regional Solid Waste Management District (the "District") has heretofore levied an annual service fee in the amount of \$40.00 (the "Service Fee") on each residence and business in Saline County; and

WHEREAS, the Service Fee, to date, has not been collected by the District and collections thereof may continue to be suspended by the District in the event that other revenues derived from operation of the District's solid waste disposal facilities are sufficient to operate such facilities and provide for or assure payment of the principal of and interest on outstanding obligations of the District; and

WHEREAS, the Service Fee is pledged to secure payment of the District's Waste Disposal Revenue Bonds, Series 1993, Series 1996 and Series 1998 (collectively, the "Prior Bonds") and

WHEREAS, the District is making provisions for the redemption of the Prior Bonds and the Board of Directors of the District has determined that the Service Fee can be reduced from \$40.00 to \$20.00 annually;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Saline County Regional Solid Waste Management District:

Section 1. That Section 1 of Resolution No. 4 of 1993 is hereby amended to read as follows:

"There is hereby levied an annual service fee on each business and residence in Saline County. The service fee shall be levied in the amount of \$40 prior to December 31, 2001 and thereafter in the amount of \$20. The Board hereby finds and determines the service fee to be a reasonable and necessary fee for providing a sanitary landfill facility for the disposal of solid waste in Saline County."

Section 2. That the provisions of this Resolution are separable and if a section, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of this Resolution.

Section 3. That all resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. That Resolution No. 4 of 1993, as amended hereby, shall be and remain in full force and effect.

Section 5. That this Resolution shall not take effect until provision has been made for the redemption of the Prior Bonds.

ADOPTED: January 16, 2002.

APPROVED:

By Billy Bob Curtis  
Chairman

ATTEST: Maureen Gray  
Secretary

(SEAL)

## RESOLUTION NO. 7 OF 2011

A RESOLUTION ASSESSING GENERATION FEES AND HOST FEES FOR WASTE COLLECTED OR DISPOSED WITHIN THE DISTRICT; AND, FOR OTHER PURPOSES

WHEREAS, the Saline County Regional Solid Waste Management Board (the "Board") has approved and authorized the making of a certain "Interlocal Agreement Between Saline County Regional Solid Waste Management District and Pulaski County Regional Solid Waste Management District" (the "Interlocal Agreement"); and,

WHEREAS, the Interlocal Agreement contemplates that the Saline County Regional Solid Waste Management District ("SCRSWMD" or "District") will assess and collect the Generation Fees and the Host Fees for which provision is made in the Interlocal Agreement; and,

WHEREAS, Pursuant to public notice published in the Benton Courier, a newspaper of general circulation throughout the area covered by the SCRSWMD, the Board conducted a public hearing on Wednesday December 21, 2011; and,

WHEREAS, the Board has determined that it is in the best interest

of the District and is in the best interest of the citizens residing within the District to assess and collect the fees specified in this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: The Board should, and does hereby, assess a Generation fee of One Dollar (\$1.00) per ton of all waste within SCRSWMD which is collected, transferred, transported or otherwise moved to Pulaski County Regional Solid Waste Management District for the disposal of said waste.

SECTION 2: The Board should, and does hereby, assess a Host fee of One Dollar (\$1.00) per ton of all waste generated within Pulaski County Regional Solid Waste Management District which is collected, transferred, transported or otherwise moved to SCRSWMD for the disposal of said waste.

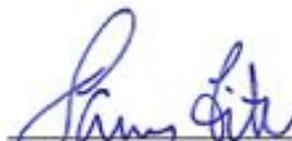
SECTION 3: All fees assessed by this Resolution are imposed to comply with the terms of the Interlocal Agreement, and shall be collected and remitted in accordance with the provisions of the said Interlocal Agreement.

SECTION 4: This Resolution shall be effective and in force upon and after its passage and approval by the Board.

PASSED AND APPROVED this 21 day of December, 2011.

  
\_\_\_\_\_  
JEFF AREY, CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
LANNY FITE, SECRETARY

## RESOLUTION NO. 2 OF 2012

A RESOLUTION ESTABLISHING AN INCENTIVE FEE TO ENCOURAGE THAT CERTAIN SOLID WASTE GENERATED OUTSIDE THE BOUNDARIES OF THE DISTRICT TO BE DIRECTED TO LANDFILLS WITHIN THE DISTRICT FOR DISPOSAL; AND, FOR OTHER PURPOSES

WHEREAS, the Saline County Regional Solid Waste Management Board (the "Board") by a document entitled "Asset Purchase Agreement" by and among BFI Waste Systems of Arkansas, LLC, a Delaware limited liability company, and the Saline County Regional Solid Waste Management District, dated November 23, 2010, sold to BFI Waste Systems of Arkansas, LLC, a Delaware limited liability company ("Republic") the Board's Landfill facility at 18511 West Sardis Road, Bauxite, Arkansas (the "Sale Agreement"); and,

WHEREAS, the Sale Agreement requires Republic and its successors and assigns to pay to Saline County Regional Solid Waste Management District ("SCRSWMD") the sum of \$2.25 per ton for the first 200,000 tons of solid waste and the sum of \$0.75 per ton for each ton in excess of 200,000 tons of solid waste accepted and disposed of at the Landfill each year (the "Royalty") as a part of the compensation paid by Republic for the purchase of the Landfill, which payment is based on the tonnage of solid waste delivered to the Landfill from outside the

boundaries of the District as well as being based on the tonnage of solid waste from within the District delivered to the Landfill; and,

