

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 215, Fort McClellan, Alabama, on the 19th day  
of June, 2000, commencing at approximately 6:45 p.m.



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1 MR. RON LEVY: Go ahead and take  
2 the roll.  
3 MR. RONALD HOOD: Mr. Branchfield?  
4 Mr. Brown? Mr. Buford?  
5 MR. JAMES BUFORD: Here.  
6 MR. RONALD HOOD: Mr. Conroy?  
7 Dr. Cox?  
8 DR. BARRY COX: Here.  
9 MR. RONALD HOOD: Mr. Cunningham?  
10 MR. DONALD CUNNINGHAM: Here.  
11 MR. RONALD HOOD: Mr. Elser?  
12 MR. JERRY ELSER: Here.  
13 MR. RONALD HOOD: Ms. Fathke? Is  
14 that pronounced right?  
15 MR. RON MASSEY: Yes. She's not  
16 here.  
17 MR. RON LEVY: She's not here.  
18 MR. RONALD HOOD: Dr. Harrington?  
19 Mayor Kimbrough?  
20 MAYOR KIMBROUGH: Here.  
21 MR. RONALD HOOD: Ms. Longstreth?  
22 Mr. Miller? Mr. Thomassy?  
23 MR. FERN THOMASSY: Here.

1 MR. RONALD HOOD: Mr. Turecek?

2 MR. TOM TURECEK: Here.

3 MR. RONALD HOOD: Mr. Turner?

4 Mr. Weston?

5 MR. WESTON: Here.

6 MR. RONALD HOOD: Of course, we've  
7 got Mr. Levy and Bart Reedy and Phillip Stroud.

8 MR. PHILLIP STROUD: Yes.

9 MR. RONALD HOOD: And we do have  
10 enough to conduct business tonight. Has everyone had  
11 a chance to read the minutes from the meeting from  
12 last time? I wasn't here, so I had to read them for  
13 myself. I'll have to accept them as -- any comments  
14 from the people that were here? Do we have a motion  
15 to accept the minutes?

16 MR. FERN THOMASSY: So moved.

17 MR. JERRY ELSER: So moved.

18 MR. DONALD CUNNINGHAM: Second.

19 MR. RONALD HOOD: All those in  
20 favor of accepting the minutes? Anyone opposed?  
21 Minutes accepted.

22 MR. RON LEVY: We didn't have a  
23 quorum for the last meeting to accept the April



1 minutes, and I suspect everybody has seen them and  
2 read them. Can we take a vote on whether the April  
3 minutes are approved, as well? Does anybody have any  
4 changes, issues?

5 MR. FERN THOMASSY: Make a motion  
6 to approve them.

7 MR. DONALD CUNNINGHAM: Second.

8 MR. JAMES BUFORD: Second.

9 MR. RONALD HOOD: All those in  
10 favor? Anyone opposed? So accepted.

11 Well, from what I've got here, I'll  
12 turn it over to you with the old business. You've got  
13 the boring results and --

14 MR. RON LEVY: Well, actually, I  
15 don't.

16 MR. RONALD HOOD: Oh, you don't?  
17 Okay.

18 MR. RON LEVY: Mayor Kimbrough had  
19 asked about the results of the off-post borings at the  
20 last meeting, and all I can tell you now is that we're  
21 still six weeks away from doing the interpretation on  
22 those, so I can't tell you anything about those,  
23 although we all know the intent of the borings, those

1 off-post borings, was to help us establish flow and  
2 the ability to put other wells in place. So, I don't  
3 have any new information on that.

4 And the other thing -- and this  
5 came out of the action summary sheet, if you all  
6 remember the action summary sheet, one of Dr. Cox's  
7 initiatives to keep folks informed. We can talk about  
8 some of those items that are there.

9 Donna Fathke asked at the last RAB  
10 about meeting start time. She proposed a 5:30 start  
11 time as opposed to 6:30. We didn't have a quorum at  
12 the last meeting to discuss that and take a vote on  
13 it, so I'll leave that up to my co-chair here, if he  
14 wants to bring it up as an --

15 MR. RONALD HOOD: Well, we can have  
16 a discussion on it, if anybody wants to talk about  
17 changing it. We've had it at 6:30 for quite awhile  
18 now.

19 MR. FERN THOMASSY: I think she's  
20 got a good point. I know people coming in from work,  
21 you get in and get to the meeting and get home, we  
22 spend a lot of time here, sometimes 8:00, 8:30 at  
23 night. We could start earlier and get out of here



1 earlier. It makes sense.

2 MR. RONALD HOOD: Well, there could  
3 be a possibility, like myself, I would have a hard  
4 time making a 5:30 meeting.

5 MR. DONALD CUNNINGHAM: How about  
6 6:00 o'clock?

7 MR. RONALD HOOD: Even 6:30 is  
8 going to be a problem, I believe, coming up, because  
9 they're changing the work hours.

10 MR. RON LEVY: Here is Donna.

11 MS. DONNA FATHKE: Hey.

12 MR. RON LEVY: We're talking about  
13 your issue, if you want to --

14 MS. DONNA FATHKE: The meeting set  
15 at 5:30?

16 MR. RON LEVY: Yeah.

17 DR. BARRY COX: You want to make it  
18 7:00, Donna?

19 MR. RON LEVY: They're starting to  
20 ask about 8:00 is a better time, now.

21 MS. DONNA FATHKE: Oh, no.

22 MAYOR KIMBROUGH: It doesn't make  
23 any difference to me. I don't work anymore, so I'm

1 kind of --

2 MR. RONALD HOOD: So you set your  
3 own hours.

4 MAYOR KIMBROUGH: I'm very  
5 flexible. But it would be nice to eat supper before  
6 9:00 o'clock or whatever, because I usually stand  
7 around and talk thirty, forty-five minutes after the  
8 meeting. It doesn't make any difference.

9 MR. RONALD HOOD: I agree with you.  
10 I'm probably the only one that would have any trouble  
11 with it. A lot of the hours at the post office are  
12 going to be changed from 9:00 to 6:00 would be our  
13 work hours, so that would --

14 MR. JERRY ELSER: What are your  
15 hours now, 8:00 to 5:00?

16 MR. RONALD HOOD: Mine right now is  
17 7:00 to whenever I can get out of there.

18 MR. RON LEVY: You got something to  
19 add to this discussion about the 5:30 start time?

20 MS. DONNA FATHKE: Well, I don't  
21 know what's been said, but basically I end up just  
22 kind of trying to find something to do to kill an hour  
23 before I get up here, because it's not enough time for

1 me to go home and come back. I could do that, I could  
2 go home and turn around and come right back. So,  
3 that's just my input on it.

4 MR. RON LEVY: Army is willing to  
5 do whatever this RAB wants to do, so we can set it up  
6 at 5:30 or 7:00 or we can set it up at 6:30 or we can  
7 set it up even later.

8 MS. DONNA FATHKE: I just put it  
9 forward because for me it's an inconvenience. I  
10 didn't know if it was for -- or it would be more  
11 convenient at 5:30, and I didn't know how it was with  
12 everybody else's schedule. Plus, it always turns out  
13 that JPA is at 7:30 the next morning. I'd like to get  
14 home at a decent hour the night before.

15 MS. MIKI SCHNEIDER: I have to be  
16 here no matter what, so it doesn't matter.

17 MR. RONALD HOOD: Are there any  
18 other comments on it?

19 MR. RON LEVY: Phil, Bart, you got  
20 any thoughts on it?

21 MR. PHILLIP STROUD: You choose,  
22 I'll be here.

23 MR. RONALD HOOD: It's up to the

1 board, as far as that goes, as to what times we meet,  
2 if anybody wants to make a motion on changing the  
3 meeting times.

4 MS. DONNA FATHKE: Well, why don't  
5 we take a vote and see. I move that we change the  
6 meeting time to 5:30, and let's see how many people  
7 want to do that.

8 MR. RONALD HOOD: Do we have a  
9 second?

10 MR. FERN THOMASSY: I second it.

11 MR. RONALD HOOD: All those in  
12 favor of changing our meeting time to 5:30? What,  
13 three, four? All those opposed? One. I'm going to  
14 add mine to that one, too. So, what do we got, four  
15 in favor and two opposed? I guess it carries then.

16 DR. BARRY COX: What's the other  
17 option, though, I guess?

18 MR. RONALD HOOD: What's the other  
19 option? Some other time, obviously.

20 MR. RON LEVY: Let's see, taking a  
21 vote.

22 MR. RONALD HOOD: I don't know if  
23 we can really call that a majority.

1 MR. RON LEVY: No.

2 MS. DONNA FATHKE: I don't think  
3 so.

4 MR. RON LEVY: Action by  
5 restoration (inaudible) whatever act or decision made  
6 or done by a majority of the regular members present  
7 at any meeting duly held at which the quorum is  
8 present is the act of the RAB.

9 MAYOR KIMBROUGH: The majority of  
10 those present?

11 MR. RON LEVY: That's what it says.

12 MR. RONALD HOOD: Yes.

13 MR. RON LEVY: Majority of the  
14 regular --

15 MR. RONALD HOOD: We've got ten  
16 present, so --

17 MAYOR KIMBROUGH: Four is not a  
18 majority.

19 MR. RONALD HOOD: No.

20 MR. RON LEVY: We succeeded in  
21 getting --

22 MR. RONALD HOOD: Nowhere.

23 MR. WESTON: We need to try that

1 one more time.

2 MR. RON LEVY: Do you want to try  
3 it again?

4 MR. RONALD HOOD: We can try it one  
5 more time, if somebody wants to try and vote on it  
6 again. Everybody just one way or the other. All  
7 those in favor of changing our meeting time to 5:30?  
8 And we have five this time.

9 MR. DONNA FATHKE: We need one more  
10 for majority, is that it? There is ten of us here.

11 MR. RONALD HOOD: There is ten  
12 here, uh-huh.

13 MR. RON LEVY: It says a majority  
14 of the regular members present at any meeting. So,  
15 that would be --

16 MS. DONNA FATHKE: We would need  
17 six. Anybody else?

18 MAYOR KIMBROUGH: Ronald, you said  
19 you couldn't be here, right?

20 MR. RONALD HOOD: It would present  
21 a problem for me with my schedule, but, you know, I'm  
22 just one person.

23 MS. DONNA FATHKE: But you happen

1 to be the chair.

2 MR. RONALD HOOD: Well, that's the  
3 reason I missed the last two that I did, because I had  
4 to work overtime and even beyond the time I could be  
5 able to be here. So, I don't set my own hours.

6 MS. DONNA FATHKE: Well, I guess it  
7 doesn't go anywhere if we --

8 MR. RONALD HOOD: Well, we need one  
9 more in favor of it to pass it, according to what our  
10 bylaws say. So, I didn't ask for oppose; we didn't  
11 have enough in favor.

