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RESTORATION ADVISORY BOARD MEETING

FORT MCCLELLAN, ALABAMA

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Taken pursuant to stipulation and  
agreement before Donna D. Gallahar, Court  
Reporter and Commissioner for the State of  
Alabama at Large in Anniston, Alabama on the  
15th day of September, 2003, commencing at  
approximately 6:30 p.m.

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NOBLE & ASSOCIATES  
P.O. BOX 544  
OHATCHEE, ALABAMA 36271  
PHONE: (256) 892-0591

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1 DR. HARRINGTON: Good evening, at  
2 this time the RAB will come to order. Our first  
3 order will be the roll. Harrington, here. Mr.  
4 Doyle.

5 MR. DOYLE: Here.

6 DR. HARRINGTON: Mr. Beckett.

7 MR. BECKETT: Here.

8 DR. HARRINGTON: Mr. Buford. Mr.  
9 Clendenin.

10 MR. CLENDENIN: Here.

11 DR. HARRINGTON: Mr. Conroy. Dr.  
12 Cox.

13 DR. COX: Present.

14 DR. HARRINGTON: Dr. Steffy.

15 DR. STEFFY: Here.

16 DR. HARRINGTON: Mr. Elser.

17 MR. ELSER: Here.

18 DR. HARRINGTON: Ms. Fathke.

19 MS. FATHKE: Here.

20 DR. HARRINGTON: Mr. Franklin.

21 MR. FRANKLIN: Here.

22 DR. HARRINGTON: Mr. McCary. Mr.  
23 Branchfield has an excused absence. Mayor

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1 Kimbrough. Ms. Bragg has an excused absence. Mr.  
2 Mitchell.

3 MR. MITCHELL: Here.

4 DR. HARRINGTON: And Mr. Miller.

5 Okay, I think Mr. Brittan has an excused absence.  
6 Mr. Grant?

7 MR. GRANT: Here.

8 DR. HARRINGTON: Mr. Levy.

9 MR. LEVY: Here.

10 DR. HARRINGTON: And Mr. Stroud.

11 MR. STROUD: Here.

12 DR. HARRINGTON: Okay, at this time  
13 we'll introduce the persons that are with us, and  
14 we'll start on this side.

15 MR. MCNEAL: I'm Al McNeal, I'm with  
16 the Huntsville Corps of Engineers.

17 MR. HOLCOMB: Art Holcomb with  
18 Foster Wheeler.

19 MR. BIGGS: Todd Biggs, Foster  
20 Wheeler.

21 MS. CUNNINGHAM: Brenda Cunningham  
22 with the transition force.

23 MR. PARROTT: Chip Parrott with the

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1 Corps of Engineers Mobile.

2 MR. JAMES: Paul James with the  
3 environmental office transition force.

4 MS. HOLSTEIN: Lisa Holstein,  
5 transition force.

6 MS. FLETCHER: I'm Yonnie Fletcher,  
7 I go to this church.

8 MS. CLEMENCE: Sara Clemence from the  
9 Anniston Star.

10 MR. DAFFRON: Bob Daffron, National  
11 Guard Training Center.

12 MR. SHANKS: Bill Shanks, transition  
13 force.

14 MR. DOYLE: I would just like to  
15 speak out of turn and quickly just thank Monty  
16 Clendenin for the use of your pretty facilities  
17 tonight. Thank you very much in an effort to bring  
18 the story to the community. Although,  
19 unfortunately, I don't see too much of the  
20 community here, but thank you very much and also  
21 please pass our thanks to the ladies of the church  
22 for the nice little spread they put out here this  
23 evening. Thank you.

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1 DR. HARRINGTON: At this time, if we  
2 may, we will move to the approval of our August  
3 minutes.

4 MR. MITCHELL: Move to accept.

5 MS. FATHKE: Second.

6 DR. HARRINGTON: It has been  
7 properly motioned and seconded that the August  
8 minutes be approved. Are you ready to vote? All  
9 in favor of accepting the minutes as prepared, let  
10 it be known by aye.

11 RAB MEMBERS: Aye.

12 DR. HARRINGTON: Opposed the same  
13 opportunity. There being none, the motion does  
14 carry. At this time we will move into our program  
15 which is an update on early transfer status.

