

MINUTES

LOUDON COUNTY SOLID WASTE DISPOSAL COMMISSION

April 13th, 2021

The Loudon County Solid Waste Disposal Commission met on April 13th, 2021 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Ms. Tammi Bivens, Mr. Larry Jameson, Mr. Art Stewart, Mr. Steve Field, Mr. Terry Small and Chairwoman Ms. Kelly Littleton-Brewster. Other attendees included Attorney Kevin Stevens, Richard Hill; Santek representatives included Ben Johnston, Hannah Burrell, Shelby Boyer and Adam Hall; Public attendees included Richard Anklin and Pat Hunter.

Ms. Kelly Littleton- Brewster called the meeting to order at 6:30 p.m.

Ms. Tammi Bivens led the room in the Pledge of Allegiance.

Mr. Larry Jameson led the room in the prayer and invocation.

Per the request of those recording and reporting on the meeting(s), Ms. Brewster requested all speakers to check their microphones and speak clearly into them throughout the meeting.

Before reviewing the March meeting minutes, Ms. Brewster requested that going forward the Board review the minutes prior to the meeting in order to respect everyone's time as well as make corrections if needed. It was noted that the minutes are available early enough to be reviewed prior to the meeting.

MOTION: Ms. Kelly Littleton-Brewster asked for a motion to approve the March meeting minutes. Ms. Tammi Bivens made the motion and Mr. Larry Jameson seconded the motion. The motion was approved unanimously. Mr. Field abstained due to being absent for the March meeting.

During the items of public concern, Mr. Richard Anklin's asked the Board about the status of the Santek and Republic merger. Mr. Ben Johnston stated that the closing date is tentatively May 3rd, 2021. Mr. Anklin passed around a copy of an article he found while researching the merger titled *DOJ Requires Divestitures for Republic's Acquisition of Santek, Kinderhook Main Buyer*. In a brief overview of the article, Mr. Anklin stated that Republic mentioned divestiture of assets in five states, Tennessee being one of them. As a resident of Tellico Village, Mr. Anklin expressed his concern about the elimination of competition in the areas of commercial and residential pickup as well as landfills, and what that will mean for residents. Mr. Anklin also expressed concerns for how Republic may negotiate and for the Board to be aware concerning the closures and expansions. Speaking to this issue, Ms. Kelly Little-Brewster acknowledged that all negotiations are on hold and that there will be no negotiations on elevation or expansion until further notice.

Ms. Pat Hunter expressed concerns with the posting of meeting packets on the website. As addressed in the previous meeting, Pat stated that the full monthly report for March and April of 2020 are not available to the public on the website or in the county office. Ms. Hunter read aloud the contract stating that the contractor shall furnish the monthly report. Mr. Johnston stated that the MOR packets for March and April of 2020 were sent to all Board members, including two copies to the Chairman of the Board. According to Ms. Hunter they are still not in the county office. While reviewing the order of

operations as to how the reports make it to the public, Mr. Steve Field and Chairwoman Brewster agreed to work to improve this process].

Following the items of public concern, Ms. Brewster stated she would like to move the annual LCSWDC audit to the front of the agenda, so Mr. Richard Hill can complete his report and leave.

Mr. Richard Hill presented the annual LCSWDC audit for the Board's review, congratulating the committee on a better year than the last. Mr. Kevin Stevens and Chairwoman Brewster previously discussed on the phone the appropriate revisions to be made to the report. Contingent upon such revisions being made and board approval, Ms. Tammi Bivens stated she was comfortable making a motion to accept the annual audit.

MOTION: Ms. Tammi Bivens made a motion to pass the annual audit contingent on revisions. Mr. Art Stewart seconded the motion. Due to the significance of the annual audit, the Board proceeded in a roll call vote which was unanimous by all Board members.

Beginning the Cash Activity Report, Mr. Ben Johnston stated the Adjusted February 2021 Combined Ending Balance was \$4,398,535,31. The Poplar Springs Subfund March 2021 Balance was \$57,392.41. The Total Combined Operating and Poplar Springs March 2021 Balance was \$4,414,845.59.

Mr. Johnston stated that the landfill operations 30-day average was 371.91 tons, and the 22.5-day average was 519.20 tons.

Mr. Johnston presented the Board with the Customer Activity Report for review. Mr. Larry Jameson remarked on a good month but asked Mr. Johnston if the totals for Waste Services of Tennessee were at the discounted rate. Mr. Ben Johnston stated that the totals are at the discounted intercompany rate.

Mr. Johnston asked Mr. Adam Hall to address any concerns regarding the March inspection. Mr. Hall referenced #8110, litter control, stating that the problem was resolved immediately. Concerning #8350, leachate observed in 2 spots, Mr. Hall assured this issue was resolved with no violations. Speaking on #8180, erosion and #8510, daily cover, Mr. Hall stated that all issues were addressed and resolved.

While giving an update on Highway 72, Mr. Hall stated that even with all the rain this past month, the roads were not washed once, which was positive. In continuous efforts to keep the roads clean for residents, Mr. Larry Jameson applauded the Santek team for addressing the high rains with no mud on the roads.

Mr. Ben Johnston reported that the Material Classification Report showed 9,502 tons of MSW, 1,551 tons of Special Waste and 629 tons of Sludge for a total Material amount of 11,721 tons. Mr. Johnston stated as a percentage of the total material, there was 81% MSW, 19% SW and 5% Sludge.

