

MINUTES

LOUDON COUNTY SOLID WASTE DISPOSAL COMMISSION

MAY 11, 2021

The Loudon County Solid Waste Disposal Commission met on May 11th, 2021 at 6:30 p.m. at the Loudon County Courthouse Annex.

The Commission was represented by **Chairwoman** Ms. Kelly Littleton-Brewster, Ms. Tammi Bivens, Mr. Art Stewart, Mr. Steve Field, and Ms. Pat Hunter.

Other attendees included Attorney Kevin Stevens; Republic/Santek representatives included Ben Johnston, Hannah Burrell, Shelby Boyer and Adam Hall; Public attendees included Richard Anklin.

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

Ms. Bivens led the room in the Pledge of Allegiance and the prayer.

MOTION: Chairwoman Littleton-Brewster asked for a motion on the approval of the minutes for April. Ms. Bivens made a motion and Mr. Field seconded the motion. The minutes were approved unanimously, except for Ms. Hunter who abstained as she was not yet appointed a board member during the April meeting.

MOTION: Chairwoman Littleton-Brewster asked for a motion to accept the agenda items as is. Ms. Hunter stated she wanted some clarification with regards to Item number five, operations report. Ms. Hunter stated that the summary customer activity report is the only report that is not posted on the website. She requested it be stated on the agenda and website that it is available to the public upon request. Chairwoman Brewster said a separate folder of monthly customer activity reports would be kept for that purpose.

MOTION: Chairwoman Littleton-Brewster asked for a second motion to amend the agenda to clarify that the summary customer activity report will be available upon request. Mr. Field seconded the motion. The motion was approved unanimously.

During the items of public concern, Mr. Richard Anklin stated that according to his research, TDEC regulations chapter 400-11-01 on page 45, require a letter be submitted 90 days before a transfer of landfill operator takes place. Mr. Johnston stated he would have to look over the information Mr. Anklin is referencing, as he is not familiar with the cited language, and he would get back on this matter. Mr. Johnston also noted that Santek will remain the operator as a wholly owned subsidiary of Republic.

Mr. Anklin also referenced numerous drawings with no dates. He explained how elevations varied and the elevations numbers were difficult to read. The site road was not included in the drawings, or what landfill area is closed or active, and how the nomenclature had changed in the drawings from cells to modules (A-J) and now to areas CA1 thru CA-5, with no explanation.

Chairwoman Brewster thanked him for drawing this to the commission's attention. Mr. Anklin apologized for taking too long but he felt he was presenting important information to the commission. She said it was okay and agreed to follow-up.

Mr. Anklin said that he drove past the landfill 2-weeks earlier on a Saturday and the front gate was wide-open at about 1:30p.m.; however, he noticed the operating hours showed closing at 12:30 p.m.

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Mr. Johnston reviewed the Landfill operations report as outlined in the packets provided each month to the Loudon County Solid Waste Disposal Commission.

Chairwoman Littleton-Brewster asked if there were any new customers. Mr. Hall replied Brewster's (Garbage Service). Ms. Hunter asked why Brewster's was not included in the customer activity summary report. Mr. Johnson and Mr. Hall said they would check and report back.

Ms. Hunter requested large size drawings with legible elevations be sent to the county office building, and in digital format. Mr. Johnston agreed to provide the information.

Mr. Johnston stated that Santek would like to increase the tire disposal rates at the Matlock Bend Landfill to match the rates of other Santek facilities (Bradley) within the region. Mr. Johnston stated that this will help Santek create a more efficient process, as the rates currently being charged do not cover the cost associated with handling the (large) tires.

Mr. Stevens said that he would follow-up on the boundaries project. Mr. Stevens spoke of meeting with Republic and Mr. Dixon would be attending next month's meeting. He said no personnel changes were expected with the Santek organization.

Mr. Stevens discussed the draft phased closure plan prepared by Santek, stating he recently received the narrative section of the plan from Santek. Mr. Stevens stated that the narrative section is the final component of the plan that the commission has been awaiting. The commission now has the entire draft plan from Santek to review.

