

1 **NYE COUNTY RESOLUTION NO. 2021-32**

2 A RESOLUTION CONSENTING TO THE ASSIGNMENT OF THE SECOND AMENDMENT TO
3 THE AMENDED AND RESTATED SOLID WASTE FRANCHISE AGREEMENT FOR BEATTY

4 WHEREAS, on June 15, 2021, the County of Nye and Pahrump Valley Disposal, Inc., dba
5 Beatty Disposal entered into a Second Amendment to the Amended Solid Waste Franchise Agreement
6 (“Agreement”).

7 WHEREAS, on July 15, 2021, Pahrump Valley Disposal notified Nye County that Pahrump
8 Valley Disposal and Waste Connections, Inc., a Delaware corporation, with its principal administrative
9 office located at 3 Waterway Square Place, #110, The Woodlands, Texas, 77380, intends to enter into a
10 stock purchase agreement wherein Waste Connections shall purchase one hundred percent (100%)
11 ownership of Pahrump Valley Disposal.

12 WHEREAS, pursuant to the Agreement, at paragraph 16.1, “This Agreement shall not be
13 assignable without COUNTY’s written consent, which consent shall not be unreasonably withheld.”

14 WHEREAS, Nye County interprets assignment to include any change in control or other
15 reorganization of the Franchisee.
16

17 WHEREAS, Waste Connections represented that the legal status of Pahrump Valley Disposal
18 will remain the same, including the name, operations and management.

19 WHEREAS, pursuant to NRS 244.187(3), a board of county commissioners may, to provide
20 adequate, economical and efficient services to the inhabitants of the county and to promote the general
21 welfare of those inhabitants, displace or limit competition in any of the following areas: collection and
22 disposal of garbage and other waste.


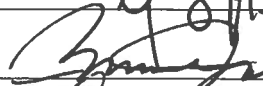



23 NOW THEREFORE, BE IT RESOLVED, that:

24 The Nye County Board of County Commissioners consent to the assignment of the Agreement to
25 Waste Connections, Inc.

1 BE IT FURTHER RESOLVED, that except as provided for herein, all other terms and
2 conditions of the Agreement shall remain in full force and effect.

3 PASSED, ADOPTED, AND APPROVED the 17th day of August 2021.

4 AYES:

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NAYS:

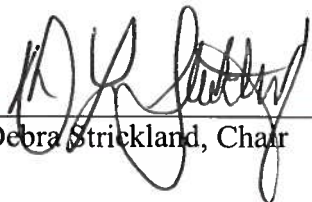
11 ABSENT:

12 _____


ABSTENTION:

13 _____

14 NYE COUNTY
15 BOARD OF COUNTY COMMISSIONERS:

16 
17 Debra Strickland, Chair
18

ATTEST:

19 
20 Sandra L. Merlino, Nye County Clerk
21 And Ex-Officio Clerk of the Board
22
23
24
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