

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**January 11, 2011**

The regular monthly meeting of the Loudon County Solid Waste Disposal Commission (Commission) scheduled to be held on January 11, 2011 was cancelled by Chairman Steve Field because of inclement weather. The Commission next met at its February regular monthly meeting held on February 8, 2011.

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**February 8, 2011**

The Loudon County Solid Waste Disposal Commission (Commission) met on February 8, 2011 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Jim Akins, Bill Waldrop, Ted Sitzlar and Aprell Patterson. Other attendees included Attorney Bud Gilbert; Santek representatives Cheryl Dunson and Levi Higdon; Gordon Harless; residents Aileen Longmire and Pat Hunter; and several unidentified residents.

Mr. Field called the meeting to order at 6:35.

Mr. Field asked for a motion to approve the minutes of December 14, 2010.

**MOTION:** Mr. Waldrop made a motion to approve the minutes. Mr. Sitzler seconded the motion. The Commission approved the motion unanimously.

During the Items of Public Concern, Ms. Longmire addressed the Commission and asked for a correction to the November 9, 2010 minutes. She claimed that the minutes incorrectly stated that she said a loud noise was heard coming from the Matlock Bend Landfill during the night of the slope failure. She said residents heard a loud noise, but she did not say it came from the Landfill. Ms. Longmire also submitted a written letter dated February 8, 2011 requesting the correction and asking that her letter be made a part of the minutes for tonight's meeting. The Commission agreed to reflect the requested correction in the February 8, 2011 minutes. Ms. Longmire also requested a complete packet of information be made available to the public prior to, during and after each Commission meeting, which request she also submitted in writing to the Commission. Mr. Field said he was working with Steve Fritts in the Loudon County mayor's office to make Commission minutes available electronically on the county's web site.

**MOTION:** Mr. Waldrop made a motion to make available one extra copy of the Commission's meeting packet to the public at the time of each Commission meeting. Mr. Sitzlar seconded the motion. The Commission approved the motion unanimously.

Ms. Dunson presented the Cash Activity Report and Santek's Operations Report.

During the Operations Report, Ms. Dunson said Santek received the anticipated Consent Order from the Tennessee Department of Environment and Conservation (TDEC) in response to the landfill's slope failure. She said Santek has addressed all 30-day issues and Santek paid damages and a civil penalty totaling \$7,157.96. Ms. Dunson also said Santek engineers Rob Burnette and Ron Vail had a productive meeting with TDEC officials on February 4<sup>th</sup> to discuss a minor permit modification to construct a partial cell to help further stabilize the landfill. She also reported that Dr. Bob Bachus indicated to Santek prior to the Commission's meeting that the third-party Assessment of Measures will be finalized and submitted to TDEC by the February 14<sup>th</sup> deadline. Ms. Dunson said Santek intends to appeal the additional \$20,000 civil penalty if TDEC's director does not waive the fine.

During the Attorney's Report, Mr. Gilbert reiterated Ms. Dunson's comments about Dr. Bachus' Assessment of Measures in response to the TDEC consent order. Mr. Gilbert also distributed copies of the Commission's audit. He said the Commission should be mindful of certain trends indicated by the condensed summary statements provided in the Management's Discussion and Analysis portion of the audit, which show adverse changes in the total net assets and net operating

losses attributable to the landfill's operation. Mr. Gilbert also indicated that the primary factors causing these trends were lower operating revenues and the annual allocation of estimated closure and post closure costs for the landfill. While no action was legally required at this time, Mr. Gilbert recommended that the Commission continue to carefully monitor these concerns in the next few years in hope that the trends would reverse themselves as landfill activity increased.

Mr. Gilbert also reported the landfill gas agreement is ready to sign. Ms. Dunson agreed to prepare a press release about the project for the local media. She will send it to Mr. Gilbert for distribution to the Commission.

Mr. Harless said he submitted a request for three potential dates for this year's household hazardous waste collection event and was awaiting word from TDEC on the request.

Mr. Waldrop reported the 10<sup>th</sup> anniversary of the Tellico Lake Watershed Clean Up is slated for March 19<sup>th</sup>. He thanked Santek and Waste Services for agreeing to provide containers and free disposal for the collected waste.

Mr. Field reminded commissioners about the upcoming annual solid waste conference in Gatlinburg and encouraged their attendance. Mr. Atkins said he had talked with several local school principals who expressed an interest in recycling programs.

**MOTION:** Mr. Waldrop made a motion to adjourn the meeting at 7:50 p.m. Mr. Siltzar seconded the motion and it passed unanimously.

The Commission's next regularly scheduled meeting is March 8, 2011 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman  
Loudon County Solid Waste Disposal Commission

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**March 8, 2011**

The Loudon County Solid Waste Disposal Commission (Commission) met on March 8, 2011 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Jim Akins, Bill Waldrop, Robert Harrison, John Watkins, Ted Sitzlar and Aprell Patterson. Other attendees included Attorney Bud Gilbert; Santek representatives Cheryl Dunson and Levi Higdon; Gordon Harless; resident Aileen Longmire; and several unidentified residents.

Mr. Field called the meeting to order at 6:35 p.m.

Mr. Field asked for a motion to approve the minutes of February 8, 2011.

**MOTION:** Mr. Waldrop made a motion to approve the minutes. Mr. Atkins seconded the motion. The Commission approved the motion unanimously.

During the Items of Public Concern, Ms. Longmire asked Ms. Dunson if the landfill's ground water was being monitored and, if so, how often. Ms. Dunson said the groundwater is monitored semi-annually and the results are submitted to the Tennessee Department of Environment and Conservation (TDEC).

Ms. Dunson presented the Cash Activity Report and Santek's Operations Report. During the operations report, Ms. Dunson indicated TDEC had responded to Dr. Bob Bachus' written assessment of the recent slope failure in a March 3, 2011 letter to Mr. Field and Santek Engineer Rob Burnette. The letter concluded the landfill's leachate collection system remains to be fully assessed and TDEC is requiring sludge volume be reduced to no more than 25% of the landfill's daily tonnage. The letter also suggested a meeting with Dr. Bachus at the landfill along with representatives from TDEC, LCSWDC and Santek on March 7, 2011.

Mr. Field attended the meeting and said TDEC remained concerned with the stability of the landfill's upper slope. He also said TDEC was relying on Dr. Bachus' proposed remedies to be fully implemented by Santek to stabilize the slope. However, because the consistency of Kimberly Clark's paper waste has changed significantly since the landfill began accepting it, Dr. Bachus and Santek will propose to TDEC that KC's waste be reclassified so it can be used as alternative daily cover. Ms. Dunson also reported that TDEC had recently approved a minor permit modification for the landfill requested by Santek to construct a portion of the new cell to further promote slope stability.

During the Attorney's Report, Mr. Gilbert presented the Commission with clean copies of the Landfill Gas Agreement which was ready for Mr. Field's signature.

