

The Mayor and Board of Aldermen met in regular session May 12, 2009 at 7:00 P.M. in Selmer City Hall. Mayor David Robinson and all Board of Aldermen were present as follows: John Finlayson, Paul Simpson, Edward Smith, John Smith, and Lloyd D. Tennyson. Many people concerned with the possible addition of Hydrofluosilicic Acid to Selmer's Water supply were also present.

Rev Jeremy Weekly of Fourth Street Church of Christ opened with a most appropriate prayer. Joe David Robinson III, Mayor Robinson's son, led the Pledge of Allegiance to the United States Flag.

Mayor Robinson was happy to announce that the new filter system was now running and that with the removal of many harmful chemicals and contaminants our water for the first time was like spring water. He asked everyone to take notice of the welcomed improvement.

The minutes were approved.

Motion by Paul Simpson and seconded by Lloyd Tennyson to accept the financial statement. All voted yes. Motion carried.

Motion by Paul Simpson to support McNairy County Arts Association (AIM) in the promotion of The Rockabilly Highway Revival on June 13th, 2009 in celebration of the Rockabilly Highway and Mural by artist Brian Tull painted at the corner of South 2nd Street and Court Avenue and further that the Town participate in the sponsorship by a \$1000.00 contribution with the intent for creating this as an annual event. Motion seconded by Lloyd Tennyson. All voted yes. Motion carried.

Brian Tull, a most talented flourishing artist in Nashville, TN is a McNairy County native and the Grandson of a former Mayor of Selmer, Leo Tull Sr. The mural was commissioned by McNairy Arts in McNairy (AIM), the McNairy Chamber of Commerce and the Selmer Business Alliance to honor the heritage of McNairy county and Hwy 45. Along highway 45 were areas that hosted rockabilly stars to include Elvis Presley, Johnny Cash, Jerry Lee Lewis, and Carl Perkins. Highway 45 was named the Rockabilly Highway by Tennessee House Bill 2489 passed on March 26, 2008. The bill allowed the designation of a segment of US Hwy 45 running in Madison, Chester, and McNairy counties from the northern city limits of Jackson to the Tennessee Mississippi State Line as the Rockabilly Highway.

Motion by John Smith to pass on second reading an ordinance amending the text of the Selmer Municipal Zoning governing periphery buffering and screening as well as Waste Containment, Waste Disposal and Raw material storage in M-1 (Industrial) and Special-Impact Industrial S-1 Districts. Motion seconded by Paul Simpson. All five voted yes. Motion carried. Ordinance No. 584 passed.

Motion by John Finlayson to pass an Interlocal cooperation Agreement relative to participation in the Tennessee Municipal League Risk Management Pool. Motion seconded by John Smith. All five voted yes. Motion carried.

Motion by Paul Simpson a resolution regulating signs in the City Parks requiring all sign placement be approved by the Parks and Recreation Director. Motion second by Lloyd Tennyson. All five voted yes. Motion carried.

Mayor David Robinson introduced for Board Approval an ordinance entitled "SELMER WATER ADDITIVE ACCOUNTABILITY ORDINANCE. The ordinance establishes criteria for substances added to public drinking water.

Mayor Robinson explained that the ordinance would establish: Accountability to the public by requiring the manufacturer or supplier to disclose the maximum use level for the product, composition of the formulation, the reaction mixture used to manufacture, Chemical abstract number, chemical name, and supplier for each chemical present in the formulation, a list of known or suspected impurities within the treatment chemical formulation and the maximum percent or parts by weight of each impurity, a description or classification of the process in which the treatment chemical was manufactured, handled and packaged; any spectra that has been required; and a list of published and unpublished toxicological studies relevant to the treatment chemical and the chemical and impurities present in the treatment chemical.

The ordinance would assure compliance with Tennessee law, Conformance with Industry Standards that meet the published American Water Works Association (AWWA) standards for the product's specific chemical classification, an independent analysis by an American National Standards Institute (ANSI) or NSF International certified laboratory determining the content and specific concentrations of each contaminant of each shipment of the product to be correlated with the manufacturer's product review data. Mayor Robinson explained this in detail.

Paul Simpson moved to table the action on the Water Additive Accountability Ordinance until after the next Resolution which he would introduce to overturn the Cease and Desist Order issued by Mayor Robinson to cease addition of Hydrofluosilicic Acid which was being added to the Selmer Water System by way of a 1973 Ordinance which enacted the addition of Fluoride to the Water. Motion died for lack of second. (Notification of Mayor Robinson's Order to Cease and Desist and reason thereof shown on next page.)

