

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 18th day
of September, 2000, commencing at approximately 6:30
p.m.

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1 DR. BARRY COX: Ladies and
2 gentlemen, if we could begin with the roll call.
3 Mr. Hood? Mr. Brown? Mr. Buford? Mr. Cunningham?

4 MAYOR KIMBROUGH: I think he's
5 coming.

6 DR. BARRY COX: Elser?

7 MR. JERRY ELSE: Here.

8 MAYOR KIMBROUGH: He called me and
9 wanted to know if we had a meeting.

10 DR. BARRY COX: Ms. Fathke?

11 MS. DONNA FATHKE: Here.

12 DR. BARRY COX: Dr. Harrington?

13 DR. MARY HARRINGTON: He's here.

14 DR. BARRY COX: I thought I saw him
15 come in awhile ago. Mayor William Kimbrough?

16 MAYOR KIMBROUGH: Here.

17 DR. BARRY COX: Margarette

18 Longstreth? Fern Thomassy? Mr. Turecek? Anybody I
19 missed? And Mr. Levy is here. Mr. Reedy is not with
20 us. Mr. Stroud is here.

21 MR. PHILLIP STROUD: Yes, sir.

22 MAYOR KIMBROUGH: There is
23 Mr. Cunningham coming in.

1 DR. BARRY COX: There is
2 Mr. Buford.

3 MR. RON LEVY: If we get one more,
4 we've got a quorum.

5 MR. RON MASSEY: We've got seven.

6 DR. BARRY COX: Has everybody had a
7 chance to look over the minutes from the last meeting?
8 Any comments or corrections?

9 MAYOR KIMBROUGH: Make a motion we
10 approve as presented.

11 DR. BARRY COX: Do we have enough
12 for --

13 MR. RON LEVY: We've got seven.

14 MAYOR KIMBROUGH: Don't have them?

15 DR. BARRY COX: Do we?

16 MR. RON LEVY: We don't have
17 enough.

18 DR. BARRY COX: We don't have
19 enough, so they'll table that for the time being.

20 Mr. Levy, you want to start any old
21 business, the M-2 parcel?

22 MR. RON LEVY: What we would rather
23 start is if Miki, do you think you would give us an

1 update on what's going on with the JPA --

2 MS. MIKI SCHNEIDER: I was just
3 sitting here writing out what I was going to say, but
4 I'll punt --

5 DR. BARRY COX: Do you want me to
6 give you a few more minutes and we'll call that new
7 business?

8 MS. MIKI SCHNEIDER: That's okay.
9 You can ask me some questions and fill in.

10 The good news for the JPA is that
11 M-2, which we all know about the Anniston Star parcel,
12 is to be completed this week. My understanding, the
13 clearance, right, Mr. Levy --

14 MR. RON LEVY: Yes, I'm shaking my
15 head, can you see that? That's nodding affirmatively,
16 yes.

17 MS. MIKI SCHNEIDER: Good.

18 MR. RON LEVY: And to point out,
19 too, that a right of entry was issued to the JPA was
20 an assignability --

21 MS. MIKI SCHNEIDER: To Anniston
22 Star, Consolidated Publishing so that they can have
23 access to the property to bring their engineers on

1 site and let them begin to do some work, testing,
2 borings, and that kind of thing. Which we are excited
3 about and appreciate the Army's cooperation with that.
4 Our lawyers have it and they're "lawyer'ing" it now.
5 I don't know if you can write "lawyer'ing".

6 The MOA, the memorandum of
7 agreement, with the Army and the JPA is -- I should
8 have received a call at 5:00 o'clock this afternoon,
9 telling me that it was completed, but I didn't get
10 that call, so, I'm going to hope I will have that call
11 first thing in the morning. And we hope to sign the
12 MOA this week.

13 Basically -- don't laugh, Paul --
14 this document outlines how the JPA will take the
15 property from the Army; addresses the environmental
16 issues with the property; utilities, like the boiler
17 plants; phasing of the property. And anything else,
18 Mr. Ryan, that's in there that I didn't mention?

19 MR. GLYNN RYAN: (Nods head.)

20 MS. MIKI SCHNEIDER: But this
21 document is our long-term agreement with the Army and
22 it's really important. Once we have that, we will be
23 able to sign the deed on the first phase of transfer,

1 which is hopefully somewhere between -- around
2 thirteen hundred, fourteen hundred aches.

3 Our survey is complete. We have
4 had all of that land surveyed. We had a couple of
5 issues that we had to work out with the Army on some
6 boundaries disputes. We did those last week and those
7 have been sent to the Army Corps of Mobile and they
8 are writing the deed. This is a big deal, getting a
9 deed, we're excited about this.

10 We continue to work with ADEM, to
11 try and address the issue of a road on the northern
12 parcel up by the landfills, trying to get that
13 through. The city and the county -- the city and the
14 JPA and ADEM are looking at that issue, and hopefully
15 that will come to fruition soon. I think that's about
16 it, unless anyone has any questions.

17 MR. RON LEVY: Do you have a
18 question?

19 DR. BARRY COX: No.

20 MR. RON LEVY: I would add to it
21 that we're working hard on trying to get a parcel
22 released. It's the 501, it's north part of the
23 installation, right below the airfield, which is in an

1 area that the JPA identified --

2 MS. MIKI SCHNEIDER: I may be able
3 to reach it. Oh, he got it, okay.

4 MR. RON LEVY: Identified as a
5 site, a fairly large piece of property, site for
6 development that they're trying to recruit folks in
7 on. And so the good news there is that the BCT
8 agreed, after review, that it was -- there wasn't
9 anything that would affect the transfer. And in fact,
10 it will go out with no land use controls.

11 And we got the FOST out for review,
12 draft review on what day, Lisa?

13 MS. LISA KINGSBURY: Yesterday --

14 MS. MIKI SCHNEIDER: I got my copy
15 today.

16 MS. LISA KINGSBURY: Or today.
17 Yesterday was Sunday.

18 MR. RON LEVY: So, that's happening
19 concurrently with completion of the reports on that
20 piece of property.

21 MS. MIKI SCHNEIDER: And I think
22 it's important to point out that the Army, once we
23 realized that we had made the top five for this

1 particular company that's looking at coming to this
2 piece of property, the Army was very cooperative and
3 jumped on board to help us try and get this site
4 looked at and addressed as quickly as possible, and we
5 appreciate that. We should know this week if we make
6 the two -- number two. They're picking two sites out
7 of the top five, and we should know this week if we've
8 made that. Any other questions?

9 MR. RON LEVY: Just let me further
10 go into this right of entry for the M-2 piece of
11 property. Since the property still belongs to the
12 government and the Army, in order for them to actually
13 do some work up there, we produced essentially a
14 document that allows Consolidated Publishing or JPA to
15 come in and do work on the property.

