

Hamblen County/Morristown Solid Waste Board of Directors Meeting

Minutes: September 18, 2026

Morristown Public Works Training Room

Board Members Present: Tom Rush-Chairman, Chris Cutshaw-(Ex-Officio/County Mayor), Dennis Barnes-(Ex-Officio/Director), Mike Bell, Bob Garrett, Tim Horner, Matt Lacy, Ventrus Norfolk and Will Sliger.

Absent: Patrick McGuffin-Vice Chairman

Others Present: Amy Hemminger, Steve Bostic, Matt Davis, Paul Brown, Mike Richardson, Ron White, Joey Barnard, John Gardner, George Hyfantis, Stephanie Clonce, and Public.

Meeting Called To Order: Tom Rush

Mr. Rush called the meeting to order at 9:00 a.m.

Public Comment/General Public Forum: None

Approval of Minutes: Tom Rush

Mr. Lacy made the motion to approve the August 19, 2026, and August 21, 2026, minutes and Mr. Sliger seconded the motion with all board members present in favor.

Financial Report: Amy Hemminger and Tom Rush

1. Review of August 2026 Financials- Ms. Hemminger stated that Accounts Receivable on the Statement of Net Position includes just under \$651,000 due to the county bond for ETTL's pay application #24. It was also noted that the LGIP Capital account and Bond Proceeds Receivable have been reduced by this amount. On the income statement, Government Reimbursement income and Expansion Construction expense reflect this pay application as well. Equipment Maintenance and Repairs includes an amount for a core refund resulting in a credit balance for the month. Rentals expense includes \$8,500 for rental of a dump truck. Other Capital Expenditures of \$8,910 are reported for cameras that were replaced because of the damage from a power surge.
2. Mr. Rush stated that the interest rates at LGIP and First Horizon are 3.72% and 2.15%, respectively.

Hamblen County/Morristown Solid Waste Board of Directors Meeting

Minutes: September 18, 2026

Morristown Public Works Training Room

Manager's Report: Dennis Barnes

1. Mr. Barnes stated that we almost got a perfect TDEC inspection, we had one troubled area, a letdown that the inspector took pictures of and we fixed it.
2. Mr. Lacy asked about the track hoe from the recycling grant. Mr. Cutshaw told him that Ms. Horton was still working on it, but it would be the end of October before we know anything for sure.

Engineer's Report: Steve Bostic

Mr. Bostic updated the board on the engineering projects going on at the Landfill (see attachment).

Unfinished Business: Tom Rush, Paul Brown,

1. Mr. Rush stated that Mr. Ellard, Morristown City Administrator, came to our meeting last month to talk about some solutions for the Recycle hauling. HCMSW does not have a contract with Westrock, and we cannot pay the bills until we get that contract. Mr. Brown, Morristown City Public Works Director, stated that recycling is really getting expensive to deal with. Right now, the city and county are looking into hauling. Currently, we take our recycling to the landfill, and the landfill loads it into a compactor for Westrock to pick up. Last year we were looking at the numbers from July 2025 to June 2026, and the city had sent 192 loads to the landfill. The average tons we took to the landfill was 5.2 tons and a 40-yard compactor should pack out at least 7 tons. Since the compactor belonging to Westrock is old and not efficient so, we are paying to ship air to Knoxville. Mr. Barnes must give Westrock 48-hour notice to pick up, the compactor is just not efficient, and Westrock will not pay for a new container. So, what the city and county is looking at is buying a new 42-yard compactor that will haul 10 to 11 tons and get more recycling to take at one time and less trips to Knoxville. Right now, the landfill is charging \$60 a ton for recycling and the new Westrock increase from \$150 to \$400 a load will pay for itself. So, what the city and county are looking at is to contract out the hauling part. Mr. Barnes feels like he could charge us \$50 a load, instead of \$60 a ton. Mr. Barnes stated that is if we get the new compactor through the recycling grant and we can do that by having around an hour loading it. We will not make anything, but we will not lose anything either. Mr. Lacy stated he was all for helping the city and county out. Mr. Brown stated that if the board would vote on this today, charging \$50 a load, they can get started on finding a hauling company to take it