WHEREAS, pursuant to a certain "Interlocal Agreement Between Saline County Regional Solid Waste Management District and Pulaski County Regional Solid Waste Management District" (the "Interlocal Agreement"), the Board adopted its Resolution No. 7 of 2011 which implemented the said Interlocal Agreement and assessed a Host Fee of \$1.00 per ton of all waste generated within Pulaski County Regional Solid Waste Management District which is collected, transferred, transported or otherwise moved to SCRSWMD for the disposal of said waste; and,

WHEREAS, the Board is aware that there are other Regional Solid Waste Management Districts in Arkansas from within which waste is generated which waste is collected, transferred, transported or otherwise moved to SCRSWMD for the disposal of said waste, and there is the possibility that those districts or some of them may seek to establish through interlocal agreements with SCRSWMD host fees to be paid to SCRSWMD in fashion and amount similar to the Host Fee established by the said Resolution 7 of 2011; and,

WHEREAS, the Board finds that it would be a positive incentive to pay to Republic the Incentive Fee authorized by this Resolution which will give Republic incentive to maximize the total tonnage of solid waste generated within Pulaski County Regional Solid Waste Management



District, and from within any other Regional Solid Waste Management District which may in the future cause the implementation by SCRSWMD of a host fee for waste from within said district, which is collected, transferred, transported or otherwise moved to SCRSWMD for the disposal of said waste at the Landfill, and therefore to maximize the Royalty payable by Republic to the District; and,

WHEREAS, the Incentive Fee will be fully funded by receipts of the Host Fee, so that payment of the Incentive Fee will be at no additional net cost to SCRSWMD; and,

WHEREAS, the Board finds that the net total revenue expected by the Board from all sources will be increased by the implementation of the said Incentive Fee;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: The Board should, and does hereby, establish an incentive fee payment (the "Incentive Fee") in the amount of One Dollar (\$1.00) per ton to be paid by the District to Republic for each ton of solid waste generated within Pulaski County Regional Solid Waste Management District which is collected, transferred, transported or otherwise moved to SCRSWMD for the disposal of said waste at the Landfill.

SECTION 2: The Board should, and does hereby, establish an incentive fee payment (the "Incentive Fee") in the amount of One Dollar (\$1.00) per ton to be paid by the District to Republic for each ton of solid waste generated within any Regional Solid Waste Management District with respect to which the SCRSWMD has then established a host fee by interlocal agreement and resolution, which waste is collected, transferred, transported or otherwise moved to SCRSWMD for the disposal of said waste at the Landfill.

SECTION 3: The Executive Director should be, and is hereby, required to establish procedures to do so, and to remit the Incentive Fee to Republic from time to time, and not less often than quarterly.

SECTION 4: The Executive Director should be, and is hereby, directed to report to the Board the status of the payment of the Incentive Fee as part of the Executive Director's regular financial reports rendered to the Board.

SECTION 5: The provisions of this Resolution are separable. If any section of this Resolution or any part thereof shall be deemed or found to be unenforceable generally or with respect to a particular circumstance, such determination shall not affect the validity or enforceability of the balance of this Resolution and with respect to all other circumstances.

SECTION 6: The immediate implementation of the Incentive Fee, with an effective date of November 1, 2011, by the District is in the best interest of the District, and this Resolution shall be effective and in force on and after its passage and approval by the Board.

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2012.



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JEFF AREY, CHAIRMAN

ATTEST:



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LANNY FITE, SECRETARY

## RESOLUTION NO. 1 OF 2013

### A RESOLUTION ADOPTING AND SETTING RATES FOR RECYCLING CERTAIN ELECTRIC LIGHT BULBS AT THE DISTRICT'S RECYCLING FACILITIES, AND FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management Board (hereafter, the "Board") is authorized and empowered by the Arkansas Code, and specifically by ACA § 8-6-704(a), to take the actions set out in this Resolution; and,

WHEREAS, Pursuant to public notice published in the Saline Courier, a newspaper of general circulation throughout the area covered by the Saline County Regional Solid Waste Management District (hereafter, the "District"), the Board conducted a public hearing on Wednesday January 16, 2013; and,

WHEREAS, At that public hearing, the Board received and considered comments from the public, members of the Board and other interested persons about setting new rates to be charged by the District for accepting certain electric light bulbs at the recycling facilities operated by the District; and,

WHEREAS, After due consideration of the results of the public meeting, and deliberation at its regular Board meeting, the Board has decided that taking the action set out herein is in the best interest of the

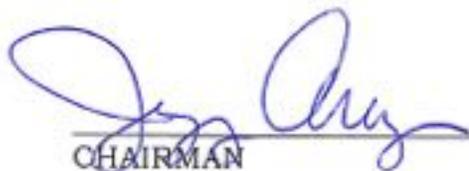
tendered for recycling or rate or charge to be applied pursuant to this Resolution.

SECTION 4: The provisions of this Resolution are separable, and if any section, phrase or provision of this Resolution shall be declared invalid, such declaration shall not affect the validity of the remaining portions of this Resolution, and they shall remain in full force and effect.

SECTION 5: All Resolutions of the Board and parts thereof in conflict with the provisions of this Resolution are, upon the effective date of this Resolution, repealed to the extent of such conflict, but not otherwise.

SECTION 6: The application of this Resolution and of the rates and fees set and specified herein shall be effective and in force on and after the date of its passage and approval.