16 MR. DOYLE: Okay, I just want to  
17 make a few opening remarks, just give you a quick  
18 overview and then turn the remainder of the program  
19 over to Ron to get into the details. But as  
20 probably you folks are aware today we had a  
21 ceremony with regard to early transfer and  
22 privatization of basically the remainder of Fort  
23 McClellan with the exception of a few small pieces

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1 of property. In attendance today was the Under  
2 Secretary of the Army for Installations and the  
3 Environment Mr. Prosch who represented the Army.  
4 Master of ceremonies was Mayor of Anniston Mr. Chip  
5 Howell. Also in attendance was our Congressman  
6 Mike Rogers, and representatives from both of our  
7 U.S. Senators who were in attendance and spoke, as  
8 well as a representative from the Office of  
9 Economic Development from the state office. And  
10 obviously just about anybody with name recognition  
11 in the community was present today. So it was a  
12 very nice ceremony. It was well received I  
13 believe.

14 Basically this brings to closure at least a  
15 portion of the cleanup process at Fort McClellan.  
16 As you are all aware, the Army business is not  
17 cleanup and closure of installations. The  
18 philosophy has slowly evolved over the last several  
19 years, since my involvement with the BRAC process,  
20 to where we feel it's appropriate and the community  
21 is better served by the community holding its own  
22 fate in its own hands relative to the cleanup  
23 process.

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1           So we've done, as we've previously explained,  
2       we've completed the FOSET, the finding of  
3       suitability for an early transfer of approximately  
4       forty-seven hundred acres. With that, the  
5       responsibility of the cleanup of those forty-seven  
6       hundred acres now rests with the Joint Powers  
7       Authority, at least a portion of that. The  
8       unofficial term of that is phase one and phase two.  
9       And Ron will explain where those areas are covered.  
10      But, essentially to a great extent the Army's  
11      hands-on involvement in the cleanup process is  
12      coming to an end at least with the portion of the  
13      property involved.

14           That's not to mean that the Army's presence is  
15      going to disappear. We have a lot of other cleanup  
16      actions that don't relate to the JPA, in  
17      particular, the Eastern Bypass and, of course,  
18      clean up continues in the fish and wildlife area of  
19      the Mountain Long Leaf Pine Refuge, which will take  
20      at least a couple of years to complete. So, our  
21      presence, while we will be somewhat limited, will  
22      remain.

23           Of immediate importance to you folks is the

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1 status of the RAB. It's our intent that the RAB  
2 will continue with the people here. I envision, at  
3 least initially, a bifurcated proceedings where  
4 first half of the agenda will be run by the Army  
5 relative to our cleanup actions and our cleanup  
6 responsibilities in the community in what was  
7 formerly Fort McClellan. And then the second half  
8 of the agenda we will turn over to the JPA for them  
9 to basically run the same type program relative to  
10 their cleanup actions. And your responsibilities  
11 will be the same, to ask questions, to provide  
12 comments, critiquing, criticism, good points, bad  
13 points, whatever and continue with that process.  
14 So, other than a two-part program, I see little  
15 change in how we go about doing business relative  
16 with the RAB.

17 Now, as far as the particulars of the program,  
18 I'll turn this over to Ron to give you -- some of  
19 this will be repetitive. But, I'll tell you it's  
20 taken me the last nine months to learn some of  
21 these acronyms and figure out exactly what the  
22 importance of each of the documents are. And Ron  
23 will give you a rundown on that.

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1                   MR. LEVY: I'm not going to go into  
2 too much detail, because it would be a long, long  
3 session. But what I did for you, in front of you  
4 is a map, it's the same map that you see up here on  
5 the easel. I'll try to give you a feel for really  
6 what the Army is doing, what the JPA is doing, and  
7 what the Army and the JPA may be doing in terms of  
8 a site.

9                   Because there is a mixture of JPA doing  
10 characterization and cleanup, JPA doing  
11 characterization, and there's an Army retained  
12 cleanup, which doesn't mean the Army is going to do  
13 it, it means that at some point somebody is going  
14 to do it. It's probably going to end up in a phase  
15 two, where you probably heard the second part of  
16 this is going to come in, we're going to pay the  
17 JPA the second part to clean up. And then there is  
18 Army retained conditions. Some of that are sites  
19 that we already know will go into an NFA, no  
20 further action, but we haven't gotten there yet.  
21 We're working with the state. So those sites  
22 really aren't part of the negotiations for the  
23 cleanup.

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1           Let me just kind of orient you. First off,  
2           everything you see in yellow on here is property  
3           that is already transferred, either what's in the  
4           Charlie area here, to the Fish and Wildlife  
5           Service, or what's in the yellow here to the JPA,  
6           already in their hands. What you see in the pink  
7           is property that's pending transfer. There's a  
8           D-12 out there, you've heard about that before.  
9           That's essentially what that property is. That's  
10          going to be executed here shortly. That's a  
11          no-brainer. There isn't any environmental  
12          conditions associated with that that's pending  
13          toward the cleanup on, so you can consider that a  
14          done deal.

