

Loudon County Solid Waste Disposal Commission Meeting Minutes

Date: February 19, 2026

Meeting Type: Regular Commission Meeting

Location: Courthouse Annex Building, Loudon, Tennessee

Time: 6:00 pm EST

Chairman: Mr. Adam Waller

Attendees:

- **Commission Members Present:** Chairman Mr. Adam Waller, Ms. Monty Ross, Mr. Gary Hendrix, Mr. Andy Lawson, Dr. Steve Bartell
- **Commission Members Absent:** None
- **Legal Representation:** Ms. Elizabeth Murphy
- **Republic Services:** Mr. David Hollinshead (Mr. Stoddard Pickerell absent - working out west)
- **Consulting Engineer:** Mr. Chris Cline
- **Special Presenters:** Tim Hendrick, Deputy Director/Environmental Planner, East Tennessee Development District
- **Public:** Brian Viars, Pat Hunter, Rick (Tellico Village), other attendees

CALL TO ORDER

Chairman Waller called the meeting to order at 6:00 pm EST. Ms. Ross conducted roll call with all five commission members present.

PUBLIC COMMENTS

Brian Viars - Borrow Pit Rezoning and Road Conditions

Borrow Pit Rezoning Concerns:

Mr. Viars referenced email response from Chairman Waller stating rezoning would be heard by Planning Commission in March with nothing more to discuss. Expressed disagreement, reading from January meeting minutes regarding borrow pit application process. Questioned what was discussed during February 10th Planning Commission meeting.

Chairman Waller's Response: February 10th Planning Commission hearing was postponed to March. Process involves: (1) Planning Commission hearing and vote, (2) County Commission workshop, (3) County Commission vote.

Road Conditions: Reported "absolutely horrible" mud conditions on highway with clear evidence of mud washing into stream. Did not photograph due to conditions but spoke with Revendra (TDEC) about issue. TDEC will attempt to address.

CFD Zoning Question: Mr. Viars stated that according to regulations, if property is rezoned to CFD (Community Facility District), it becomes a new landfill. Referenced county commission discussions.

Chairman Waller's Response: Characterized statement as inaccurate, noting hour-and-a-half discussion held Tuesday night with many attendees. CFD designation does not create new operating landfill. Encouraged Mr. Viars to attend March Planning Commission meeting. Confirmed Chase Randolph handling rezoning; application submitted for private borrow pit only.

Mr. Viars' Position: Maintained state regulations indicate CFD designation creates new landfill.

Chairman Waller's Response: Stated this is "inaccurate on new landfills" and confirmed CFD is county zoning matter, not state regulation creating new landfill.

Rick (Tellico Village) - Lawsuit Questions

Questioned what remedies Republic Services provided that led to lawsuit being dropped and whether those remedies were sufficient for Solid Waste Commission to eliminate lawsuit.

Ms. Murphy's Response:

Provided detailed explanation:

- Did not provide remedies under Rule 408 confidentiality structure allowed in state law

- Lawsuit dismissed in December because commission either had to serve it or lawsuit would go straight to federal court
- Republic indicated they would remove case to federal court
- Research concluded this was likely outcome
- Timeline would not trigger if summons not served
- Held summons, conducted negotiations under Rule 408
- Negotiations did not progress
- Lawsuit pulled to avoid being pushed into federal court prematurely
- Federal court moves very quickly; wanted all claims ready, not just most
- Window of opportunity existed by filing in Chancery Court
- Took advantage of opportunity; didn't work out but didn't lose anything
- Actually very satisfied with everything that came out of process
- Obtained information needed
- Sometimes beneficial to continue talking with parties for eventual resolution
- Contractual relationship with Republic Services; litigation not always best approach
- Totally disagrees lawsuit was ill-advised

Rick's Follow-up: Questioned whether lawsuit was ill-conceived if Republic's federal court removal was predictable from beginning.

Ms. Murphy's Response: Not discussing strategy publicly but clarifies there was window of opportunity by filing in Chancery Court. Satisfied with outcome and information obtained. Contractual relationship sometimes makes negotiation preferable to litigation. Cannot discuss confidential aspects but comfortable with process and outcomes.

Pat Hunter - Borrow Pit Rezoning Details

Noted borrow pit update on agenda but limited discussion during meeting. Raised concerns about rezoning application approved by commission and submitted by Stoddard.

