

Loudon County Solid Waste Disposal Commission Meeting Minutes

Date: October 17, 2025

Meeting Type: Regular Commission Meeting

Location: Courthouse Annex Building, Loudon, Tennessee

Time: 6:00 pm EST

Chairman: Mr. Adam Waller

Attendees:

- **Commission Members Present:** Ms. Monty Ross, Mr. Gary Hendrix, Chairman Mr. Adam Waller, Mr. Andy Lawson, Dr. Steve Bartell
- **Commission Members Absent:** None noted
- **Legal Representation:** Ms. Elizabeth Murphy
- **Republic Services:** Mr. David Hollinshead, Mr. Stoddard Pickerell, Ms. Lindsey Turtle
- **Public:** Lisa Vinton, Rich Anklen, Pat Hunter, Cindy Viar, Sott and Lisa Vinton

PUBLIC COMMENTS

Positive Recognition for Republic Services Lisa Vinton commended Republic Services and specifically Teresa Fox for excellent cooperation in addressing trash cleanup along the landfill access road. Over the past two to three months, communication and response have improved significantly. Ms. Fox has assisted with community volunteer cleanup efforts, which occur on the first Saturday of each month with up to 25 volunteers. The county and state Adopt-a-Highway program provide support materials for these activities.

Budget Concerns Rich questioned several budget line items, particularly the \$400,000 allocation for legal services, noting it seemed excessive. He also raised concerns about \$200,000 designated for post-closure costs and the \$21,000 audit expense. Chairman Waller clarified that legal costs reflect increased expansion work and potential litigation, the audit covers two years (2024 and 2025), and post-closure funds address an 80-year liability period.

Road Mud Solution Request Pat Hunter, representing Brian Viar, requested written documentation showing a permanent solution to the ongoing mud problem on roads accessing the landfill. This concern has been raised monthly by Mr. Viar, who seeks tangible evidence of resolution.

Detailed Budget Objections Pat Hunter argued that several budget items required reduction:

- **Board membership fees:** Calculated at \$14,000 but should be under \$9,000 based on five members and meeting attendance
- **Legal services:** At \$400,000, it significantly exceeds the county attorney's budget of \$210,000 despite handling multiple ongoing lawsuits
- **Contracted services and audit costs:** Also questioned as potentially inflated

Ms. Hunter noted the county attorney handles five to six ongoing lawsuits for \$210,000 annually, suggesting the commission's legal budget should be reduced accordingly. Chairman Waller explained the commission can amend the budget mid-year if necessary.

Landfill Sale Opposition Ms. Hunter expressed serious concerns about any potential sale of the landfill to Republic Services, citing their failure to address contract compliance issues. She referenced the Murfreesboro situation where continued court action was necessary despite agreements with Republic. She questioned why the commission would consider selling to a company that cannot fulfill current contractual obligations, particularly regarding inspection report AOCCs (Areas of Concern and Compliance) and longstanding operational issues.

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ADMINISTRATIVE ACTIONS

September 2025 Minutes Approval Ms. Ross identified spelling corrections needed for board member names:

- Dr. Bartell's name corrected (remove "e")
- Mr. Hendrix's name corrected on last page ("rix" spelling)

Motion: Approve September 2025 minutes with corrections

Motion by: Ms. Ross

Seconded by: Mr. Hendrix

Result: Approved unanimously

Legal Services Invoice Payment Chairman Waller received an invoice from Ms. Murphy totaling \$15,960 for April and May legal services.

Motion: Approve payment of \$15,960 for April and May legal services

Motion by: Mr. Lawson

Seconded by: Mr. Hendrix

Result: Approved unanimously

2025-2026 Budget Approval The commission reviewed the proposed budget with projected revenues of \$500,000 based on conservative estimates. Actual 2024 revenues totaled \$786,000 including \$22,000 in investment income. Legal services increased due to expansion activities and potential litigation discussions.