16 That keeps them from -- that allows
17 them to start the initial work, particularly like the
18 survey work that's necessary to construction so that
19 they're not waiting for us to actually transfer the
20 property to them so they can do work up front. So,
21 we're trying to accommodate, knowing that we're still
22 working the field work and the investigation, we're
23 trying to accommodate them to get them out there so

1 that they can do what's necessary so when they do go
2 to construction, it will be immediately right after
3 transfer, all the up-front work will be done.

4 MS. MIKI SCHNEIDER: And this
5 particular building, because of what's going in the
6 building, has some pretty complicated design issues.
7 The equipment is very heavy, and it's going to take
8 the engineers some time to deal with the designing of
9 this building.

10 MR. RON LEVY: Something I want to
11 point out, for some of you who haven't been here in
12 the past, my new boss, Glynn Ryan, who is sitting to
13 my right, is also the site manager for Fort McClellan.
14 So, he took over for Colonel Treuting. He is the
15 senior person out here now and just wanted to
16 introduce Glynn to the RAB, or at least the members
17 who have not met him in the past.

18 DR. BARRY COX: Ron, why don't we
19 go around, since I think everybody is probably here,
20 and start for the record and have everybody introduce
21 themselves, starting with Brother James over there.

22 MR. PAUL JAMES: I'm Paul James.
23 I'm in the environmental office here at

1 Fort McClellan.

2 MR. BOB DAFFRON: I'm Bob Daffron.

3 I work in the environmental office for the Alabama
4 National Guard Training Center.

5 MS. LISA KINGSBURY: Lisa
6 Kingsbury, Fort McClellan environmental office.

7 MR. GLYNN RYAN: Glynn Ryan, site
8 manager.

9 MR. FRANK COBB: Frank Cobb,
10 Alabama Guard Training Center.

11 MR. DAN THOMAS: Dan Thomas, HGS
12 Engineering.

13 MR. DON CUNNINGHAM: Don
14 Cunningham, Jacksonville.

15 DR. MARY HARRINGTON: Mary
16 Harrington.

17 MAYOR KIMBROUGH: Ed Kimbrough.

18 MR. RON LEVY: Ron Levy.

19 DR. BARRY COX: Of course, I meant
20 the non-RAB members. But Barry Cox.

21 MR. PHILLIP STROUD: Phillip
22 Stroud, ADEM.

23 MR. JERRY ELSE: Jerome Elser.

1 MR. JAMES BUFORD: James Buford.

2 MS. DONNA FATHKE: Donna Fathke.

3 MS. MICKI SCHNEIDER: Miki

4 Schneider, JPA.

5 MS. JOAN MCKINNEY: Joan McKinney.

6 MR. JAMES HALL: James Hall,

7 Community Against Pollution.

8 Jack McKELRATH: Jack McKelrath,

9 Foster Wheeler.

10 MR. RON LEVY: Again, let me point

11 out Jack. Jack is the project manager for Foster

12 Wheeler. That's our UXO contract, for those of you

13 who have not had a chance to meet him. We welcome the

14 Communities Against Pollution. Did I get that right?

15 MR. JAMES HALL: Yes, that's right.

16 MR. RON MASSEY: Mr. Hall.

17 MR. RON LEVY: Mr. Hall.

18 DR. BARRY COX: Any other old

19 business? Any comments on the TAP money that we

20 discussed last time? Any thoughts on how to spend

21 that? Any other old business?

22 MR. RON LEVY: One of the things I

23 had promised the RAB that I still owe is a list of

1 sites --

2 MR. RON MASSEY: EE/CAs and
3 documents for review.

4 MR. RON LEVY: -- yeah, for this
5 committee that we talked about. I still am on the
6 hook for that and I will intend to follow through on
7 that. We just haven't got that list nailed down, yet.
8 Hopefully, I expect to give it to you during the next
9 RAB meeting. It will be something that we agreed upon
10 would go before this technical review committee which
11 we voted on.

12 DR. BARRY COX: Did you have a list
13 of what happened last month?

14 MR. RON LEVY: We didn't really
15 have, in terms of the sheet we call --

16 MS. JOAN McKINNEY: Action summary
17 sheet --

18 MR. RON MASSEY: Action summary.

19 MR. RON LEVY: Yeah, we didn't
20 really have anything significant to put down on the
21 action summary, at least not environmental.

22 DR. BARRY COX: Everybody on
23 vacation or --

1 MR. RON LEVY: Yeah, it was just --
2 there was a lot going on, but wasn't anything that was
3 significant to the group to put out, so we didn't
4 really put one out. Ron tried real hard to find
5 things, but we didn't, didn't find anything.

6 MR. RON MASSEY: We did want to try
7 to keep this meeting clear for the elections, as well.

8 MR. PHILLIP STROUD: Just old and
9 new business, I just want to verify this with Lisa.
10 But it's exciting from ADEM's side, because these
11 sites, it seems like you're going to have a flood of
12 sites coming down the turnpike for JPA. I don't know,
13 I'm seeing it happen quick now.

14 MS. MIKI SCHNEIDER: Good.

15 MR. PHILLIP STROUD: It's really a
16 floodgate of them. And just glad to say that a lot of
17 them are unrestricted use, it seems like, a lot of
18 them. I don't want to speak too high, but it's
19 looking real good at this point.

20 MR. RON LEVY: There is just a
21 number of sites that are starting to drop out --

22 MR. PHILLIP STROUD: Yes.

23 MR. RON LEVY: -- because we

1 haven't found anything.

2 MR. PHILLIP STROUD: They're coming
3 fast.

4 MR. RON LEVY: Which is the good
5 news. There is still lots of sites out there that are
6 problematic that will go into various other levels of
7 investigation and potentially removal.

8 MR. DON CUNNINGHAM: What's the
9 deal in Buckner Circle? I should have asked Miki.

10 MS. MIKI SCHNEIDER: Sure. Buckner
11 Circle, we are in contract negotiations with a group
12 of local developers who are buying the two story
13 houses around the circle, Remington Hall, Silver
14 Chapel, Building 65 and 66, I'm not sure what those
15 uses of those buildings were. One was an old day
16 care, the rock building, and Drennan Drive. And they
17 will sell all the homes. And they're buying 161, 162,
18 and 163. They were the old movie theater, gymnasium,
19 and chapel.

20 MR. RON LEVY: The intent there is
21 what, to put --

22 MS. MIKI SCHNEIDER: It will be a
23 commercial endeavor there. The theater will remain a

1 theater, the gymnasium will be turned into offices,
2 and the old chapel building will be a deli-type
3 restaurant.

4 And we hope to finish that contract
5 probably in the next couple of weeks with them. The
6 church will always remain a church. And Remington
7 Hall will be turned into a small conference center,
8 restaurant, open to the public.

