

**MINUTES
BOARD OF COMMISSIONERS**

The City of Jesup Board of Commissioners held a special called meeting Friday, February 12, 2016, at 10:30 a .m., in the Council Chamber. Mayor David Earl Keith called the meeting to order. Roll call was as follows:

Mayor, David Earl Keith	Present
Commissioner, Shirlene Armstrong	Present
Commissioner, Don A. Darden	Present
Commissioner, Nick Harris	Present
Commissioner, Bill Harvey	Present
Commissioner, Ray House	Present
Commissioner, Bobby Townsend	Present
City Attorney, Mike Conner	Present
City Manager, Mike Deal	Present
Police Chief, Glenn Takaki	Present

Mayor Keith thanked everyone for attending the meeting on such short notice.

Mayor Keith stated Council advised him at the last regular meeting to schedule a meeting with Wayne County Board of Commissioners to see what the City could do to help the County challenge the coal ash project. After meeting with the County, Mayor Keith instructed City Attorney Conner to see what steps could be taken.

City Attorney Conner reported he had a phone conference with County Attorney Andy Beaver yesterday, and provided Council with a letter outlining the challenges that could be made.

City Attorney Conner reviewed the following 3 processes involved in challenging the coal ash project:

- U. S. Army Corps of Engineers
- Prior Contaminate Release
- Litigation

City Attorney Conner told Council if they truly want to challenge the process, the best approach would be to build a record in front of the Corps.

City Attorney Conner stated Mayor Keith asked him what kind of experts would be required and what would be the initial cost for involving them. He reported that he talked with Environmental lawyers, and they estimated \$5,000 – \$7,000 to initially get the experts on the ground.

City Attorney Conner advised Council if they want to proceed, he respectfully recommends partnering with other people who want to be involved because it would save money and present a unified front to the Corps.

City Attorney Conner informed Council the comments are due by March 4, which means these experts would literally be working all day and night to beat the deadline, and commended Mayor Keith for being proactive.

City Attorney Conner noted if the Corps granted the permit and the City decided to pursue litigation, the City's total legal cost would be roughly \$87,000–\$95,000, which includes \$50,000 for experts and other costs.

Commissioner House asked City Attorney Conner to explain for the record why this falls on the City to do.

City Attorney Conner stated there's an argument to be made that if the County opposes this project, it would constitute a breach of their operations agreement with Republic Services. He noted there are provisions in the agreement where it doesn't matter how the permit gets stopped, Republic could still walk away from the deal.

Commissioner House stated for the record: “That contract is bad as anything I have ever seen. When they signed that, they literally signed away the farm.”

Commissioner Townsend stated the general public is upset, and he just wants to be on record doing what he can to assist and stop this from happening.

Commissioners Harris and Darden stated Council needs to put forth the money and take the next step in the process.

Chairman Copeland stated they have been advised by their Attorney if the County takes any legal action, it would void that agreement.

Chairman Copeland stated for the record: “I’m not a person who likes to blame previous Boards. I don’t think they understood what they were doing, but that is the piss poorest contract that I have ever seen in my life. I’m floored that they ever signed anything like that.”

Chairman Copeland explained if Republic terminates the agreement, the public would have to start paying for trash pick up, the County would have an emergency meeting, and everyone’s taxes would sky rocket. He noted if the public is willing to double their taxes, the County would do what they need to do.

Commissioner House stated for the record: “If we could reach out to Republic and get a meeting with them, and see if they can’t give us more assurance than 150-200 years to make this as safe as it possibly can be.”

Mayor Keith announced it appears the Corps’ public meeting may occur on Wednesday, March 16, 2016.

City Attorney Conner warned Council that meeting may be just a meeting with the Corps and a representative from Republic, and doesn’t mean you can stand up and talk.

Commissioner House asked is there anything that would preclude the City from packing the auditorium at Coastal Pines Technical College, and holding a special meeting following the Corps’ meeting to give the people an opportunity to comment. City Attorney Conner didn’t see any problems with that idea.

Commissioner Harvey made motion seconded by Commissioner Darden to join with anyone else who want to join with the City, spend the necessary funds to get the qualified people to look into this matter, and get Council the information on the science so they can do whatever they can to stop this from being done.

All Council voted yes.

Council instructed City Attorney Conner to proceed with the initial process. City Attorney Conner noted he will talk with the Environmental lawyers in Augusta, and move forward with the scientists.

Bob Morgan, with Jesup Radio Station, asked since there’s such a public outrage, why can’t a bank account be opened so the public could donate to it. Mayor Keith stated the County is looking into doing that right now.

Derby Waters, with The Press-Sentinel, explained the Corps is not holding this meeting, instead the County asked the Corps to meet with them. As he understood it, the County will have a meeting on Wednesday, March 16, at 7:00 P. M. at an undetermined location.

Meeting Adjourned,

Rose Marcus-Jackson
City Clerk-Treasurer