12 MR. RON LEVY: We can move on, I  
13 guess.

14 MR. RONALD HOOD: We're going to  
15 have to move on to something else then. You've got  
16 the RAB budget down here as the next item on yours.

17 MR. RON LEVY: Yes. And let me  
18 talk about that for just a little bit.  
19 Craig Branchfield, at the last RAB meeting, asked  
20 about the RAB's budget. And what I had mentioned was  
21 that we are budgeted twenty-four thousand dollars a  
22 year to support the RAB. And I happen to have the  
23 expert on RABs right here, too.

1                   In front of you, if you'll look, I  
2           think it's underneath the agenda, everybody got a  
3           sheet like this? Go ahead, find it, take a look.  
4           We'll show you what that budget has gone to, in terms  
5           of our expenditures, and where we are at this moment,  
6           as of June, in terms of funding that's still left.

7                   We've also projected here other  
8           requirements to this point, particularly -- well, what  
9           I actually projected was the transcripts, which is  
10          really the only consistent long-term cost against the  
11          RAB's budget. We do do printing for the RAB, as  
12          requested by the RAB, when they're looking for  
13          particular documents.

14                   But the point I made at the last  
15          meeting is that we really, as a RAB, have never looked  
16          hard at our budget, although I remember a couple of  
17          years back, I presented the budget at that time to the  
18          RAB and asked for some input about the budget.

19                   So, really what you're looking at  
20          is about nineteen thousand dollars that's still  
21          available to the RAB for its use. And that's going to  
22          relate somewhat to the TAPP money that we're going to  
23          get a briefing on here shortly.





1                   But the point I was trying to make  
2           was that there is money out there for the RAB's use  
3           that you ought to look at first before you even  
4           consider whether or not you want to request any TAPP  
5           dollars. In fact, there is some pretty stringent  
6           requirements associated with TAPP, and we'll get into  
7           that.

8                   MAYOR KIMBROUGH: What's the  
9           requirements on this money?

10                  MR. RON LEVY: The --

11                  MAYOR KIMBROUGH: Expenditure of  
12           this money? We've got nineteen thousand dollars left?

13                  MR. RON LEVY: Yes. And that's  
14           with our projecting, at this point, all the  
15           transcripts. Now, unless I have additional requests  
16           on printing. You know, you want an extra copy of the  
17           ASR report, you know, to go to each and every RAB  
18           member, which can get pretty expensive. There is no  
19           other defined requirements against that nineteen K  
20           that I've got there, because we've already projected  
21           out --

22                  MAYOR KIMBROUGH: What can we use  
23           that money for?

1 MR. RON LEVY: Karen, can you help  
2 us out and tell --

3 MS. KAREN WILSON: You can use the  
4 funds for anything administratively to run your RAB,  
5 and like if you hire a facilitator, you guys have  
6 hired a transcript person, so anything to facilitate  
7 the running of this meeting. But it's not for things  
8 like computers, buying equipment and stuff like that.  
9 You can't use it for things other than to run this  
10 meeting.

11 DR. BARRY COX: And you can't use  
12 it for travel, as another example, is it?

13 MS. KAREN WILSON: No, it's not  
14 supposed to be used for travel or training.

15 MAYOR KIMBROUGH: What about  
16 meetings?

17 MS. KAREN WILSON: You can use it  
18 --

19 MR. RON LEVY: To bring folks in to  
20 speak --

21 MAYOR KIMBROUGH: I mean, can we  
22 have --

23 MR. RON LEVY: -- to the RAB, that

1 type of travel is a different story.

2 MAYOR KIMBROUGH: -- (inaudible)

3 if we've got this much money?

4 DR. BARRY COX: For example, if the  
5 RAB said, I would like to have expert X to review the  
6 EE/CA and then present the results to the RAB, is that  
7 what you --

8 MS. KAREN WILSON: Yes, it is. And  
9 that kind of sounds like what TAPP was set up for.

10 DR. BARRY COX: Okay.

11 MS. KAREN WILSON: And it all  
12 depends, because you're supposed to use TAPP funds if  
13 you want to bring someone in or you want to hire your  
14 own contractor. And say, I want someone independent  
15 from the Army, so I'm going to apply for a TAPP. But  
16 to just go to Ron and say, Ron, we'd like you to bring  
17 in an expert, and there's no controversy over that,  
18 then he can use the RAB money to do that, to bring  
19 someone in.

20 MR. BART REEDY: Ron, you mind  
21 getting Karen to introduce herself?

22 MR. RON LEVY: Yeah. And I do need  
23 to introduce Karen. Karen Wilson is from the Army

1 Environmental Center. In fact, she happens to be the  
2 Army's point of contact for restoration advisory  
3 boards. And one of her other jobs is the TAPP  
4 program.

5 MS. KAREN WILSON: Uh-huh.

6 MR. RON LEVY: And she's going to  
7 speak to us about that in just a moment, although we  
8 really haven't gotten there yet, so --

9 MR. BART REEDY: Karen?

10 MS. KAREN WILSON: Yes.

11 MR. BART REEDY: On the question of  
12 getting somebody to review a document, I believe  
13 that's what you said.

14 MS. KAREN WILSON: Uh-huh.

15 MR. BART REEDY: That's kind of an  
16 outside contractor. Aren't there provisions, however,  
17 to have an expert brought in for presentations to the  
18 RAB -- just let me stand at that -- under the RAB  
19 dollars, themselves?

20 MS. KAREN WILSON: Yes. We look at  
21 -- the money for RABs is the same money, same money  
22 for TAPP, it's the same money that the Army uses to  
23 pay our salaries. It's all called program management.

1 And when we program funds for the RAB, then you're  
2 saying, okay, we want to use this money for  
3 administrative purposes to run the RAB. And then they  
4 go okay.

5 And for a TAPP to bring somebody in  
6 to provide technical assistance to this, to the RAB,  
7 we're going to call that something else. It gets a  
8 different number. It's pretty much a tracking  
9 situation. So, what we say for RAB administrative  
10 cost is, you know, if you have to -- some  
11 installations have to hire a hall, some installations  
12 have to hire a facilitator, and that's what that money  
13 is supposed to be used for. And if Ron needs to spend  
14 some money to get someone to come here to give a  
15 presentation to your RAB, then he would use that RAB  
16 administrative cost.

17 MR. RON LEVY: Yes. Mrs. Goodman's  
18 guidance, though, is to allow the RABs to have input  
19 into expenditure of those dollars. I've got the  
20 letter on that.

21 MS. KAREN WILSON: Right.

22 MR. RON LEVY: So, that's one of  
23 the reasons why we're bringing this up.

1 MS. KAREN WILSON: Right.

2 MR. RON LEVY: Now, I know it's --  
3 the concern there is, well, if it's so limited, what  
4 good is it.

5 MS. KAREN WILSON: But once a year  
6 we put in our requirements for RABs -- some  
7 installations, they ask for a thousand dollars, some  
8 installations ask for fifty thousand dollars -- and we  
9 sit down and look at what those requirements are and  
10 say, yes, that's valid.

11 There is this preconceived notion  
12 that DoD has told us, you can spend twenty-four  
13 thousand dollars a year on RABs, and that's not true.  
14 What happened was one year in 1997, DoD came and said,  
15 tell us how much money you've spent on RABs, and we  
16 don't want to hear about it if it's over twenty-four  
17 thousand, because they were -- they put a limit on it,  
18 but it was just that one year. And because they did  
19 it for that one year, there is this idea that that's  
20 the set amount is twenty-four thousand. But in  
21 reality, it was an average that they came up with.

22 And the Army has always said,  
23 installations ask for what you need. Many

1 installations don't ask for anything. Some  
2 installations, they have them in hotels, they hire  
3 facilitators, it gets very costly. But as long as  
4 they can justify that cost, we've never put a limit on  
5 how much money.

6 MR. RON LEVY: I've always stated  
7 in the past that if you're interested in having a  
8 particular expert come in and talk about things, that  
9 I'm prepared to do that. And that's one of the things  
10 that this money could be used for. But I don't know  
11 that we've ever gotten to the point where we've  
12 suggested as a RAB that we'd like to see, you know, X  
13 person come here.

14 MR. RONALD HOOD: Mayor Kimbrough  
15 had one comment here.

16 MAYOR KIMBROUGH: No. That's all  
17 right.

18 MR. RON LEVY: Is it something that  
19 you feel strongly about?

20 MAYOR KIMBROUGH: No.

21 MR. RON LEVY: Okay, let me propose  
22 this then, that you might want to think about what was  
23 just talked about, what we just talked about, in terms





1 of those dollars, and maybe during the next RAB  
2 meeting we can come back with some thoughts about what  
3 it is you might like to see done, given the  
4 limitations on the dollars and what we can and cannot  
5 do with them. I, in fact, could probably mail you out  
6 the Army guidance that we get on how we can spend  
7 those dollars and specifically what we can spend them  
8 on. I do have that that I can provide you all. We  
9 can put that in the mailings during the next go-round.

10 MR. RONALD HOOD: It appears that  
11 you're going to have a lot to turn back, honestly.

12 MR. RON LEVY: Well, that's what  
13 we've done in the past years, too. But I wasn't aware  
14 that twenty-four wasn't the cap. Of course, that's  
15 what I was told, so --

16 MS. KAREN WILSON: Well, what  
17 happened, in '97 when that happened, most of the major  
18 Army commands came up with their own guidance and  
19 said, you can have this much money.

20 MR. RON LEVY: That sounds like  
21 TRADOC.

22 MS. KAREN WILSON: So, that was  
23 more of a major Army command, it was not an Army

1 guidance. We have never put a cap on that.

2 MR. RON LEVY: Is there anymore  
3 discussion on that that we can move into a -- the only  
4 other old business was the attendance letters, and  
5 they did go out to Charles Turner and James Miller.  
6 And I can tell you, at this point, we did not get a  
7 response.

8 MS. JOAN McKINNEY: At this point,  
9 the June meeting, I believe is the six months for each  
10 of them. We brought that up at one of our meetings,  
11 if they didn't attend the June meeting, at that point  
12 we have the provision in our bylaws that the  
13 membership can go ahead and make the decision.

14 MR. RON LEVY: I guess, at this  
15 point, we can make a decision as a body as to whether  
16 or not we want to fill those positions or continue to  
17 wait to see whether we get a response or have those  
18 folks show up.

19 MS. JOAN McKINNEY: I did talk with  
20 Charles Turner, I happened to see him downtown, and he  
21 did indicate that he was afraid he was going to have  
22 to resign. And I encouraged him just to go ahead and  
23 send us a brief letter to let us know that so that we

1 could --

2 MR. RON LEVY: But our bylaws allow  
3 us to go ahead, anyway, without a letter of  
4 resignation and decide if we want to fill those  
5 positions.

