

RESTORATION ADVISORY BOARD

FORT McCLELLAN, ALABAMA

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Taken before SAMANTHA E. NOBLE, a Court
Reporter and Commissioner for Alabama at Large, at
Building 141-A, Basement Conference Room, Fort
McClellan, Alabama, on the 17th day of March, 1997,
commencing at approximately 6:30 p.m.

R E P O R T E R ' S I N D E X

CAPTION SHEET	1
REPORTER'S INDEX	2
RESTORATION ADVISORY BOARD	3-59
CERTIFICATE	60-61

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MR. CHARLES TURNER: I'm here.

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Mr. Levy is here. Mr. Anderson is here. Mr. Conroy

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is here. Dr. Cox is here. Mr. Cunningham is here.

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Mr. Elser is here. Ms. Harrington is not. Mr. Hood

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is not. Mayor Kimbrough is not. Ms. Longstreth is

7

here. Mr. Miller is here. Mr. Moore is here.

8

MR. MICHAEL MOORE: Yes, sir.

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MR. CHARLES TURNER: And Mr. Parks

10

is here. Mr. Thomassy is not. Mr. Reedy is not.

11

Mr. Johnson is not. Mr. DoD Co-chairman, we have a

12

quorum. Mr. Brown is here. We are cooking with gas.

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(WHEREUPON, there was discussion off the record.)

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MR. CHARLES TURNER: The reason why

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you got that message that asked you to come for just a

16

few minutes is we haven't had a quorum since November.

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And it seems to have a chilling effect on discussions

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and that kind of thing. And I just -- I don't think

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our bylaws and operating under the strict rules of

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parliamentary procedure are particularly working well.

21

Parliamentary procedure

22

organization seems to do real well where there's a lot

23

of work that goes on outside of meetings. But in this

1 case, I think it's not -- they aren't doing as much.
2 And it's keeping us from really trying to get done
3 what this organization ought to do.

4 And so, I'm kind of the opinion and
5 especially as the driving force behind the adoption of
6 the bylaws, I feel like it's incumbent on me to be the
7 driving force behind their temporary, at least,
8 dissolution so that we've got several things coming up
9 that need action, and we can't take any action without
10 a quorum.

11 So, I suggest that until such time
12 as we reactivate them, that we deactivate the bylaws
13 and just start meeting without bylaws. We don't have
14 any problem with contentious issues so far, so there
15 is no need for heavy handed parliamentary procedure.

16 I think the idea really is to
17 encourage attendance. And maybe our bylaws are
18 restrictive enough so that they're doing the opposite.
19 But in any event, I don't see that they're doing us
20 any good and I would like to maybe try and operate
21 without them for awhile. Anybody got any thoughts?

22 MR. MARK ANDERSON: The only thing
23 that it does give us is they do at least give us a

1 means to add somebody to the team, take somebody off,
2 that type of thing.

3 MR. CHARLES TURNER: Why don't we
4 just do it by affirmative vote? If it comes up and is
5 voted through, then, yes if -- if there aren't a
6 majority vote, then not. But, see, we couldn't add or
7 remove anybody since November, because we haven't had
8 a quorum. If -- it could be we need to add more
9 people, anyway, just so that -- I mean, we're all
10 busy. I brought my son tonight because, you know, I
11 couldn't leave him at home with Cheerios sprinkled on
12 the floor. So, I mean, we've all got other lives.
13 That's kind of my thinking.

14 Hey, Mayor, hey, Mr. Hood.

15 MR. PETE CONROY: Charles, would
16 it be less dramatic to just relax the quorum standard?

17 MR. CHARLES TURNER: I think we
18 probably need some very basic guidelines. So, maybe
19 -- I don't have time to draft them. If somebody else
20 wants to do it, have at it. But, I would just say
21 that we relax the quorum requirement, the attendance
22 requirement, do away with the committees, if -- you
23 know, just do it by, I'll help you with that kind of

1 thing, on a volunteer basis.

2 MR. PETE CONROY: Uh-huh.

3 MR. CHARLES TURNER: You remember
4 Dean Hutchens early on said that all of this
5 parliamentary procedure might inhibit participation,
6 and I think he's right. I mean, I don't feel any
7 shame in saying, I was wrong. But, apparently, I was.

8 We can probably -- if we suspend
9 the bylaws, we can resolve however we want. Does that
10 sound like something that has some promise to y'all?
11 Anybody with any problems with it?

12 I would move that we relax at least
13 those portions of the bylaws or suspend or just
14 abolish, however you want to look at it, the
15 requirements as to attendance, quorum, committees, and
16 anything else that's perceived as restrictive by the
17 membership.

18 MS. MARGARET LONGSTRETH: Mr.
19 Turner, I was about to suggest, instead of sticking
20 directly to the quorum as indicated in the bylaws --

21 MR. CHARLES TURNER: Yes, ma'am --

22 MS. MARGARET LONGSTRETH: -- we
23 could just say a majority of the people present, you

1 know, whoever is here --

2 MR. CHARLES TURNER: Whoever is
3 here.

4 MS. MARGARET LONGSTRETH: -- a
5 majority of that group.

6 MR. CHARLES TURNER: Yes, ma'am, I
7 think that's a good idea. That if we had four people
8 show up and three of them vote yes on something,
9 that's an act of the RAB. If you don't want that to
10 happen, try and come, and make sure that your input is
11 heard.

12 MR. MARK ANDERSON: And perhaps
13 that's all that's necessary.

14 MR. CHARLES TURNER: I think that
15 -- I hope it is.

16 MR. RON LEVY: Do you want to say
17 that again, majority of --

18 MR. CHARLES TURNER: Sam got it all
19 the first time. Let's see, I would say, let's abolish
20 the bylaws, and that majority -- that anything that's
21 put to a vote by majority rule, that we operate under
22 the rules of decency, as opposed to the rules of
23 order, unless we have a mega fight or, you know,

1 something like that.

