

Town of Superior
Regular Council Meeting
Thursday, March 7, 2013, 7:00 P.M.
Superior Senior Center
360 W. Main St., Superior, AZ 85173
MINUTES

CALL TO ORDER:

Mayor Jayme Valenzuela called the meeting to order at 7:15 p.m.

ROLL CALL:

Present: Council Members Irene Hansen, Chris Tomerlin, John Tameron, Gilbert Aguilar, Soyla “Kiki” Peralta, Vice Mayor Olga Lopez and Mayor Jayme Valenzuela **Absent:** N/A

INVOCATION:

Council Member Chris Tomerlin led the Invocation.

PLEDGE OF ALLEGIANCE:

Mayor Valenzuela led the Pledge of Allegiance.

Mayor Valenzuela moved Summary of Current Events to the last item on the Agenda.

1. SUMMARY OF CURRENT EVENTS:

A. Council Members

Council Member Soyla “Kiki” Peralta indicated that after hearing everyone’s comments, she said they definitely have a lot to think about and a lot to consider. She took the opportunity to thank Mr. Gutierrez, once again, [Mayor Valenzuela gavelled the audience to hold down the noise] for signing the Agreement so it became null and void and gave us a second chance to revisit this Agreement. Maybe we will come out with something that’s better for our community. As far as Taylor Beard, in response to you, you said that we made Resolution look stupid [Taylor called out that she said we made the Town look stupid], well I believe that Resolution made us look stupid from the very beginning. My comment to Mr. Gutierrez who said that we broke out trust with the community, I believe he broke the trust the day he became in conflict. He violated full trust and in violation of his office and the oath of office that he took. And (Pam) Rabago, you don’t care about any of the special groups, but I bet you care about all the rental money you are getting and the property you are selling with Resolution people. So, if you want to throw stones, we can throw them back.

Council Member Gilbert Aguilar indicated that he could understand a lot of you guys loyalty. You work for a company that treats you well, does things for you, does things for the Town. And they have. You know, most of the people that work for Resolution—Bruce Richardson, the men we have come in contact with—they’re good people. But they have jobs to do. They have to look out for their company. My loyalty is to Superior. I have to look out for the best interest of Superior. You know, we met today and they flat out told us, “We don’t want to negotiate.” We have to meet. Everybody keeps telling us that we aren’t trying. We ARE trying. We want this to work. But you don’t know the whole story. You don’t know everything that’s going on. You keep telling us we did it wrong, we keep doing this, we’re not transparent. You can say it that way. But we are. We are trying. We talked to them. We met with

them. We asked them, we told them we can't wait five to ten years for this thing to go through on these lands and all this. And they said. Ya, that's true. We need to get together and do something on this. Never heard back. They sent that bill through. I'm going to be honest with you. When your attorney tells you this is not good for Superior. I'm sorry, I have to agree when he points it out exactly why it is. I'm telling you the truth. Now, did I vote on this to begin with? Yes I did. And you guys came in here and the same thing. I didn't want to be the bad guy. And I didn't want to lose friends. I voted on this. And you know I didn't agree with it. I kept saying there's something wrong here. I kept asking the lawyer. You know I kept asking. There's something wrong here. But I went along with it. Because I guess I love people. I don't want to lose friends. I don't want to lose your talking to me. Guess what? It's happened. I see people on the street and they turn their face. Whatever I do, it's for the best of Superior, Arizona. I have no guilty feelings. You know, those are your opinions. This is something you believe in. I'm not going to bash you. Guess what? You've done it to me. That is your right. Things were said tonight that aren't true. We have tried. We've gone to them. You can say all you want. . .well you didn't even. . .well yes we did. We really did. This thing was last fall we went to the table. They flat out told us we are not negotiating. So, there's a lot more to all this than what you really think is out there. We tried before, we tried, because we know another five, ten years from now—we can't wait that long. We're hurting right now. I'm not saying to give us all this money. Let's see if we can work something out. Get some properties, get some businesses in here. I want to be self sustainable. I want to be self sufficient. I want this Town to prosper—not for the mines—but for us. I did find out some things on this block cave mining. It was interesting. Now I'll be honest. If we go back to the old ways of mining, we would hire all kinds of people. And those guys coming out of high school, they didn't have to have an education. You knew you had a job. That's what it was. We knew we had a job because the mine would always give us a job. That's why we prospered. We didn't get a whole lot from them, but we had jobs. I'm sorry. I love this Town. I don't want anybody to do. . .I have to do what's best for the Town. When your attorney tells you this is wrong, let's look at it and go over it and show you everything. . .I have to. And, I got a second chance to make it right. And I have. Like I said, you might agree with my decision or not. That was my decision for the best of the Town. Yep, I prayed and prayed that I would make the right decision. And when I did make the decision, it must have been right because it must have been right because I didn't feel bad about it. It's going to work out. Give it some time. The Agreement was not good for us—it just wasn't. Thank you.

Council Member Irene Hansen agreed with what the Chairman told us. I did a lot of praying and soul searching too. I think I made the right decision. It's for the community. Some people are not talking to me. In the long run, in my heart, I know I can do a good job for this community because I love the community and the people in it.

Council Member Chris Tomerlin agreed with everything that was said. I feel bad that the people of Superior are hurting over this. Everybody has thrown their eggs all in one basket again. I received over 200 phone calls on this one issue. I have a personal interest in this. Councilman Nosie is right. This is my future. I get to watch my community thrive or die. I am not anti-mine. Let's do this thing right. This Agreement is fundamentally bad for the Town. If we had a better attorney, we would have arrived at that then. Our common theme is to make Superior a better place. After this election, I want to get a group of people coming together. If we are going to do economic development we cannot rely on the mine. We went through a mine shut down and I remember the night my father lost his job. It is the only time I saw him cry. Copper is a boom and bust industry. I don't want that for my Town.

Council Member John Tameron indicated that he had never received a copy of the Mutual Benefits Agreement even though he asked for a copy. He is glad he did not as he has a conflict as an independent contractor with Resolution Copper Company. I have to recuse myself from decisions to

protect my 60 employees and me and my family. I have been called names because I do so. But for personal reasons, I have too much to lose. The Town also has too much to lose if I get involved. I want to go on record saying that I am in favor of the mine as long as it benefits the Town of Superior and its residents. Resolution Copper has been a good company to work for. However, the job and the Council are separate. With the recent layoffs, I lost quite a few employees but I do what I can to keep them working.

Vice Mayor Olga Lopez indicated that she has a conflict but she appreciates everyone's comments and hopes this attendance at meetings continues. There is an election next week, so go vote. Remember our job here is not for the money. Get involved. Don't sit on this side of the fence. We are hoping that in our hearts we are making good decisions. Everyone needs to get out for the Apache Leap Mountain Festival as there is a lot to do. And remember to Vote Tuesday.