Mr. Gilbert also reported on recent discussions by Jay Cobble on behalf of the Commission with representatives of the Atchley property and concluded that it appeared they might be getting closer to proposing a possible property swap for the Commission's consideration. He reminded the Commission that its option on the Ryan property will expire on May 21<sup>st</sup>. Mr. Gilbert said the Commission needs to resolve the issue of whether and to what extent it desires to develop the landfill near and/or across the ridge in order for any final land acquisition agreement involving the Atchley and the Ryan property can be completed. Mr. Harrison has indicated his concern about this issue in previous meetings and said the Commission should notify residents who attended the Commission's May 2010 meeting when property purchases were being discussed.

**MOTION:** Mr. Harrison made a motion to have Mr. Gilbert compile a list of names and addresses from people who were in attendance at the Commission's May 2010 meeting in order to notify them about potential land acquisition discussions. Mr. Waldrop seconded the motion. The Commission passed the motion unanimously.

Mr. Field reminded the Commission about the annual solid waste conference in Gatlinburg and asked Mr. Harrison if he intended to go to the upcoming recycling conference in Nashville. If Mr. Harrison attends the conference, the Commission will pay his out-of-pocket expenses.

Mr. Harrison reported the City of Loudon recently reappointed him to the Commission for another six-year term.

**MOTION:** Mr. Adkins made a motion to adjourn the meeting at 7:45 p.m. Mr. Waldrop seconded the motion and it passed unanimously.

The Commission's next regularly scheduled meeting is April 12, 2011 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman

Loudon County Solid Waste Disposal Commission

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**April 12, 2011**

The Loudon County Solid Waste Disposal Commission (Commission) met on April 12, 2011 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Jim Akins, Bill Waldrop, Robert Harrison, John Watkins, Ted Sitzlar and Aprell Patterson. Other attendees included Attorney Bud Gilbert; Santek representatives Cheryl Dunson and Levi Higdon; Gordon Harless; resident Aileen Longmire; and an unidentified resident.

Mr. Field called the meeting to order at 6:30 p.m.

Mr. Field asked for a motion to approve the minutes of March 8, 2011.

**MOTION:** Mr. Waldrop made a motion to approve the minutes. Mr. Watkins seconded the motion. The Commission approved the motion unanimously.

There were no Items of Public Concern.

Ms. Dunson presented the Cash Activity Report and Santek's Operations Report for the month of March. During the operations report, Mr. Higdon gave the Commission a progress report about the steps that Santek has continued to take to remedy the landfill slope failure in November. He said two waste streams are significantly dryer than when their disposal in the landfill was first commenced, and a new waste stream of approximately 150+ tons per day is a benefit to the stabilization of the site. Mr. Higdon also said Santek continues to work with Geosyntec to determine the best practices for disposing of waste materials, and the construction of Module F is currently under way with 15,000 yards of dirt having been excavated to date.

During the Attorney's Report, Mr. Gilbert asked the Commission to give him some direction on how the Purdy property should be maintained. Mr. Harrison asked Mr. Harless if a study group should be formed to discuss future uses of the property. Mr. Harless replied that a use agreement is needed to be able to work with the University Tennessee to demonstrate the viability of the project.

**MOTION:** Mr. Waldrop made a motion to instruct Mr. Gilbert to prepare a use agreement. Mr. Sitzlar seconded the motion and it passed unanimously.

Mr. Sitzlar said he would contact a local mowing company owned by Jamie Miller to see if they have any interest in maintaining the property in the meantime.

Mr. Gilbert reported that Jay Cobble, the Commission's realtor with Blue Ridge Companies, had recently completed further discussions with the owners of the Atchley property and they are interested in a land swap involving portions of the adjoining property to the landfill owned by Mr. and Mrs. Ed Ryan. Mr. Gilbert distributed a Land Swap Proposal for the Commission's review that had been prepared by Jay Cobble and signed by the owners of the Atchley property that detailed the subject portions of the Atchley and Ryan properties to be swapped. Mr. Gilbert also said Mr. Ryan indicated in a recent telephone call that he is willing to include in his current option arrangement with the Commission a smaller (under 3 acre parcel) off Matlock Bend Road that the Atchley property owners wanted to include in the proposed swap, which Mr. Ryan was also willing to sell to the Commission at the current option price of \$6,000 per acre. Mr. Gilbert said if the Commission is in agreement it could attempt to complete all necessary property surveys and Phase I studies on both the Atchley and Ryan parcels of land by the May meeting in anticipation that it

would exercise the Ryan option and complete the property swap with the Atchley property owners. Alternatively, Mr. Gilbert suggested that the Commission might take more of a step-by-step process by exercising an expanded option on the two Ryan parcels first after obtaining a satisfactory Phase I study and survey on them and then proceed to complete its negotiations with the Atchley property owners once it closed on the Ryan property.

**MOTION:** After lengthy discussion, Mr. Waldrop made a motion to initiate and complete Phase I studies on the Ryan and Atchley properties by the Commission's May meeting; for Mr. Gilbert to secure price quotes from two surveying companies; and to authorize Mr. Field to make a decision to proceed with the survey proposal that he determined was in the best interest of the Commission. Mr. Atkins seconded the motion and it passed with six ayes and one abstention from Mr. Sitzlar.

Mr. Gilbert distributed a list of residents who attended the Commission's May 11, 2010 meeting when the Commission initiated discussions on adjoining landfill property acquisitions. Mr. Harrison asked whether the Commission should buy an ad in the local newspaper to inform residents about the upcoming discussions about the Atchley and Ryan property purchases, or whether the Commission should make a good faith effort to get addresses and send letter to as many residents as possible. Mr. Field asked Mr. Gilbert to identify the addresses of residents who were at the May 2010 meeting and notify them about the upcoming May meeting at which decisions regarding additional adjoining property acquisitions would likely be made by the Commission. Mr. Harrison expressed his concern about residents who were not in attendance at the May 2010 meeting. In response to the discussion, Mr. Gilbert also reported on the cost of placing a paid meeting notice in the News Herald for the May meeting and other regular monthly meetings of the Commission as opposed to only requesting that such regular meetings be included in that newspaper's community meetings calendar each month without charge.

**MOTION:** Mr. Harrison made a motion to direct and authorize Mr. Gilbert to request the publication of a paid monthly meeting notice for the Commission's future monthly meetings in the Thursday and Monday editions of the News Herald immediately preceding each regular meeting and to bill such costs to the Commission as part of Mr. Gilbert's legal services. Mr. Sitzlar seconded the motion and it passed unanimously.

**MOTION:** Mr. Atkins made a motion authorizing Mr. Field and legal counsel to send a letter or notice from the Commission to the area residents that attended the May 2010 Commission meeting informing them of the possible acquisitions of adjoining landfill property that would be considered by the Commission at its upcoming May meeting. Mr. Harrison seconded the motion and it passed unanimously.

