

RESOLUTION APPROVING AND AUTHORIZING CHAIRMAN TO
SIGN ADDENDUM WITH WASTE CONNECTIONS OF NEBRASKA, INC.

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6)(Reissue 2007), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 2007), the powers of the County as a body are exercised by the County Board; and,

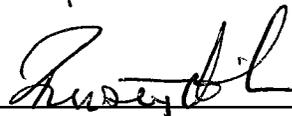
WHEREAS, County of Sarpy (Sarpy) and Waste Connections of Nebraska, Inc. (WCN) entered into an Operating Agreement dated March 1, 2011 for the construction and operation of a transfer station at the Sarpy County Landfill; and,

WHEREAS, it is necessary to clarify the term "per year" in Section 8.5 of the Operating Agreement as it relates to the 17,600 tons, per year, disposed of by WCN at the Sarpy County Landfill and as it relates to the minimum of 200,000 tons, per year, of solid waste for disposal; and,

WHEREAS, for the purposes of Section 8.5 of the referenced Operating Agreement, the term "per year" shall be the annual period beginning May 16 effective May 16, 2012.

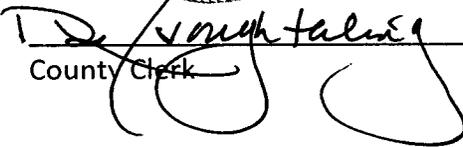
NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS THAT the attached Addendum is hereby approved and the Chairman of this Board is authorized to sign said Addendum.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 11th day of September, 2012.



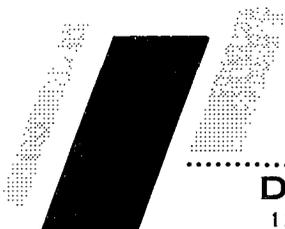
Sarpy County Board Chairman

Attest
SEAL



County Clerk

.....
DUWAINE K. BRIGMAN
402-253-2461



COUNTY OF SARPY

.....
DIVISION OF ENVIRONMENTAL CONTROL
1210 GOLDEN GATE DRIVE • PAPIILLION, NEBRASKA 68046

MEMORANDUM

August 28, 2012

TO: Sarpy County Board of Commissioners

RE: Recommendation to establish a commencement date in the Waste Connections of Nebraska, Inc. contract with Sarpy County.

FROM: Duwaine Brigman, Director of Environmental Control

In the contract we have a Landfill Disposal fee structure as part of the Operating Agreement between Waste Connections of Nebraska, Inc. and Sarpy County but no starting date.

My recommendation is to correct that by providing a starting date of May 16, 2012 in this Agreement, by County Board of Commissioners through an Amendment to the contract. This is the date that Waste Connections of Nebraska, Inc. terminated their obligation with Spectracom and began bringing additional waste to the Sarpy County Landfill.

By having the County Board set this date we will be able to calculate the charges for the tonnage delivered annually using the same date.

Respectfully submitted,

Duwaine Brigman, Direct of Sarpy County Division of Environmental Control

**ADDENDUM 1 TO AMEND AGREEMENT
WITH WASTE CONNECTIONS OF NEBRASKA, INC.**

This Addendum is entered into by and between Waste Connections of Nebraska, Inc. (hereinafter “WCN”) and Sarpy County, Nebraska, a body politic and corporate (hereinafter “Sarpy”).

WHEREAS, the parties have previously entered into an operating agreement dated March 1, 2011 for the construction and operation of a transfer station at the Sarpy County Landfill; and,

WHEREAS, the parties are desirous of amending the provisions of said Operating Agreement by this Addendum.

NOW, THEREFORE, it is hereby agreed by and between the parties:

- I. The prior Agreement between the parties is hereby amended by the terms of this Addendum.
- II. The term “per year” in Section 8.5 of the Operating Agreement as it relates to the 17,600 tons, per year, disposed of by WCN at the Sarpy County Landfill and as it relates to the minimum of 200,000 tons, per year, of solid waste for disposal shall be the annual period beginning May 16 effective May 16, 2012.
- III. The remaining terms and conditions of said prior Operating Agreement shall remain unchanged.

IN WITNESS WHEREOF, we, the contracting parties, by our respective and duly authorized agents, hereby affix our signatures and seals as shown on the following signature pages.

WASTE CONNECTIONS OF
NEBRASKA, INC.


By: James M Little
Its: SR vice President

SARPY COUNTY

 9/11/12
By: Rusty Hike
Its: Chairman

SEAL

ATTEST:




County Clerk

Approved as to form:


County Attorney/Deputy

Deb Houghtaling Sarpy County Clerk

Renee Lansman
Chief Deputy

1210 Golden Gate Drive • Papillion, Nebraska 68046-2895
Phone: 402-593-2105 • Fax: 402-593-4471 • Website www.Sarpy.com • Email: Clerk@sarpy.com

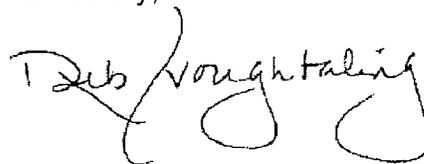
September 18, 2012

James Little, Sr. Vice President
Waste Connections of Nebraska, Inc.
10810 S. 144th Street
Omaha, NE 68138

RE: Waste Connections of Nebraska Addendum 1 Agreement

Enclosed is the fully executed agreement and a copy of the Sarpy County Board resolution for the above referenced agreement.

Sincerely,

A handwritten signature in black ink that reads "Deb Houghtaling". The signature is written in a cursive style with a large initial "D" and "H".

Deb Houghtaling
Sarpy County Clerk

Enclosure
DH/sm