

The Mayor and Board of Aldermen met in regular session June 9th, 2009 at 7:00 P.M. in Selmer City Hall. Present were: Mayor David Robinson. All the Selmer Board of Aldermen consisting of John Finlayson, Paul Simpson, Edward Smith, John Smith, and Lloyd D. Tennyson. Also present were many concerned with the possible addition of Hydrofluosilicic Acid to Selmer's Water Supply.

The meeting opened with an appropriate prayer by Dr. Freed Ware of Faith Baptist Church also the Fire Department Chaplin. Little Miss Brenna Anderson daughter of Carl Anderson led the Pledge of Allegiance to the United States Flag.

Minutes were approved on a motion by Edward Smith and seconded by Paul Simpson to accept the financial statement. All five voted yes. Motion carried.

Motion by John Smith and seconded by Edward Smith to pass on second reading an ordinance amending the text of the Selmer Municipal Zoning Ordinance governing Mobile Home location and provisions relating to Mobile Home Parks. All five voted yes. Motion carried. Second reading passed. Ordinance 585 Passed.

Motion by Paul Simpson and seconded by Lloyd Tennyson to pass on first reading an ordinance to amend the 2008-2009 fiscal year Budget. All five voted yes. Motion carried.

Motion by Lloyd Tennyson and seconded by John Finlayson to pass on first reading the 2009-2010 fiscal year budget for the Town of Selmer, Tennessee. All five voted yes. Motion carried.

A special called board meeting is scheduled for June 25, 2009 at City Hall for the second and final reading of the 2008-2009 Budget amendment and 2009-2010 Budget ordinance.

Motion by John Smith and seconded by Paul Simpson to pass a resolution authorizing the issuance of a Capital Outlay Note for Police and Fire Vehicles. All five voted yes. Motion carried.

Motion by John Smith and seconded by Edward Smith to approve a resolution to reduce the Natural Gas rates for the Town of Selmer by 10%. All five voted yes. Motion carried.

Motion by Edward Smith to approve a Parade Permit for Parks & Recreation's 4th of July parade to be held in the downtown area. Motion seconded by Lloyd Tennyson. All five voted yes. Motion carried.

Motion by Paul Simpson to approve the changes in the Police Policy Manual as pertains to the Supreme Courts ruling on Search Procedures. Motion seconded by Lloyd Tennyson. All five voted yes. Motion carried.

Motion by Paul Simpson to approve a resolution calling for the practice of a more formal and respectful manner of persons wishing to address issues at the city board meetings. Motion seconded by Lloyd Tennyson. All five voted yes. Motion carried.

Motion by Paul Simpson to approve a resolution requiring spending of town funds adhere to the specific purpose of the budgeted line item or for Board of Aldermen approval. Motion seconded by Edward Smith. Roll Call: John Finlayson—no, Paul Simpson—yes, Edward Smith---yes, John Smith—no, Lloyd Tennyson---yes. Motion carried.

Mayor Robinson read his Veto of action taken at the May 12, 2009 meeting to put Hydrofluosilicic Acid back into Selmer's water. (Mayor Robinson's Veto shown on next page).

Motion by Paul Simpson to pass a resolution to override Mayor Robinson's Veto of Resolution 05-12-01-09 which will re-introduce Hydrofluosilicic Acid into Selmer's water supply. Motion seconded by Lloyd Tennyson. Discussion began as follows:

