

**Minutes**  
**Loudon County Solid Waste Disposal Commission**  
**February 12, 2013**

The Loudon County Solid Waste Disposal Commission (the "Commission") met on February 12, 2013 at 6:30 p.m. at the Loudon County Courthouse Annex. The Commission was represented by Steve Field, John Watkins, Aprell Patterson, Bill Waldrop and Robert Harrison. Other attendees included Attorneys Jon Peyton and Kevin Stevens; Santek representatives Lisa Humphres and Levi Higdon; Gordon Harless and Lee Ann Cagle with Loudon County; Loudon County Commissioner Sharon Yarbrough; residents Aileen Longmire, Pat Hunter and several other unidentified citizens.

Mr. Field called the meeting to order at 6:33 p.m.

**MOTION:** Mr. Waldrop made a motion to approve the January 8, 2012 meeting minutes. Mr. Watkins seconded the motion. The Commission approved the motion unanimously.

Resident Pat Hunter asked why the status of the audit ending June 30, 2012, was excluded from the agenda. Mr. Field said the auditors asked the State for an extension. The results of the audit are forthcoming in the next few weeks.

Ms. Hunter also questioned the Commission about the Kennerly Montgomery & Finley invoices included in the packet for services provided by Attorney Bud Gilbert during the period of his suspension in 2011. Mr. Field stated that these items would be covered in more detail during the Attorney's report.

Ms. Humphres presented the Cash Activity Report and Santek's operations report for the month of December, 2012.

Mr. Field informed the Commission that the Loudon County Planning and Codes Enforcement Department had approached him with a situation regarding orphan tire dumps. Mr. Field and Ms. Humphres are working together with Tennessee Department of Environment and Conservation ("TDEC") to secure grant funding when assisting with this type of cleanup. At this time, Loudon County Planning and Codes Enforcement Department is continuing to estimate the number of tires in need of disposal.

Attorney Kevin Stevens addressed the Commission and said that the law firm of Kennerly Montgomery & Finley is continuing to work on legal matters for the Commission. The firm is taking a very comprehensive look at governing documents to make sure everything is in order. Mr. Stevens asked the Commission to review the proposed amendment to the Commission's bylaws included in the meeting packet. He explained the purpose of this document is to authorize the Secretary of the Commission to delegate the responsibility for keeping the monthly meeting minutes of the Commission by adoption of the proposed resolution. Mr. Watkins asked Mr. Harrison, Commission Secretary, to review the second page regarding a required seal of Loudon County as witness to Mr. Harrison's signature. Mr. Stevens agreed to strike the language in the amendment requiring the seal of Loudon County.

**MOTION:** Mr. Watkins made a motion to accept the amendment to the bylaws as corrected. Mr. Waldrop seconded the motion. The motion passed unanimously.

**MOTION:** Mr. Harrison made a motion to have Santek continue keeping the meeting minutes for the Commission at this time. Mr. Waldrop seconded the motion. The motion passed unanimously.

Mr. Stevens informed the Commission that over the course of the next few meetings, he will be reviewing the Commission's policies and procedures and ensuring that they are all properly updated. Mr. Stevens

also took time to introduce himself to the Commission by explaining his role at Kennerly, Montgomery & Finley along with sharing his background and experience. He stressed that he will focus on improving the quality and cost efficiency of the legal services provided to the Commission. Mr. Stevens also discussed his thorough review of past invoices and subsequent reduction in the hourly billing rates of legal services provided to make sure that they were appropriate. He also stated that the firm partner hourly billing rate has been reduced by \$30 per hour. Mr. Field asked the Commission to begin thinking about its future relationship with Kennerly, Montgomery & Finley. He also asked Commissioners to keep in mind the importance of items currently in the works (i.e., the landfill evaluation and Atchley property). Further discussions will take place during next month's meeting.

During the Attorney's report, Mr. Peyton told the Commission that he had requested an extension on the closing and purchase of the Atchley property. The current owner expressed questions regarding the survey and documents. The property acquisition is now set to close Friday, February 15, 2013. Mr. Field explained to the Commission there had been a problem with the survey for this proposed property acquisition. He stated that he took the liberty to authorize \$5,000 dollars to fund the survey costs. Mr. Field also stated that the Commission will have 90 days from the date of closing to have a three-strand barbwire fence installed on the property.

Mr. Field asked the Board to review the final Geosyntec agreement provided in the meeting packet. He told the Commission that the landfill review is nearing completion and directed them to the Geosyntec progress summary letter, dated February 12, 2013.

Mr. Field discussed a Property Site Reconnaissance Summary and photographs of the Atchley property. He requested that Brown & Caldwell perform a walkthrough and general assessment of the property prior to the closing date. The report and photo log indicated no substantial changes.

Mr. Field provided the Commission with a preliminary update from Matt Maynard with TDEC, regarding the qualitative evaluation of the county's waste reduction efforts. Mr. Maynard provided a preliminary comparison of Loudon County versus McMinn and Dickson counties in regard to pounds-per-person for major commodities. Mr. Field stated these counties do not have a large percentage of industrial waste like Loudon County. Our per capita recycling rates were above the two comparison counties. He also asked the Commission to consider possible recommendations suggested by Mr. Maynard which included the possibility of naming a Solid Waste Director and or the Commission compiling data and completing the Annual Report instead of farming it out to Santek for preparation and completion. On a related note Mr. Field said that Santek has requested the assistance of Mitch Loomis with the East Tennessee Development District in preparation for this year's reporting.

Mr. Field shared that he has not had an opportunity to follow-up on the Master Plan Committee. Mr. Harrison suggested that the Commission not wait until a Chairman for the Master Plan Advisory Committee is selected before planting vegetative screening adjacent to the landfill to allow adequate time for growth. Mr. Harrison suggested that the Commission engage a landscape architect instead of hiring a committee facilitator at this time. Mr. Field asked Mr. Harrison if he would be interested in assuming the responsibility for this landscape project focusing on the landfill perimeter only. Mr. Harrison said he would consider it.

During discussion of other items for consideration, Mr. Field asked the Commission to consider the possibility of hiring a part-time person to assist with administrative duties. Mr. Field introduced Ms. Cagle, who currently works for Loudon County under Leo Bradshaw. Ms. Cagle has expressed interest in assisting the Commission in this capacity. The general consensus among the Commission is to have Ms. Cagle fulfill this part-time position. Mr. Stevens will provide a recommendation on how the Commission can retain Ms. Cagle without her being considered an official employee of the Commission during next month's meeting.

**MOTION:** Mr. Waldrop made a motion to retain attorney Kevin Stevens and the law firm of Kennerly Montgomery & Finley as general counsel for LCSWDC at this time. Mr. Harrison seconded the motion. The motion passed unanimously.

**MOTION:** Mr. Waldrop made motion to adjourn the meeting at 8:03 and Mr. Watkins seconded the motion. The motion passed unanimously.

The Commission's next regularly scheduled meeting is March 12<sup>th</sup> at 6:30 p.m. at the Courthouse Annex.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'S. Field', written over a horizontal line.

Steve Field, Chairman  
Loudon County Solid Waste Disposal Commission