

OTHER BUSINESS

DISCUSS REQUEST FOR LETTER TO EPA AND EPD REGARDING MEETING ON G.E.

Chairman Fricks stated that he had received an email, a copy of which was distributed to the Commissioners. He asked that they review it and then determine if they would want to support a position of issuing a letter to these agencies (*Environmental Protection Agency and Georgia Environmental Protection Division*). Commissioner Mayes asked if the newspaper wanted actually to write a letter on their (*Commission*) behalf. Chairman Fricks stated that they are encouraging the Commission to write a letter. He stated that Mayor Wallace had indicated to him that the City would take action on this tonight. Commissioner Mayes asked if they supported it. Chairman Fricks replied that Mayor Wallace could not say. Commissioner Bennett asked what the nature of the discussions. Chairman Fricks replied that they had not been given any indication of the nature of the discussion of the meeting. Chairman Fricks stated that he would assume that it was about the upcoming... Commissioner Bennett wondered if this would be a resolution of corrective action or are they just kind of ... Chairman Fricks stated that "No, when it went under the order from EPA, they continued to give them extensions on it and he thinks this is. . ." He stated that he does not know if that is what the process is, but he guesses this is one of the issues, and what bothers him is you do have three entities that probably will never step foot in Floyd County ever, sitting up there discussing the fate of this community. Chairman Fricks stated that he could probably say that in the future, when this issue is resolved, if is resolved in whatever way, there probably won't be a single one of these people that will ever step foot in Floyd County. That is troublesome, a little bit, to him. We are all planning on living here probably the rest of our lives and have families and investments in these communities. Some where down the line somebody has to watch out for those folks. Commissioner Bennett asked if anybody knows under what provision of that law that this is allowed to be a meeting excluding the public. Chairman Fricks stated that he could not, at this point in time, find who actually designated and called the meeting. He had spoken with John Bennett earlier and he had some concern there too. We call our meetings. Officially Friday, he spoke with Trey Paris and that was the first comment that they ever had of anybody even canceling that meeting. Mr. Paris had said that GE will not be there. Chairman Fricks stated that he told Mr. Paris that he needed somebody to officially tell him. He stated that Congressman Gingrey's office had called and said that "you called the meeting, is it on or off." He had taken it on himself, when GE said they would not be there, they had received comments that the EPD initially would not be there, then they said that they would have representation there. Since the key players would not be there he said there was no sense in having the meeting. One of the reasons they kept delaying about canceling, in his opinion, was until somebody officially said it was cancelled. At that time, they still had not heard from EPA. Chairman Fricks stated that is kinda where it stands. He stated that a lot of his frustrations come out of a courtesy issue. You are putting together four representatives who are people in state offices, you are putting federal offices and local community all together at one meeting. Speaking for County Manager Poe, Chairman Fricks stated that he knows it is a major task. That is the only

reason they only plan about two a year on this just to let them know. Their communications are non-existent here. As far as Chairman Fricks knows, they haven't been contacted by either EPD, EPA nor GE since this process even began.

Commissioner Mayes stated that it makes sense for them to help us out. Chairman Fricks stated that sometimes they need to answer questions. Right now somebody comes to tell you what is going on and you can't answer the question. Commissioner Bennett stated that basically Mr. Druckenmiller is just looking for an endorsement letter or something to their request that it be held as an open meeting. Chairman Fricks replied, "Yes, just that we have some stakeholders involved in the meeting and it be an open meeting and that we can at least know some of the actions that were taken." Chairman Fricks stated that he thought the newspaper had already received some letters. Kevin Bowen (*Rome News Tribune*) replied, "Yes, from Buddy Childers and he thought a letter from John Bennett, then said that he thought the letter from City Manager Bennett was on another issue. Chairman Fricks stated that he thought the City had intentions to take action in their meeting today. Commissioner Mayes asked who made the decision for them to not be in the meeting. Chairman Fricks stated that the City wanted to cancel and he had been holding in there, then he talked with Mayor Wallace and he wanted to cancel. At one point, you almost lose the need for having a meeting when we were officially notified that GE was not going to be there, the EPD says they are going to send a representative. He had told Mr. Paris, that the only reason they would have a meeting now is to make them look bad. Chairman Fricks stated that it frustrated him that all three of those parties were involved in the meeting and when they selected this date, not a single one of them will admit the fact that they knew the meeting was being planned on top of another meeting. It was noted that this meeting had been scheduled at least two months ago.

