

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**January 11, 2005**

The Loudon County Solid Waste Disposal Commission (Commission) met January 11, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex. Commissioners Steve Field, William Waldrop, Robert Harrison, and Aprell Patterson were in attendance. Other attendees included Commission attorney Bud Gilbert, Santek representatives Paul Thomas and Lorie Evanyk, John Farmer with Fay Portable Buildings, 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. Harrison seconded the motion. The minutes were approved unanimously.

There were no comments during the operation and treasurer report. Ms. Evanyk explained to the Commission that Santek was not confident the State would approve a permit to construct a construction and demolition (C&D) landfill on top of the old landfill due to the already permitted C&D area. In response to a question asked at the last meeting, she also reported Santek did not have any engineering/hydro data on the non-permitted areas of the landfill.

Mr. John Farmer with Fay Portable Buildings addressed the Commission and indicated that his company was interested in exploring a joint partnership with the Commission to host a C&D area at the Matlock Bend facility. He educated members on the definition of a Class III and Class IV landfill. He explained how this type facility would help with waste reduction and be less expensive than putting on liner.

After review of the facility, however, Mr. Farmer said he did not believe there was suitable acreage at Matlock Bend for his company to construct a C&D facility. Obtaining adjacent property was also problematic because of the Thornton subdivision development that is planned for the area.

Mr. Gilbert asked what the parameters of a partnership would include. Mr. Farmer said the parties would have to discuss and define them and that the partnership would have to be acceptable to both parties.

Mr. Harrison asked if a Class III & IV site fell under the Jackson Law. Mr. Farmer said, "Yes". Mr. Harrison also asked whether Mr. Farmer's company would put up the capital if the Commission helped locate and acquire the site. Mr. Farmer said, "Yes".

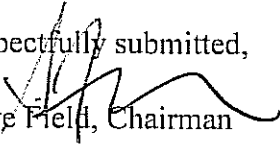
In response to a question asked at last month's meeting concerning the Commission's scope, Mr. Gilbert said he was still researching the charter concerning whether the Commission can permit a C&D landfill beyond the Matlock Bend property but that his preliminary conclusion was that the Commission would be limited to the Matlock Bend site. Mr. Gilbert said the Commission could request the establishing governments to expand the Commission's authority if needed. In response to the Commission's request at the December meeting, Mr. Gilbert also distributed

answers to Question #10 of the public officials' questionnaire given at the Fifth Monday presentation in November to county and municipal officials.

Mr. Field noted he had emailed everyone a copy of the Annual Tennessee Solid Waste Conference application and would like them returned to him at the April meeting.

The meeting adjourned at 8:00 p.m. The Commission's next meeting is scheduled for February 8, 2005 at the Courthouse Annex.

Respectfully submitted,

  
Steve Field, Chairman

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**February 8, 2005**

The Loudon County Solid Waste Disposal Commission (Commission) met on February 8, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Bill Waldrop, Bobby Phillips, Ted Sitzlar, Aprell Patterson and John Watkins. Other attendees included Commission 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.

Bill Waldrop made a motion to approve the minutes. The minutes were approved unanimously.

There were no issues during Santek's operations report.

During the Treasurer's Report, Mr. Watkins asked Cheryl to inquire about Staley's account since it is now 60-to-90 days delinquent.

Mr. Gilbert gave the Commission a summary of the recent meeting with Santek officials in Cleveland. He said there were several purposes for the meeting including a contractual review of compliance issues; discussion with Santek about the renegotiated fee; and a general discussion about the Commission's future. He asked Santek to provide documentation regarding its letter of credit, audited financial statements, and remaining life estimates. He said Santek indicated during the meeting it was ready to compete in the open market for a longer-term contract. Ms. Dunson added that Santek is willing to forego any additional compensation for tonnages over the bonus target amount for a six-month period if the Commission promptly initiates a procurement process in the next month or two.

Mr. Waldrop said it remained in the Commission's best interests to authorize Bob Bachus with Geosyntec to develop a master plan for the permitted landfill as well as the Commission's additional property. He stated that the Commission needs to ensure it has long-term capacity if the tonnages is substantially increased in the future and it should establish an extensive buffer between the proposed Tennessee National development and the landfill. Mr. Waldrop said the plan would be conceptual in nature and he liked the idea of pursuing a procurement process at the same time.

Mr. Field reminded the Commission that the State of Tennessee requires public entities to plan 10 years advance. He said the Commission should set a time frame of six months to consider a procurement process. Mr. Waldrop said the Commission did not need to wait any longer since it had momentum coming out of the Fifth Monday meeting with local officials last November. Mr. Phillips said he had been asked by Lenoir City officials about the Commission's progress since the meeting and indicated that the city officials thought they would have known of the Commission's direction in January. Mr. Waldrop said Loudon County Commissioner Don Miller asked him the same thing.

Mr. Field suggested that the Commission could make adjustments to the local member

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governments' tipping fee with the understanding that the Commission may have a different agreement within the next six months. Mr. Waldrop asked Mr. Gilbert how long a procurement process would take and he replied 60 to 90 days assuming everything goes smoothly.

After some discussion about the scope of services that might be solicited in a Request For Proposals (RFP), the Commission's consensus was to seek a variety of disposal options with the understanding it will require more time and complexity to evaluate and compare proposals. Mr. Gilbert said he would attempt to have a draft RFP to the Commission by its next meeting and the Commission should be considering what standards it will use to evaluate the proposals.

Mr. Phillips made a motion to hire Mr. Bachus to create a master plan of the Matlock Bend Landfill property and Mr. Waldrop seconded the motion at a cost not to exceed \$5,000. The Commission approved the motion unanimously.

Mr. Waldrop asked that an item be added to next month's agenda addressing the potential reduction of tipping fees for the local governments. Mr. Gilbert asked Ms. Dunson to compile data from the past two years on the tonnage and revenue from the two cities and the county.

Mr. Gilbert asked Mr. Field about the status of the 2004 audit. Mr. Field said it was being worked on and he hoped to have something for the Commission's review at the March meeting.

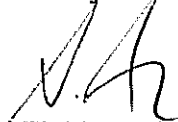
Mr. Waldrop advised the Commission that the Tellico Watershed Association was sponsoring a clean up of local shorelines on March 19<sup>th</sup> and asked the Commission if it would consider waiving disposal fees. He estimated approximately 400to500 bags of litter will be delivered in TVA-marked bags by the Tellico Public Works Department. Mr. Waldrop made a motion for the Commission to accommodate the waste collected during the Watershed cleanup that is brought to the Matlock Bend landfill at no charge. Mr. Phillips seconded the motion and it was approved unanimously.