9 They're also getting the DDQ behind
10 Remington Hall. They're going to reface that building
11 and build two additional buildings in similar scale to
12 it on the other side where the land comes to a point,
13 and those will be rental, hotel-type units that you
14 can come, if you're having something at Remington, you
15 can stay there, or if you want to play golf for the
16 weekend, you can stay in those.

17 We're real excited about that
18 project. It's moving along quickly.

19 MR. RON LEVY: We provided --
20 Julian Jenkins is the architect behind that. All of
21 the historical background information, include the
22 nomination sheets because his intent was actually to
23 get them put on the register. So, like to see that.

1 We know that there is some significance to those
2 buildings.

3 MS. MIKI SCHNEIDER: Yes. The
4 buildings were determined eligible by the Alabama
5 Historical Commission, so Julian is finalizing the
6 actual nomination. And the nomination will be
7 submitted to the Alabama Historical Commission to
8 create that district up there. And then the buildings
9 will all be renovated under the Secretary of Interior
10 Standards for Historic Preservation. And on the
11 buildings that will be used commercially, he will be
12 able to take advantage of a 20 percent investment tax
13 credit.

14 MR. DON CUNNINGHAM: As a side
15 light, totally unrelated to that, the Henry Farm Barn
16 had its grand opening today.

17 MS. MIKI SCHNEIDER: Right.

18 MR. DON CUNNINGHAM: And it is on
19 the National Historic Register.

20 MS. MIKI SCHNEIDER: And they took
21 advantage of the investment tax credit for that
22 project, as well.

23 MR. RON LEVY: That's good news.

1 And point out that Miki has got a great interest in
2 that. I think that's what her background is in.

3 Do you want to go into new
4 business?

5 DR. BARRY COX: We only have seven
6 members, can we do --

7 MR. RON LEVY: What I would
8 propose, though, is at least let Joan talk about the
9 nominees. You know, maybe we can have some discussion
10 about those. However you want to do this, but at
11 least Joan has some background to give.

12 DR. BARRY COX: We can't vote, so
13 we really --

14 MR. RON LEVY: We can do this
15 again. But maybe folks can take the information back
16 with them and --

17 MS. JOAN McKINNEY: The first issue
18 that I would like to ask the RAB to consider, is
19 determining what we should do with these nominations
20 that we keep on file. How long?

21 We have four, you know, that have
22 been on file for at least three years that I'm aware
23 of. And each time we go around, we call them and we

1 ask them if they would like to continue to be
2 considered and they say, yes. And so, of course, we
3 put them in the pile.

4 There is nothing in our bylaws that
5 says one way or the other. And all I'm asking the RAB
6 to do is determine an amount of time that we should
7 even keep the nominations in file before we look for a
8 new slate, and, of course, grandfather these in. For
9 instance, let's just keep them in for two years.

10 I mean, it's up to you for
11 discussion but, you know, these are even old
12 nominations. We've gotten to the point that I can't
13 speak too much about these nominees. I know who they
14 are, because I've talked to them about their
15 qualifications in the past and can continue to do
16 that.

17 But I think I would like to just
18 see nominations sit in a file for two years. And
19 since it's not in the bylaws, we can do that and I can
20 put a memo in the nomination file and say, the RAB on
21 such and such a day, determined that this position
22 would be two years in file and then, you know,
23 inactive. Does that sound kind of --

1 DR. BARRY COX: Comments?

2 MS. JOAN McKINNEY: Yes.

3 DR. BARRY COX: Mayor Kimrough?

4 MS. JOAN McKINNEY: Or forever? I
5 mean, whatever y'all think.

6 MAYOR KIMBROUGH: I hate, if
7 they're still interested, but I don't think -- I think
8 we might put a requirement that if they're still
9 interested after a certain time, that they submit a
10 new application and update it.

11 MS. JOAN McKINNEY: I think that's
12 --

13 MAYOR KIMBROUGH: And then if they
14 don't want to submit the application, then they would
15 be removed.

16 MS. JOAN McKINNEY: I think that's
17 very good.

18 MR. PHILLIP STROUD: That's a good
19 idea.

20 MS. JOAN McKINNEY: That's
21 excellent. And I think we could do that under this
22 forum right now. I don't think that's anything that
23 -- unless you do, Barry. Let's go ahead and Ron and I

1 make a memo to that effect for the next meeting.

2 Well then, if you want, I can go
3 ahead and discuss the nominations a little bit. You
4 have a ballot. How we propose to do this is make it
5 simpler than we've ever done it in the past; we're
6 going to just ask you to simply, when it comes time to
7 vote, to vote for two people and put one and two, and
8 then we'll just take them out and tally them up. But
9 we do have ten.

10 Now, let me go over these one by
11 one that we know. Mr. Clendenin is one that has been
12 on file for the three to four years. Mr. Clendenin, I
13 believe, is a friend of -- I had him before -- he did
14 this, though, one other time. And I'm going to ask,
15 as I know it, the people who might know to speak of
16 Mr. Clendenin. I was going to ask you to.

17 MR. FRANK COBB: I would be glad
18 to. Monty is the pastor of Covenant Presbyterian
19 Church, right up here in the Lenlock area. He's a
20 resident of Jacksonville. He's very interested in
21 historical issues with the installation. He has a
22 Cherokee background, some lineage that traces back to
23 Oklahoma. He's big into artifacts, he's big into the

1 historical-type sites of the Indian culture. And
2 being a member of the community, a pastor of the
3 church in the community, I think he would be a great
4 fit. I'll entertain any questions anyone has on
5 Monty.

6 MS. JOAN MCKINNEY: And he's
7 expressed the interest and has said that. And, of
8 course, you've already -- the general information,
9 much of that, I mean, he talks about his heritage and
10 the historical interest, and so he's -- we have
11 excellent, we have excellent applications here, so
12 it's not going to be easy, I think, for you all.

13 But again, what we talked about,
14 when you think of making your choices, is these next
15 several years are going to be so crucial, it's really
16 important that they represent not only their
17 neighborhood and their groups, but they in turn carry
18 the word out.

19 And I will tell you a little
20 information that I am discovering. As part of my
21 contract here, I am required to update the
22 community-relations plan. And I put together and just
23 finished a community survey. And one of the questions

1 says, what do you know about the RAB. I probably have
2 four hundred surveys that say they don't know anything
3 about the RAB. I probably have about four hundred
4 surveys that say they don't know anything about
5 anything. And listen, this was not -- these were
6 people that I looked at. I went across the board with
7 this. So, I think I'm only mentioning this because I
8 want you to understand, that whoever we select, we've
9 got to make sure that they're charged with telling the
10 community.

11 And I mean, Mr. Hall, we even --
12 you know, you administered a portion of the survey for
13 us. So, we went across the board and we went face to
14 face with folks. So, it wasn't just kind of a mailout
15 and that sort of thing.

