

**MINUTES OF THE SPECIAL MEETING OF THE MISSISSIPPI
ENVIRONMENTAL QUALITY PERMIT BOARD HELD TELEPHONICALLY
ON APRIL 6, 2021**

General Counsel Roy Furrh called the Special Meeting (which was held telephonically) to order. He stated the attached Notice of Special Meeting was posted at MDEQ's Amite Street office and on MDEQ's website. Mr. Furrh stated the meeting was called so the Permit Board could consider Gold Coast Commodities, Inc.'s (Gold Coast) proposal for an alternate procedure for the evidentiary hearing scheduled for April 13, 2021. Specifically, Gold Coast's attorney Andy Taggart proposed that the Permit Board consider the matter on the written pleadings in lieu of live testimony. Mr. Taggart stated the Permit Board could tender their questions, if any, to MDEQ's and Gold Coast's legal counsel who would either answer the questions by directing the Permit Board to pre-filed testimony or tender the appropriate witness to answer the questions on the following day. Mr. Furrh stated the attorneys would additionally provide a summation of the evidence to the Permit Board. He also stated MDEQ's counsel had been working with Gold Coast's counsel on stipulations for the Permit Board's consideration prior to its decision. Donna Hodges, Senior Attorney for MDEQ, added that the Permit Board would consider a pending motion before the hearing. She stated that if the Permit Board agreed to Gold Coast's proposal, the parties would stipulate that the alternate procedure would be equivalent to a full evidentiary hearing. She stated that each party would need two hours for attorney summations.

Permit Board Member Doug Mann asked if the Permit Board approved the alternative procedure whether Gold Coast would have a representative present to answer general questions. Mr. Taggart answered "no."

Mr. Mann moved to close the meeting to discuss whether to go into executive session and Mr. McDonald seconded the motion. The Permit Board voted unanimously to close the meeting. The Permit Board members dialed in to a different conference line to deliberate outside the hearing of the attorneys and the public. Permit Board Chair Jennifer Wittmann returned to the public conference line to state that the Permit Board had, by motion of Chris McDonald and seconded by Doug Mann, voted to go into executive session. Mr. Furrh stated that Miss. Code Ann. § 25-41-7 (4)(b) allows a public body to go into executive session to discuss litigation or issuance of an appealable order. The Permit Board again used a separate conference line for the executive session. Hearing Officer Doug Levanway joined the Permit Board in the executive session. After deliberation, Chris McDonald moved to end executive session and return to open session and Doug Mann seconded and the Permit Board voted to approve that motion.

After returning to open session, Mr. Snodgrass moved to deny Gold Coast's alternate hearing procedures as presented. Mr. McDonald seconded the motion. The Permit Board unanimously voted in favor of the motion.

By motion of Mr. Mann, seconded by Mr. McDonald, the Permit Board voted to adjourn the Special Meeting.

DATED at Jackson, Mississippi, this the 6th day of April, 2021.



CHRISTOPHER WELLS
EXECUTIVE DIRECTOR

Jennifer C. Wittmann

JENNIFER WITTMANN
PERMIT BOARD CHAIR