2 MR. RON LEVY: With the option of
3 bringing the quorum back.

4 MR. CHARLES TURNER: Yes. And we
5 can always resolve again to adopt bylaws or something
6 like that.

7 MR. PETE CONROY: Issue by issue.

8 MR. CHARLES TURNER: Issue by
9 issue. Or if we feel the need -- if our ranks grow
10 and it starts where you have to impose some order on
11 the meeting in order to get something done, I mean, we
12 can -- it might occur to us then to do it.

13 But, I really -- you know, I think
14 we want to see competing ideas develop, we want to
15 hear from every segment of the citizens of Calhoun
16 County and maybe even beyond on issues related to
17 closure and environmental restoration. And we aren't
18 getting it done.

19 So, do I need to rephrase that one
20 more time? That we abolish the bylaws, abolish,
21 particularly the quorum requirement, operate on a
22 majority rule basis, on matters before the RAB. And I
23 think that's it.

1 MR. DONALD CUNNINGHAM: Did you
2 second?

3 MR. MARK ANDERSON: Yes, I seconded
4 it.

5 MR. CHARLES TURNER: Any other
6 discussion?

7 MR. PETE CONROY: Remind me, how
8 many RABs don't have bylaws?

9 MR. RON LEVY: There are some. I
10 am aware that there are some. I don't know how many.

11 MR. CHARLES TURNER: The Fort Ord
12 bylaws, as I understand it, are more complex than
13 ours, in that their's has become a forum for
14 dissenting views and that kind of thing. And that
15 they've added fifty members within the last year or
16 so.

17 MR. RON LEVY: We've got somebody
18 in here -- let me introduce somebody, Sue Estess,
19 she's a -- what's your title, public --

20 MS. SUE ESTESS: Community
21 relations.

22 MR. RON LEVY: She's community
23 relations. She works with the RAB at Memphis and she

1 might be able to tell you what's going on there.

2 MS. SUE ESTESS: I just choked when
3 you said fifty members. Basically, what I've learned
4 with working with RABs is to be more flexible. Y'all
5 are all volunteers, you know. To get you here, we've
6 got to be flexible. They do do it by majority rules,
7 how many is there. They don't use a quorum. They
8 started out with that, just as you, but we've been in
9 operation for about three and a half years since it
10 was first mandated. We learned that that did not work
11 so well, so, we went to majority rules. We have not
12 had any problems with that.

13 We actually do have a very
14 stringent attendance policy, because we have a lot of
15 people that were on that RAB. We have twenty members.
16 That's the suggested number that you always hear.

17 MR. CHARLES TURNER: Do you remove
18 members if they don't come?

19 MS. SUE ESTESS: We write them two
20 letters. After that, that's two meetings, we say
21 you've missed two meetings in a row. You need to send
22 a representative or show up. Say, if you don't show
23 up the third meeting, then we have the right to remove

1 you. So, yes, we do.

2 MR. PETE CONROY: I just suggest
3 that we maintain --

4 MS. SUE ESTESS: That's a nice
5 situation. You know, I don't know how much --

6 MR. MARK ANDERSON: As long as it's
7 still open for discussion, I think we ought to keep
8 the existing bylaws and simply relax the quorum
9 requirement and the vote requirement. And the reason
10 is: It does give us structure. I don't think any of
11 it's been restrictive, except for the quorum
12 requirement and the vote --

13 MR. CHARLES TURNER: And the
14 attendance requirement.

15 MR. MARK ANDERSON: Yes, and the
16 attendance requirement. I'm sorry.

17 MR. CHARLES TURNER: Okay. Well, I
18 mean, it establishes committees that aren't meeting --

19 MS. SUE ESTESS: We don't use
20 committees, either. I didn't address that. We do
21 just what you said, we have different folks that are
22 more zoomed in on certain issues and they usually
23 volunteer to be the person overlooking that activity

1 and two or three people will assist them.

2 MR. MARK ANDERSON: And in fact,
3 that's the way our community relations has done. We
4 met once, I guess. We knocked out the briefing. And,
5 you know, we're available to brief it, once we've got
6 -- we say this is the way we want to approach it.

7 MS. SUE ESTESS: I think if you
8 relax it, you'll probably have more -- a little bit
9 more -- and you can always -- I mean, this is a
10 working, moving body. You can always rewrite your
11 charter, your bylaws to suit you. It doesn't have to
12 stay the same. It's not something that has to be the
13 same forever.

14 MR. RON LEVY: Let me --

15 MR. MARK ANDERSON: Mr. Chairman,
16 if I can phrase it as a motion, I move to amend your
17 motion and to retain all portions of the bylaws,
18 except the quorum requirement, the attendance
19 requirement, and the -- the discussion of those that
20 become a majority of those present.

21 MR. CHARLES TURNER: Well, that's
22 pretty much it, Mark.

23 MR. RON LEVY: I've got a concern

1 about the attendance requirements. I mean, if you
2 don't show up, then how do we handle that? If people
3 don't show up for three or four meetings, do we still
4 --

5 MR. CHARLES TURNER: No. We can
6 vote to take them off the mailing list.

7 MR. RON LEVY: A separate vote?

8 MR. CHARLES TURNER: Yes, just as
9 it comes up. I mean, if it becomes a problem, if
10 we've got habitual absence, somebody that's habitually
11 missing meetings, then we can vote to take them off
12 the mailing list.

13 MR. RONALD HOOD: Would you want to
14 retain the two-thirds that you've got in the bylaws as
15 to how to remove them?

16 MR. CHARLES TURNER: No, sir.

17 MR. RONALD HOOD: You want to just
18 have a plain majority?

19 MR. CHARLES TURNER: Yes, sir.
20 Because, for instance, we couldn't have removed
21 anybody, because nobody was coming to the meetings,
22 not nobody but --

23 MR. RONALD HOOD: Yes, but the way

1 it was written for that was two-thirds of those
2 present. The only thing that got in the way was your
3 quorum requirements --

4 MR. CHARLES TURNER: So, you still
5 think we ought to have two-thirds to remove?

6 MR. RONALD HOOD: I think
7 two-thirds of the ones there to remove somebody would
8 still be --

9 MR. RON LEVY: I think that's
10 reasonable.

11 MR. CHARLES TURNER: I think that's
12 reasonable, too. Are we going to have an attendance
13 requirement or are we just going to have it, somebody
14 has missed too many, we need to write them a letter?