Mr. Gilbert said he researched the original 1983 agreement establishing the Commission to gain insight about the Commission's powers to operate off site. He said he does not believe the Commission has that authority.

Mr. Phillips made a motion to adjourn the meeting at 8:10 p.m. It was approved unanimously.

The next meeting of the Loudon County Solid Waste Disposal Commission will be March 8, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex.

Respectfully submitted



Steve Field, Chairman

Loudon County Solid Waste Disposal Commission

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**March 8, 2005**

The Loudon County Solid Waste Disposal Commission (Commission) met on March 8, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Bill Waldrop, Bobby Phillips, Ted Sitzlar, Robert Harrison and John Watkins. Other attendees included Commission attorney Bud Gilbert, Santek representatives Paul Thomas, Lorie Evanyk and Cheryl Dunson, and Mary Openshaw from the News-Herald.

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

John Watkins made a motion to approve the minutes with the recommendation of a change in language regarding the payment to Bob Bachus for the master plan. Mr. Waldrop suggested the language be changed to "approximately" \$5,000 instead of "not to exceed" \$5,000. Mr. Waldrop seconded the motion and the minutes were approved unanimously.

There were no issues during Santek's operations report.

During the Treasurer's Report, Commissioners questioned how the Loudon County Finance Department credits payments on landfill accounts since Staley's and Kimberly Clark are now posted as 90-120 days behind on the aging report. Mr. Field said he would call Tim Boyd the following morning.

During the Attorney's Report, Mr. Gilbert presented the Commission with a draft Request For Proposals (RFP) for landfill management services or transportation and disposal services. After a lengthy discussion about how narrow or broad the RFP's scope of services should be, the Commission was split 4-2 on seeking proposals for a wide variety of disposal options. With regards to evaluating the proposals, Mr. Gilbert said the Commission could meet as a group in public or it could appoint one member to a committee comprised of several other advisors and officials to evaluate the proposals in private. The Commission opted to evaluate the proposals publicly with the help of Mr. Gilbert and Mr. Bachus. Mr. Waldrop made a motion to that effect. It was seconded by Mr. Philips and passed unanimously.

Lorie Evanyk presented the Commission with draft copies of the annual update to the solid waste report. There was some discrepancy about commissioners' terms and Mr. Field said he would follow up with the assistant to the Loudon County Mayor.

Mr. Field gave the Commission an update about the audit. Mr. Sitzlar said he highly recommended the audit be distributed to the Commission in April with a follow-up presentation by the auditor in May. Mr. Philips agreed to assist with the creation of a budget.

Mr. Field broached the subject of hiring a solid waste director with the Commission. Mr. Philips suggested the Commission wait until the RFP process is completed.

Mr. Waldrop said he met with Tennessee National Director Kevin Downs recently to discuss the possibility of a land swap. Mr. Waldrop distributed a map and said Tennessee National representatives were receptive to the idea. No action was taken by the Commission.

Mr. Field reported that he had been contacted recently by a gentleman who was interested in siting an agricultural composting operation on the Commission's property. Due to pressure from the man to hasten the process, Mr. Field said he emailed commissioners about the project, but he did not want the Commission to construe his communication as an endorsement of the project.

Mr. Sitzlar made a motion to adjourn the meeting at 9:05 p.m. It was unanimously approved.

The next meeting of the Loudon County Solid Waste Disposal Commission will be April 12, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'S. Field', is written over the typed name.

Steve Field, Chairman  
Loudon County Solid Waste Disposal Commission

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**April 12, 2005**

The Loudon County Solid Waste Disposal Commission (Commission) met April 12, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex. Commissioners William Waldrop, Robert Harrison, Robert Phillips, John Watkins, Ted Sitzlar, and Aprell Patterson were in attendance. Other attendees included Commission attorney Bud Gilbert, Santek representatives Paul Thomas and Lorie Evanyk, and News-Herald Reporter Mary Openshaw. Mr. Waldrop presided over the meeting in the absence of Chairman Field.

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

There were no comments during the operation report. During the treasurer's report, Mr. Waldrop asked to have Sequoyah Builders reimbursed for their longstanding credit of \$17.09. Ms. Evanyk also informed the Commission that they had not yet received payment for Kimberly Clark's delinquent payment.

As part of the Attorney's Report, Mr. Gilbert distributed copies of the Supreme Court of Tennessee's recent decision to grant a new trial to Tennessee Waste Movers (TWM) in regards to the TWM vs. Loudon County case to expand TWM's C/D landfill. Mr. Harrison asked Mr. Gilbert when he thought the case would be reheard. Mr. Gilbert said it was according to Chancellor Williams' docket and could be up to a year.

Mr. Harrison expressed his concerns about the Commission's need to anticipate issues presented by the court decision. He said the Commission needed to take a good look at their 10-year plan and amend it to better anticipate the need for future disposal of solid waste.

Mr. Gilbert advised the Commission that a completed draft Request for Proposals was still in progress. He advised the Commission that his firm has taken a conservative stand on this issue to avoid any future lawsuits for the Commission arising from the procurement process. Due to Loudon County and the City of Loudon's procurement laws, which do not offer as much flexibility as Lenoir City's procurement code, his firm believes that it is in the best interest of the Commission to not request proposals, but rather request competitive bids. He indicated that forms provided by CTAS are not suitable for the Commission's use and observed that the evaluation criteria in those forms were not appropriate for a request for bids approach. Mr. Gilbert said he was essentially starting from scratch and plans to request copies of contracts from prospective bidders. The Commission would then need to glean from these documents the specifications the Commission wanted to include in its request for bids.

Mr. Waldrop said he wanted to do what was best to avoid any legal problems in the future. Mr. Phillips asked if eliminating an option would make the process easier. Mr. Gilbert responded by saying it would probably speed up the process, but then the Commission would not be able to evaluate other options.

Mr. Harrison voiced some concerns from local industries in Loudon County. He said they were concerned about tipping fees and the need to keep their waste in a local facility for liability reasons. He also suggested the possibility of the Commission remaining in control of tipping fees for local industries. Mr. Waldrop suggested that the Commission should not tie the hands of a contractor by setting tipping fees. He said the Commission would never have the expertise of the industry so the Commission needs to let the experts make those decisions. Mr. Harrison asked whether leasing the facility might be considered as an

option.