Motion: Approve 2025-2026 budget as presented

Motion by: Ms. Ross

Seconded by: Dr. Bartell

Result: Approved unanimously

Amendment to June 19, 2025 Minutes Due to accidental camera shutdown after executive session on June 19th, Ms. Murphy's rate changes were not captured in official minutes.

Motion: Amend June 19, 2025 minutes to include Ms. Murphy's rate change to \$385 per hour for non-litigation work, effective June 19, 2025

Motion by: Ms. Ross

Seconded by: Dr. Bartell

Result: Approved unanimously

ENVIRONMENTAL MONITORING AND COMPLIANCE

Semi-Annual Groundwater Monitoring Report Stoddard Pickerell presented the first semi-annual groundwater monitoring report, which included additional sampling events and comprehensive data collection from the Purdy property spring. This data will inform future monitoring network adjustments.

Dr. Bartell's Technical Questions:

- **Trend analysis clarification:** "Recent events" refers to recent sampling history showing seasonal fluctuations rather than specific incidents
- **Potassium analysis:** Undefined short-term influence on groundwater quality has subsided; Stoddard committed to providing detailed explanation via email
- **Nitrate sources:** Elevated nitrate detections appear related to neighboring activities, particularly the mushroom facility operations on the eastern perimeter, rather than leachate migration since nitrate is not a primary leachate indicator parameter
- **Quality control procedures:** CEC performs sampling, with laboratory analysis and dual review by both Egan Associates (Ohio-based groundwater consultant) and Republic Services to ensure accuracy of MCL (Maximum Contaminant Level) comparisons

Third Quarter Landfill Gas (LFG) Monitoring Report The seven-page quarterly report documents probe monitoring to detect potential methane migration from the landfill. All probe monitoring showed readings below detection limits, confirming no off-site methane migration. This represents routine compliance verification required by solid waste regulations.

Ms. Murphy questioned SCS reporting results. Stoddard clarified that zero readings applied specifically to permanent probes and enclosed structure monitoring, not surface emissions monitoring which uses different methodologies and 500 parts per million thresholds.

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INFRASTRUCTURE PROJECTS AND ENGINEERING

Module C and D Closure Project Stoddard and consultant Chris Cline are finalizing plans for a toe drain along the eastern slope of the closure area. The toe drain will:

- Connect to existing leachate infrastructure on the western side

- Eliminate need for two temporary pumps currently in operation
- Incorporate cleanouts at appropriate intervals for maintenance access
- Use granite material (not limestone) for proper drainage
- Provide long-term foundation for future full-perimeter drainage system

The design process involves multiple iterations to ensure all engineering standards are met and maintenance accessibility is optimized. Hinkle Construction completed cell construction this week and will begin east slope work the week of October 20th to locate the anchor trench and install the toe drain system.

New Cell Modules Timeline The newly constructed cells are mechanically complete and awaiting TDEC's 30-day review period once the Certification of Construction (CB) report is submitted. Upon approval, waste placement can begin immediately in the new modules.

Cell A Leachate Disconnect Repair Stoddard provided a detailed account of the complex two-week repair project that initially was expected to take only two days:

- Stinger rod successfully inserted to bottom of waste column within four hours
- Fernco coupling removal proved challenging, requiring multiple specialized equipment approaches including root cutters, jetter rods, and grinder tools
- Unexpected discovery of corrugated plastic pipe (CPP/ADS-style drainage pipe) on the upgradient side rather than anticipated rigid PVC or HDPE
- Stinger rod successfully set with leachate pass-through established
- Cleanout installed for ongoing maintenance via jetting and camera inspections
- While leachate flow did not increase as much as hoped, the system is functioning properly
- Future maintenance concerns focus on potential perforation clogging, addressable through routine jetting and camera surveillance

Leachate Storage Tank Restoration The leachate storage tank that shifted on its platform has been reset and returned to full operation. Testing involved discharging approximately 8 feet of liquid (one-third capacity) with no leaks detected. Pump testing confirmed proper discharge capacity to the POTW (Publicly Owned Treatment Works).

Per expansion permit requirements, Republic must install an additional 250,000-gallon storage tank within one year of waste placement approval in the new modules, bringing total capacity to 350,000 gallons (currently at 269,000 gallons with the operational tank).