15 MR. RONALD HOOD: Then we get to
16 the point of what's too many.

17 DR. BARRY COX: Why don't we just
18 leave the attendance requirement in, and that defines
19 what's too many.

20 MR. RONALD HOOD: Unless you want a
21 quorum to --

22 MR. CHARLES TURNER: Does anybody
23 remember what the attendance requirement is?

1 DR. BARRY COX: Whatever it is --

2 MR. PETE CONROY: You can't --
3 three meetings, you're out.

4 MR. JEROME ELSE: If you miss
5 three, you're out.

6 MR. RONALD HOOD: That was three
7 for the year, not three consecutive.

8 MR. CHARLES TURNER: I have in my
9 hand --

10 MR. PETE CONROY: Three for the
11 year.

12 MS. MARGARET LONGSTRETH: Three for
13 the year.

14 MR. PETE CONROY: Because I've been
15 counting.

16 MR. RONALD HOOD: The last several
17 meetings, there is a lot of people that would be iffy
18 (phonetic).

19 MR. MARK ANDERSON: But we're just
20 now agreeing to --

21 MR. CHARLES TURNER: Well, we've
22 got an amendment to vote on, and --

23 MR. MARK ANDERSON: It hasn't been

1 seconded, so --

2 MR. CHARLES TURNER: I'll second
3 the amendment and call for a vote on Mark's amendment
4 to my original motion --

5 MS. MARGARET LONGSTRETH: Excuse
6 me, what was that amendment?

7 MR. JIMMY PARKS: Can you restate
8 it?

9 MR. CHARLES TURNER: The amendment
10 was to leave in place all of the provisions in the
11 bylaws, except those related to attendance, the
12 constitution of a quorum, and matters -- and the
13 minimum number of votes necessary to vote on certain
14 things.

15 There were two different ones. It
16 was a complicated set of restrictive bylaws.

17 MR. MICHAEL MOORE: What's going to
18 be the process of our interchange of ideas? I mean,
19 what I hear you saying is: I understand that there is
20 going to be a foundational base that we're going to
21 keep in place, but, obviously, what we're not -- what
22 we're doing here is not working well. As a member of
23 the RAB, what I think we're more concerned with right

1 now is formalities and having a parade of experts
2 coming in here and we sit here and nod our heads and
3 then leave.

4 You know, if we're going to have,
5 you know, the foundation there, yet, we can have you
6 more as a facilitator, along with Mr. Levy, to get an
7 interchange of ideas and to maybe generate some
8 thought and maybe some enthusiasm and maybe a refocus
9 on issues that may, you know, be pertinent to each one
10 of us in a particular area, I think we can run with
11 it.

12 Right now when I come to the RAB,
13 it's like, you know, we're all sitting here and we,
14 you know, second the motion. And, yes, the motion is
15 carried and that's wonderful, you know, in a certain
16 climate. But I don't think it's working here. And I
17 think we need to, you know, like you stated, get
18 things a little bit lessened, you know, less formality
19 and more generation of thought.

20 We have some intelligent people
21 here that have a heck of a lot of expertise, but right
22 now that expertise is not being tapped into.

23 MR. CHARLES TURNER: I agree.

1 Another illustration of the problem with the rules of
2 order is: I don't think anybody in this room knows
3 exactly where we are, procedurally. A motion has been
4 made, seconded, amended, seconded. We're supposed to
5 vote on the amendment, but I can't remember really
6 what all that was.

7 So, I move that we table all of
8 that, and -- somebody second it --

9 MR. MARK ANDERSON: Second.

10 MR. CHARLES TURNER: Vote. All in
11 favor? Any opposed? Let's just talk about it, then.

12 DR. BARRY COX: Why don't we give
13 it a trial and suspend the rules for three months and
14 see how it works?

15 MR. CHARLES TURNER: Three months?

16 DR. BARRY COX: That's right.

17 MR. CHARLES TURNER: Three months?

18 Revisit this at our July meeting. Now, we've got a
19 big June meeting coming up, the DERTF, which is the
20 Defense Environmental --

21 MR. RON LEVY: Response.

22 MR. CHARLES TURNER: -- Response
23 Task Force is going to be here in June, take up -- be

1 here for a couple of days and want to witness a RAB
2 meeting.

3 (WHEREUPON, there was discussion off the record.)

4 MR. RON LEVY: That's the other
5 reason Sue was here, because they were at the Memphis
6 RAB and she can talk about, too.

7 MR. CHARLES TURNER: How did it go?

8 MR. MARK ANDERSON: Suspending for
9 three months is March, April, May, right?

10 MR. CHARLES TURNER: We can make it
11 retroactive.

12 MS. SUE ESTESS: We actually -- our
13 RAB is a little bit, I think, different from y'all's.
14 They don't all agree. So, no.

15 I thought it went very well. What
16 the RAB -- what the DERTF wants is: They they want to
17 see how this idea of RAB advisory boards are working.
18 And they want to come and observe you, but not disturb
19 you. They're changing your meeting date, they're
20 moving your place, but otherwise, they're not going to
21 disturb you. And they're bringing sixty extra people,
22 probably, to observe you, at least. They have a lot
23 of people that have to go with them.

1 I thought ours went very well. I
2 think that what y'all are going to discuss -- you
3 know, y'all will decide on your topic. I think the
4 big thing for you guys to do is to talk, like you're
5 doing now, to discuss things. They want to hear an
6 open exchange. They want you to be blunt. They want
7 you to ask them questions. This is your shot to ask
8 someone at a high level a question. And y'all are in
9 a special position that you can do that.

10 Like I said, the one in Memphis had
11 a lot of controversy in it. And they seemed to be
12 thrilled with that one, because we're a little bit
13 further along. We're closing in September of this
14 year, so we're further along. We've got more issues
15 going on.