Because copies of the audit were not yet available, the audit discussion was deferred until next month.

Mr. Waldrop reported to the Commission that State Senator McNally and Representative Johnson have introduced a bottle bill that the Commission should support. Mr. Sitzlar made a motion to support the bottle bill. Mr. Harrison seconded the motion. Other members wanted more information about the bill before making a decision. Mr. Sitzlar withdrew his original motion with the consent of Mr. Harrison. Mr. Sitzlar proceeded to make a motion to recognize Senator McNally and Representative Johnson on their efforts to address the litter problem in Tennessee. Mr. Phillips seconded the motion. Motion approved. Mr. Gilbert was directed to draft a letter communicating the Commission's action to Senator McNally and Representative Johnson.

Mr. Sitzlar said he noticed IMCO brought a small amount of waste into the landfill. He wanted to know if it was the special waste the company once brought to the facility. Mr. Thomas said it was brick material. Mr. Sitzlar asked if the company still had special waste approval. Mr. Thomas said they did.

Ms. Evanyk reported that the 2004 Annual Report had been submitted to the State for approval. Mr. Gilbert asked if he could have a final copy of this report.

The meeting adjourned at 8:00 p.m. The Commission's next meeting is scheduled for May 10, 2005 at the Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman



Minutes  
Loudon County Solid Waste Disposal Commission  
May 10, 2005

The Loudon County Solid Waste Disposal Commission (Commission) met on May 10, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Bill Waldrop, Ted Sitzlar, Robert Harrison and Aprell Patterson. Other attendees included Commission 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. Sitzlar made a motion to approve the minutes. Mr. Harrison seconded the motion and the minutes were approved unanimously.

There were no issues during Santek's operations report.

During the Treasurer's Report, Mr. Waldrop questioned a payment to S&ME for \$289.50. Cheryl said she would look into it. Mr. Harrison made a motion to write off Alvin Shoemaker and Trash Wagon accounts. Mr. Waldrop seconded the motion. Mr. Sitzlar asked if the Commission should strengthen the application process for landfill accounts. Mr. Gilbert suggested revamping the application form and adding language about attorney fees and collection costs in the event customers become delinquent. He also added the new form should be sent to all existing and new customers. Mr. Harrison withdrew his motion. Mr. Field asked Mr. Gilbert to bring a new application form and draft policy with him to the Commission's June meeting.

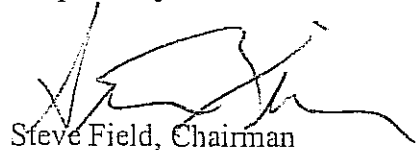
Richard Hill presented the Commission with an overview of the auditor's report. Mr. Harrison asked Mr. Hill how he determined the value of the landfill property. He replied it was based on historical cost and site improvements. There was some question about the reference to "customer deposits" as well as a clarifications to Note E regarding closure and postclosure cost and Note H to reflect the 2001 amendment to the Santek operating agreement.

During the Attorney's Report, Mr. Gilbert said he was still working on a draft Request For Proposals (RFP) for landfill management services or transportation and disposal services. He expects to have a copy ready for the Commission's review at its June meeting.

Mr. Waldrop said Bob Bachus' conceptual site plan should be in hand prior to the Commission accepting proposals. Mr. Harrison asked whether the Commission should consider buying a piece of property from Tennessee National for a storm water retention pond and dedicating some of the existing landfill's property as a residential buffer zone. Mr. Field asked about the time frame of purchasing any potential property. Mr. Waldrop said the Commission first needs to see a proper lay out of Tennessee National's development in relation to the landfill. Mr. Field asked Mr. Waldrop to remain in contact with Tennessee National officials and Mr. Waldrop agreed.

Mr. Waldrop made a motion to adjourn the meeting at 8:15 p.m. Mr. Sitzlar seconded the motion. The next meeting of the Loudon County Solid Waste Disposal Commission will be June 7, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Steve Field", written over a horizontal line.

Steve Field, Chairman  
Loudon County Solid Waste Disposal Commission

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**June 14, 2005**

The Loudon County Solid Waste Disposal Commission (Commission) met on June 14, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Ted Sitzlar, Robert Harrison, John Watkins, Bill Waldrop and Bobby Phillips. Other attendees included Santek representatives Paul Thomas, Lorie Evanyk and Cheryl Dunson.

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

Mr. Harrison made a motion to approve the minutes. Mr. Waldrop seconded it, and the minutes were approved unanimously.

During Santek's operations report, Ms. Evanyk gave the Commission an update on the existing tire situation which included a new tire contract with Mac Tire and a cost analysis of the existing program. Ms. Evanyk said the Commission could reduce its cost per-ton if it were to construct a wall which would allow tires to be dropped into trailers as opposed to having them stacked. More tires can be transported if they are loaded from the top of the trailer. Mr. Thomas provided the Commission with a cost estimate of \$9,000 to construct the wall. Potential grant money will be available in August from the Tennessee Department of Environment and Conservation (TDEC) to fund improvements to recycling programs. Ms. Dunson offered to write the grant on behalf of the Commission. Mr. Waldrop made a motion to proceed with the construction of the wall and the grant application, pursuant to applicable procurement laws. Mr. Watkins seconded the motion and it passed unanimously.

During the Treasurer's Report, Ms. Dunson presented the Commission with a chronological account of Santek's efforts to collect Kimberly Clark's outstanding balance of \$2,351.94. Mr. Harrison offered to meet with the plant manager, show him Santek's paper trail, and see if the problem can be remedied locally.

During the Attorney's Report, Mr. Gilbert said Mr. Field, Mr. Phillips and he met with Lenoir City Manager Dale Hurst on May 25, 2005 at the Lenoir City Hall to discuss the city's budget process and solid waste program. He said he would be delivering a report to Mr. Hurst about the status of the Commission's Request For Proposal (RFP) process.

Mr. Harrison said he spent some time with representatives from BFI in Gatlinburg who are interested in re-establishing the company's presence in the Knoxville market. Mr. Gilbert said BFI's participation in the procurement process would add another element of competition for the Commission.