PASSED AND APPROVED this \_\_\_\_\_ day of January, 2013.

  
CHAIRMAN

  
SECRETARY

## RESOLUTION NO. 1 OF 2015

A RESOLUTION ESTABLISHING A FEE OF FIVE DOLLARS (\$5.00) FOR THE ISSUANCE OF COUPONS IDENTIFYING HOUSEHOLDS AS ELIGIBLE FOR DISPOSAL ON UP TO TWO (2) DAYS PER YEAR OF HOUSEHOLD WASTE AT THE SARDIS ROAD LANDFILL WITHOUT PAYMENT OF GATE CHARGES OR TIPPING FEES; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management Board (hereafter, the "Board") is authorized and empowered by the Arkansas Code, and specifically by ACA § 8-6-704(a)(6), to take the actions set out in this Resolution; and,

WHEREAS, The Board has found that imminent peril to the public health, safety, or welfare exists requiring the immediate adoption of this resolution upon less than thirty (30) days' notice for the reasons stated below, and has therefore determined, to proceed with ten (10) days' prior notice and one public hearing, to adopt an emergency rule by the enactment of this resolution; and,

WHEREAS, Republic Services as operator of the only Class 1 landfill existing within the Saline County Regional Solid Waste Management District ("District") is obligated by contract with the District to provide to the District permission for each household located in the

District to have two (2) scheduled days per year for disposal of household waste without imposition of gate charges or tipping fees; and,

WHEREAS, The Board has found and determined that in order adequately to administer a program of providing coupons identifying the households which desire to take advantage of said two (2) days per year for disposal of household waste at the landfill it must charge a fee for the issuance of each coupon to cover the cost of the District resources required for that program; and,

WHEREAS, The Board has determined that beginning January 1, 2015, and until it might be later adjusted by the Board, a fee of Five Dollars (\$5.00) per coupon is appropriate, fair and reasonable for said purposes; and,

WHEREAS, Pursuant to ten (10) days' public notice given in accordance with ACA § 25-15-204 (1) the Board has conducted a Public Hearing on February 18, 2015, and has solicited comments from the public regarding the substance of this resolution; and,

WHEREAS, The Board has considered all public comment and other information presented to it and has determined that taking the action set out herein is in the best interest of the Saline County Regional Solid Waste Management District and is in the best interest of the persons and entities served by the District; and,

WHEREAS, Prior to the expiration of the emergency rule adopted by this resolution, the Board will consider, in accordance with the provisions of the Arkansas Administrative Procedures Act, adoption of a permanent rule to replace the emergency rule;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: *Coupon Fee Established.* Beginning January 1, 2015, the District shall charge a fee of Five Dollars (\$5.00) per household for the issuance of coupons to identify each household requesting the same as being eligible for two (2) days of disposal at the Republic Services Landfill located on Sardis Road, Bauxite, Arkansas.

SECTION 2: *Limitation on Coupons.* Each household located in the District shall be entitled to one (1) issuance of two (2) coupons per calendar year. Each coupon shall identify the household to which it is issued as eligible for one (1) admission to the Sardis Road Landfill for disposal of household waste. All unused coupons shall expire at the close of business at the Sardis Road Landfill on the last business day of the year for which the said coupons are issued.

SECTION 3: *Use of Funds.* All money paid to the District for the issuance of the said coupons shall be recorded, administered and used as operating funds of the District.



SECTION 4: *Reports.* The Executive Director shall report to the Board at least annually concerning the revenues raised and costs incurred for the issuance and administration of the coupons, and shall recommend to the Board such adjustments in the amount of the fee for the issuance of the coupons as may be from time to time appropriate.

SECTION 5: *Provisions Separable.* The provisions of this resolution are separable, and if any section, phrase or provision of this resolution shall be declared invalid, such declaration shall not affect the validity of the remaining portions of this resolution, and they shall remain in full force and effect.

SECTION 6: *Prior Inconsistent Resolutions Repealed.* All resolutions of the Board and parts thereof in conflict with the provisions of this resolution are, upon the effective date of this resolution, repealed to the extent of such conflict, but not otherwise.

SECTION 7: *Emergency Declared, Effective Date.* The issuance of the coupons and the collection of fees necessary to pay the cost of such issuance is necessary to identify households within the boundaries of the District as eligible for disposal of solid waste through the program described in this resolution, and without the same the said households would be denied the access to the said landfill provided herein. Therefore, an imminent peril to the public health, safety, or

welfare exists requiring the immediate adoption of this resolution and the immediate application of from and after January 1, 2015.

PASSED AND APPROVED this 18<sup>th</sup> day of February, 2015.



JIM ERWIN, CHAIRMAN



JEFF AREZ, SECRETARY

## RESOLUTION NO. 3 OF 2015

A RESOLUTION REPLACING RESOLUTION 1 OF 2015; ESTABLISHING A FEE OF FIVE DOLLARS (\$5.00) FOR THE ISSUANCE OF COUPONS IDENTIFYING HOUSEHOLDS AS ELIGIBLE FOR DISPOSAL ON UP TO TWO (2) DAYS PER YEAR OF HOUSEHOLD WASTE AT THE SARDIS ROAD LANDFILL WITHOUT PAYMENT OF GATE CHARGES OR TIPPING FEES; AND, FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management Board (hereafter, the "Board") is authorized and empowered by the Arkansas Code, and specifically by ACA § 8-6-704(a)(6), to take the actions set out in this Resolution; and,