16 And it was an interesting thing to
17 me. I was surprised the people who said they didn't
18 know.

19 So, when you're selecting, do think
20 that that's what we've got to charge them with.

21 Mr. Thrash. I believe Mr. Thrash
22 is an elderly gentleman. We do call him. A couple of
23 times we've had to run him down, because he changed

1 locations and phone numbers, but he still expresses an
2 interest. And other than his application, that's
3 about all that I do know about Mr. Thrash.

4 Mr. Polek. Mr. Polek's a retired
5 ward officer who was here at the Fort. I believe he
6 was a personnel, I think, in Mil-Par (phonetic). So,
7 he has the military background here at the Fort. But
8 he does work in Talladega and he does live out in
9 Ohatchee.

10 And that's kind of -- so, I think
11 his interest there is probably because he was assigned
12 here, and kind of like a lot of us who worked here for
13 many years, kind of had that close tie.

14 Let me just go down. Mr. Freeman,
15 is -- I have never met Mr. Freeman, but
16 Craig Branchfield had obtained this nomination from
17 Mr. Freeman. And so, he is, of course, you know, out
18 there at Solutia; he has some of the technical
19 information.

20 Again, what I would suggest to you
21 all is as you're looking at some of these, you're
22 talking about this technical committee you're putting
23 together, we had four names that are going to be on

1 the technical committee, but we're going to have a
2 problem with attendance. You know, Craig wanted to be
3 here tonight. But even if you had documents tonight
4 for people to look at, two of your technical folks
5 aren't here. So, I think you ought to consider
6 technical people while you're looking at the
7 nominations.

8 Mr. Curtis Franklin. Mr. Curtis
9 Franklin comes to us courtesy of Mayor Kimbrough.
10 You're on, Mayor.

11 MAYOR KIMBROUGH: Mr. Franklin is
12 an engineering graduate of Georgia Tech. He's been
13 basically in industry, different industry for the
14 environmental aspect of it. As he says, he's kind of
15 a contractor now, working with several, but his main
16 is Defense Research, Incorporated.

17 But he is very active in our
18 community. And, you know, I support him because I'm
19 the only one from our community, and we're adjacent to
20 Fort McClellan and we have discussed several times the
21 dangers that could take place and affect our
22 community. And I think this man would be a definite
23 asset. He would be to me because he knows the

1 technology and the terms and all, which I've said, I
2 don't understand all of the majority and (inaudible)
3 and everything.

4 And I would appreciate
5 consideration. I know we have pretty good
6 representation from Anniston and Jacksonville, and I'm
7 the only member from Weaver, so I would like to ask
8 everybody to look and add one more, since we are the
9 surrounding areas that would be affected by anything
10 out here.

11 MS. JOAN McKINNEY: Larry Hatcher,
12 again, was another engineer that Craig talked into
13 applying. And I have never met Mr. Hatcher, either,
14 so you know as much as I do about him with the
15 information sheet. But I think that, you know, again,
16 when you're looking at the technical committee, there
17 is another candidate.

18 Colonel Matteson, we all know
19 Colonel Matteson. Colonel Matteson has an interest in
20 everything that goes on in the community.
21 Colonel Matteson is an oral communicator. I believe
22 he attended here once, if I'm not mistaken. And we
23 know that what he learns from here, he'll call the

1 radio the next day. So, I mean, you know, there's --
2 I'm trying to give you the pluses and minuses. So, we
3 know, Colonel Matteson.

4 Scott Beckett. Scott was going to
5 be here tonight. And he was here last month and he
6 talked about his interest and was available for
7 questions. Pete has worked with him in the past, as
8 you'll remember from last month's interview. I'm sure
9 that -- he did indicate to me he was coming tonight,
10 so, something must have occurred that he wasn't here.
11 But Scott has some of -- oh, yes, that's right. I'm
12 sorry --

13 MS. MIKI SCHNEIDER: He did call me
14 --

15 MS. JOAN MCKINNEY: -- it was
16 through you that I got the conflict.

17 MR. MIKI SCHNEIDER: -- because
18 there was a conflict, yes, that came up at work.

19 I think what Scott would bring to
20 the table for us is an expertise in the long leaf
21 pine. So, he did his master's thesis from Auburn on
22 the long leaf pine in the Talladega National Forest,
23 and his Ph.D. work, again, was in forestry. And as we

1 begin to get into the issues regarding the wildlife
2 refuge, he will bring that expertise to the table.
3 And I would encourage you to consider him.

4 MS. JOAN MCKINNEY: Well, I also
5 think that he's out in the community, he lives in
6 Alexandria --

7 MS. MIKI SCHNEIDER: He lives in
8 Alexandria, that's correct.

9 MS. JOAN MCKINNEY: And he also
10 teaches -- where does he teach?

11 MS. MIKI SCHNEIDER: JSU, math and
12 science.

13 MS. JOAN MCKINNEY: And he was a
14 high school teacher. So, I mean, I think his sphere
15 of influence in that area is broad and good.

16 And Jerry Hopper, this is another
17 one from Solutia. Now, Craig asked us to pass on that
18 of the three that he brought to the table, he would
19 recommend Jerry of those three to you. I, myself,
20 have -- I know Jerry rather well, and worked with him
21 at other places. He's articulate and he does -- he
22 does discuss groups, he makes a lot of presentations
23 on behalf of not only Solutia, but his interest in the

1 community. He does a lot of volunteer work. And I
2 just think that Craig also wanted to remind the group
3 that he is out in the community and he does make a
4 point of communicating.

5 MR. DAN THOMAS: Jerry also is the
6 hands-on remediation --

7 MS. JOAN McKINNEY: Right.

8 MR. DAN THOMAS: -- person out
9 there.

10 MS. JOAN McKINNEY: Right, yes. I
11 mean, Craig is the remediation manager, but Jerry is
12 the leg man.

13 MR. DAN THOMAS: Jerry works right
14 under him --

15 MS. JOAN McKINNEY: You're right.

16 MR. DAN THOMAS: -- and does a lot
17 of the legwork.

18 MS. JOAN McKINNEY: And he's the
19 one that's been out in the streams and soils and
20 everything.

21 MS. MIKI SCHNEIDER: Fun.

22 MS. DONNA FATHKE: Is it
23 contagious?

1 MS. JOAN MCKINNEY: I had not
2 noticed.

3 And Mr. Gilliland, other than us
4 talking to Mr. Gilliland -- and you see his fine
5 background -- that's about what we know about
6 Mr. Gilliland.

7 Now, the only other thing that I
8 would mention to you all is: Although we have all of
9 these folks, we have never, to the best of my
10 knowledge -- and Ron maybe you can back me up on this
11 -- had phone calls from any of them asking about RAB,
12 about whatever.

13 I think they have the interest, and
14 I certainly think they would be very good candidates
15 for us, but I think you also needed to know that other
16 than the occasional attendance here, none of them have
17 done very much in saying, what's going on out there or
18 expressing the interest off-line.