Commissioner Bennett stated that this request refers to that meeting itself, that it be open to the public. Whether or not it is open to the public, it would at least be nice to have affected entities, namely City and County representatives to attend the meeting. Commissioner Bennett stated that it seems like it has been researched to say that they can legally close the meeting and stated that is basically what this says. And for what reason, similar to a closed meeting that we may have over personnel matters or ... Kevin Bowen, *Rome New Tribune*, stated that he thought it lends to the style meeting. Commissioner Bennett stated that they are not meeting to take action, they are meeting to develop data of some kind. Commissioner Bennett stated that he knows that they (*the Board*) have exceptions, for personnel matters and maybe real estate purchases and there are specific reasons to have a closed meeting some time. As a matter of course they should get over the fact that they put it on top of us, even though it kind of ticks him off too. But, at least to respond to this meeting, specifically to say that while it may be authorized and legal to have this as a closed meeting, that we would think that at least the City and County have representatives invited to the meeting as observers, if not participants. He stated that he did not know the enforcements of holding a meeting or anything like that. Chairman Fricks stated that is where they have come out, he did not think they could make any demands and he does not see it being a ... Commissioner Bennett stated he also did not think so either, just a letter of courtesy in this situation. Chairman Fricks agreed and stated that they share a concern about the future of the community. Commissioner Mayes stated that since the meeting is on our behalf, we would like to be part of it, at least be there. Commissioner Mayes noted that the meeting was to be on behalf of Rome, Georgia and then we can't even be there.

Chairman Fricks stated that you put it all together and you look and think, you are right, there are no stakeholders in there, and they could come to an agreement. Commissioner Bennett stated that they could be discussing technical stuff that we do not have a clue about so it may not be anything that they could glean anything from, but as a matter of courtesy, it seems to him that the governments would be invited as observers of what is going on. Chairman Fricks called for a Motion to authorize him to write a letter, which he will draft it as a courtesy letter more than... MOTION was made by Commissioner Mayes to authorize the Chairman to write the letter. County Attorney Manning stated that they need to vote to place it on the Agenda. It was noted that there were not enough votes to put it on the Agenda. It was also noted that it was Other Business. Commissioner Bennett stated that the consensus of the attending Board members was that the Chairman might write a letter, as a courtesy that we be involved in the meeting.

Chairman Fricks stated that he had talked with Mayor Wallace and he apologized for not conversing with everybody about canceling the meeting, but they are at the point, he thought, they are three days out of this meeting and a decision had to be made in a hurry so he had talked with Mayor Wallace and asked what they wanted to do. Friday afternoon was when he finally talked with Trey Paris and he said G.E. will not be there. And through the City, he had already found out that EPD would not be there so he did draft a memo and he asked if it had gone out on Friday. County Manager Poe stated that they had not found out yet, but the intentions were for it to go out Friday afternoon. He stated that they worked with the City on drafting the language. Chairman Fricks stated that, after speaking with Trey, Trey said they were not going to take any action until they hear from us. Chairman Fricks told him that the County needed to have their meeting quickly after theirs. When he talked with Mayor Wallace, they had discussed August 11th since both Commissions were open at that time, no one had a meeting on that Monday, so they were looking at that day. They were going to send the memo out to see if everybody was okay with that. He stated that he did not know if that had gone out on Friday or not. When they sent the memo over to the City to be distributed, they stopped because City Manager John Bennett wanted to be there, but he will be gone for 10 days. If they wait on him it will be a little while. Chairman Fricks stated that they will never be able to get a time with everybody. County Manager Poe stated that it is hard to schedule a meeting that big and having everybody here. The time will be 7 p.m. Chairman Fricks stated that they would like to pursue that date if that is okay with everybody and noted that this is subject to change as well, since they had asked for a response of whether they would be able to attend or not.

ADJOURNMENT:

There being no further business to come before the Board, MOTION was made by Commissioner Bennett, SECOND by Commissioner Mayes, that the meeting be adjourned. VOTING:

YES

NO

Commissioner Bennett

" Mayes

Chairman Fricks

Motion Carried

FLOYD COUNTY BOARD OF COMMISSIONERS
GARRY E. FRICKS, CHAIRMAN