WHEREAS, On February 18, 2015, the Board adopted its Resolution No.1 of 2015 as an Emergency Resolution which dealt with the subject matter of this Resolution and which was effective for 120 days beginning January 1, 2015, and the Board has determined a need to enact this Permanent Resolution to replace the said Resolution No. 1 of 2015 and to make permanent the program and fees established thereby; and,

WHEREAS, Republic Services as operator of the only Class 1 landfill existing within the Saline County Regional Solid Waste Management District ("District") is obligated by contract with the District to provide to the District permission for each household located in the

District to have two (2) scheduled days per year for disposal of household waste without imposition of gate charges or tipping fees; and,

WHEREAS, The Board has found and determined that in order adequately to administer a program of providing coupons identifying the households which desire to take advantage of said two (2) days per year for disposal of household waste at the landfill it must charge a fee for the issuance of such coupons to cover the cost of the District resources required for that program; and,

WHEREAS, The Board has determined that beginning on the effective date of this Resolution, and until it might be later adjusted by the Board, a fee of Five Dollars (\$5.00) per household for the issuance of two (2) coupons per year is appropriate, fair and reasonable to be charged to each household which applies for such coupons; and,

WHEREAS, Pursuant to thirty (30) days' public notice given in accordance with ACA § 25-15-204 the Board has conducted a Public Hearing on April 15, 2015, and has solicited comments from the public regarding the substance of this Resolution; and,

WHEREAS, The Board has considered all public comment and other information presented to it and has determined that taking the action set out herein is in the best interest of the Saline County Regional Solid Waste Management District and is in the best interest of the persons and entities served by the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: *Coupon Fee Established.* Beginning January 1, 2015, the District shall charge a fee of Five Dollars (\$5.00) per household for the issuance of coupons to identify each household requesting the same as being eligible for two (2) days of disposal at the Republic Services Landfill located on Sardis Road, Bauxite, Arkansas.

SECTION 2: *Limitation on Coupons.* Each household located in the District shall be entitled to one (1) issuance of two (2) coupons per calendar year. Each coupon shall identify the household to which it is issued as eligible for one (1) admission to the Sardis Road Landfill for disposal of household waste. All unused coupons shall expire at the close of business at the Sardis Road Landfill on the last business day of the year for which the said coupons are issued.

SECTION 3: *Use of Funds.* All money paid to the District for the issuance of the said coupons shall be recorded, administered and used as operating funds of the District.

SECTION 4: *Reports.* The Executive Director shall report to the Board at least annually concerning the revenues raised and costs incurred for the issuance and administration of the coupons, and shall recommend to the Board such adjustments in the amount of the fee for the issuance of the coupons as may be from time to time appropriate.

SECTION 5: *Provisions Separable.* The provisions of this resolution are separable, and if any section, phrase or provision of this resolution shall be declared invalid, such declaration shall not affect the validity of the remaining portions of this resolution, and they shall remain in full force and effect.

SECTION 6: *Resolution No. 1 of 2015 Replaced; Repealer.* This Resolution replaces Resolution No. 1 of 2015 which is hereby repealed. All other resolutions of the Board and parts thereof in conflict with the provisions of this resolution are, upon the effective date of this resolution, repealed to the extent of such conflict, but not otherwise.

SECTION 7: *Effective Date.* This Resolution shall be in full force and effect from and after its adoption.

PASSED AND APPROVED this 15<sup>th</sup> day of April, 2015.



JIM ERWIN, CHAIRMAN



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JEFF AREY, SECRETARY

**IDCO**

## RESOLUTION NO. 4 OF 2014

A RESOLUTION RECOGNIZING THE AUTHORITY OF THE DISTRICT'S ILLEGAL DUMP CONTROL OFFICER TO ENFORCE CERTAIN ENVIRONMENTAL LAWS AND REGULATIONS AND ESTABLISHING THE ENVIRONMENTAL CITATION AS THE RECORD OF THE ENFORCEMENT OF SAID LAWS AND REGULATIONS, AND FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management Board (hereafter, the "Board") is authorized and empowered by the Arkansas Code, and specifically by ACA § 8-6-704, to take the actions set out in this Resolution; and,

WHEREAS, the Board of Directors of the Saline County Regional Solid Waste Management District ("District") has established by its By-Law Section 3.01, that the District's purposes include the protection of the public health and the State's environmental quality; and,

WHEREAS, the District is authorized by ACA §§ 8-6-704, 8-6-711 and 8-6-712 to enforce by regulation or other legal means the lawful and proper collection and disposal of solid waste and to employ an Illegal Dumps Control Officer (IDCO) as defined by ACA § 8-6-503 which IDCO is empowered to ensure compliance with the provisions of the Litter Control Act and the Illegal Dump Eradication and Corrective Action Program; and,



WHEREAS, The Board has determined that taking the action set out herein is in the best interest of the Saline County Regional Solid Waste Management District and is in the best interest of the persons and entities served by the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: *IDCO Citation Book Adopted.* The Board accepts, approves and adopts the Environmental Citation form and book(s) which shall have been approved as legally sufficient from time to time by the Saline County Prosecuting Attorney's Office, and directs the usage, by the District's IDCO, of the then-most current Environmental Citation form and book(s) in the discharge of the duties of the IDCO.