19 So, you know, it's just one of
20 those things like all of us that belong to
21 organizations, once we get on, we're probably going to
22 be real good members, but we just haven't done much
23 prior to that.

1 Can I answer any other questions
2 about the candidates?

3 DR. BARRY COX: Not about the
4 candidates. There is a couple of things I would like
5 to bring up. One of the things that comes to mind is
6 when we're talking about replacing the two, you start
7 looking down the roll, it looks like we're coming very
8 closely up on a point to replace -- maybe already they
9 would replace more than two.

10 And one other question I would like
11 to ask for the group is: When we say attend 50
12 percent of the meetings, do we mean physically attend
13 50 percent of the meetings?

14 In other words, if you call in and
15 say that you're not going to be here, does that carry
16 any weight? Or do we want people here that can make
17 50 percent of the meetings?

18 MS. DONNA FATHKE: I think we want
19 people here for 50 percent of the time. If they're
20 not here that much, then they're having too many
21 conflicts.

22 MR. JERRY ELSE: If they're here
23 less than 50 percent, then --

1 DR. BARRY COX: So, the
2 interpretation is, is, as it states here, the
3 attendance, regular members may be removed if they
4 fail to attend 50 percent of the regular RAB meetings
5 in a calendar year? And so we interpret that that
6 calling in, you can't -- we don't have excused
7 absences then.

8 MAYOR KIMBROUGH: It says "may,"
9 though, it doesn't say shall.

10 DR. BARRY COX: That's correct.
11 And so I guess then that's the question, that's the
12 question before the group: Do we want to remove
13 people that have not attended 50 percent of the
14 meetings?

15 MAYOR KIMBROUGH: I think the
16 people we removed hadn't attended any, had they not?

17 DR. BARRY COX: True. But I think
18 -- correct me if I'm wrong -- but I believe we now
19 have some more that have not made 50 percent of this
20 calendar year.

21 MS. DONNA FATHKE: Well, problem
22 is, is, we're having a very difficult time making
23 quorum, and that's because people don't show up,

1 regularly.

2 DR. BARRY COX: That's correct.

3 And so we can't conduct business tonight, technically,
4 because they're not here.

5 MS. DONNA FATHKE: It is affecting
6 our operations here, so I think we need to consider
7 this, seriously.

8 MR. RON LEVY: Do you want a
9 run-down of the people who are right now? Ron?

10 DR. BARRY COX: Is it this right
11 here?

12 MR. RON MASSEY: Yeah, you've got
13 the same thing.

14 DR. BARRY COX: You can check and
15 see if I'm right, though. Your math is probably --
16 since you're the --

17 MR. RON MASSEY: Well, this is the
18 ninth month.

19 MR. JERRY ELSER: Right.

20 MR. RON MASSEY: So, we've got
21 Mr. Turecek who has made two out of nine.

22 DR. BARRY COX: So, he's got seven
23 misses. Margarette Longstreth is at six; is that

1 correct?

2 MR. RON MASSEY: Uh-huh.

3 DR. BARRY COX: And then what about
4 this one right there?

5 MR. RON MASSEY: He's at the sixth.
6 We've got Mr. Brown at six absences. Ms. Longstreth
7 at six. Mr. Turecek at seven. And although Mr. Hood
8 was fairly regular, he hasn't lately. But we've got
9 at least three then that are qualified, you know, who
10 qualify, unless they have, you know, perfect
11 attendance for the rest of the year.

12 DR. BARRY COX: Actually, Pete has
13 missed six, hasn't he?

14 MR. RON MASSEY: Uh-huh.

15 DR. BARRY COX: So, we've got
16 another one --

17 MR. RON MASSEY: Well, one, two --

18 MS. JOAN McKINNEY: How about Pete,
19 he's close to six.

20 MR. RON MASSEY: Yeah, he's six.

21 DR. BARRY COX: So, we have to wait
22 until next time when we have a quorum to vote on this,
23 I guess. But we have now four people that have missed

1 a minimum of six meetings out of nine.

2 MS. DONNA FATHKE: Do we need to
3 offer them the same courtesy that we offered the other
4 people; that is --

5 MR. RON MASSEY: The two letters.

6 MS. DONNA FATHKE: -- write them a
7 letter first and see what their interests are?

8 DR. BARRY COX: But as you pointed
9 out, if we don't do something, we're hampered in doing
10 business.

11 MR. JAMES HALL: Can you do that
12 without having that in your bylaws?

13 DR. BARRY COX: It's in the bylaws.

14 MR. JAMES HALL: So, they're
15 familiar with that?

16 DR. BARRY COX: That's what I was
17 reading was the bylaws. It is, may remove. As the
18 Mayor said, we may remove anybody that does not attend
19 50 percent of the calendar year.

20 MS. JOAN McKINNEY: And, you know,
21 Mr. Hood may have to, because he warned us a couple of
22 months back, indicating he was going to be on
23 different times and he just couldn't make the meetings

1 most nights, so that his work hours had changed.

2 MR. RON LEVY: Certainly, we're
3 prepared to put any letters together for you, you
4 know. You got to remember that I am not a voting
5 member of the RAB. Although, I'm a co-chair, I'm not
6 a voting member, and neither is anybody on the BCT.
7 So, this is a decision amongst the community members.
8 If that's what you want, we'll put the letters
9 together, going out, expressing our concern, and
10 asking if they want to continue to attend.

11 MS. DONNA FATHKE: I would suggest
12 we do that and ask them to respond before our next
13 meeting so that we can make some decisions at the next
14 meeting, not let this go on too much longer.

15 MR. RON LEVY: Can we do that
16 without a quorum? That's always been our problem.

17 DR. BARRY COX: We can. Let me
18 make two suggestions: Number one, let's send a letter
19 out to the ones that have missed six or more. And you
20 can put that up into level of seriousness, that
21 they're ready to be removed. And then maybe send one
22 out to the ones that have missed four or more and ask
23 them to reaffirm their interest in the RAB.

1 MR. RON LEVY: Do you want to sign
2 that letter going out?

3 DR. BARRY COX: If you want me to
4 sign it, I'll be glad to.

5 MR. RON LEVY: Yeah, we can do
6 that. In fact, we can prepare something.

7 DR. BARRY COX: How does that sound
8 to the --

9 MS. JOAN MCKINNEY: Well, we've got
10 a template. We've done this before, so we can just
11 get that out and dust it off.