Mr. Gilbert reported Mr. Hill who completed the Commission's audit is on vacation until June 20<sup>th</sup> so the outstanding deposit issue has not been clarified. Mr. Gilbert presented the Commission with three draft policies for its consideration: Credit applications, collections and writing off bad debts. After some discussion among the Commission members, Mr. Gilbert said he would revamp some of the language on the credit application and bring it back to the Commission for its review next month.

With regards to the draft RFP, Mr. Gilbert said there remained some open issues including how Santek would transition out of the contract if it were not the successful proponent. The

Commission agreed for Mr. Gilbert and Mr. Field to meet with Santek representatives to discuss what the two entities might propose to resolve any possible transition issues to assure an open and competitive RFP process. Mr. Gilbert also discussed with the Commission additional RFP issues related to the amount of performance security and the methodology of guaranteeing closure and post-closure funds.

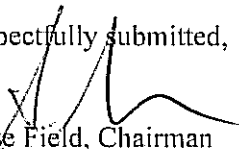
Mr. Field distributed maps of municipal solid waste landfills and construction and demolition landfills within 150 miles of Loudon to the Commission.

Mr. Waldrop reported he met with Tennessee National officials. After touring the landfill with them, a potential land swap is not as attractive as either party once thought. Power lines and topography put too many constraints on the property's use. Therefore, if the Commission should ever desire to maximize the capacity of the current landfill property, it may need to consider other property purchases.

Mr. Waldrop reported that he had recently learned about a technology to capture methane gas from landfills of similar size to Matlock Bend as well as a company with a potential use for methane. He asked for the Commission's blessing to continue to look at these options.

Mr. Phillips made a motion to adjourn the meeting at 9 a.m. Mr. Watkins seconded it. The vote was unanimous. The Commission's next meeting is July 12<sup>th</sup> 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, 2005**

The Loudon County Solid Waste Disposal Commission (Commission) met July 12, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex. Commissioners Steve Field, Robert Harrison, Robert Phillips, and Aprell Patterson were in attendance. Other attendees included Commission attorney Bud Gilbert, Santek representatives Paul Thomas and Lorie Evanyk, and News-Herald reporter Mary Openshaw.

Mr. Field called the meeting to order. There were no items of public concern. Mr. Phillips made a motion to approve the minutes. Mr. Harrison seconded the motion. The motion was approved by vote of the Commission.

There were no comments during the operation report. During the treasurer's report, Mr. Gilbert noticed an error in the "Cash on Hand with Trustee" number. Ms. Evanyk said she would find out the problem and email the correct number to members. Mr. Harrison said he had not spoken with Kimberly Clark on their delinquency because he had been out of town for several weeks.

As part of the Attorney's Report, Mr. Gilbert distributed copies of a draft credit policy. Discussions took place on whether to perform credit checks on new applicants. There was a general consensus that the Commission did not think it was necessary.

Mr. Field asked the Commission how they wanted to manage the deposits that were a liability on the books. Mr. Harrison said he would like to see them credited to active accounts and moved to discontinue the security deposits and a) credit all active accounts with their security deposit on hand, b) send a refund of the security deposit to all closed accounts, c) send a letter to the affected customers explaining the changed policy, d) escheat unidentified deposits in accordance with state law, and e) implement the new credit policy by October 1, 2005. Mr. Phillips seconded the motion and suggested the inactive customers be contacted with a letter asking where they wanted the check to be sent. The motion was approved by voice vote of the Commission.

Mr. Gilbert asked the Commission about their thoughts on the draft credit policy. Mr. Phillips moved to accept the draft credit policy and mail the new policy to existing customers in a timely fashion. The motion was approved by voice vote of the Commission.

Mr. Field asked if the Commission still preferred to require an application fee. Mr. Phillips said he did not think it was necessary at this time, but they might want one at a later date.

Other discussions ensued about credit checks and an application fee. Mr. Gilbert commented that if they collect an application fee they should really be using it for credit checks. He also suggested the landfill permitting language in the old application should be added to the new application.

Mr. Harrison asked if they should still be collecting the deposit on new customers. Mr. Gilbert recommended continuing the old policy until the new policy is in place on October 1, 2005.

Mr. Gilbert stated the meeting with Santek officials went well and the dialogue indicated a cooperative desire to resolve the Commission's transition concerns. He said Santek also agreed to help the Commission with any future land acquisitions they might want to pursue. Santek confirmed Module C would be full by December 31, 2007 unless tonnages or the utilization rate changed. Ms. Dunson told Mr. Field and Mr. Gilbert they would be meeting with the CEO of Santek concerning any buy-out rights. Mr.

LCSWDC Minutes  
July 12, 2005

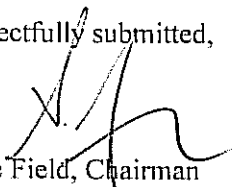
Gilbert said Santek has clearly stated they do not want to obstruct the RFP process. Santek also informed Mr. Field and Mr. Gilbert that a year's notice before Module C's completion would be enough time to begin constructing the next cell. Mr. Gilbert wrapped up by saying the meeting was helpful and beneficial. He said the transition into a new contract needs to be well thought out.

Mr. Field said ideally the Commission should have a new contract in place by the end of 2006. He also said the goal is to have the RFP process completed this year. Mr. Phillips said his last meeting will be in December. Mr. Gilbert said he had responses to his request for suggested specifications and contract language from Republic, Waste Connections and Santek. BFI will also probably respond. Mr. Phillips asked if Mr. Gilbert had spoken to Lenoir City since their meeting with Dale Hurst in May. Attorney Gilbert indicated he was still working on an RFP progress summary that Mr. Hurst had requested at that meeting.

Mr. Field distributed a copy of the MAC tire contract. Robert Harrison moved to approve the contract and authorize its execution and delivery. Mr. Phillips seconded the motion. The motion was approved on a voice vote.

Mr. Harrison made a motion to adjourn the meeting at 8:07 p.m. Mr. Phillips seconded it. The motion was approved on a voice vote of Commission. The Commission's next meeting is August 9<sup>th</sup> at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,

  
Steve Field, Chairman

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**August 9, 2005**

The Loudon County Solid Waste Disposal Commission (Commission) met on August 9, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Ted Sitzler, John Watkins and Aprell Patterson. Other attendees included Santek representatives Paul Thomas and Cheryl Dunson, and News-Herald Reporter Mary Openshaw.