16 We're in downtown Memphis and we
17 have twenty thousand residents on our door steps
18 within a one mile radius, so, we have a lot more folks
19 involved. It's also a larger town.

20 I think it went very well. I would
21 encourage y'all to think about questions you want to
22 ask the folks at the DERTF. I think that y'all need
23 to find a subject that y'all can discuss openly and, I

1 guess, honestly, and think about what kind of message
2 y'all want to get across to the people from
3 Washington.

4 But, it will be an interesting
5 couple of days for y'all to have them here.

6 MR. RON LEVY: Thank you.

7 MR. CHARLES TURNER: Thank you.

8 MS. SUE ESTESS: Anything else?

9 MR. RON LEVY: Thanks.

10 MR. CHARLES TURNER: We promised
11 y'all ten or fifteen minutes, so, I think we need to
12 make a decision on the issue of how we're going to
13 proceed.

14 I would say let's put the bylaws
15 out for three months. Dr. Cox, is that your --

16 DR. BARRY COX: That's fine.

17 MR. RONALD HOOD: I'll second.

18 MR. CHARLES TURNER: All in favor?

19 Now, let's formally agree about the
20 rules we're going to operate under during those three
21 months.

22 Attendance requirement, yes or no?
23 All in favor of an attendance requirement, raise your

1 hand. All against an attendance requirement?

2 Okay. No attendance requirement
3 for three months.

4 Any kind of quorum requirement?
5 All in favor of a quorum requirement, raise your right
6 hand.

7 Let's see what else. I think that
8 takes care of it. If we don't have an attendance
9 requirement or a quorum requirement, then all the
10 other rules are kind of moot.

11 MR. MARK ANDERSON: Those two
12 motions were carried by a majority of those present?

13 MR. CHARLES TURNER: I would say
14 that we need a simple majority vote on everything
15 except removing or adding a member, in which case, it
16 takes two-thirds of those present, which --

17 MR. MARK ANDERSON: I'll second.

18 MR. CHARLES TURNER: All in favor?
19 Opposed? Good.

20 Anything else we need to vote on
21 while we -- we've got a super majority quorum?

22 MR. RON LEVY: You got approval of
23 the minutes.

1 MR. CHARLES TURNER: We don't have
2 to approve minutes anymore.

3 (WHEREUPON, there was discussion off the record.)

4 MR. CHARLES TURNER: No, sir. It's
5 just related to the -- we don't have to keep minutes
6 anymore, as far as I'm concerned. We've got Sam
7 writing down every word we say. There is a published
8 transcript of that. I think that's more than enough.

9 MR. RON LEVY: Well, I would tell
10 you that for one thing it's synopsizes the -- what
11 happened during that meeting, and I'm able to provide
12 that to the members of the RAB.

13 So, you may not want to do an
14 approval, but at least we need to --

15 MR. CHARLES TURNER: Why don't we
16 just do it in a memo?

17 MR. MARK ANDERSON: That's what it
18 is, now, I think.

19 MR. CHARLES TURNER: But you've got
20 to put down who was there and you've got to put down
21 how votes went, a procedural history.

22 Why not just a synopsis of what
23 went on? It's a lot easier to write a memo than it is

1 to write the minutes, just a monthly memo on what
2 happened during the preceding month.

3 MR. RON LEVY: We can --

4 MR. CHARLES TURNER: And heads up
5 for this month.

6 MS. LISA KINGSBURY: Charles, I'm
7 the one -- I'm writing them and they're easy like they
8 are.

9 MR. CHARLES TURNER: Okay. However
10 you want --

11 MS. LISA KINGSBURY: I mean, I
12 don't mind doing the minutes, now that I'm so used to
13 doing --

14 MR. CHARLES TURNER: However you
15 want it, it's fine with me.

16 MR. PETE CONROY: Yes, I think
17 they're great the way they are.

18 MR. CHARLES TURNER: I thought it
19 was a burden on you.

20 MS. LISA KINGSBURY: A memo is just
21 as big a burden and I still have to go through the
22 transcript. It's up to y'all, though.

23 MR. RON LEVY: I mean, did you all

1 appreciate these?

2 MR. JAMES MILLER: Yes. I think
3 they're good.

4 MR. CHARLES TURNER: I certainly
5 appreciated that. When we first started, it seemed
6 like it was a problem, that it was adding a
7 significant amount of work to Lisa's schedule.

8 MS. LISA KINGSBURY: I'm used to
9 it, now.

10 MR. CHARLES TURNER: But now she's
11 already accommodating --

12 MR. RONALD HOOD: I make a motion
13 to continue with the minutes the way they are.

14 MR. CHARLES TURNER: What about
15 approving them? Do they need approval?

16 MR. RONALD HOOD: Simple majority
17 of the voters here.

18 MR. RON LEVY: We'll just do
19 minutes, but we won't go through the approval process.

20 MAYOR KIMBROUGH: (Inaudible).

21 MR. CHARLES TURNER: We've got a
22 running record. You make a correction on the record
23 and it's there forever. I mean, that's why we're

1 keeping a transcript.

2 MR. RON LEVY: I don't have a
3 problem with it, myself.

4 MS. MARGARET LONGSTRETH: It seems
5 to me they should be approved, though.

6 MR. CHARLES TURNER: Maybe just
7 discuss them.

8 MS. LISA KINGSBURY: Hey, Charles,
9 how about this, let's consider them approved unless
10 somebody has a problem with them?

11 MS. MARGARET LONGSTRETH: A
12 correction or something.

13 MR. CHARLES TURNER: Okay. That's
14 fine.

15 We need to, I think, talk about
16 what we want to talk about at our June meeting.

17 MR. RON LEVY: Do you want to go
18 through any of these applications?

19 MR. CHARLES TURNER: Do we need to
20 add more members? We've gone through huge paroxysms
21 to this point, trying to recruit new members. Do
22 y'all want to just distribute the applications the
23 same way we distributed the old ones?

1 MR. RON LEVY: This office will do
2 that for -- my office will do that. Is this
3 application okay is what I was asking?