B. Mayor

Mayor Jayme Valenzuela urged everyone to come out and support the businesses and the Chamber of Commerce for the Apache Leap Mining Festival. Valenzuela stated that we are not always going to get along but we are one big family—regardless of our decisions and differences. When someone is in their time of need, everyone in the Town steps up. Mayor Valenzuela reminded everyone to vote on Tuesday at St. Mary's Center. He also indicated that he would like to see this attendance more often.

C. Town Manager

The Town Manager had no Current Events to report.

2. **SPECIAL PRESENTATIONS:** Presentations, Proclamations, Awards, Guest Introductions and Announcements.

A. Presentation on Waste Transfer Station by Mr. Judd Bowers, J. Bowers & Associates

Mr. Bowers was not available for this presentation.

3. **CONSENT CALENDAR:** Pursuant to Section 2-4-6 (D), matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Prior to consideration of the Consent Agenda, the Mayor will ask whether any members of the Council request any item be removed from the Consent Agenda for separate discussion.

A. Consideration of Approval of Council Meeting Minutes:

1. Regular Meeting of February 21, 2013
2. Executive Sessions of February 21, 2013
3. Blanket Permit Alex Castaneda Fundraising Events
4. Roster for Primary Election Board Workers

MOTION: Council Member Soyla “Kiki” Peralta moved to approve the Consent Calendar. Council Member Chris Tomerlin seconded the motion. **VOTE:** The motion passed unanimously.

4. NEW BUSINESS:

There was no New Business to discuss.

5. ACTION ITEMS:

There were no Action Items to discuss.

6. CALL TO THE PUBLIC:

Mayor Jayme Valenzuela, Vice Mayor Olga Lopez and Council Member John Tameron excused themselves for the remainder of the meeting and left the dais at 7:20 p.m. Council Member Soyla “Kiki” Peralta led the remainder of the meeting.

Council Member Peralta asked that that we be organized and avoid future repetition so she asked to have the groups that were together speak and then the individuals.

Manager Kane Graves reminded everyone that this is a Call to the Public which is provided for in the Open Meeting Law and the Statutes. Graves wanted to point out that it does allow the Call to the Public but also at the end allows for the Council Members to (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, or (3) ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during open Call to the Public unless the matters are properly noticed for discussion and legal action.

There were no groups responding to the Call to the Public.

Mr. Freddie Miramon, 101 Saguaro Dr., Superior, spoke in regard to the Termination of the Mutual Benefits Agreement. He attended the December 16, 2010 Council meeting where there was discussion of this Agreement. He said he did witness a clear warning of conflict of interest by then town attorney to our town council members. The outcome of that meeting resulted in why our town officials had to renegotiate this agreement with Resolution Copper Company, resulting in a large turn-out tonight. Too bad it can't be like that all the time. As a taxpayer, he supports the Town Council and town officials on the decision to nullify the contract. Yes, I support Resolution Copper's existence, sustainability and community development. I ask for Resolution Copper Company to continue to meet with our Town officials with the obligation as a good neighbor to get this agreement resolved.

Ms. Kathy Long, 653 Brown Street, Superior, spoke in support of Resolution Copper Company. She indicated that she is not here to nitpick although she was surprised at the way it was done. Ms. Long indicted that Resolution Copper Company supports the store that she works at. The locals do not support them, but the mine buys a lot of stuff; and she feels they are very important to the Town.

Mr. Orlando Perea, 209 W. Palo Verde Dr., Superior, and my only comment to the Council here is how come that the water wells here in Superior and in Queen Valley are going dry. He wants to know if it pertains to the mine and asked if we could get an answer on that.

Mr. Michael Alonzo, 113 Sunset, Superior, expressed his disappointment that the Town did not promote the upcoming election, indicated that he was running for Council and gave the specifics of the election date, times and location.

Ms. Nancy Vogler, 502 Church, Superior, has been here for six years and moved here because they love the people—they love the sweethearts and most of the a*****s. She indicated that she felt bad that the Council held a closed session doing something as drastic or virtually punching the mine in the face. To her, the mine and all the people are all part of the same family. We have to get together. We don't always have to agree on everything because no family does. But she felt like the Town Council, particularly, should show some respect to the mine and to the public. By having a closed session where you literally drag the rug out from everybody just a couple of weeks after the new bill goes into the House and the Senate is a sign of disrespect and it hurt her feelings. This town is too small to have it split in half—half pro-mine and half anti-mine. She doesn't want to live in a town like that and she intends to live her for her life and wants us all to get along.

Mr. Roger Featherstone, Director, Arizona Mining Reform Coalition, Tucson, provided information regarding the land exchange. He offered to sit down with the Town—perhaps in a working session—to discuss concerns. When the Mutual Benefits Agreement was proposed, he made the same offer. He reiterated that they make the same offer today. The Arizona Mining Reform Coalition's mission statement is to work to protect our communities and environment from inappropriate mining. They are not against mining—just inappropriate mining. This Agreement was bad from the beginning—written by the company, for the company, and gave the Town no rights. The Town did the right thing in finally negating that. The worst thing about it was the Town had to support the land exchange no matter what the land exchange said. It allowed Rio Tinto to make changes to the land exchange whether or not they benefitted the Town without any input from the Town. He supports the termination and said to keep in mind that there is a process that the United States Government has set up to permit mines on public lands and described that process: first they get permission to do exploration, then they do their exploration, then they do their studies, then they write a mining plan of operations, they submit that mining plan of operations to the Federal Agency in charge of the public land (in this case the US Forest Service), the Agency reviews that document allowing public input giving the Agency the best information it can to make a good decision, and then based on that that the Agency makes a decision and permits are granted with or without conditions. That's the normal way of permitting a mine. Rio Tinto came in and went straight to Congress with their own bill that subverts that entire process and mandated Congress to give the land to the mine and then from that it is private land and the State of Arizona's laws go into effect. Arizona has the worst mining laws of all 50 states. So, in this case to protect our health, our environment, our communities, we need the Federal government to help us out. The land exchange would be the first bill in the United States that would privatize a sacred site that is now on public lands. It would give to Rio Tinto public land that is sacred and would be the largest privatization of public land that is used for recreation and it would allow the destruction and depletion of our water. To do that without public input and to go through Congress is just the wrong way to go about things. He said he is happy that the Town has made the decision to terminate the agreement and that the Council cannot support the bill. He recognizes that the Town is under a lot of pressure from the community. He commends the Council for standing up for itself and look out for the interests of the Town itself. If the Coalition can be of any benefit to the Council in moving forward he would be happy to assist.

Ms. Sylvia (Delgado) Barrett, former Superior resident and Magma Copper Company miner, raised the issue of a job posting that would be experienced in ecological assessments, environmental impact statement, closure plans and acid rock drainage management strategy. She discussed the number of jobs that would be provided, the amount of subsidence that would occur and the acid mine drainage.

She presented statistics from the mine's website and provided other information from the internet. She thinks these issues are serious and is glad the Council is taking time to look at this—especially as acid mine drainage is caused by iron pyrite, air and water. We know the mine has a lot of each of these. For this mine to open and continue in operation these questions need to be addressed. She urged the Council to please give careful consideration to these issues.