6 MR. RONALD HOOD: It's been quite  
7 awhile since they attended.

8 MR. RON LEVY: Do you want to open  
9 this up for discussion and possibly a vote?

10 MR. RONALD HOOD: Do we have  
11 anything from last year's in here? I don't think they  
12 attended very many last year, either.

13 MR. RON LEVY: In terms of the --  
14 yeah, we've got something in here, in terms of what  
15 they attended.

16 MR. RON MASSEY: Are you talking  
17 about attendance records --

18 MR. RONALD HOOD: Yes.

19 MR. RON LEVY: Yes.

20 MR. RON MASSEY: -- for last year?  
21 Let me get that out of my office. I've got them.

22 MR. RONALD HOOD: I don't believe  
23 they attended very many last year, either.

1 MR. RON MASSEY: No, sir. And when  
2 we discussed this last time, we said that the bylaws  
3 say calendar year, so we did not include the absences  
4 that occurred in 1999.

5 MR. RONALD HOOD: Okay.

6 MR. RON LEVY: So, we decided we  
7 would start a new calendar year. And here it is six  
8 months in the calendar year.

9 MR. RONALD HOOD: That's true.  
10 Well, any discussion on, I guess, dismissing two  
11 members from the RAB?

12 MS. DONNA FATHKE: Well, do we need  
13 to give it to them, give them next month to make the  
14 six months or --

15 MR. RONALD HOOD: No.

16 MR. RON LEVY: This is the six  
17 months and they've missed --

18 MR. RONALD HOOD: This is six  
19 months. This is the sixth.

20 MR. RON LEVY: And they're not  
21 here.

22 MS. DONNA FATHKE: This is June.  
23 Excuse me.

1 MR. RONALD HOOD: What did we put  
2 in there? It used to be two-thirds. What does it  
3 say, now?

4 DR. BARRY COX: Majority.

5 MR. FERN THOMASSY: I think it's a  
6 majority.

7 MR. RONALD HOOD: Because I thought  
8 -- originally, we had it different for dismissing  
9 somebody.

10 MR. RON LEVY: Attendance, regular  
11 members may be removed if they fail to attend 50  
12 percent of the regular RAB meetings in a calendar  
13 year. I don't see what we're looking for.

14 MR. RON MASSEY: Here is 1999.  
15 They both attended November's of '99's meeting, which  
16 was the last scheduled meeting of '99.

17 MR. RONALD HOOD: Okay. Yeah.

18 MR. RON MASSEY: No, no, no, they  
19 missed some, but --

20 MR. RONALD HOOD: They missed some,  
21 but the attendance was a lot better last year. It's  
22 just neither one have been to any meetings in 2000.

23 MR. RON MASSEY: No, they have not.

1 MR. DONALD CUNNINGHAM: I mean,  
2 that's cutting a pretty fine line.

3 MR. RON LEVY: Selection of new or  
4 replacement members. Whenever there is a regular  
5 membership which is vacant, whether because of  
6 resignation, removal, or amendment of these bylaws,  
7 the RAB shall select new members, as follows: The RAB  
8 shall cause to be published and distribute  
9 applications for membership. The RAB shall affix a  
10 date by which applicants must submit their  
11 applications. The RAB shall enthusiastically solicit  
12 applications, but only if practical. Once the  
13 applications are received, the RAB shall review, make  
14 nominations, and vote upon the same.

15 Removal. Regular members may only  
16 be removed by an affirmative vote. Therefore --

17 MR. RONALD HOOD: It doesn't --

18 MR. RON LEVY: It doesn't discuss  
19 that.

20 MR. RONALD HOOD: We've never done  
21 anything like this before, so I sort of would like to  
22 make sure we did it correctly. So, I guess we remove  
23 that portion where it had to have anymore than a

1 majority.

2 DR. BARRY COX: That's right.

3 MR. RONALD HOOD: Well again, any  
4 discussion on the removal of Mr. Charles Turner and  
5 Mr. James Miller from the RAB?

6 MR. PHILLIP STROUD: Has there been  
7 any discussion to them directly, saying that this is  
8 going to happen?

9 MR. RONALD HOOD: Well, they sent  
10 them letters, and I understand they haven't gotten a  
11 response.

12 MR. FERN THOMASSY: When were those  
13 letters sent?

14 MR. RON LEVY: Do you know what the  
15 date of the letters were, Ron?

16 MR. RON MASSEY: 19 May.

17 MR. FERN THOMASSY: So, they're a  
18 month old.

19 MS. DONNA FATHKE: A month, yeah.

20 MR. PHILLIP STROUD: That's good  
21 enough.

22 MR. RON MASSEY: And they have  
23 remained on our mailing list. I mean, every month



1       they get the same thing you get. So, it isn't like --  
2       so, we have done nothing different with them, except  
3       send them the, "we miss you letter".

4                   MR. FERN THOMASSY: And there was  
5       discussion in a recent set of minutes about them by  
6       name --

7                   MR. RON MASSEY: Yes, sir.

8                   MR. FERN THOMASSY: -- and so they  
9       received those minutes, did they not?

10                  MR. RON MASSEY: Yes, sir, they  
11       did. Well, I can only attest that I sent them.

12                  MR. FERN THOMASSY: Right, same  
13       with the letters, yeah.

14                  MS. DONNA FATHKE: I recommend we  
15       do it.

16                  MR. WESTON: Recommend that we just  
17       send them a letter, appreciating their service up to  
18       this point, and let them know that, you know, they're  
19       no longer on the board, so when we elect somebody,  
20       they won't show up at the next meeting, thinking  
21       they're still on the board.

22                  MR. RONALD HOOD: Okay, well,  
23       they're still on the board until we vote to remove

1       them, though.

2                       DR. BARRY COX:  That's what he  
3       said.

4                       MR. RONALD HOOD:  So, you would  
5       like to handle it that way, if we do vote that way?

6                       MR. WESTON:  Yes.

7                       MR. RONALD HOOD:  Do we have any  
8       other discussion on the subject?  Do we have any  
9       motions?

10                      MR. RON LEVY:  Is that a motion  
11       that you made --

12                      MR. WESTON:  That's a motion.

13                      MS. DONNA FATHKE:  I second.

14                      MR. RON LEVY:  Do you want to  
15       rephrase your motion?

16                      MR. WESTON:  Motion is that we send  
17       them a letter --

18                      MR. RON LEVY:  A termination letter  
19       --

20                      MR. WESTON:  -- termination letter,  
21       effective whatever date, thanking them for their  
22       services up to this point, and let them know they're  
23       no longer on the board.

1 MR. RON LEVY: And informing them  
2 that we intend to take a vote --

3 MR. WESTON: Right.

4 MR. RON LEVY: -- for new members?

5 MR. WESTON: At the next meeting.

6 MR. FERN THOMASSY: And I would  
7 recommend that in the letter that goes to  
8 Charles Turner, we specially point out and thank him  
9 for his efforts as the first chair and put in our  
10 developing our bylaws, because he did quite a service  
11 for this organization in getting it started, and it  
12 would be nice to recognize that. And I think based on  
13 what Joan said, he certainly feels that he needs to  
14 leave the board.

15 MS. JOAN McKINNEY: Yes.

16 MR. FERN THOMASSY: And so it's not  
17 with any push or any bad feelings on either side, I'd  
18 think, in that process.

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

20 MR. RONALD HOOD: Has anyone spoken  
21 to Mr. James Miller about having an idea why?

22 MR. RON LEVY: We haven't talked to  
23 him personally, other than what's in the letter.

1 MR. RONALD HOOD: Okay.

2 DR. BARRY COX: We have a motion --

3 MR. RONALD HOOD: We have a motion,  
4 we do have a second on that motion.

5 MR. FERN THOMASSY: Did that motion  
6 include both people who were --

7 MR. WESTON: Yes.

8 MR. RON LEVY: Do you want to say  
9 the motion one more time?

10 MR. WESTON: For both members, a  
11 letter to them, you know, thanking them for their  
12 services up to this point, and letting them know that  
13 they'll be terminated effective whenever we come back  
14 around for us to have another meeting. That's it.

15 MS. DONNA FATHKE: I second the  
16 motion.

17 MR. RONALD HOOD: All those in  
18 favor? Any opposed? Motion is carried.

19 MR. RON LEVY: We will prepare the  
20 letters. And unless Ron wants it to go out under his  
21 signature, I'll send it out under mine.

22 MR. RONALD HOOD: Or we can both  
23 sign it. Whichever you feel is appropriate.

1 MR. RON LEVY: If we can get to  
2 you, we'll put your signature on it.

3 MR. RONALD HOOD: Okay. With that  
4 in mind, we need to be thinking about replacement  
5 members. And I'm going to go back to Ron. And do we  
6 still have lists and --

7 MR. RON LEVY: We certainly do.  
8 And what we'll do is provide -- what I suggest is we  
9 table this discussion until the next RAB meeting where  
10 we can prepare the applicants that we have, and  
11 present those to the board, that are still out there.  
12 And we can also start looking at soliciting for  
13 additional applicants. And I would tell the board  
14 members, if they want to nominate folks to go ahead  
15 and try to do that. And we'll provide you with the  
16 nomination forms, as well.

17 MR. RONALD HOOD: I guess the  
18 biggest thing I'm after is when should we shoot for  
19 actually having two new members? Obviously, it won't  
20 be the next meeting, but the following meeting, do you  
21 think possibly we could be to the point of voting on  
22 two new members?

23 MS. JOAN MCKINNEY: August meeting

1 is a community-scheduled meeting.

2 MR. RONALD HOOD: That wouldn't be  
3 a good time for that.

4 DR. BARRY COX: How long did it  
5 take last time?

6 MR. RONALD HOOD: Quite awhile.

7 MR. RON LEVY: I think part of the  
8 reason that took us so long was trying to get the  
9 applicants together. It took us awhile to put a pool  
10 together. We still have a pool, but --

11 MS. JOAN McKINNEY: I think there  
12 is about four in the pool right now, and we can do  
13 that. And if you'd like, we can mail out blank  
14 nominations for you in the mailing, in case you have  
15 another person.

16 It's also on the site, and I think  
17 you can download it and send it in to us, the  
18 application.

19 MR. RONALD HOOD: But by next  
20 meeting, I think everybody that's on the board should  
21 have a list or the fact sheet on the ones that we have  
22 now that have expressed an interest in the board. And  
23 we couldn't vote at the public meeting, but the

1 following meeting should be the minimum time we should  
2 allow for this. By then we should be able to vote on  
3 at least two new members, I would hope. We're talking  
4 three months from now.

5 Does anybody have any discussion on  
6 it, honestly? Come on.

7 MR. RON LEVY: Why don't you let us  
8 put something before you during the next RAB board?  
9 Because we can get wrapped around on this. Give us a  
10 chance to provide you some information on it during  
11 the next RAB board. We can show the applicants. We  
12 can go out, also, and try to do some soliciting. And  
13 at the same time, I can have us call around and talk  
14 to you each, individually. If you've got a name that  
15 you think you're interested in as a member, we can  
16 certainly approach that person about submitting an  
17 application.

