

Minutes
Loudon County Solid Waste Disposal Commission
January 13, 2004

The Loudon County Solid Waste Disposal Commission (Commission) met January 13, 2004 at 6:30 p.m. at the Loudon County Courthouse Annex. Commissioners Steve Field, William Waldrop, Robert Harrison, Russell Alford, Ted Sitzlar, Aprell Patterson, and Robert Phillips were in attendance. Other attendees included Commission attorney Bud Gilbert, Santek representatives David Brakebill and Cheryl Dunson, and Allied representatives Doug McGill and his associate.

Mr. Field called the meeting to order. There were no items of public concern. Mr. Waldrop made a motion to approve the minutes. Mr. Harrison seconded the motion. The minutes were approved unanimously.

Cheryl Dunson presented an operational report for Santek for the month of December, 2003 without discussion from the Commission. .

A Treasurer's Report for the month of December, 2003 was distributed and discussed by the Commission. Mr. Sitzlar asked why Account #26 (Loudon County) is consistently behind in its payments to the Commission. Ms. Dunson said she would bring it to the attention of Santek's Accounts Receivables department, but the question would be better posed to the Loudon County Finance Department.

Mr. Gilbert gave an Attorney's Report, which included a handout of pertinent correspondence and telephone memoranda that he thought might be of interest to the Commission. He advised the Commission that he had sent a memo to the News Herald about posting a public notice for the Commission's future meetings. He also distributed a Table of Contents for a Legal Notebook he had compiled for the Commission and said he would gladly distribute complete notebooks to any commissioner who requested it. Mr. Field asked him to distribute complete notebooks to all commissioners by the end of the month.

Mr. Gilbert gave a synopsis of his research about the Commission's pending Request For Proposals (RFP) process. He advised the Commission that as a governmental entity created under the Interlocal Cooperation Act, it was his firm's legal opinion that the Commission must abide by the more stringent of the procurement codes that applied to the governmental entities that created the Commission. Based on that conclusion, Mr. Gilbert recommended that the RFP process be cancelled because of his concern that the requests did not properly detail how the proposals would be evaluated and what criteria would be used by the Commission in doing so.

In recommending the rejection of the proposals, Mr. Gilbert explained there were other legal and business advantages and disadvantages that might result from following his recommendation. The advantages included giving the Commission more time to consult with CTAS on a better defined RFP process; avoiding legal problems that might arise should the current RFP process be completed with Santek and any losing responder; allowing the Commission to gain a clearer consensus on its core options; allowing the Commission to research and explore opportunities with current contractor and other potential contractors on an informal process before beginning a revised formal RFP; and significantly reducing the Commission's legal risk associated with completion of the pending RFP. The disadvantages included a delay in solving the Commission's pending long and short term problems (2-3 more months) and possibly offending the proposers who had submitted responses to the pending RFP.

To expedite the process, Mr. McGill asked the Commission to place its evaluation criteria on the table so proposers could see if their proposal met the criteria. This way, Mr. McGill suggested that proposers would not have to go through the RFP process again. Mr. Gilbert expressed concern about Mr. McGill's suggestion because technically, he said, the proposals have been opened and already on the table. After further discussion by the Commission, Mr. Harrison made a motion to reject all the proposals. Mr. Phillips seconded the motion. After additional discussion, the motion was approved unanimously. Mr. Gilbert

recommended that the Commission chairman write a letter to the proposers announcing the rejection of all proposals and explaining the Commission's decision to do so. Mr. Gilbert was directed to prepare a draft of the letters for Mr. Field's signature.

Mr. Gilbert recommended the Commission get together in the near future to discuss the direction in which the Commission wished to proceed. He suggested a workshop meeting that would be open to the public to discuss and formulate the Commission's core options. The consensus among the Commission was to hold a workshop with CTAS representatives prior to the next regularly scheduled meeting.

Mr. Field asked the Commission for its help during the upcoming Household Hazardous Waste Collection Day in April. Mr. Alford and Ms. Patterson volunteered their efforts.

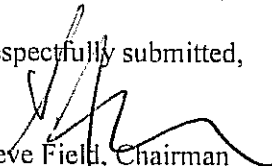
Mr. Field distributed the audit from Mr. B.J. King.

He also recommended the Commission pay Mr. Gilbert's expenses to attend the Solid Waste Conference in Gatlinburg this year. Mr. Gilbert noted that his firm would not charge his normal hourly rates for attendance at such conference since it was a learning opportunity for him.

Mr. Gilbert reminded the Commission that it needed authorize the Chairman to sign an engagement letter for his firm dated November 21, 2003, which had been sent to each of the Commissioners last year. He said his rates would remain the same in 2004 as those listed in the letter for 2003, and the Commission could dismiss his firm at will at anytime upon notice to the firm as stated in the engagement letter. It was the consensus of the Commission to approve the engagement letter.

Mr. Phillips made a motion at 7:45 p.m. to adjourn the meeting. Mr. Sitzlar seconded it. The motion was approved unanimously. The Commission's next meeting is February 10, 2004 at the Courthouse Annex.

Respectfully submitted,


Steve Field, Chairman

Minutes
Loudon County Solid Waste Disposal Commission
February 10, 2004

The Loudon County Solid Waste Disposal Commission (Commission) met February 10, 2004 at 6:30 p.m. at the Loudon County Courthouse Annex. Commissioners Steve Field, William Waldrop, Ted Sitzlar, Aprell Patterson, and Robert Phillips were in attendance. Other attendees included Commission attorney Bud Gilbert, Santek representatives David Brakebill and Lorie Evanyk, and Keep Loudon County Beautiful (KLCB) representative Jennifer Brewster.

Mr. Field called the meeting to order. There were no items of public concern. Mr. Waldrop made a motion to approve the minutes. Mr. Phillips seconded the motion. The minutes were approved unanimously.