Ms. Anna Jeffrey, 475 W. East St., Superior, thanked the Council for taking another look at the mining situation and having them answer a lot of questions. This is my home town, I was born here and I care very much about the environment here—the way it looks—and I want it to stay the way it is. There is a lot to consider and one of our best assets is the Oak Flat Campground. On many levels it touches a lot of people in a lot of different ways. It is not something that should be given away just like that. She really appreciates reconsidering and getting to the bottom of what they really want to do and how they want to do it. Slow down with it.

Mr. Tony Huerta, 104 Gorham, Superior, indicated he had been a miner for 42 ½ years. The last hurrah he did, he was 77 in Alaska. He hears now this mine will mine only with sulphuric acid. It is something the people in town don't need. That acid will eat copper and anything it touches. It travels in water. Hopes Resolution can but knows it is not possible, to go back to the way the mine used to do it. There is too much water to do what they want today. Cannot clear all that water. They will not do it. The town needs a little more help. This mine will get people who use computers and those people will use the computers in Utah, not here. Old miners know that with the depth of this mine, over a mile, they will need a lot of good air. He worked underground when he was 17 years old. If the mine opens, and he hopes it will but doubts it, with sulphuric acid, it is something the town does not need in the ground. Our drinking water comes from Coolidge. Acid travels and we will have to watch it. He hopes the mine opens, but we will not have the people here to work it—commuters only.

Mr. John Kreig, 1073 E. Queen Valley Drive, Queen Valley, is a retired construction worker. He applauded the courage of the Council Members in ending their agreement with Resolution Copper. The people in Queen Valley are opposed to Resolution Copper on two (2) different issues. First, he indicated they rely on surface water, which they no longer have as Resolution Copper's pumped approximately a million gallons a day past our aquifer to the Florence area. Queen Valley has always had plenty of water for ranching, a nursery that was put in there, and then a golf course. All through time water flowed down through Queen Creek all the time but it stopped three (3) years ago and it hasn't started again. They are told that there is a big drought and Resolution Copper has monitoring wells that show there is no effect by them pumping that amount of water out of Queen Creek drainage. But talk to the people at Hewitt Station Road and their wells are going dry. Resolution Copper tells us that there is a fault line and that their monitoring wells in Superior are high. Based upon a discussion with a hydrology expert, the found that there is no way Resolution Copper could be pumping out that much water and not have it effect the water tables. The second issue is the location of the waste piles in the Florence Junction area. The 8,000 acre pile of waste, 12 square miles, sitting in prime recreational area. Chemicals will be leaching out of that waste. Hazardous dust will blow into Queen Valley with a South wind. Already sometimes when you are coming through Ray mine, you have to put your lights on with the amount of dust coming off the waste piles. That's what we are looking for in Queen Valley. It's a bad deal for the public also. He worked 40 years in Alaska working gold mines. It is unbelievable to him that anybody could say "I've got this ground here—there's nothing in it—but I want to trade you and give you nothing for it. I'll trade you land for land but not address the ore body—as if it isn't there. He said you must question any promises made by Resolution Copper. Ask yourself this. Have any of the upper management bought homes or live in Superior? Do you have the resources to fight any legal problems that come up because of broken promises? And as long as they have been in this area why still won't

they give us a mining plan of operation or an environmental impact study. Don't trust what I say or what Resolution says about this. Do your own research and study. It's easy to say what you will do in the future—it's hard to say what you didn't do in the past. I'm very disappointed with our elected officials concerning Resolution Copper. I think the only jobs that Ann Kirkpatrick, Paul Gosar and Senators Flake and McCain are worried about is their own. They know when election time rolls around Rio Tinto will be close by with their check. While you are on the internet, type in Resolution Copper Rio Tinto and the Iran Connections. Seems Rio Tinto is mining uranium in Africa and part of that mine is owned by Iran. Is this someone you want to enter an agreement with. I think the Town of Superior is a special place. I was in Bisbee last weekend and Superior could be even more precious than Bisbee. People are coming from as far as Phoenix and Superior is much closer. If the waste pile is put in the Florence Junction area, a huge development—Superstition Vista—will not happen. This development would bring jobs and money to Superior. The developers have been just waiting for the economy to come back, which it now is. If the waste pile goes in at the proposed site at Florence Junction, it will be leaching chemicals just a few miles from the Arizona Water Company wells—wells that provide Superior with water. Has Resolution discussed this with you yet? Maybe there is a fault line between the waste site and the wells. I'm sure that Resolution Copper could drill wells at a new location and I'm sure that the cost will be passed on to the residents of Superior. Finally, you should be concerned about the hereafter. You more than any other are charting the course for Superior. Do you want to tell your grandkids or great grandkids that they cannot go up Apache Leap or into the Oak Flat because that's all private land and fenced off because cave-ins could happen at any time. Do you want a foreign mining company to put a waste pile in Florence Junction that causes you to drive with your lights on when the south winds blow. What would the Town of Superior look like today if block cave mining would have been allowed by the governing body of people of Superior 50 years ago? The ore would be gone, the mining company gone and the Town left to deal with the mess. Mr. Kreig provided the Clerk with two (2) Resolutions passed by Queen Valley for the record.

Mayor Tom Rankin, Town of Florence, who wanted to let the Council know that other communities in the CAG region are in support of what you do. Whether you did the right thing or not, is not my decision to make, it's yours. You are the ones who have to live with it. To give a little history about himself, he indicated that they have dealt with (mining) developers in Florence. They will try to take advantage of you every time they can. You have to be tough with them. The information I picked up about your Agreement under Mayor Hing, they took advantage of you and you have to bring them back in line. You can work with them. But make sure you get what you need. As far as the water, we've had a big fight in Florence over the water. We're not going to stop. Water is too precious. Anybody who has grown up here in Arizona, and you aren't from some other state or country, you know how important water is to you here. We're lucky we live down in the river bottom and we have pretty good water there. I'm not sure where your water comes from, I believe it comes from down in Florence Junction and is pumped up and I think the Arizona Water Company is the provider. You need to take a look at your water. Very, very important. Take a look at the studies they put together. Have your own studies done. Don't take the word of somebody else. You're going to have to spend some money. We did. But you've got to get that stuff done so you know. Because what you're doing is protecting the lives and future of your community. Just like I'm trying to do in my area. There's some good people who work with the mines. But sometimes their hands are tied by the people behind the mines. I'm talking about the big guys with the big bucks who could buy me out like that and I'm gone. I'll stand up and fight for you. We're here to support you (I am). Because you have got a decision to make that will affect the lives of your kids, your grandkids, you great grandkids and the future of Superior. He recounted his adventures with playing football in Superior. Lastly, he said that we have a decision to make for our community. You can work it out. Get the best deal you can, all the protection you can and when they tell you we're going to

be here for 20 years after its over, I'd take a look at that and say the Federal government has what they call that Super Fund—nobody's living here as you can't drink the water, can't breathe the air [inaudible].

