

AGENDA
LAWRENCE COUNTY BOARD OF COMMISSIONERS
SPECIAL SESSION
SEPTEMBER 5, 2000
5:00 P.M.

CALL TO ORDER BY CHAIRMAN

ROLL CALL

INVOCATION

PLEDGE

SPECIAL CALL RESOLUTIONS TO BE ACTED UPON:

- 1. RESOLUTION #01090500**
Resolution authorizing adoption of a solid waste disposal fee and monetary penalties to be added to delinquent solid waste disposal accounts. (Sponsored by Community Development Committee)
- 2. RESOLUTION #02090500**
Resolution giving authority to the County Attorney to pursue a new trial in Lawrence County V. Daniels, ET AL and to pursue an appeal and giving authority to obtain additional counsel to the County Executive

APPROVED:

STEVE HILL, COUNTY EXECUTIVE

ATTEST:

KENNETH WEATHERS, COUNTY CLERK

COUNTY COMMISSION, LAWRENCE COUNTY
KENNETH WEATHERS COUNTY CLERK

RESOLUTION #	CALL TO ORDER STEVE HILL ROLL CALL KENNETH WEATHERS INVOCATION JERRY DRYDEN PLEDGE TO THE FLAG BOB MOORE	MOTION	SECOND	AYE	NAY	PASS	PRESENT	ABSENT
	SPECIAL CALL TO BE READ BY THE CLERK							
9th District	762-3716							
BAILEY, JACKIE	411 6th St. Lawrenceburg, Th.						X	
7th District	829-2358						X	
BENEFIELD, Ronald	91 Benefield Ln. Ethridge, Th.						X	
5th District	762 5501						X	
BRAZIER, OLAN	175 Reed Patch Rd. Lawrenceburg						X	
9th District	762 3167						X	
BUIE, JIM	508 8th St. Lawrenceburg, TN.						X	
6th District	964 3404						X	
BURNS, FRANKLIN	383 L'burg Henryville, Ethridge						X	
3rd District	852 2211 762 1531						X	
DOSS, BARRY	66 Shoaly Br. Rd. Leoma.						X	
4th District	762 7118						X	
DRYDEN, JERRY	12 Ingran Rd. Leoma						X	
1st District	852 2899						X	
GABEL, JIM	2773 Hwy 43 PO Box 176 Leoma						X	
3rd District	852 2221 762 1016						X	
GOWEN, JIM	114 Richardson Rd. Leoma						X	
2nd District	853 6709						X	
GREEN, ROBERT L.	404 N Military PO Bx 224 Loretto						X	
2nd District	853 7221 766 1500						X	
MOORE, BOB	11 Samuel Ln. Loretto, Th.						X	
5th District	762 5501						X	
MOORE, W. T.	305 Pond Field Rd. West Point						X	
4th District	762 8078 762 3217						X	
NIEDERGESES, MARK	4202 Marie Ln., Lawrenceburg.						X	
6th District	762 8007						X	
PERRY, TIM	1136 Ethridge Red Hill Rd. Ethridge						X	
1st District	852 2870						X	
SHANNON, KEVIN	2757 Hwy 43 S. Leoma						X	
7th District	829 2490						X	
TURNER, HENRY	37 Mint Spring Rd. Ethridge						X	
8th District	766 1040						X	
WOODALL, GLENN E.	1401 Hart Ave. Lawrenceburg						X	
8th District	762 7419						X	
WRAY, JOE R.	1403 Beckham Lawrenceburg,						X	
Total present Sixteen (16)								
Total absent Two (2)								

Thereupon the County Executive declared a quorum, and the following was had to wit:

Motion by Barry Doss, second by Jim Gowen that this meeting be in adjournment.

DATE Sept 5, 2000

RESOLUTION # 01090500

RESOLUTION ADOPTING ADOPTION OF A SOLID WASTE DISPOSAL FEE AND MONETARY PENALTIES TO BE ADDED TO DELINQUENT SOLID WASTE DISPOSAL ACCOUNTS

WHEREAS, Lawrence County must fund an efficient and adequate system of solid waste disposal which complies with all federal and state law; and

WHEREAS, the legislative body of Lawrence County desires to fund solid waste disposal for the benefit of all Lawrence County citizens in a manner which is fair to all concerned; and

WHEREAS, the following schedule of a solid waste disposal fees has been proposed:

- I. Residences
 - A. Residents who apply to the Solid Waste Collection Office and qualify for property tax relief, due to low income _____ per year
 - B. Unoccupied residences upon yearly proof of no occupancy to the Solid Waste Collection Office exempt \$25.00 per year
- II. Churches, Volunteer Fire Departments, Community Clubs (if no dumpsters) exempt
- III. Uninhabitable buildings, barns, grain bins exempt
- IV. Commercial facilities and Churches which use dumpsters See chart

COMMERCIAL RATES

Dumpster size	Number of pickups per week	Charge
No dumpster	1	11.50
No dumpster	2	17.00
3 YD	1	13.00
3 YD	2	26.00
3 YD	3	39.00
3 YD	4	52.00
3 YD	5	65.00
4 YD	1	17.33
4 YD	2	34.67
4 YD	3	52.00

Dumpster size	Number of pickups per week	Charge
6 YD	1	26.00
6 YD	2	52.00
6 YD	3	78.00
6 YD	4	104.00
6 YD	5	130.00
8 YD	1	34.67
8 YD	2	69.33
8 YD	3	104.00
8 YD	4	138.67

- A. Commercial locations sharing a dumpster will be billed at the rate equal to the dumpster rate divided by number of users, with the minimum bill per user being \$11.50 per month.
- B. Business located in residences or on same property within 300' if residence will be billed at applicable commercial rate less the amount applicable for one residence.
- C. Part-time businesses whose gross receipts are less than \$5,000.00 per year are exempt upon proof of gross receipts.
- D. County government offices are exempt.