The action by Mayor Robinson was prompted after the distributor American Development Corporation and the Tennessee Department of Health would not supply documentation necessary for assured safety requirements prescribed by the State of Tennessee Safe Drinking Water Act or for compliance with all ANSI/NSF Standard 60 general requirements and the Tennessee Municipal League Risk Management Pool's unwillingness to assure coverage for lawsuits arising from the continued chemical addition to the water. Mayor Robinson mailed a list of 45 questions, 34 original questions plus 11 questions added by representatives of the black community, to Tennessee Department of Health Commissioner Susan Cooper concerning safety of the addition of hydrofluosilicic acid in the water. Mayor Robinson stated that only 4 of the questions were answered. On May 4th, 2009 Mayor Robinson issued an order for the Public Works Department to cease and desist the further use of American Development Corporation's Hydrofluosilicic Acid product under the authority of the Town of Selmer's Charter, Section 5, Item 13 which states: "TO DEFINE, REGULATE, AND PROHIBIT ANY ACT, PRACTICE, CONDUCT, OR USE OF PROPERTY, THAT WOULD BE DETRIMENTAL, OR LIKELY TO BE DETRIMENTAL, TO THE HEALTH, MORALS, SAFETY, SECURITY, PEACE, OR GENERAL WELFARE OF INHABITANTS OF THE TOWN". Mayor Robinson further stated that this in no way repealed the Town of Selmer Policy of Fluoridation which was set by the 1973 Ordinance, but stated that his order was only effective until the deficiencies were corrected or in the case of the specific chemical, an alternative provider is secured who will in fact provide the requested answers to the safety questions.

Motion by John Finlayson and seconded by John Smith to pass on 1st reading the Selmer Water Additive Accountability Ordinance as introduced by Mayor Robinson as stated above for public assurance through the establishment of certain criteria for safety of substances added to the public drinking water. Roll call: John Finlayson---yes, Paul Simpson---No, Edward Smith---No, John Smith---yes, Lloyd Tennyson---No. Motion failed.

Paul Simpson moved that a resolution be passed to put the Hydrofluosilicic Acid back in the water since the Cease and Desist Order issued by the Mayor was not within the scope of his authority stated in Section 9 and Section 15 of the Town of Selmer Charter. Motion seconded by Lloyd Tennyson. Again Mayor Robinson explained that they had not been able to find a product that meets the requirements as passed in the beginning 1973 adoption for Fluoridation. Roll call: John Finlayson---No, Paul Simpson---yes, Edward Smith---yes, John Smith---No, Lloyd Tennyson---yes. Motion carried. Prior to the Roll call of the above the discussion was lengthy beginning with Aldermen John Finlayson who stated that he wasn't willing to put something this harmful in the public drinking water especially when the dose could not be controlled. He stated that he and his wife had a young baby that he was certainly afraid for knowing that he had to be sure not to mix formula with the city water. He reminded that DDT and other dangerous poisons once thought safe were now known to be deadly and that studies and new information would come out as we progress. John Finlayson acknowledged that he as a

Town of Selmer Aldermen was accountable to use caution and be safe and that he would not be willing to put something in the water that no one knew was safe. Edward Smith said that the American Medical Association and the American Dental Association, local dentist and doctors said use it and that the information did not come from them with safety concerns. Edward Smith said that it was said that the questions weren't answered, but that they had lots of answers. He said that he had no problem with looking for another supplier for the same product though. Finlayson reminded that it could not be determined where the product comes from possibly coming from China and what was being used could have anything in it. Mayor Robinson informed that Public Works director Richard Ashe was sending out letters to other suppliers. Mayor Robinson offered a compromise to put this off until the next meeting to give time to obtain answers.

Carl Anderson asked Edward Smith what about John's baby in relation to the dangers to infants. Lloyd Tennyson stated that the chemical had been in the water for years and that it had not hurt anyone. Rev Homer Watson said that if you have no knowledge you will still be held accountable. He explained that his wife kept children and that they were extra careful not to use the water now that they had become aware of the dangers. Rev. Watson stated that since the chemical was especially bad for black people that he had contacted a scientist who had related to him that it was very harmful. He reminded the Board that they were accountable and in their position should be looking out for everyone. Rev Watson urged them as Aldermen, "to seek God in this issue because the blood will be on your hands". Molly Smith Cherry said that she personally did not want the chemical in her water and that she felt that we would be opening ourselves up for law suits. Mayor Robinson said that the City Insurance was like that too because he had written TML and TML could not tell us in writing that they as a company would represent us; however in conversation with a lead staff personnel he was told that the insurance probably would not cover us.

