

Minutes
Loudon County Solid Waste Disposal Commission
January 12, 2015

The Loudon County Solid Waste Disposal Commission (Commission) met on January 12, 2015 at 6:30 p.m. at the Loudon County Office Building. The Commission was represented by Steve Field, Kelly Littleton-Brewster, Larry Jameson, Art Stewart, John Watkins and Bruce Hamilton. Other attendees included Attorney Kevin Stevens; Buddy Bradshaw, Chris Parks and Chip Miller with Loudon County; City of Loudon Officials Dennis Stewart and Jim Greenway; Santek representatives Cheryl Dunson and Raymond Givens; and residents Aileen Longmire, Pat Hunter, Kaye Wallace and Betty Jo McAllister.

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

Mr. Jameson led the Commission in the Pledge of Allegiance and the invocation.

MOTION: Mr. Watkins made a motion to approve the minutes of December 8, 2015. Mr. Hamilton seconded the motion and the minutes were approved unanimously.

During Items of Public Concern, Ms. Longmire said she didn't make the statement that former Commission attorney Bud Gilbert lost some of the Commission's records. She clarified that she asked during the Commission's December 8, 2015 meeting if Mr. Gilbert had taken any Commission records with him when he left his law firm. Ms. Hunter asked if the Commission intended to vote tonight on an amendment to Santek's Operating Agreement. Mr. Field said no action would be taken. She also asked about landfill tonnages and tipping fees. Ms. Hunter said the Commission should be setting gate rates.

Loudon County Trustee Chip Miller presented some investment proposals to the Commission. He said the Commission couldn't invest its funds for longer than two years without the Loudon County Investment Committee convening a meeting to approve investments with terms of between two and five years. Mr. Jameson said he preferred to start the process of investing immediately and suggested the Commission vote tonight to make investments while staying within state guidelines. Mr. Watkins asked Mr. Miller how much money the Commission could invest at this time. Mr. Miller said the Commission could begin to invest its money within 48 hours if it stayed within a two-year investment term.

MOTION: Mr. Jameson made a motion to invest \$500,000 in a CD one year and another \$500,000 in a two-year CD. Mr. Hamilton seconded the motion. Mr. Jameson then amended his motion to also request a meeting with the Loudon County Finance Committee to discuss investing the Commission's funds beyond a two-year term up to a five-year term. The motion passed unanimously.

MOTION: Mr. Jameson made a motion to request approval from the Loudon County Investment Committee to invest up to \$2.5 million of Commission funds in CDs with up to a five-year terms. Mr. Watkins seconded the motion and it passed unanimously.

Mayor Bradshaw addressed the Commission about the recent problem with hunters accessing the Purdy property. Mayor Bradshaw told the Commission that he would support whatever action the Commission chose to take on this issue. He also said Loudon County is hopeful it will receive an \$83,000 grant from the State of Tennessee by late February or early March to fund remedial work at the former Poplar Springs Landfill. The total cost of the work is estimated to be approximately \$166,000. Mr. Field asked the Mayor if the County will seek proposals from firms to complete the work. Mayor Bradshaw said the County will issue a Request For Proposals in the second or third week of March with very specific timelines and tasks. Mr. Jameson asked if any more fees will be incurred related to the former landfill. Mr. Bradshaw said he knew of a \$5,000 expenditure for a state-recommended aerial flyover and he

doesn't anticipate additional fees being more than \$20,000. He added the property must also be upgraded for security.

Ms. Dunson presented the Cash Activity Report.

During Santek's Operations Report, Mr. Jameson asked Santek to consider pressurizing the truck wash station. Mr. Givens said he will look into the cost of various options to improve the truck wash station.

When the Commission purchased the Purdy property, Mr. Field said it did institute a hunting policy. He said the Commission took two votes to reject a proposed hunting lease of the property and to approve the posting of additional No Trespassing signs on the property. Mr. Watkins said he has mixed emotions about people hunting on the property and wouldn't have a problem with it if the Commission didn't have any liability. Mr. Stevens said the Commission could implement an indemnification policy, but that wouldn't necessarily offer 100 percent protection from liability. Mr. Jameson said he's concerned about liability and the safety of Santek's employees and other hunters. Mr. Field instructed Mr. Stevens to consider the feasibility of a plan to limit hunting to hunters with bow and arrows and to give indemnification to the Commission.