15          What you see in the purple, for one the purple  
16          up here, this essentially is the National Guard  
17          Training Center. That's still to be transferred.  
18          It's under license to the National Guard pending  
19          transfer to the Guard on 1348?

20                       MR. DAFFRON: 1354.

21                       MR. LEVY: 1354. So it's just  
22          showing up in purple there. Then you've got  
23          property here which is the Eastern Bypass, you are

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1 all familiar with that. That's not going to the  
2 JPA, that's going to the Alabama Department of  
3 Transportation through the Department of  
4 Transportation as a pass-through.

5 There's other property, you'll see these sites  
6 here that are purple. Those are tank sites that  
7 were identified. Those are going to the water  
8 board for future tank sites. We've got issues on  
9 those that are associated with cleanup. Most of  
10 that is UXO and/or lead on ranges issues. That's  
11 not part of the negotiations for the ESCA, this  
12 cooperative agreement we've been talking about.

13 You heard about the finding of suitability to  
14 transfer, the FOSET and the early transferred  
15 property. On your map, everything that's shown  
16 here in the blue, down here, is part of the finding  
17 suitability to transfer. And everything which is  
18 shown here up here in the green is part of the  
19 finding of suitability to transfer early transfer.  
20 Now, early transfer means we've provided the  
21 property to the JPA but the cleanup hasn't  
22 necessarily been accomplished. So, all that  
23 property again in the blue and in the green is

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1 coming to the JPA through this early transfer  
2 process.

3 And now I'm going to talk to you a little bit  
4 about within that property what we did. Let me  
5 just talk about the blue. This is the Bravo area  
6 that you all are familiar with where we have been  
7 working an investigation for UXO and there are  
8 ranges and range sites out here that we're also  
9 investigating for lead. I don't show you any of  
10 the sites in here because none of this is going to  
11 the JPA at this point as part of this ESCA. It's  
12 going to be negotiated as part of phase two that  
13 Joe just mentioned to you. So there are lots of  
14 sites and I'll get, this second sheet I think in  
15 there shows you what those sites, yeah, called HTRW  
16 responsibility. Everything here in blue is part of  
17 the Bravo area from UXO we're investigating that  
18 will eventually come down to sites that need clean  
19 up. But within those, if you'll look at that map,  
20 I'll take this one down, I'll just have to put it  
21 up then, you'll see what those sites are. And  
22 those have not been negotiated. But they will be  
23 negotiated starting this coming fiscal year to be

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1       executed in fiscal year `05 for cleanup with the  
2       JPA.

3                   MR. DOYLE:  If I may make this  
4       clear, that property is still being transferred,  
5       it's just the responsibility for the cleanup will  
6       remain with the Army for the time being.  But it is  
7       going in the same deed as in the phase one  
8       property.

9                   MR. LEVY:  I don't want to confuse  
10      anybody.  Has anybody got any questions about that  
11      before I move on?

12                  MS. FATHKE:  What determines whether  
13      the JPA gets the land and the cleanup  
14      responsibility versus just the land and the Army  
15      retains cleanup?

16                  MR. LEVY:  Well, the only  
17      determination right now is if it's an NFA, we're  
18      going to try to complete, you know, if we know we  
19      are going to an NFA we're going to try to clean it  
20      up or complete the NFA.  But everything else --

21                  MS. FATHKE:  NFA?

22                  MR. LEVY:  No further action.  But  
23      everything else should be part of the negotiations

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1       for the JPA to do the cleanup.

2                       MR. DOYLE: Donna, if that question  
3       is why did we keep Bravo out of it, the answer is  
4       very straightforward. It's because of the  
5       complexity of this process. It's a learning curve  
6       for all parties involved. I mean this has never  
7       been done before on this scale. For ease of making  
8       this happen, it was decided that we would  
9       concentrate on Alpha area, which is the priority  
10      area for redevelopment for the JPA. And this  
11      process took nine months. And Ron has been  
12      working, I mean, sixty hours a week with regard to  
13      this process alone, times a whole host of other  
14      people involved with this. We've devoted probably  
15      seventy percent of our time and effort in this  
16      process in the last nine months.

17              If we had also taken on Bravo area at the same  
18      time, that would have delayed this entire process  
19      by some probably six months to even as far out as a  
20      year in costing us and figuring out exactly what  
21      remained to be done. As well as the  
22      characterization over all in the Alpha area was  
23      further along. So it was easier to put a final

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1 cost on what the ultimate cleanup cost would be  
2 associated with the Alpha area.

3 DR. COX: So the ceremony this  
4 morning did not deal with the blue area?

5 MR. DOYLE: It did with regard to  
6 transferring the property via deed. It did not  
7 with regard to the actual final cleanup. Now, some  
8 of that also is going to be driven by dollars. So,  
9 while we are going to move into that phase two,  
10 it's somewhat dependent on the money that the Army  
11 has in order to fund all of that with up-front  
12 dollars, so to speak, as opposed to spreading out  
13 the cost as we do now in the process.