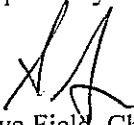
Mr. Harless reported he met with Santek representatives to discuss the acceptance of solidified paint at the landfill. He also said 180 residents participated in the recent Household Hazardous Waste Collection Day while 70 households were directed to the Lenoir City Convenience Center because they were wanting to dispose of paint and electronics.

**MOTION:** At Mr. Gilbert's suggestion, Mr. Atkins made a motion to authorize Mr. Field and legal counsel to negotiate, execute and deliver on behalf of the Commission any access and entry agreements deemed necessary by them, which may include such reasonable indemnity provisions that are customary for the same, to obtain access to the Ryan and Atchley properties for all required testing, surveys, and inspections needed to consummate the Commission's contemplated acquisition of such property. Mr. Harrison seconded the motion and it passed unanimously.

**MOTION:** Mr. Waldrop made a motion to adjourn the meeting at 8:17 p.m. Mr. Watkins seconded the motion and it passed unanimously.

The Commission's next regularly scheduled meeting is May 10, 2011 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'S. Field', written over a horizontal line.

Steve Field, Chairman  
Loudon County Solid Waste Disposal Commission



**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**May 10, 2011**

The Loudon County Solid Waste Disposal Commission (Commission) met on May 10, 2011 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Jim Akins, Robert Harrison, John Watkins and Ted Sitzlar. Other attendees included Attorney Bud Gilbert; Santek representatives Cheryl Dunson and Levi Higdon; Gordon Harless; residents Pat Hunter, Aileen Longmire; Lawrence Johnson, Bob Beamus, Larry Jamison, Betty Jo McAllister; Sara Dailey; and several other unidentified residents.

Mr. Field called the meeting to order at 6:38 p.m.

Mr. Field asked for a motion to approve the minutes of April 12, 2011.

**MOTION:** Mr. Harrison made a motion to approve the minutes. Mr. Sitzlar seconded the motion. The Commission approved the motion unanimously.

Mr. Field asked if there were any Items of Public Concern. Mr. Johnson approached the podium and asked Mr. Field a number of questions related to several Commission issues including property purchases; location of minutes and contracts; the authorization of bids for the landfill gas collection system; and landfill operating hours. Mr. Gilbert reminded the Commissioners that they are not required to answer questions at an open meeting, and that any questions raised during a public forum at a public meeting could be addressed at a later date. After more questioning from Mr. Johnson, Mr. Gilbert asked him what exactly he was seeking from the Commission. Mr. Johnson replied he wanted the landfill shut down so he could sell his property. After threatening the Commission several times with legal action and claiming that Ms. Dunson had not answered one of his questions truthfully, which she promptly contested, Mr. Johnson turned the podium over to Ms. Hunter.

Ms. Hunter requested the Commissioners' informational packets be made available at the start of the meeting to more than one member of the audience. She also asked Mr. Field regarding the status of scanning minutes and posting them on the county's web site. Mr. Field said the process is in place to post the minutes and he needed to follow up with the county on its initiation. Ms. Longmire presented Mr. Field with a legal opinion from the State of Tennessee Office of Open Records Counsel and asked it be entered into the minutes.

**MOTION:** Mr. Sitzlar made a motion to purchase a scanner and make the Commissioners' informational packets available the night of the Commission's meeting. The motion died for lack of a second.

**MOTION:** Mr. Watkins made a motion to make three copies of the information packet available to the public on the evening of the Commission's meeting. Mr. Harrison seconded the motion and it passed unanimously.

Ms. Longmire asked Mr. Field for clarification regarding the protocol for requesting information from the Commission. Mr. Field replied it would be helpful to have a list of requested items ahead of time since the Commission's files are kept in the courthouse annex and not at his office. Ms. Longmire also asked the Commission who had received a notification letter about the Commission's potential property purchases. She said she was not aware of a three-acre tract of land owned by the Ryans being mentioned in the letter. Mr. Gilbert said 12 of the 14 residents who

attended the Commission's May 2010 meeting received the letter and the Ryan tract was mentioned.

Ms. Dailey expressed her disappointment with the Commission. She said many of the residents who attended the Commission's May 2010 meeting told commissioners what the residents were comfortable with regarding property purchases. She said they never expected to have to return to the Commission nor did they think the Commission would fail to keep to the original task (which she did not identify). Mr. Harrison replied that was why the Commission took the extraordinary effort to notify by mail those residents who had attended the meeting last year that the Commission would be re-visiting adjoining property purchases. Ms. Dailey said none of the residents had changed their feelings or minds about the situation.

Mr. Jamison, who said he lives below the Ryan property, asked the Commission what its true intent for purchasing the property was. Mr. Akins replied that any land on the river side of the ridge would be used as permanent buffer and would not be used as back side entrance to the landfill. Mr. Field said he could not specify an exact use of the land because the Commission did not have a design. Mr. Jamison asked if the property purchases would give the landfill an expanded life, and, if so, what would that be. Mr. Harrison responded it was his hope that the land on the river side of the ridge would never be used for landfill purposes since the Commission's other property purchases would provide the county with many years of additional life. Mr. Sitzlar added the land would remain in the hands of the public and could not be sold by Santek.

Mr. Gilbert said he had received a second proposal from Brown and Caldwell to perform a Phase I Assessment of the Atchley and Ryan properties at a cost of \$4,700. Mr. Gilbert also said a preliminary review of the properties indicates the land is clean and he anticipates a draft report from Brown and Caldwell by May 21, 2011, which is the expiration date of the Ryan option. He said Mr. Ryan has also agreed to extend the option to cover his additional three-acre tract.

Mr. Gilbert said Jay Coble has been in touch with the Atchley property owners and has sent them a written exchange agreement. Although they are relatively comfortable with the document, they do have several concerns including their refusal to pay closing costs or green belt roll-back taxes. Mr. Gilbert said his research indicates closing costs would be less than \$3,000 and roll-back taxes for the past three years would be approximately \$3,700. He said the Atchley property owners are ready to sign the exchange agreement, given these concessions by the Commission.

Mr. Gilbert said he received two proposals for boundary surveys. Benchmark Associates submitted a proposal of \$15,950 and Miller Land Surveys submitted a proposal for \$14,600. Mr. Gilbert said the Commission could base its decision on reputation and there was merit to accepting the Benchmark proposal since the company has performed work for the Commission in the past.

**MOTION:** Mr. Harrison made a motion to exercise an option for the entire Ryan property contingent on the acceptance of the exchange agreement from the Atchleys. Mr. Akins seconded the motion. Mr. Sitzlar said he typically abstains on any vote related to the Atchley property due to his own land's proximity to the Atchley property. After some discussion, the motion passed with 4 ayes and one abstention from Mr. Sitzlar.

**MOTION:** Mr. Harrison made a motion to authorize Mr. Field to proceed with the negotiation and execution of the Ryan and Atchley property exchange agreement with the Commission agreeing to pay the closing costs and any roll-back taxes that might be assessed as a result of the exchange. Mr. Watkins seconded the motion. The motion passed with 4 ayes and one abstention from Mr. Sitzlar.

