

Minutes
Loudon County Solid Waste Disposal Commission
January 8, 2013

The Loudon County Solid Waste Disposal Commission (the "Commission") met on January 8, 2013 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, John Watkins, Ted Sitzlar, Bill Waldrop, and Jim Akins. Other attendees included Attorneys Jon Peyton and Kevin Stevens; Santek representatives Cheryl Dunson and Levi Higdon; Kurt Sichelstiel with Brown and Caldwell; Leroy Leonard with GeoSyntec Consultants, Inc. ("GeoSyntec"); Gordon Harless with Loudon County; residents Aileen Longmire, Pat Hunter, Mr. & Mrs. Johnson; and several other unidentified citizens.

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

Attorney Peyton addressed the Commission and said that Attorney Bud Gilbert resigned from Kennerly, Montgomery & Finley, effective on December 31, 2012. Mr. Peyton said that the law firm of Kennerly, Montgomery & Finley will continue handling the Commission's legal business for the near future. Mr. Johnson asked Mr. Peyton if the law firm would return any fees charged to the Commission for legal services rendered by Mr. Gilbert during the months of September, October and November 2012, when Mr. Gilbert's law license was suspended. Mr. Peyton replied that he didn't believe that Mr. Gilbert billed any fees to the Commission during the period of his suspension, but he would look into the matter to confirm this information. Mr. Field said that Mr. Gilbert didn't bill the Commission for legal services while his license was suspended.

Mr. Field said he has asked Mr. Peyton to give the Commission a presentation about the legal services provided by Kennerly, Montgomery & Finley. The Commission intends to review its options regarding its legal support and will attempt to make a seamless transition if it decides to do something different.

MOTION: Mr. Watkins made a motion to approve the December 11, 2012 minutes. Mr. Waldrop seconded the motion. The motion was approved unanimously.

During the Items of Public Concern, Ms. Longmire asked Mr. Field if Mr. Gilbert kept documents related to the Commission's business in his office and, if so, did Mr. Gilbert take those documents with him when he resigned from his law firm. More specifically, she repeatedly asked about the whereabouts of the archives of minutes. Mr. Field said he was working with Mr. Peyton to retrieve all relevant Commission information from Kennerly, Montgomery & Finley. Mr. Field said that Mr. Gilbert indicated that he had Commission minutes dating from 2002 and was in the process of scanning them so they could be posted to Loudon County's web site. Mr. Field assured Ms. Longmire that copies of all minutes would be returning to the Commission.

Ms. Hunter said she recalled a time when the Commission's records were maintained by Beth Burklin in Knoxville until she resigned. Then the documents were returned to the Loudon County Courthouse. She asked if GeoSyntec's draft assessment of the landfill operation would be available to the public. Mr. Field said it would be a part of the regular meeting packet when it had been prepared by GeoSyntec.

Ms. Dunson presented the Cash Activity Report and the Landfill Operations Report. Mr. Field asked Ms. Dunson to follow up on the type of waste Environmental Waste Solutions was bringing to the landfill and asked her for a copy of the Special Waste Approval from the Tennessee Department of Environment and Conservation ("TDEC").

During the Attorney's Report, Mr. Peyton distributed a resolution to the Commission to approve consummating the purchase of the Atchley property and authorizing the property transfer.

MOTION: Mr. Waldrop made a motion to approve the resolution with the following corrections to Section 4: Mr. Waldrop should be listed as Vice Chair of the Commission and Mr. Robert Harrison should be listed as Commission Secretary. Mr. Akins seconded the motion and it passed with four ayes and one nay (Watkins).

Mr. Field asked Mr. Leonard to give the Commission a progress report on the landfill assessment being prepared by GeoSyntec. Mr. Leonard said he had a team meeting about the assessment earlier in the day. He said he had a few questions for Santek about the annual tonnage report and he would be working on landfill densities later in the week. He said the landfill was being managed in compliance with the applicable regulations and, overall, he was impressed with the landfill's operation.

Mr. Sichelstiel gave an update on his company's assessment of the public's accessibility to the Atchley property. He said he walked the property with Mr. Sitzlar on December 28, 2012 and said he looked specifically for disturbances to the land. He said an entrance had been cut through a fence on the northeast corner of the property, and it appears that all-terrain vehicles have created some trails. He said he would report back to the Commission with an assessment and pertinent recommendations.

In light of Mr. Akins' recent decision to decline chairing the Land Use Master Plan Advisory Committee, Mr. Field asked the Commission to consider hiring a professional facilitator. He said he talked with Loudon County Planner Russ Newman who made several recommendations including Brown, Pearlman and Russell in Knoxville and Dave Campbell. Mr. Waldrop said it would be a good idea to talk to both firms. He asked Mr. Field to re-state the goals of the Committee. Mr. Field said the Committee should look at the real estate, and devise a planning scenario for the interim use of the land as it relates to its productivity while being mindful of the land's future use.

Mr. Field said Matt Maynard with TDEC is performing a qualitative evaluation of the county's waste reduction efforts. He is comparing Loudon County to Dickson and McMinn counties in this regard. Dickson County currently has a 303-lb-per-person waste reduction estimate while McMinn County has a 190-lb-per-person capita waste reduction estimate. Based on the assessment, Loudon County had a 192-lb-per-capita recycling rate. Mr. Maynard was apologetic for not being further along in his assessment, but he told Mr. Field that Loudon County is doing a very comparable job to similarly sized counties. Mr. Maynard intends to have a report to the Commission by the end of the month.

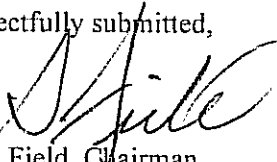
Mr. Field asked Mr. Harless about the annual update to the solid waste report. Mr. Harless said he has compiled all of the numbers to prepare the report.

Mr. Field told the Commission that Kim Raia, with CTAS, continues to work on the landfill's Viewshed Analysis.

MOTION: Mr. Waldrop made a motion to adjourn the meeting at 7:58 p.m. Mr. Akins seconded the motion and it passed unanimously.

The Commission's next regularly scheduled meeting is February 12, 2013 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Field". The signature is written in a cursive style with a large initial "S" and a long, sweeping underline.

Steve Field, Chairman
Loudon County Solid Waste Disposal Commission