Ms. Brewster told the Commission that KLCB would like to partner with them on the Household Hazardous Waste Day in April. She said she would be able to help with publicity and volunteers. Mr. Field said he would like to setup a meeting at another time with KLCB volunteers to discuss the logistics of the event. Ms. Evanyk suggested inviting Christina Treglia with the State Community Assistance Office to the meeting. Mr. Field distributed a sample flyer Santek had produced for Bradley County to notify the community of the event. Mr. Sitzlar suggested displaying banners throughout the County.

Ms. Evanyk presented Santek's monthly operational report. Mr. Sitzlar requested that Santek find out if the Loudon Utilities Board would be willing to adjust the leachate bill due to a faulty flow gage.

During the Treasurer's Report, Mr. Phillips asked if the question posed last month regarding late payments on Account #26 (Loudon County) was reviewed. Ms. Evanyk said she did not know, but would email Commissioners Monday with an answer.

During his Attorney's Report, Mr. Gilbert distributed Commissioner's manuals for each Commissioner, which included various state and local laws and other informational data to assist them as they serve on the Commission.

Mr. Gilbert informed the Commission he was still studying the management contract to answer several questions from Chairman Field. He said the contract seems to be sound but complex. He said there is some subjectivity in its terms, such as when and how the contract ends. He recommended that the commission undertake an accounting analysis to make sure the Commission is booking adequate money for closure. Mr. Field asked if they would need an accountant or an engineering firm to prepare this analysis. Mr. Gilbert said he was not sure, but after the last workshop Ms. Garkovich with CTAS had hesitantly suggested an accountant with their department. Her hesitance was due to not knowing if CTAS's accountant would have time to assist them. Mr. Field suggested calling Southern Consulting who has done work with the Commission in the past.

Mr. Field quoted some post-closure costs to the Commission. Mr. Sitzlar suggested we find out what costs Poplar Springs has incurred at its site. Mr. Sitzlar also asked Mr. Gilbert if he could make copies of the laws regarding the requirements for conducting public hearings to include in the Commissioner's manuals.

The Commission next discussed the need for seeking new proposals for the operation of its landfill. Mr. Phillips suggested the Commission get its financial analysis completed before any other decisions are made in regards to future proposals. Mr. Waldrop suggested meeting with Santek to discuss renegotiation of the current contract after the financial analysis is complete. Mr. Field asked Mr. Gilbert's opinion on

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renegotiating the contract. Mr. Gilbert said it matters how substantive the proposed change are on whether you should amend the contract or go out for new proposals. He said it might be advantageous to iron out some of the ambiguous concerns that are in the current contract. He asked Mr. Field if the rejection of proposals letters were mailed out. Mr. Field said yes.

In regards to the financial analysis, Mr. Waldrop said he was uncertain about what the Commission would be asking a firm to accomplish. Mr. Gilbert said the financial analysis might consist of several different scenarios. The core option being where would the Commission be financially if it decides to take no action; second, an analysis of the effect of shutting the landfill down temporarily (moth balling) after Module C is full; and third, closing the landfill completely.

Mr. Sitzlar wanted to know if the Commission could get a monthly report from the Trustee's office on what rate of return the Commission is earning on its funds held by Loudon County. Mr. Field said he would talk to the Trustee's office and get this information.

Mr. Gilbert inquired as to whether the Commission adopted a budget each year. He suggested that the Commission might ask Mr. King to do this for the Commission since he already prepares the audit. Mr. Field said he would speak with Mr. King.

Mr. Waldrop asked if Mr. Alford had resigned. Mr. Field said he did resign after the last workshop. Mr. Field said he believed the reason for Mr. Alfred's departure was a lack of interest in solid waste issues. He asked the Commission to recommend any good candidates for his replacement.

Lastly, Ms. Evanyk provided draft copies of the 2003 Annual Progress Report to the Commission. Mr. Waldrop asked if Tellico Village recycling numbers were in the report. Ms. Evanyk said she would try to get those numbers from Waste Connections. Ms. Evanyk reported the numbers from the Class IV landfill were much higher than last year. She said she would contact Waste Connections again to verify that this number is Loudon County waste only.

The meeting adjourned at 8:30 p.m. The Commission's next meeting is March 9, 2004 at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman

Minutes
Loudon County Solid Waste Disposal Commission
March 9, 2004

The Loudon County Solid Waste Disposal Commission (Commission) met March 9, 2004 at 6:30 p.m. at the Loudon County Courthouse Annex. Commissioners Steve Field, William Waldrop, Robert Harrison, Ted Sitzlar, Bobby Phillips, Aprell Patterson, and John Watkins were in attendance. Other attendees included Commission attorney Bud Gilbert, Loudon County Convenience Center Director Rick Watson, Santek representatives David Brakebill and Cheryl Dunson, and a representative from the News Herald.

Mr. Field called the meeting to order.

Mr. Watson addressed the commission about the upcoming household hazardous waste collection day. He said he made contact with all necessary entities about site security and safety. He also said he advertised the event in the local newspaper and the county's web site. Ms. Dunson added that Santek printed several thousand flyers on the commission's behalf and Mr. Watkins was encouraged to distribute them in the community.

Mr. Waldrop made a motion to approve the minutes. Mr. Phillips seconded the motion and it passed unanimously.

Ms. Dunson presented Santek's operational report for February. The Commission asked if the annual report could be submitted electronically. Ms. Dunson said she would check and report back to the Commission.

The Treasurer's Report for February was reviewed by the Commission and no issues were raised.

During the Attorney's Report, Mr. Gilbert reported he updated some of the sections of the Commissioners' manuals and would mail new inserts to each of the Commissioners.

