



**SPECIAL CALLED
CITY COUNCIL MEETING
NOVEMBER 6, 2023 – 4:00 PM
226 SOUTH WALL STREET
CITY HALL CONFERENCE ROOM**

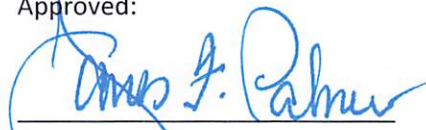
MINUTES

PRESENT: James F. Palmer, Mayor
Ray Mitchell Denmon, Councilmember
Al Edwards, Mayor Pro Tem
Ed Moyer, Councilmember
Jacqueline Palazzolo, Councilmember

ALSO: Paul Worley, City Administrator; Kyle Ellis, Utilities Administrator; Sharon Nelson, City Clerk; George Govignon, City Attorney.

1. Mayor Palmer opened the meeting and welcomed everyone in attendance.
2. City Attorney Govignon stated that there was no need to move to executive session for discussion as no others were present at the meeting.
3. City Attorney Govignon updated council members on the nationwide class actions settlements related to the family of Per-And Polyfluoroalkyl Substances. After discussing the matter fully, City Attorney Govignon stated that a motion was needed to pass a resolution allowing the Utilities Administration to execute any and all documents necessary to file a request for exclusion and opt out of the class action settlements to pursue independent legal action. Councilmember Moyer made the motion. Councilmember Palazzolo gave a second with all voting aye. Motion approved.
4. There was no other business and Councilmember Palazzolo made a motion to adjourn. Councilmember Moyer gave a second with all voting aye. The motion was approved and the meeting adjourned at 4:30 PM.

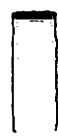
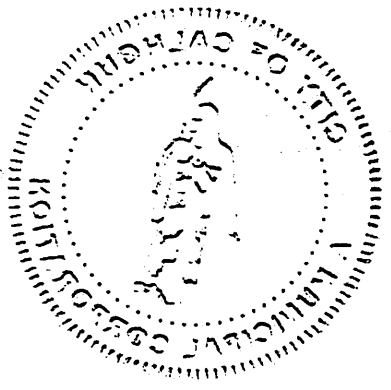
Approved:


James F. Palmer, Mayor

Submitted:


Sharon Nelson, City Clerk





**STATE OF GEORGIA
COUNTY OF GORDON
CITY OF CALHOUN**

A RESOLUTION AUTHORIZING THE CITY OF CALHOUN, A MUNICIPAL CORPORATION OF THE STATE OF GEORGIA, TO OPT OUT AND/OR FILE A REQUEST FOR EXCLUSION FROM THE CURRENT NATIONWIDE CLASS ACTIONS SETTLEMENTS RELATED TO THE FAMILY OF PER-AND POLYFLUOROALKYL SUBSTANCES, MORE COLLECTIVELY REFERRED TO AS PFAS; TO AUTHORIZE THE UTILITIES ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS INTENT TO BE EXCLUDED FROM SAID CLASS ACTION SETTLEMENTS TO PURSUE INDEPENDENT LEGAL ACTION; AND FOR OTHER PURPOSES.

WHEREAS there are currently nationwide class action settlements entered into with multiple possible Defendants who are known manufacturers of per-and polyfluoroalkyl substances (PFAS), including, but not limited to 3M Company, The Chemours Company, The Chemours Company FC, LLC, DuPont de Nemours, Inc., Corteva, Inc., and E.I. DuPont de Nemours and Company, in MDL 2873 in the United States District Court for the District of South Carolina, Charleston Division, 2:18-mn-02873-RMG; and

WHEREAS the Mayor and Councilmembers note that this region of the State of Georgia is more heavily impacted by the presence of regional concentration of local third party industries that employed and applied PFAS to products and materials in the manufacture of flooring of various types for decades within the municipal limits and Gordon County requiring more financial compensation than that allotted by these class action settlements than other areas of the state and nation; and

WHEREAS the Mayor and Councilmembers understand the costs for remediation of the environmental and infrastructure damages to the available sources of drinking water, municipal distribution pipes/systems, the three water treatment facilities, and the local lands and waterways caused by the release of these chemicals by the manufacturers may realistically exceed the sum the

municipal government would receive under the settlement if not the amount proposed for the entire settlement fund; and

WHEREAS the Mayor and Councilmembers desire that the City of Calhoun opt out and/or file a Request for Exclusion to the aforementioned judicial and/or class action settlements proposed to resolve and/or remediate the hazardous environmental and health impacts/damages caused by exposure of PFAS chemicals and substances into the municipal water system, the local waterways and underground aquifers in the local area by the manufacturers of these “forever chemicals;” and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CALHOUN:

SECTION ONE: That the City of Calhoun finds that participation in the nationwide class PFAS settlements is not in the best interests of the municipality or the municipal water treatment facilities as the amount of damages caused and remediation efforts required by the local government may meet or exceed the entire proposed national settlement fund amount.

SECTION TWO: That the City of Calhoun hereby expresses its intention to opt out of and/or file a Request for Exclusion from the nationwide class PFAS settlements for this reason as the proposed distributions amounts would be grossly insufficient to address less than 10% of the needed remediation expense to protect the local environment, health, welfare and safety of the municipal residents and citizenry.

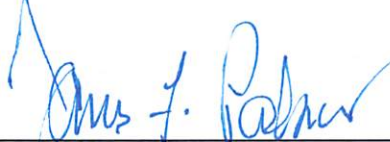
SECTION THREE: That the Utilities Administrator for the City of Calhoun, KYLE ELLIS (ELLIS), is hereby expressly authorized to execute the documentation necessary to opt the City of Calhoun out of the nationwide class PFAS settlements, including but not limited to an affidavit and a Request for Exclusion.

SECTION FOUR: That ELLIS is authorized to take such other action as necessary and

appropriate to effectuate the City of Calhoun's decision to opt out of and/or file a Request for Exclusion from the nationwide class PFAS settlements.

SECTION ONE: This Resolution is effective upon adoption, the welfare of the City of Calhoun, Georgia requiring it.

SO ADOPTED, this the 6th day of November, 2023.



JAMES F. PALMER, MAYOR
CITY OF CALHOUN, GEORGIA

ATTEST:



SHARON NELSON, CITY CLERK