Mayor Robinson's wife Kathleen told the board that it was a matter of Basic Public Trust. Again she stated that the stuff that they wanted to continue putting in the water was poison, "just look at the label it comes with a cross bones poison sign, is full of contaminants, heavy metals, and then you say it has no effect!" "How can you say that it is safe?" "I don't know why we didn't know it, but we do now!" "If you want Fluoride go to the dollar store and buy it!" "The people who don't want it have no choice when it's in the water!" "This is a matter of Public Trust!" Molly said, "Maybe this is the reason we have so much cancer here." Lloyd said, "But it has been here forever!" Carl Anderson asked if he knew about the game of Russian roulette reminding that this situation is like playing the game, just waiting for the bullet. Patty Vicker of the McNairy Co school cafeteria program told them that they often prepared food for four year old children. She was concerned with the knowledge now known and with being unable to control the dose. The Mayor read documents from the National Academy of Science. Molly asked, "Can you tell me that it won't harm my body?" Rev. Watson reminded "we are concerned about our bodies our teeth are still decaying even though we are getting plenty of Fluoride." He asked which had you rather have, teeth or your health. Molly Cherry explained that smoking years ago was believed to be safe and everyone smoked, but now we know better and most have quit or are trying to because we know better now. Lloyd Tennyson said but they proved smoking was harmful! Molly and the audience asked how many people had to die before you will believe that this is harmful? Mayor Robinson read a more recent survey on teenagers by the CDC showing that 1 in 3 have dental fluorosis caused by getting too much fluoride which is now higher than ever before due to over exposure in food, drinks, tooth paste and water.

Bennie Moore asked if anyone in the room was certified to run a water system. He explained that he was certified and was not comfortable with the knowledge that he had with feeding the chemical being used into the water system. The audience applauded! Jeff Sisk asked why highly educated men would do what was being done to our drinking water. He said that he could not understand why the Board would want to ruin the water with something that could harm everyone.

Edward Smith said he didn't know but the doctors and dentist said leave it in and that the AMA and ADA thought it was good. Mayor Robinson explained that the supporters could not answer any of the questions and were not here to attempt to answer. Edward

Smith said the surrounding towns are still using it. Kathleen Robinson said, "We could be moving forward!" The audience informed that lots of places were concerned and had stopped using it. Mayor Robinson explained that a survey by the National Institute of Dental Research showed that the effects between fluoridated and non-fluoridated areas is less than one cavity. Edward Smith said he had had a terrible experience with his daughter's teeth. He related that his daughter wasn't raised on fluoridated water and that his dentist was calling for more fluoride for his grandson's teeth now who also was having a dental problem, he explained that the dentist had recommended a mouth rinse with fluoride, not to be swallowed. Mayor Robinson told him the systemic use of fluoride has no effect on teeth beyond age 8. Edward said that we should keep the fluoride in the water until the medical people tell them different!

Rev Watson asked if we could have the water tested to find out what the company supplying it would not tell us was in it. Mayor Robinson said that he was in the process of doing just that.

Mayor Robinson asked if he could table the action until next meeting and allow everyone to listen to what the people wanted. Lloyd Tennyson said that they were listening and much criticism came from the audience and Tennyson was accused of demeaning them.

John Smith stated that Edward Smith said that they had answers but that out of the 45 questions only 4 were answered. John Smith stated that he was thinking as he listened to everyone, and had thought that if there could be a savings of \$13,000 how much better it would be to give it to the Board of Education to educate the children in a dental care program. Everyone clapped applauding John's suggestion. John Smith complimented Bennie Moore for what he had said and for his concerns. Mayor Robinson said since we didn't know it was safe we would be in violation to put it back in.

Edward Smith made a seemingly pro fluoride statement which he said was from the Tennessee Department of Health. John Smith quickly exclaimed that what Edward said didn't come from The Department of Health that it was something that Mayor Robinson had written to Commissioner Cooper. The audience grew angry with board members desire to place the chemical back into the water and many comments against the issue as well as from a political future became very open through out the room.

Motion by John Finlayson and seconded by John Smith to table the motion to add the Hydrofluosilicic acid until results could come back from the Water Sample at the next meeting. Roll Call: John Finlayson—Yes, Paul Simpson—No, Edward Smith—No, John Smith—yes, Lloyd Tennyson—No. Motion failed.

The room roared and the members wishing to replace the chemical began to call for question on the resolution introduced by Aldermen Simpson.

The Roll was called on Aldermen Simpson's Resolution to put it back into the water as shown on Page 2.

Lloyd Tennyson apologized to the people that felt he thought that they did not count, but he asked them why that they went on and on explaining that lots of other people for the fluoridated water had also spoken with him.

Meeting Adjourned.

The Beer Board was called into session following the regular meeting of May 12, 2009 in Selmer City Hall.

Mayor David Robinson presided and all members were present.

Roll call for WAQAS Mehmood to sell packaged beer for off premises consumption at 1470 East Poplar Ave. in Selmer Food Mart a gas and grocery store was called as follows: John Finlayson—yes, Paul Simpson—yes, Edward Smith—yes, John Smith—No, Lloyd Tennyson—yes. Permit Granted.

Meeting Adjourned.