Application Details Read by Ms. Hunter:

- Current zoning: A1
- Requested zoning: CFD (Community Facility District)
- Purpose stated: "Private soil borrow area for the adjacent solid waste landfill"

Ms. Hunter's Concerns: Referenced attorney (Ms. Murphy) deferring to county attorney on zoning issues. County planning regulations indicate:

- A1 zoning does not permit borrow pit
- CFD zoning permits "sanitary landfill operations subject to TDEC approval" and "solid waste disposal subject to approval by TDEC"
- Planning regulations do not specifically list borrow pit operations
- Borrow pit is an operation of a landfill but not specifically listed in regulations

Chairman Waller's Response: Zoning is county commission issue, not Solid Waste Commission regulations.

Application submitted specifically for intended use. CFD classification was created in recent years; original landfill was in A1 zoning. New landfills cannot be in A1 zoning. Rezoning to CFD for borrow pit only; use restricted to borrow pit.

Ms. Hunter's Position: Regulations must be applied as written. Anything beyond regulations would require Republic's agreement or would be subject to lawsuit if not in regulations.

Chairman Waller's Response: Encouraged attendance at March 10th Planning Commission hearing for full discussion.

Ms. Hunter's Question: Questioned borrow pit description and size not yet provided to public.

Chairman Waller's Response: Rezoning application is just for zoning change; plans submitted after rezoning approval.

Pat Hunter - Additional Questions

Original Landfill Rezoning: Asked whether original 152-acre landfill property will also be rezoned to CFD.

Chairman Waller's Response: Does not need rezoning; already operating as landfill. Grandfathered in under existing operations.

Seven-Acre Parcel Sale: Questioned 7-acre parcel potentially being sold connecting to Matlock Bend Road. Asked about total acreage (confirmed as part of 98 acres across three parcels) and whether parcel could be placed in land preservation instead of sold.

Chairman Waller's Response:

- Parcel is approximately 6.659 acres (will be surveyed)
 - Will be sold with deed restrictions: one parcel, one dwelling only
 - Prefers sale over land preservation because future leadership could change preservation status
 - Selling removes property from county control and places on tax rolls
 - Buyer can live there if desired; county receives tax revenue
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ADMINISTRATIVE ACTIONS

January 2026 Minutes Approval

Ms. Ross proposed corrections to January minutes regarding lawsuit language:

Proposed Changes:

- Change "filed but did not record immediately" to reflect summons was not issued
- Change "lawsuit never officially filed" to "lawsuit officially filed but summons was not issued"

Ms. Murphy's Clarification:

- Case was officially filed
- Summons was not issued
- Correct language: "Summons was not issued"

Motion: Approve January 2026 minutes with Ms. Ross's corrections changing language to reflect lawsuit was filed but summons was not issued

Motion by: Ms. Ross

Seconded by: Mr. Hendrix

Result: Approved unanimously

ANNUAL PROGRESS REPORT - TIM HENDRICK PRESENTATION

Introduction

Tim Hendrick, Deputy Director/Environmental Planner for East Tennessee Development District, presented annual progress report serving 16 counties in region.

Waste Diversion Data

Three companies voluntarily provided recycling and waste diversion data for calendar year 2025:

Company Contributions:

- **Kimberly Clark:** 213,644.28 tons (largest in region; approximately one-third alternative daily cover, two-thirds actual recycling)
- **Premier:** 3,795.18 tons
- **American Honda Motor Company:** 1,500.59 tons

TDEC Real-Time Conversion Formula Results:

- **Loudon County waste diversion rate:** 50.2% as of February 20, 2026
- **State mandate:** 25%
- **County performance:** More than double mandated rate

Additional Data Pending:

- Big box store data (submitted directly to TDEC by companies, will increase percentage)
- Loudon County government data (Chris Parks to provide)
- Lenoir City data (usually less than 100 tons)
- All additional data will be entered through March 31st deadline

Historical Comparison:

- **2024 final rate:** 52.8%
- **Expected 2025 final rate:** Similar to 2024 once all data entered

Annual Progress Report Approval

Motion: Approve Annual Progress Report for 2025

Motion by: Mr. Lawson

Seconded by: Ms. Ross

Result: Approved unanimously

TDEC 10-YEAR SOLID WASTE PLAN OVERVIEW

State Plan Development

Tim Hendrick reported on January 21st TDEC workshop discussing state's 10-year solid waste plan:

State Plan Timeline:

- Official release later in 2026
- Public review draft on TDEC website early March 2026
- Public comment portal available on website
- Encouraged commission members to review and comment

County-Level 10-Year Plan Requirements

New Requirement: Every county must develop 10-year solid waste plan as part of state's plan. Guidelines will be included in state document.