**MOTION:** Mr. Akins made a motion to accept the Benchmark surveying proposal. Mr. Watkins seconded the motion. It passed with 4 ayes and one abstention from Mr. Sitzlar.

At 8 p.m., Mr. Field called for a 15-minute break. He reconvened the meeting at 8:25 p.m.

Ms. Dunson presented the Cash Activity Report and the Landfill Operations Report. Mr. Field asked Ms. Dunson to include the addition of Module F to the monthly airspace utilization schedule.

Mr. Gilbert presented his Attorney's Report. He said he received a proposal from JM Mowing to maintain the Purdy property for \$200 per mowing, which is expected to occur every two to three weeks for the remainder of the year. He said he would draft a contract to reflect the Commission's wishes.

**MOTION:** Mr. Watkins made a motion to enter into a mowing contract with JM Mowing. Mr. Harrison seconded the motion and it passed unanimously.

Mr. Field asked Santek to look at the road accessing the Purdy property to see what could be done to fix and maintain the erosion problems caused by this needed repair.

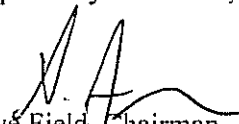
Mr. Harless reported the paint solidification process is working well. He said paint is collected every Saturday from 9 a.m. until 2 p.m. at the Lenoir City Convenience Center. Mr. Harless said he is considering purchasing a recycling roll-off container and forklift with the county's recycling rebate.

Mr. Harrison said he gleaned several common themes during the Solid Waste Conference in Gatlinburg including how recycling relates to the job at hand as well as an overwhelming demand for recycled plastics in the southeastern United States. Mr. Harrison also said he has not given up on initiating a school recycling program locally. He also mentioned his idea about the Commission funding recycling coaches at each school.

**MOTION:** Mr. Akins made a motion to adjourn the meeting at 8:50 p.m.. Mr. Harrison seconded the motion and it passed unanimously.

The Commission's next regularly scheduled meeting is June 14, 2011 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,

  
Steve Field, Chairman  
Loudon County Solid Waste Disposal Commission

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**June 14, 2011**

The Loudon County Solid Waste Disposal Commission (Commission) met on June 14, 2011 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Jim Akins, Robert Harrison, John Watkins, Aprell Patterson, Bill Waldrop and Ted Sitzlar. Other attendees included Attorney Bud Gilbert; Santek representatives Cheryl Dunson and Levi Higdon; Gordon Harless; residents Pat Hunter, Aileen Longmire; Kim Turner with Tennessee Trash; Realtor Jay Cobble; and two unidentified residents.

Mr. Field called the meeting to order at 6:30 p.m.

Mr. Field asked for a motion to approve the minutes of May 10, 2011.

**MOTION:** Mr. Watkins made a motion to approve the minutes with corrections to Mr. Jamison's name and a typographical error in the second paragraph on the second page. Mr. Harrison seconded the motion. The Commission approved the motion unanimously.

Mr. Field asked if there were any Items of Public Concern. Ms. Hunter asked if there was a time after the Commission approves the minutes when a resident could address a correction to the minutes. Mr. Field replied corrections would be addressed in the next month's minutes. Ms. Hunter asked why the Loudon County Mayor's Office Open Records Act Policy was not on the agenda. Mr. Gilbert said he distributed the policy to remind the Commissioners of the specifics of that policy, which they had previously adopted as the same policy for the Commission. Ms. Hunter asked to whom she should direct public requests for information. Mr. Field said she could contact him or Mr. Gilbert, whomever was more convenient for her.

Ms. Turner approached the podium and said she was compelled to attend the evening's meeting after reading a recent article in the Knoxville News Sentinel featuring several local residents criticizing the Matlock Bend Landfill. She said her company frequents seven or eight area landfills on a regular basis and she said Santek manages the best landfill of those used by her company. She said the landfill does not accept waste after hours and because of the landfill's presence in Loudon County, her employees contribute a lot of money into the local economy. She said she applauded the Commission and Santek for the exemplary manner in which the facility is operated. Mr. Harrison noted the lack of attendance from the public at the meeting despite the recent publicity about the landfill's operations and stated that he hoped the community was finally tired of hearing from the same people who continually criticize county government.

Ms. Dunson presented the Cash Activity Report and the Landfill Operations Report. Mr. Watkins asked Ms. Dunson about the generator of ash collected by Waste Services. She said she thought it was Kimberly Clark, but she would confirm the account the following morning and report back to Mr. Watkins.

Mr. Gilbert presented his Attorney's Report. He said he has located Commission minutes dating back to 1999 as part of his assignment to assist Mr. Field post these minutes on the Loudon County website and would work with Ms. Dunson to locate older sets of minutes that were missing in his first review. He also reported that he is in the process of reviewing all of the Commissioners' term appointments and would be reporting back to the Commission in the near future on any corrective action that might be required. All terms are required to be six years in length under state law and are staggered. The Lenoir City Council recently re-appointed Mr. Akins for a second term.

Mr. Gilbert said the Atchley property owners signed the Property Exchange Agreement at 6:35 p.m. this evening and he was presenting it for Commission review and possible approval. He said surveyors found some major survey issues including property lines not closing within 175 feet along the property lines that are common to the Ryans and the Matlock parcel recently purchased by the Commission. However, Mr. Gilbert said the recent survey of the Matlock property ordered by the Commission in connection with that purchase depicts some definitive boundaries and the purchase of the larger Ryan parcel and the portion of the Atchley property under consideration would eliminate most of these issues with the merger of these properties. With regards to the Exchange Agreement, the Atchley property owners will be exchanging with the Commission 14.25 acres of their property for 21.37 acres currently under option with the Ryans. Mr. Gilbert said several changes have occurred since the Commission's last meeting including the Atchley property owners' request for a fence at the common property line, estimated at less than \$10,000. Also, the Atchley property owners are requesting \$10,000 from the Commission at closing in exchange for their agreement not to harvest the timber on the property to be conveyed to the Commission. The Atchley property owners also want to retain hunting rights on the property until January 1, 2013 when one of their children is expected to no longer desire access to the property for that purpose.

Regarding the Ryan property, Mr. Ryan owns a smaller 2.69 acre parcel adjoining his larger parcel (approximately 53 acres) under option that he claims is valued at \$36,000 by the Loudon County property assessor. Although Mr. Ryan was seeking \$6,000 per acre for the larger parcel, he is asking \$30,000 for the smaller tract, which is already subdivided, has road frontage on Matlock Bend Road and is required by the Atchley property owners in exchange for the portion of their property that is sought by the Commission. Total cost of the Ryan property transaction is estimated to be \$348,000 plus a \$43,353 real estate commission to Mr. Cobble. Additional fees would be added to cover the Phase I assessment and survey for a total estimated purchase cost of \$416,450, which does not include closing costs or the price to erect the required fence and purchase the timber rights in connection with the Atchley property exchange. The Commission discussed in great length the quality of trees on the Atchley property versus those on the Ryan property; hunting rights and related liability issues; and the possibility of delaying the closing date to avoid the hunting issues.