12 MR. RON LEVY: I know there are
13 probably members out there who are definitely in
14 absence but would still like to attend and go on. I'm
15 sure Pete's probably one of them. But you're right,
16 it is hampering and it's very difficult to get any
17 decisions and move on without enough folks here at the
18 meetings, unless we change the bylaws again, which
19 we've done once --

20 DR. BARRY COX: We had 70 at one
21 time.

22 MR. RON LEVY: Define what a quorum
23 really is.

1 DR. BARRY COX: Any other comments
2 on that --

3 MS. JOAN McKINNEY: I think -- if I
4 could suggest something -- when we send those letters
5 out, why don't we also ask them if they are unable to
6 attend, could they nominate a replacement. Would they
7 have someone, a colleague, would they might have as
8 replacing them. Even though we've been asking them to
9 come up with a nomination, it might be --

10 DR. MARY HARRINGTON: I really
11 don't think -- I mean, it's fine to do that, but I
12 really think we ought to select the people from the
13 names that we have, unless somebody else -- you know,
14 I may send in somebody's name and they may tell me,
15 yeah, I'm interested in attending, and they may not
16 be, you know, it may conflict. That's okay for people
17 -- we take our applications ongoing, anyway.

18 MS. JOAN McKINNEY: And that's what
19 it would be, just an application. Because you see the
20 pool, we've got ten, good group right now, but --

21 MAYOR KIMBROUGH: I'm on several
22 that are that way, that will get somebody on their
23 staff, you know, if they can't be there, then they'll

1 -- they have to be named, that they --

2 DR. BARRY COX: What we were just
3 talking about off-line here was, Joan, you know the
4 situation we have at the Anniston Army Depot RAB, that
5 we have people that represent a specific group, just
6 like Mayor Kimbrough, of course, represents the City
7 of Weaver. And for example in that one, we would say
8 that if Mayor Kimbrough can't come, then he can have
9 an alternate member --

10 MS. JOAN McKINNEY: Right.

11 DR. BARRY COX: -- from his staff
12 to be here, to be present.

13 MS. JOAN McKINNEY: Right.

14 DR. BARRY COX: But I think that's
15 really not necessarily the case in this RAB. Most of
16 us don't necessarily represent a particular
17 organization.

18 MS. JOAN McKINNEY: No, and that's
19 a larger RAB, also.

20 DR. BARRY COX: Yes.

21 MR. JOAN McKINNEY: But that is
22 something -- and we've tried to aim for this. We've
23 talked about this many times, that we really needed to

1 target the people and go out and ask certain sectors
2 to send a representative. And even that's been very
3 tough.

4 MAYOR KIMBROUGH: People that are
5 really interested and really have true conflicts, you
6 know, that would be a way that, you know, a
7 possibility, if somebody was there, then they would
8 keep updated and there would be communications between
9 the two of them. I would just -- I would hate to see
10 somebody that really could contribute and then, you
11 know, we -- they feel like that they've been shut out.
12 But still we've got to be able to do business, also.

13 DR. BARRY COX: Correct, correct.

14 MR. RON LEVY: Any further
15 discussion?

16 MR. PHILLIP STROUD: Well, next RAB
17 meeting, I'm happy to say, we have another ADEM
18 employee coming out. His name is Shannon Golden. And
19 he'll be here next RAB meeting. And he's coming from
20 the DOT over to ADEM. And he'll take a huge load off
21 of me, in the review, and also getting out in the
22 field and things like that. We'll have many more eyes
23 up here, roaming, especially when we're getting to

1 this peak of reports and fieldwork and UXO and
2 everything else going on. So, be glad to have him on
3 board next time.

4 MS. JOAN McKINNEY: So, he'll be
5 also attending the monthly RABs --

6 MR. PHILLIP STROUD: Yes. And,
7 also, he can replace me at times, another replacement.

8 DR. BARRY COX: While we're on
9 that, what about requesting that both ADEM and EPA,
10 that they have somebody here, that if the person that
11 is designated cannot come, that they send a
12 replacement? How would you feel about that? Could we
13 send a letter to that effect out then?

14 MAYOR KIMBROUGH: Does Bart have
15 somebody that works with him, as far as on this
16 project?

17 MR. PHILLIP STROUD: I've asked
18 him. He doesn't have anybody right now. Now, unless
19 he has his sub-contractor here, would be from --

20 MS. LISA KINGSBURY: Ganett
21 Fleming.

22 MR. PHILLIP STROUD: Ganett
23 Fleming. I don't know how that would work. I will

1 see how he feels about it, though.

2 MR. RON LEVY: I would certainly
3 think you want to go on record as saying that you
4 expect the BCT members to be here during regularly
5 scheduled RAB meetings, and we could make that as a
6 point. You know, unless there is some compelling
7 reason why we, the BCT, are not capable of meeting, we
8 ought to be here. I mean, I totally agree with that.

9 DR. BARRY COX: So, why don't we
10 pen a letter to that effect then?

11 MR. RON LEVY: Yes, that one
12 definitely needs to come from you.

13 DR. BARRY COX: No problem. Is
14 that the consensus of the members present, that we
15 would like to have a representative from both ADEM and
16 EPA at each of our meetings?

17 MR. RON LEVY: And I'll be glad to
18 draft a letter to that effect for you.

19 MR. PHILLIP STROUD: For example,
20 for ADEM, it will be either my boss, Larry Bryant, he
21 always says, if I can't make it, he'll be here. Or it
22 would be one of my cohorts.

23 MR. RON LEVY: And I would make a

1 suggestion, Glynn, that if I'm not available, Glynn,
2 who is the site manager, sits in for me.

3 MR. GLYNN RYAN: Thank you, Ron.
4 Just what I really need.

5 MR. RON LEVY: You'll have the
6 environmental folks, staff. In fact, it's in their
7 contract.

8 DR. BARRY COX: We have the colonel
9 from the Depot is the co-chair, so we may just vote
10 Ron out and have you sit.

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

12 DR. BARRY COX: Any other comments
13 on this ladies and gentlemen? I assume we have to
14 stay here because we can't adjourn because we don't
15 have a quorum.

16 MR. JAMES HALL: Do you have a list
17 of the directory of the members of the board?

18 MR. RON MASSEY: What kind of
19 directory?

20 MR. RON LEVY: I'm sorry? Please,
21 Mr. Hall is trying to --

22 MR. JAMES HALL: A list of the
23 board available?

1 MR. RON LEVY: Yes, we can give you
2 a list of the names of the individuals on the board.
3 We're a little reluctant to give out phone numbers,
4 obviously, because that's a privacy issue, but we
5 certainly can give you a list of the folks who are on
6 the board.

7 MAYOR KIMBROUGH: Isn't it on our
8 web site?

9 DR. BARRY COX: Didn't we put ours
10 on the web site? Joan, did we put --

11 MS. JOAN McKINNEY: It should be.
12 They're still under construction.

13 MR. RON LEVY: Yes, in fact, that's
14 right, it is, it is on our web site. Yes, it is.

15 MS. JOAN McKINNEY: And we have
16 Privacy Act statement releases from everyone. And
17 those that we didn't, their names simply aren't on
18 there.