Grant Funding:

- **Type:** Non-competitive grant (all counties eligible)
- **Funding tiers:** Based on population
- **Loudon County eligibility:** Up to \$25,000
- **Availability:** Tentatively September 2026
- **Assistance:** Tim Hendrick available to help with application process

Plan Development:

- **Timeline:** 6 months to 1 year to complete
- **Consultant requirement:** State recommends hiring consulting firms
- **TDEC support:** Pre-approved consultant list to be released
- **Example firms:** Gannett Fleming mentioned as likely on approved list
- **Self-development option:** Available but characterized as "tremendous undertaking"

Tim Hendrick strongly suggested procuring consultant firm for plan development. Chairman Waller expressed interest in engaging consultant before other counties create demand rush.

ADDITIONAL TDEC GRANT OPPORTUNITIES

Tim Hendrick outlined grant opportunities opening throughout 2026:

Convenience Center Grant

- **Opens:** Tentatively June 2026
- **Purpose:** Upgrades to convenience center sites
- **Frequency:** Annual opportunity

Used Automotive Fluid Grant

- **Opens:** Tentatively June 2026
- **Purpose:** Used oil, antifreeze, automotive fluid collection equipment at convenience centers
- **Funding:** Non-matching (fully funded)

Waste Reduction Grant

- **Opens:** Tentatively Fall 2026
- **Purpose:** Large equipment for recycling collection or processing (county-level processing preferred)
- **Amount:** Generally \$350,000
- **Target:** Major projects requiring significant funding

Recycling Equipment Grant

- **Opens:** Tentatively September 2026
- **Purpose:** Recycling collection and processing equipment
- **Amount:** Approximately \$50,000

Information Availability: Chairman Waller requested email list of all grants. Tim Hendrick confirmed availability on TDEC grant website with tentative dates. PowerPoint presentation from January 21st workshop to be sent to attendees.

Ms. Ross' Acknowledgment: Thanked for attending January 21st workshop on behalf of Loudon County. Characterized workshop as "really interesting" with valuable learning opportunities.

JURISDICTIONAL WATERS ASSESSMENT

Background and Purpose

Chairman Waller requested update from Chris Cline regarding property assessment conducted several months ago with Dr. Bartell. Explained purpose was examining jurisdictional waters on adjacent property being considered for borrow area.

Assessment Process and Participants

Chris Cline, Dr. Bartell, and Stoddard Pickerell walked property to compare current conditions with previous hydrologic determinations completed approximately five years ago.

Regulatory Oversight:

- TDEC (Tennessee Department of Environment and Conservation)
- Army Corps of Engineers

Findings and Conclusions

Stream Determination: Chris Cline believes feature will be considered a stream under regulatory review.

Operational Impact: Stream designation does not prevent landfill operations but requires working around stream with appropriate mitigation measures.

Property Division: Stream will divide property into two usable halves without extensive stream mitigation requirements.

Wildlife Observations: No wildlife or fisheries observed in water during assessment (Army Corps consideration factor).

Groundwater Intrusion: No evidence found of groundwater intruding into stream (Army Corps consideration factor).

Regulatory Process:

- Army Corps will provide initial jurisdictional waters determination
- TDEC will assume primary oversight after Army Corps sign-off
- Chris Cline believes Army Corps involvement will be brief once determination made

Dr. Bartell's Concurrence

Dr. Bartell agreed Chris Cline's report accurately summarizes all observations made during site visit.

Report Availability: Complete report available online on Solid Waste Commission website in meeting packet.

LEACHATE PUMP MONITORING REQUEST

Background - TDEC Inspection Issue

Chris Cline referenced most recent TDEC inspection (conducted by Paula Plout) documenting pump issues at facility.

Current Status:

- Pump was down in past
- Issue involved new equipment becoming operational
- Transducer was down; has been ordered and likely replaced by meeting date

Monthly Reporting Request

Chris Cline explained value of regular leachate generation monitoring:

Benefits:

- Tracks seasonal variations in leachate generation
- Easier to identify when equipment issues began
- Provides operational trend data
- Republic likely already maintains data

Requested Format:

- Monthly reports
- Daily totals included
- Integration into existing reporting structure

Commission Discussion

Chairman Waller noted Republic already develops monthly leachate generation report sent to utilities.

Chris Cline confirmed awareness of existing reports and suggested including in commission's monthly packet.

Republic's Response (David Hollinshead): Agreed to include monthly leachate generation data in regular commission reports without objection.

Chairman Waller: "Perfect. Thank you."