Mr. Curt Shannon, ACCESS Fund, Gold Canyon, indicated that the ACCESS Fund represents about 2.3 million rock climbers and mountaineers around the United States. They advocate on behalf of those climbers when access to rock climbing areas is threatened. They are not an anti-mining organization, per se, but we do oppose the current land exchange legislation. They think that stepping back and taking another look at it and maybe not pursuing this false dichotomy of saving the environment or having a mine would be a good idea. It would not only be in the best interest of rock climbers and other recreational users of the area to find a more meaningful compromise, but it would also be in the best interest of the Town of Superior because recreation is a sustainable contributor to the economy and it will exist, if it's not destroyed, long after the mine opens and closes and is gone. We know that the economic value of the copper is high and it will provide a number of jobs to the local community and we think that is good so long as it is compatible with other uses of the land. The Outdoor Industry Association in February came out with a new study where they go state by state and the direct spending on recreation in the State of Arizona is 10 billion dollars a year. That's without any multipliers. So, that's a lot of money too. So what we would like to see is something more balanced where we don't either say there can't be a mine or there has to be a block cave mine. Something so that mining can co-exist with the other uses of the land much as it has for the last 100 years while the mine was out there. The ACCESS Fund would be more than happy to work with the Town Council and give more input and provide any information that would be useful to help you make up your minds. We applaud your decision to not support the current land exchange legislation—we don't either. But we are not fundamentally opposed to a mine as long as it is done the right way.

At 8:05 p.m. Council Member Soyla "Kiki" Peralta recessed for a 10-minute break.

At 8:16 p.m. the meeting reconvened and Council Member Peralta gave a last call to those who wanted to include their name(s) on the Call to the Public Sign-in Sheet.

Ms. Sue Anderson, 78 Sunset, Superior, indicated she had been listening to a lot of people make Resolution look like they are a horrible, dirty, stinking company. She indicated she doesn't buy into it at all. She was here when the original Agreement was signed and at least three (3) of the people on this Council signed that Agreement. I was here when the Amendment was signed and people on this Council today signed it. So why all of a sudden is this such a bad deal? Contracts can be renegotiated, they can always be renegotiated. But the way you guys did it was awful. It's unconscionable. I was embarrassed and I was ashamed for our Town. I really was. We got calls from all over—What's going on in Superior. All you had to do was contact Resolution. I believe they would have sat down at the table with you to renegotiate this. What you did feels like extortion. It really feels and looks like extortion and I'm ashamed of you as our councilmen. I don't believe for a minute you did this for us in the Town, I think you did it for yourself. I was actually told by one of you that they thought that this was going to be a better thing for the Town, that in the long range you could get more money this way. I could not believe that I heard that. But I was told that personally. It was not hearsay. Come on you guys. Grow up. Act like businessmen. Resolution does not owe this Town one dime. They are a corporation. Corporations are in business to make money. Everything they give us is a freebie. Over and over and over I hear more money—they owe us. They owe us nothing. We have to work for what we need. If we screwed up and are several billion dollars in the hole. It's not Resolution's fault. It's ours. It's not their problem. There was a better way to do this and I think we should have taken that road. Growing up I can

remember my mother saying to me a hundred times: It's not what you say but the way you say it. She's gone now, but I have never forgotten that.

Mr. Pete Casillas, President, Superior Chamber of Commerce, wanted to take this moment to share with everybody a long-term goal that is to develop economic [inaudible]. We are an all-volunteer group that works very hard to bring people into this beautiful Town. Members consist of people on both sides of the issue. That's because they believe in what we're working toward. I appreciate everybody's membership and support, and I feel that it is in everyone's best interest if we all work together. I also want to thank the Town for their support for the Mining Festival this weekend and want to invite everybody to the 25th annual Apache Leap Festival and hope you all enjoy the weekend.

Ms. Mila Lira, 368 W. Highlands Dr., Superior, indicated she was not here to really pick one side or the other. I think everyone knows where I stand and how I feel about certain things. The main reason she is here is her concern that we lack vision. We are asking for support from a corporate partner, we want to grow and build our community and we don't have a plan. So when we are talking about sustainability, we're talking about protecting our environment, we're talking about the long-term growth of Superior and there is no collective plan. Everyone is doing their own thing. There is no transparency. I have been coming to Council meetings since I was probably in third grade. And I have never seen an agenda a vague as that one was. Maybe you had to as elected officials. I understand as I'm an elected official. But we have to create transparency and we need a plan. The actions that we make today impact our children for years. We have been saying that fourth graders are going to be the new generation of miners to go into the state of the art mines. And every decision we make—whether it is the Chamber of Commerce, the Optimist Club, the Town Council or the School Board—we're accountable to those children. We're accountable to making sure they have an environment, but we also have to ensure they have jobs and they have a plan. I believe that if we work together and we work with our corporate partners. . .you catch more flies with honey than you do with vinegar. . .that we can have a strong, sustainable community that celebrates both mining and economic development and celebrates tourism. It's time as leaders that we come together and work together. We can no longer be working in silo. Vote on Tuesday. If you live in Superior, get out and vote. We have to start all coming together. I invite you all to the School Board Retreat on April 8, at 6:00pm. It's called Superior 2020 A Vision for the Future. This is something the school board is working on and I try not to bring. . .I wear a lot of different hats. . .but I think this is an important call and we've got to come together. I personally support Resolution Copper. They do a lot for our community. We are not entitled to anything. When you look at the history of Superior—the swimming pool, Los Reyes Club, the Library. Everything has been built by the people. Not by Magma, not by the mine. This company has been very generous. We need to work together and not create this. . .I don't even know what you call it. I have been trying to control my emotions for the last two weeks because I feel this has hurt our community more than it has done a lot of good right now.

Mr. William Coronado, Jr., 107 W. Neary, Superior, who spoke as a life-long resident of Superior and a graduate of Superior High School. First, he addressed the citizens to say he was delighted to see such a turnout at tonight's Town Council Meeting. But it saddens me once again that it takes an issue about the mine to [inaudible] the actions of the citizens of this Town. As a citizen and employee of the Town of Superior, I wish every Town meeting would draw this kind of crowd. Citizens, I highly urge you to come more often. There are so many decisions this council will be making that will require the joint effort of this community—not the five or six select citizens that decide to show up every Thursday. Take pride in your community, in your Town. Let your voice be heard. Be here at every meeting. Ask questions. Speak at Public Comment. Your involvement is crucial. Thank you again for coming.