At the request of the Chairman, Mr. Gilbert also reported that he checked on the background for the quarterly payments to LUB that are being made for the water line that extends down Hwy. 72 pass the landfill. Mr. Gilbert said that he had spoken with Mr. Barry Baker at LUB about the matter who assured him that at the time the arrangement was created in 1998, it had been determined that the water line was a proper expenditure for the Commission to assure that its landfill operations did not create any clean water issues with the surrounding property owners who were relying on well water at the time the landfill was constructed. Mr. Baker indicated to Mr. Gilbert that the line was funded through an ARC Grant and twenty year low interest rate loan from the State Revolving Loan Fund and that LUB paid for a size upgrade on the line from 10" to 12". Mr. Baker indicated to Mr. Gilbert that the Commission pays its share of the loan in four quarterly payments of \$3,750 each, which are supposed to be handled by the Loudon County Trustee at a reduced cost from the trustee's normal charges. Mr. Baker promised that he would search his files for any written documentation regarding the arrangement and forward them to Mr. Gilbert.

Mr. Field asked for an update regarding the evaluation process of consultants' proposals to analyze the Commission's financial situation. Mr. Waldrop said he had sent a scope of services to Southern Consultants and had also had a proposal from GeoSyntec. He said the differences in the proposals were hard to compare due to pricing and the consultants' interpretation of the work. Mr. Field suggested Mr. Waldrop re-visit the consultants and give them three core scenarios to

evaluate: 1) Do nothing. 2) Fill the existing cell within the next 12 months. 3) Mothball the landfill. Mr. Harrison said he wanted to see a 4th scenario which included looking at the current market rate for landfills in the region and establishing a target income. He said limiting the scope of services to the three core scenarios may falsely predetermine the Commission's options. Mr. Gilbert said once accounting figures have been determined according to the three core scenarios, then the timing may be right for further analysis of the fourth scenario, which may include cutting cost or increasing tonnage. The Commission ultimately elected to have Mr. Waldrop contact additional consultants so it would have more proposals to consider.

After additional review of the interlocal government agreement establishing the Commission and its responsibilities, Mr. Gilbert reported that Section 7 required the operator of the landfill to prepare an annual budget for approval by the Commission. He also said he sees the value in the Commission having a budget. Mr. Field said he thought it would be appropriate for the Commission to work with Tim Boyd in the Loudon County Finance Department to help the Commission create a budget.

A brief discussion followed about which commissioners planned to attend the solid waste conference in Gatlinburg at the end of April. Mr. Harrison, Mr. Watkins and Ms. Patterson indicated a desire to attend the conference.

Mr. Sitzlar made a motion to adjourn the meeting at 7:40 p.m. Mr. Phillips seconded the motion and it passed unanimously. The Commission's next meeting will be April 13th at 6:30 p.m. at the courthouse annex.

Respectfully submitted,



Steve Field, Chairman

Minutes
Loudon County Solid Waste Disposal Commission
April 13, 2004

The Loudon County Solid Waste Disposal Commission (Commission) met April 13, 2004 at 6:30 p.m. at the Loudon County Courthouse Annex. Commissioners Steve Field, William Waldrop, Ted Sitzlar, Aprell Patterson, Robert Phillips, Robert Harrison, and John Watkins were in attendance. Other attendees included Commission attorney Bud Gilbert, Santek representatives David Brakebill and Lorie Evanyk, and News-Herald Reporter Mary Openshaw.

Mr. Field called the meeting to order. There were no items of public concern. Mr. Waldrop made a motion to approve the minutes. Mr. Watkins seconded the motion. The minutes were approved unanimously.

Ms. Evanyk presented the operation and treasurer's report for March and discussed the annual tonnage estimates. Monthly tonnages since January 2004 have been above the monthly "tonnage trigger" of 4375 tons. According to the Commission's operating contract with Santek, all tons above this figure will require the tipping fee to be split by the Commission and Santek and paid on a monthly basis to be adjusted each quarter. Annual tonnage in excess of 60,000 requires additional compensation to be paid to Santek on terms to be negotiated by the parties. Mr. Field wanted to make sure the calculations are done on a weighted average. He asked Mr. Gilbert if he would review the section of the contract concerning the "Additional Fees" and report back to the Commission.

Mr. Sitzlar said he received a call from Mr. Steed, a landfill neighbor. Mr. Steed was concerned about trucks coming into the landfill at night on Saturday and Sunday. Mr. Brakebill explained the trucks were from Trigen Biopower. Trigen has several loads per day which are brought in after normal working hours at the landfill. Mr. Sitzlar asked if Santek would contact Mr. Steed and reassure him nothing illegal was going on at the landfill.

During his Attorney's Report, Mr. Gilbert distributed a copy of his letter addressed to Mr. Baker's office in regards to the 20-year loan for the water line extension.

The Commission discussed four consultants' proposals for undertaking a financial analysis of the Commission's landfill operations. Mr. Waldrop observed that the proposals were all different in regards to the services being offered. He reported that Southern Consulting said they could prepare a financial analysis for \$4,100.00 in three weeks. Geosyntec's proposal was in two phases. The first phase would be \$1,500.00 for a one-day seminar. The second phase would cost around \$10,000 for an in-depth analysis. Arcadis' proposal was for \$14,500 and SME's quote was for \$3,400.00.

Mr. Waldrop also reported that when he spoke with Damon Riggs of Arcadis, he was advised that the Commission needed a broad-brush analysis and possibly the need for a long-term relationship to assist the Commission in the future. He also spoke with Bob Backus of Geosyntec. Mr. Field reported that he contacted SME and Southern Consulting and focused on the three core scenarios the Commission wanted answered.

After considerable discussion by the Commission on the strengths and weaknesses of each of the proposals, Mr. Gilbert suggested to the Commission that it consider asking Geosyntec to undertake the first phase of their proposal, and then engage Southern Consulting or SME for the detailed report so that the Commission would have the benefit of and exposure to the thinking of two qualified firms. After additional discussion of this approach, Mr. Harrison made a motion to hire Southern Consulting for the full

analysis and Geosyntec for the first phase of their proposal. Mr. Phillips seconded the motion. The motion was approved unanimously.

