



## RESOLUTION 2011-14

### **A RESOLUTION OF THE BOSTON MOUNTAIN SOLID WASTE MANAGEMENT DISTRICT BOARD APPROVING THE SETTLEMENT OF A LAWSUIT BETWEEN ROLL OFF SERVICES, INC., AND THE BOSTON MOUNTAIN SOLID WASTE MANAGEMENT DISTRICT.**

**Whereas,** Roll Off Services, Inc., a hauler in the Boston Mountain Solid Waste Management District, filed a lawsuit in 2010, against Boston Mountain in the Circuit Court of Washington County, Arkansas, Case No. CV 10-290-5 over Waste Assessment Fees, and;

**Whereas,** The Circuit Court declared the above referenced solid waste assessment fees to be illegal and beyond the scope of the statutory authority upon Boston Mountain; and,

**Whereas,** Both parties in the legal action have agreed to settle the lawsuit.


#### **Now: Therefore be it Resolved:**

**Section 1:** The Boston Mountain Solid Waste District has settled the legal action and has signed an agreement with Roll Off Services., Inc., under the advice of both party's legal representation.

**Section 2:** Director Maylon Rice, with prior approval of a vote of the Boston Mountain Solid Waste District board, has signed the agreement as well as Tom Smith of Roll Off Services, thus ending this litigation.

**Adopted by a vote of the board, this date:** 19<sup>th</sup> May 2011

  
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Larry Oelrich, Chairman

  
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Judge Marilyn Edwards, Vice Chair