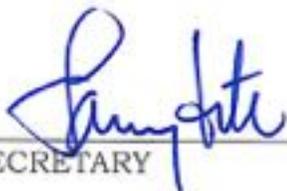
SECTION 2: *Additional IDCO Enforcement Duties Directed.* The Board authorizes, directs and empowers its IDCO to enforce ACA §§ 8-6-401 *et seq.*, The Arkansas "Litter Control Act" and ACA §§ 8-6-501 *et seq.*, the "Illegal Dump Eradication and Corrective Action Program Act."

SECTION 3. *Prior Conflicting Resolutions Repealed.* All Resolutions of the Board and parts thereof in conflict with the provisions of this Resolution are, upon the effective date of this Resolution, repealed to the extent of such conflict, but not otherwise.

SECTION 4: *Effective Date.* This Resolution is effective and in force from and after the date of its passage and approval.

PASSED AND APPROVED this 17 day of December, 2014.

  
CHAIRMAN

  
SECRETARY

# Needs Assessment

**SALINE COUNTY REGIONAL  
SOLID WASTE MANAGEMENT DISTRICT**

WHEREAS, the Saline County Regional Solid Waste Management Board has been established under Act 752 of 1991, and duly authorized by certain powers and duties to carry forth responsibilities, and

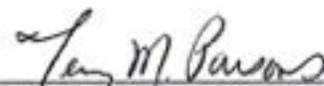
WHEREAS, the Arkansas Department of Pollution Control and Ecology regulations requires that each Regional Solid Waste Management District prepare and submit a Regional Needs Assessment and a Regional Solid Waste Management Plan, and

WHEREAS, the District has prepared and developed a Regional Needs Assessment and Regional Solid Waste Management Plan following the guidelines of the Arkansas Department of Pollution Control and Ecology, and

THEREFORE, BE IT RESOLVED, THAT THE BOARD OF DIRECTORS FOR THE SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT; hereby approves the Regional Needs Assessment and the Regional Solid Waste Management Plan, and hereby authorizes the Chairman to the submit the document to the Arkansas Department of Pollution Control and Ecology for their review and approval.

Dated this 27th day of September, 1994

Approved:   
Chairman

Attest:   
Vice Chairman

# Personnel Manual

## RESOLUTION NO. 1 OF 2012

A RESOLUTION ADOPTING A PERSONNEL POLICY MANUAL COVERING EMPLOYEES OF THE SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT; AND, FOR OTHER PURPOSES

WHEREAS, the Saline County Regional Solid Waste Management Board (the "Board") has before it a document entitled "Saline County Regional Solid Waste Management District Personnel Policy" (the "Personnel Manual;"), which is comprised of sixty-three (63) typewritten pages including a cover page with each numbered page bearing the heading "Saline County Regions Solid Waste Management District Personnel Policy Created 12-1-2011;" and,

WHEREAS, the Board has found and determined that approval and adoption of the Personnel Manual is in the best interest of the Saline County Regional Solid Waste Management District (the "District") and is in the best interest of the employees of the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

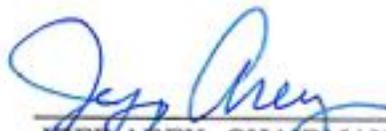
SECTION 1: The Board should, and does hereby, approve and adopt the Personnel Manual in the form and substance of the copy of the same which is before the Board, and the Board should and does incorporate the same by reference into this Resolution as if set out line for line and word for word.

SECTION 2: The Executive Director should be, and is hereby, required to ensure that a copy of the Personnel Manual is delivered to each current employee of the District upon the adoption of this Resolution, and that a copy of the Personnel Manual is delivered to each new employee thereafter upon the date of hire of each employee hired subsequent to the adoption of this Resolution.

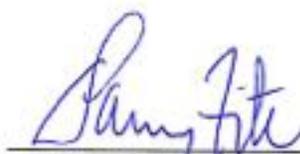
SECTION 3: The Executive Director should be, and is hereby, required to maintain a minimum of three (3) copies of the Personnel Manual at the Office of the District which copies shall be available for public inspection during the regular business office hours of the District.

SECTION 4: The immediate adoption of the Personnel Manual by the District is in the best interest of the District, and this Resolution shall be effective and in force on and after its passage and approval by the Board.

PASSED AND APPROVED this 18<sup>th</sup> day of January, 2012.

  
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JEFF AREY, CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
LANNY FITE, SECRETARY

## RESOLUTION NO. 3 OF 2014

A RESOLUTION ADDING A SECTION CONCERNING THE USE OF OFFICE CREDIT CARDS TO THE PERSONNEL POLICY OF THE DISTRICT, AND FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management Board (hereafter, the "Board") is authorized and empowered by the Arkansas Code, and specifically by ACA § 8-6-704, to take the actions set out in this Resolution; and,

WHEREAS, The Board has previously adopted the "Saline County Regional Solid Waste Management District Personnel Policy" with an effective date of December 1, 2011 (the "HR Policy"); and,

WHEREAS, The Executive Director has requested that the Board adopt an additional section to the HR Policy in the form and substance of the document attached to and incorporated into this Resolution; and,

WHEREAS, The Board has decided that taking the action set out herein is in the best interest of the Saline County Regional Solid Waste Management District and is in the best interest of the persons and entities served by the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1:        *Section 51 Adopted.* "Section 51 Use of Office Credit Cards" in the form and substance of the document attached to



and incorporated into this Resolution is hereby approved and adopted by the Board, and the said Section 51 is hereby added to the HR Policy.