EAST DITCH/POND UPDATE

Chairman Waller requested update on east ditch pond aeration and cleanup efforts. Noted Stoddard Pickerell absent (working out west). David Hollinshead agreed to provide update at future meeting.

BORROW PIT REZONING UPDATE

Planning Commission Hearing:

- **Date:** March 10, 2026
- **Time:** 5:30 PM
- **Location:** Courthouse Annex Building (same room as commission meetings)

Chairman Waller directed inquiries to Planning Commission hearing for detailed discussion.

WASTE AWAY TECHNOLOGIES FOLLOW-UP

Chairman Waller reported follow-up call with Waste Away Technologies (company that presented in December) was not promising:

Cost Comparison:

- County currently pays \$28/ton to dispose waste at landfill
 - Waste Away could not approach comparable pricing
 - Not viable option at this time
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FY 2024 AND FY 2025 AUDITS

Audit Completion and Review Process

Chairman Waller reported receiving final completed audits today at 11:30 AM after extensive work by Ms. Murphy and auditor Ben Vance involving multiple calls and reviews.

Corrections Identified: Only changes needed: Board member names listed incorrectly in both audits. Corrections submitted to Ben Vance for updating.

Ms. Murphy's Assessment

Audit Quality:

- Five or six inaccuracies corrected from draft to final
- Ben Vance provided excellent source documentation
- Documentation will be valuable for future closure and post-closure cost discussions
- All edits completed and ready for approval

Documentation Value: Source materials provided will assist commission when issues arise regarding closure and post-closure costs.

Audit Approval

Motion: Approve FY 2024 and FY 2025 audits with board member name corrections submitted to Ben Vance

Motion by: Dr. Bartell

Seconded by: Mr. Lawson

Result: Approved unanimously

REPUBLIC SERVICES OPERATIONS REPORT

Annual Rate Letter

Chairman Waller reported receiving annual rate letter from Republic Services at end of January, included in meeting packet.

Monthly Operations Report Components

Chairman Waller explained standard monthly operations report from Republic Services includes:

Report Sections:

1. Tonnage reports
2. Customer activity reports
3. Material classification reports
4. Waste characterization data
5. Tire disposal numbers
6. Landfill operations comments
7. Engineering update from Stoddard Pickerell
8. Airspace utilization
9. TDEC inspection reports (when available; sometimes too recent for packet inclusion)
10. Host and security fees letter (monthly revenue to Solid Waste Commission)
11. Financial statements (final page showing commission's funds)

Customer Breakdown: Report details every customer bringing waste to landfill with tonnage amounts.

Commission Questions

Litter Control Observations: Commissioner Ross noted TDEC inspection report litter control section had no boxes checked.

Response: David Hollinshead acknowledged TDEC makes comments but didn't mark observation boxes in this report. Will ask TDEC about omission when emailing Stoddard.

Leachate Remediation Comments: Commissioner questioned leachate-related comments in report.

Response: Chris Cline confirmed this relates to pump monitoring discussion and new monthly reporting will help track these issues.

General Questions: No additional questions raised about operations report content.

POTENTIAL LANDFILL SALE DISCUSSION

Background and Current Status

Chairman Waller provided update on Republic Services' expressed interest in purchasing landfill:

Timeline: Late 2025: Republic Services expressed interest and requested meetings with Ms. Murphy.

Communication: Ms. Murphy communicated that any proposal should be in writing. Repeatedly stated commission will not entertain or consider proposal until Loudon County, City of Loudon, and City of Lenoir City have reviewed and voted.

Letter of Intent Discussion: Ms. Murphy communicated that Letter of Intent (LOI) is typically used in such transactions.

Current Status: No proposal or letter of intent received to date.

Public Concern: Chairman Waller acknowledged receiving excessive phone calls about potential sale, emphasizing all three government owners must approve before commission consideration.

Ms. Murphy's Detailed Clarification

LOI Structure Explanation:

Ms. Murphy clarified meetings with Republic took extended time because Republic wanted to explain how their corporation typically structures acquisitions:

Republic's Standard Process:

- Letters of Intent commonly used by Republic Services in acquisitions
- Not Ms. Murphy's standard recommendation

Ms. Murphy's Recommendation to Republic:

- Commission can accommodate whatever Republic wishes
- However, LOI is disfavored approach
- LOIs are "fraught with problems"
- Unclear what parties are committing to or not committing to
- Commission and cities don't want to go through process multiple times

Preferred Approach:

- Keep it simple
- Make proposal clear
- Put everything in writing
- Go through proper process

Current Status: No proposal received from Republic Services.

Ball in Republic's Court: Ms. Murphy confirmed Republic Services must initiate next steps; commission waiting for written proposal.