John Finlayson began by asking how many letters have been answered from approved suppliers of the Hydrofluosilicic Acid. Public Works Director Richard Ashe said that out of 24 inquiry letters sent only one supplier had made any attempt in any way to reply. Mayor Robinson began by reading a recent news release: “California EPA committee designates fluoride as a priority for review for public warnings about risk of cancer to consumers. On May 29, 2009, after protests by the lobbyists for the American Dental Association and the Personal Care Products council who oppose further evaluation of fluoride as cancer-causing, the State’s qualified experts that comprise the Carcinogen Identification Committee, as advisors to California EPA’s Office of Health Hazard Assessment (OEHHA), never-the-less established fluoride and its salts as meriting the highest priority they can recommend for further review toward including fluorides on a Prop 65 list of chemicals for which warnings for risks of cancer, birth defects, and reproductive toxicity are to be publicly posted. Citing the passage of two pre-screenings that acknowledged the existence of animal and human evidence, as well as widespread exposure, this recommendation places fluoride and its salts as one of the first of 38 chemicals that also passed a least one of the tests to be newly prioritized for Hazard Identification materials preparation. This hazard identification process is similar to a risk assessment performed to establish a scientific point of safety for lifetime ingestion that is ordered by the Safe Drinking Water Act for chemicals in the water, with the exception that this process will evaluate fluorides from all exposures and restricts the assessment to only the risks of cancer, rather than all adverse health effects.... Perfluorooctanoic Acid (PFOA), another fluoride compound, was also separately recommended for the highest priority review.” (PFOA’s are commonly recognized in non-stick and non-penetration items and are sister-chemicals of products such as Scotchgard which in 2000 was phased out of the market by its maker 3M, and Teflon, restricted in future production, and GoreTex.) “DuPont, the primary producer of PFOA’s opposed the recommendation for priority review. Chemicals that received a lower priority ranking are not expected to receive a timely review.”

Mayor Robinson read excerpts from Dr. Kathleen Thiessen’s, panel member of the National Research Council’s 2006 study of Fluoride and Drinking Water, submission to the OEHHA concerning cancer in animals and humans: “The committee unanimously concluded that “Fluoride appears to have the potential to initiate or promote cancers,” even though the overall evidence is “mixed.” Referring to the animal studies, the committee also said that “the nature of uncertainties in the existing data could also be viewed as supporting a greater precaution regarding the potential risk to humans.

While the NRC committee did not assign fluoride to a specific category of carcinogenicity (i.e., known, probable, or possible), the committee did not consider either “insufficient information” or “clearly not carcinogenic” to be applicable. The committee report (NRC 2006a) includes a discussion of how EPA establishes drinking water standards for known, probable, or possible carcinogens; such a discussion would not have been relevant had the committee not considered fluoride to be carcinogenic. The question becomes one of how strongly carcinogenic fluoride is, and under what circumstances. As mentioned, fluoride may be a cancer promoter rather than an initiator, although the two mechanisms are not mutually exclusive.

The small apparent benefits of fluoride exposure seen in some studies are likely due to the effect of delayed tooth eruption (e.g., Komárek et al. 2005)—permanent teeth erupt later in children in fluoridated areas, and thus have been exposed to a carcinogenic environment for a shorter time than teeth of children of comparable age in unfluoridated areas. Although delayed tooth eruption as a result of fluoride exposure has been known since the 1940s (Short et al. 1944), this effect has not been considered in most studies reporting caries-reducing effects of fluoride.

A number of sources (reviewed by NRC 2006a) indicate that any beneficial effect of fluoride on teeth is topical (e.g., from toothpaste), not from ingestion.”

Mayor read the recently published document appearing to be oriented more toward the element composition and effects of Fluoride and Hydrofluosilicic Acid. “Contrary to its sole-function image in the media as a tooth decay inhibitor, fluorine and its various compounds are prized by industry for their proven functionality: Disrupting molecular