14 MR. LEVY: If you look at the  
15 cooperative agreement as it's written now too, it  
16 allows for an amendment, so essentially what will  
17 happen is this cooperative agreement will be  
18 amended to include these additional sites. But  
19 we'll have to go through another cost study which  
20 is what we did to derive the numbers and the costs  
21 to get to that forty-eight point five million that  
22 you heard them talk about. So there will be  
23 another cost study that will be done in relation to

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1 the Bravo area and its sites in there to determine  
2 what the Army is going to fund from the standpoint  
3 of cleanup down there.

4 And to add to what Joe said, when we first  
5 started down this road, one thing we asked the JPA  
6 a long time ago, from a priority standpoint, what  
7 was the priority, and the Alpha area was the  
8 priority from the industrial development  
9 standpoint. And that's in fact where the focus of  
10 the cleanup went to. So we were a lot further  
11 along on the characterization than we were down in  
12 the Bravo area. And right now we're getting to the  
13 point or we're getting to the point where the  
14 characterization is at a point where we really can  
15 start talking about what the costs are going to be.  
16 The better the characterization, obviously the  
17 better we are able to derive numbers that we can  
18 both agree with.

19 With that, let me talk to you about the Alpha  
20 area. There are sites, and if you'll look, I gave  
21 you some slides too I think. You've got this  
22 little thing here in your -- what we tried to do,  
23 if you'll look up in the top right-hand corner of

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1       your slide, you'll see the little pattern right  
2       there. Looks like blue polka dots. Okay, these  
3       are the sites where the JPA is going to  
4       characterize and the Army is going to complete  
5       remediation. Again, when I say Army completes  
6       remediation, is a big part of phase two and should  
7       eventually become part of the JPA cleanup as well.

8               Right now what we're saying is we have an  
9       agreement with the JPA that you'll do the  
10      characterization and the Army has got a retained  
11      condition which either has to be cleaned up, has to  
12      be cleaned up by us or the JPA at some point in the  
13      future.

14             Those three sites on your map are T-38, this  
15      big area right here, can y'all see that? It's  
16      listed as parcel 186(6). Can you see it on your  
17      map? Also parcels 510 and 183, which are down in  
18      the central portion of the installation right here  
19      (indicating). Those are associated with T-6, both  
20      of those sites have got groundwater issues, T-6 and  
21      the Cane Creek Training Area as well as T-38. And  
22      what we've agreed to with T-6 and the Cane Creek  
23      Training Area, which we've got them together

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1       because they are in proximity, is that the JPA will  
2       complete the characterization, in other words, they  
3       will do a feasibility study, they will take the  
4       data that we've got to this point and complete that  
5       study and do a feasibility study and come to a  
6       conclusion on a remedy.

7               At that point, then we can start talking about  
8       the cleanup. The same thing with T-38.

9               DR. COX: Ron, you said you would  
10       start talking about cleanup. How would you decide  
11       what the Army is willing to do compared to what  
12       they want you to do?

13              MR. LEVY: Well, we will be involved  
14       in reviewing and deciding what the actual remedy  
15       will be. I can't tell you what that's going to  
16       look like at this point, whether it's some sort of  
17       groundwater remedial action or land use control.  
18       At this point, I don't have a clue. We'll have to  
19       get through this review with the JPA, let them  
20       complete the study and then sit down with them to  
21       discuss before we actually decide on what the ROD  
22       would be, the record of decision. And again, that  
23       will involve both EPA and the state because of

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1       their role and oversight.

2                       MR. DOYLE:  Keep in mind,  
3       characterization is important.  Once that  
4       characterization is complete, the thought is and  
5       the natural lead into that or follow-up to that is  
6       that the JPA in phase two would then probably get  
7       the responsibility for the actual remediation  
8       piece.

9               They would have done the characterization, at  
10      that point, then all parties will then be able to  
11      figure out the cost options as well as what's not  
12      only protective of human health and the environment  
13      if there is an environmental contamination issue,  
14      but also what's the appropriate remedy for the  
15      given reuse that the JPA wants to do in that  
16      particular area, which might change.  Which is not  
17      a bad thing in this case in that the flexibility  
18      will be there for the JPA to do the appropriate  
19      type remediation for what they believe is the  
20      intended reuse.