**MOTION:** Mr. Waldrop made a motion to approve and authorize the proposed property exchange with the Atchley property owners that would include (i) deferring the closing on the Atchley property acquisition to January 15, 2013, (ii) paying the Atchley property owners \$10,000 for their agreement not to harvest any timber prior to closing on the property to be acquired from them, and (iii) the Commission's agreement to fence the unfenced portion of the new property line between the Commission and the Atchley property. Mr. Harrison seconded the motion. The motion passed with five ayes, one nay (Mr. Watkins) and one abstention (Mr. Sitzlar).

**MOTION:** Mr. Harrison made a motion to exercise the option on the Ryan property (the larger parcel of approximately 53 acres at \$6,000 per acre and the 2.69 acre parcel for \$30,000) for a total price of approximately \$348,000 less any credit due for prior option payments. Mr. Watkins seconded the motion. The motion passed with 6 ayes and one no (Mr. Sitzlar).

Mr. Gilbert distributed a Question and Answer response to the recent June 9, 2011 article in the Knoxville News Sentinel about the Matlock Bend Landfill and the Commission's operation of the landfill that was prepared by him with the assistance of Mr. Field, Mr. Waldrop and Ms. Dunson. The piece was emailed to all Commissioners to provide them additional information in response to the news article and to assist them in responding to governmental stakeholder inquiries and other questions from the public. Mr. Gilbert also provided the commissioners with copies of emails

between him and the reporter that wrote the news article regarding a false allegation by an area resident that claimed Mr. Gilbert had previously stated that the Commission's draft minutes were "privileged," which he disputed. Mr. Gilbert stated that the Commission's draft minutes are not subject to the open records act until they are produced and ready for distribution to the Commissioners, which does not occur until he receives Ms. Dunson's meeting notes, completes any incomplete sections, reviews and edits the meeting notes and is ready to distribute them to the Commissioners as draft minutes.

Mr. Field said the Commission has received a proposal from auditor Richard Hill to perform the Commission's next audit for \$6,050.

**MOTION:** Mr. Watkins made a motion to accept Mr. Hill's audit contract proposal as presented. Mr. Sitzlar seconded the motion and it passed unanimously.

Mr. Waldrop said he recently gave a presentation at the Tellico Lake Rotary Club about the landfill methane gas program. Mr. Akins said he visited a public convenience center in North Georgia and Loudon County's centers are far superior.

**MOTION:** Mr. Akins made a motion to adjourn the meeting at 8:30 p.m. Mr. Waldrop seconded the motion and it passed unanimously.

The Commission's next regularly scheduled meeting is July 12, 2011 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman

Loudon County Solid Waste Disposal Commission

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**July 12, 2011**

The Loudon County Solid Waste Disposal Commission (Commission) met on July 12, 2011 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Jim Akins, Robert Harrison, John Watkins, Aprell Patterson, Bill Waldrop and Ted Sitzlar. Other attendees included Attorney Bud Gilbert; Santek representatives Cheryl Dunson and Levi Higdon; Gordon Harless; residents Pat Hunter, Aileen Longmire; and several unidentified residents.

Mr. Field called the meeting to order at 6:35 p.m.

Mr. Field asked for a motion to approve the minutes of June 14, 2011 with the following corrections: Ms. Longmire was incorrectly identified as the resident asking Mr. Field about addressing the Commission to correct the minutes before the Commission approved them. The minutes should have reflected Ms. Hunter as the resident making the request. Mr. Watkins was incorrectly identified as the Commissioner making a presentation to the Tellico Lake Rotary Club. The minutes should have referred to Mr. Waldrop. Mr. Akins name was misspelled on several occasions, and the word, "county," was replaced with "economy" on page one of the minutes. Mr. Field also asked for the June minutes to reflect Ms. Hunter as the resident who presented a legal opinion from the state's Attorney General at the Commission's last meeting.

Mr. Harrison asked Ms. Hunter or Ms. Longmire if either of them requested a copy of the Commission's by-laws from the Loudon County Mayor's office since the Commission's last meeting. Ms. Hunter said she had not contacted the mayor's office with this request. Mr. Field said he defends citizens' rights to ask questions and seek information from the governmental bodies that serve the public. Mr. Harrison said he stood corrected.

**MOTION:** Mr. Waldrop made a motion to approve the minutes with the corrections noted earlier. Mr. Watkins seconded the motion. The Commission approved the motion unanimously.

There were no Items of Public Concern.

Ms. Dunson presented the Cash Activity Report and the Landfill Operations Report.

During his Attorney's Report, Mr. Gilbert said a title commitment had been requested from a local title company the Ryan property acquisition. He said there was a slight delay on the survey due to property lines not matching up, but a closing date should occur within 30 days.

Mr. Gilbert reported a lack of progress on the Atchley property acquisition due to the hunting rights issue. Mr. Cobble said the Atchleys are not amenable to extending the closing date. Mr. Gilbert suggested a compromise with the Atchley property owners to include the Commission's grant of a limited license to the sellers to use the property for 18 months for sportsman and hunting purposes. The license agreement would require the licensee to indemnify the Commission for any damages arising from such use of the property. The limited license would also include a 72-hour prior notice requirement so that the Commission would have advance notice of any hunting activity by the licensees, would require proof of suitable hunting insurance to be provided at the property owners' cost, and would require any hunter using the property under such limited license to execute a waiver and release of liability agreement in favor of the Commission. Mr. Field questioned how the Commission could ensure hunters abide by all these requirements. Mr. Gilbert said that enforcement could be problematic but that the various requirements and any related procedures

could be included in the license agreement to ease the ongoing administration of the license during its 18 month term.

**MOTION:** Mr. Harrison made a motion to withdraw all purchase offers on the Atchley property and cease all further negotiations with the owners. Mr. Watkins seconded the motion. After some discussion about compromising with the Atchley property owners, the motion failed with a vote of 4 nays (Field, Waldrop, Akins and Patterson) and 3 ayes (Sitzlar, Harrison and Watkins).

Mr. Gilbert said he needed direction from the Commission to determine the next step with the Atchley property acquisition, if any.

**MOTION:** Mr. Akins made a motion authorizing Mr. Field and legal counsel to return to the Atchley property owners with the same offer previously made to them by the Commission except that no hunting rights would be granted and the closing would occur within 30 to 45 days of the parties' execution of a purchase agreement. Mr. Harrison seconded the motion. The motion passed with five ayes and two nays (Watkins and Harrison).

Mr. Field said he was working with Mr. Gilbert to get all of the Commission's meeting minutes posted on the Loudon County web site. Mr. Field also said he was working with Ms. Dunson to post the Commission meeting informational packets on the web site. He said there was not an easy method to scan documents from home and requested permission from the Commission to purchase a scanner, the cost of which was expected to be under \$250.00.