A decision was made not to share the Southern Consulting analysis with Geosyntec until after the first-phase seminar. Mr. Waldrop agreed to obtain a signed agreement from Geosyntec outlining its services for the phase one portion of their proposal. Mr. Field thanked Mr. Waldrop for his time on this project.

Mr. Field distributed the summary of the Household Hazardous Waste Day Event. 460 households participated making it a huge success. Mr. Gilbert suggested doing a follow-up in the newspaper about the success of the event. Ms. Patterson suggested that such media release include the convenience center hours and locations.

In response to the operations report given earlier, Mr. Watkins asked about the problem with the leachate pond noted in the state inspection report dated April 8, 2004. Mr. Brakebill responded that the state wants the pond cleaned out soon.

Mr. Field informed the Commissioners they would be reimbursed for the seminar registration fees, mileage, and accommodations for the SWANA landfill Symposium to be held April 28-30, 2004. Ms. Patterson, Mr. Harrison, Mr. Watkins, Mr. Field, Mr. Waldrop, and Mr. Gilbert indicated that they planned to attend the event.

The meeting adjourned at 8:03 p.m. The Commission's next meeting is scheduled for May 11, 2004 at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman

Minutes
Loudon County Solid Waste Disposal Commission
May 11, 2004

The Loudon County Solid Waste Disposal Commission (Commission) met May 11, 2004 at 6:30 p.m. at the Loudon County Courthouse Annex. Commissioners Steve Field, William Waldrop, Aprell Patterson, and Robert Harrison were in attendance. Other attendees included Commission attorney Bud Gilbert, Santek representatives David Brakebill and Lorie Evanyk, News-Herald Reporter Mary Openshaw, and Trent Smith with Southern Consulting.

Ms. Evanyk presented the operation and treasurer report. Mr. Field asked if the Trigen volumes would remain about the same. Mr. Brakebill said, "Yes". Mr. Waldrop asked what rate Trigen was receiving. Ms. Evanyk thought it was \$20.00, but would double check that number.

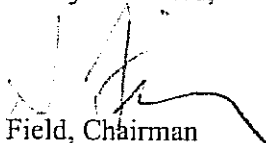
Next on the agenda was Trent Smith with Southern Consulting. Mr. Smith distributed a draft worksheet demonstrating to Commissioners different financial scenarios if they close the landfill after Module C is finished. Mr. Field asked Mr. Smith if he could change the tipping fee column on the worksheet to reflect a range from \$18.00 to \$25.00. Mr. Harrison asked if he would add a column for available airspace. Mr. Waldrop asked how much the remaining land surrounding the landfill was worth. Mr. Smith said he would make the needed changes and send the Commission the revised data.

Mr. Waldrop reported that Mr. Bob Backus with Geosyntec would like to meet with the Commission at next month's meeting.

Mr. Harrison reported that Larry Stafford, a former member on the Commission, died a little over a week ago from a brain tumor. Mr. Harrison asked the Commission if they would like to contribute in some way to a memorial for him. Ms. Patterson asked Mr. Harrison to find out what would be appropriate from the family.

The meeting adjourned at 8:45 p.m. The Commission's next meeting is scheduled for June 8, 2004 at the Courthouse Annex.

Respectfully submitted,


Steve Field, Chairman

Minutes
Loudon County Solid Waste Disposal Commission
June 15, 2004

The Loudon County Solid Waste Disposal Commission (Commission) met June 15, 2004 at 6:30 p.m. at the Loudon County Courthouse Annex. Commissioners Steve Field, William Waldrop, Aprell Patterson, Robert Harrison, Bobby Phillips, John Watkins, and Ted Sitzlar were in attendance. Other attendees included Commission attorney Bud Gilbert, Santek representatives Paul Thomas and Lorie Evanyk, News-Herald Reporter Mary Openshaw, and Bob Bachus with GeoSyntec Consultants.

Mr. Field called the meeting to order. There were no items of public concern. Mr. Waldrop made a motion to approve the minutes. Mr. Harrison seconded the motion. The minutes were approved unanimously.

Ms. Evanyk presented the operation and treasurer report. Mr. Gilbert asked about the additional expense under disbursements for Santek's monthly operation costs. Ms. Evanyk explained it was for the tonnage overage for the past several months. Mr. Field said he never approved any invoices. Ms. Evanyk will find out if Tim Boyd with the Loudon County Finance Department paid these invoices without approval from the Commission.

Ms. Evanyk also updated the Commission on aging accounts. The aging TVA accounts have been sent to Tim Boyd to try and collect since TVA can't pay by check and the County can't receive credit cards.

Mr. Sitzlar asked if the meter issue with Loudon Utilities had been resolved. Mr. Field said after discussion with Cheryl Dunson, the amount (approximately \$30.00) was so minimal it was not pursued.

Mr. Phillips raised a question concerning the \$5407.21 charge the County deducted from the solid waste account when they were out of checks. Mr. Field said he would get a breakdown of these costs from Mr. Boyd.

Mr. Gilbert also informed the Commission he has not received a response from Mr. Baker's office regarding the Loudon Utilities Board documentation. Mr. Field said he would contact Mr. Baker to see if he can find out what the problem is regarding this issue.

Next on the agenda was Bob Bachus with GeoSyntec Consultants. Mr. Bachus distributed copies of his assessment of the landfill operations. The assessment included data from the last two years, which showed changes in expenses, revenue, and tonnages. Mr. Bachus discussed with the commission how it was currently operating in a nearly "break even" mode. Also included in his report were recommendations on identifying short-term and long-term financial goals.

Mr. Field said the \$1.5 million the Commission currently has should be enough for closure, but not post-closure costs. Mr. Field said Southern Consultants' report will include the figures for post-closure.

Mr. Waldrop asked the Commission if they could recommend mandatory recycling for Loudon County. Mr. Field explained how local governments were not mandating recycling because of the costs associated with it.

Mr. Harrison said he would like to have a market study completed depicting how much waste is in the area. He also suggested having a realtor appraise the remaining acres at the landfill.