Ms. Taylor Beard, 700 Brown, Superior, and she stated she works for Resolution Copper, so she is a resident and an employee of the company. I want to tell you that I and [inaudible] with this decision. Basically, you made us look stupid. You discredited us with a lot of people by remaining so closed about how we did this. You decided to do this right after the company had laid off 250 people and had to reduce our budget from \$200 million to \$50 million. May I also state that I do not represent Resolution Copper here in my statement. I am a resident of Superior, so please do not take anything I say as a statement from the company. We just [inaudible] were a direct result of not getting the land exchange through. So, the fact that you did this right after we had to make such a reduction. If you want to be viewed as a Town businesses really want to come into, what you just did is an extreme faux pas. No one's going to want to work with you because you seem very erratic. I can maybe support your decision is you had another plan to make this town economically viable, but you don't. You never made any movement towards that. This about jobs, this is about sustaining Superior. This is about our future and you just kicked it in the face. We've heard from several individuals tonight who do not reside in Superior. You owe people who do reside in Superior to discredit their opinions. Do not consider their opinions because they don't live here. They are not residents of this Town and you do not represent them. All I can say is I am extremely disappointed. I know that the Company that I work for would be more than happy to come to the table and discuss these things with you. And I really wish that you would have been considerate of a company that has done a lot for this Town.

Mr. Hank Gutierrez, 417 Highlands, Superior, asked "Where do I start?" Before I address what the Council did in the disguise of representing this community, I want to talk to the individuals who are not from Superior and tell them what I am worried about. I am worried about our kids. I'm worried about the school not having the top-notch education that they can get. And how do we get that? By bringing people into this community. That's what I'm worried about. See, I'm not worried about the environment. We're all worried about the environment; we grew up here. We're all miners that grew up here. Those of us who grew up here understand that. That's what I'm worried about. There's a lot of people who came up here that don't live here—some professional environmentalists that get paid a lot of money to take certain positions. Don't be dissuaded by that. There's a lot of information out there—it just depends on what you are looking at. People argue that Resolution is giving you one side, environmentalists are giving you the other side. We know what's going on. This community has always told Resolution from the beginning—We support you. And will hold your feet to the fire when it comes to the environment. I think that's always been the case. Somebody from the environmental group said the Town did the right thing. No they did not do the right thing. Nothing's done in a few minutes. It's the right thing under their agenda, but not for us. There's always an opportunity to stretch the facts. There's a lot of facts that were being stretched. Somebody talked about computers. SO? So what? It's not just the computers, it means there's IT people involved. They may or may not be located here. There's electricians, mechanics, geologists that actually live here that's going to add to our sustainability and our economy. Somebody talked about acid. Think about that. MISINFORMATION. Because they don't have the facts. It sounds like they have the facts. It's scary when you say that. We know. I love Queen Valley, but their issue may not be just with the wells drying up. You know, they're a golf community. You've been growing. It's a retirement community. This is not a retirement community—yet. I don't think we really want to be. We want to be a vibrant community. We don't want to be takers. We don't want the deal of a lifetime from this mine. Because that's going to destroy who we are. We have never, ever been that way. I don't want to be like a Hayden. We don't want to be like a Hayden. Somebody talked about "go on the internet." Have you been on the internet lately? Oh my God, just because it's on the internet doesn't make it true. Think about that. Look at our political system. I can pull up. . .I argue all the time with my constituents here over it's on the internet. Well, I can find you something else that's on the internet that tells you something completely different. So, we have to do as an intelligent community, because we live here. Let's not be influenced by our

professional outsiders. We do have our concerned miners. Retired miners. Let's keep them retired. OK. So, that's what worries me. But what worries me even more, is what this Council did right here. They weaseled out of making a decision to this community. They didn't have the courage to put it on the agenda, to tell people hey look—this is what we are going to be talking about. When this Mutual Benefits were restated and the original benefits were made there was open sessions. They started off with Executive Sessions. There was work sessions open to the public. Everyone had a chance to comment. I can see right on the faces that are here. It was a major decision. And it was very out. What I'm concerned about, is the genesis. Where is the genesis of this. . .where did this come from. It didn't come from any of these Council Members. I don't think. And the ones that recused themselves, well you know what that's questionable 'cause I'm not really sure. But the appearance of transparency is really not there. You may think it is. You may think you have transparency, but let me tell you what. You destroyed that in this community. When you think about it, there's a different picture going on here than this Mutual Benefits about timing. How convenient on the Agenda—I was here that day. I sat right back there and looked at it because I wanted to hear the financials. The financials. . .that was a long, drawn-out thing. I looked at it, well Economic Development, IGA with the County or some sort, I said, well, I'm not going to stay here for that. Wouldn't have made any difference. But that's what happened. And I'm pretty in tune with this stuff. I'm thinking, well that doesn't apply. And I went back and looked at the records. I don't think there was any discussion—previously, Executive Session, Work Session, Agenda Items, none. This was done. . . Well, back to the timing. The new Town Manager. I can't even fathom that this Town Manager would come up with up a legal opinion in one week. And if I were sitting out there and I had this attorney—I have a problem having a Manager that's a Manager and the Attorney. That's a problem right there for us. If it is the Manager, I would fire him. If it came from the Clerk, I would fire the Clerk. Because that was a direct insult to our community. It doesn't matter which way we go. Hey, step up to the plate. Have courage. Doesn't matter which way it goes. It doesn't really matter. But the fact that you guys, up there, actually took away from that factor of trust. There was a recall based on trust and transparency. I think that was flushed down the toilet. Change tracks a little bit. I don't know what's going on with discussion with the County and our elected officials here, but there's discussions going on about getting rid of our PD and taking it to the County. I don't really support that. I really don't. Finally, Mr. Gutierrez recommended to everyone since we cannot do a write-in [for Mayor] get the voice of the community and don't vote for the Mayor. If he doesn't get 50% plus 1 of the vote, it will go to the General Election. That will give us a chance to have a write-in candidate to run against the Mayor.

Ms. Melissa Rabago, 421 Highlands, Superior, indicated that she had worked for Resolution Copper for seven (7) years and was not here to advocate for the company. She indicated that as a resident, she was disappointed with the way it was handled. In her position with Resolution, she helps the public to understand why things are handled one way or another. She feels that the Town of Superior should have given the public an opportunity to come in with questions and concerns to have them answered.

Ms. Pam Rabago, 533 Hill, Superior, indicated she wants the jobs that will be provided by this mine. She said that our kids can do computers. Maybe of us have a problem with computers. But you know what, my grandkids are pretty good with computers. They can do these jobs and I want these jobs. I noticed that many of these people here speaking against Resolution, the Mutual Benefits Agreement and the land exchange are not from here. And quite frankly, I don't think they should have a say. I disagree with Mr. Featherstone, Mr. Kreig, Mr. Rankin, and I really don't care about the rock climbers—although I know Resolution has met with the rock climbers and they even had an agreement. They don't allow them on Resolution property. And second, I disagree with the way Town Council conducted Town business at the last council meeting—in secret and not openly. The Mutual Benefits Agreement was discussed, the Amended Mutual Benefits was discussed openly and it was not a short discussion. It

went through many meetings. But always openly. And yet, you did this in secret. I am very disappointed in you. I'm also looking at the current agenda, and I'm wondering why in Executive Session, we have Republic Services proposal. That's been discussed in open Council meetings for at least the last two (2) agreements. And the Redflex Agreement was discussed in open meetings and now it's in Executive Session. But at least it's not under economic development.