19 DR. BARRY COX: Why don't you just
20 give him whatever's up there then --

21 MS. JOAN McKINNEY: Yes.

22 DR. BARRY COX: -- since we've
23 already released that?

1 MR. RON LEVY: If you want a hard
2 copy, I think we can give that to you before we leave.

3 DR. BARRY COX: Okay. Of course,
4 this is the time for the audience comments. Does
5 anybody else in the audience have any comments?

6 MR. PHILLIP STROUD: Do you want to
7 talk about the MOA LUCAP? We've talked quite a bit
8 about it. And the last signature on that is the Fish
9 & Wildlife, and so it's going to be close.

10 MR. RON LEVY: Yeah, in fact we're
11 still waiting for Fish & Wildlife to make a decision
12 as to whether they're going to be a full signatory or
13 an interested party. And I understand that decision
14 is still being considered. So, signing of the full
15 LUCAP -- land use control assurance plan -- is still
16 to be determined. We originally had scheduled the
17 15th. That's the same date we were going to do the
18 MOA, as well. And that's been pushed off until the
19 15th of October. So, I suspect we're still looking 15
20 October, Glynn, for --

21 MR. GLYNN RYAN: I think so.

22 MR. RON LEVY: And I know that
23 probably doesn't mean a whole lot to you, but those

1 are significant documents. I mean, those are
2 agreements that are really hard, in terms of coming
3 to. I mean, there is a lot of detail in those. And
4 Miki is smiling, because she knows how difficult it's
5 been. But there are some real significance to those.
6 And we think that they're good documents and they
7 provide a lot, both to the Army and back to EPA and
8 the state, as well as the JPA. Paul James has got a
9 comment.

10 MR. PAUL JAMES: Also like to point
11 out that this document will probably be a precedence
12 setter for all of Department of Defense. In other
13 words, it will probably be the example of -- that if
14 there are any future BRAC closures or any types of
15 things that this document will in fact be a precedent
16 setter.

17 MR. RON LEVY: He's talking about
18 the land use control assurance plan.

19 MR. PHILLIP STROUD: When I've been
20 to some of the seminars and our conferences and UXO or
21 land use controls, I noticed this is one of the
22 hottest issues, a landmark case in the United States.
23 And I know there is going to be a big press release.

1 And I think they're even talking about televising it
2 nationwide. So, that's how big it is. At least
3 that's what I'm getting at --

4 MS. MIKI SCHNEIDER: Does everybody
5 understand what the document does?

6 MS. DONNA FATHKE: Why don't you
7 tell us?

8 MS. MIKI SCHNEIDER: Why don't we
9 let Ron tell you. To really simplify it -- and y'all
10 can jump in and put in the details -- it's the process
11 by which we all agree, where there is a dirty piece of
12 property, the land use control that will go on that
13 piece of property for long term, you got a landfill,
14 we're going to put a fence around it, we're going to
15 put fourteen signs around it, and those are the land
16 use controls. And this is the administrative process
17 that gets us from, this land is dirty to here's the
18 control that's going on it and how that control is
19 going to be enforced. Is that --

20 MR. PHILLIP STROUD: That's a good
21 idea. The way I look at it is that you can clean up
22 things so far, monetarily or whatever, and then there
23 is residual risk, little things that you just almost

1 can't get rid of. And this manages the residual risk,
2 forever.

3 MS. MIKI SCHNEIDER: Forever,
4 right. And that's the key to it. And that's the
5 important piece to it is what we do, who actually has
6 the enforcement, when Ron is gone and we're all gone
7 from here, how is that land use control dealt with
8 long term?

9 MR. PAUL JAMES: Or until we get a
10 new --

11 MS. MIKI SCHNEIDER: Right --

12 MR. PAUL JAMES: -- technology that
13 permits us to come back in --

14 MS. MIKI SCHNEIDER: Right --

15 MR. PAUL JAMES: -- and clean that
16 up, at which time that institutional control --

17 MS. MIKI SCHNEIDER: Goes away.

18 MR. PAUL JAMES: -- or land use
19 controls would then in fact be terminated.

20 MS. MIKI SCHNEIDER: And that was
21 in our goal in that document, too, was to make sure
22 that as many land use controls as possible went away
23 and that we were able to clean the issue up.

1 MAYOR KIMBROUGH: Some of this land
2 can be used with restrictions on it?

3 MR. PHILLIP STROUD: Yes.

4 MS. DONNA FATHKE: Is this document
5 formulated by the environmental mental office?

6 MR. RON LEVY: This document is an
7 agreement between three governmental agencies and it
8 was written together. Actually, four, when you
9 consider the JPA. And it was written together. It
10 was sat down and hammered out amongst all the
11 agencies, so it wasn't any one agency. We took the
12 lead in it, obviously, but it was all worked out. And
13 we sat down at a table and there was several, several
14 meetings over it and lots of discussion and a whole
15 bunch of attorneys involved. And it really is, it's a
16 unique document. I could --

17 MR. PAUL JAMES: This process
18 started in April of last year and there is eighteen
19 months -- go off the record.

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

21 MR. DON CUNNINGHAM: So, what's the
22 bottom line then? My question is: Then that becomes
23 the document that ultimately is the basis for which an

1 industry or business accepts that piece of property,
2 with those provisions. Is that it?

3 MR. RON LEVY: Let me see if I
4 can't explain.

5 MS. MIKI SCHNEIDER: That is an
6 administrative document.

7 MR. RON LEVY: The land use control
8 assurance plan says that we will develop land use
9 control implementation plans. So, for each piece of
10 property where we know that we can't get to
11 unrestricted use or full cleanup, we are going to
12 develop a plan that tells us how we are going to
13 handle that piece of property and what restrictions
14 that we all agree will go on it. As for an example,
15 if we had a piece of property where we know we had
16 ground water contamination, okay, we know that it may
17 be thirty to forty years before that, either through
18 natural attenuation or some sort of treatment, that
19 that ground water contamination is going to be there,
20 then we're going to want to put a restriction on that
21 property. And the restriction might be: No drilling,
22 no digging, you know, certainly no sinking of wells so
23 that people can be exposed. So, that's kind of a

1 restriction. That restriction will then equate to
2 what goes into a deed, as well as other long-term
3 requirements, either placed on the Army or a third
4 party, potentially, a third party, as well, who
5 accepts that property, to continue those restrictions
6 in place. That's what we've got to come to.

7 Once we get through LUCAP, the land
8 use control assurance plan, we've still got to come to
9 an agreement on what controls are in place. And
10 obviously, from the JPA's standpoint, they want to
11 market the property so the least amount of controls is
12 the best for them.

13 For us, or for the regulators, the
14 most amount of controls, if we think that there is
15 going to be an exposure to personnel. So, there is
16 going to be some negotiation going on there. The
17 expectation is that whatever is finally negotiated, it
18 is restrictive enough or it is protective enough so
19 that whoever gets that property cannot do something
20 that would expose people to whatever hazards.