bonds, creating stronger and tighter molecular bonds, inhibiting enzyme activity, and corrosivity. We see the disruptive values at work all around us, as fluoride compounds are used to refine virtually every heavy metal, with uranium hexafluoride being the “breakthrough” compound that separated the uranium isotopes to make the atomic bomb. The Hydrofluosilicic Acid that is used in fluoridation programs is essential to “cracking” petroleum products. Hydrofluosilicic Acid products are patented to separate lead from brass, a concern when introduced to home plumbing systems.” “ As a society we are probably the most oblivious to how close we are to fluorides when we reference Prozac and Zoloft and almost all psychotropic drugs that are intended to inhibit the reuptake of serotonin, the chemical that our bodies produce to deliver messages from one neuron to another; or Baycol, which was pulled off of the market because of muscle degeneration; or Fenluorimine, the component of the diet drug Fen-Phen, pulled off of the market for heart valve damage (thickening); or fluoroquinolones (fluorinated quinine) which were used as a disinfectant for birds—many pulled off of the market because consumers’ ingestion of the bird’s meat created human resistance to responsiveness to antibiotics; or Sarin gas, of chemical warfare fame in Iraq and on the Japanese subways; or Rohypnol, the so-called date rape drug that causes anterograde amnesia.” “If we want to polish aluminum, make ceramics more porous, clean computer chips, or etch glass, a fluoride compound will be the product of choice. If we want to kill or be destroying the enzymes of the target pest, fluoride compounds such as cryolite (sodium aluminum fluoride) and Vikane (sulfuryl fluoride), used for tenting for termites, are the favorites. The hydrofluosilicic acid product used in fluoridation programs will eat through the stainless steel or aluminum tanker on the way to the water treatment plant if not lined with hard rubber and routinely replaced.” Mayor Robinson said,” with all the new information now out it certainly is not going to hurt us to be prudent on the side of caution and wait.” Aldermen Finlayson asked Public Works Director Richard Ashe where the Hydrofluosilicic Acid being purchased by the town was coming from. Director Ashe stated that it was from Fayetteville, Tennessee. Mr. Finlayson held out the letter coming from St. Louis, Mo which could not answer the questions asked as he handed it to City Attorney Abernathy for further study.

Ms. Molly Cherry stepped to the podium stating her name and address as she informed that in her possession and among others were petitions with many local names of water customers who do not want it in the water. She began by asking board members if they knew the concentration of containments within the Hydrofluosilicic acid that the three board members wanted to put back in the water. Upon question Aldermen Lloyd Tennyson said No! Molly asked, “Do you know where it is manufactured?” “Is the town insured, have you seen the chronic toxicological studies that it is safe and effective for consumption?” “Do you know anyone who has?” “If you don’t know the answers to any of this, why do you get to decide what goes in my water”! None of the aldermen could answer these questions. Again she explained that she had petitions of persons who did not want it in the water.

Jeff Sisk of 831 Moose Lodge Rd. addressed the Board and asked, “Paul can you answer any of the questions”? Aldermen Simpson answered with reference of a Benjamin Franklin quotation to never argue with a Fool. Mr. Sisk said, “You’ve called me a Fool!” For a moment there appeared to be shock and concern within the audience. Jeff explained that he felt the questions needed answering and that the Fluoride had affected their minds!

Georgia Smith, 191 Country Club Lane addressed the board stating that she was a Cancer survivor and was very concerned that McNairy County had a very high cancer rate. Georgia urged, “Let’s quit playing politics and take it out of our water!” “If you had cancer or your family had cancer, you would want it out too!”

Rev. Homer Watson, 339 South 6th St. asked questions. ”Do you have any data for the people you represent?” “The Mayor has lots of information that it is harmful, how much study have you done, how much do you have?” “How many have information right now that our water is safe?” “Yesterday is gone, what you have is right now?” “You answered NO, you don’t have it?” “Why do you feel that we should do it?” Aldermen Edward Smith said he had no reason to take it out and that it was a touchy subject to him! ”We don’t have all the evidence to take it out!” “The other Boards didn’t take it out!”

Rev. Watson referenced hazards such as dangerous fertilizer that we quit using upon finding out that it did harm as he further exclaimed that he was concerned with today. Rev. Watson stated that the Mayor and other Board members did research to decide why to take it out. He asked why the other Board members did not have information as to why they wanted to put it back. "Why do you believe it is safe?" Rev. Watson asked the audience why if they had information as to it being safe that they would not have it with them?