SECTION 2: *Prior Conflicting Resolutions Repealed.* All Resolutions of the Board and parts thereof in conflict with the provisions of this Resolution are, upon the effective date of this Resolution, repealed to the extent of such conflict, but not otherwise.

SECTION 3: *Effective Date.* This Resolution is effective and in force from and after the date of its passage and approval.

PASSED AND APPROVED this 24<sup>th</sup> day of September, 2014.

  
CHAIRMAN

  
SECRETARY

## RESOLUTION NO. 2 OF 2015

### A RESOLUTION ADDING A SECTION CONCERNING EMPLOYEE TRAVEL EXPENSES TO THE PERSONNEL POLICY OF THE DISTRICT, AND FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management Board (hereafter, the "Board") is authorized and empowered by the Arkansas Code, and specifically by ACA § 8-6-704, to take the actions set out in this Resolution; and,

WHEREAS, The Board has previously adopted the "Saline County Regional Solid Waste Management District Personnel Policy" with an effective date of December 1, 2011 (the "HR Policy"); and,

WHEREAS, The Executive Director has requested that the Board adopt an additional section to the HR Policy in the form and substance of the document attached to and incorporated into this Resolution; and,

WHEREAS, The Board has decided that taking the action set out herein is in the best interest of the Saline County Regional Solid Waste Management District and is in the best interest of the persons and entities served by the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1:        *Section 47 Adopted.* "Section 47 Employee Travel Expense and Alcohol Policy" in the form and substance of the document

attached to and incorporated into this Resolution is hereby approved and adopted by the Board, and the said Section 47 is hereby added to the HR Policy.

SECTION 2: *Prior Conflicting Resolutions Repealed.* All Resolutions of the Board and parts thereof in conflict with the provisions of this Resolution are, upon the effective date of this Resolution, repealed to the extent of such conflict, but not otherwise.

SECTION 3: *Effective Date.* This Resolution is effective and in force from and after the date of its passage and approval.

PASSED AND APPROVED this 18<sup>th</sup> day of March, 2015.



CHAIRMAN



SECRETARY

# Professional Organizations

**SALINE COUNTY REGIONAL  
SOLID WASTE MANAGEMENT DISTRICT**

WHEREAS; The Saline County Regional Solid Waste Management Board has been established under ACT 752 of 1991, and duly authorized certain powers and duties to carry forth the responsibilities, and

WHEREAS; The Saline County Regional Solid Waste Management Board governs the Saline County Regional Solid Waste Management District which includes Saline County and all the incorporated municipalities within, and

WHEREAS; The Regional Solid Waste Management Districts in the State of Arkansas formed an Association of the Regional Solid Waste Management Districts, and

WHEREAS; The Arkansas Association of the Regional Solid Waste Management Districts was established to further the mutual interest of the Regional Solid Waste Management Districts, now

THEREFORE, BE IT RESOLVED, THAT THE SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT BOARD elects to be a member of the Arkansas Association of the Regional Solid Waste Management Districts.

Dated the 9<sup>th</sup> day of NOVEMBER, 1994.

Approved: *Roy Bishop*  
Chairman

Attest: *Les M Parsons*  
Vice Chairman

# Real Property

## RESOLUTION NO. 6 OF 2011

A RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN REAL ESTATE, APPROVING AND ACCEPTING A CONTRACT FOR SAID PURCHASE; AND, FOR OTHER PURPOSES

WHEREAS, the Saline County Regional Solid Waste Management Board (the "Board") has before it a proposed "Memorandum of Intent for Sale and Purchase of Real Estate" (the "Agreement"); and,

WHEREAS, the Board has found and determined that approval of and entry into the Agreement is in the best interest of the Saline County Regional Solid Waste Management District (the "District") and is in the best interest of the citizens residing within the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: The Board should, and does hereby, accept and approve the Agreement in the form and substance of the copy of the same which is attached to, and made a part of, this Resolution. Specifically, and subject to the approval of the Governor, the District should be, and is hereby, authorized to purchase from W. Wilson Jones the Land described in the Agreement for the Purchase Price of Sixty-Five Thousand and no/100 Dollars (\$65,000.00) payable in cash at closing.

SECTION 2: The Land is necessary or desirable for the purpose of control, collection, removal, reduction, disposal, treatment, or other handling of solid waste.

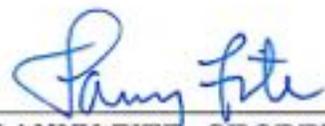
SECTION 3: The Chairman of the Board is authorized and directed to execute the Agreement on behalf of the District, and is further authorized and directed to execute such other documents incidental to the Agreement as may be convenient or necessary or reasonably requested by the other party to the Agreement to seek the Governor's approval of the purchase of the said real estate and to put the Agreement into force and effect.

SECTION 4: The immediate entry of the District into the Agreement is in the best interest of the District, and this Resolution shall be effective and in force on and after its passage and approval by the Board.

PASSED AND APPROVED this 16<sup>th</sup> day of November, 2011.

  
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JEFF AREY, CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
LANNY FITE, SECRETARY



MEMORANDUM OF INTENT  
FOR SALE AND PURCHASE OF REAL ESTATE

This Memorandum of Intent for Sale and Purchase of Real Estate ("Agreement") made and entered into this 29 day of November, 2011, by and between W. Wilson Jones, (the "Seller") and the Saline County Regional Solid Waste Management District(the "Purchaser").