Hamblen County/Morristown Solid Waste Board of Directors Meeting

Minutes: September 18, 2026

Morristown Public Works Training Room

to Westrock. Mr. Lacy made a motion to charge the city and county \$50 a load for coming across the scales and the city and county will be responsible for taking the loads to Westrock. Mr. Sliger seconded the motion with all board members present in favor. Mr. Rush asked Mr. Brown to bring the numbers for all this back to the October meeting.

2. Mr. Rush stated that we are getting a proposal from UES to take on helping with the Class I permit. Mr. Sliger has been talking with Byran at UES, and he sent us a fee schedule to look at. Mr. Sliger stated, "I will be talking to him and trying to get a proposal together for the October meeting on the Class I permit for the board to look at." Mr. Rush stated that we would not be voting on anything today; we are just looking at options right now.
3. Mr. Rush stated that we have John Gardner with us today from Smith and Gardner to discuss his ideas and the Master Service Agreement. Mr. Gardner stated that he was a licensed engineer in the State of Tennessee and over a dozen other states. Mr. Gardner said, "I met Mr. McGuffin back in 2012 when I was conducting services over at Lakeway Landfill. I am currently a consultant for GFL in many locations; I have been in the waste business for over 40 years all over the world. Mr. McGuffin asked me last year if I could help with the HCMSW Class I landfill because HCMSW really needed my help and did not contact me again until this year. So, the situation got more serious, and I sent him a letter that I was willing to help. I sent him a fee schedule, and we signed a Service Contract Agreement to get started looking at the plans on the engineering of the landfill. I can answer any questions that you may have." Mr. Rush stated to the board that if you have questions, now is the time to ask them. Mr. Sliger asked if he would work with LDA and TDEC to get this permit started and wanted to know when that would happen. Mr. Gardner stated that he was still in assessment mode and it was moved along quickly now that a letter from TDEC was sent saying that they would no longer review this permit with a Stay of Review. Mr. Gardner stated that with his review a couple of weeks ago with Mr. Barnes and Mr. Bostic and he has talked to TDEC regularly and has determined that this permit will be a redo, starting from scratch in his opinion, but he doesn't know the scope of it yet. Mr. Sliger asked, "when you say redo, what is the totality since we already have a 20-acre hole in the ground." Mr. Gardner stated that you do have a 20-acre hole in the ground, but you have a permit that TDEC states is no longer approvable. I work on co-designed projects, but I cannot do that here. I will do this whole thing as Smith Gardner with my own drawing and such and I will not work with LDA on this, not to say I won't need some information and support

