

October 26, 2021

MORGAN COUNTY COMMISSION MEETING

The Morgan County Commission of Morgan County, Alabama, convened in a special meeting on Tuesday, October 26, 2021, at 6 p.m. at the Ingalls Harbor Pavilion, Decatur, Alabama. The following members were present: Chairman Ray Long; Commissioners Jeff Clark, Randy Vest, and Greg Abercrombie. Also present: David Langston, County Attorney; Julie Reeves, Chief Administrative Officer. Absent: Commissioner Don Stisher; Greg Bodley, County Engineer; Jessica Smith, Deputy Chief Administrative Officer; Sheryl Marsh, Communications Director; Laura Vest, Business Services Coordinator. Mrs. Reeves acted as clerk of the Meeting. Mayor Tab Bowling offered the prayer and the Pledge of Allegiance. Mrs. Reeves called roll and stated that a quorum was present. The Chairman declared the Meeting open for the transaction of business.

VISITORS

Decatur Mayor, Tab Bowling
 Decatur Council President Jacob Ladner, District 5
 Decatur Council Pro-Tem Carlton McMasters, District 3
 Decatur Council Member Billy Jackson, District 1
 Decatur Council Member Kyle Pike, District 2
 Decatur Council Member Hunter Pepper, District 4
 Stephanie Simon, City Clerk
 Herman Marks, City Attorney
 Ray Hardin, Decatur Utilities Manager
 Neal Holland, Jr., Decatur Utilities Board Chairman
 Barnes Lovelace, Jr., Harris, Caddell & Shanks, P.C.
 Donnie Lane, President, Enersolv, LLC.
 H. Blake McAnally, President, Pugh Wright McAnally, Inc.
 Leon Ashford, Lead Plaintiff's attorney, St. John case
 Dr. Craig Benson, St. John case expert
 Bill Matsikoudis, Lead Attorney, Tennessee Riverkeeper
 Mr. David Whiteside, Citizen
 Ms. Chiriga Vinson, Citizen
 Ms. Saroya Cannon, Citizen
 Mr. James Spagnola

PRESENTATION OF SETTLEMENTS SUMMARY

Barney Lovelace, Attorney, presented the summary of the proposed settlement.

Other speakers included Donnie Lane, President, Enersolv, LLC. and Blake McAnally, President, Pugh Wright McAnally, Inc., who addressed the council and discussed discovery and remediation.

Leon Ashford, Attorney; Dr. Craig Benson, and Bill Matsikoudis, Attorney; also addressed the council and discussed the St. John case, the impacts on the river, and the overall goals for the claim.

PUBLIC COMMENTS:

Mr. Whiteside, a member of Riverkeepers, spoke as a concerned citizen of Morgan County. Ms. Vinson and Ms. Cannon also addressed the council with concerns.

AGENDA

The Agenda for the meeting of Tuesday, October 26, 2021, had been presented to the Commission for review.

After due consideration, it is therefore ordered by the Commission on motion of Mr. Jeff Clark, seconded by Mr. Randy Vest, and unanimously carried that there being no further additions or corrections to the above listed agenda; it is hereby approved.

NEW BUSINESS:

ADOPT RESOLUTION APPROVING SETTLEMENT WITH 3M AND SETTLEMENTS IN THE ST. JOHN AND TENNESSEE RIVERKEEPERS CASES.

Mr. Jeff Clark, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Randy Vest, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-046

WHEREAS, the Morgan County Commission finds and determines that it serves a public purpose, enhances the general health and welfare of our community, and is in the best interest of the County to approve three comprehensive separate settlement agreements regarding PFOS, PFAS, PFOA and related impacts on the environment; and

WHEREAS, the three settlements involve a separate settlement with the 3M Company and additional settlements in the pending cases of James St. John, et al. vs. 3M Company, et al., Case No. CV-2002-000408, in the Circuit Court of Morgan County, Alabama and Tennessee Riverkeeper, Inc. vs. 3M Company, et al., Case No. CV-16-HGD-1029-NE, in the United States District Court, Northern District of Alabama, Northeastern Division.; and

WHEREAS, the 3M settlement agreement provides that the County will receive a total of \$5,400,000.00; and

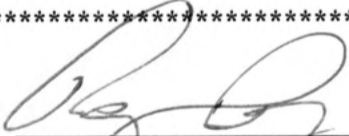
WHEREAS, as part of the overall 3M settlement payment not affecting the respective payment portions due each governmental entity, Morgan County, Decatur Utilities and the City of Decatur, do acknowledge and approve the payment of attorney fees in the amount of Seven Million Dollars to Harris, Caddell & Shanks PC, as the Law Firm that has represented those entities in the litigation and mediation from the beginning;

THEREFORE, BE IT RESOLVED by the Morgan County Commission that the Chairman and Harris Caddell & Shanks PC are hereby authorized to approve and execute on behalf of the County the three settlement agreement documents described above and being on file in the County Commission office; and in addition the Chairman is authorized on behalf of the County to take the necessary actions to assure the approved payment of the attorney fees described above.


ADOPTED this 26th day of October 2021

BE IT FURTHER RESOLVED by the Morgan County Commission of Morgan County, Alabama, that there being no further business to come before the Commission, the same on motion of Mr. Greg Abercrombie, seconded by Mr. Randy Vest, and unanimously carried; the Morgan County Commission is duly adjourned.

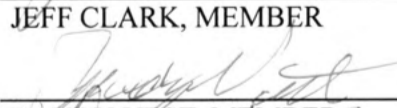
These Minutes were approved
this the 9th day of November 2021.




RAY LONG, CHAIRMAN



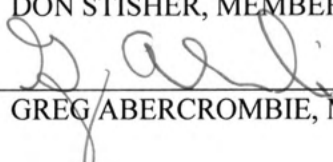
JEFF CLARK, MEMBER



RANDY VEST, MEMBER



DON STISHER, MEMBER



GREG ABERCROMBIE, MEMBER