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

Mr. Sitzler made a motion to approve the minutes. Mr. Watkins seconded it. The minutes were approved unanimously.

There were no issues during Santek's operations report.

During the Treasurer's Report, Ms. Dunson informed the Commission that Kimberly-Clark had reconciled its account. Grimes Construction and Wilford Enterprises have been placed on a cash-only basis, with Wilford disputing the validity of the scale house tickets. Mr. Field asked Ms. Dunson to send copies of the tickets to Wilford representatives.

Ms. Dunson also said Santek is willing to assist the Commission with its efforts to return the \$100 security deposits to inactive landfill customers. The Commission agreed to simplify the process by having Santek mail a letter to past customers with a self-executing form. The form will be returned to Santek and forwarded to the Loudon County Finance Department for payment. Mr. Gilbert said he would review the letter and form before it is mailed.

During the Attorney's Report, Mr. Gilbert distributed several documents including a chronological history of the Commission's formation, based on information he had received from Loudon City Manager Barry Baker. Mr. Gilbert said he documented the Commission's history as a result of the recent audit notes about closure and post-closure financial assurance with the State of Tennessee. He also gave the Commission a copy of the Consent Order between Loudon County and Tennessee Waste Movers (TWM) regarding TWM's ability to expand its landfill. In preparation for the upcoming Request For Proposals (RFP) process, Mr. Gilbert also compiled a Customer Receipt Report according to tonnage and revenue.

Mr. Gilbert reported he had a meeting with Santek representatives in July to discuss transitional issues in the event Santek was not the successful proponent in the RFP process. In August Santek attorney Scott Thomas contacted Mr. Gilbert with two different options on behalf of Santek, which included ending the contract in December 2006 or extending the contract an additional year to December 2008. Mr. Gilbert subsequently asked Mr. Thomas if Santek would consider a December 2007 termination date. After speaking with Santek representatives, Mr. Thomas said Santek was not amiable to that particular option because it could not guarantee the landfill would be full at that time. The Commission discussed constructing the next cell a year earlier than normal. Mr. Watkins made a motion to seek input and advice from Dr. Bob Bachus with GeoSyntec on contract termination options. Mr. Sitzler seconded the motion. It passed unanimously.

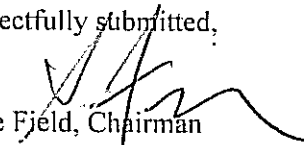
Mr. Sitzler told the Commission the woods around the landfill seemed to be suddenly inundated with vultures. He asked Ms. Dunson if Santek had recently begun using tarps. She replied Santek

has implemented alternative daily cover since opening the Subtitle D section of the landfill. She said she would talk with Mr. Thomas and Santek's Vice President of Operations to see what could be done operationally to deter the vultures.

Ms. Dunson also reported there will be a joint meeting of the Tennessee chapters of the American Public Works Association and the Solid Waste Association of North America Oct. 15<sup>th</sup> – 18<sup>th</sup> at the Chattanooga Trade and Convention Center. She said she would email the Commission with the information.

Mr. Sitzler made a motion to adjourn the meeting at 7:35 p.m. Mr. Watkins seconded it. The vote was unanimous. The Commission's next meeting is September 13<sup>th</sup> at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,

  
Steve Fjeld, Chairman  
Loudon County Solid Waste Disposal Commission



**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**September 13, 2005**

The Loudon County Solid Waste Disposal Commission (Commission) met on September 13, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, John Watkins, Bobby Phillips, Bill Waldrop, Aprell Patterson, and Robert Harrison. Other attendees included Santek representatives David Brakebill and Lorie Evanyk, and News-Herald Reporter Mary Openshaw.

Mr. Field called the meeting to order. During Items of Public Concern, a Blount County resident requested from the Commission a waiver to use the Greenback Convenience Center. He said he lives 2 miles from the Center and because he is not a Loudon County resident was told he could not use it. Mr. Field told him the Commission has no authority over the convenience centers. The citizen said he brought the issue to the Loudon County Commission and was told to get approval from the Solid Waste Disposal Commission. The Commission agreed it was a Loudon County Commission decision. Mr. Field told the resident he would speak to County Mayor George Miller concerning the matter.

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

Mr. Field asked Ms. Evanyk about the vulture problem that was discussed last month. She reported that the clearing of the Thornton property seems to have displaced the birds. State approval has been given to shoot the birds if needed. Mr. Brakebill told the Commission the birds have not been a problem lately and the problem seems to have subsided.

During Santek's operations report, Mr. Gilbert circulated a revised version of the security deposit refund form. Mr. Watkins suggested adding a date to the application section. Mr. Phillips made a motion to proceed with mailing the application form. Mr. Waldrop seconded the motion. Motion carried.

There were no issues during the Treasurer's report.

During the Attorney's Report, Mr. Gilbert distributed a fee proposal from the auditors Mitchell Emert & Hill, P.C for the 2004/2005 audit. Mr. Waldrop asked what the fee was in 2004. Mr. Gilbert observed that the July financial report indicated that a payment was made to the auditors of \$3,500. The new proposal showed a cost of living increase making the total \$4,725. Mr. Phillips said he would like to see a breakdown of the increase. Consensus of the Commission was to table the proposal until next month. Mr. Field said he would ask the auditor for an explanation regarding the increase in costs.

Mr. Gilbert distributed to the Commission a letter from the City Attorney of Lenoir City requesting the Commission's interpretation of the city's obligation under the tri-party agreement with Loudon County and the Loudon City to dispose of its commercial waste at Matlock Bend landfill. The city is considering shutting down its commercial garbage operations due to a steady loss in revenue. Mr. Phillips discussed conversations he had with the City Manager on the matter. He said to continue its commercial disposal service the city needed a new commercial garbage truck, which is a large capital expense. Mr. Phillips reported that the city's request concerned only the solid waste collected by Lenoir City from its commercial customers and has

no application to the solid waste generated by city operations or residential solid waste collected by the city. Mr. Gilbert observed that it was the Commission's hope that when the RFP process is complete, the government stakeholders would benefit financially. Unfortunately, however, the RFP process has taken longer than first anticipated and the city has continued to lose money with its commercial garbage operations.

