

RESOLUTION NUMBER 77
BEATRICE AREA SOLID WASTE AGENCY

WHEREAS, the Board of Directors of the Beatrice Area Solid Waste Agency, a joint entity created pursuant to Section 13-801 to 13-827, R.R.S. Neb. 1943 (“Agency”), entered into a lease with the City of Beatrice, Nebraska for certain real estate to be used as a solid waste disposal facility; and

WHEREAS, the Agency further entered into Service Agreements with certain governmental entities located within Gage County, Nebraska whereby the Agency agreed to provide access to such solid waste disposal facility upon the payment of certain fees by the contracting governmental entities, resident generators, and haulers who use such solid waste disposal facility; and

WHEREAS, the Board of Directors desires to establish the rates and charges that apply to the use of the solid waste disposal facility, effective March 31, 2025; and

WHEREAS, the Agency has entered into a Management Agreement with the City of Beatrice, Nebraska, a municipal corporation, for the management of the Agency’s solid waste disposal facility, and the City of Beatrice shall collect all fees described herein and will adjust such rates from time to time as the City deems appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BEATRICE AREA SOLID WASTE AGENCY, A JOINT ENTITY:

SECTION 1. Annual Fee: That the annual fees to be paid by the governmental entities with whom the Beatrice Area Solid Waste Agency has entered into Service Agreements for the privilege of their residents being allowed to deposit solid waste at the Agency’s solid waste disposal facility shall be computed by multiplying the number of inhabitants in the respective governmental entity’s jurisdiction according to the latest Federal census by the per person charge of four dollars and fifty cents (\$4.50). The annual fee for each governmental entity that has entered into a Service Agreement with the Agency as of the date of this Resolution is set forth on Exhibit “A”, attached hereto and incorporated herein by this reference. Additional governmental entities that may enter Service Agreements with the Agency shall have their annual fee calculated in accordance with the formula set forth in this section.

SECTION 2. Definitions: That as used in this resolution, the terms below shall be defined as follows:

- (a) Solid waste jurisdiction area shall mean:
 - (1) If the governmental entity is a county: All areas of a county not located within the corporate limits of a municipality.
 - (2) If the governmental entity is a municipality: All the incorporated areas of the city or of the village.

- (b) Commercial Hauler shall mean a company or individual whose primary job is the removal of garbage, refuse, or rubbish from another's residence or business for a fee. The removal of garbage, refuse, or rubbish from another's residence or business that is accessorially or a byproduct of another service shall not qualify as a commercial hauler.
- (c) Residential household shall mean a single-family dwelling unit, a unit of a duplex, a unit of a multiunit dwelling, a mobile home, single units of condominiums or townhouses, and any other residential living unit.
- (d) Special wastes shall be those wastes requiring special handling or distinct processing to accommodate disposal.

SECTION 3. Commercial Hauler: That the solid waste disposal facility fee charged to a Commercial Hauler for any garbage, refuse, or rubbish collected from any residence, business, commercial, institutional, or industrial establishments, shall be \$52.00 per ton with a minimum charge of \$52.00. All loads shall be charged \$52.00/ton for each ton and portion of a ton.

Example: Load weighs 3,000 will be charged \$78.00. 1.5 tons * \$52.00/ton.

The fees set forth in this section include the tipping fee established by the Nebraska Department of Environment and Energy.

SECTION 4. Non-Commercial: That the solid waste disposal facility fee charged to a non-Commercial Hauler for any garbage, refuse, or rubbish collected from any residential, commercial, institutional, or industrial establishments located within the solid waste jurisdiction area of a governmental entity with whom the Agency has entered into a written Service Agreement shall be as follows:

0 – 199 lbs	\$22.00
200 – 499 lbs	\$32.00
500 – 1,999 lbs	\$42.00
2,000+ lbs.....	\$52.00

For loads weighing 2,000+ lbs shall be charged \$52.00/ton for each ton and portion of a ton.

Example: Load weighs 3,000 will be charged \$78.00. 1.5 tons * \$52.00/ton.

The fees set forth in this section include the tipping fee established by the Nebraska Department of Environment and Energy.

SECTION 5. Compacted Loads: Establishments using a dumpster or a roll-off container that contains material that is compacted using a mechanical compacting device shall pay \$14.00 per cubic yard of container space per collection.

The fees set forth in this section exclude the tipping fee established by the Nebraska Department of Environment and Energy.