WHEREAS, Tennessee Code Annotated §5-1-121 empowers counties to establish a monetary penalty not to exceed five hundred (\$500.00) for each violation of a rule or regulation that the county legislative body is authorized to adopt; and

WHEREAS, the delinquency date for nonpayment should be thirty (30) days from the monthly due date or thirty (30) days after the yearly due date, whichever the case may be.

NOW, THEREFORE, BE IT RESOLVED by the legislative body of Lawrence County meeting in special session this 5th day of September, 2000 that:

SECTION 1. The fees set out above are hereby adopted and are to be effective _____, due and payable on or before _____.

SECTION 2. The solid waste disposal fee shall be collected under the direction of the county executive, or the county executive's designee. These revenues shall be deposited in the county solid waste management fund, which shall be a special revenue fund segregated from the general fund, and shall be used only for solid waste collection and disposal purposes, including

recycling.

SECTION 3. Any payment which is not made within ___ days of the due date on the payment schedule is delinquent. In order to aid in the collection of delinquent solid waste disposal fees, the county attorney or other attorney designated by the county executive is authorized to file a civil suit for the collection of the debt owed to the County.

SECTION 4. Pursuant to Tennessee Code Annotated §5-1-121, a monetary penalty is hereby established for each delinquency, the amount of the penalty to be determined by the chart below:

Delinquency of ten (10) to thirty (30) days	\$25.00
Delinquency of thirty-one (31) to sixty (60) days	\$50.00
Delinquency of sixty-one (61) to ninety (90) days	\$75.00
Delinquency of ninety-one (91) to one hundred twenty (120) days	\$100.00
Delinquency over one hundred twenty (120) days	\$500.00

Revenues generated from these penalties shall be deposited in the county solid waste management fund, and used to offset the costs of collection and for solid waste disposal purposes.

Adopted this 5th day of September, 2000.

APPROVED:

ATTEST:

STEVE HILL, COUNTY EXECUTIVE

KENNETH WEATHERS
COUNTY COURT CLERK

RESOLUTION #02090500

**RESOLUTION GIVING AUTHORITY TO THE COUNTY ATTORNEY TO
PURSUE A NEW TRIAL IN LAWRENCE COUNTY V. DANIELS, ETAL
AND TO PURSUE AN APPEAL AND GIVING AUTHORITY TO OBTAIN
ADDITIONAL COUNSEL TO THE COUNTY EXECUTIVE**

COUNTY COMMISSION, LAWRENCE COUNTY
KENNETH WEATHERS COUNTY CLERK

RESOLUTION #	ADJOURNMENT	MOTION	SECOND	AYE	NAY	PASS	PRESENT	ABSENT
9th District	762-3716							
BAILEY, JACKIE	411 6th St. Lawrenceburg, Tn.			X				
7th District	829-2358			X				
BENEFIELD, Ronald	91 Benefield Ln. Ethridge, Tn.			X				
5th District	762 5501			X				
BRAZIER, OLAN	175 Reed Patch Rd. Lawrenceburg			X				
9th District	762 3167			X				
BUIE, JIM	508 8th St. Lawrenceburg, TN.			X				
6th District	964 3404			X				
BURNS, FRANKLIN	383 L'burg Henryville, Ethridge			X				
3rd District	852 2211 762 1531	X		X				
DOSS, BARRY	66 Shoally Br. Rd. Leoma.			X				
4th District	762 7118			X				
DRYDEN, JERRY	12 Ingran Rd. Leoma			X				
1st District	852 2899			X				
GABEL, JIM	2773 Hwy 43 PO Box 176 Leoma			X				
3rd District	852 2221 762 1016	X		X				
GOWEN, JIM	114 Richardson Rd. Leoma			X				
2nd District	853 6709			X				
GREEN, ROBERT L.	404 N Military PO Bx 224 Loretto			X				
2nd District	853 7221 766 1500			X				
MOORE, BOB	11 Samuel Ln. Loretto, Tn.			X				
5th District	762 5501						X	
MOORE, W. T.	305 Pond Field Rd. West Point						X	
4th District	762 8078 762 3217						X	
NIEDERGESSES, MARK	4202 Marie Ln., Lawrenceburg.						X	
6th District	762 8007			X				
PERRY, TIM	1136 Ethridge Red Hill Rd. Ethridge			X				
1st District	852 2870			X				
SHANNON, KEVIN	2757 Hwy 43 S. Leoma			X				
7th District	829 2490			X				
TURNER, HENRY	37 Mint Spring Rd. Ethridge			X				
8th District	766 1040			X				
WOODALL, GLENN E.	1401 Hart Ave. Lawrenceburg			X				
8th District	762 7419			X				
WRAY, JOE R.	1403 Beckham Lawrenceburg,			X				
				16				

Motion to adjourn carried by a roll call vote.

Thereupon the County Executive declared that this meeting be in adjournment.