18 But give us an opportunity to do  
19 that for you all, unless you just want to do something  
20 differently. But we can do the legwork and then  
21 present it to the board.

22 MR. RONALD HOOD: Okay. I would  
23 make a suggestion, since you seem to have a lot of

1 money here, is possibly a little bit of advertising  
2 somehow or another in the media to even let them know  
3 this board exists.

4 MS. DONNA FATHKE: Are we a  
5 non-profit organization? How are we organized?

6 MR. RON LEVY: Certainly  
7 non-profit.

8 MS. DONNA FATHKE: I mean, do we  
9 have articles of incorporation? Are we a (inaudible)?

10 MR. RONALD HOOD: I would assume it  
11 comes under the Army, I don't know.

12 MR. RON LEVY: Yeah, it's really an  
13 Army board, as opposed to a --

14 MS. DONNA FATHKE: Okay, I was just  
15 looking to see if we qualified for free advertising,  
16 but we don't.

17 MR. RON LEVY: If you can figure  
18 out how to do that, I would certainly go after it.

19 MR. RONALD HOOD: Well, that was my  
20 point, with nineteen thousand dollars or thereabouts,  
21 you might be able to buy some.

22 MR. RON LEVY: I would think that  
23 would be a good thing to do. That would be an



1 administrative cost, so, yes, we could do that. If  
2 that's what this board wants, we can go out with an  
3 advertisement and elicit for members, membership.

4 MR. RONALD HOOD: And I would  
5 suggest telling what the board does and what it is at  
6 the same time.

7 MR. RON LEVY: And we've done that  
8 in the past. When we originally established this  
9 board, that was something we did. We still have all  
10 of that information and probably can use it to  
11 resurrect. If you want to make a motion for us to do  
12 that, I'll be glad to.

13 MR. RONALD HOOD: Well, we're open  
14 for motions on that.

15 MS. DONNA FATHKE: I will move that  
16 we advertise for the new positions and include the  
17 mission of this board at the same time.

18 MR. RON LEVY: I would recommend  
19 that we advertise for positions, not -- you know,  
20 instead of saying two, that we're trying to get an  
21 applicant pool, as opposed to just stating we're  
22 looking for two positions.

23 MR. BART REEDY: Ron, if you



1 advertise for new positions, you might miss your three  
2 month cut-off period, because you'll have to evaluate  
3 all of those.

4 MR. RON LEVY: That's true.

5 MS. DONNA FATHKE: Well, we have  
6 plenty of time, if we're not going to be able to vote  
7 until September.

8 MR. RONALD HOOD: Uh-huh.

9 MS. DONNA FATHKE: Put the  
10 advertising in, we should be able to set a cut-off  
11 date in August some time.

12 MR. RONALD HOOD: Yes, that is  
13 quite a time.

14 MS. DONNA FATHKE: Before the  
15 August meeting so that we can hand out applications  
16 for our review and be prepared to vote.

17 MR. BART REEDY: The comment was  
18 not to say that necessarily take an ad explaining what  
19 the RAB is, that you have -- you know, you necessarily  
20 have to combine that with come and apply, we've got  
21 two positions. It could be just an ad saying, the  
22 Fort McClellan RAB meets on, yah-dah, yah-dah,  
23 yah-dah.

1 MR. RON LEVY: And we do that, now;

2 we tell the Anniston Star --

3 MS. JOAN MCKINNEY: Right, it goes  
4 in the -- it's always in the calendar section. It's  
5 not very large, but we can do a larger press release  
6 and make mini graphs out of it and hopefully hand  
7 carry it down and see if they'll run it for us.

8 MS. DONNA FATHKE: I would suggest  
9 we do a display ad.

10 MS. JOAN MCKINNEY: Okay.

11 MS. DONNA FATHKE: Because that  
12 will catch peoples' eye.

13 MS. JOAN MCKINNEY: Well, we pay  
14 for that and they'll do it.

15 MS. DONNA FATHKE: Exactly. Well,  
16 I mean, have the money to pay for it. But it sticks  
17 out, because it's in big, bold print then.

18 MR. RONALD HOOD: What do you  
19 think?

20 MR. RON LEVY: Again, we can do  
21 that, if that's what we want to do.

22 MR. RONALD HOOD: Is that still in  
23 the form of a motion?



1 MS. DONNA FATHKE: That's my  
2 motion, that we do a display ad, advertising for open  
3 --

4 MR. RONALD HOOD: Do we have a  
5 second on that motion?

6 DR. BARRY COX: Second on that one.  
7 (WHEREUPON, there was discussion off the record.)

8 MR. RONALD HOOD: Do we have a  
9 second?

10 MR. TOM TURECEK: Second.

11 MR. RONALD HOOD: All those in  
12 favor? I guess we're not going to do that then; we  
13 don't have anybody that's in -- any opposed? Nobody  
14 cares.

15 Well, I guess it's totally up to  
16 you then, since you control the purse strings, anyway,  
17 as to whether you do it or you don't do it.

18 MS. DONNA FATHKE: Couldn't that  
19 just be an administrative duty?

20 MAYOR KIMBROUGH: We have how many  
21 applications on file?

22 MR. RON LEVY: Four she said.

23 MR. RONALD HOOD: Four.

1 MS. JOAN McKINNEY: Yeah, we have  
2 about four, I think. And the process that we normally  
3 do, if you remember, is we take those existing ones,  
4 we call the folks and ask them if they're still  
5 interested in serving, and we get the answers and we  
6 give you all packages of who they are and then we go  
7 from there and you make your selections.

8 MS. DONNA FATHKE: How have those  
9 four names been pulled in, through advertising or just  
10 word of mouth?

11 MS. JOAN McKINNEY: Well, either  
12 from nominations from the board or a year ago we went  
13 out with the press and with media, and these folks are  
14 still remaining on and want to keep their nominations  
15 still in the file. So, you know, we get them through  
16 a variety of ways.

17 MR. JERRY ELSER: Why don't we  
18 contact those four or five, whatever we have --

19 MS. JOAN McKINNEY: That's what we  
20 usually do, right.

21 MR. JERRY ELSER: -- and see if  
22 they're still interested?

23 MS. JOAN McKINNEY: Right.

1 MR. JERRY ELSER: And we should be  
2 able to pick two from those --

3 MS. JOAN MCKINNEY: That's kind of  
4 what we've done in the past, used the existing pool.

5 MS. DONNA FATHKE: Well, like I  
6 said, if it's been a year since we advertised, it  
7 seems to me that we need to advertise again.

8 MR. WESTON: I don't think we need  
9 to advertise again. If we have some candidates, let's  
10 pick from the candidates we presently have so we don't  
11 prolong this thing any longer.

12 MR. JERRY ELSER: Apparently, those  
13 people were interested --

14 MR. WESTON: Right.

15 MR. JERRY ELSER: -- or they  
16 wouldn't have --

17 DR. BARRY COX: I move that we go  
18 on to new business, sir.

19 MR. RONALD HOOD: Do we have a  
20 second on that one?

21 MR. WESTON: Second.

22 MR. RONALD HOOD: All those in  
23 favor? Any opposed? Let's go.



1 MR. RON LEVY: One thing I wanted  
2 to do before we even got into Karen's TAPP  
3 presentation was to get Miki to give us a real quick  
4 update on what's going on with the JPA before we move  
5 into this new business here.

6 MS. MIKI SCHNEIDER: Real quick.  
7 Preparing for the transfer of the phase one property  
8 in July. The surveyor is on the ground. You'll see  
9 little orange stakes everywhere as you're driving in,  
10 having the first fifteen hundred or so acres of land  
11 surveyed.

12 We sold the school or leased the  
13 school and will be selling the school ultimately to  
14 Sacred Heart. They are now in the building, have the  
15 keys, and the plywood is off the windows and they're  
16 moving along nicely in school. Doors will open August  
17 17th.

18 The board voted to support the sale  
19 of three hundred and fifty units, housing, Capehart  
20 housing units on Avery, Little Brandt (phonetic), the  
21 Baker housing area, and along Baltzell Gate Road to a  
22 company out of Birmingham with a local contractor,  
23 LAH, Lawrence, Aarondall (phonetic) and Humphrey is

1 the company out of Birmingham. We're currently  
2 meeting with them once a week, fine tuning the  
3 contract, and coming to an agreement on exactly what  
4 they will do with the housing units, how much they'll  
5 sell for, the renovations that will go into every one  
6 of the units, what the amenities will be that they'll  
7 be offering. We even have them out putting Xs on  
8 every tree they'll cut down so that we understand  
9 exactly what trees will come down and which trees will  
10 not. They are going to be building some new homes.

11 So, they're moving along nicely.  
12 And we hope to have that finalized some time in July  
13 or early August.

14 We are negotiating currently with a  
15 developer for the Buckner Circle area, for some of the  
16 big administrative buildings, as well as the  
17 twenty-two officers' houses and the Remington Hall,  
18 the building where the paintings are. I'm not sure  
19 where that's going, but we're moving slowly with that  
20 one.

21 State police academy, our board  
22 will be voting on that tomorrow morning. Currently,  
23 the state police academy is in Selma, and they are



1 considering moving up here and bringing their entire  
2 operation to McClellan and using one of the starships  
3 to house that academy.

4 And JSU, that negotiation is moving  
5 along nicely. Dr. Cox and I will be working on that  
6 with our board in the morning. And we hope to  
7 finalize that public benefit conveyance and have JSU's  
8 lease, which will be an ultimate transfer of the  
9 property to them, of the MP school and the buildings  
10 across the street from the MP school, the old  
11 barracks.

12 And Auburn's board of directors  
13 approved the transfer of the ninety-nine year lease  
14 with Auburn. They approved that last month. And  
15 we're finalizing the details on that. And Auburn,  
16 hopefully, will be up here fairly soon. They already  
17 have a sign up here and they're moving along nicely  
18 with their canine training and working to get that  
19 program moving.

20 That's where we are. If I can  
21 answer any questions or put any rumors to rest, I'll  
22 be glad to.

23 MR. RONALD HOOD: I do have one.

1 MS. MICK SCHNEIDER: Yes, sir.

2 MR. RONALD HOOD: And this is  
3 rumor, I guess. With the same contract for the  
4 housing, they were saying they were going to remove or  
5 demolish a lot of the larger complexes, housing  
6 complexes.