Mr. Harrison raised concerns about issuing a statement saying it was acceptable for the city to cease bringing its commercial waste to the landfill that might also be interpreted to permit the city to also discontinue the disposal of its residential waste there. Mr. Gilbert explained that Lenoir City could exit from the tri-party agreement at any time. He did not recommend a position that would force the city to continue to dispose its commercial waste at the landfill because the contract language in question was not clear.

Mr. Gilbert also suggested as an alternative solution that the Commission consider lowering its fees to the government stakeholders to provide interim relief until the RFP process is completed. Mr. Phillips said the cut in fees would not be substantial enough to alleviate the city's upcoming capital expenses.

Mr. Field thought the city might decide to contract the commercial services to a private hauler. He also said he thought it was best to inform Lenoir City that the Commission did not believe the city would be violating the contract by discontinuing its commercial waste operations.

Mr. Phillips made a motion to inform Lenoir City that the Commission did not interpret the tri-party agreement as obligating the City to continue to dispose solid waste collected by the city from its commercial customers at the Matlock Bend landfill. After reading the language in the tri-party agreement, Mr. Watkins said he thought the Commission's approval to Lenoir City should be considered an exemption as permitted under the provision in question. After further discussion by the Commission, it was decided the word exemption would be used. Mr. Phillips revised his motion to say Lenoir City's decision to end its commercial disposal service is acceptable to the Commission and is deemed an exemption under Section I of the tri-party agreement. Mr. Waldrop seconded the motion. Motion carried. Mr. Gilbert said he would send a letter to Lenoir City informing the city of the Commission's decision. Mr. Phillips said he would also personally notify Mr. Hurst.

Mr. Gilbert's next discussed two options that Santek recently provided the Commission for amending the Santek operating agreement to facilitate a more certain contract termination date and smoother transition should Santek not be the winning bidder in the upcoming RFP process. Option I was to extend the contract to December 31, 2008 and let Santek build and design the next cell for a negotiated fee. Option II was to end the contract early on December 31, 2006 and pay Santek \$3M dollars. Mr. Gilbert said he spoke with Dr. Bachus before the meeting and was told, if weather permitted, a new cell could be designed and constructed in three months. He also informed Mr. Gilbert that the new cell could have a physical separation from the current cell, Module C, such that it was possible to have Santek and a second party constructing the new cell operational at the same time, assuming liability and operational issues could be worked out.

Mr. Harrison said that during his preliminary discussions with potential bidder BFI, that company expressed a desire to have the RFP open for 120 days. Mr. Harrison asked the BFI representative what they thought about the two options proposed by Santek for assuring transition continuity so as to keep the RFP process open and competitive. The representative preferred the second option of buying out Santek early. Mr. Harrison said he also preferred Option II. Mr. Gilbert suggested


they put several options in the RFP and let the proposers choose. Mr. Harrison observed that he thought any buyout fee might be absorbed by the successful bidder.

Mr. Gilbert also mentioned a termination clause in the Santek agreement regarding a payment of \$126,00 per unused acre of the landfill that needs to be examined further. Mr. Gilbert suggested that he and Mr. Field have another meeting with Santek, to include Bob Bachus to discuss the matter and work out an acceptable transition amendment to the Santek operating agreement.

Mr. Phillips asked when the RFP would be ready. Mr. Gilbert said a draft copy should be ready in October.

Mr. Phillips made a motion to adjourn the meeting at 8:20 p.m. Mr. Watkins seconded it. The vote was unanimous. The Commission's next meeting is October 11<sup>th</sup> 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, 2005**

The Loudon County Solid Waste Disposal Commission (Commission) met on October 11, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, John Watkins, Bobby Phillips, Bill Waldrop, Robert Harrison, and Ted Sitzlar. Other attendees included Santek representatives Paul Thomas, Lorie Evanyk, Ron Vail, Will Martin and News-Herald Reporter Mary Openshaw.

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

Mr. Field called the meeting to order. During Items of Public Concern, Joyce Petrak, Keep Loudon County Beautiful Coordinator introduced herself to the Commission. She described some of the programs and asked for a monetary contribution. Mr. Waldrop made a motion to donate the same amount as last year, which was \$1,000.00. Mr. Gilbert cautioned the Commission that donating to a charity might not be authorized under the Commission's charter. Mr. Harrison said the Commission obligations were to help in educating the public on waste reduction efforts. Mr. Gilbert suggested contracting with the charity to provide educational services in furtherance of the Commission's mission. Mr. Gilbert suggested sending a short letter contract for educational services to be rendered reciting the Commission's annual requirement of the State to assist in waste reduction. Mr. Watkins seconded the motion. Motion carried.

Ms. Evanyk reviewed the operations report with the Commission. Mr. Waldrop asked if Ms. Evanyk knew why the BFI tonnage had dropped off so much in September. Mr. Thomas said he believed BFI was not hauling as much of the Staley waste anymore.

Also during the report, Ms. Evanyk informed the Commission members they would be receiving an airspace calculation table every month in the operations report to keep them abreast of when Module C would be full, which would also be the termination date of the Santek operating agreement.

Lastly, Santek's Engineering Manager Ron Vail provided to the Commission a water use survey request from the Tennessee Department of Environment & Conservation (TDEC). He reported that Santek would be sending out 159 survey letters to residents within a one-mile radius of the landfill asking them if they are using city or well water. This information will be used for emergency planning purposes. He told them it had been ten years since a survey had been completed. Mr. Sitzlar said he was not aware of any prior surveys. Mr. Harrison asked if Loudon Utilities had been contacted for information. He suggested contacting Barry Baker. He thought the utility could be helpful in providing data on customers within the area. Mr. Vail said the data had been collected from the Tax Assessor's office. Mr. Harrison also asked Mr. Vail if he had a map of the down-gradient area. Mr. Vail said he did have a map. Mr. Gilbert suggested adding language in the survey saying the reason was for emergency planning. Mr. Waldrop suggested adding language stating the survey is being requested on behalf of the Commission. Mr. Field suggested adding the TDEC letter as an enclosure.

As part of the Treasurer's report, Mr. Phillips raised some questions regarding the interest earned from the Trustee's Office. He wanted to know how the interest was calculated and what the rate of return was. Mr. Field suggested Mr. Phillips contact the Trustee's Office because of his

financial experience. Santek was also requested to provide a copy of its monthly invoice in the Treasurer's report.