4 MR. CHARLES TURNER: Is the
5 application okay with everybody?

6 MR. RON LEVY: Do you all have a
7 copy in front of you? I believe this is the one you
8 did.

9 MR. CHARLES TURNER: This is the
10 one that I did. And it's not formatted right. You'll
11 see that there is some spacing problems somewhere in
12 it. Maybe it's just a little piece of a line that's
13 left over.

14 Does this application look okay?

15 MR. RON LEVY: Is anybody opposed
16 to this application?

17 MR. CHARLES TURNER: All in favor
18 of distributing this application forthwith, please,
19 say I or raise your hand. Anybody got a problem with
20 it? All right, that's done.

21 The community outreach briefing,
22 we've had ample opportunity to review it. A lot of
23 hard work went into it. Thank you, Mark, for getting

1 this done. I'd say that this looks fine to me, that
2 it's a good basis for any briefing regarding the RAB.

3 Anybody got a problem with the
4 briefing?

5 MR. RON LEVY: Let me just make one
6 comment. This is kind of a living document, and I'll
7 work with you folks -- you know, there will be changes
8 that will come up and we'll try to massage them in and
9 get them into -- as new information comes to light, we
10 probably want to be able to put them in here.

11 MR. MARK ANDERSON: Right. We
12 already know that the dates, for instance, under slide
13 number eleven, the base clean up plan, the draft BCP
14 date, for example, changed, so --

15 MR. RON LEVY: But as it stands now
16 --

17 MR. CHARLES TURNER: A living
18 document. Anybody got a problem with the briefing?

19 MR. RON LEVY: Let me mention
20 something else. One of the things that we're trying
21 to do -- and we look like we're going to get funding
22 for this -- is to have a community relations support
23 individual to help us through with these things.

1 As a matter of fact, we're hoping
2 that Sue will become part of that at some point here
3 in the future at Fort McClellan. Again, some of it's
4 got to do with funding issues. And that's the kind of
5 expertise that she provides to be able to do this
6 outreach program to the community. It's all community
7 relations. She'll be working with the public affairs
8 office under contract to Fort McClellan and provide
9 support to the RAB. I can't say exactly that it will
10 be her, but that's the way we're working.

11 MR. MARK ANDERSON: Again, I think
12 it's important, though, that it is a member of the
13 RAB, at opposed to somebody that the government is
14 paying for to give these briefings, simply from a
15 perception standpoint within the community. It gives
16 us the feeling that it's our board, we're here to do
17 this, rather than, this is the government -- as we
18 well know, in the community, the Army has got a PR
19 problem right now.

20 MR. RON LEVY: That wouldn't be
21 part of it. It would be more coordination, you know,
22 doing the legwork and putting it together.

23 MR. GARY HARVEY: Mark, it might

1 work where (inaudible)--

2 MS. SUE ESTESS: Both would be
3 good.

4 MR. MARK ANDERSON: Yes,
5 absolutely.

6 MR. GARY HARVEY: One meeting,
7 maybe one goes and the other (inaudible) Civitans and
8 one go down there and --

9 MR. CHARLES TURNER: I'm sorry,
10 we've got folks that need to leave and we did kind of
11 make a promise as to time, so I'm going to cut it off.
12 And then everybody that needs to go, can go. And
13 everybody can stay as long as they need to.

14 Anybody got a problem with the
15 briefing? All in favor of adopting the briefing say I
16 or raise their hand. Anybody with a problem with it?
17 Good.

18 The DERTF, do you want to talk
19 about it?

20 MR. RON LEVY: Yes, we want to make
21 sure -- first off, does everybody understand what the
22 DERTF is and what their role in the clean up process
23 is all about?

1 There should be a piece of paper in
2 front of you. It's called the fact sheet, the Defense
3 Environmental Response Task Force fact sheet. And you
4 can pretty much read what the responsibilities are.
5 They're extremely high level. It's a DoD organization
6 that Sue mentioned a few things about. But it
7 includes members that are outside of DoD and
8 particularly, within EPA, at the state level. In this
9 case, Cal EPA is in there. There is a member from the
10 Department of Justice.

11 MR. CHARLES TURNER: State Attorney
12 General.

13 MR. RON LEVY: State Attorney
14 Generals. There is some people who are -- that have
15 no affiliation, you know, affiliation whatsoever with
16 the federal government or government, at all, that are
17 a part of that group, as well.

18 And their whole purpose is to
19 provide means for fast track clean up. And they're
20 interested in what's going on at various RAB meetings.

21 So, they're here in June. They
22 want to visit us. And we're trying to reschedule our
23 RAB so that they can see us. And we want to do this

1 at the Anniston meeting center. In fact, that's where
2 the DERTF is going to hold their meeting.

3 And that night, we go in and we set
4 up just like we set up our regular RAB. And they're
5 just kind of out in the gallery, listening in on what
6 we're doing and what kind of things we're discussing.

7 MR. CHARLES TURNER: So, we've got
8 two months to practice this new format before we have
9 to do it for the audience.

10 MR. RON LEVY: Time would stay the
11 same. We would just do this at the Anniston meeting
12 center. And we would -- again, we need to put
13 together an agenda, in terms of what we want to
14 discuss. Maybe that's one of the things we need to
15 do.

16 Assuming everybody doesn't have a
17 problem with this, we're going to do it this way.

18 MR. CHARLES TURNER: I would say so
19 that we can at least give the impression that we know
20 something about what we're talking about, that we can
21 kind of isolate an issue like UXO, eastern bypass,
22 clean up, something along those lines, and spend the
23 next two months getting educated on it so we can go in

1 and talk about it meaningfully in June. Yes, sir?

2 MR. MARK ANDERSON: In fact, I'm
3 glad you mentioned the UXO. The office of the
4 Secretary of Defense legislative's liaison is going to
5 pay to send me to the UXO forum. I understand that
6 Ron is going --

7 MR. CHARLES TURNER: In May. Yes,
8 I'm going and L. Z. Is going.

9 MR. MARK ANDERSON: Right, from the
10 LRA.

11 MR. RON LEVY: We've also got Bart
12 Reedy and Chris Johnson --

13 MR. MARK ANDERSON: The important
14 thing on that is probably that we ought to maybe look
15 at forming an ad hoc internal committee and reporting
16 out to the RAB in front of the DERTF what we learned
17 during the UXO forum there.

