

SALEM COUNTY IMPROVEMENT AUTHORITY

RESOLUTION 2021-44

March 11, 2021

RESOLUTION AUTHORIZING A SETTLEMENT WITH N.L. BASSFORD, JR. AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SOLICITOR TO NEGOTIATE AND EXECUTE A FINALFORM OF SETTLEMENT AGREEMENT

WHEREAS, Salem County Improvement Authority (“SCIA”) received notification from the State of Georgia Department of Natural Resources (“GDNR”) that a facility located at 714 Gil Harbin Industrial Boulevard, Valdosta, Georgia (the “Facility”) is listed on the Georgia Hazardous Site Inventory; and

WHEREAS, the State of Georgia has asserted a claim against SCIA, alleging it to be a responsible party under Georgia law with respect to certain hazardous wastes delivered by Care Environmental Corp., (“Care”) to the Facility under a contract for the collection, packaging, labeling and transportation of hazardous waste between Care and SCIA; and

WHEREAS, SCIA is alleged to have generated at least a portion of the material delivered to the Facility by Care and found on the site; and

WHEREAS, the owner of the Facility, N.L. Bassford, Jr. (“Bassford”) has entered into a Consent Order with the State of Georgia to undertake the environmental investigation and remediation of the Facility through a “Stabilization Plan” and a “Waste Disposal Plan” (the “Remediation”); and

WHEREAS, Bassord has demanded contribution towards the Remediation from SCIA and other allegedly responsible parties; and

WHEREAS, Bassford has offered to settle its claim for contribution against SCIA for the sum of \$20,000.00 in exchange for which SCIA will receive a full release of claims and indemnity agreement from Bassford with respect to the remediation of the Facility as will be provided for in the final settlement agreement; and

WHEREAS, SCIA has reviewed the claim and proposed settlement with counsel, including the cost of litigation involved in pursuing a defense, and has determined it is in the best interest of SCIA and the public to settle this matter for the sum of \$20,000.00.

NOW THEREFORE BE IT RESOLVED by SCIA as follows:

1. SCIA hereby approves the settlement of the claim asserted by Bassford in the amount of \$20,000.00 and authorizes payment of same, subject to the negotiation and agreement on an acceptable final formal of settlement agreement; and
2. The Executive Director and Solicitor are authorized to negotiate a formal settlement agreement with Bassford to effectuate the settlement; and

3. The Executive Director is authorized to execute the formal settlement agreement once finalized and any other ancillary settlement documents on behalf of SCIA so as to effectuate the settlement of the above matter.

Recorded Vote

	Moved	2 nd	Yes	No	Absent	Abstain
Taylor			✓			
Bestwick	✓		✓			
Schneider					✓	
Davis		✓	✓			
DiMatteo			✓			

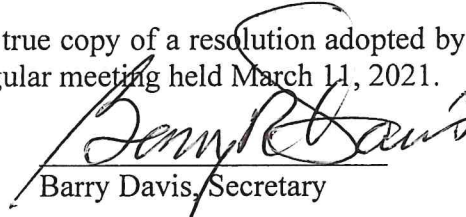
ATTEST:


 Barry Davis, Secretary


 Cordy Taylor, Chairman

CERTIFICATION

I hereby certify the above to be a true copy of a resolution adopted by the Salem County Improvement Authority Board at their regular meeting held March 11, 2021.


 Barry Davis, Secretary