**MOTION:** Mr. Watkins made a motion for the Commission to reimburse Mr. Field the cost of purchasing a scanner. Mr. Akins seconded the motion and it passed unanimously.

**MOTION:** Mr. Harrison made a motion to not post the landfill's customer activity report on the web site. Mr. Waldrop seconded the motion and it passed unanimously.

Mr. Harrison informed the Commission he has a new email address due to a change in his current employment.

**MOTION:** Mr. Waldrop made a motion to adjourn the meeting at 8:20 p.m. Mr. Akins seconded the motion and it passed unanimously.

The Commission's next regularly scheduled meeting is August 9, 2011 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman

Loudon County Solid Waste Disposal Commission



**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**August 9, 2011**

The Loudon County Solid Waste Disposal Commission (Commission) met on August 9, 2011 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Jim Akins, Robert Harrison, John Watkins, Bill Waldrop and Ted Sitzlar. Other attendees included Attorney Bud Gilbert; Santek representatives Cheryl Dunson and Levi Higdon; Gordon Harless; Philadelphia Elementary School Basketball Coach Rick Arp; and residents Pat Hunter, Aileen Longmire, and several other unidentified residents.

Mr. Field called the meeting to order at 6:33 p.m.

Mr. Field asked for a motion to approve the Commission's meeting minutes of July 12, 2011.

**MOTION:** Mr. Waldrop made a motion to approve the July 12, 2011 meeting minutes of the Commission. Mr. Sitzlar seconded the motion. The Commission approved the motion unanimously.

There were no Items of Public Concern.

Mr. Harless introduced Mr. Arp to the Commission. Mr. Arp has initiated a recycling program at his school for aluminum, paper and plastics. Mr. Arp said within two days of beginning the program, the trailer containing paper had to be emptied. He also said he is looking for assistance from the Commission in the form of sponsorships. The school currently coordinates a Saturday morning basketball league and is in need of uniforms. Mr. Field said the Commission is open to listening to proposals and he encouraged Mr. Arp to work with Mr. Harless on specific ideas to present to the Commission. Mr. Waldrop asked Mr. Harless if the school incurred expenses related to the individual recycling containers for the classrooms. Mr. Harless replied they were purchased with state grant money.

Ms. Dunson presented the Cash Activity Report and Santek's Operational Report for the month of July.

During his Attorney's Report, Mr. Gilbert said during his research of the Commission's minutes he discovered several sets containing misspellings of Commissioners' names. Mr. Waldrop asked how many sets needed correcting and Mr. Gilbert said approximately 10 sets out of 48. After some discussion, the Commission elected not to correct the minutes.

Mr. Gilbert reported he has received a preliminary title review of the Ryan property and there were no issues. He said there were two property line problems, but they could possibly be resolved once the Commission makes a decision on the Atchley property.

Mr. Gilbert offered an apology to Mr. Sitzlar regarding a miscommunication related to the Atchley property acquisition, which arose the day following the Commission's July meeting. Mr. Gilbert said the Commission made a formal decision in its July meeting to approach the Atchley property owners with a counteroffer, which did not include the retention of hunting rights until 2013 sought by one of the owners. He said the counteroffer was immediately rejected by the property owner that was interested in retaining those rights, and it was after this rejection that the Commission's realtor explored with the owners the simpler approach that Mr. Gilbert had formulated after the July meeting of delaying the closing until 2013 to avoid the issues presented by the hunting rights

question. Upon receiving Mr. Sitzlar's email communication raising concerns about the status of the negotiations, Mr. Gilbert said he decided not to proceed with any other offer until the Commission could direct him at its August meeting. In summary, he concluded that there were currently no pending offers on the table relative to the Atchley property purchase and asked for direction from the Commission on how it would like to proceed. Mr. Field suggested pushing off the closing date until January 2013 to eliminate the hunting rights issue and paying the Atchley property owners \$10,000 for their agreement not to cut or harvest any trees on the property to be acquired at the time the exchange agreement is signed, with all other deal points to remain the same as last approved by the Commission at its July meeting.

**MOTION:** Mr. Waldrop made a motion authorizing the Chair and legal counsel to proceed with an offer to the Atchley property owners as suggested by Chairman Field that would delay the closing until sometime in January of 2013 and provide for the immediate payment of \$10,000 as an earnest money deposit and for the property owners' covenant not to cut or harvest any trees on the property to be acquired. Mr. Harrison seconded the motion. The motion passed with four ayes, one nay (Watkins) and one abstention (Sitzlar).

Mr. Field said Dr. Bob Bachus with GeoSyntec submitted an invoice to the Commission for his firm's services related to evaluating the landfill slope failure. Mr. Gilbert recommended giving the bill directly to Santek for payment.

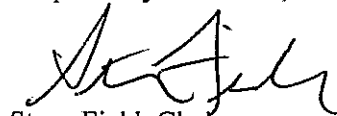
Mr. Waldrop inquired about the status of recently proposed waste reduction mandates on local governments by the state. Mr. Field said these legislative/regulatory initiatives died due to opposition from local governments.

Mr. Harrison reported the City of Loudon commissioned MTAS (Municipal Technical Advisory Services) to study the implementation of a sanitation fee to generate revenue to replace vehicles in the city's sanitation fleet. He said the city has no intention of privatizing the residential or commercial waste collection service.

**MOTION:** Mr. Waldrop made a motion to adjourn the meeting at 8:53 p.m. Mr. Sitzlar seconded the motion. The motion passed unanimously.

The Commission's next regularly scheduled meeting is September 13, 2011 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman

Loudon County Solid Waste Disposal Commission

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**September 13, 2011**

The Loudon County Solid Waste Disposal Commission (Commission) met on September 13, 2011 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Jim Akins, Robert Harrison, Aprell Patterson, Bill Waldrop and Ted Sitzlar. Other attendees included Attorney Bud Gilbert; Santek representatives Cheryl Dunson, Matt Dillard and Levi Higdon; Gordon Harless; and residents Pat Hunter, Aileen Longmire and Larry Jameson.

Mr. Field called the meeting to order at 6:33 p.m.

Mr. Field asked for a motion to approve the minutes of August 9, 2011.

**MOTION:** Mr. Waldrop made a motion to approve the minutes. Mr. Harrison seconded the motion. The Commission approved the motion unanimously.

During the Items of Public Concern, Mr. Sitzlar said several residents were concerned about the amount of mud being tracked onto Highway 72 from the landfill, especially after heavy rains. Mr. Jameson distributed pictures of Highway 72 to Commissioners and asked if the landfill had a portable wheel wash. Mr. Higdon replied it did not, but Santek recently purchased a street sweeper. He also said he had placed more rock above the scales to help with throw off from vehicles. Mr. Jameson said he would appreciate any help from Santek to control mud leaving the site before it gets to the road. Mr. Jameson also said he had spoken with the Loudon County road commissioner about erosion issues originating from the Ryan property.