18 So, you're right, UXO would become
19 an issue that, again, we get a little more information
20 on before we go to that meeting, and then report it
21 out.

22 MR. CHARLES TURNER: I think that's
23 something to consider. I'll give you some other

1 things to put on your radar screen. I suspect that
2 the LRA will very soon identify the eastern bypass
3 corridor as being -- as being what we want cleaned up,
4 first, as far as the LRA goes, as far as reuse goes.
5 The focus of this organization might or might not
6 agree with that, but it's something to think about.

7 MR. RON LEVY: Let me add something
8 here.

9 MR. CHARLES TURNER: Now, I really
10 want -- since we don't have a quorum requirement, it
11 doesn't matter, if anybody that has to go gets up and
12 leaves. It won't hurt my feelings if you get up and
13 go, now. But we did tell you fifteen or twenty
14 minutes or less. And it's been longer than that, so
15 --

16 MR. RON LEVY: Let me tell you that
17 the base clean up team, unofficially, was approached
18 by Rob Richardson, the director for the LRA, and
19 talked to about priorities, again, unofficially. L.
20 Z. Has told us the LRA has not approved anything, yet.
21 But what he told us -- and he's hoping some of this
22 will come to pass -- is: From the UXO standpoint, the
23 three priorities were the eastern bypass, a retirement

1 community that's going in in the vicinity of --
2 actually, it's right around range sixteen, down in
3 this area.

4 And the other priority was insuring
5 -- this is just from a UXO standpoint -- insuring that
6 the mountains -- there was access to the mountains.
7 And what that meant was, you know, maybe surface
8 clearing or something along that line.

9 Okay. The other thing that he
10 mentioned to us were -- the other environmental issues
11 that weren't UXO related, but were priorities -- and
12 he went through a number of buildings, building 350
13 was one, as I recall, MP school, polygraph institute,
14 the hospital, the reception station, the golf course
15 clubhouse, and the second was the --

16 MR. CHARLES TURNER: CDTL --

17 MR. RON LEVY: He didn't say that,
18 but -- the second was existing residential and the
19 third was industrial/commercial areas that they had
20 listed on --

21 MR. CHARLES TURNER: Y'all are
22 going to probably want a briefing on the preferred
23 plan. It's been all over the paper. It was on TV

1 news, but we can give -- we can probably do that
2 briefing in ten or fifteen minutes, if y'all want it.
3 And we can do it whenever you want.

4 MR. GARY HARVEY: I think it's key
5 that you're pointing here just now a briefing on the
6 reuse plan. And you'll see that the eastern bypass is
7 a linchpin of that whole thing. And I think that
8 probably ought to come up in the RABS. It also tells
9 with the UXO report back, it all fits together.

10 And if money became an issue, these
11 are the national folks here. Now, if the UXO clean up
12 for the bypass, which is the linchpin of
13 redevelopment, I think if you showed the DERTF and the
14 RAB the plan, then the eastern bypass --

15 MR. CHARLES TURNER: The DERTF will
16 get the plan in a morning briefing by Rob.

17 MR. GARY HARVEY: Uh-huh.

18 MR. CHARLES TURNER: So, I don't
19 think we need to make a decision tonight about what
20 we're going to talk about in June. We haven't talked
21 about anything since November, officially, so, you
22 know, there is no huge rush.

23 Generally, we're looking at the

1 eastern bypass coming in and then coming on around and
2 going out to 431. Forgive me if my finger strays.

3 There will also be a road going up
4 like this and coming back out to 21 to the north, and
5 to the east, northeast, you'll see -- we're talking
6 about industrial parks, two thousand acres of
7 industrial park with the rail -- rail head coming in
8 and servicing it.

9 In the middle of it, we'd -- we'll
10 -- you'll see an educational component along with
11 commercial and R&D and that kind of thing, some
12 retirement centered around the hospital area, over
13 where the Baker housing project is now.

14 The -- some more -- Buckner Circle,
15 essentially the way it is. More education around the
16 MP school. And then, where residential, recreation
17 around Yahoo Lake, and possibly more retirement over
18 here is generally the way it's looking.

19 This is -- now, the paper ran a
20 story tonight about how having forty-five holes of
21 golf is absurd when there is so much -- already so
22 many golfing opportunities here.

23 So, I would suggest that we're

1 going to -- that the plan is both -- is not carved in
2 stone, at this point, and that it will be a flexible
3 plan, whatever it eventually looks like, during the
4 summer.

5 MAYOR KIMBROUGH: Charles?

6 MR. CHARLES TURNER: Yes, sir.

7 MAYOR KIMBROUGH: Ron knows what
8 I'm going to say. But my priority is to continue to
9 make sure that the landfill and the ground water
10 contamination is monitored and is corrected. And
11 nobody -- everybody is talking about the future. My
12 concern and my priority for my community is that, you
13 know, in the future, Fort McClellan, when they leave,
14 that some monitoring and some money is left there and
15 some guarantee is (inaudible).

16 And I'm not going to say -- I might
17 say it a thousand times, but I'm going to continue to
18 say that, because that is a (inaudible) -- now, I know
19 we're doing it and we've met and, you know, I've been
20 satisfied with what's been going on, but I want to
21 make sure that that still is continuing, that that
22 will be monitored and that the clean up will continue
23 on that.

1 MR. RON LEVY: BCT is fully aware
2 of that issue. As a matter of fact, we've been
3 discussing presumptive remedies on landfill three,
4 which is a big problem at this point. But we really
5 haven't moved in any direction in terms of where we're
6 going with that landfill, yet. But that's an issue
7 before us and it's going to be inclusive to the BRAC
8 clean up -- excuse me, the base clean up plan. So,
9 you'll see it there. And there will be something,
10 probably this summer, some way that we've decided
11 we're going to go with that particular landfill. And
12 you'll have plenty of input as to that.