21              Or perhaps ABC Company is at their doorstep  
22      saying "Hey, we want an industrial complex."  Well,  
23      obviously we don't have to weigh as a potential

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1 remediation cleaning it up to a residential  
2 standard, because they know up front that the  
3 minimum standard would be something lesser because  
4 it's an industrial reuse that's involved. Or on  
5 the alternative, they know that there is a  
6 residential developer knocking at their door, well,  
7 then they know that that's what they need to be  
8 looking at for purposes of the cleanup action.  
9 Does that answer your question?

10 MR. LEVY: Donna, do you have a  
11 question?

12 MS. FATHKE: No.

13 MR. LEVY: Okay, the next series of  
14 sites is the sites where the JPA is going to  
15 complete characterization and remediation. That's  
16 your next sheet on there. And I know it's really  
17 hard to see on the map in front of you. But all of  
18 the sites that have this, call it an orange line,  
19 is that the right color? Orangy line around it.  
20 And I'll start Parcel 66 small weapons repair, and  
21 it's right here (indicating.) Basically what we  
22 had come up with is that the JPA was going to  
23 pursue a no further action on that. We, there is

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1       some groundwater contamination, but we had  
2       suggested land use control. The JPA in their  
3       negotiations understood and agreed so that, and  
4       it's localized. There's localized groundwater,  
5       lots of organic compounds, so we've all agreed at  
6       this point that the Army is not going to do an  
7       additional remediation. We have given money in  
8       there for additional characterization for the JPA  
9       and to pursue essentially a no further action  
10      decision document. Landfill 1, Parcel 78(6) over  
11      here. As part of the agreement the JPA is going to  
12      be responsible for capping and maintaining that  
13      landfill. So there's dollars in the cooperative  
14      agreement to in fact accomplish that.

15             And then Landfill #2, Parcel 79(6), again,  
16      this is another capping. One of the things the JPA  
17      did ask for because they were concerned about  
18      dioxin is we did not have any dioxin samples, so  
19      the Army doesn't believe it's going to be an issue,  
20      is that they wanted to do some additional sampling  
21      for dioxin, so we allowed for that. And if there  
22      is a dioxin issue, it becomes an Army retained  
23      condition. The JPA is not responsible for any

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1 remedial action if there is anything associated  
2 with dioxin at the site.

3 And then Landfill #3, our favorite landfill,  
4 up here in the periphery. This is where the  
5 groundwater issue, JPA is responsible for the  
6 characterization and completion of the RI and  
7 implementing essentially capping and treatment for  
8 the groundwater. And then JPA will maintain that  
9 cap for thirty years. If there's anything that can  
10 be found outside of that, and when I say outside of  
11 that, if you look at the box that's drawn there,  
12 the Army will retain responsibility for addressing  
13 that separately. Although the Army doesn't believe  
14 that that will be the case. But there are  
15 provisions in the agreement to allow for that.

16 And then Landfill #4 --

17 MR. BECKETT: Ron?

18 MR. LEVY: Sure.

19 MR. BECKETT: How are the  
20 twenty-year cap and the thirty-year cap, how did  
21 those numbers come about? Is that --

22 MR. LEVY: Those are really  
23 regulatory driven from a long-term monitoring

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1       standpoint. So the state is involved in making  
2       sure that we meet RCRA standards for caps which are  
3       generally thirty years in duration. Philip, can  
4       you add anything to that?

5                   MR. STROUD: I think that's correct.

6                   MR. BECKETT: Is that based on some  
7       science that suggests that whatever is in there is  
8       no longer toxic after twenty to thirty years? What  
9       sort of, I'm just, in other words, where do those  
10      regulations come from? How does the community know  
11      it's safe? What happens to the maintenance after  
12      twenty years, after thirty years?

13                  MR. LEVY: Let me put it to you this  
14      way. The cap itself has to be maintained. The  
15      twenty to thirty years is really for the monitoring  
16      standpoint. The cap will always have to be  
17      maintained. That is a requirement.

18                  MR. STROUD: After twenty years it  
19      could be extended again if there are still issues  
20      or problems.

21                  MR. LEVY: And again, since we've  
22      already capped Landfill 4, Landfill 4, there's  
23      really no additional requirements there and we all

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1       agree that the JPA will continue to monitor.  There  
2       are some moneys in there for monitoring and  
3       maintenance of the cap under this agreement.

4                   MAYOR KIMBROUGH:  If JPA goes away  
5       before the thirty years, then does that go to the  
6       City of Anniston?

7                   MR. LEVY:  Joe, you would have to  
8       talk to that one.  I'm not sure.

9                   MR. DOYLE:  Well, there's some talk  
10      of that, but also you've got to remember that if  
11      the land is disposed of to a developer, outside  
12      interest, and it's a fit purpose, obviously, or  
13      it's not disposed of, that's going to be, whoever  
14      the recipient of that property's responsibilities.  
15      Those provisions will continue in any follow-on  
16      deed.  And that's the same with any land use  
17      control, whether it be a cap, whether it be a  
18      prohibition against use, drilling for water for  
19      human consumption, whatever it might be.  Those  
20      land use controls will follow the land with the  
21      deed.