Hamblen County/Morristown Solid Waste Board of Directors Meeting

Minutes: September 18, 2026

Morristown Public Works Training Room

from LDA and they are in the process of compiling that for me. I already have a bunch of information from TDEC that they have sent me. I am in the process of reviewing to see where you are at and what I am seeing so far is a complete re-do. The hole that you have in the ground is my starting point. I don't know exactly how we will do this, but we understand what it cost to get that hole in the ground and I intend to use what I can, but beyond that I'm the permit and designer person and the permit process will take longer than the design part. I have decided that it will be more difficult to take what LDA has already created and modify it than just starting from scratch. That is my determination, which is where I am at. Mr. Barnes asked if he seen anything that could be done to increase the life and air space in the plans. Mr. Gardner stated that the current design he has seen could be changed to expand the life and air space. Mr. Lacy stated as of right now TDEC is done and Mr. Barnes stated that they are off the clock. Mr. Cutshaw stated that we are talking about the 20-acre hole right, so I was under the impression that after all the discussions with Mr. Bostic that we are on the cusp of getting our permit, are we not? Mr. Lacy stated no we are not. Mr. Cutshaw stated that Mr. Bostic had led us to believe that we are that close and Mr. Gardner wants to throw away the plans and start over. Mr. Gardner stated that he did not understand what he meant in the end. Mr. Cutshaw stated that this board has been told that we are on the cusp of getting our permit a couple of years ago by Mr. Bostic. So, that is where we are and your point Mr. Gardner is to start over, Mr. Gardner stated that he would use what he could, but I have a permit process that I follow and some of it is useable, a lot of it is not. Mr. Cutshaw stated the Mr. Gardner stated that we have a 20-acre hole that is not useable and that is what he will start with since you have already spent a lot of money on it. Mr. Lacy asked Mr. Bostic what his answer to this was, since TDEC has cut us off. Mr. Bostic stated that "I told the board last month that I felt like we had done everything TDEC had asked of us on the resubmittal to all address all their concerns, I think the letter not only references things on this resubmittal but also the past ones, issues, questions on our methodology, pages that are missing and I don't know exactly what they are talking about. We have not let up trying to get this permit through, apparently, it is a matter of TDEC looking at it as if they think we are not responding to their comments." Mr. Lacy asked Mr. Gardner if he had ever had this happen to him, and Mr. Gardner stated that he had all kinds of things happen, such as permits denied, you must take them to court. According to the TDEC letter they have stopped reviewing the permit and they offered in the letter that you are going to continue to pursue this to let them know. Mr. Bostic stated that we have received several notices of deficiency

Hamblen County/Morristown Solid Waste Board of Directors Meeting

Minutes: September 18, 2026

Morristown Public Works Training Room

(NOD) from TDEC. Mr. Gardner stated that usually you only get two and you have five. TDEC does not have a limit, but they have reached it. TDEC has a clock that goes for 270 days, and I do not know where you are on the clock, but they have stopped it. Mr. Cutshaw asked Mr. Gardner if he had a time in which he could have this done. Mr. Gardner stated that it would take him six months or longer to pull everything together because it is my design now and is mine with input. Mr. Cutshaw asked after that how long do you think we could have the permit. Mr. Gardner stated that it could be well over a year and we would be out of capacity, by my estimate you will be out of room by the end of next year. Mr. Lacy stated that we have a big problem. Mr. Rush asked, "are you saying 6 to 8 months to get our permit or what?" Mr. Gardner said it would take him that long to get his information together to be able to turn it into TDEC. Mr. Lacy stated that we put the cart in front of the horse when we started this. Mr. Rush asked Mr. Gardner, so you are saying it could take a year or more to get our permit now? Mr. Sliger stated, "do not sugar coat it because we are all diabetics." Mr. Gardner stated that once we turn it in TDEC has 270 days to look at it, which could take a year. Mr. Lacy stated that we are out of time and we will have to haul our trash off site until we get our permit. We could take it to GFL. Mr. Lacy stated that if you change the excavating that has been done the cost will go up and Mr. Gardner stated that he had not decided yet and his cost would not be inexpensive. Mr. Sliger stated that your use of staff could cost more. Mr. Gardner stated that once it is turned into TDEC and what changes they want and the cost of doing it will change. Mr. Rush asked if we could have our proposal by the October meeting so that the board can make a decision, and Mr. Gardner stated that there should not be a problem. I will meet with TDEC about a reset and see where we are at. Mr. Sliger stated, "so between now and our next meeting Mr. Gardner will be looking over the documents to have a meeting with TDEC." Mr. Sliger asked what are we doing about LDA, are we still going to let them run us up the flagpole chasing a rabbit, because that is still a financial burden that we will have to pay. Mr. Rush stated that we have a letter in the packet that states TDEC has withdrawn our application and they have stopped the clock. They ask are we going to pursue this permit or are we quitting? Also, we are working on something with UES and waiting for a proposal from them next month. Mr. Bostic stated that TDEC did not have any issues with the hydro geo at all, so that should still be good. If John changes the boundaries and things to make more air space and combine the boundaries TDEC may want to make changes.

