

Minutes
Loudon County Solid Waste Disposal Commission
November 11, 2014

The Loudon County Solid Waste Disposal Commission (Commission) met on November 11, 2014 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Larry Jameson, Robert Harrison, Tom Paul, Kelly Littleton-Brewster and John Watkins. Other attendees included Attorney Kevin Stevens; Santek representatives Cheryl Dunson and Levi Higdon; citizens Aileen Longmire, Betty Jo McAllister, Kaye Wallace, Ray Chadwick, Patrick Clark and Pat Hunter; and several other unidentified citizens.

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

MOTION: Mr. Paul made a motion to approve the October 14, 2014 minutes. Ms. Littleton-Brewster seconded the motion. The minutes were approved unanimously as corrected.

During Items of Public Concern, Ms. Hunter asked the Commission whether the duties of any part-time administrative support employee retained by the Commission, would include serving as a records custodian. Mr. Field asked Ms. Hunter if her question was in regards to the process for addressing record requests. Ms. Hunter said yes and Mr. Field said the current process would not change. All requests will continue to go through the Loudon County Mayor's office. Ms. Hunter took issue with this process because, she said, all record requests also go through the Loudon County attorney who charges a fee for his time. Ms. Hunter said the Commission has its own attorney.

Ms. Hunter also asked the Commission who approved the \$29,009.33 disbursement on the monthly cash report. Mr. Field said the various stakeholders of the Poplar Springs Landfill approved the disbursement and then he verified the approval from the stakeholders. Ms. Hunter asked at what point is the public going to learn about all the legal fees associated with the landfill when there is no public discussion about the landfill. Mr. Stevens said the Commission made a motion during its October meeting to extricate itself from all matters related to the Poplar Springs Landfill as the operation of the Poplar Springs Landfill predated the formation of the Commission. Ms. Hunter said she believed the Commission was the logical entity to handle the former landfill issue.

Ms. Longmire asked Mr. Field who approved checks written prior to the Commission's October meeting. Mr. Field said the stakeholders approved the checks. Mr. Chadwick asked if the \$29,009.33 in legal fees was only for the Poplar Springs Landfill. Mr. Field said yes. Ms. Longmire asked if Santek reimbursed the Commission for the use of soil to stabilize the Matlock Bend Landfill after the slope failure. Mr. Field said there was discussion on compensation for lost airspace, but the Commission took no action at the time.

Ms. Dunson presented the October 2014 Cash Report.

During Santek's Operations Report, Mr. Harrison asked Ms. Dunson the average price per ton for waste in light of losing Kimberly Clark's waste streams as well as Tate & Lyle. She said she would look into it. Mr. Field asked Mr. Higdon for a completion date on the wheel wash.

Ms. Dunson said Santek has agreed to run its calculations to determine any costs associated with lowering the landfill's final elevation according to the manner in which Dr. Bob Bachus has performed his calculations. These calculations will be based upon the amount of additional liner required and the timing of installing the liner. She said she hoped to have a specific cost associated with lowering the landfill's

final elevation at next month's meeting. Ms. Dunson will also present information regarding the incremental costs associated with lowering the landfill's final elevation to various heights.

During the Attorney's Report, Mr. Stevens said he researched the 1983 local government procurement law as well as each stakeholder's purchasing laws to determine whether competitive bidding would be required to lease the Purdy home. He said there's specific language in the laws exempting the Commission from having to bid the lease of the Purdy home. He asked the Commission if they had any other ideas for the home beyond leasing the property. Ms. Littleton-Brewster said she had spoken with representatives from the Loudon County Fire & Rescue Squad who expressed an interest in using the home for instructional training. She also said they would remove debris that didn't burn in the training exercise.

MOTION: Ms. Littleton-Brewster made a motion to contact Mike Hodge with the fire and rescue squad to approach the Commission about using the home for instructional training. Mr. Paul seconded the motion and it passed unanimously.

Mr. Stevens said he was also researching statutes regarding the authority of the Loudon County Trustee to charge a one-percent fee on the Commission's funds deposited with the Trustee. He said he would have an update at the Commission's December meeting.

Mr. Stevens distributed a spreadsheet detailing prior disbursements of attorneys' fees submitted to the stakeholders related to the Poplar Springs Landfill issues.

Mr. Field directed the Commission to a spreadsheet in the meeting packet regarding the \$437,936 that was designated for closure/post-closure care of the Poplar Springs Landfill in 1994. The spreadsheet calculates the accrued interest on the original closure/post-closure amount. Mr. Jameson asked if the landfill stakeholders can retain the accrued interest. Mr. Field replied there are no strings attached to the money. The Commission's job is to be the caretaker of the money. The question for the Commission is whether to leave the balance as is or put the interest in a sub account. Mr. Harrison suggested not doing anything with the money until everyone knows the cost of correcting any problems associated with the former landfill.

MOTION: Ms. Littleton-Brewster made a motion not to do anything with the money until the true costs of correcting the Poplar Springs Landfill's problems are known. Mr. Paul seconded the motion and it passed unanimously.

Mr. Field said he hadn't heard anything from the Loudon County Mayor or Chairman of the Loudon County Commission about a date for the information session with new commissioners.

Mr. Field asked the Commission if they were prepared to proceed with negotiating a rate with Loudon County to hire Chrissy Spoon for part-time administrative support. Mr. Paul asked how many hours will the Commission be billed for Ms. Spoon's services. Mr. Field replied up to 20 hours per week. Mr. Harrison said he was opposed to using Loudon County employees because there might be confusion about who they work for. He recommended using a temporary job placement agency.

MOTION: Mr. Field made a motion to hire Ms. Spoon on a part-time basis. Mr. Paul seconded the motion. During discussion, Mr. Watkins said he was opposed to an open-ended amount of time. Mr. Jameson recommended a time limit and asked to whom Ms. Spoon would report. Mr. Field said she will report to him for Commission-related business and to the county mayor for county-related business. At Mr. Stevens, recommendation, Mr. Field withdrew his motion so that the matter could be investigated further before taking any action.

The Commission delayed taking any action on hiring Ms. Spoon until Mr. Field speaks to the county mayor and has more parameters to share with the Commission.

MOTION: Ms. Littleton-Brewster made a motion for all public record requests related to solid waste be directed to Mr. Stevens. Mr. Jameson seconded the motion and it was approved unanimously.

MOTION: Ms. Littleton-Brewster made a motion to adjourn the meeting at 8:20 p.m. Mr. Paul seconded the motion and it passed unanimously.

The Commission's next regularly scheduled meeting is December 9, 2014 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,

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

Steve Field, Chairman
Loudon County Solid Waste Disposal Commission