Mr. Roy Chavez, 104 Palo Verde Dr., Superior, lifelong resident, former Council Member, former Mayor, former Town Manager, bar owner—you guys know me quite well—and I really wasn't going to speak today because you have heard me in the past. You've heard me for several years. I want to commend the Council. I'm Chairperson of Concerned Citizens & Retired Miners Coalition and on behalf of them, we commend the actions of the Council that they have taken recently. I want to share with you that those actions were taken as a fact by basic law. There was a violation—Mr. Miramon referenced it at the beginning of this meeting—in regards to the passage of this agreement back in 2010. And I want to commend that Council Member that violated the Conflict of Interest Law because we wouldn't be here today breaking this Agreement. You want to talk about fact—the Council followed the law, that's fact. And I am disgraced and discouraged by our national leadership—Senator McCain and Senator Flake, Representative Kirkpatrick and Representative Gosar—that they had the audacity, on behalf of the Company, to introduce this legislation this year as soon as they did. They should have had their feelers out. They should have had their staff come to the community and find out for sure if the bill is what it is for our Town. Is the Agreement what it is for our Town. And the first thing they do is back on October 30 of this past year, they knew that the Agreement was null and void, based on the prosecution of that former Council Member. Are they really following the steps of Resolution Copper by avoiding the law or circumventing policy and procedure that is set up by the Federal government to protect us? Because it is public land. I'm sorry if you can't accept people from the outside coming here, because it's their land too. And, it especially belongs, and is protected under Federal law, with treaties with Native Americans throughout this Country. And it is especially significant to the Native Americans and more importantly the San Carlos Apache. I didn't know that. I was ignorant several years ago. And you want to talk about mining? I wouldn't have graduated from ASU if it weren't for mining. I worked for Hecla; I worked for Kennecott; I worked for Magma. I closed this place in 1996. Concerned Citizens—Roy Chavez—contrary to the polarity that the mine has created, supports the mining industry. But ladies and gentlemen, this project today as it's proposed has a lot of holes in it. And I'm going to share with you, the environmental one is the biggest. Mr. Rankin was here because Florence took some great action on Monday, a seven (7) zero (0) vote in their fight against Curis, the in-situ operation in Florence. They are going to inject sulphuric acid into that system and into the ground several hundred. . .thousand feet below. . .I don't care. It's sulphuric acid. It's only several hundred feet from the Gila River. People, water, I don't care how much copper, gold, silver, molybdenum is here, without water, you cannot live. We've got to plan our future. We've got to think about our children, whether they're getting a job here or having to leave to work elsewhere. And that's been the case for the last 30-40 years because of this industry. You want to talk about 100 years of mining, what do we have to show for 100 years of mining? Not just Superior. The entire Copper Basin belt area. Let's go talk to the people in South America. You know at the end of the day, us chickens are still here. We're still here. We may not agree, but we can agree to disagree. We may not like each other, we may not be close friends. But the reality is that most of that are here today have been here all of our lives. We have new people coming to the community and that's what we want to embrace. But let me share with you that on an administrative level and a professional level in the line of serving the Town. The mine reopened. We lost the mine in '82, 1,300-1,400 people were laid off in one day. The mine reopened in '89 with some technology. That technology was based on a cooling system and a [inaudible] system. Both underground and on surface. I'm not making this up, I worked there. I knew the guys that worked there. The guys that I worked with are in the audience today. But the reality was, that we were producing as much or more copper with

400 men at that time than with 1,200 or 1,300—because we had technology. Because we had machinery. It was a good thing. It was definitely a good thing for the company. Because they cut their work staff by two-thirds. On the administrative side in running the Town, we didn't see anything increase in State-shared revenue. In fact, as population, we dropped. And we are continuing to drop. Every mining community in this region, their population is dropping. And let's look at the other side of the coin with profit sharing from the copper industry. They're experiencing in history their largest revenue in the history of 100 years of mining right now. And people it's not the United States that's buying copper, it's China. And I agree, we all live in a Global Market. But let's be honest about this. This is public land. That ore body is not new. That ore body has been identified. And we who mined it in the past know that the ore was high. The reality is that whoever comes to Superior mining the old Magma mine and develops a new project—whoever comes here—behooves to the community—the do owe that community—in how they are going to do that mine. And how they are going to develop the mine. And what exactly are they going to address environmentally, socio-economically, and definitely within the constraints of the law. We are not takes, but I certainly don't want to be taken. All the citizens in the United States have something to say about this mine. So, let's not ostracize the people that are coming in. Thank God they're experts. Because when you are dealing with a heavy issue that you're not fully sure of—I know when I'm ignorant about an issue, I want to get as much information as I can before I make a decision. And that's what these people are providing. To go back to our leadership. From the Town Council, School Board to the President of the United States. Elected Officials take an Oath of Office. And that Oath of Office basically says to Protect and Serve the public. Not to protect and serve a private, foreign-based industry. And ladies and gentlemen, unfortunately what's happening to us in America today, is what we've been doing world-wide, internationally since World War II. We have been going into communities, countries, indigenous areas throughout the World and taking full advantage of ignorance. It's not time just for Superior to wake up by the actions that the Council is taking, it's time for this entire Region to understand that there has to be some amendments to the 1872 Mining Law. Now that may be down the road, but I'm sharing with you, gold, coal, petroleum, oil and gas all pay royalties. Whatever they make off the top is 8-12 percent to the communities, to the counties, to the states and to the Federal government of the United States. When you see those commercials on TV where they come out and say, "We just spend 50 billion dollars cleaning up the Gulf." You know why? Because the law of this country says you have got to do it in the oil industry. They aren't using that money just to clean it. They are committed to it. That is the law. That's the law of that industry. Mining has a law like that. Just ask the State Mining Inspectors Office. And if you think Super Fund comes from the industry, it doesn't. It comes from your taxable dollars. We have over 300,000 abandoned mines in the State of Arizona. Several years ago two (2) girls fell into one of those mines up in Prescott. They sued. They had to sue, right. The State Mine Inspector's Office. Guess who paid? The people of Arizona. Not the industry. The rules have got to change, people, the rules have got to change. Our group supports the industry. I personally support the industry. There's no way I'm going to turn my back on the industry. But this isn't 1913. This is 2013. I guarantee you the industry has changed. All we have been sharing with you in these last several years, consider those changes and act accordingly. I just want to mention that action that was taken by the Council. In Executive Session, basically, you're allowed to discuss three (3) issues. You are allowed to talk about finance, discuss personnel, and you can talk about contracts. I think you guys terminated a contract, if I am correct. And I think you were all within your rights to discuss that and take the appropriate action you had to. I commend you on behalf of Concerned Citizens and Retired Miners Coalition, but I also say this. I agree with earlier statements. We're in this together. And there has to be some communication. And that flow of communication needs to come from the industry to our community, with the rules and laws and the decisions that have been made by you the elected officials. I especially want to commend the three (3) Council Members making this decision with the election next week. That took some guts. I support you. And on behalf of Concerned Citizens, I think you for your time.