Ms. Dunson presented the Cash Activity Report and Santek's Operational Report. During the operational report, Ms. Dunson informed the Commission Santek exceeded its 800-tons-per-day tonnage limitation on the last day of the month in August due to an extraordinary amount of volume from Kimberly Clark.

**MOTION:** Mr. Harrison made a motion to approve the one-time overage and Mr. Waldrop seconded the motion. The Commission passed the motion unanimously.

Mr. Dunson told the Commission Santek expects to move into the newly constructed cell towards the end of September once the Tennessee Department of Environment and Conservation gives its final approval.

During the Attorney's Report, Mr. Gilbert distributed a resolution authorizing the Commission's purchase of the Ryan property for \$364,272. He said the closing on the property is scheduled for September 20, 2011.

**MOTION:** Mr. Harrison made a motion to accept the resolution authorizing the Ryan property acquisition as recommended by Attorney Gilbert. Mr. Akins seconded the motion and the Commission passed it unanimously.

Mr. Gilbert then presented the Commission with a Real Estate Exchange Agreement for the Atchley property. The document stipulates closing on the property will be delayed until January 31, 2013. The Commission owes the Atchley property owners \$10,000 upon signing the document as a covenant for their agreement not to harvest the timber on the property to be transferred to the Commission. The transaction is for 21.37 acres of Ryan property in exchange for 13.31 acres of

Atchley property. The Commission will pay all closing costs and roll-back taxes. Mr. Gilbert recommended that if the Commission desired to proceed with the acquisition, it should make a motion to approve the agreement and authorize Mr. Field as Commission Chair to execute the agreement and authorize the \$10,000 payment to the Atchley property owners.

Mr. Gilbert noted that one small issue remained pertaining to the timing of paying realtor Jay Cobble his commission for the Atchley transaction. Mr. Gilbert said the Commission has three options: Pay all of Mr. Cobbles' commission at closing; pay the commission at the signing of the exchange agreement; or split the commission in half, paying half at closing and half at signing. Mr. Harrison asked if the payment of Mr. Cobble's commission could be delayed until the Commission's next meeting, to which Mr. Gilbert replied it could.

**MOTION:** Mr. Harrison made a motion to approve the exchange agreement as presented, authorizing Mr. Field as Commission Chair to execute the agreement and the payment of \$10,000 to the Atchley property owners as provided for in the agreement. Mr. Sitzlar seconded the motion and it passed with 5 ayes and one abstention (Mr. Sitzlar).

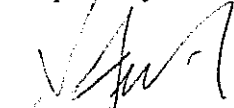
Mr. Sitzlar commended Mr. Harless and Mr. Jameson for coordinating the painting of the Veterans Memorial Bridge in Loudon over the Labor Day holiday. Mr. Harrison also reported two large bags of plastic bottles and one large bag of aluminum cans were collected during the recent Fiddlers' Convention.

Mr. Field said the Commission should pursue discussions during its upcoming meetings to develop a master plan for the entire landfill site, including the new property purchases.

**MOTION:** Mr. Waldrop made a motion to adjourn the meeting at 7:40 p.m. Mr. Sitzlar seconded the motion. The motion passed unanimously.

The Commission's next regularly scheduled meeting is October 11, 2011 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman  
Loudon County Solid Waste Disposal Commission

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**October 11, 2011**

The Loudon County Solid Waste Disposal Commission (Commission) met on October 11, 2011 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Aprell Patterson, Ted Sitzlar and John Watkins. Other attendees included Attorney Bud Gilbert; Santek representatives Cheryl Dunson and Levi Higdon; Gordon Harless; and resident Aileen Longmire and two other unidentified residents.

Mr. Field called the meeting to order at 6:34 p.m.

Mr. Field asked for a motion to approve the minutes of September 13, 2011.

**MOTION:** Mr. Sitzlar made a motion to approve the minutes. Ms. Patterson seconded the motion. The Commission approved the motion unanimously.

During the Items of Public Concern, Mr. Sitzlar produced a picture of a Santek employee using a heavy piece of equipment to wash Hwy. 72. He said several residents have commented to him about the employee being courteous to drivers by turning the water off when being approached by vehicles. Mr. Sitzlar also had pictures for the Commission of washout and erosion problems on the road in front of the Ryan property. He said he intends to talk with representatives from the Loudon County Road Department to see if material on the road can be removed and the erosion problem corrected.

Ms. Dunson presented the Cash Activity Report and Santek's Operational Report. During the operational report, Mr. Watkins asked Ms. Dunson about the landfill's final elevation. She said she would report back to the Commission with the landfill's final elevation and how it compares to the facility's current elevation.

During the Attorney's Report, Mr. Gilbert distributed Property Inventory Cards for the Matlock, Purdy and Ryan properties. Each card includes general information about the properties including but not limited to physical address, former owner, acreage, zoning and cost. On the Commission's behalf, Mr. Gilbert said he has applied for a refund of the state transfer tax which the Commission paid on each property purchase. He said the Commission should be exempt from paying this tax.

Mr. Gilbert said the Atchley property agreement has been signed and the Atchley property owners have received a \$10,000 payment as a covenant for them not to harvest the timber on the property they have agreed to transfer to the Commission. He said an outstanding issue remains related to the real estate transaction and realtor Jay Coble's commission. Mr. Coble is requesting immediate payment of the full commission which is \$7,986. Mr. Field and Mr. Watkins both indicated they could agree to pay Mr. Coble 50 percent of his commission now and the remaining 50 percent at closing.

**MOTION:** Mr. Watkins made a motion to pay Mr. Coble 50 percent of his commission now and 50 percent at closing. Ms. Patterson seconded the motion. The motion failed on a vote of three ayes and one abstention (Sitzlar). Because the motion did not pass with four affirmative votes representing a majority of the Commission, the matter will be discussed at the Commission's next meeting.

Mr. Field reported that he had been asked by the Loudon County Commission to present quarterly progress report. He said he intends to provide these updates according to the calendar quarter.

Mr. Field asked the Commission to consider giving some thought to the development of a master plan for the new property purchases. Ms. Dunson said she spoke with Santek Vice President of Engineering Rob Burnette on the steps to begin the process and he suggested the completion of an aerial topographic survey depicting the site boundaries and geographical features. Mr. Field asked Mr. Gilbert if the Commission could structure a request for proposals for professional services from industries that create property master use plans. Mr. Gilbert said he could make inquiries with consultants or research the internet.

Mr. Field asked Ms. Dunson if Santek would perform an aerial topographic survey of the new properties when it completes the annual aerial survey of the landfill. She said she would check with Santek's engineering department.

**MOTION:** Mr. Watkins made a motion to adjourn the meeting at 7:25 p.m. Ms. Patterson seconded the motion. The motion passed unanimously.