Mr. Field reported to the Commission that he had spoken with Leo Bradshaw in the Loudon County's Finance Department about providing procurement services to obtain a contractor to build a tire wall at the landfill. Mr. Field asked Ms. Evanyk if Santek could give them an estimate on how much it would cost to have a structural engineer design the wall. Ms. Evanyk said she would research this information. Mr. Field also reminded the Commission that grant money might be available to help pay for the wall. Mr. Waldrop moved to authorize Chairman Field to proceed with the project and to approve the costs for obtaining design specifications for the tire wall. Mr. Sitzlar seconded the motion. Motion carried.

Chairman Field discussed last month's confusion about the cost of last year's audit. The new audit proposal from Mr. Hill contained a slight increase from last year's amount of \$4,500.00. Mr. Phillips motioned to approve the proposal. Mr. Waldrop seconded the motion. Motion carried. Mr. Gilbert said Mr. Hill indicated that he would be delivering the audit next week.

Next item on the agenda was the Attorney's Report. Mr. Gilbert asked Ms. Evanyk if the deposit letters had been mailed. Ms. Evanyk said she was waiting on the Commission's letterhead.

Mr. Gilbert distributed two documents. The first was a letter to Santek's attorney Scott Thomas, and the second document was a memo to the Commission concerning conversations with Dr. Bob Bachus.

Mr. Gilbert summarized Mr. Field's and his meeting with Santek on September 30<sup>th</sup>. The subject of the meeting was generally concerning transitional issues. He reported to the Commission that Santek would be sending a letter shortly concerning questions that were asked at the meeting. Mr. Gilbert explained that Santek had not been providing a quarterly projected remaining life estimate of Module C. Also, a remaining airspace capacity analysis of Phase 2 of the landfill was to be done each year. Santek has agreed to provide this information on a monthly basis as part of the operations report.

Mr. Gilbert said he and Mr. Field relayed to Santek the Commission's disappointment with the three million dollar early buyout proposal. They informed Santek the Commission would be better served by not establishing a firm termination date and instead dealing with the transitional issues of a new operator as they arose.

Mr. Gilbert said at the end of the meeting, Santek was asked to provide them with their best advice on how to handle the transitional issues if they are not the successful bidder.

Next, Mr. Gilbert summarized his discussions with Dr. Bachus. Two questions were raised to Dr. Bachus. The first question was regarding whether the operator of a landfill should be required to pay a per ton closure fee to the Commission for closure and post-closure costs should the operator become bankrupt. Dr. Bachus believed it was a reasonable request. Mr. Waldrop said he liked the idea of the Commission keeping the funds. Mr. Gilbert suggested asking proposers in the RFP process how they would secure these funds. Mr. Phillips reminded the Commission that Loudon County would be ultimately responsible for closing the landfill.

Mr. Harrison asked Mr. Gilbert if he believed the Commission might need advice from an environmental attorney to review the RFP. Mr. Gilbert said such assistance was not needed for

the RFP but perhaps in connection with a review of the contract. He assured him his firm had attorneys who could help in this area.

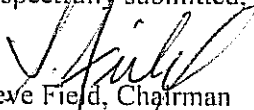
The second question raised to Dr. Bachus was concerning whether the Commission should request a dollar per ton host fee or a percentage of gross revenue. Dr. Bachus said the he did not think it would be a problem to ask for a percentage of gross revenue. Mr. Gilbert said he also recommended a minimum gross amount.

Mr. Gilbert advised that in order to speed up the RFP process, the Commission should schedule a special meeting by the end of the month to review the RFP document and answer several open issues. October 27<sup>th</sup> at 6:30 p.m. was chosen as the date. Mr. Gilbert said he would email Commissioners a draft RFP a couple of days before the meeting. Mr. Harrison reminded them of the sunshine law. Mr. Gilbert recommended they call it a workshop or they could recess this meeting until October 27<sup>th</sup>. The Commission agreed to have a workshop. Chairman Field said he would notify them of the location.

Mr. Gilbert asked if Lenoir City had made a decision on its commercial hauling business. Mr. Phillips said he spoke with Mr. Dale Hurst and the City would be discussing it in the near future.

Mr. Phillips made a motion to adjourn the meeting at 8:35 p.m. Mr. Watkins seconded it. The vote was unanimous. The Commission's next regular meeting is November 8<sup>th</sup> 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, 2005**

The Loudon County Solid Waste Disposal Commission (Commission) met on November 8, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Aprell Patterson and Bobby Phillips. Other attendees included Attorney Bud Gilbert, Loudon County Recycling Coordinator Rick Watson and his wife, Santek representatives Paul Thomas and Cheryl Dunson, and News-Herald Reporter Mary Openshaw.

Mr. Field called the meeting to order. There were not enough members in attendance to constitute a quorum so the minutes were not approved. There were no Items of Public Concern.

During Santek's operations report, Mr. Gilbert asked Ms. Dunson to provide him with copies of the quarterly origin reports for the past year.

During the Treasurer's Report, the Commission discussed writing off the Shoemaker and Trash Wagon accounts in accordance with the Commission's recently adopted policy and applying their \$100 deposits to their balances.

Mr. Watson presented a report about the county's recycling program.

During the attorney's report, Mr. Gilbert suggested the Commission seek a membership with Keep Loudon Beautiful instead of donating \$1,000 to the organization. Mr. Gilbert distributed a proposed letter for accomplishing the same.


Mr. Gilbert also discussed Santek attorney Scott Thomas' response to three questions posed to Mr. Thomas by Mr. Gilbert regarding Santek's existing operating contract. He also said Commissioner Harrison had prepared an analysis of Santek's proposal for a buy-out of the existing contract in the event the Commission desires to terminate the agreement before the useful end of the cell. He said he had not had time to analyze Mr. Harrison's figures.

Mr. Gilbert disclosed to the Commission he had been recently retained by Loudon County to defend the county on a litigation filed by an out of county contractor, and he believed it did not constitute a legal conflict and was in the Commission's best interests that he accept the assignment. Mr. Gilbert also reported that the litigation was recently resolved with the assistance of his office.

Mr. Phillips reported on recent discussions with city manager Dale Hurst about the city's intentions to discontinue its commercial garbage service, which is anticipated by the first of the new year.

The Commission adjourned at approximately 8 p.m. The Commission's next meeting is scheduled for December 13<sup>th</sup> at the Courthouse Annex.