Council Member Wendsler Nosie, Sr., San Carlos Apache Tribe introduced himself. He spoke in his native language and indicated he sent greetings from his people and also from their tribal leaders and from Chairman Rambler. He thanked the Council for this opportunity. Now my approach tonight may be a little different because as you know we are a government body, we are government leaders who deal strictly and straight with the United States government. So, when we come to a Town Council, we come with that same respect and honor to be able to speak here in your Town, with your leadership and with your constituents of your people. The one thing that we have is respect. Respect is a very important thing as part of our culture, and respect intertwines with everything in life. So, what we wanted to really say tonight is to give you a perspective from the Native Americans. First, let me say that this issue is a nation-wide issue. This issue also has called on all Native Americans in this Country to now go to the UN of our indigenous rights that are being disrespected when it comes to the religion of our people. And the time that we were here and all over this region and put as prisoners of war and finally having the opportunity to now speak around the 1980s, because of Federal government policies, gives us a greater opportunity to now set the record straight but also appreciate the leadership that those have been bestowed on by their people. In leadership we look at it as a blessed gift that the Creator, "God" as known throughout the world, has blessed you with those gifts as well as the rest of us. Because when you are bestowed that gift you have to look deep inside of knowing what's right and what's wrong, because what we say is that in **all** religions that's one thing that God has already given you at birth to know when it's right and to know when it's wrong. And there are signs in this world that tells us that it's wrong, and leaders are born from that—**true** leaders. True leaders. Because when I look around the room, we've already lived our life. We have already lived our life. The decisions that we make today is for the unborn. Those are the decisions we are making today—the unborn. Now, coming from a Reservation that at one time had 100 percent unemployment to now is down to 70 percent, we know about being suppressed. We know about the ignorance. We know about the repercussion that we have taken in this Country, which is very unfair. What we deal with is the United States Government, the Congressional leaders of this Country, the leaders of the State of Arizona that represents all Arizonans. So, when I sit here and I listen, I feel bad for your community. I really do. Because what it tells me is that there's a lack of education when it comes to our Congressional leaders to talk to their constituents about the laws of United States. One of the things we found in this Country is that people have to learn about exemptions, what are exemptions. [Inaudible] a project to when you write a relief act rider to be signed by the President of the United States to accept all Federal laws—these are the things that Indian tribes have faced time after time after time. Within the Federal government, there are these laws that require consultation, trust responsibility to the Native Americans of this County. And those laws were created to create a balance so that there is no unfairness in this Country. And I will believe in my heart that United States stands strongly behind it. But, as we begin to look at the issue, we find how those laws are being disrespected and are being violated by our leaders of this Country. Because if those leaders would have educated your community, if those leaders would have said what these laws entail, then I don't think you would have the argument you are having tonight. And I think you would have more people respecting your leadership. Because the decision you made is making the United States—requiring them to look at those laws that right now are close to being violated. Superior is not only about Superior any more. It's about this Country. Because on the Indian side of it, there's a precedence that's going to be set in Indian Country, that if this type of legislation goes through, there's a fear across this Country in Indian Country that's taking place. And that comes to religion. This is why it's so important that religion has to be acknowledged from the United States government. It has to be. Because if not as we say as Native Americans, we're somewhat like the endangered species. Once we are removed then all these lands are open to be taken. But as long as we still live and breathe, we keep the balance of the United States of not allowing abuse, takeovers. Because once the Native Americans are removed, then there's no more morals in this

Country. Believe it or not. Because, as the saying goes with the Apache Tribe, and many other tribes, we deal strictly with the United States government. There are those Congressional leaders that know that this land exchange is not a good bill for the United States. So, the magnitude is huge; because on the other side, I believe everybody here has a religion. Even in the white Bible it says that you cannot suppress another religion. I think it will be the religious people that will stand forward and say this isn't right. This is not right. Because America was founded on freedom of religion and to exercise those freedoms. And that's why so many people came across the Country here. I may not be a resident of Superior, but my people before me inherited this since time immemorial. So we can tell you what this land exchange from 200 years ago and what it is today. We can tell you about the atrocities that happened about waters being [inaudible] because these newcomers doing these things to the water. So, here we are—water. Water is the giver of life. They may call it, I guess the way they look at gold, copper. But water is life. It's the giver of life. That's why I say and we say back home is that we lived our life but our children and those yet to be born haven't. As a leader you become a father and a mother to look at those children and those yet to be born and say, I want to give them life. I want to give them what we have. Because when this is all gone, what's left? We've all seen the changes. I realize what it means to people about jobs. But there are other things, other avenues, other greater opportunities. And this is where we tell our Congressional leaders, you don't know what's happening in these areas. You need permission statements. You need to talk with the Town so we can develop what the future is. As one lady was talking about what's down the road 20 years, 30 years. You know we've all been put in confinement, segregated. We're still segregated. And that's one of the things that I admire about the Tribe because we're coming out and telling Mayors and Towns—let's work together. Let's invent the future. Because the greatest thing that we...if we embrace life and water is the giver of life...then we can continue that. I know as a politician that many times people are not going to be happy with your decision. But like we say [spoke in his native language] the Creator, God know throughout the World by many names, knows what you've done. That's the greatest reward for all of us. And that's why Native American tribal leadership is so different because our decision is always based on our children. Our decision is always based on not being greedy. Don't take because if you take and take and take, there's nothing to be restored for your children. The oak trees—I don't know how many people know this, but it takes 100 years before it produces acorns. The size of a coffee can can feed over 200 people. We have medicine plants up here. They can be used for a lot of different reasons. We have what we call [spoke in his native language] the home of the Holy Spirit—no different than what a Catholic person who practices the Catholic faith about a Saint—no different. [Spoke in his native language] the Mother because up here you can live, you can actually live because it can provide you all that. There's not too many places any more that you can find that. And that's why in the administrative process that we ask the United States government to do, provide those studies that we have, but it will provide the studies to show the damage that will occur. What will be lost forever and ever and ever. And so not only you with the City Council, but your people need to realize the impact. Your people need to realize what it will be like 60 or 70 years down the road. They need to realize that. And the only way they're going to do that is to have the United States government do the administrative process. To help them figure out what to expect 60 years down the road. Because if not, then all is lost. And I tell you that because we Apaches, we people who lived in this region see the changes—see the damages. And all we have left is our Creator God "Gaan". We are always under the assumption that people in this Country have the same thing—God. God's important. God is the one that takes you to the next generation and the next generation with what he provides. So, we're here tonight to tell you our part and hope that we can have more meetings because we realize that there's a lack of education. There's a lack of...only because you don't have the documents. You don't have the information. And you're going to be making a huge decision. I can also tell you the experience the Tribe has had in 2004 with your former Mayor. And I think someone needs to apologize for what the Mayor used our Tribe to coerce Resolution Copper to more meetings. Very unfair to our Tribe. And I told Mayor Hing that we expected an apology

from him for what he had done to our Tribe. But the magnitude is huge. It's important that we remember that the religion and the environment tie in together. I think and I believe in my heart coming here tonight—I'm going to speak out of context—my ancestors, my people, our people were here. We're happy for what the new people that have come to take care of this land—we're happy to see that. We know we have to coexist together. But the United States, for us, the United States has a responsibility and they failed in that responsibility. When people here ask us to have a meeting and sit down with Resolution Copper. We have nothing to do with that. They have no responsibility over us. Just the United States government with their treaties and their responsibility. So I have to say that on behalf of the tribal government, you helped to have the United States recognize. You are helping our leaders in the State of Arizona realize that there's a major impact. Because now they have to go back to those studies as well. When things move to fast, the way it's been moving, those things are being avoided. So, with that, I'd like to call my attorney—our attorney from the tribe—so that he can cover a few things and we have some handouts for you. We're not going to do a Power Point but we have some stuff that we want to hand out to you.