The Commission's next regularly scheduled meeting is November 8, 2011 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman  
Loudon County Solid Waste Disposal Commission

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**November 8, 2011**

The Loudon County Solid Waste Disposal Commission (Commission) met on November 8, 2011 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Bill Waldrop, John Watkins, Ted Sitzlar and Jim Akins. Other attendees included Attorney Jonathan H. Peyton with Kennerly Montgomery, who attended for Mr. Gilbert; Santek representatives Cheryl Dunson and Levi Higdon; Gordon Harless; Aileen Longmire, Pat Hunter, and two other unidentified residents.

Mr. Field called the meeting to order at 6:30 p.m.

Mr. Field asked for a motion to approve the minutes of October 11, 2011.

**MOTION:** Mr. Sitzlar made a motion to approve the minutes. Mr. Waldrop seconded the motion. The Commission approved the motion unanimously.

During the Items of Public Concern, Ms. Hunter asked if there will be more than two years of the Commission's meeting minutes posted on the county web site. Mr. Field said his goal is to post 10 years of meeting minutes. She also asked if there would be more complete packet information beyond the current calendar year on the web site. Mr. Field said no.

Mr. Sitzlar reported the Loudon County Road Superintendent had performed minor work on the washout and erosion problems on the road in front of the Ryan property. He distributed pictures of the work to commissioners.

Ms. Dunson presented the Cash Activity Report. Mr. Watkins asked if the cash disbursement of \$12,050 for Engineering Services was related to Dr. Bachus' work on the landfill slope failure. Ms. Dunson said she did not think so, but would confirm this with Erin Rice in the Loudon County Department of Accounts and Budgets. Ms. Dunson said she would email all of the commissioners with the answer in the morning.

Ms. Dunson also presented Santek's Operational Report. In response to a question from Mr. Watkins during last month's meeting, Ms. Dunson told the Commission the final elevation of the landfill will be 1,126 feet when the major permit modification is complete. Mr. Field asked Ms. Dunson to prepare an engineering drawing for next month's Commission meeting depicting the landfill's final contours if the major modification is approved. Ms. Dunson also presented a proposal to the Commission to complete an aerial and topographic survey of the Commission's new property purchases. The total lump sum fee for the proposal was \$11,200.

**MOTION:** Mr. Waldrop made a motion to accept the proposal contingent on the Commission receiving legal advice that the project did not have to be bid. Mr. Akins seconded the motion and it passed unanimously.

During the Attorney's Report, Mr. Peyton said realtor Jay Coble is willing to accept 50 percent of his commission on the Atchley property now and 50 percent at closing.


**MOTION:** Mr. Watkins made a motion to pay Mr. Coble 50 percent of his commission now and 50 percent at closing. Mr. Waldrop seconded the motion. The vote passed with four ayes and one abstention (Sitzlar).

Mr. Waldrop reported he attended a recent meeting of the local chapter of the American Society of Civil Engineers. The guest speaker was Dr. George Hyfantis who, Mr. Waldrop said, has extensive experience in solid and hazardous waste management. He distributed Dr. Hyfantis' resume to the Commission for future reference.

**MOTION:** Mr. Waldrop made a motion to adjourn the meeting at 7:25 p.m. Mr. Akins seconded the motion. The motion passed unanimously.

The Commission's next regularly scheduled meeting is December 13, 2011 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman  
Loudon County Solid Waste Disposal Commission



**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**December 13, 2011**

The Loudon County Solid Waste Disposal Commission (Commission) met on December 13, 2011 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Bill Waldrop, John Watkins, Ted Sitzlar and Robert Harrison. Other attendees included Attorney Bud Gilbert; Santek representatives Cheryl Dunson and Levi Higdon; Aileen Longmire, Pat Hunter, and two other unidentified residents.

Mr. Field called the meeting to order at 6:35 p.m.

Mr. Field asked for a motion to approve the minutes of November 8, 2011.

**MOTION:** Mr. Waldrop made a motion to approve the minutes. Mr. Sitzlar seconded the motion. The Commission approved the motion unanimously.

There were no Items of Public Concern.

Ms. Dunson presented the Cash Activity Report and Santek's Operational Report. Ms. Dunson reported the consent order related to the landfill's slope failure has been lifted by the Tennessee Department of Environment and Conservation (TDEC) and Santek has been given permission to return to Module G. Because Dr. Bob Bachus with GeoSyntec Consultants was in the process of reconfiguring the module's elevation, Ms. Dunson did not have an airspace utilization schedule to present to the Commission. However, Santek Engineering personnel estimated returning to Module G will provide an additional nine months or approximately 385,280 cubic yards of airspace. Mr. Watkins asked Mr. Field to provide Commissioners with a hard copy of TDEC's final report.

At the request of Mr. Watkins, Mr. Field said he asked Santek to provide a drawing to the Commission depicting the landfill's final elevation once TDEC approves the major permit modification. Ms. Dunson provided two drawings illustrating the final elevation under the landfill's current permit and a drawing representing the landfill's final elevation once the permit modification is secured. Mr. Field said the landfill's current elevation is 1,072 feet and the current permit allows the landfill to grow to 1,108 feet. The major permit modification will provide for the landfill to reach 1,126 feet. Mr. Watkins said he continues to be concerned about adding an additional 50 feet to the landfill, especially since the Commission has purchased more land. Mr. Field reminded the Commission that Santek was assured of 22 years of constructed airspace using the land the Commission owned at the time the new contract was let. Mr. Watkins said he understood the airspace obligation, but remained concerned about the landfill's maximum height. He asked Ms. Dunson to provide the Commission with cross sections of the landfill's final elevation and the surrounding topography.

Mr. Field suggested the Commission consider working with a third party to create a view shed of the landfill when it reaches capacity. Mr. Harrison asked Mr. Gilbert about the Commission's contractual obligations to cooperate with Santek. Mr. Gilbert said the contract was a long-term agreement and contained provisions requiring the parties to cooperate together on the best utilization of the landfill. However, this does preclude them from agreeing to modifications or amendments if conditions change during the course of the agreement's term.

During the Attorney's Report, Mr. Gilbert said he reviewed the Commission's decision to award a \$11,200 project to Santek to complete an aerial and topographic survey of the Commission's new property purchases. He concluded the work is considered mostly professional services, which did not require a competitive bid process, and the Commission was within its right to award the project to Santek.


Mr. Gilbert also presented the Commission with some samples of legal ads related to advertising the Commission's future meetings. Mr. Gilbert recommended publishing a display ad once a year containing all of the Commission's meetings, followed with smaller classified ads on a monthly basis.

**MOTION:** Mr. Waldrop made a motion to purchase a display ad once a year followed by two classified legal ads each month prior to the Commission's meetings. Mr. Watkins seconded the motion and it passed unanimously.

**MOTION:** Mr. Sitzlar made a motion to adjourn the meeting at 7:30 and Mr. Watkins seconded the motion. The motion passed unanimously.

The Commission's next regularly scheduled meeting is January 10, 2012 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman

Loudon County Solid Waste Disposal Commission