22                   MR. LEVY:  The one thing I did want  
23      to say too is that these are really boiled down

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1        what I've got in these slides. I mean, there's a  
2        lot more detail in the cost study of what we're  
3        paying for. And I'd refer you back to JPA's cost  
4        study in terms of what really we're paying for in  
5        terms of the requirements.

6                So 88Q, end of cycle testing up in this area  
7        here. There is some soil removal and some lead  
8        stabilization out there that the JPA will do to get  
9        that site to completion. Moving on. 89Q, which is  
10       just south of that, this area right here  
11       (indicating), also linked with 215Q and there's  
12       some limited surface clearance that we're paying  
13       for in that particular area that we've agreed to.

14               94(7) which is motor pool 1500 area, down  
15       here, again, this was a land use control. They  
16       were going to pursue a no further action decision  
17       on this, but really the issue was to maintain it,  
18       to control it and maintain it as is. Because there  
19       was some limited groundwater issues out there.

20               103Q, up in this area here, (indicating)  
21       again, there's some more soil removal because this  
22       was a lead issue from weapons firing, some off-site  
23       disposal. So we were going to pay the JPA to bring

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1       it back to get it to, to get that removal done.  
2       126(7), this is more of those fill areas up here.  
3       Again, this is another capping and maintenance for  
4       twenty years. And there was some additional  
5       sampling that was going to go on up in that area  
6       that we've agreed to pay for. They were going to  
7       look at other organic compounds that they were a  
8       little bit concerned with. But if anything arises  
9       out of that, which we're not sure there is, it will  
10      be an Army-retained condition. And we'll have to  
11      either renegotiate or do something differently  
12      there.

13           126(7), that's the one I just went across.  
14      132Q-X, up in this area here up in the middle of  
15      the Alpha area. Again, some limited surface  
16      clearance in there because of lead issues. And  
17      then the industrial landfill, most of you know  
18      that's right off of Landfill 4 on the northwestern  
19      -- northeastern side of the landfill. That the  
20      JPA is going to be responsible for capping and  
21      maintaining. And I understand the JPA wants to  
22      keep that open for several more years because they  
23      are going to use it for disposal of construction

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1 debris associated with other removal that's going  
2 on post, so we will transfer, we still hold a  
3 permit on that. We'll transfer that permit to the  
4 JPA subsequent to the ESCA so they can do that.

5 Moving on, 215, former defendam range. It's  
6 in the same location as 89Q. And again it's some  
7 limited surface clearance. Fill area east of  
8 Reilly Lake that is 22, this particular site right  
9 here. Again, those are part of the fill areas, all  
10 of the fill areas that we were looking at, another  
11 capping and maintenance requirement here, similar  
12 to what I just talked about. 229Q fill area  
13 northwest of Reilly, same here, another capping and  
14 maintenance requirement. And 230, these are all  
15 the fill areas that we have talked about.

16 MAYOR KIMBROUGH: Remind me of the  
17 fill area, is that stumps and stuff like that? The  
18 definition of a fill area.

19 MR. LEVY: Some place where material  
20 was placed in a hole. You know, it's the same  
21 thing as a landfill, that you think of as a  
22 landfill. It may not have been a sanitary  
23 landfill, this may have been a fill for other

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1 things. There was some stabilization that we  
2 agreed to fund out on 230Q, essentially some  
3 rip-rap and some leveling out there to stabilize  
4 the site.

5 Former anti-tank range 37 millimeter 230Q-X,  
6 in this area right in here. Again, some more soil  
7 removal and lead stabilization associated with the  
8 lead issues.

9 That moves into the OE characterization. I  
10 don't know that I've given you this map, but it's  
11 incorporated into the one that you've got in front  
12 of you. This is just a little bit easier to see.  
13 Separate program UXO we're funding this as well,  
14 buyers based on the characterization that was done  
15 out there. So, the purple cross hatch on your map  
16 there which is essentially this area here, y'all  
17 see where I'm pointing to? What we've done for  
18 those areas, based on discussions with the JPA and  
19 their contractor and ADEM, and ADEM's concerns  
20 about the characterizations in those areas, we're  
21 funding the JPA to do additional characterization  
22 in there, i.e. more sampling to establish whether  
23 or not there is a need for removal or not.

