CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
SPECIAL CALLED CITY COUNCIL MEETING
Monday, November 27, 2023, 1:30 PM

Minutes

1. **ROLL CALL:**
Mayor Hatley called the meeting to order and asked the Clerk to call the roll.

Marilyn Hatley
JO Baldwin
Bubba Collins
Fred Coyne
Nicole Fontana, Absent from Roll Call Only
Trey Skidmore
Hank Thomas, Absent

A quorum was established.

2. **EXECUTIVE SESSION:**
Mayor Hatley called for a motion to go into Executive Session for a discussion regarding a potential land acquisition and a legal briefing regarding the City's participation in the proposed settlements of the Class Action Settlement Agreements in the case of City of Camden, et al. v. E.I. Dupont De Nemours & Co., et al., Civil Action No. 2:23-cv-3230-RMG, which received preliminary approval from Judge Gergel of the United States District of South Carolina on August 22, 2023. The motion was made by Councilman Collins and seconded by Mayor Pro Tempore Baldwin. The motion passed 5-0. Councilwoman Fontana joined the Council for the Executive Session and Councilman Thomas via telephone. The Council returned to Chambers at 2:13 PM. The Mayor announced that no votes were taken at the session. Mayor Hatley called for a motion to adjourn the Executive Session. The motion was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. The motion passed 6-0.

3. **BUSINESS:**
A resolution opting out of the Dupont and 3M Class Action Settlements in re: aqueous film forming foams product liability litigation, United States District Court of South Carolina, MDL NO. 2:18-MN-2873; CASE NO. 2:23-CV-03230. Mayor Hatley read the resolution by title and called for a motion to approve. The motion was made by Councilwoman Fontana and seconded by Councilman Collins. Mayor Hatley stated she felt this was best for the City of North Myrtle Beach at this time due to the fact that joining this class action suit would prevent the City from any litigation in the future with these companies. She added the City does not use much ground water and the last time it was tested, there was zero amount of aqueous solution present in the water. Councilman Collins stated the City's portion of this settlement was very small due to the low use of ground water by the City.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion passed 6-0.

Mayor Hatley called for a motion to adjourn. The motion was made by Councilwoman Fontana and seconded by Councilman Skidmore. The motion passed 6-0. The meeting adjourned at 2:17 PM.

Respectfully submitted,

Allison K. Galbreath, City Clerk

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MARILYN HATLEY, MAYOR

Minutes approved and adopted this 4th day of December 2023