Commission Discussion on Complexity

Commissioner Ross Question: How to ensure sufficient information in letter/communication for good decisions and negotiations given complexity of landfill operations? How does simplified approach work with such complexity?

Ms. Murphy's Response:

LOI Limitations: Letters of Intent do not solve complexity problems. Complexity is exactly why LOI approach is disfavored.

Communication with Republic: Shared communication with Republic's legal counsel making clear commission wants to avoid:

- Piecemeal negotiations
- Dragged-out unclear processes
- Confusion typical in these project types

Process Clarity:

- Ball remains in Republic's court
- Ms. Murphy's role: Make clear what pathway must be based on Chairman's direction
- Communication provided to Republic Services
- Commission awaits their response

Other Issues: Road remediation and other matters not progressed as far as Ms. Murphy would like. These remain active issues but require Republic to respond before Ms. Murphy can proceed.

6.659-ACRE PARCEL SURVEY AND SALE

Parcel Description

Chairman Waller explained 6.659-acre strip along Matlock Bend Road, offering to show location on map.

Survey Authorization

Purpose:

- Survey and deed off section from landfill property
- Upon completion, commission will vote to liquidate and sell parcel
- Ensures public knowledge that nothing landfill-related will ever connect to Matlock Bend Road

Process:

- Matt Kaufman (county surveying department) to engage surveyor
- Parcel deeded off
- Return to commission for sale authorization vote
- Matt Kaufman will obtain real estate agent and handle sale process

Motion: Authorize county surveying department to engage surveyor to deed off 6.659-acre parcel

Motion by: Mr. Lawson

Seconded by: Mr. Hendrix

Result: Approved unanimously

Chairman Waller's Note: Current vote only authorizes survey and deed preparation. Commission will vote again when survey complete to actually list and sell property.

LEGAL FEES PAYMENT

Invoice Details

Chairman Waller reported receiving Ms. Murphy's invoice today for October, November, and December 2025 legal services totaling \$13,100.

Services Included:

- Lawsuit negotiations
- Various commission matters discussed during meeting

Motion: Approve payment of \$13,100 to Ms. Murphy for October-December 2025 legal services

Motion by: Dr. Bartell ("Worth every penny")

Seconded by: Mr. Lawson

Result: Approved unanimously

FINAL COMMISSION DISCUSSION

Sale Process Clarification

Commissioner Question: When commission finally receives sale proposal document, how long will commission have to review, respond, and what are response options?

Chairman Waller's Response:

Stakeholder Priority: Proposal must first go to all three government owners:

- Loudon County Commission
- City of Loudon
- City of Lenoir City

Commission Role:

- Commission is not part of initial review process
- No required action within specific timeframe
- Proposal for commission information only

Action After Stakeholder Review: Once three stakeholders complete review, commission will:

- Review proposal
- Consult with Ms. Murphy
- Determine appropriate action

Commissioner Response: Acknowledged need for time to review and ensure everything necessary to protect citizens is included in any proposal. "That's why we're here. No doubt."

February 2026 Action Items

Item	Responsible Party	Target Date	Status
Provide east ditch/pond aeration update	Republic Services	March	Deferred
Include monthly leachate generation data in reports	Republic Services	Ongoing	Committed
Email TDEC grant opportunity list to commission	Tim Hendrick	ASAP	Committed
Provide TDEC 10-year plan info when available	Tim Hendrick	March 2026	Pending
Engage surveyor for 6.659-acre parcel	Matt Kaufman/County	ASAP	Authorized
Update board member names in FY24-25 audits	Ben Vance	ASAP	In Progress
Attend Planning Commission borrow pit hearing	Public/Commission	March 10, 5:30pm	Scheduled
Question TDEC about unchecked litter boxes	Republic Services	ASAP	Committed
Provide written sale proposal	Republic Services	TBD	Ball in Their Court

Next Meeting

Date: March 19, 2026

Time: 6:00 p.m.

Location: Loudon County Annex Building

Anticipated Discussion Items: • Borrow pit rezoning Planning Commission hearing results (March 10th) • East ditch/pond aeration and cleanup update • Monthly leachate generation reporting implementation • TDEC 10-year solid waste plan public draft review • Survey completion status for 6.659-acre parcel • Republic Services operations report with enhanced monitoring data • Any written proposal from Republic Services regarding landfill purchase

Meeting adjourned at approximately 8:00 p.m. by motion from Mr. Lawson, seconded by Dr. Bartell. 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, February 20, 2026 (youtube.com)