7 MS. MIKI SCHNEIDER: No, sir.

8 MR. RONALD HOOD: The four-plexes,  
9 (phonetic) etcetera?

10 MS. MIKI SCHNEIDER: No, sir. At  
11 one point, one of the developers that we had talked to  
12 had discussed what we call the north Baker area, they  
13 had discussed doing some demolition work, but this  
14 contractor -- this developer, rather, the four-plexes  
15 that are in the north Baker area that back up to that  
16 baseball field, that will be turned into an apartment  
17 complex area, and they will actually -- LEH will  
18 manage that area, and it will be apartments and  
19 rented. The rest of the housing units will be sold --

20 MR. RONALD HOOD: Okay.

21 MS. MIKI SCHNEIDER: -- that they  
22 bought.

23 MR. RONALD HOOD: How about over in

1 the Summerall area, Summerall Road?

2 MS. MIKI SCHNEIDER: Those houses  
3 were not in the negotiation.

4 MS. DONNA FATHKE: So, Auburn got a  
5 lease? I thought they got a public benefit  
6 conveyance.

7 MS. MIKI SCHNEIDER: Ninety-nine  
8 year lease.

9 MS. DONNA FATHKE: And JSU, what  
10 are they going to put in there?

11 MS. MIKI SCHNEIDER: JSU will have  
12 a five year lease and ultimate transfer of the  
13 property. Title will be deeded to them.

14 MS. DONNA FATHKE: And what  
15 functions are they going to have there?

16 MS. MIKI SCHNEIDER: They will have  
17 -- their continuing education program will move there.  
18 Help me.

19 DR. BARRY COX: In-service center  
20 --

21 MS. MIKI SCHNEIDER: Higher ed --

22 DR. BARRY COX: -- the higher ed  
23 center will be there. We're going to move -- our new

1 on-line 911 center will be there. We're going to be  
2 training 911 operators by way of the internet. We'll  
3 move that operation out there. That will start in  
4 September.

5 We have two or three other  
6 initiatives that are in the works, that if they come  
7 through, they'll be out there, also. Also, there is a  
8 potential for Gadsden State's Anniston campus to move.  
9 There is a possibility.

10 MS. MIKI SCHNEIDER: We're excited  
11 about that, JSU.

12 MR. RON LEVY: All right. Well,  
13 let's move on. Now is where I get to introduce Karen  
14 Wilson. As I told you, she's from the Army  
15 Environmental Center. She's the POC on RABs for the  
16 Army, as well as doing the work as it relates to the  
17 technical assistance for public participation, which  
18 is what TAPP stands for. And Karen is going to talk  
19 to us about the program and how it works and what, if  
20 anything, a RAB would do if they were looking to  
21 request TAPP.

22 MS. KAREN WILSON: Okay. Thank you  
23 very much for inviting me here today. I do work at

1 the Army Environmental Center and I am the Army point  
2 of contact for the RAB program. One of my functions  
3 is to participate in the Department of Defense's RAB  
4 working group. And this working group is made up of  
5 the Army, Navy, Air Force, Defense Logistics Agency,  
6 and we meet every so often and go over all of the  
7 different -- the guidance that's going to come out and  
8 the different aspects of the RAB program.

9 This working group, I wasn't a part  
10 of it in '94 when it developed the RAB program. This  
11 working group also developed the TAPP program. And I  
12 kind of came in when they were just starting to  
13 develop the TAPP program. And we often refer to the  
14 working group as the RAB TAPP program.

15 So, without RABs, there wouldn't be  
16 a TAPP program. So, we kind of look at them as hand  
17 in hand, basically the same program, just a different  
18 aspect of it.

19 Tonight, I just want to go over  
20 some of the basics of TAPP, what is it, how did it  
21 begin, who's it for, and how you can, as a RAB, get  
22 assistance, if you so desire. Basically, TAPP is a  
23 mechanism for the Army to go out and provide you with



1 a contractor to review and discuss scientific and  
2 technical aspects of cleanup. That's what it is, is  
3 to get the community members of the RAB a contractor  
4 to go over scientific and technical aspects, to, if  
5 you don't understand the risk assessment quite and  
6 you're not -- and the contractors on post haven't  
7 really been able to explain it to your satisfaction  
8 and the Army hasn't been able to bring in an expert to  
9 really explain it to you, then you can hire your own  
10 contractor to go out and provide you that service  
11 through the Army chain.

12 And the goal is so that if you have  
13 a problem with a particular aspect of the cleanup  
14 program, that you can understand it so you can provide  
15 better input, so you can voice your opinion on what  
16 you like or dislike about a remedial action technology  
17 that is being proposed.

18 Next slide. This all began,  
19 really, with -- the TAPP program began as part of the  
20 RAB program. In 1993 there was this committee called  
21 the Federal Facilities Environmental Restoration  
22 Dialogue Committee, and it was made up of all the  
23 services, the Department of Energy, the Department of

1 Interior, any federal facility, the EPA, several state  
2 organizations, the Sierra Club. It was a big  
3 committee.

4 And they got together and met and  
5 decided, this is what we think you need to do in order  
6 to really improve your cleanup programs. And one of  
7 the things that they said was, federal facilities, you  
8 need to go out and get community input to your  
9 program. And because we're not all experts about  
10 environmental cleanup, you need to provide them with  
11 some sort of technical assistance, once you get this  
12 community together, local communities around the  
13 installation. So, that was their recommendation.

14 And then the National Defense  
15 Authorization Act of 1994, the Authorization Act is  
16 the law that Congress puts forth to say to the  
17 military, this is how you need to do your work, this  
18 is how you need to do cleanup, and they put it in the  
19 Authorization Act. In 1994, Congress put together the  
20 Authorization Act and said, it's now law, DoD, you  
21 have to go out and get community input concerning your  
22 restoration activities, your restoration program.  
23 And, oh, by the way, when you get that community

1 input, make sure that you come up with a plan so that  
2 they have some sort of technical assistance.

3 And so in 1994 the Department of  
4 Defense developed the RAB program. They said,  
5 restoration advisory boards, this is the way we're  
6 going to go with community input, and they developed  
7 that program. But they also started initiating, how  
8 can we provide technical assistance to the RABs, but  
9 kind of got sidetracked because they were focusing  
10 more on developing the RAB program.

11 By 1996 the Congress put into law  
12 and said, okay, you now have RABs so we want you to  
13 now go and focus on that technical assistance that  
14 we've been telling you about all along. And so they  
15 set certain limitations in that law for the TAPP  
16 program.

17 And from '96 to '98, we really  
18 worked on developing and coming up with rules and  
19 regulations for TAPP. And that came out in the TAPP  
20 Rule in 1998, a rule as opposed to the Authorization  
21 Act. The Authorization Act is a law, the rule is how  
22 you're going to implement that, that law.

23 So, next slide. That's sort of how

1 the program got started was back at this meeting that  
2 they had in '93. One of the things that the  
3 Authorization Act of '96 said, was: You've developed  
4 this RAB program for community input, so we're going  
5 to limit technical assistance to the public, to  
6 members of the community, members of the RAB and the  
7 TRCs. Which the TRCs were the forerunners of  
8 restoration advisory boards, were the technical review  
9 committees. And they didn't want just people -- the  
10 community looking at it and saying, oh, I'm a  
11 community member, give me some money.

12 So, that's why they kind of started  
13 putting limitations on it. They said you had to be a  
14 community member RAB, and then you have to have at  
15 least three community members in your RAB to actually  
16 apply for this assistance. It's not really a problem  
17 for an organization like you. You have a lot of  
18 people participating in your RAB. But these technical  
19 review committees, historically, they only have one or  
20 two committee members. So, that was why they put that  
21 limitation on there was because, well, we're not going  
22 to go through all this effort of providing assistance  
23 for one or two people.

1                   And then they said, the law said,  
2       well, you have to demonstrate that you need technical  
3       assistance. We don't want to -- a RAB might not  
4       actually want to be told about risk assessments or  
5       want to be told about remedial technologies. So, you  
6       had to demonstrate a need for that technical  
7       assistance. I think demonstrate's a little bit of a  
8       harsh word. You had to just ask for it, basically,  
9       something specific, instead of just expecting to get  
10      it.

11                  And then the rule also said, the  
12      majority of the community members have to agree. If  
13      you have three community members on your RAB and you  
14      decide you want to get TAPP, you have to have -- at  
15      least two of them have to want it. And if you have  
16      twenty people, then you have to have at least ten  
17      people who want this TAPP. And it's to keep people  
18      from -- when this first came out in '98, there was a  
19      lot of RABs that were sitting there and one person was  
20      saying, hey, we're going to do this, and the other --  
21      you know, the rest of the group was saying, no, well,  
22      we don't really want to do this. So, it's to keep one  
23      person from controlling the program.

1                   And I put down here on the bottom,  
2           it's not really for citizens or special interest  
3           groups or LRAs. In the beginning in '98 we had a lot  
4           of LRAs come forward and ask for TAPP funds.

5                   So, next slide. So, basically, you  
6           have a RAB, you have more than three people, and the  
7           majority want to have a TAPP project. What's the  
8           other criteria for obtaining TAPP? This comes  
9           directly out of the law. It's kind of -- in some ways  
10          it's very vague, it's very repetitive. I have a hard  
11          time distinguishing between the three conditions, but  
12          these are the three conditions. That you have to have  
13          a specific technical assistance project. If you  
14          decide, oh, I want risk assessment to be explained to  
15          me, that's a specific project. If you say, I want a  
16          contractor to come in and review all the RIFs on the  
17          installation and explain it to us and give us a  
18          report, that's a specific project.

19                   We have had five TAPPs in the Army.  
20          Two of them took over a year to get the TAPP awarded  
21          and it was because they did not have a specific  
22          project, they just wanted to hire a contractor to sit  
23          in on the TAPP meetings and check to see if anybody

1       ever said anything wrong. And so that was very hard  
2       and difficult to get them to focus in on a specific  
3       task.

4                       The other thing that came out was  
5       that, you know, most of the -- there is the federal,  
6       the state, and the local agencies that oversee these  
7       programs. They have a lot of experience and a lot of  
8       expertise. So, the law said, you have to go out first  
9       and make sure that it's not available already, that  
10      your expertise that you're asking for is not available  
11      already.

12                     So, it's kind of like what we were  
13      talking about earlier on spending money. You'll see  
14      that this is an involved process to get TAPP. And if  
15      it's already available to you and the Army can go out  
16      and use administrative funds to bring someone in, what  
17      is the point? So, the law said, hey, you have to  
18      check first. And if it's not available, then you can  
19      apply for TAPP.

20                     But just like I said, there is an  
21      awful lot of expertise within the military, within the  
22      state and federal government. It should be available.  
23      But they put in this provision that if the community

1 members desire for an independent and objective  
2 viewpoint for a specific topic, then they can get it,  
3 too. And what they're trying to say is: As a  
4 community member, you might be sitting here saying,  
5 well, I don't believe the Army. I really don't  
6 believe the Army. I want somebody independent to come  
7 in and tell me either that what the Army is saying is  
8 correct or what the Army's saying is not right. And  
9 that provision allows almost any RAB to get a TAPP  
10 project.