Borrow Pit Development Stoddard is working with Chris Cline on borrow pit plans and seeks commission approval to begin soil classification through test pit analysis. While rezoning approval from the county will be required before active use, classification work can proceed without permits. Understanding soil availability is critical for:

- Financial assurance calculations

- Long-term soil needs assessment for site life
- Closure project planning

Chairman Waller indicated he would consult with Chris Cline regarding authorization for classification work to proceed.

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Stormwater Pond Management All ponds are functioning properly with ongoing remediation at Pond 2:

- Ammonia levels reduced to nearly non-detectable (2 parts per billion)
- BOD (Biochemical Oxygen Demand) remains slightly elevated at 183, above the 120 cutoff
- New aeration system installed to accelerate treatment
- Elevated BOD attributed to stagnant conditions during pond closure period
- Trends moving in positive direction toward compliance
- Four additional bays planned in connection with closure project
- Most recent sampling results not included in current report but will be in November packet

Road Improvement Project Republic Services will begin major paving project in November, installing 1,000 linear feet of pavement from the scales to approximately 100 feet past the wheel wash. The project includes:

- Series of catch basins with heavy-duty cattle guard-style grates (3-week lead time for custom castings)
- Grates engineered to support all truck types including tractor-trailers
- Sediment capture capability before material reaches public roads
- Elimination of rock and mud section
- Recognition that this represents a significant step toward permanent solution

Chairman Waller noted this addresses longstanding public concerns about road conditions, particularly mud tracking onto public roads.

Brush Pile Management Ground mulch from the brush pile serves multiple operational purposes:

- Road stabilization and improvement
- Stormwater control applications
- Soil amendment for effective grass establishment on closure areas

- Current focus on seeding recently completed slopes during optimal planting window
- Crew from Churchill, Tennessee assisting Hinkle Construction with slope seeding as they transition to closure grading work

COMPLIANCE AND INSPECTION ISSUES

TDEC Inspection Areas of Concern (AOC) September and October inspection reports included an AOC related to the eastern perimeter ditch. Following Sunday night rains, TDEC inspector Paul observed standing water with concerning coloration during Monday inspection. While no flowing leachate was observed, water tint raised concerns about potential leachate presence versus algae or bacterial growth.

Stoddard reported extensive discussions with the regulator, who acknowledged:

- Current maintenance methods are acceptable
- Issue is being actively addressed through closure project planning
- AOC designation was appropriate given visual concerns
- Commission is taking proper corrective steps

Conductivity Testing Discussion Ms. Murphy raised the importance of on-site conductivity meters for immediate water quality assessment. Such meters allow rapid determination of whether standing water contains elevated conductivity indicating leachate presence versus surface water characteristics. She recommended all landfills and TDEC inspectors maintain conductivity meters for field testing.

Stoddard explained Republic's policy of using third-party sampling to ensure data integrity and avoid questions about testing accuracy, though acknowledged field meters could provide useful preliminary information between formal sampling events.

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FINANCIAL MATTERS

Public Fee Discrepancy Resolution David Hollinshead addressed the fee calculation discrepancy identified by Rich in September. Investigation revealed:

- Error began in September 2025 with incorrect 5.3% rate applied to host fee
- Top-line amount not properly carried to second calculation line
- Two-month accumulated shortage totals \$3,900
- Correction will be included in November payment
- Hollinshead accepted responsibility for oversight failure

Audit Status Update The contracted auditor (Vance CPA) experienced health issues but has recovered and resumed work. Ms. Murphy has communicated with the auditor, who requested two additional information sets. The commission anticipates receiving both 2024 and 2025 audits for approval at the November meeting, pending completion of the auditor's work.