SECTION 6. In Gage County Roll-off Containers: That the solid waste disposal facility fee charged to a Commercial Hauler for any roll-off container collected from any residence, business, commercial, institutional, or industrial establishments located inside Gage County shall be \$7.00 per cubic yard of container space.

The fees set forth in this section include the tipping fee established by the Nebraska Department of Environment and Energy.

SECTION 6. Out of Gage County Roll-off Containers: That the solid waste disposal facility fee charged to a Commercial Hauler for any roll-off container collected from any residence, business, commercial, institutional, or industrial establishments located outside Gage County shall be \$52.00 per ton with a minimum charge of \$52.00. All loads shall be charged \$52.00/ton for each ton and portion of a ton.

Example: Load weighs 3,000 will be charged \$78.00. 1.5 tons times * \$52.00/ton.

The fees set forth in this section include the tipping fee established by the Nebraska Department of Environment and Energy.

SECTION 7. Construction and Demolition (C & D): Any person or company depositing Construction & Demolition waste in the Agency's Construction & Demolition disposal facility site shall pay the Agency \$12.00 per cubic yard of material plus the tipping fee established by the Nebraska Department of Environment and Energy. A minimum of one (1) cubic yard of material shall be charged. The Landfill Superintendent, with concurrence with City Administrator, shall have the authority to negotiate and execute a contract for an alternative price for C&D waste loads in excess of ten (10) cubic yards.

SECTION 8. Miscellaneous: Any person or company depositing garbage, refuse, or rubbish in the Agency's solid waste disposal facility site that was generated within the solid waste jurisdiction area of a governmental entity with whom the Agency has entered into a written Service Agreement, shall pay the Agency the following amounts based on the conveyance used to deposit such material on a per load basis:

- (a) Brush – All loads of brush shall be charged a fee of \$5.00 for residential customers, \$30.00 for truck load for commercial customers, \$50.00 for dump truck load, \$100.00 for side dump load for commercial customers.
- (b) Tires – The fee per tire shall be current tire disposal cost paid by the Agency plus \$1.00.
- (c) Appliances – Appliances, including but not limited to dishwasher, air conditioner, washing machine, dryer, water softener, pressure tank, refrigerator, freezer, and

water heater shall be \$5.00 per appliance. All Freon shall be removed before an appliance is deposited in the Agency's solid waste disposal facility.

- (d) Unsecured Loads – Unsecured loads shall be charged a \$5.00 fee in addition to any other applicable fees.
- (e) The tipping fee established by the Nebraska Department of Environment and Energy shall be additional to the charges set forth in this section.

SECTION 9. Asbestos: That any person depositing asbestos wastes in the Agency's solid waste disposal facility site that was generated within a solid waste jurisdiction area of a governmental entity with whom the Agency has entered into a written Service Agreement shall pay \$37.00 per cubic yard of material. No more than 100 bags will be accepted during any one visit to the solid waste disposal facility. The Landfill Superintendent, with concurrence with City Administrator, shall have the authority to negotiate and execute a contract for an alternative price for asbestos loads.

SECTION 10. Special Waste: That the Landfill Superintendent shall have the authority to negotiate for and collect fees on Special Waste and other types of waste that require unusual or special handling considerations.

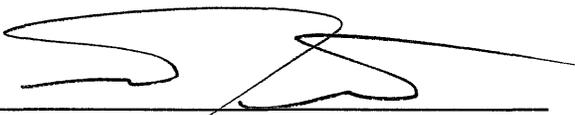
SECTION 11. Commercial Hauler Rates: The Landfill Superintendent, with concurrence with City Administrator, shall have the authority to negotiate and execute a contract for an alternative price for MSW waste loads in excess of thirty (30) tons/week as part of a long-term contractual agreement.

SECTION 12. Surcharge: Any person or company, that is not a Commercial Hauler, construction company, trucking company, or similar company depositing garbage, refuse, or rubbish in the Agency's solid waste disposal facility site or the Agency's Construction & Demolition disposal facility site that was generated outside of the solid waste jurisdiction area of a governmental entity with whom the Agency has entered into written Service Agreement, shall pay the sum of the charges set forth in this Resolution and a surcharge of 40% of such amounts.

SECTION 13. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

RESOLUTION PASSED AND ADOPTED this 17th day of March, 2025.

Attest:



Tobias J. Tempelmeyer, Secretary



Robert Morgan, Chairperson