11 And then the last provision was  
12 that before TAPP is requested, a RAB has to check  
13 other sources of assistance to see if it's available.  
14 And what they were saying here is, there is  
15 installation contractors that might come and assist  
16 you in reviewing your RIFs, in writing up a report,  
17 local university. We have one -- volunteers, we have  
18 one RAB out in California where there are three  
19 environmental contractors on the RAB that routinely  
20 provide assistance to the RAB at no cost, because  
21 they're a part of the organization.

22 And then one of the other sources  
23 to consider is the Environmental Protection Agency.



1 They have two programs, the technical assistance  
2 grants or TAGs and TOSC, the technical outreach  
3 services for communities. The difference in these two  
4 is that technical assistance grants are strictly for  
5 MPL installations. And I'm not sure -- you're not an  
6 MPL installation, are you?

7 COLONEL DAVID TREUTING: Oh, no.

8 MS. KAREN WILSON: So, you would  
9 not qualify for TAG, and -- although the technical  
10 outreach services for the communities is for non-MPL  
11 installations. Now, if you have a TAG or a TOSC, then  
12 it doesn't necessarily mean that you can't have TAPP,  
13 but it cannot be for the same project. We had an  
14 installation that had a TAG that wanted to use TAPP to  
15 extend their TAG grant -- wanted to extend -- the TAG,  
16 I think, was fifty thousand dollars, and they wanted  
17 to add twenty-five thousand dollars to their provider.  
18 And so they wanted to come through and use TAPP and  
19 they couldn't do that.

20 Next. So, the Army set forth and  
21 said, here, if you guys want a TAG -- or if you want a  
22 TAPP project, come and we'll assist you in getting a  
23 contractor. And how we do that is, the RAB community

1 members come forth and say, yes, I identify a project,  
2 I have demonstrated need, I would like this. And the  
3 government is going to provide this contractor to you,  
4 using government purchase orders.

5 And what happens is you apply --  
6 there is an application form. It's very simple. And  
7 the RAB community members get together, fill it out,  
8 say, I would like to hire a certain contractor to come  
9 in and explain risk assessments.

10 And they send that forward to the  
11 installation commander. And now the installation  
12 commander says yes or no. And if he says, yes, then  
13 it's sent off to the contracting office. And the  
14 contracting office puts together a government purchase  
15 order. And the contracting office comes to the  
16 community members of the RAB and says, do you have  
17 anyone that you particularly want. The whole point is  
18 to get the community members a contractor that they  
19 want.

20 And if you don't have anyone,  
21 that's okay, but if you do have someone, the  
22 contracting office will consider them. And if the  
23 commander says, no, I think they have to give you a



1 reason as to why they said no, and they have to give  
2 you an alternative like maybe, I think you should  
3 check with the center for expertise in Nebraska first  
4 to see that, you know, that that risk assessor is not  
5 available. But the commander, he's the one that says  
6 yes or no. But he has to provide you with a reason.

7 Now, the TAPPs are limited to  
8 twenty-five thousand dollars a year per RAB or 1  
9 percent of the cost to complete, whichever is -- I  
10 think it's less. Yeah. Whatever -- less than  
11 twenty-five thousand.

12 So, we had a TAPP project, the Navy  
13 had in California, they had five different  
14 contractors, five different tasks. I think it was  
15 like five thousand dollars apiece, so they set it up  
16 so that you could have different tasks, different  
17 contractors, as long as it totals twenty-five  
18 thousand, that's the limit per year, and then overall  
19 it's a hundred thousand per RAB. So, if you have a  
20 twenty-five thousand dollar TAPP project every year  
21 for four years, then that's it, that's the limit.

22 MR. RON MASSEY: You're tapped out.

23 COLONEL TREUTING: Tapped out.

1 MS. KAREN WILSON: We're hoping  
2 that the Army contracting mechanism of using the  
3 purchase orders minimizes the burdens to the community  
4 members. Basically, the community members write up  
5 what their project is, they put it on the application,  
6 it goes to the contracting office, and then the scope  
7 of work is written up. But the application form is  
8 very simple. Government purchase orders can be very,  
9 very quick. They have a built-in competitive -- the  
10 process that they use does have a built-in competitive  
11 basis to it.

12 And then the assistance actually  
13 for TAPP comes directly to the RAB members. So,  
14 you've basically hired yourself a contractor. But it  
15 does have to come through the Army channels, the  
16 contracting office channels, because we cannot give  
17 money -- an installation cannot just give money to an  
18 outside organization, even if it is the RAB. We're  
19 giving it to the private sector, so it has to go  
20 through the chain, it has to go through the  
21 contracting mechanism, but the assistance really is to  
22 you. You are the one telling your contractor what it  
23 is you would like, but you're doing it through a

1 contracting officer's representative. Which I'll kind  
2 of cover in a couple of minutes.

3                   Next. The application form is  
4 really simple. There is eight different sections to  
5 it. One section is the installation name, that's how  
6 simple it is. The source of the TAPP request would be  
7 the RAB. There is a section on there for majority.  
8 You have to certify that you have a majority. And you  
9 have to put down a community member POC. Usually,  
10 that is the cochair, the community cochair would be  
11 the person who kind of leads it or you can get  
12 together as a group and designate someone to be your  
13 TAPP POC.

14                   And this is -- the big section is  
15 the project title, type, purpose, and description.  
16 That's where you would say, I would like a contractor  
17 to review the risk assessment and provide us with a  
18 report explaining the different aspects of this risk  
19 assessment. That's where you would lay out what it is  
20 that you want.

21                   And there is a project statement of  
22 eligibility. I'll cover eligibility in a couple of  
23 minutes. But it's just where you review the list of

1       what's eligible and what's not, and you say, yes, this  
2       is eligible.

3                       And then if you had a specific  
4       provider that you wanted, if you had a specific  
5       contractor that you know of, say there is a professor  
6       at the local university that you want to come in and  
7       explain ground water in karst, you can propose that  
8       name, and then the contracting office will make sure,  
9       if they are eligible, that they get considered.

10                      And then finally some RABs have had  
11       specific criteria. They don't really have a  
12       contractor that they want, but they have specific  
13       criteria, they want it to be small business, they want  
14       it to be, you know, specializing in certain areas.  
15       So, they will -- there is a space on that application.  
16       But that basically is the application for TAPP.

17                      These are the people that are the  
18       big players in the TAPP process. The community  
19       cochair pretty much leads, the community co-chair or  
20       whoever is designated to be the TAPP POC. They're the  
21       ones that would sit down with you and you would put  
22       together the application, would submit the application  
23       to the Army co-chair, and would be the liaison between

1 the contracting officer and -- now wait, I'm sorry --  
2 the co-chair, the Army co-chair is the liaison between  
3 the community co-chair and the contracting office.  
4 The Army co-chair also would be the one that would put  
5 together the scope of work, would most likely be the  
6 contracting officer's technical representative.

7 In the contracting world there is  
8 -- the contracting office is really -- they're the  
9 main guys, they're the head guy, and whatever they say  
10 goes, so once the installation commander approves or  
11 disapproves it and sends it -- or approves it and  
12 sends it over to the contracting office, then they are  
13 the ones that control everything. And they're so  
14 legally bound by what they do that you have to pay  
15 attention to the contracting office. And they have  
16 their technical representative, which is usually the  
17 Army co-chair.

18 Next. Here is a list of the  
19 eligible projects, the type of projects that you can  
20 apply for a TAPP award. Interpretation of technical  
21 documents. Of the five that we have, three of the  
22 TAPPS that we -- the Army has are specifically to  
23 interpret or interpret technical documents, RIFs. We





1 have one on review on proposed remedial technologies,  
2 where they're -- it's pretty much they're at the FS  
3 phase, and they're looking at all the different  
4 technologies. The RAB wants to see which one they  
5 really think is right, so they hired a contractor to  
6 come in and give them an independent review, outside  
7 of the Army.

8 We haven't had anybody use it to  
9 participate in the relative risk site evaluation, but  
10 we have had one also use it to do the risk  
11 assessments. Actually, two, we've had two that have  
12 applied for TAPPs for risk assessment evaluations.

13 And training is listed as  
14 appropriate. Basically, what that means is, you can't  
15 use TAPP to send a RAB member off to some conference  
16 or off to training or to take a certain class at a  
17 university. Training for TAPP has to be for the whole  
18 group and it has to be to bring somebody in.

19 So, as we were talking earlier, you  
20 can use RAB administrative funds to do that, but if  
21 you want a specific person that you want to be  
22 independent, you want to go through this process, you  
23 can use TAPP to provide training for all the members

1 here. You cannot use it to send people off to  
2 different training classes. So, it's kind of limited.

3 Next. Now, what's ineligible? The  
4 Army has been designated by the President to be  
5 responsible for the cleanup of an installation. So,  
6 we cannot have -- we can't be paying independent  
7 contractors to come in and actually do studies for us.  
8 We have been told, you will go out and investigate  
9 this. So, we don't use TAPP to generate new data.  
10 Say the RAB disagrees with the location of a well and  
11 they say, we want a well over here, you can work  
12 through your RAB to get the Army to do that, but you  
13 cannot use TAPP to go out and put a well in.

14 You can't use TAPP for litigation.  
15 Say you decide as a group you want to sue the Army,  
16 you can't use that to litigate. You can't use it to  
17 open final RODs. You can't use it to actually do a  
18 study, like a health study. If a health study is  
19 really needed, then the Army needs to go through the  
20 proper organizations to get a health study done.

21 And it's not really to be used for  
22 community outreach. The program -- the Army's  
23 program, we've already have those costs built in, we



1       should be out there doing community outreach, so TAPP  
2       is really supposed to be for really scientific and  
3       technical issues type thing.

4                       And then finally it's not for  
5       general contractor support. It kind of goes back to  
6       what I said before, we had a lot of RABs that just  
7       wanted to hire somebody to sit there and say, did  
8       somebody say something wrong. So, those are the  
9       ineligible projects.

10                      Next. Now, after a project is --  
11       say you've gone out and you've hired your risk  
12       assessor and they've done an interpretation on your  
13       document that -- or on the risk assessment that is  
14       different from what the Army's interpretation is, or  
15       maybe it might be the same, but the Army should be  
16       prepared to incorporate the findings of a TAPP project  
17       into the restoration program. And we have actually  
18       had that happen at Picatinny Arsenal in New Jersey  
19       where a TAPP project was instrumental in pointing out  
20       something that had to do with a remedial action. Not  
21       real sure what the details were, but I know that they  
22       used that TAPP, that project to change how they were  
23       going to do their remedial action.

1                   So, the Army -- if it's warranted.  
2           If it's not warranted, you know, then the change won't  
3           happen, but the Army is responsible for trying to  
4           incorporate the findings of TAPP.