WHEREAS, Seller desires to sell and Purchaser desires to purchase that certain real estate lying and situate in Saline County, Arkansas, hereafter referred to as the "Land" and more particularly described as:

Lots 14,15, 16, 17, 18, and 19, Block 2, Owosso Addition to the City of Benton, Saline County, Arkansas,

upon the terms and conditions set out in this Agreement; and,

WHEREAS, Purchaser has determined that the Land is necessary or desirable for the purpose of control, collection, removal, reduction, disposal, treatment, or other handling of solid waste; and,

WHEREAS, Purchaser is a "state agency" of the State of Arkansas, duly authorized by Arkansas Code Annotated § 8-6-711(a) to acquire and own the Land for the purposes aforesaid; and,

WHEREAS, Purchaser has caused the Land to be appraised by Travis Yingling, who is a licensed appraiser possessing and demonstrating the qualifications required by Arkansas Code Annotated § 22-6-601(c)(2), and the resulting appraisal report has shown the fair market value of the land to be \$65,000.00 (the "Purchase Price"); and,

WHEREAS, the purchase contemplated by this Agreement is subject to the approvals and procedure set forth in Arkansas Code Annotated § 22-6-601,

NOW THEREFORE, the Seller and Purchaser, for and in consideration of the mutual covenants herein made and accepted agree as follows:

1. *Sale and Purchase.* Subject to the approval of the Governor, Seller will sell to Purchaser, and Purchaser will buy from Seller the Land for

the Purchase Price of Sixty-Five Thousand and no/ 100 Dollars (\$65,000.00) payable in cash at closing. If this Agreement is not approved by the Governor, it shall be null, void and of no effect. Otherwise, it shall be fully binding on the Seller and Purchaser.

2. *Title Documents.* Seller shall furnish, at Purchaser's cost, an owner's policy of title insurance in the amount of the purchase price, and shall convey the Land to "State of Arkansas for the use and benefit of the Saline County Regional Solid Waste Management District" by general warranty deed in fee simple absolute, subject to recorded instruments and easements, if any.

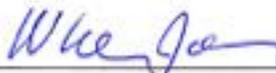
3. *Closing.* Closing is the date on which Seller delivers the executed and acknowledged deed. The agreed Purchase Price shall be paid, in cash, at the closing by the Purchaser to the Seller. Purchaser will pay all closing costs in connection with this transaction.

4. *Taxes.* All taxes for prior years will be paid by the Seller at or prior to the closing date. Taxes for the year in which the closing occurs shall be prorated by the parties to the date of closing by an adjustment in the amount of cash to be paid from the Purchaser to the Seller.

5. *No Representations.* Purchaser is buying the Land "as is, where is" and is not relying upon any representation of Seller as to the condition of the Land.

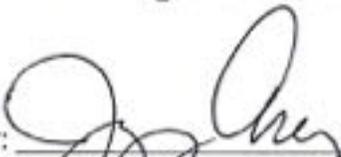
EXECUTED as of the date first mentioned above.

SELLER

  
\_\_\_\_\_  
W. WILSON JONES

PURCHASER

Saline County Regional Solid  
Waste Management District

By:   
\_\_\_\_\_  
JEFF ARBY, CHAIRMAN

# **Waste Haulers**

## RESOLUTION NO. 2 OF 2014

A RESOLUTION STATING REQUIREMENTS FOR WASTE HAULER LICENSES AND VEHICLE PERMITS AND REGULATIONS APPLICABLE TO WASTE HAULERS OPERATING WITHIN THE SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT, AND FOR OTHER PURPOSES

WHEREAS, The Saline County Regional Solid Waste Management Board (hereafter, the "Board") is authorized and empowered by the Arkansas Code, and specifically by ACA § 8-6-721 and ACA § 25-15-204, to take the actions set out in this Resolution; and,

WHEREAS, The Executive Director of the Saline County Regional Solid Waste Management District (hereafter, the "District") mailed a statement of the terms or substance of the intended action to all persons who have requested advance notice of rule-making proceedings and to all persons known to the District to be directly affected by action taken by this Resolution; and,

WHEREAS, The Board conducted a public hearing on Wednesday, July 16, 2014, and, pursuant to public notice published for three (3) consecutive days in the Saline Courier, a daily newspaper of general circulation throughout the area covered by the District and additionally published by the Secretary of State on the Internet for thirty (30) days

under Arkansas Code Annotated § 25-15-218, conducted public hearings on Wednesday, August 20, 2014, and on Wednesday, September 24, 2014; and,

WHEREAS, At those public hearings and throughout the period of public comment which began at the date stated above of the first publication the Board received and considered comments from the public, members of the Board and other interested persons about the adoption of proposed regulations governing the issuance of Waste Hauler Licenses and Vehicle Permits and the Operations of Waste Haulers Operating Within the District; and,

WHEREAS, After due consideration of the results of the public hearing, and deliberation at its regular Board meeting, the Board has decided that taking the action set out herein is in the best interest of the Saline County Regional Solid Waste Management District and is in the best interest of the persons and entities served by the District;

NOW, THEREFORE, BE IT RESOLVED by the Saline County Regional Solid Waste Management District, that:

SECTION 1: *Solid Waste Hauler License Required.* Any person, partnership, corporation, association or other entity listed in ACA § 8-6-721(b)(1) which is engaged in the business of collection of solid waste within the District or which is engaged in the business of

transportation of solid waste for disposal or storage within the District shall first obtain a license from the District, and shall keep that license in good standing throughout the conduct of such business.