"MAJ"

The Commission decided it needed more information on what the costs would be to close the landfill. Questions remain on how valuable the land is worth, and the cost to operate a transfer station and take the waste elsewhere.

Mr. Waldrop asked what the downside was to Santek's proposal. Mr. Field said the life would be shortened and increased traffic. He also asked if the remaining acres of land surrounding the landfill could be permitted. Ms. Evanyk said she would get with Santek's engineering department and find out if a site suitability study had been done on this land.

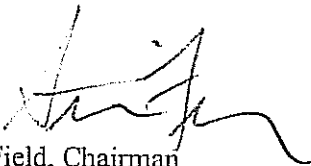
Mr. Field asked the Commission where they wanted to go from here. Mr. Phillips suggested setting a date to reach a decision. The Commission discussed the need to reduce tipping fees for the municipalities and Loudon County.

Finally, Mr. Field said he was working on a strategy to manage green waste that would be a joint partnership with the County and municipalities together.

Mr. Field was approached by a company who is in the construction and demolition (C/D) landfill business, and wants to know if the County would be interested in letting them host a C/D landfill at the Matlock Bend Landfill. Mr. Gilbert said the management contract with Santek does not allow for any other operator at the site. Ms. Evanyk was asked if Santek would be interested. She said she would speak to the decision makers at Santek.

The meeting adjourned at 9:45 p.m. The Commission's next meeting is scheduled for July 12, 2004 at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman

Minutes
Loudon County Solid Waste Disposal Commission
July 13, 2004

The Loudon County Solid Waste Disposal Commission (Commission) met July 13, 2004 at 6:30 p.m. at the Loudon County Courthouse Annex. Commissioners Steve Field, William Waldrop, Robert Harrison, Ted Sitzlar and Bobby Phillips in attendance. Other attendees included Commission attorney Bud Gilbert and his associate, Richie Brabham, Santek representatives Paul Thomas and Cheryl Dunson, and a representative from the News Herald.

Mr. Field called the meeting to order. There were no public comments.

Mr. Harrison made a correction to the minutes. Instead of a "realtor" appraising the remaining acres at the landfill, the minutes should have read an "MAI appraiser." The minutes were approved as corrected.

During Santek's operational report, Cheryl was asked to follow up with her assistant, Lorie Evanyk, about why non-manifested tire customers are charged \$115 per ton for waste tires.

During the Treasurer's Report, Mr. Sitzler asked about a \$239.12 expenditure to Sprint/Nextel. Mr. Field replied the line item may be related to telephone services obtained during Mike Atkins' tenure as solid waste director. He said he would look into the matter with county officials. Mr. Phillips asked if Trash Wagon had made any attempt to reconcile its account. The Commission agreed to ask Mr. Gilbert to send a letter to Trash Wagon requesting payment. Cheryl was asked to send Trash Wagon's information and account history to Mr. Gilbert. Mr. Field informed fellow commissioners \$5,470 was charged to the commission by Loudon County as reimbursement for several expenditures that were originally paid for by the county. Mr. Field also noted a \$98.97 expenditure was attributable to office furniture ordered by Mr. Atkins.

Mr. Field said he had left messages with Loudon City Manager Barry Baker requesting documentation for the water line extension. Mr. Field asked Mr. Baker for copies of the minutes regarding formal discussions about the water line.

Mr. Waldrop said after reading Geosyntec's report last month, he believed the Commission has a long-term economic concern related to closure and post-closure care of the landfill, but an immediate economic crisis did not exist. He said he thought it was prudent to sit down with Santek officials to see if there was any mutual ground to lower operational costs without political, legal or public turmoil.

Mr. Field asked what turmoil would be created in closing the landfill if it meant a reduction in disposal fees to the municipalities. Mr. Waldrop said other options should be explored until the Commission is unable to meet its long-term goals. Mr. Field asked Mr. Gilbert for his thoughts.

Mr. Gilbert cautioned the Commission on sending emails to one another that might contain suggested actions in advance of a meeting. He also said areas of negotiation related to an existing contract could potentially result in a changed product which could give other competitors a basis for legal action against the commission.

Mr. Field asked Cheryl how much life remained in the existing cell, given the additional waste from Trigen. Based on density and volume, Cheryl said Santek's engineering department estimates the cell filling four months earlier than once projected. Conservatively, the cell could be

full in January 2007 instead of October 2007. She also stated Santek is willing to sit down with the Commission to discuss options within the confines of the contract, but Santek is not willing to jeopardize the validity or enforceability of the contract.

Mr. Phillips asked Mr. Gilbert how much "wiggle room" existed to renegotiate the contract. Mr. Gilbert replied he had not taken a close look at the issue. Mr. Harrison suggested the Commission design a competitive bid process to suit the Commission's preference, recognizing different waste companies have different operating styles and philosophies. Mr. Gilbert replied several techniques exist for negotiations, including negotiated competitive bidding which occurs in two phases. Mr. Waldrop said he believed meeting with Santek representatives could make the existing agreement more efficient.

Mr. Phillips said the City of Lenoir City is interested in mothballing the landfill. Mr. Gilbert added the city is concerned about the disposal rates to use the landfill. Mr. Waldrop expressed concern for local industries if the landfill were closed. According to the interlocal government agreement, Mr. Gilbert said the City of Lenoir City has the right to withdraw if it is not satisfied with the arrangement.

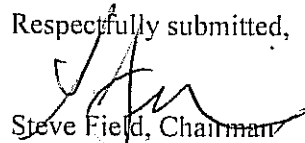
Mr. Harrison said the Commission has not used the landfill's strategic location to market the landfill and has not given itself enough time to find an equitable balance between waste volumes and tipping fees. Mr. Field agreed the landfill was in a good location and reminded the Commission that they have no employees and are currently operating in the red and would be competing with large, publicly traded companies, one of which had 2002 revenues of \$22.2 billion and the second had 2002 revenues of \$498 million. Mr. Field then asked the commission if anybody besides him saw this as a problematic.