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1           So, what we're saying there is that we're  
2           going to fund it. We the Army don't necessarily  
3           believe that there's any more ordnance in those  
4           areas, but because of ADEM's concerns on the  
5           sampling, this is one of the issues that we've got,  
6           you've all heard about that we were going back and  
7           forth with ADEM on in terms of the letters, well we  
8           came to a conclusion and an agreement that okay, we  
9           would do some more sampling to try to close the  
10          door as to whether or not there was any ordnance  
11          out there, and we're going to pass that off to the  
12          JPA to do. So this area in here, what we're saying  
13          is we're going to fund the JPA to do more sampling  
14          in there to determine whether there is an ordnance  
15          issue or not. And then if there's a remedial  
16          action requirement associated with that, that's an  
17          Army retained condition. So, I stand corrected --  
18          no, there's funding in there for the JPA to  
19          remediate if necessary. I stand corrected. Did I  
20          make that clear?

21          And then the next sites on your maps it's a  
22          blue cross-hatched area, can you see that? The  
23          blue cross-hatched area, you'll see there's about

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1 eight different sites there, starting from the top  
2 to the bottom, and I really won't point them all  
3 out, but the M6-1L suspect area, 1/AR, we are  
4 funding a clearance to depth for that. M5-1L-1,  
5 we're funding a clearance to depth. And again,  
6 this was based upon our discussion and agreements  
7 with the JPA on their need to meet their land use.  
8 We're funding specific types of clearances. It's  
9 not just land use, it's also based on the ordnance  
10 that we know was in those areas and where it may  
11 have impacted to what level. So, M5-1L (South)-PR,  
12 that was a one foot clearance. M6-1M, which was a  
13 small area, but was also a one foot clearance.  
14 M6-1M transect area 1 South, that included a  
15 clearance to one foot, clearance to depth and some  
16 subsurface clearance as determined by the proposed  
17 reuse. So there is some flexibility in that. Same  
18 thing with Transect area 2, M6-1M, North transect  
19 area 2, and then we move down to M6-1 suspect area  
20 north-PR, a one foot clearance there. And M6-M  
21 suspect area south PR one foot clearance there.

22 So, that's where, from my perspective, the  
23 bulk of the forty-eight point five million is going

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1 to. There is, I think, about eleven percent of it  
2 is associated with insurance that the JPA will have  
3 to fund. So, over four million dollars in  
4 insurance costs are associated with the forty-eight  
5 point five million as well. And then there's  
6 management cost and overhead that they have to  
7 derive out of all of that.

8 MR. DOYLE: Now, putting this all  
9 into perspective, the primary document that's out  
10 there is the consent order or consent agreement  
11 that runs between ADEM and JPA which establishes  
12 what the cleanup levels are. The Army has funded  
13 to those cleanup levels. Now, the insurance covers  
14 a couple of things. It covers what's typical on  
15 any type of construction where you are moving dirt.  
16 Cost overrun, the Army does not have that  
17 responsibility. We have paid for taking care of  
18 that provision if that were to occur through the  
19 use of the insurance policy, as well as for  
20 unknowns. If something is found out there that we  
21 have not costed but it's something that, for want  
22 of a better word, there's a likelihood that you  
23 might find it out there, well, again the insurance,

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1       and this is very simplified, because, I'll be  
2       honest with you, even as an attorney this type of  
3       insurance is not my strong point. But the basic  
4       premise is the insurance covers unknowns out there.  
5       So, if something else is found in the course of  
6       doing the remediation that was unanticipated, for  
7       the most part, the insurance will cover.

8               But, of course, like anything else, Uncle Sam  
9       is always back there if insurance for whatever  
10      reasons were not to cover it, the likelihood is  
11      quite great that the Army is still sitting back  
12      there holding, is going to be the one that gets the  
13      bill and has to pay the piper, so to speak. But  
14      characterization, for the most part, was well  
15      enough along, other than for the ones where  
16      characterization still wasn't completed, that the  
17      likelihood we find an unknown out there is pretty  
18      small at this point of the game given the amount of  
19      investigation that we've done. But it is an  
20      integral part. Without insurance, especially in  
21      the UXO arena, this deal would have never gotten  
22      off the ground. So, on the other hand, UXO is  
23      being watched carefully by all parties concerned,

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1 not just ADEM but also the Army. Because this is  
2 the first place that privatization of UXO has  
3 occurred. So, we have a vested interest in that.  
4 The Army would like to be able to, if the  
5 circumstances allow it, to get out of that business  
6 and to pass that on to the LRAs at other  
7 installations from coast to coast.

8 MR. STROUD: I have a question on  
9 your lower figure there you have Highway 21 being  
10 in purple. I want to clarify that.

