

RESOLUTION NO. 2003-29
RESOLUTION URGING THE
GENERAL ASSEMBLY OF THE STATE OF TENNESSEE
TO AMEND THE STATUTES TO ALLOW OCUNTIES TO
OPERATE ASPHALT PLANTS
FOR THE FISCAL YEAR ENDING JUNE 30, 2003

WHEREAS, there is little competition in the sale of hot mix asphalt for use on roads in this county and many counties in this state as only a few companies dominate this business, and

WHEREAS, this lack of competition and market power for certain companies result in very high prices being charged to this county and other counties of this state for hot mix asphalt products, and,

WHEREAS, this county and other counties singly or jointly could operate a hot mix plant through their respective highway departments that could produce asphalt for the use of this county or other counties for less than current costs if not for the prohibition in state law.

NOW THEREFORE BE ITRESOLVED, by the county legislative body of Weakley County, Tennessee assembled in regular session on this the 17th day of March, 2003 in Dresden, Tennessee that the General Assembly of the State of Tennessee is strongly urged to amend Tennessee Code Annotated, Section 12-8-101, and such other statutes as may be necessary, so as to allow counties to own and operate hot mix asphalt plants for their use and benefit.

BE IT FURTHER RESOLVED, that the county clerk send copies of the Resolution to the members of The General Assembly representing the people of Weakley County and to the Honorable Phil Bredesen, Governor of the State of Tennessee.

EXHIBIT A: Explanation Letter to Road Supervisors

Pursuant To The Rules of The Commission, This Resolution is Sponsored By the Following Members of The Weakley County Board of County Commissioners:

SPONSORED BY:

David Rook

SPONSORED BY:

Tommy Hunt

Acknowledged and Approved:

David Rook
Chairman, Public Works Committee

Motion made by Commissioner Rook that the foregoing resolution be adopted.

Motion seconded by Commissioner Hunt

Upon being put to a roll call vote, motion carried by a vote of 17 Yeas, 0 Nays,

0 Passed and 1 Absent.

Attested:

Pat Scarborough
Pat Scarborough, County Clerk

Approved:

Ron Gifford
Ron Gifford, County Executive

THIS THE 17TH DAY OF MARCH, 2003

Hardeman County

David Sipes
Superintendent
(901) 658-5102
Fax: (901) 658-2583



PO Box 265
Bolivar, Tennessee 38008

January 30, 2003

Mr. Kermit Hopper
Hwy Chief Admin Officer
Weakley County
608 County Maintenance Road
Dresden TN 38225

Re: County Owned & Operated Asphalt Plants

Dear Kermit:

As most Highway Superintendents know there is a law in the State of Tennessee that prohibits counties from owning and operating an asphalt plant. Many highway superintendents have expressed an interest in getting this law changed. For those counties that are under funded, this would be the only way to bring our road systems up to date.

While we understand that many counties have no interest in owning an asphalt plant at this time, you may wish to at some time in the future. Those counties that are interested need your help and support.

The only way this law will ever be repealed is if all Tennessee County Highway Departments form a united front. We are asking that you get your legislative body to pass a resolution urging the General Assembly to amend the statutes to allow counties to operate asphalt plants.

The general public is unaware that such a law exists and those that I and other Superintendents have spoken with feel the law is unfair and have shown overwhelming support.

A copy of the resolution is enclosed and you may forward your executed resolution to me or Mr. J. Rodney Carmical, Executive Director, Tennessee County Highway Officials Association, 226 Capitol Boulevard Building, Suite 700, Nashville, TN 37219.

Sincerely,

A handwritten signature in black ink, appearing to read "David Sipes".

David Sipes

DS/gn

Enclosure