4. Mr. Rush stated that we have a Master Service Agreement from Smith Gardner that Mr. McGuffin signed and he would like to entertain a motion to approve and ratify that

Hamblen County/Morristown Solid Waste Board of Directors Meeting

Minutes: September 18, 2026

Morristown Public Works Training Room

agreement that is in your packet. Mr. Lacy made the motion, and Mr. Horner seconded the motion, Mr. Sliger interrupted the motions asking for clarification on the future work from Smith Gardner and was told that if they are chosen to do the work the agreement will stand with them. Mr. Rush stated that we have agreed to spend up to \$19,675 to look at all our paperwork, with all board members present in favor except for Mr. Sliger that voted no.

5. Mr. Rush stated that the next item on the agenda is a letter from TDEC stating they are done looking at our permit and have stopped the clock. Mr. Rush stated that this letter was sent to him and asked Mr. Bostic why we are getting all these repeat questions. What this letter says to me is the work is just not getting done and I am very upset about this. Mr. Bostic stated that he was too, but he thinks that most of it is the resubmittals, I am not sure. Mr. Bostic stated that he thought that they had done everything that was asked of them in all their comments. We set up a meeting with Rob Burnette over teams and went over everything, and he directed us by doing what he asked for. We have not let up on this and every time we sit down with them, they make comments and we change them. Again, I am totally embarrassed about this. Mr. Cutshaw stated that we are paying Smith Gardner \$19,675 to look at it and wants to start over and you keep telling us we are on the cusp of getting this permit. What is true because we are not getting anywhere? Mr. Bostic stated that we are not just sending it back in to them, we are spending a lot of time going over this to send what they ask for and they just refuse it. Like you said Mr. Lacy, I do not think we are in the circle anymore with TDEC. Mr. Lacy stated that if you are not in the circle anymore, we are going to have to go with someone else because our hands are tied and we are out of time. Mr. Sliger told Mr. Bostic that he got to come to the meeting today and that it is like going to your own funeral. Mr. Sliger stated that Mr. Gardner's comment that he was going to be doing everything on his own and would not be working with LDA on this and since I have been on the board we have heard the same story every month and the real problem is that the people in Hamblen county will never see you and the Mayor and the board have to answer to the people over the landfill and that thoroughly upsets me. So, now we are sitting here with the liner in storage that we have been paying storage on and now we still have another year before we will need it. Mr. Lacy asked how we are responsible for paying for the storage, why is not LDA having to pay for it, because you are going nowhere with this permit, we are back at square one. So, we have at least another year to pay for storage, we just approved paying Smith Gardner \$19,675 just to look at it, how are we responsible for this? Mr. Bostic stated that LDA had done