SECTION 2: *Compliance With ADEQ Standards Required.* All solid waste haulers licensed by the District shall comply with the minimum standards to haul solid waste promulgated by the Arkansas Pollution Control and Ecology Commission and with the requirements of this Resolution.

SECTION 3: *Annual Issuance of Solid Waste Hauler License and Vehicle Permits.* The Executive Director of the District shall issue solid waste hauler licenses and vehicle permits annually for each calendar year. Initial solid waste hauler licenses and vehicle permits must be obtained prior to the applicant beginning business, and renewal solid waste hauler licenses and vehicle permits must be obtained prior to December 31 of the year preceding the year for which they are issued. All solid waste hauler licenses and vehicle permits will expire on December 31 of the year for which they are issued. Solid waste hauler licenses and vehicle permits are non-transferrable.

SECTION 4: *Solid Waste Hauler Operational Requirements.* All collection and transportation systems shall meet the conditions outlined below:

- a. Solid waste shall be collected and transported so as to prevent

public health hazards, environmental hazards, safety hazards and nuisances.

b. Collection and transportation vehicles shall be kept in good working order and in a sanitary condition.

c. Every hauler must display the one-year decal given at the time of permitting on the driver side of the hauling vehicle.

d. All solid waste collected and transported in the District must be covered to prevent littering on highways and roadways. While a vehicle is moving short distances between pickups, the tarp may be left partially open so long as no solid waste is allowed to be blown, dropped, spilled or otherwise discharged from the vehicle. At all other times, the tarp shall be securely fastened, covering the entire contents of the vehicle.

e. Yard waste must NOT be mixed with residential or commercial waste.

f. All drivers shall have the appropriate license for each vehicle they will operate according to State law.

SECTION 5: *Vehicle Inspection Requirements.* All vehicles shall comply with the following at all times:

a. Open top trucks must have a tarp and straps.

b. No "open air" side boards or tailgates (all front panels side

boards, tailgates surrounding the solid waste being transported must be fully enclosed/solid).

c. All lights must be operational.

d. Each vehicle shall have an operational fire extinguisher.

e. Each vehicle shall have Safety flares and/or Reflective triangles.

f. Each vehicle shall have Motor Vehicle Lettering on doors or packer bed which lettering shall comply with C.F.R. § 390.21, and which shall include:

i. Name of business on each side of motor vehicle.

ii. Phone number on each side of motor vehicle.

iii. City and state And zip code of home office on each side of motor vehicle.

iv. Lettering size must be a minimum of 2 inches in size.

v. Lettering must be a contrast color from the base color of the motor vehicle.

g. Proof of current vehicle registration and current liability insurance coverage shall be kept in the vehicle at all times.

h. All vehicles which are engaged in the business of collection of solid waste within the District or which are engaged in the business of transportation of solid waste for disposal or storage within the District are subject to being reinspected for continuing



compliance at any time or place by the Executive Director or his designated representative.

SECTION 6: *Fees.* Each applicant shall pay an application fee for vehicles of 1 ton or less of \$25.00 per vehicle and for vehicles larger than 1 ton of \$50.00 per vehicle. Application fees are not pro-rated. An applicant for initial solid waste hauler licenses and/or vehicle permits shall pay the full-year fee regardless of when during a calendar year the license and/or vehicle permit is issued.

SECTION 7: *Application Procedure.* The Executive Director shall promulgate and make available to applicants such forms as the Executive Director may determine are convenient and necessary for the completion of the annual application process. Applicants will complete and submit their forms and application fee payment to the Executive Director along with the following documentation:

- a. Proof of Insurance.
- b. City of Benton business privilege license or reciprocal license for operation inside the city limits of Benton.
- c. City of Bryant Solid Waste Permit for operation inside the city limits of Bryant.
- d. Current "Letter of Good Standing" from the Arkansas Department of Finance and Administration showing that the

licensee is properly qualified to collect Arkansas sales and use taxes and that licensee has properly reported and remitted all sales and use taxes.

After submitting the application, the applicant shall coordinate with the Executive Director or his designee to schedule a time for a visual inspection of all vehicles for which a vehicle permit is requested. All vehicles must be presented for inspection by the District at the location specified by the Executive Director. The Executive Director may allow one reinspection within thirty days of any vehicle which fails its initial inspection.

SECTION 8: *Violations.* The making of any material misrepresentation in connection with an application for solid waste hauler licenses or vehicle permits or the failure to comply with any of the provisions of this Resolution shall be a violation of a regulation of a regional solid waste management board within the meaning of ACA § 8-6-722 and shall be punished accordingly.

SECTION 9: *Provisions separable.* The provisions of this Resolution are separable, and if any section, phrase or provision of this Resolution shall be declared invalid, such declaration shall not affect the validity of the remaining portions of this Resolution, and they shall remain in full force and effect.

SECTION 10: *Conflicting Resolutions and Regulations Repealed.* All Resolutions of the Board and parts thereof in conflict with the provisions of this Resolution are, upon the effective date of this Resolution, repealed to the extent of such conflict, but not otherwise.

SECTION 11: *Effective Dates.* This Resolution is effective and in force from and after the date of its passage and approval and the Regulations adopted hereby governing the issuance of Waste Hauler Licenses and Vehicle Permits and the Operations of Waste Haulers Operating Within the District shall be effective and in force on and after January 1, 2015.

PASSED AND APPROVED this 15 day of October, 2014.

  
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SECRETARY

  
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CHAIRMAN