

Minutes
Loudon County Solid Waste Disposal Commission
December 9, 2014

The Loudon County Solid Waste Disposal Commission (Commission) met on December 9, 2014 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, Larry Jameson, Robert Harrison, Kelly Littleton-Brewster and Art Stewart. Other attendees included Attorney Kevin Stevens; Santek representatives Cheryl Dunson and Levi Higdon; Loudon County Convenience Centers Director Chris Parks; Bill Hart with Loudon County Fire and Rescue; citizens Aileen Longmire, Betty Jo McAllister, Kaye Wallace, Ray Chadwick, Pat Hunter, Jackie Frady; and a member of the local media.

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

Mr. Field introduced and welcomed Mr. Stewart who has been appointed to the Commission by the City of Lenoir City. Mr. Field also introduced Mr. Parks who is the director of the Loudon County Convenience Centers.

Mr. Field introduced Mr. Hart who acknowledged the Loudon County Fire and Rescue Squad is interested in using the Purdy home for training purposes. He said the squad will have to get approval from the Environmental Protection Agency to use the property, and all shingles and carpet must be removed from the structure before it can be burned.

MOTION: Mr. Field made a motion to have Mr. Jameson obtain three bids from contractors to remove shingles and carpet for a price not to exceed \$1,500. Ms. Littleton-Brewster seconded the motion and it passed unanimously.

MOTION: Mr. Jameson made a motion to approve the November 11, 2014 minutes. Ms. Littleton-Brewster seconded the motion. The minutes were approved unanimously.

During Items of Public Concern, Ms. Hunter asked if there was an update on the audit. Mr. Field said he would find out a date when the draft audit will be available. Ms. Longmire asked if there would be an update during the meeting regarding the closure/post-closure money for the Poplar Springs Landfill.

Ms. Dunson presented the October 2014 Cash Report and Santek's Operations Report.

Mr. Field said Santek engineering personnel had completed its analysis of cost calculations to lower the landfill's elevation according to the manner in which Dr. Bob Bachus performed his calculations. He said Santek and Dr. Bachus were in discussions comparing the analysis.

During the Attorney's Report, Mr. Stevens distributed a letter to the Commission which he wrote on its behalf to the three stakeholder mayors regarding the Poplar Springs Landfill. The letter seeks to extricate the Commission from the approval of expenditures related to the closed Landfill. He said a copy of the letter was mailed to the mayors today.

Mr. Stevens said he has completed an initial analysis regarding the authority of the Loudon County Trustee to charge a one percent fee on all deposits into the Commission's account managed by the Trustee. His research indicates that the Trustee is not entitled to charge a one percent fee on the Commission's deposits according to TCA 8-11-110(e) and TCA 8-21-101. He suggested that he send the Trustee a letter formerly advising him of the Commission's initial position on this issue and seeking the Trustee's feedback.

MOTION: Mr. Jameson made a motion authorizing Mr. Stevens to draft a letter to the Loudon County Trustee to address the Commission's position regarding the authority of the Loudon County Trustee to charge a fee on all deposits into the Commission's account. Mr. Harrison seconded the motion and it passed unanimously.

Mr. Stevens addressed the Commission's Open Records Policy. He said the Commission voted at its Sept. 2013 meeting to adopt Loudon County's Open Records Policy. The primary purpose of adopting the County's Policy was to have all requests go through the Loudon County Mayor's office. Mr. Stevens said during the past few months, questions have been raised regarding requests being handled by the Loudon County Attorney. Last month, the Commission voted to have all open record requests directed to Mr. Stevens. Mr. Jameson questioned why a member of the public should have to go through an attorney for copies of an open record.

MOTION: Ms. Littleton-Brewster made a motion to reinstitute Loudon County's Open Records Policy and have all requests go through the Loudon County Mayor's office. Mr. Jameson seconded the motion and it passed unanimously.

Mr. Field said at its November meeting the Commission discussed hiring part-time administrative help through Loudon County government. Mr. Harrison recommended using a staffing service. Mr. Field said the Commission has three options: to hire its own employee; to hire part-time help via Loudon County; or use a staffing service. Mr. Stevens distributed hand outs from several staffing agencies describing their services. Ms. Littleton-Brewster said the Commission should decide if it needs an administrative person. She said Santek takes the minutes and performs most of the administrative duties for the Commission as part of its contractual obligations with the Commission. Mr. Jameson asked if the Commission could actually afford to hire administrative help when it has a deficit in its closure/post-closure accruals. Mr. Field said since there was little support on the Commission for hiring administrative help, he preferred the matter be dropped.

Mr. Field asked Mr. Parks if he planned on making any changes to the convenience center program. Mr. Parks said he anticipates starting a classroom paper program at Ft. Loudon Middle School. He also intends to increase the amount of recyclables at the centers and heighten his program's outreach to the public.

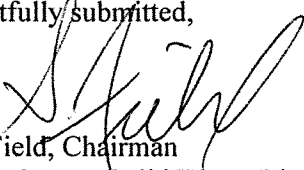
Mr. Field said representatives from the Tennessee Department of Environment and Conservation collected water and leachate samples from the Poplar Springs Landfill. He said they also sampled four residential wells.

Ms. Littleton-Brewster asked Mr. Stevens to clarify if he was still representing the Tellico Village Property Owner's Association (POA) in any capacity. Mr. Stevens said that he was the corporate attorney for the POA, but that he had formally withdrawn from representing the POA regarding the Loudon County delinquent tax lawsuit because he wanted to avoid even the appearance of a conflict of interest.. Ms. Littleton-Brewster asked Mr. Stevens if it was a conflict of interest to serve as the corporate attorney for POA and represent the Commission. She also questioned if Mr. Stevens had a conflict of interest representing the POA because Santek Waste Services has a contract with the POA. Mr. Stevens stated that neither of these instances constituted a conflict of interest and that he would always strive to maintain the highest ethical standards in his representation of the Commission.

MOTION: Ms. Littleton-Brewster made a motion to adjourn the meeting at 8:10 p.m. Mr. Jameson seconded the motion and it passed unanimously.

The Commission's next regularly scheduled meeting is January 13, 2015 at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steve Field", written in a cursive style.

Steve Field, Chairman
Loudon County Solid Waste Disposal Commission