Mr. James E. McCullar of 136 Perkins asked that the Board wait to hear back from the water samples prior to making a decision.

Mr. Maurice Hamm a previous Aldermen residing on Molly Drive addressed the Board. Mr. Hamm began with "you're charged with a big job!" "You can't get the supplier to give information on what is being put in the water." "The insurance company won't say that they will cover us!" "The information is out that it does harm!" "I say that the liability is on you!" Mr. Hamm explained that he was a diabetic and sure didn't want it in the water as he further explained that if it were put in for tooth decay, that teeth were not life threatening, but the other things that it effected were vital things. Aldermen Simpson said, "You were on the Board eight years and you didn't make any attempt to get it out!" Mr. Hamm said, "if you three are forcing the people to drink it, then you three will have to take the responsibility!" Mr. Carl Anderson addressed the board speaking against any action to again add the chemical to the water. He related that cigarette smoking had been around for years, but recently all has been changed concerning smoking. Carl asked for a show of hand of anyone wanting the chemical put back in the water. No one in the full room audience raised a hand. Mr. Anderson asked what they must do next as he did not feel that they were getting anywhere with the Board. Aldermen John Finlayson said "just because we've done it doesn't make it right." Finlayson asked that when he hugged his children, how do I look them in the eye knowing what was being put in the water and knowing what it might do to them! Mayor Robinson explained that the Hydrofluosilicic acid being put in Selmer's water was not just Fluoride. It's only about twenty percent fluoride and the remainder is other harmful contaminants. He emphasized that arsenic cause's lung and bladder cancer at concentrations of 0.3 parts per billion in one person in 5000 people. Aldermen John Smith asked Director Ashe what would happen if there was a malfunction in the injector system or an over feed of the Hydrofluosilicic Acid? What would happen to the nearby residences? Mr. Ashe stated that there were residential taps within 100 feet of the injector sites and that he had asked the Engineers and they were not able or had not answered as yet. He related that the new filter system which is delivering the cleanest water that we have known would not allow or accommodate the addition of this chemical. In order to add the Hydrofluosilicic acid would therefore have to be added after the filtering process just before leaving the plant making a possible malfunction less apt to contain prior to entering a residence or site. Again Mayor Robinson said, "even Edward admits that we don't know enough so since we don't know enough just wait, don't put it in there!"

Mayor Robinson read many of the things that fluoride was now found in from Prozac to Pesticides reminding that half of all the fluoride ever ingested was still remaining in our bodies if we have normal functioning kidneys. Mayor Robinson pleaded, "It's prudent with us to err on the side of caution!" As he turned to Aldermen Simpson and Edward Smith he said, "I know there is trouble between you and me, and I hope we can get past it, but give these people a choice!" Aldermen Simpson said I want to let the people decide I'm for a referendum. Mayor Robinson explained that he looked into this and that a referendum is not possible under Tennessee law.. Aldermen Edward Smith stated that he would be for allowing it to be placed on the water billing. Aldermen Simpson said, "if you do put both sides, put in that the State of Tennessee and Dentist say it's okay!" "Put that in the Water bill!" Aldermen Simpson stated that the people should be telling the Senators and Representatives to look into it if it was harmful. Aldermen Simpson asked Mayor Robinson if he was saying it's a government conspiracy to kill us. Mayor Robinson explained that in 1973 when it was put in, the actual studies were not made available but now with internet and research they were and were different from what we were led to believe at that time..

Aldermen Lloyd Tennyson said put it back in and then take it out if it 's found to be bad!"

Aldermen Finlayson made a motion to table the action until due diligence to find out what's in it before putting it back in. Motion seconded by John Smith.

