

Minutes

Loudon County Solid Waste Disposal Commission

January 14th, 2020

The Loudon County Solid Waste Disposal Commission met on January 14th, 2020 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, John Watkins, Bruce Hamilton, Kelly Littleton-Brewster, Larry Jameson, and Tammi Bivens. Other attendees included Attorney Kevin Stevens; Santek representatives Ben Johnston, Kaitlyn Hampton, and Justin Givens; and residents Aileen Longmire, Brian Viars, Denise Glassman, Chuck Musser, and JJ Cox.

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

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

It was discussed that the meeting minutes required revision to include the request by Mr. John Watkins that TVA's special waste material be reflected in the Landfill Tonnage Volume document of the meeting packet.

MOTION: Ms. Kelly Littleton-Brewster made a motion to approve the amended minutes of December 10th, 2019. Ms. Tammi Bivens seconded the motion. The amended minutes were approved unanimously.

During Items of Public Concern, Ms. Aileen Longmire inquired about the TVA special waste coming to the landfill. Mr. Justin Givens stated that the landfill is receiving approximately twenty loads per day of soil that has tested positive for traces of asbestos. He stated that the material is considered a special waste for which the landfill has been granted TDEC approval to accept. Mr. Givens also noted that the material is being handled per TDEC regulations. Ms. Kaitlyn Hampton stated that the TVA material is being tracked as Marion Environmental in the Customer Activity Report.

Mayor Bradshaw presented a document asking for further action against Santek regarding the issue of mud and debris being tracked onto the highway outside of the landfill. He stated that this has been an ongoing issue and that the Commission would have his full support in any measures they decide to take to correct the situation.

Mr. Brian Viars expressed ongoing concerns about mud being tracked onto the highway from the landfill. He stated that the issue has persisted since he last appeared to complain at the December meeting.

Mr. Matt Chapman also expressed concerns about the mud and debris on the highway, with specific concern for the compromised safety of all those traveling the highway.

Ms. Denise Glassman also expressed concerns regarding the mud and debris on the highway outside of the landfill. She stated that the water truck being used by Santek to wash the highway is not pressurized and does not contain clean water.

Ms. Kelly Littleton-Brewster and Mr. Larry Jameson presented a Power Point presentation with detailed pictures of the highway, wheel wash system, and entrance to the landfill that had been taken over a period of several days. These pictures documented the following: several different types of vehicles

exiting the landfill with mud and debris on their undercarriages and tires; the inadequacy of the current wheel wash system while it is being utilized; the water truck as it is washing mud and debris from the highway into the local waterways, without any safety measures such as road signs on the highway.

Based on the above-mentioned presentation as well as the residential testimonies, Mr. Kevin Stevens advised that the LCSWDC convene an executive session to discuss with counsel potential legal action against Santek based on the violation of the current operating contract.

MOTION: Ms. Kelly Littleton-Brewster made a motion to convene executive session. Mr. Larry Jameson seconded the motion. The motion was approved unanimously.

The LCSWDC and Mr. Kevin Stevens reconvened the public meeting to discuss the interpretation and enforcement of the current contract with Santek.

MOTION: Ms. Kelly Littleton-Brewster made a motion send Santek formal notice of default pursuant to section 5.7 of the current operating contract based upon the continued failure of Santek to control mud, sediment, and debris being tracked from the landfill to the adjacent access roads. Mr. Larry Jameson seconded the motion. The motion was approved unanimously 6-0 through a voice vote.

Mr. Kevin Stevens clarified that the default notice would allow Santek 45 days from the date of receipt to cure the default in accordance with the operating contract. He confirmed that the stakeholders would also receive a copy of the letter of default.

Mr. Steve Field noted that he recently made a phone call to Mr. Matt Dillard, the VP of Santek Landfill Operations, in which he requested the support of the corporate office in resolving this issue of mud and debris being tracked onto the highway. Mr. Field was informed that Santek is fully involved in trying to find a resolution to this issue.

Mr. Ben Johnston issued an apology to both the public and the LCSWDC on behalf of Santek. He spoke of the second amendment to the contract, which would solve the financial liability of the landfill for closure costs as well as the implementation of a pressurized wheel wash system.

Mr. Larry Jameson responded by saying that at the December meeting, a motion was made to propose an addendum to the current contract in which Santek would be responsible for the immediate implementation of the proposed pressurized wheel wash system, the cost of which would be split between Santek and the LCSWDC until the execution of the contract extension; however, Santek declined the proposed addendum. Mr. Jameson also stated that he would not consider voting for the approval of the second amendment until the issue of mud and debris at the landfill is resolved.

There was not an update regarding Poplar Springs.

Ms. Kaitlyn Hampton presented the Cash Activity Report and the Operations Report for December 2019.

Mr. Kevin Stevens did not provide any further Contract Modification Update.

Mr. Kevin Stevens provided the Attorney's Report. He stated that the officer elections would be held in February and that he would be updating the commissioner's term history charts and attaching the resolutions from the stakeholders. He also stated that he would be updating the Commissioner's Manual.

Mr. Steve Field presented the Chairman's report and the following invoices for payment: monthly legal fees from Kennerly Montgomery totaling \$2,500; employee payroll taxes for two months totaling \$53.83 each.

Ms. Tammi Bivens requested the presence of a landfill TDEC site inspector at the next scheduled meeting in order to receive further clarification on the issue of mud and debris at the landfill.

MOTION: Ms. Tammi Bivens made a motion to adjourn the meeting at 8:16 p.m. and Ms. Kelly Littleton-Brewster seconded the motion. It passed unanimously.

The Commission's next scheduled meeting is February 11th, 2020 at 6:30 p.m. at the Loudon County Courthouse Annex.

Respectfully submitted,


Steve Field, Chairman

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