Mr. Harrison made a motion to authorize Mr. Waldrop and Mr. Gilbert to schedule a meeting with Santek before the Commission's next meeting to discuss methods to increase landfill revenues within the legal confines of the contract. Mr. Waldrop seconded the motion with the following amendment: The meeting will include Bob Bacchus from Geosyntec. Mr. Bacchus will receive no more than one day's compensation. The motion was approved unanimously.

Mr. Phillips recommended the Commission consider meeting with all of the municipalities in a newly initiated fifth Monday meeting session with the three local municipalities. Mr. Gilbert suggested writing the local governments a short letter, describing the process the Commission is undertaking and expected time frames with results.

The meeting adjourned at approximately 8:35 p.m. The next meeting is scheduled for August 10, 2004 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 10, 2004

The Loudon County Solid Waste Disposal Commission (Commission) met on August 10, 2004 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Robert Harrison, Ted Sitzlar, William Waldrop, Bobby Phillips, John Watkins and Aprell Patterson. Other attendees included attorney Bud Gilbert, Santek representatives Paul Thomas and Cheryl Dunson, Waste Connections' representative Doug McGill and an associate, and a reporter from the News-Herald.

Mr. Field called the meeting to order. Under Items of Public Concern, Mr. McGill asked the Commission about the status of reports from the consulting engineers the Commission recently hired. Mr. McGill was advised that the consulting reports were still in progress and the Commission was currently going through a methodical process studying its current operating approach and identifying future options. Mr. McGill said Waste Connection was interested in working with the Commission and wanted to present some alternatives to be included in any future Request For Proposals and asked for a one-on-one meeting with the Commission to discuss available options for a potential procurement process. Mr. McGill was reminded that the Santek contract still had three to four years to run and that the Commission was not currently in a procurement process. Mr. McGill was encouraged to attend all future meetings of the Commission, after which he and his associate left the meeting. Mr. McGill returned shortly thereafter to reiterate his company's desire to work with the Commission but expressed some concern about discussing possible options in an open meeting that was attended by Santek representatives since they are in competition with Waste Connections.

Mr. Phillips made a motion to approve the minutes. Mr. Waldrop seconded the motion and the minutes were unanimously approved.

During Santek's Operational Report, Cheryl Dunson and Paul Thomas addressed the July 13th notice of violation and the steps taken to correct it. A new trench has been installed to alleviate gas problems and wet areas have been worked. A follow-up inspection on July 20th indicated the landfill looks good.

During the Treasurer's Report, Mr. Gilbert asked Ms. Dunson to confirm the amount of money Trash Wagon owed the Commission, which differed from the aging report and the information previously sent to Mr. Gilbert from Santek's accounts receivables department. The Commission also requested that Ms. Dunson check to see if Alvin Shoemaker had applied any money to his outstanding balance.

Mr. Waldrop gave a brief summary of the meeting held Aug. 2nd with Santek representatives at Mr. Gilbert's office. Bob Bacchus with GeoSyntec recently completed a report about the meeting, which will be distributed in the near future. Mr. Gilbert characterized the meeting as helpful and a good exchange of ideas and stated that both parties understood the need to comply with all applicable procurement requirements in any future procurement process that was outside the scope of Santek's current contract with the Commission. He said one of the points shared by Santek that most impressed him was that the operator's opinion that the most valuable use of the 150 acres owned by the Commission was as a permitted landfill. He also said there are certain options Santek can bring to the table to increase efficiencies based on what the company is currently doing with other Tennessee local governments. He also said a supplemental contract was discussed.

Mr. Gilbert presented the Commission with a contour map of the property from the Tax Assessor's office.

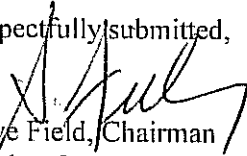
Trent Smith with Southern Consulting presented his study to the Commission. In summary, Mr. Smith said if the landfill closes after space in Cell C is consumed, the Commission will not have accrued enough money post-closure care. Mr. Field asked the Commission to review the document, and look specifically at the costs of closing the landfill after Cell C is filled.

Mr. Phillips asked why the Commission would close the landfill after Cell C. Mr. Field said the Commission could utilize a transfer station and dispose of waste at a Waste Connections' landfill. Mr. Waldrop hypothetically asked the Commission about downsides associated with the partnership Santek has with Rhea County. Mr. Phillips said the Commission should look at all of its options. Mr. Field said the Commission should talk to other waste companies to gauge the best available options to fit the Commission's needs. After some lengthy discussion, Mr. Gilbert acknowledged he liked the Santek approach, but he suggested the Commission sit down with other waste companies and garner input from city and county officials. Mr. Field recommended a Commission representatives meet with representatives from Waste Connections, Waste Management and Faye Portable. He added the meetings might be more productive if the same individuals who met with Santek also met with the other waste companies. Mr. Waldrop agreed to this recommendation. Mr. Phillips made a motion for Mr. Waldrop to schedule dates and times for meeting with Waste Connection, Waste Management, Faye and potentially BFI (given a non-compete agreement does not exist) and report back to the Commission next month. Mr. Watkins seconded the motion and it passed unanimously.

Mr. Field reported auditor B.J. King has been diagnosed with cancer and said Richard Hill from Knoxville has been recommended as a replacement. Mr. Field said he and Mr. Gilbert met with Mr. Hill, whose firm has been in business since 1980 and performed peer review on Mr. King's work with the Commission, and a contract is being prepared for Mr. Hill to prepare the annual audit.

With no further business, Mr. Phillips made a motion to adjourn the meeting at 9 p.m. The motion was seconded and approved unanimously. The next meeting of the Commission is scheduled for September 14, 2004 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 14, 2004

The Loudon County Solid Waste Disposal Commission (Commission) met on September 14, 2004 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Robert Harrison, Ted Sitzlar, Aprell Patterson, William Waldrop, and John Watkins. Other attendees included attorney Bud Gilbert, Santek representatives Paul Thomas and Cheryl Dunson, and a reporter from the News-Herald.

