

Minutes

Loudon County Solid Waste Disposal Commission

September 15th, 2020

The Loudon County Solid Waste Disposal Commission met on September 15th, 2020 at 6:30 p.m. at the Loudon County Office Building. The Commission was represented by Steve Field, Art Stewart, John Watkins, Kelly Littleton-Brewster, Larry Jameson, and Tammi Bivens. Other attendees included Attorney Kevin Stevens; Santek representatives Ben Johnston, Kaitlyn Hampton, and Adam Hall; Richard Anklin.

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 invocation.

MOTION: Ms. Kelly Littleton-Brewster made a motion to approve the minutes of August 11th, 2020. Mr. Art Stewart seconded the motion. The minutes were approved.

There were not any Items of Public Concern.

Ms. Kaitlyn Hampton presented the Cash Activity Report for July and August.

Mr. Jameson inquired about the interest that is earned on the Poplar Springs Subfund. Mr. Field stated that any expenses from the Trustee are deducted from the main account. He also stated that he can work with Ms. Tracy Blair to allocate those expenses differently moving forward.

MOTION: Mr. Jameson made a motion to show a separate line item of the interest that is earned on the Poplar Spring Subfund in the Cash Activity Report, starting September 2020. Ms. Littleton-Brewster seconded the motion. It passed unanimously.

Ms. Kaitlyn Hampton presented the Operations Report for August 2020.

Mr. John Watkins requested that the Tonnage Report be modified to replace the tonnage volume from Tennessee Trash with Waste Management.

Mr. Jameson inquired about the AOC's that were reflected on the August TDEC inspection for unsatisfactory litter control, inadequate erosion control, unsatisfactory intermediate cover, and unsatisfactory stabilization of cover. Mr. Adam Hall informed that all items have since been corrected. He stated that he had just received a Hydroseeder to start sowing grass seed to help with erosion control.

Mr. Kevin Stevens discussed the ongoing Contract Modification process. He stated that the proposed revision to the Second Amendment Contract to reduce the service area from a 150-mile radius to a 75-mile radius was presented to Santek and they responded with a suggested compromise to maintain the 150-mile radius but only accept waste from within the State of Tennessee.

Mr. Ben Johnston stated that Santek recognizes the Commission's concern with the service area; however, Santek must maintain the ability to compete and have either a recognized or a potential revenue stream if the market changes in the future in order to uphold their Second Amendment financial obligations. Mr. Jameson stated that he hopes Santek's intentions are not to solicit waste streams from other counties, specifically as far as Cookeville or Bristol.

Ms. Littleton-Brewster inquired about the mechanisms that will be put into place to safeguard against the possibility of Santek not meeting the financial provisions of the Second Amendment. Mr. Stevens stated that, in addition to the existing bond, the annual performance bond would be the primary source of revenue to guarantee the completion of closure. He stated that the performance bond would be reviewed annually, approved by TDEC, and adjusted to cover the open volume. Mr. Field stated that he spoke with Mr. Richard Hill in regard to auditing the performance bond on an annual basis.

Ms. Littleton-Brewster asked how often the performance bond would need to be evaluated to ensure that there is not a lapse in coverage. Mr. Stevens stated that the Commission would likely have a timing mechanism to validate that Santek has paid the premium and that the performance bond is in place, continually renewing the bond before it ever expires. This would allow the Commission to put Santek and the bonding company on a 30-day notice of default before any lapse in coverage could occur.

Mr. Jameson requested a special called meeting to present the Second Amendment Contract to the stakeholders in order to receive a vote of confidence from the stakeholders and move forward with the Amended Contract.

MOTION: Ms. Littleton-Brewster made a motion to present the agreement for review and consideration to the stakeholders. Mr. Art Stewart seconded the motion. It passed unanimously as a roll call vote.

The special called meeting was scheduled for September 29th at 6 p.m. Mr. Stevens agreed to provide notice of the meeting in the News Herald. He also stated that he would provide a copy of the Second Amendment Contract to the stakeholders in advance of the meeting as well as a fact sheet to outline the major points.

Mr. Watkins inquired about the timeline for the Republic acquisition. Mr. Johnston stated that the transaction is anticipated to be finalized by the end of the fourth quarter.

Ms. Littleton-Brewster inquired about the request made during the August 2020 meeting by Ms. Pat Hunter to see the tipping fees, specifically for volume users other than the governmental users. Mr. Johnston distributed a document that provided this information.

Mr. Jameson updated about the condition of the highway outside of the landfill. He stated that he has seen a significant improvement and has not received any complaints.

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

MOTION: Ms. Littleton-Brewster made a motion to adjourn the meeting at 7:44 p.m. and Mr. Stewart seconded the motion. It passed unanimously.

The Commission's next scheduled meeting is October 13th, 2020 at 6:30 p.m. at the Loudon County Courthouse Annex.

Respectfully submitted,



Steve Field, Chairman
Loudon County Solid Waste Disposal Commission