Mr. Stevens stated that he has also provided the draft plan their third-party engineer Dr. Bachus, and that his biggest concern remains the delays in the phased closure schedule. Dr. Bachus believes that certain of the landfill cells can be closed now as they have not received waste in many years. He stated that the longer closure lingers, the greater the liability is for the commission. Therefore, he believes that Santek needs to prepare a more aggressive phased closure schedule. He would speak with Dr. Bachus so he could be available to answer questions by Zoom at next month's meeting; and he would report back on TDECs response.

Ms. Hunter requested to revisit Mr. Jameson's concerns about the change of ownership from last month's meeting. She read from the contract clause 12.2 Assignment and Subcontracting; Notice of other actions. She thought the assignment of the Agreement was applicable, as well as, proper written notice concerning the transfer of ownership, which had not been done. Ms. Hunter expressed her disappointment in learning of the Republic acquisition of Santek in a trade magazine rather than receiving proper written notice as the contract states. Mr. Stevens said that he would look into it and report back.

Chairwoman Littleton-Brewster stated that given the recent Republic acquisition, we need to look at submitting a letter to TDEC requesting an extension of the deadline of June 30, 2021 to submit the phased closure plan for approval.

Ms. Hunter requested an address change in the phase closure plan document to 100 River Rd.

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Mr. Stevens stated that there were no changes to the financial statements presented last month by Richard Hill, and that the audit process is now completed since the financial statements have been accepted by the State Comptroller's Office.

Mr. Stewart requested best management practices; same request as last month.

Mr. Hall presented a survey proposal from Pinnacle Land Surveying to stake the landfill boundary lines approximately every 100 feet for a lump sum of \$5,200.00. He also presented a quote from Englewood Land and Cattle LLC to clear the property lines leaving only trees over 6" in diameter at a per hour cost of \$150.00 with an estimate of 60 hours to complete the work for a total of \$9,000.00. Mr. Hall stated that he did not think clearing the boundaries lines would take the 60 hours outlined on the quote presented.

Chairwoman Littleton-Brewster asked if a log was kept of all visitors; Mr. Hall replied yes.

Chairwoman Littleton-Brewster presented attorney invoices, certificate of liability, and auditor's invoice.

MOTION: Mr. Field made a motion to accept the surveying proposal and Mr. Stewart seconded the motion. A roll call vote was conducted and the motion was approved unanimously.

MOTION: Mr. Field made a motion to accept the landfill clearing quote for an amount of hourly work not to exceed 60 hours and Mr. Stewart seconded the motion. A roll call vote was conducted and the motion was approved unanimously.

Chairwoman Littleton-Brewster provided an update on the process of obtaining quotes for lap tops for the commission to use. Chairwoman Littleton-Brewster also discussed the protocol for handling meeting minutes and agendas in the future. For commissioners to request agenda items, she suggested a Monday deadline, prior to the subsequent solid waste meeting.

Ms. Hunter requested consideration of the following: updating its Public Records policy to conform with current state law and to specify where records were to be housed in a government office; include draft meeting minutes alongside the agenda when posted to the website; look into an updated survey to stakeholders, and of updating the solid waste website. Ms. Hunter also indicated a willingness to prepare a proposed annual budget for the commission to consider based upon the recommendation from Mr. Hill.

Ms. Hunter spoke about how to address complaints as per contract clause 5.03 page 12. She requested Santek include a contact phone number be posted at the landfill site to address complaints. Ms. Hunter said she observed an un-locked front gate at the landfill at about 6:30 p.m. the previous day (June 7th); 4:30 p.m. closing hours for the landfill. Mr. Hall asked if it was a service truck. Ms. Hunter replied she thought so but the driver had trouble locking the front lock gate. Security is important, she stated.

Mr. Field spoke about the 10-year plan. He also spoke about the old stakeholder survey being located on the website. He offered to send a copy to the commission.

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MOTION: Ms. Bivens made a motion to adjourn the meeting and Mr. Field seconded the motion. The motion was approved unanimously and the meeting adjourned at 8:40 p.m.

The Commission's next regularly scheduled meeting is June 8, 2021, at 6:30 p.m. at the Loudon County Annex, Commission meeting room.

Respectfully submitted,

Kelly Littleton-Brewster

Loudon County Solid Waste Disposal Commission Chairwoman