13 MAYOR KIMBROUGH: Like I say, I'm
14 not -- like I say, we've met and I know where they're
15 going, but I don't want it dropped out, all of a
16 sudden and say, well, you know, we'll say, everything
17 is fine --

18 MR. CHARLES TURNER: Sorry, your
19 water is polluted. We're sorry. I understand what
20 you're saying. Yes?

21 MR. MARK ANDERSON: When can you
22 guys brief us?

23 MR. CHARLES TURNER: We can brief

1 you --

2 MR. MARK ANDERSON: I mean --

3 MR. CHARLES TURNER: We can do it
4 next month. But we need to get in some heavy duty UXO
5 kind of education. Can we get the people from the
6 center of excellence down here for either April or
7 May?

8 MR. RON LEVY: They're coming in
9 April for some meetings.

10 MR. CHARLES TURNER: Can we get
11 them --

12 MS. LISA KINGSBURY: Let's postpone
13 the UXO for May, because they're coming down April 3rd
14 to get educated, themselves, on the eastern bypass,
15 and then they're coming back in on the 25th and
16 bringing the Federal Highway Administration, people
17 from the D.O.T., and -- shoot, somebody else.

18 MR. CHARLES TURNER: If -- can we
19 get out notices of dates and times on those meetings,
20 unless it would be awkward to have a bunch of other
21 people there, to the RAB members who want to attend?

22 MR. RON LEVY: Well, we hadn't
23 thought about whether they were going to be inclusive

1 of RAB. What would probably be better is just to have
2 them talk separately to the RAB.

3 MR. CHARLES TURNER: That's fine.
4 I -- you know, we've got two or three months and are
5 going -- three months, and need to be getting
6 educated.

7 MR. RON LEVY: Well, let Lisa and I
8 work on that one. I think we can come up with
9 something.

10 MR. CHARLES TURNER: Will y'all
11 handle that?

12 MR. RON LEVY: Yes.

13 MR. CHARLES TURNER: Getting the
14 RAB educated on UXO?

15 MR. RON LEVY: We'll put it on the
16 agenda. We just need to figure out where we want to
17 do that.

18 MR. CHARLES TURNER: Can we
19 tentatively resolve that we're going to discuss a UXO
20 related issue at the June meeting? Anybody got a
21 problem with discussing a UXO related issue at the
22 June meeting? All in favor? Any opposition?

23 MR. RON LEVY: That's our agenda.

1 Risk assessment training, I
2 mentioned to you once before. This is open up to the
3 RAB. We're putting on a course that, for those of you
4 who are not familiar with risk assessment, it's the
5 driving factor behind clean up. Everything is risk
6 based nowadays. It's something the State and EPA are
7 pushing heavily.

8 My intention is to have slots
9 available to any of the RAB members that want to
10 participate in that. It's -- I would think for those
11 of you, especially on the science side are -- could
12 get some real benefit out of it. I know, Barry, you
13 would find something worthwhile in that, especially
14 since we don't have to pay for it.

15 Contractors, the ones that does the
16 risk assessments for EPA and the State and --

17 MR. CHARLES TURNER: How much time?

18 MR. RON LEVY: Right now, the
19 scheduled dates are in July, 22nd, 23rd, and 24th.
20 And that's a while off, so --

21 MR. CHARLES TURNER: And that's
22 eight hours per day?

23 MR. RON LEVY: Yes, it's a full

1 day.

2 MR. CHARLES TURNER: Three full
3 days of risk assessment training.

4 MR. DONALD CUNNINGHAM: What's
5 this, April 29th through 30th?

6 MR. RON LEVY: I'm sorry. It's
7 changed. Since we put the agenda out, it's changed.
8 22nd, 23rd and 24th.

9 MR. CHARLES TURNER: Of July?

10 MR. RON LEVY: Of July.

11 MR. CHARLES TURNER: What I'll do
12 is I'll have Lisa to get with y'all and ask you who
13 wants to attend that.

14 MS. LISA KINGSBURY: If they would
15 identify who is interested, now, then I can get back
16 with them.

17 MR. RON LEVY: Can I get a show of
18 hands of who wants to do this? How many have I got?
19 One, two, three. Barry, you got --

20 DR. BARRY COX: Yes.

21 MS. LISA KINGSBURY: Sam, you
22 getting this down?

23 COURT REPORTER: Mr. Cox, Mr.

1 Brown, Mr. Hood, Mr. Cunningham, Mr. Anderson. Is
2 that it? Mayor Kimbrough Conroy. Got it.

3 MS. LISA KINGSBURY: Got it.

4 MR. MARK ANDERSON: Where is it
5 going to be?

6 MR. RON LEVY: Should be right here
7 in this room.

8 MR. CHARLES TURNER: Okay. Y'all
9 got some tours coming up, right?

10 MR. RON LEVY: Certainly, we'll
11 send out a letter to that.

12 The other thing I want to talk to
13 you about -- and Lisa has been calling and asking --
14 we've got two tour dates set up. We've mentioned to
15 you that we need to get you out to see these sites.
16 We are about a year old or a little over a year old as
17 a RAB, so we really need to get you out and have you
18 kind of walk the sites, get a feel for the land and a
19 feel for the issues that are going on at our sites.

20 The two dates are the 22nd of April
21 and the 26th of April. The 22nd is a Tuesday. The
22 26th is a Saturday.

23 And again, Lisa has been calling to

1 try to get your -- get your desired date.

2 MR. CHARLES TURNER: All that would
3 like to do it on the 22nd, raise your hand. All that
4 would like to do it on the 26th, raise their hand.
5 The 26th.

6 MS. LISA KINGSBURY: Well, no,
7 actually, both of those dates. We set up -- one is a
8 week day and one is a weekend. And those that can't
9 make it on the weekday --

10 MR. CHARLES TURNER: Those who want
11 to go on the weekday, tell Lisa you want to go on the
12 week day. Those who want to go on the weekend, tell
13 Lisa you want to go on the weekend.