21 Because, as we've talked all along,
22 we all know there is property out there that we cannot
23 completely clean up. There is just either not enough

1 money or the technology is not available to do that.
2 But what we don't want to do is something stupid like
3 we did in years, years ago, where we, you know,
4 covered something up and then transferred the property
5 -- you know, Love Canal would be the example -- and
6 then they start building houses on top of it. And the
7 next thing you know, people are being exposed.

8 MS. MIKI SCHNEIDER: I think it's
9 important to point out that the JPA certainly wants to
10 protect the health, safety, and welfare of the future
11 owners of this property out here. However, we have
12 sent a clear message through the memorandum of
13 agreement with the Army that we want them to do
14 everything in their power to clean this property up.
15 Financial reasons are just not acceptable. Clean it
16 up. We want to see it cleaned up to the highest and
17 best use of the property. And that's been coming from
18 my board consistently.

19 MR. RON LEVY: Certainly, that's
20 the case, you know, you do everything you can to clean
21 the property up. And then at that point you start
22 looking at whatever controls that you can put in
23 place.

1 And as we've talked about before,
2 there is deed restrictions, which can be institutional
3 controls and then there is physical controls, such as
4 barriers, fences, and, you know, what have you. So,
5 it could be a number of things.

6 MS. DONNA FATHKE: So, when it
7 comes to a specific piece of property and somebody has
8 to decide which restrictions are being put on that
9 property, who makes those decisions?

10 MR. RON LEVY: Well, that's
11 something we're going to --

12 DR. MARY HARRINGTON: That's where
13 the BCT gets involved.

14 MR. RON LEVY: That's where the BCT
15 gets involved and the JPA, because part of LUCAP says
16 who is going to review these.

17 You know, we, the Army, are going
18 to define what we think are necessary done. There is
19 a review on the part from the regulators and there is
20 also a review on the part of the JPA. And Fish &
21 Wildlife are involved, they're a signatory, they would
22 be involved in it, too, mostly because a good piece of
23 the property is going to them.

1 Before anything is agreed to, there
2 is provisions within the LUCAP that says, you know,
3 these folks have to review. Although, we don't
4 necessarily have to have their concurrence, we can
5 move forward without it, but -- and just so you all
6 understand that --

7 MS. MIKI SCHNEIDER: We understand
8 it.

9 MR. RON LEVY: If you've not had a
10 copy of the LUCAP, we'll certainly give you the draft
11 one. It's --

12 MS. MIKI SCHNEIDER: It's very
13 interesting reading.

14 MR. RON LEVY: Yeah. It was
15 written by a lawyer. How many pages? I want to say
16 it's about fifteen pages or so.

17 DR. BARRY COX: Just Email us one
18 out then.

19 MR. RON LEVY: Yeah, we can do
20 that, too. Just remember, it's not signed, still in a
21 draft. So, anything we send to you -- Joan, we want
22 to Email it to the folks who have Email. It had some
23 maps with it, too, so -- and they're JPEG files, if

1 you can open those.

2 MR. PHILLIP STROUD: One last thing
3 about it. The reason the delay was for the Fish &
4 Wildlife was is, you know, they're going to be
5 inheriting several thousand acres, so they have a
6 direct link to this. And it was kind of odd at first,
7 when I first came in, why aren't they wanting to sign
8 this thing, if they're going to be getting it all?
9 But they finally agreed on it. And that was the delay
10 there. And now it's moving ahead.

11 MR. RON LEVY: Well, I don't think
12 they've agreed, yet.

13 MS. MIKI SCHNEIDER: They haven't
14 agreed.

15 MR. PHILLIP STROUD: They still
16 haven't?

17 MR. RON LEVY: No. They're still
18 --

19 MS. MIKI SCHNEIDER: No. The last
20 Email traffic I saw, they were --

21 MR. RON LEVY: No, they haven't
22 agreed. I haven't gotten anything on that.

23 MR. PHILLIP STROUD: Oh, wow. When

1 --

2 MR. RON LEVY: They're still
3 looking at it.

4 MS. MIKI SCHNEIDER: Last week.

5 MR. PHILLIP STROUD: I think I got
6 that same one, may be.

7 MR. RON LEVY: Although, I think
8 they're at least interested in being an interested
9 party.

10 MR. PHILLIP STROUD: Interested
11 party, yes.

12 MR. RON LEVY: Before we finish up,
13 I guess we're going to -- just so you know, that my
14 office is still at your disposal, if you're looking
15 for information. You've got our number, call back,
16 we'll be absolutely glad to provide you with anything
17 that you need, relating to the clean up at
18 Fort McClellan.

19 Anything about reuse, talk to Miki.

20 MS. MIKI SCHNEIDER: Thanks.

21 MAYOR KIMBROUGH: Barry, last
22 meeting, some of you asked me to get -- and I've got
23 one. I gave it to the staff. But the timeline on the

1 bypass and the date of construction that they have --
2 this is the latest one, now. I understand they met
3 last week. But in this one, the date of construction
4 on the last section of the bypass, which will be
5 through the Fort, is set -- the contract for
6 construction on this is set to be let on November the
7 2nd, 2001. And that's for forty-three million, almost
8 forty-four million dollars. And, of course, that's in
9 three phases, as far as from the interstate to
10 Greenbrier and then Greenbrier out to Choccolocco Road
11 and then from Choccolocco Road to the rest of it.

12 But this is what we get at the MPO.
13 And so, I have given them a copy, if they want to get
14 it.

15 But you've got really four phases,
16 you've got pre-engineering, you've got the purchase of
17 utilities, and moving of them, and the right-of-way
18 acquisition, and then, of course, construction.

19 MR. RON LEVY: I want to go on
20 record to say that changes to the right-of-way have
21 affected our clean up, that we did not know about.
22 So, we're looking at that right now. In fact, there
23 is additional acreage that was not originally

1 considered in the initial right-of-way that we were
2 given. And we told ALDOT that. So, we have to go
3 back now and relook at what they most recently gave
4 us. And in fact, what we're told is: Until the
5 survey is complete -- and the survey is not complete
6 -- there could be some additional changes, as well.
7 Every time that's changed, we're now looking at
8 potentially additional time. Although, we're not sure
9 what the impacts are, because the schedule is far out
10 there. We told you that at the IPR, Miki.

11 MS. MIKI SCHNEIDER: I know.

12 DR. BARRY COX: Any other comments?
13 Any other topics to bring up? Do I hear a motion for
14 adjournment?

15 MAYOR KIMBROUGH: I'll make a
16 motion.

17 MR. DON CUNNINGHAM: Second.

18 DR. BARRY COX: Motion carried.

19 (WHEREUPON, the meeting was concluded.)
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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 22nd of September, 2000.

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SAMANTHA E. NOBLE

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Notary Public in and for

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Alabama at Large

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14 MY COMMISSION EXPIRES: 11-14-2001.

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