Mr. Alex Ritchie, Attorney for the San Carlos Apache Tribe. Yes, it's true I'm an outsider. It's true I'm an attorney. And it's true I represent the San Carlos Apache Tribe. I was asked to be here tonight by a number of members of the Council, the Mayor and from San Carlos Apache Tribe. My grandfather once said, if you have to think twice about something, it's probably not a good thing. This Act has a very interesting name. It has both "conservation" and "land exchange" in the title. This Act is not about conservation. This Act is not about environment. It may be about jobs. But it certainly is about an outside special interest. This is special interest legislation on steroids. And I don't mean any disrespect to the architects of this Bill because you know they are all well-meaning people. Someone said we want corporations; we want jobs. And that's true for all of America. But the question is: Do you want this deal? The San Carlos Apache Tribe has come to the United States for eight (8) years and said Arizona cannot afford this deal. And I'd like to say tonight—Superior cannot afford this deal. Yes, I'm an outsider, but when you have an outsider by the name of Sidney Pollack, who's an "economist," (I put that in quotes) who's paid to tell you there will be 3,500 jobs, you have to ask the question: Is that true? When you look at your own Agreement and you look at the word Cemetery in that Agreement, I ask you, is that also treated the same way in the Bill. It is not. When you heard Mr. Featherstone talk about this is done upside down—that's true. It is upside down. This kind of Bill does not happen in the United States. For a reason. It's special interest legislation—that's why. Why, you have to ask yourself, is the National Environmental Policy Act put on hold until this Act is passed? Why? Ask yourself that question. Why is a company that is actually part Britain, part Australian and part China—yes China has an interest in this company, 5 percent, it's called Chinalco—why are these three companies doing this? There's billions of dollars of copper in that ground. But it's at a level that no copper mine in the Country has ever gone before. They say 3,500 jobs—I say to you look at all their other operations. Robots run those mines. Now, there's 2,800 people that live in Superior. What happens in Superior affects the region. Your neighbors want you to know, the San Carlos Apache Tribe wants you to know, Queen Creek wants you to know. You may not care about that. But I ask you to care about one thing. On Resolution Copper's website they say—first they said 40,000 acre feet of water. Then they said—oh no 20,000. Now they said again 40,000. Forty thousand acre feet (40,000) can supply a city of 168,000 for a year. That's enough water for Superior for 53 years in one year. I ask you with that amount of water being consumed—do you think it's sustainable? On the back of this nice lady's tee shirt is a statement about the Bill. It protects the environment. That amount of water is not sustainable. Superior will end up without water. So will Queen Creek. In fact, all your neighbors to the East will find water problems because water comes down this way. If you suck up more water at this part, it's going to make the water run down faster. That's a concern for all your neighbors. That's a concern for me. I live up in Globe. That's a concern. Now, we heard the word "superfund." How many of you know about

superfund? Superfund is a result of a law that protects you. That law is being bypassed by this legislation. That is a concern that you should have. We have a handout that we've provided. This is a two-page list of facts and outsiders aren't supposed to speak. You know we aren't from here. But these are questions you need, as citizens, to ask yourself. There's also a statement that was made earlier about subsidence. Here's a nice little picture, and we can hand these out to you. Subsidence is no joke. For that little square mile down 7,000 feet, it's going to suck up 2 miles in either direction. You know the beautiful Apache Leap escarpments up there to the East on the other side of the road. Half of that will disappear. Half of that. The hole could come as close as to this road over here, if, according to the geologists a 45 degree angle is what it is. Those are questions I think everybody in this room needs to ask. As far as jobs, one last point on that. I want to remind you about the parent companies—Rio Tinto and BHP Billiton—that Greens Creek Mine in Alaska, owned by Rio Tinto, is alleged to be the state's second largest discharger of toxic waste. So not only will your water disappear, but the stuff that's going into it, that's being injected into it, will poison it. Number two. As far as jobs and labor practices. In California, Rio Tinto locked out 570 miners in the Borax mine in Boron, California. This is not unusual. Look at Australia. Look at Mexico. Look at Africa. Those same labor practices will be practiced here. So, those are the questions we would like you to think about. I thank you for your time. If anybody wants this handout, that's great; and there's also on the web Senate testimony that's been provided by Council Member Nosie and Chairman Rambler and many, many, many others. There are facts in there. Read them. Thank you.

Council Member Nosie stepped forward with a few final words. Thanked the Council for the opportunity but also indicated that from San Carlos Tribal Council they are open with the information that they have found and that any time we are happy to meet in the white world. Again on behalf of the San Carlos Apache Tribe and people, we thank you for giving us this opportunity tonight. Thank You.

Council Member Soyla "Kiki" Peralta stated that public comments were now closed.

Mayor Jayme Valenzuela, Vice Mayor Olga Lopez and Council Member John Tameron returned to the dais.

Mayor Valenzuela indicated that we would go back to Item 1. Summary of Current Events.

MOTION: Council Member Chris Tomerlin moved to go into Executive Session at 9:43 p.m. Vice Mayor Olga Lopez seconded the motion. **VOTE:** The motion passed unanimously.

7. EXECUTIVE SESSION:

- A. Confidentiality Statement
- B. Discussion or consultation with the attorneys of the public body for legal advice and in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation. Pursuant to A.R.S. Section 38-431.03 (A) (3) & (4).
 - a. Wilt Litigation
 - b. Republic Services Proposal

c. Redflex Agreement Amendment

MOTION: Vice Mayor Olga Lopez moved to reconvene Regular Session at 10:26pm. Council Member Gilbert Aguilar seconded the motion. **VOTE:** The motion passed unanimously.

9. **POST EXECUTIVE SESSION:**

There were no Post Executive Session actions.

10. **SCHEDULING OF MEETINGS:**

There were no new meeting schedules brought up.

11. **ADJOURNMENT.**

MOTION: Council Member Chris Tomerlin moved to adjourn the meeting. Council Member Soyla “Kiki” Peralta seconded the motion. **VOTE:** Motion passed unanimously. The meeting was adjourned at 10:27 P.M.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the Town Council of the Town of Superior held on the 7th day of March, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Rita M. Wentzel, Town Clerk