Mr. Field called the meeting to order. There were no Items of Public Concern.

Mr. Waldrop made a motion to approve the minutes. Mr. Watkins seconded the motion and the minutes were approved unanimously.

During Santek's Operations Report, Ms. Dunson explained Mac Tire is assessing the Commission a \$15-per-load fuel surcharge on each load of tires it hauls out of the landfill. Based on existing tire tonnages, the fuel surcharge could amount to \$30 to \$60 per month.

During the Treasurer's Report, Ms. Dunson described the new weighing software called Trux which is being used at the scalehouse. It generates a variety of new reports as well as information that was contained in WasteWorks. Mr. Sitzler made a motion to send delinquent accounts a reminder letter from Santek at 90-days past due; a cash-only letter at 120 days past due; and a letter from Mr. Gilbert's office at 180 days past due. Mr. Waldrop seconded the motion and it was approved unanimously. Regarding new accounts, Mr. Gilbert said it might be prudent for the Commission to establish its payment terms in advance of a new customer disposing of waste in the landfill. Then, in the event of non payments, the Commission would have more legal leverage to collect payments. The Commission asked Ms. Dunson to send a new hauler form to Mr. Gilbert for his review.

Mr. Field asked commissioners if they'd had an opportunity to review the proposed contract for auditor Richard Hill. Mr. Waldrop made a motion for Mr. Field to sign the contract. Mr. Harrison seconded the motion and it passed unanimously.

Mr. Field gave the Commission a report about a recent meeting with Loudon County Mayor George Miller, Loudon City Manager Barry Baker and Lenoir City Manager Dale Hurst. He said the purpose of the meeting was to discuss the management options currently being reviewed by the Commission. Mr. Field said there was some discussion about the city or county assuming management of the landfill or providing public financing for future development. The fifth Monday in November has been slated as a time for the Commission to present its findings to all of the Loudon County member governments. Mr. Harrison expressed concern that the Commission might not be prepared in time for the meeting. Mr. Gilbert said the Commission has two regularly scheduled meetings prior to the fifth Monday meeting in November. Mr. Field said he envisioned Bob Bacchus with Geosyntec playing an instrumental role in the meeting.

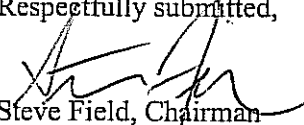
Mr. Waldrop said Mr. Gilbert, Mr. Bacchus and he met with representatives from Waste Connections and Waste Management September 2, 2004. He said both company representatives expressed no desire to manage Matlock Bend Landfill since they each have their own landfills in the area. Mr. Gilbert added Mr. Bacchus will be presenting the Commission with a report about all of the recent meetings with private waste companies.

The Commission then discussed the protocol on presenting its findings to the Loudon County member governments. Mr. Gilbert said Mr. Bacchus needed to be involved in the presentation. Mr. Harrison said he believed an independent and neutral facilitator was necessary. Mr. Field mentioned that the 9 County 1 Vision organization has a facilitator. Mr. Waldrop agreed to work with Mr. Bacchus on the presentation.

The next meeting of the Loudon County Solid Waste Disposal Commission is scheduled for October 12th at the Matlock Bend Landfill. Ms. Dunson will give Commissioners a tour of the landfill at 5:30 p.m. which will be followed by a working dinner at 6:30 p.m..

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,


Steve Field, Chairman
Loudon County Solid Waste Disposal Commission

Minutes
Loudon County Solid Waste Disposal Commission
October 12, 2004

The Loudon County Solid Waste Disposal Commission (Commission) met on October 12, 2004 at 6:30 p.m. at the Matlock Bend Landfill. The Commission was represented by Steve Field, Robert Harrison, Ted Sitzler, Aprell Patterson, Bobby Phillips, William Waldrop, and John Watkins. Other attendees included attorney Bud Gilbert, Santek representatives Paul Thomas, Lorie Evanyk and Cheryl Dunson, and Mary Openshaw from the News-Herald.

Following a tour of the landfill and a deli dinner, Mr. Field called the meeting to order. There were no Items of Public Concern.

Mr. Waldrop made a motion to approve the minutes. Mr. Watkins seconded the motion and the minutes were approved unanimously.

There were no issues of concern during Santek's operations report.

During the Treasurer's Report, Mr. Phillips asked if the Commission should write off Trash Wagon's outstanding debt. Mr. Gilbert advised the Commission that it should have a standard procedure in place before it writes off debts in order to prevent the perception of arbitrary decisions by the Commission. Mr. Waldrop said there was no virtue in the Commission writing off the debt since its not afforded any tax benefits. He suggested that the Commission continue sending Trash Wagon a monthly invoice. The Commission agreed to this approach without motion.

Mr. Waldrop gave the Commission an outline of Bob Bacchus' presentation for the fifth Monday meeting in November with representatives from Loudon County and the cities of Loudon and Lenoir City. Mr. Waldrop said he thought the agenda was too lengthy and Mr. Gilbert agreed, adding that the presentation should be limited to no more than 30 minutes. After some discussion among commissioners about what issues they would anticipate being presented, Mr. Gilbert advised the Commission to make the presentation a generic overview of the options being explored. He expressed some concern about having a presentation ready for the Commission to review at next month's meeting. Mr. Waldrop said he would be in Atlanta October 14 and would meet with Mr. Bacchus. He said he was confident they would have a preliminary presentation finalized by the Commission's next meeting. Mr. Field asked about distributing a questionnaire at the fifth Monday meeting to poll officials' sentiments about solid waste issues in Loudon County. Mr. Gilbert said a questionnaire would be very appropriate and he would have a draft for the Commission at its November meeting. Mr. Field also told commissioners Mr. Gilbert will distribute to commissioners Mr. Bacchus' report about the meetings with solid waste contractors. Commissioners are to give their comments to Mr. Gilbert.