14 MR. RON LEVY: Please, before you
15 leave the room, would you just get with Lisa and let
16 her know what date you desire out of those two. We'll
17 do it that way.

18 MR. CHARLES TURNER: Anybody want
19 to talk about anything else?

20 MR. PETE CONROY: Yes. Just as it
21 relates to what Mayor Kimbrough was saying, why don't
22 we say, collectively, as the RAB, we support his
23 concern to insure that landfill number three be taken

1 seriously and that everything be done to prevent the
2 spread of underground contamination to their water.

3 MR. RON LEVY: You just asking to
4 go on record?

5 MR. PETE CONROY: Yes. And what I
6 would like to do is just make a motion as a RAB,
7 collectively, support what the Mayor just said.

8 MR. CHARLES TURNER: Yes. That's
9 --

10 MR. PETE CONROY: A formality is
11 what it is.

12 MR. CHARLES TURNER: That we do
13 everything to promote continuing commitment by the
14 government to monitor and take care of any problem
15 that arises with landfill number three, is that -- or
16 any of the other landfills, I guess, but particularly,
17 number three.

18 MR. PETE CONROY: Particularly,
19 number three. I feel like the Mayor has been a sole
20 voice, as it relates to this. And I think,
21 collectively, as a RAB, we need to support that.

22 MR. CHARLES TURNER: I agree with
23 you. Does anybody have a problem with that? Now, I'm

1 not saying that I think we ought to make it a
2 priority, as far as clean up goes, because there is
3 only so much you can do with a former landfill site.
4 But I do, certainly, endorse the idea of doing
5 whatever is necessary to make sure that that drinking
6 water -- that the ground water over there remains
7 clean.

8 Any other discussion?

9 MAYOR KIMBROUGH: One thing -- not
10 on that. On the milestone EBS, had March '97 final
11 EBS, where are they on that?

12 MR. RON LEVY: We're finalizing it,
13 now. And Bart, Chris, and I sat down and we spent a
14 lot of time in the month of January, going through
15 your comments. We think we've got to a point, now,
16 where all of their comments, all of our comments are
17 -- have been worked through.

18 What the contractors are trying to
19 do is put that all back into the EBS. Okay? We think
20 it may be April, I would -- you know, even though all
21 it is now is a matter of putting the thing together,
22 it looks like it may go into April, instead of
23 getting finished the end of next week, it looks like

1 we probably won't get it out, the final out until the
2 end of April. And again, it's almost a draft final
3 from the standpoint of having it back out there for
4 people to look at one more time.

5 But we got through the regulatory
6 issues, which are the big issues. And believe me,
7 there was a lot of them that they were concerned
8 about. EPA had how many total?

9 MS. LISA KINGSBURY: I think both
10 had about three hundred comments, apiece. It was
11 massive.

12 MR. RON LEVY: So, it took us a lot
13 to get through it. And they weren't just simple
14 issues.

15 You'll see that these maps are
16 going to change out back here behind us.
17 Particularly, like, I'll give you an example, the golf
18 course, which was not identified as an area that --
19 that was -- gray area, it's now a gray area, meaning
20 it's not evaluated.

21 The concern was the herbicides,
22 pesticides used out there, needed to be evaluated.
23 And that's why this risk assessment process is so

1 important.

2 We'll probably end up doing some
3 sampling on the golf course. And as we move to the
4 risk based assessment, you know, looking at the
5 (inaudible) and golfer, you probably won't have a risk
6 associated.

7 That's assuming the golf course
8 goes as a golf course. But if it were to be used for
9 something other than that, there may be a greater risk
10 associated.

11 MR. CHARLES TURNER: (Inaudible).

12 MR. RON LEVY: Yes, or you know,
13 something where children might be involved.

14 MR. CHARLES TURNER: Daycare or --
15 the reason why I'm pushing is, we kind of promised you
16 fifteen minutes. And it's ballooned past that. Is
17 there anything else that we need to take up officially
18 or semi-officially?

19 MR. GARY HARVEY: Mr. Conroy's
20 motion.

21 MR. CHARLES TURNER: Oh, yes. All
22 in favor?

23 MR. PETE CONROY: Thank you. It

1 was the Mayor that took us away from it.

2 MR. CHARLES TURNER: It doesn't
3 have to be on the point, because we don't have any
4 rules of order.

5 In that vein, I'm not going to make
6 a motion to adjourn, I'm just going to tell you good
7 night.

8 MR. MARK ANDERSON: Actually, I
9 wanted to ask if we are going to get copies of the
10 final EBS?

11 MR. RON LEVY: I'm going to attempt
12 to. Depending on how many copies I can -- cost of the
13 contract, I don't know if I can make that promise to
14 you.

15 MR. CHARLES TURNER: Can you do it,
16 use RAB money to do it?

17 MR. MARK ANDERSON: If you need a
18 few hundred dollars to make it happen, let me know.

19 MR. RON LEVY: I think we can make
20 copies.

21 MR. MARK ANDERSON: We'll make sure
22 that you get your money.

23 (WHEREUPON, the proceeding was concluded.)

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1 C E R T I F I C A T E

2 STATE OF ALABAMA)

3 CALHOUN COUNTY)

4

5 I, SAMANTHA E. NOBLE, a Court
6 Reporter and Notary Public in and for The State of
7 Alabama at Large, duly commissioned and qualified,
8 HEREBY CERTIFY that this proceeding was taken before
9 me, then was by me reduced to shorthand, afterwards
10 transcribed upon a computer, and that the foregoing is
11 a true and correct transcript of the proceeding to the
12 best of my ability.

13 I FURTHER CERTIFY this proceeding
14 was taken at the time and place and was concluded
15 without adjournment.

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23 IN WITNESS WHEREOF, I have hereunto

1 set my hand and affixed my seal at Anniston, Alabama,
2 on this the 21st day of March, 1997.

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SAMANTHA E. NOBLE

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Notary Public in and for

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Alabama at Large

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MY COMMISSION EXPIRES: 11-14-97.

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