Dr. James Preston Smith, father of Aldermen John Smith, came forward and addressed the board. He began by expressing that he had known, Paul, Edward, Lloyd Dean Tennyson for years, and that it was hard for him to imagine that they would vote to put back something in the water that could risk the lives and health of everyone here.. Aldermen Simpson asked Dr. Smith what had changed over the years? Dr. Smith replied, "Tons of information"! Dr. Smith asked, "If there is a risk involved how can you risk it, why would you be willing to do that"?

Mayor Robinson's wife Kathleen formerly addressed the board. She told them that Mayor Robinson had provided the Board with a great deal of information from research relating to the dangers of Fluoride and the addition of Hydrofluosilicic acid. Mrs. Robinson expressed her greatest concern when she said," as elected officials you are servants for the people, these people here along with petitions containing hundreds of names are asking that this not be put in their water yet you choose to ignore it playing fast and loose with a political motive that I don't know or care about!"

Maurice Hamm said that everyone should appreciate that the water customers are not aware of the information that you have. "You have it in your power to stop sending this out with the vial drug in it!" "I am a diabetic, some have a family member with one kidney, and it's time to put petty politics aside and put the health and welfare of the people at the top of the agenda!" Rev. Homer Watson said he thought it was personal. "It should be about serving the people not about personal issues!" Rev. Watson asked" why don't you want to resolve this issue?" Carl Anderson asked" if the Hydrofluosilicic acid is coming back, what do we do next to get the acid out?"

Ms Molly Cherry asked is there anyway to get these people off the board if the people want them off?

Aldermen Edward Smith stated that he was doing what he thought was right!

Molly Cherry stated that they did not want this in their water, and that the people could decide.

Danita Sims of Selmer Utilities informed that from past experience flyers and questionnaires in the Utility bills were most often thrown in the garbage.

Dr Jamie Smith shared a story that he had remembered from medical school: "If 100 glasses of water were set before you and you were told that one might have poison. (Not did but might have poison in it.) Would you want to drink a glass and take the chance of getting the poison? Everyone said NO! Dr. Smith looked at Aldermen Simpson and asked, "Paul do you think this is funny?" Aldermen Simpson said he thought the logic was funny. Dr. Smith asked if anyone in the room thought that it was funny and no one answered that they did.

Mrs. Georgia Smith pleaded, "Paul, if you change your mind Edward and Lloyd will too!" Aldermen Edward Smith replied other places around us have it. Mr. Carl Anderson named places that have dropped it as he urged please do the research, "I had rather not be here." "Why don't you do the research?" Michelle Hanna from the Utility Department related that when someone like Bennie Moore said don't put it in she knew that it shouldn't be put in. Public Works Director Richard Ashe said that Bennie Moore was the only certified Water Plant operator and that they needed to listen to what he said. Mrs. Kathleen Robinson told them that more information was coming out everyday. "We can't look back!" We can't turn our back on it!"

Debbie Morrow of Selmer Utilities Department said that Bennie Moore goes to classes on Chemicals and that when he said it did not need to be in the water. "What do you know that he doesn't?"

The question was being called by Paul Simpson wishing to override the veto.

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The question was called on the motion by John Finlayson and seconded by John Smith to table any action until due diligence had been performed to find out what is in the product before adding the chemical to the water as follows: John Finlayson—YES, Paul Simpson—NO, Edward Smith—NO, John Smith—YES, Lloyd Tennyson—NO. Motion to table action Failed.

The question was called on the motion by Paul Simpson and seconded by Lloyd Tennyson to pass a Resolution to override the veto action of Mayor Robinson in his cease and desist order of the Hydrofluosilicic Acid.

John Finlayson—NO, Paul Simpson—YES, Edward Smith—YES,

John Smith---NO (ask how long do I have to vote)

Lloyd Tennyson---Yes. Motion carried.

From the audience the question was asked,” how soon can we get a class action law suit?”

Aldermen Paul Simpson and Lloyd Tennyson moved to adjourn.

Meeting Adjourned.