LEGAL UPDATE AND LITIGATION

Lawsuit Filed Against Republic Services Ms. Murphy announced that the commission filed a complaint in Loudon County Chancery Court today against Republic Services. Key details include:

- Complaint addresses longstanding public and commission concerns
- Currently in hold pattern - not yet served on Republic
- Procedural clocks will not begin until service is executed
- Complaint waited multiple months hoping issues would resolve without litigation
- Issues remain unresolved but meaningful discussions have begun

Potential Landfill Purchase Proposal Despite litigation filing, Republic Services plans to present a purchase proposal for the landfill. Ms. Murphy explained the anticipated structure:

- Proposal format will follow Republic's standard procedures rather than commission's expected format
- Negotiation period would address purchase terms and conditions
- Final agreement would require approval votes from both cities and the county
- Transaction would be structured similar to real estate deals with extended closing period
- Funding and finalization would not occur until closing, following Republic's standard practice

Addressing Public Concerns About Sale During Non-Compliance Ms. Murphy directly addressed recurring public questions about selling to Republic while they allegedly fail to meet contractual obligations:

"There's sort of this mentality of, well, if they're not meeting all their obligations, why would you sell it to them? Any kind of final deal would change and include hopefully terms that the commission and the city counties do not already have that are more protective for the community and more enforceable."

She used the road debris issue as an example: Current contract language allows Republic to argue they only must clean up debris after arrival rather than prevent it, with limited enforcement mechanisms. A purchase agreement could include:

- Stronger preventive maintenance requirements
- More robust enforcement provisions
- Reduced commission liability for day-to-day operational decisions

- Enhanced community protections with clearer performance standards

The proposal, if it materializes, would not be simply a sale but a comprehensive restructuring of the operational relationship with improved protections for stakeholders.

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WILDLIFE CONTROL PROGRAM

Vulture Management Update No formal update was provided this month. Chairman Waller noted he has not spoken recently with Justin Handy about vulture control activities. Commission members reported mixed observations:

- Some noted reduced vulture presence suggesting program effectiveness
- Others have not seen significant changes
- Justin Handy scheduled to provide comprehensive program update at November meeting
- Six-month contract period approaching conclusion around February 2026

EXECUTIVE SESSION

The commission entered executive session to discuss legal matters related to the filed complaint, potential litigation risks, and strategic considerations. No actions were taken during executive session. The commission returned to open session with no further business to discuss.

October 2025 Action Items

Item	Responsible Party	Target Date	Status
Complete 2024 and 2025 audits	Vance CPA/Staff	November	In Progress
Begin November paving project	Republic Services	November	Scheduled
Submit CB report for new cell modules	Republic Services	ASAP	Pending TDEC Review
Finalize toe drain engineering plans	Stoddard/Chris Cline	Ongoing	Nearly Complete
Authorize borrow pit soil classification	Chairman/Chris Cline	November	Decision Pending

Item	Responsible Party	Target Date	Status
Include Pond 2 sampling results in packet	Stoddard	November	Committed
Vulture control program presentation	Justin Handy	November	Scheduled
Correct September minutes spelling errors	Ms. Ross	Completed	Done
Process public fee discrepancy correction	Republic Services	November	Committed
Execute service of complaint	Legal Counsel	TBD	On Hold
Eastern perimeter ditch remediation	Republic Services	Ongoing	Part of Closure
Install additional leachate storage capacity	Republic Services	Within 1 year of approval	Required

Next Meeting

Date: November 21, 2025

Time: 6:00 p.m.

Location: Loudon County Annex Building

Anticipated Discussion Items: • 2024 and 2025 audit approvals • Vulture control program comprehensive update • Paving project progress report • Pond 2 water quality sampling results • New cell module TDEC approval status • Borrow pit soil classification authorization • Litigation status update • Republic purchase proposal (if available) • Toe drain engineering final plans

**Meeting adjourned at approximately 7:08 p.m. by motion from Mr. Hendrix, seconded by Mr. Lawson.
Motion approved unanimously.**

Minutes respectfully submitted by Monty Ross, LCSWDC Interim Secretary

Chairman: Adam Waller, Loudon County Solid Waste Disposal Committee

Note: Full video of LCSWDC meeting available at: Loudon County Solid Waste Disposal Commission Meeting, October 17, 2025 (youtube.com)