Hamblen County/Morristown Solid Waste Board of Directors Meeting

Minutes: September 18, 2026

Morristown Public Works Training Room

everything that they possibly could and addressed all of their comments and we felt like we had done it the way they wanted, then we got this letter and I was as shocked as you are, I couldn't believe it. Mr. Lacy asked Mr. Bostic how you would feel if you were in our shoes, wouldn't you think that you should be responsible for paying for this? He responded that he would be upset also. Mr. Rush stated that the letter is dated September 10th and today is September 18th and you are going to talk to TDEC, why haven't you already done this? Mr. Bostic stated that when the letter came or before we were already talking to Mr. Gardner and he was trying to work it out, Mr. Gardner stated time out, that he was approached by Mr. McGuffin and was asked to look at the situation, he did not pursue us. Mr. Rush stated that we have a letter in front of us that TDEC is no longer looking at our permit, so we need to figure out something. Mr. Rush asked Mr. Bostic if he were still working on this permit and he stated that no, not since we got the letter because we knew it would be discussed at this meeting. Mr. Rush stated that this is not on the agenda, but there is a draft letter addressed to TDEC in the board packet which says "...this letter will serve to formally withdraw the Part II application, which we currently plan to resubmit at a later date" which will need to be considered by the board. Mr. Rush asked the board if they wanted to work both sides, or what does the board want to do? Mr. Barnes stated that every day that goes by you will have to ship out the Class I garbage somewhere else. Mr. Rush stated that we have UES who thinks they can work with what we have and not start over as Smith Gardner wants to. Mr. Sliger stated that as a body we should wait and look at both proposals and see what can be done. Mr. Sliger stated that this is a no brainer and there is no reason whatsoever to spend any more money with LDA to do anything. It is increasingly that we do not have a plan and we are here in this mess with no permit. It is going to be an issue of where we will take our trash and that is a problem. Mr. Lacy stated that we do have a solution but unfortunately, we must use it. Mr. Sliger agreed and stated that we do have a solution to take our trash to Jefferson County because we have a 6-to-8-month agreement with them, but they do not have any space for us either because they are going through the same thing as us. Mr. Bostic stated that Jefferson County does not have a cell ready for use. Mr. Rush asked the board do we need to tell LDA to put the brakes on, Mr. Lacy stated that the brakes are already on until we decide at the next meeting which way we are going to go, is that what we need to do today? Mr. Lacy stated that unfortunately LDA's relationship with TDEC is not good, sorry Steve, but not sorry because you have cost us a lot of money. Mr. Bostic stated that it is not like we just sat on our hands. Mr. Lacy stated that it is what it looks like and Mr. Bostic could

Hamblen County/Morristown Solid Waste Board of Directors Meeting

Minutes: September 18, 2026

Morristown Public Works Training Room

not argue with that. Mr. Rush stated he would ask for a motion out to ask LDA to pause their work until we can figure out what we are going to do next month. A few board members agreed, and Mr. Sliger asked why we are waiting another month, this is like going to the doctor and him telling you that you only have four months to live. My point is LDA is not going to move the ball in the next 30 days. Mr. Lacy stated that we are just talking about the expansion part. If we are just talking about services that he provides, we can get other engineers to do it because Mr. Bostic stated that he is just waiting to hear back from TDEC on the Class III operations manual and monitoring the MUS sampling. Mr. Lacy made a motion to cut our ties with LDA right now and Mr. Sliger seconded the motion with an amendment that all documentation, Class III expansion, and any other documentation be forwarded to Chairman Mr. Rush and Director Mr. Barnes and go over it and cut all ties with LDA. Mr. Lacy agreed with Mr. Sliger's amendment. All board members present are in favor of terminating all services by LDA effective today for cause. Mr. Bostic asked about the documentation that he is doing for Smith Gardner, do we turn it over to Mr. Gardner? Mr. Rush stated to turn those documents over to Dennis.

6. Mr. Rush stated that regarding the draft letter mentioned earlier TDEC, do you want to go forward or withdraw the application? Mr. Gardner, what is your opinion? Mr. Gardner said whichever engineer that picks this up will have to sign and seal it. My read between the lines is that with the stoppage they would probably prefer it be withdrawn so they do not have to issue another letter. If it sets there, they may issue a denial letter or some other action. Mr. Lacy asked who do we need to talk to. Mr. Gardner stated that if you withdraw now you may have to start all over again with part I. Mr. Rush stated that we would table this now until we talk to TDEC. Mr. Rush stated that he talked to Mr. Barnes about saving space and diverting it to another place. We will have to see what our options are at that time.

New Business: None

Adjournment: Tom Rush

Mr. Lacy made a motion to adjourn the meeting, and Mr. Sliger seconded the motion with all members present in favor.

Mr. Brown stated that next month they will be using the training room for voting, so we will move you to the conference room next month.

Hamblen County/Morristown Solid Waste Board of Directors Meeting

Minutes: September 18, 2026

Morristown Public Works Training Room

Mr. Rush adjourned the meeting at 10:20 a.m.

Tom Rush-Chairman

Thomas D. Rush

Chris Cutshaw-Mayor

Chris Cutshaw