There were no other items of discussion and Mr. Phillips made a motion to adjourn at 8:00 p.m. Mr. Sitzler seconded the motion and it was approved unanimously. The next meeting of the Loudon County Solid Waste Disposal Commission is November 9, 2004 at the Loudon County Courthouse Annex at 6:30 p.m.

Respectfully submitted,


Steve Field, Chairman

Loudon County Solid Waste Disposal Commission

Minutes
Loudon County Solid Waste Disposal Commission
November 9, 2004

The Loudon County Solid Waste Disposal Commission (Commission) met November 9, 2004 at 6:30 p.m. at the Loudon County Courthouse Annex. Commissioners Steve Field, William Waldrop, Robert Harrison, and Bobby Phillips were in attendance. Other attendees included Commission attorney Bud Gilbert, Santek representatives Paul Thomas and Lorie Evanyk, and Bob Bachus with GeoSyntec Consultants.

Mr. Field called the meeting to order. There were no items of public concern. Mr. Waldrop made a motion to approve the minutes. Mr. Harrison seconded the motion. The minutes were approved unanimously.

Ms. Evanyk presented the operation and treasurer report. During the treasurer's report, it was decided that several of the pages could be omitted due to duplicity.

Mr. Bob Bachus presented a draft powerpoint presentation for the Fifth Monday meeting of Loudon County, Lenoir City and Loudon City to be held on November 29, 2004. The Commission discussed the presentation at length and suggested numerous revisions to the report, which Mr. Bachus and Mr. Gilbert agreed to revise and redistribute to the Commissioners prior to the Fifth Monday meeting.

The meeting adjourned at 9:45 p.m. The Commission's next meeting is scheduled for December 14, 2004 at the Courthouse Annex.

Respectfully submitted,


Steve Field, Chairman

Minutes
Loudon County Solid Waste Disposal Commission
December 14, 2004

The Loudon County Solid Waste Disposal Commission (Commission) met on December 14, 2004 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Bill Waldrop, Robert Harrison, Ted Sitzlar, Aprell Patterson and John Watkins. Other attendees included attorney Bud Gilbert, Santek representatives Paul Thomas and Cheryl Dunson, and Mary Openshaw from the News-Herald.

Mr. Field called the meeting to order. There were no Items of Public Concern.

Mr. Harrison made a motion to approve the minutes with an amendment reflecting a lengthy discussion relating to the Commission's upcoming Fifth Monday presentation with officials from Loudon County and the cities of Lenoir City and Loudon. Mr. Waldrop seconded the motion and the minutes were approved as amended unanimously.

During Santek's operations report, the Commission asked Santek to prepare the 2004 update to the Loudon County's Solid Waste Plan.

There were no issues during the Treasurer's Report.

Mr. Gilbert distributed a summary sheet of the questionnaire completed by attendees of the Fifth Monday meeting with municipal and county representatives. He observed that the answers to question four indicated officials may not be overly concerned with the issue of out-of-county waste. Mr. Watkins said he would like to see participants' first choice to question 10. Mr. Waldrop added the two highest choices were to keep the landfill open. The Commission asked Mr. Gilbert to send letters of appreciation, survey results and copies of the Power Point presentation to all participants and absent officials including the county's constitutional officers.

Mr. Waldrop suggested the Commission begin working on a master plan for the entire property owned by the Commission. He said commissioner need to know what future areas can be developed and are suitable for waste disposal. Mr. Harrison added the plan needs to be site specific and should also include areas beyond the boundaries of the Commission's property lines. Mr. Waldrop said the Commission needs short and long-term goals, and perhaps the Commission should begin permitting for new landfill space now while theirs is no controversy. He added the Commission should follow up on the feedback from the Fifth Monday meeting, and meet with Mr. Gilbert and Bob Bachus with GeoSyntec to discuss a total site plan.

Mr. Field reported to the Commission that he had been contacted with representatives from Fay Portables, who are interested in approaching the Commission about building a construction and demolition (C/D) landfill on other portions of the property. He asked the other commissioners if they would like Mr. Fay to come to the Commission's next meeting to discuss the issue. After a full discussion of possible concerns and advantages to hearing from Mr. Fay, it was decided that the Commission would benefit from hearing from Mr. Fay. Mr. Field said he would invite Fay to the Commission's next meeting.

Mr. Harrison made a motion for Santek to explore the feasibility of permitting a C/D landfill on closed portions of the unlined area of the Matlock Bend Landfill. Mr. Waldrop seconded the motion. It passed unanimously.

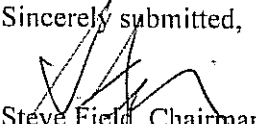
Mr. Waldrop said the Commission should work with Mr. Bachus on a master site plan. Mr. Field said the Commission should talk to Mr. Bachus about the plan, and then requests for proposals should be developed to give to a number of engineering firms. In response to Mr. Sitzlar question asking whether Santek possessed site evaluation data on other portions of the landfill property, Ms. Dunson said she would talk with Santek Engineering representatives and report back to the Commission.

Mr. Watkins asked Mr. Gilbert if permitting a C/D landfill beyond the Commission's property boundaries put the Commission outside of its charter. Mr. Gilbert said he would research the issue and report back to the Commission.

The Commission agreed for Mr. Field and Mr. Gilbert to meet with Santek representatives to discuss renegotiating the management fee since landfill volumes will exceed the 60,000-ton-per-year threshold. Mr. Field also suggested to the Commission that if it hired a good solid waste director, that individual could be very helpful in assisting the Commission with future challenges.

Mr. Waldrop made a motion to adjourn the meeting at 8:00 p.m., which was seconded by Mr. Watkins. The next meeting will be January 11, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex.

Sincerely submitted,


Steve Field, Chairman
Loudon County Solid Waste Disposal Commission