During the Attorney's Report, Mr. Stevens said the Commission continues to reach out to its stakeholders and educate them about Santek's proposal to live fund the Commission's closure/post-closure account. He said a question continues to be asked about the anticipated shortfall in the account. He said it was his opinion that Santek has responsibility for phased closure during the term of the Operating Agreement. Mr. Stevens said a letter was delivered to Santek asking company officials to what extent is Santek accepting responsibility for phased closure during the term of the Agreement. Mr. Stewart asked which stakeholders have been contacted. Mr. Field replied that the Commission has met with the City of Loudon and the Commission continues to talk to members of the Loudon County Commission. Mayor Greenway said he was concerned about Santek not closing any portions of the landfill and said it was his understanding the Matlock Bend Landfill was the only landfill under Santek's management that Santek will not close. Mr. Field said that in hindsight the Commission apparently picked the incorrect dollar amount for the closure/post-closure accrual and in subsequent discussions hoped it could have been adjusted, but Santek rejected the idea. Ms. Dunson added that other landfills under Santek's management where closure and post-closure care is totally Santek's responsibility are managed under life-of-landfill contracts while the contract with the Commission is a 20-year agreement.

Mr. Stevens said a private developer of solar panels is interested in addressing the Commission. Mr. Stevens said the biggest issue facing a solar project is whether the Tennessee Department of Environment and Conservation (TDEC) will issue a permit for solar panels on a closed landfill. He said, to his knowledge, TDEC has never issued a permit for this type of project. He instructed the developer to talk to TDEC officials for their input.

Mr. Stevens said the Commission's meetings notice will be published twice in the local newspaper and will be posted on the Loudon County web site and calendar.

During the Chairman's report, Mr. Field said he had an invoice from the Loudon News-Herald for \$159 and two invoices from Mr. Stevens' law firm for the months of November and December.

Mr. Field said Robert Harrison has resigned from the Commission and the City of Loudon will replace him with another appointee.

The annual solid waste conference will be in Gatlinburg April 20th - 22nd and early registration is \$285 per person.

MOTION: Mr. Field made a motion to allow Commission members to attend the conference. Mr. Stewart seconded the motion. The motion passed with five affirmative vote and one opposed. Ms. Littleton-Brewster cast the dissenting vote.

Mr. Jameson made an offer to supply the materials necessary to prevent access to the Purdy property. He said he will supply two iron pipes, chain link fencing and a lock. The volunteer fire department will provide the labor.

MOTION: Ms. Littleton-Brewster made a motion to accept Mr. Jameson's offer. Mr. Hamilton seconded the motion and it passed unanimously.

Mr. Watkins asked the Commission to consider recognizing long-serving commissioners with an certificate or letter of appreciation for their service on the Commission.

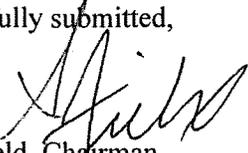
MOTION: Mr. Watkins made a motion to institute a policy to issue a certificate or letter expressing appreciation for retired Commissioners' service. Mr. Stewart seconded the motion and it passed unanimously.

Mr. Hamilton said he would like everyone to get on board and do something about Santek's proposal to live fund the closure/post-closure account. He said since the Commission began discussing the proposal, the Commission has buried \$1.62 per ton or \$157,000 that could have been received under a contract modification. Mr. Stewart said he will try to schedule a meeting with the City of Lenoir City.

MOTION: Ms. Littleton-Brewster made a motion to adjourn the meeting at 8:23 p.m. Mr. Jameson seconded the motion and it passed unanimously.

The Commission's next regularly scheduled meeting is February 9, 2016 at 6:30 p.m. at the Loudon County Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman
Loudon County Solid Waste Disposal Commission