Mr. Johnston presented the Waste Characterization report and asked the Board to look it over. The Board had no questions.

Mr. Johnston stated that the tire report showed 12.68 tons for March, resulting in an annual total of 296.21 tons. Mr. Adam Hall stated that the outbound total this month was low and due to Liberty Tire not picking up full trailers. Mr. Hall stated that for over 3 weeks the landfill called and requested a tire trailer pickup, with no returned call. Mr. Hall stated that for the last week, the landfill had to refuse all incoming tires due to full trailers. Mr. Larry Jameson questioned where the tires were residing as the

landfill intake was 39 tons and the outbound was only 12 tons. Mr. Hall stated they sit in a semi-trailer, awaiting pickup. Ms. Tammi Bivens asked why Santek employees are not handling tires. Mr. Hall stated that he asks his employees not to handle tires due to the very low rate the customer is charged for disposal. Mr. Ben Johnston stated this issue was discussed roughly a year ago and agreed to have further conversation internally and with Mr. Adam Hall to see if rates could be adjusted to make the tire disposal program more efficient.

Mr. Johnston stated that the Airspace Utilization report showed an average tonnage for the past 3 months of 9,861 tons.

The Host Fees for the month of March were \$11,887.39 and a security fee of \$15,009.33.

Mr. Ben Johnston addressed the TDEC Closure Plan and stated that a narrative section would be forthcoming to accompany the drawing. Mr. Kevin Stevens discussed concerns Dr. Bachus had with closure area 1, stating that Dr. Bachus felt 11 of the 12 acres could be closed now. Dr. Bachus believes that Santek should establish a more aggressive closure schedule. The Closure Plan it is to be submitted to TDEC by June 30, 2021

Mr. Steve Field offered concerns about the current contract expiring in 2027 stating that Santek's obligation is to allow 2 years of airspace at the conclusion. Mr. Johnston stated 2 years of airspace equates to 120,000 tons. Mr. Field stated that as outlined in the closure plan the footprint currently shows the final closure area being complete by 2028, one year shy of this mark. Mr. Ben Johnston stated that there will likely be an expansion so Santek can meet the requirement of the contract, but the size of the expansion is still to be determined.

Mr. Art Stewart questioned industry-standard best management practices of Santek, wondering if they are unique to Santek and if Republic will have their own set. Mr. Johnston made a note of this question to return with an answer at a later date.

Mr. Kevin Stevens continued a discussion previously mentioned at meetings prior regarding the Solar Farm's proposal. There has been some interest expressed about the ability to add solar panels to an unused or closed off area of the landfill. As stated by Mr. Stevens, it's something worth keeping on the agenda but until there are more clear regulations from TDEC, it's not something ready to be addressed in any more depth. Ms. Brewster concurred.

In regard to a continued discussion about clearing and surveying property lines, Chairwoman Brewster believes the documentation she provided Santek should clear up any confusion and allow Santek to proceed with getting an accurate quote to clear and survey the property lines. Mr. Johnston and Mr. Hall agreed to get an estimate in writing about surveying costs.

In the Chairman's Report, Ms. Kelly Littleton-Brewster announced that Mr. Bruce Hamilton resigned from the Board, effective immediately as of March 10th, 2021.

Additionally, Ms. Littleton-Brewster presented the Board with an invoice of \$2,500 from Kennerly Montgomery for legal services.

Ms. Brewster also asked if the Board would consider iPads for each member to help streamline these meetings. In an effort to save valuable time for all, this consideration comes from an overload of paperwork and hopes that transitioning into digital transcripts will be more efficient for all. The only

concern raised was from Mr. Larry Jameson, asking if Santek would be able to send all documents straight to the iPads. Mr. Ben Johnston stated that would not be a problem.

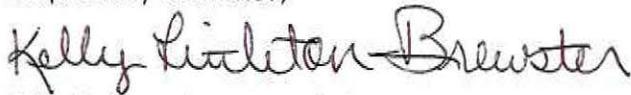
As the Board considers iPads, the topic of who creates and keeps the minutes was discussed. Mr. Kevin Stevens stated that Santek is responsible for attending meetings and creating initial drafts of minutes. They are then submitted to him for suggestions and revisions. Ms. Littleton-Brewster spoke to this issue stating that the process should be streamlined. Board members agreed that iPads may help with the entire process of distributing information for these meetings. The Board unanimously agreed that the consideration of iPads is worth gathering more information.

Mr. Steve Field asked the board to consider the fact that TDEC does require a ten-year plan and that should remain on the agenda to prepare a plan that is TDEC compliant.

As a final consideration, Mr. Jameson asked Mr. Stevens if there was currently any language in the contract regarding the change in ownership. Mr. Stevens stated the agreement may not be assigned, however since this is a stock purchase Mr. Stevens stated that Santek is not assigning the agreement to Republic. Ms. Brewster suggested it may be of interest to keep a running list of language the Board may like to change or add to the agreement at a later date.

MOTION: Ms. Tammi Bivens made a motion to adjourn the meeting, Mr. Jameson seconded the motion and it was passed unanimously.

Respectfully submitted,

A handwritten signature in black ink that reads "Kelly Littleton-Brewster". The signature is written in a cursive, flowing style.

Kelly Littleton-Brewster, Chairman

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