5                   And then the Army and the RAB are  
6           obligated to make sure that the outcome of the TAPP  
7           project is available to the community at large. And  
8           usually that happens through the information  
9           repository.

10                   Next. And the RAB, after you've  
11           gone out and you've hired your contractor and they've  
12           provided you with their report, you are responsible  
13           for providing -- reporting back to the Army, as to  
14           whether or not you thought it was a success, whether  
15           or not it was worthwhile. The close-out report is  
16           really informal. And basically it's a statement of  
17           what the project was and whether or not you were  
18           satisfied with it.

19                   Next. So, in summary -- I'm almost  
20           done. Hang on. It's getting late -- this is the  
21           process. The RAB identifies the need, they develop a  
22           project, the RAB prepares the request, the RAB gets it  
23           approved by the installation commander, and then they



1 work, the RAB works with the installation during the  
2 contracting process and during the actual contract,  
3 and then they report back on the success of the TAPP.

4 Next. In summary, TAPP is for  
5 community members of RABs, it's for independent  
6 technical assistance, it's not for if you want to go  
7 take some class or it's not for non-technical type of  
8 assistance. You have to demonstrate a need and --  
9 specifically for scientific and engineering projects.  
10 And then the limit is twenty-five thousand a year or a  
11 hundred thousand for the life of the RAB.

12 One more. And there are resources  
13 available, if you decide you want to consider TAPP.  
14 This just came out. It's a handbook that really  
15 covers everything. It has the application form in it,  
16 it covers all the rules and responsibilities, how you  
17 process the purchase order. It's a pretty good  
18 document. I have a couple of copies here I'll leave  
19 for you. And it just came out in February. Several  
20 installations were waiting and waiting and waiting for  
21 it. It's all DoD's fault, not the Army's fault.

22 The TAPP Rule is available. It's  
23 February '98. Like I said, that is the process, the



1 whole implementation process. And then we have some  
2 guidance documents that involve TAPP. What I have  
3 found to be the best is the DoD website. If you have  
4 a computer, that website is for RABs and for  
5 environmental cleanup, in my mind, is the best, is the  
6 DoD one, it's very helpful.

7 And that's all I have. Anybody  
8 have any questions?

9 DR. BARRY COX: When you said  
10 review of an eligible document, could you write it for  
11 multiple documents or do you have to write a new  
12 request for each document you want reviewed?

13 MS. KAREN WILSON: No, you would  
14 write it for as many documents as you wanted reviewed.  
15 And you want to also state what you expect out of it.  
16 Do you Expect a summary report? Do you expect -- but,  
17 yes, multiple documents, because it's almost not  
18 worthwhile --

19 DR. BARRY COX: I understand --

20 MS. KAREN WILSON: -- to hire to do  
21 one document.

22 DR. BARRY COX: That's the reason I  
23 said document, I assumed we could do it for multiple.

1 MS. KAREN WILSON: And the only  
2 thing that we have seen is I know Twin Cities Army  
3 Ammunition Plant up in Minnesota has a TAPP for review  
4 of documents. And they have their schedule there,  
5 when they expect them to come out, because -- when  
6 they expect their RIFs to come out, when they expect  
7 it to be reviewed. You kind of have to consider all  
8 of those things. So, they had several documents. I  
9 think they had like twelve documents on their TAPP.

10 DR. BARRY COX: When you said  
11 eligible for contract, what does it take, what are the  
12 criteria for a contractor to be eligible to receive  
13 TAPP money?

14 MS. KAREN WILSON: There are  
15 certain criteria, like they have to be -- to the  
16 contracting office. The contracting office is the  
17 person who's going to make the designation as to  
18 whether they're eligible or not. And that would be,  
19 is it somebody who's related, who has the expertise?  
20 Is it someone -- a professor or a consulting firm that  
21 has expertise in environmental? That they would have  
22 to be able to meet that criteria of the contracting  
23 office. I don't know what it is, specifically, but,

1       you know, something in the related field.

2                       DR. BARRY COX:  And just for  
3       clarification, do we have to exhaust the RAB money  
4       before we apply for a TAPP or how is that?

5                       MS. KAREN WILSON:  No.  TAPP,  
6       that's one thing about TAPP and RAB administrative  
7       cost is, there is no separate pot of money out there.  
8       A lot of installations were thinking, oh, got to have  
9       my hundred thousand, just give it to me.  But, no,  
10      it's actually two separate things.  We don't consider  
11      TAPP RAB administrative funds, so, no.  Well, Ron  
12      would just have to program for it.  He uses a  
13      different code for anything that --

14                      MR. RON LEVY:  But the funding that  
15      we've got programmed out that we're spending this  
16      fiscal year, that we've got defined for next fiscal  
17      year, in other words, she's saying there is no new  
18      money out there.  We would have to essentially split  
19      off what we've got now to pay for it.  So, instead of  
20      it going to X program, you know, I would pull that  
21      money to use it for the TAPP.

22                      MS. KAREN WILSON:  Uh-huh.  And he  
23      could easily do that.  Just like the RAB money, if you

1       decided you wanted to go with TAPP and it was only ten  
2       thousand versus -- and you had nineteen thousand, you  
3       could use that. He would just have to reprogram it.

4                   DR. BARRY COX: So, what you're  
5       saying is that if we got a TAPP grant, Fort McClellan  
6       would not receive any money, they would just have to  
7       use the existing money to fund the TAPP?

8                   MR. RON LEVY: What's existing, in  
9       terms of what's been programmed --

10                  MS. KAREN WILSON: Yes.

11                  MR. RON LEVY: -- and approved.

12                  MS. KAREN WILSON: Except for one  
13       thing; that is, the Army supports the TAPP program. I  
14       know the Army leadership has said this: If an  
15       installation came forward with a TAPP request and it  
16       was valid and it was eligible and it was a good, solid  
17       project, the Army is not going to turn it down at  
18       twenty-five thousand dollars, but that's not to say  
19       that somebody's not going to have to look for that  
20       money somewhere else.

21                   If Fort McClellan doesn't have it,  
22       then Ron's chain is going to have to find that  
23       twenty-five thousand someplace else. So, I don't -- I

1       can't see us saying that you're going to -- an  
2       installation commander is going to say, I'm sorry, I  
3       don't have the money, unless he's looked -- I mean,  
4       usually, they will look for it first.

5                       The Army has been doing this now  
6       since '98. We've had the five. We've never turned  
7       one down yet because of lack of funds. That's not to  
8       say it wouldn't happen, but they're pretty committed  
9       to this program, so -- and at the very least all you  
10      would have to do is say, oh, I'm sorry, I didn't  
11      program it this year, I will definitely program it for  
12      next. And then there shouldn't be a problem for the  
13      next year.

14                   MR. RON LEVY: But for us,  
15      essentially, it would just be a reprogramming of  
16      dollars that we've got there. And I don't see -- just  
17      looking at our dollars, I don't see why we could not  
18      do that.

19                   COLONEL DAVID TREUTING: No, the  
20      dollars are there, Barry.

21                   MS. KAREN WILSON: Yes?

22                   MR. BART REEDY: The TAG program,  
23      EPA's TAG program, was set up originally because some



1 communities didn't believe what EPA and, in our case,  
2 the state would say, we don't believe you, and went to  
3 Congress. And not without good -- you know, a pretty  
4 good footing did they say that.

5 MS. KAREN WILSON: Right.

6 MR. REEDY: And so based on --  
7 really, based on that and the experience that the  
8 communities had, then that entire -- that entire thing  
9 was just mirrored by DoD. And it's worked fairly  
10 well.

11 MS. KAREN WILSON: Uh-huh.

12 MR. BART REEDY: It is more  
13 applicable, I think, to places that are not as  
14 forthcoming as what you guys are experiencing here, or  
15 there may be a really contentious issue on a  
16 particular cleanup where you just flat don't believe  
17 the Army or Phillip or myself or --

18 MS. KAREN WILSON: Uh-huh --

19 MR. BART REEDY: -- whatever. But  
20 the resource is there for you guys, DoD has provided  
21 that.

22 MS. KAREN WILSON: And one thing  
23 about the TAG, my understanding is, you have to be an

1 incorporated organization in order to get TAG. And  
2 that's something that they did not do for TAPP. It  
3 was like, no, it's for the RABs, it was specifically  
4 for the RABs, whereas TAG is open to more than just  
5 RABs or TRCs, it's open to an incorporated body.

6 MR. RON LEVY: TAG is not --

7 MS. KAREN WILSON: I'm not real  
8 sure about that program.

9 MR. RON LEVY: But TAG is not  
10 applicable to us, we're not MPL. We just went through  
11 that. The other term is --

12 MS. KAREN WILSON: The technical  
13 outreach for --

14 MR. RON LEVY: Technical outreach  
15 is different --

16 MS. KAREN WILSON: TOSC, yeah,  
17 that's for more non-MPLs.

18 MS. DONNA FATHKE: Could you go  
19 over the 1 percent, twenty-five thousand and 1 percent  
20 of cost?

21 MS. KAREN WILSON: The cost to  
22 complete. Let me see, it is --

23 MR. RON LEVY: Is it the cost to



1 complete per project or for the overall --

2 MS. KAREN WILSON: For the overall  
3 restoration program. So, say your cost to complete is  
4 --

5 MR. RON LEVY: A hundred and eighty  
6 --

7 MS. KAREN WILSON: -- twenty  
8 million dollars --

9 MR. RON LEVY: A hundred and eighty  
10 million.

11 MS. KAREN WILSON: Oh, yeah, I did  
12 hear about that, hundred million dollar UXO cleanup or  
13 something.

14 MAYOR KIMBROUGH: Eighty million,  
15 is that what you --

16 COLONEL DAVID TREUTING: No.

17 MR. RON LEVY: That's the  
18 (inaudible) cost. There is pie-in-the-sky and there  
19 is real life.

20 COLONEL DAVID TREUTING: It's cost  
21 to complete, it's a pipe dream.

22 MS. KAREN WILSON: So, if you only  
23 had a hundred thousand dollar cleanup program, that

1       was your total cost to complete whatever a year, then  
2       it would be limited to --

3                   MS. DONNA FATHKE:  1 percent of  
4       that --

5                   MS. KAREN WILSON:  Yeah, 1 percent  
6       of that.

7                   MS. DONNA FATHKE:  This is a  
8       hundred percent grant, this is not something that  
9       requires matching funds from the RAB?

10                  MS. KAREN WILSON:  That's right.  
11       It's not a grant, though, it is not a grant.

12                  COLONEL DAVID TREUTING:  Grants  
13       mean different things to the contracting officer.

14                  MS. KAREN WILSON:  Yeah.

15                  COLONEL DAVID TREUTING:  The  
16       contracting office is bound by the DoD acquisition  
17       rules that are put out by DoD, and so that's why it's  
18       a contract.  It's relatively easy, once you approve  
19       the project, once a request is -- to do purchase  
20       orders, we do them all the time.

