



## Hamilton County Board of Commissioners

# RESOLUTION

No. 1108-40

**A RESOLUTION REQUESTING ON BEHALF OF THE HAMILTON COUNTY BOARD OF COMMISSIONERS THE PRODUCTION OF CERTAIN DOCUMENTATION FROM THE HAMILTON COUNTY WATER-WASTEWATER TREATMENT AUTHORITY (WWTA), AND AUTHORIZING THE COUNTY ATTORNEY TO PURSUE ANY LEGAL ACTION NECESSARY IN THE EVENT OF THE FAILURE OF THE WWTA TO PROVIDE SAID DOCUMENTATION AS REQUESTED.**

**WHEREAS,** the Hamilton County Water-Wastewater Treatment Authority (WWTA) was created in 1993 by this county legislative body pursuant to the provisions of Tennessee Code Annotated Section 68-221-601 et seq. to provide sewer services to the unincorporated areas of Hamilton County as well as in those incorporated areas wherein an agreement for the providing of said services is reached; and

**WHEREAS,** in addition to some of the members of the Board to said quasi-governmental body being appointed by this county legislative body, said entity received initial funding to the tune of \$6.5 Million Dollars in the form of a loan (secured through the bonded indebtedness of Hamilton County, which remains unpaid); and

**WHEREAS,** various members of this county legislative body have both informally and formally requested from the Board of the WWTA certain information and documentation pertaining to the current customer base being served by the WWTA within Hamilton County, as well as copies of all legal expenses charged to and paid by the WWTA during the past twelve (12) months; and

**WHEREAS,** the WWTA has openly and repeatedly refused to provide the individual members of this county legislative body (all of whom are residents of the State of Tennessee) with the requested documentation as to the legal expenses incurred and paid; and



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**WHEREAS,** this county legislative body, as a whole, now joins in with those individual members in requesting that said information and documentation (all of which are governed by the Tennessee Public Records Act) be forthcoming by the WWTA; and

**WHEREAS,** this county legislative body deems this request to be in the best interests of the citizens of Hamilton County.

**NOW, THEREFORE, BE IT RESOLVED BY THIS COUNTY LEGISLATIVE BODY IN SESSION ASSEMBLED:**

That the Hamilton County Attorney is hereby directed to request of the Board of the Hamilton County Water-Wastewater Treatment Authority (WWTA) a complete copy of any and all documents detailing and itemizing the legal expenses incurred and paid by the WWTA during the past twelve (12) months; and that should the WWTA fail or refuse to provide said documentation within ten (10) days of receiving said written request that the County Attorney institute any and all legal proceeding necessary to obtain said documentation.

**BE IT FURTHER RESOLVED THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.**

Approved:  CERTIFICATION OF ACTION

Rejected:  \_\_\_\_\_  
County Clerk

Approved:  \_\_\_\_\_  
County Mayor

Vetoed:  \_\_\_\_\_  
Date