Respectfully submitted,

  
Steve Field, Chairman  
Loudon County Solid Waste Disposal Commission

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**December 13, 2005**

The Loudon County Solid Waste Disposal Commission (Commission) met on December 13, 2005 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Bill Waldrop, Robert Harrison, John Watkins, Ted Sitzler, Aprell Patterson and Bobby Phillips. Other attendees included Attorney Bud Gilbert, Loudon County Recycling Coordinator Rick Watson and his wife, Santek representatives Paul Thomas and Cheryl Dunson, Darrell Akins with Akins Crisp Public Strategies, Ronnie Davis with the First Utility District of Knox County, auditor Richard Hill, and News-Herald Reporter Mary Openshaw.

Mr. Field called the meeting to order.

Mr. Davis approached the Commission about disposing 90 tons per day of biosolids from First Utility District's wastewater treatment facility. He said the Tennessee Department of Environment and Conservation has given the utility approval to use the Matlock Bend Landfill and the Chestnut Ridge Landfill. The Commission questioned Mr. Davis about several issues including the potential for odor, leakage, percentage of water, inspections, and notices of violation. Mr. Davis said the utility was approaching the Commission because its transportation contractor does not want to drive north or east, and would prefer to come to Matlock Bend. Mr. Field made a recommendation that the Commission give First Utility District a three-month trial and then evaluate the arrangement. Mr. Waldrop made a motion for the three-month trial. Mr. Phillips seconded the motion.

There followed some discussion about a letter written by Wendy Baustian to Loudon County Commissioner David Meers about the landfill. A nearby resident, Ms. Baustian was concerned about odor, aesthetics, the long-term plan for the landfill, future uses of the facility once it was closed, a lack of subscription garbage service in her neighborhood, and an overall general concern about the landfill. Ms. Dunson presented a draft response to the letter at Commissioner Meers' request, with input provided from Mr. Field. Mr. Harrison expressed some concern about the Commission receiving more complaints if it chose to accept the biosolids. Mr. Gilbert advised that the Commission could accept the waste with the express understanding it could be terminated at anytime by the Commission without cause, or an agreement could be structured with First Utility District to specifically provide for this right of termination.

After a full discussion of the matter, Chairman Field asked for a vote on the motion. The motion passed 5 to 2 with Mr. Sitzler and Mr. Watkins voting no.

Mr. Hill presented the auditor's report, stating the Commission raised a number of questions at the last meeting about the liability for closure and post-closure care. Mr. Hill said previous audited financial statements did not reflect closure and post-closure care as liabilities. As of June 30, 2004, the Commission had an \$853,000 liability for Phase I and an \$800,000 liability for Phase II/IV, which is based on the landfill being 18-percent full. These liabilities are currently being covered by a bond from Loudon County to the State of Tennessee pledging the county's state shared taxes, but Mr. Hill said these liabilities need to be reflected in the audit. Mr. Gilbert suggested the Commission formerly approve the audit at its January meeting once he had an opportunity to review the revised document.



Mr. Gilbert also suggested the Commission consider establishing a reserve account on its balance sheet for a portion of the closure and post-closure costs and restricting the Commission's available cash by the amount of such reserve. Mr. Gilbert indicated that such a reserve would help the readers of the Commission's financial statement and audits and its governmental stakeholders better understand that the Commission is holding the cash reserves for the closure and post-closure costs. Mr. Hill also acknowledged that such a reserve might be beneficial to the Commission. Mr. Gilbert encouraged the Commission to consider such a suggestion and indicated that such a reserve could be established and funded at the Commission's next meeting.

The Commission approved the minutes from its October meeting and read the notes from the November meeting at which no quorum was present.

During Santek's operation's report, Mr. Field reported he had approached Loudon County Recycling Coordinator Rick Watson about assuming responsibility for the scrap tire program. Because of this proposal and the potential of a tire shredding facility locating in Harriman in the near future, the Commission directed Ms. Dunson not to pursue any more engineering proposals for the construction of a wall to load tires at the landfill. The Commission also asked Ms. Dunson to give Dr. Bob Bachus with GeoSyntec the latest aerial topographical survey information so he could independently confirm Santek's life estimate of Module C, which is estimated to end in December 2007.

During the treasurer's report, Mr. Gilbert reminded the Commission that it had previously established a policy for writing off bad debts, which required Commission action if the debt was over two years old and more than a \$1,000. Mr. Gilbert noted that the accounts receivables for Trash Wagon (\$1,240.43 after credit for a \$100.00 deposit) and Alvin Shoemaker (\$1,569.62 after credit for a \$100.00 deposit) had been written off in the latest accounting report and recommended that the Commission formerly approve this write off in accordance with its policy. Mr. Waldrop made a motion to ratify and approve the write off of the two referenced accounts. Mr. Phillips seconded the motion and it was approved unanimously. The Commission also asked Ms. Dunson to look into Aaron Construction's new account, which was assessed a \$100 deposit.

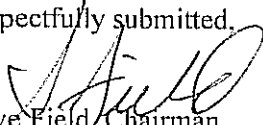
During Mr. Gilbert's attorney's report, Mr. Gilbert asked the Commission how it wished to wrap up the transitional issues with Santek. Mr. Field suggested the Commission take the information from the airspace calculations to determine a value of the airspace and an early buy-out of Santek's contract. Mr. Harrison said he agreed that the existing airspace had value, but he said the issues were more complex based on Santek's investment in the community's waste collection efforts. Mr. Gilbert said if the Commission and Santek could not come to an agreement on the buy-out, it could disclose the known information in the Request For Proposals (RFP) to the market with the understanding that the successful proponent would have to negotiate with Santek on the transitional issues. After further discussion, Mr. Gilbert suggested the Commission get Mr. Bacchus' input about the transitional issues before proceeding with the issuance of the RFP.

Mr. Field said the state has yet to set a date for the annual Household Hazardous Waste Collection Day. However, in the event Loudon County receives a date, he asked if any Commissioner would be interested in working as a liaison with Keep Loudon Beautiful. No one responded to Mr. Field's request.

Mr. Harrison said former Commissioner Al Jorden died sometime around the Thanksgiving holidays.

Mr. Phillips made a motion to adjourn at 9:05 p.m. Mr. Watkins seconded it and the meeting concluded. The Commission's next meeting is February 14<sup>th</sup> at the Courthouse Annex at 6:30 p.m.

Respectfully submitted,



Steve Field, Chairman  
Loudon County Solid Waste Disposal Commission