21                  MS. KAREN WILSON:  Uh-huh.

22                  MS. DONNA FATHKE:  So, does that  
23       circumvent the need to go through our acute (phonetic)

1 process? It sounds like if, if you can just go off a  
2 list of qualified --

3 MS. KAREN WILSON: Yes. Our --

4 COLONEL DAVID TREUTING: You can  
5 get single source, Donna, if that's your question, if  
6 you prove that that person is the most -- or that  
7 entity is the most qualified and has the niche that  
8 you're after. But generally, they don't go single  
9 source. Or you can even do best value. They've done  
10 that before, too. But that's done by the contracting  
11 officer, because she's the only one that has -- she,  
12 it's a she here -- only one that has a warrant to  
13 disburse funds. I don't even have it.

14 MS. DONNA FATHKE: So, you don't  
15 have to go through the advertising and all that, the  
16 negotiating?

17 MS. KAREN WILSON: I'm not sure how  
18 they do it. I do know that there has to be some sort  
19 of competition so if you come up with one contractor  
20 that you want, the contracting officer will come up  
21 with a couple that are similar to compare it to. And  
22 I do not know how the process actually works. I'm not  
23 in contracting --



1 COLONEL DAVID TREUTING: It's  
2 electronic, now. It's a request for a proposal. And  
3 let's say nobody comes in but one and that's a niche,  
4 there is methods for the contracting officer to go  
5 single source. But they always go -- that's how  
6 McClellan has operated since '86.

7 MR. RON LEVY: Yeah, but they're  
8 going to look at it, Donna -- you know, Joe's  
9 Barbershop and Consulting Firm is going to be a  
10 difficult sale, you know.

11 COLONEL DAVID TREUTING: Absorutery  
12 (phonetic).

13 MS. DONNA FATHKE: He gives great  
14 haircuts.

15 MR. RON MASSEY: Am I correct in  
16 assuming there is no approval needed beyond the  
17 installation commander?

18 MS. KAREN WILSON: That is the  
19 Army's guidance, yes, but the major --

20 MR. RON MASSEY: So, the RAB  
21 doesn't fill in an application and send it to you?

22 MS. KAREN WILSON: Right. They do  
23 not send it up to headquarters, but the major Army

1 commands have put their own guidance on this. The  
2 Army Material Command Office requires that the  
3 approval go from the installation commander up their  
4 chain. And that is something that is internal to that  
5 organization, but it's not -- it doesn't come from the  
6 installation commander up to AEC or to BRACO, to the  
7 BRAC office, or to headquarters level, at all.

8 DR. BARRY COX: Karen, how many  
9 years are we talking about, if we applied today,  
10 before we would have (inaudible)? A few years?

11 MR. RON LEVY: What's the  
12 turnaround time from request to actual implementation?

13 MS. KAREN WILSON: Well, we had a  
14 really problem with the two installations. The other  
15 one got theirs done within like two months. The first  
16 one, the first one was Picatinny Arsenal in New  
17 Jersey, and they got theirs done quickly. And the two  
18 -- and then we did -- I'll be honest with you, we had  
19 one installation where they hired their TAPP  
20 consultant. It was who they wanted and it only took,  
21 I think, four months, and then they didn't like them  
22 and they fired them. And so now they're out there  
23 looking again for somebody else. And so I don't know

1 the specifics, but I know I was a little surprised  
2 because they didn't know what to do with the money.  
3 They were trying to send it -- they didn't know if  
4 they had to send it back or could keep it for the next  
5 contract. But I was kind of surprised. They were  
6 like, we fired him.

7 MS. DONNA FATHKE: So, anywhere  
8 between two months and a year is what you're saying --

9 MS. KAREN WILSON: I would say six  
10 months. But, yes, I'll be honest with you, we have  
11 gone to a year, and it was unacceptable, it was a real  
12 problem. But that one command did four of the five,  
13 and the two were the only ones that took for a year.

14 But I think once you decide what  
15 your project is, then it's just a matter of, once you  
16 make that decision and the installation commander  
17 signs it, I haven't heard any problems. Once the  
18 installation commander has signed it and approved it  
19 and sent it to the contracting office, then it's just  
20 a matter of weeks. It's been this trying to get it  
21 approved that's been kind of difficult for us.

22 MR. RON LEVY: I don't want to cut  
23 this discussion off, I'm sure it's good, but some





1 folks are getting ready to check out here, so let's  
2 move on.

3 The EPA provided us with the TAG  
4 fact sheet. But really what we need to look at is the  
5 top. And I believe we're still pursuing getting EPA  
6 out here. I think Bart is working on that, getting  
7 EPA out here to talk about the other programs. And we  
8 expect that either at the next RAB or one future RAB  
9 here, shortly.

10 MR. BART REEDY: You spoke with  
11 Tiki (phonetic)?

12 MS. JOAN McKINNEY: Oh, yes, she's

13 --

14 MR. BART REEDY: And that is set up

15 --

16 MS. JOAN McKINNEY: For July.

17 MR. BART REEDY: -- for July?

18 MS. JOAN McKINNEY: July meeting.

19 MR. RON LEVY: So we'll move on  
20 from there. The other thing was the action summary  
21 sheet that we sent out, kind of laying out some of the  
22 things that occurred over the month. And I'm prepared  
23 to answer any questions relating to that action



1 summary sheet. And if you want, I can go back through  
2 and do a quick review of what it said.

3 First bullet was about the E1 FOST,  
4 the JPA's FOST for essentially property within the  
5 cantonment area that was defined. It began its thirty  
6 day public review on the 9th of June. There was a  
7 note in there about a surveyor that found a UXO item.  
8 It was in the range 16 area. I believe was the  
9 surveyor from the -- from ALDOT, eastern bypass and  
10 God knows why he was --

11 MR. PAUL JAMES: (Inaudible) and  
12 Associates.

13 MS. MIKI SCHNEIDER: It was mine.

14 MR. RON LEVY: It was yours?

15 COLONEL DAVID TREUTING: The  
16 surveyor.

17 MR. RON LEVY: The surveyor, yeah.

18 COLONEL DAVID TREUTING: Who got  
19 such a great safety class that he could recognize UXO.

20 MR. RON LEVY: He did a good job,  
21 yeah.

22 Public meeting for the eastern  
23 bypass EE/CA, that was held on the 7th of June at the

1 Anniston Meeting Center. Not a whole lot of  
2 participation from that one on the part of the  
3 community, but nonetheless it went off.

4 A little bit of an update on the  
5 LUCAP. Still remains two issues that are being looked  
6 at relating to UXO, OE issues and CERCLA language.  
7 And I think that was the last bullet. Yeah, that's  
8 the last bullet. Anybody got any questions about  
9 that? More information? Okay.

10 MR. RONALD HOOD: Well, are there  
11 any audience comments then?

12 MR. RON LEVY: Joan, next meeting?

13 MS. JOAN McKINNEY: The next  
14 meeting is going to be here. And that's the 17th of  
15 July. We will come back to you with some suggestions  
16 for the August community meeting. If you have any in  
17 the meantime, just let us know and we'll pursue that.  
18 And just probably trying to get out there where the  
19 best outreach that we feel, although we're not always  
20 successful, but we'll keep looking for locations.

21 MR. RON LEVY: One last thing I  
22 neglected to mention in your handouts is some field  
23 sheets relating to ordnance that was found or

1 recovered by week and to date. This is something that  
2 Mayor Kimbrough had asked about. Paul James is  
3 prepared to talk about it, if you want, or if you  
4 wanted to wait until after the meeting, we can give  
5 you a --

6 MAYOR KIMBROUGH: What's QC and QA?

7 MR. PAUL JAMES: Quality control  
8 and quality assurance. And I make a recommendation  
9 that we go ahead and hold, you know, this for the next  
10 meeting, and I can spend a little bit of time going  
11 over the figures. Give you an opportunity to look at  
12 it.

13 DR. BARRY COX: There will be a  
14 little change by then, won't it, Paul?

15 MR. PAUL JAMES: Well, this is an  
16 older one. We get a copy of this every week, and  
17 that's how we track how close to completion they are.

18 MR. BART REEDY: Paul, can I ask  
19 you one question? Can we do one? On the back sheet  
20 here --

21 MR. PAUL JAMES: Uh-huh --

22 MR. BART REEDY: -- the quantity to  
23 date, should that figure be the same as the figure on

1 the front sheet here of, obviously to date, live OE  
2 and inert OE recovered or not?

3 MR. PAUL JAMES: I checked it for  
4 live OE, and the figures, the figures jive, a hundred  
5 and ninety-one. I can get with you after the meeting  
6 and I can show you the breakout on them. It might  
7 have to do with nomenclature. Might be including  
8 something that's inert in the live category.

9 MR. BART REEDY: Okay.

10 MR. RON LEVY: Any other questions?

11 MR. FERN THOMASSY: Yeah, one  
12 point. For the next meeting, we ought to consider  
13 some type of media coverage when we do a public  
14 meeting. And I think some of that money we're talking  
15 about can be spent to put something in the newspaper,  
16 put something on the radio or television or both about  
17 the upcoming community meeting. And that will  
18 advertise the RAB, itself. So, let's discuss it at  
19 the next meeting.

20 MR. RON LEVY: I can tell you that  
21 we did do a -- what do they call those, Joan?

22 MS. JOAN McKINNEY: Press releases.

23 MR. RON LEVY: We did a press



1 release. But there was a full page, not a full page,  
2 but a --

3 MS. KAREN PINSON: There was a  
4 display ad.

5 MR. RON LEVY: There was a big  
6 display ad in the newspaper on it, and the media was  
7 there. They did an article on it, but not everybody  
8 showed up. In fact, I think we invited all the media.  
9 So, you know, it would help if the RAB members would  
10 be willing to kind of get out there and, you know, say  
11 their fill. But we can discuss it more at the next  
12 meeting, if you want to.

13 MR. FERN THOMASSY: Yeah, in  
14 relation to where we're going to have the community  
15 meeting.

16 MR. RON LEVY: Okay.

17 MR. RONALD HOOD: Anything else  
18 from anybody? Shall we adjourn?

19 (WHEREUPON, the meeting was adjourned.)  
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C E R T I F I C A T E

STATE OF ALABAMA)  
CALHOUN COUNTY )

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

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

1                               IN WITNESS WHEREOF, I have hereunto  
2       set my hand and affixed my seal at Anniston, Alabama,  
3       on this the 23rd of June, 2000.

4

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9

SAMANTHA E. NOBLE

10

Notary Public in and for

11

Alabama at Large

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13

14       MY COMMISSION EXPIRES: 11-14-2001.

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