11 MR. LEVY: Yeah, in fact, what I  
12 didn't mention to you the Army actually owns the \_\_\_\_  
13 (inaudible) title under Highway 21. When they  
14 built Highway 21 they obviously got the property  
15 from the Army. So as part of the transfer we're  
16 going to be transferring to ALDOT, the rest of the  
17 \_\_\_\_ (inaudible) that's under 21.

18 MR. MILLER: Are y'all going to pave  
19 it before you transfer it?

20 MR. LEVY: No, we just thought we  
21 would let the waterworks people dig it up and they  
22 could repave it.

23 MR. DOYLE: Whenever the last

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1 transfer to ALDOT for the Eastern Bypass occurs, we  
2 will transfer that from the remaining property at  
3 the same time.

4 MR. LEVY: The one other thing that  
5 most of you, I think you do know is that under  
6 CERCLA, when we do a transfer of property we give a  
7 warranty or covenant that says the Army, simply  
8 put, the Army will return if there's contamination  
9 associated with Army activities in the past that  
10 gets discovered. We don't, there's a deferral on  
11 that covenant because we know we're transferring  
12 contaminated property until such time as that  
13 property is cleaned up. So as the properties  
14 become cleaned up, the Army will then provide that  
15 covenant, that deferral, I mean that warranty that  
16 we'll return in the future if necessary to clean up  
17 if there's additional contamination found that's  
18 associated with Army activities in the past.

19 MR. DOYLE: And that's the same  
20 covenant that's in every piece of property that's  
21 transferred to date on Fort McClellan.

22 DR. HARRINGTON: Okay, timely  
23 report. Let me make a note before we go on to the

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1 next business, Mayor Kimbrough and Mr. Miller did  
2 come in prior to the reporting. I just want to  
3 make sure it gets into the record.

4 DR. COX: One more question, what,  
5 does the role of the regulatory agencies change  
6 when it's transferred to JPA? Doesn't ADEM consume  
7 primary responsibility for it?

8 MR. LEVY: The role does change in  
9 the sense that the cleanup that JPA is doing will  
10 now be under state authority, state statutes that  
11 go through RCRA. The investigations where I said  
12 that JPA was completing the investigation at an  
13 Army retained condition like T-38, that's going to  
14 continue to be done on a CERCLA because that's  
15 still an Army responsibility. Where the JPA is  
16 doing the characterization, their remediation,  
17 that's all going to be done under the State's RCRA  
18 and that's in accordance with the cleanup agreement  
19 or what we're calling the consent order. And the  
20 Army was brought into that to do an MOA that we're  
21 signing with the state as well.

22 MR. BECKETT: What sort of tie is  
23 there between appropriations processes, and I'm way

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1 over my head in this, but we're in big debt in  
2 Washington, what sort of tie is there in terms of  
3 the timeliness of cleanup, moneys available here if  
4 something should be discovered and budget processes  
5 in Washington?

6 MR. DOYLE: I can answer that  
7 question. The forty-eight point five million  
8 dollars there, that's already been set aside.

9 MR. LEVY: Already appropriated.

10 MR. DOYLE: Now, notwithstanding  
11 the ceremony today where we passed the check,  
12 that's not quite exactly how it works. The JPA is  
13 not given that forty-eight point five million up  
14 front. That's just like anything else, they bill  
15 on a quarterly basis for work, for services done in  
16 that past quarter and then we reimburse them for  
17 that. Also as part of the DSMOA program, money is  
18 being given over and above what's given to the  
19 state now to do their regulatory oversight of the  
20 cleanup by the JPA.

21 On the other hand, well obviously like I said,  
22 the Army's presence continues and we have our own  
23 separate budget. Now, for unforeseen costs, I

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1 mean, that's going to have to go into the budgetary  
2 process. I mean, if we're talking, what I call,  
3 and I hate to say small potatoes, because it's not  
4 really small potatoes, not to any of us paying  
5 bills at the end of the month, but small things,  
6 that's probably not going to be a problem. Now, if  
7 there were some major issue unforeseen along the  
8 scale of a groundwater issue like in Landfill 3,  
9 obviously that's going to have to be part of the  
10 Army's budgetary process and might take a year or  
11 so to get appropriately funded. I mean, it doesn't  
12 happen overnight.

13 There's a different story if something was  
14 found that's an immediate threat to the environment  
15 or human health and safety of the public, that's a  
16 whole different story and there's always  
17 contingency funds that are available out there,  
18 shades of finding munitions up in the DC suburbs  
19 there several years ago, that we're all well aware  
20 of, that was an immediate Army response because  
21 there was a direct threat to human health and the  
22 environment. That's not to downplay, but if it's  
23 normal stuff that even though we haven't discovered

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1       in the past that we find now an additional lead  
2       over and above what we thought was there, I mean,  
3       that's going to have to be put into the normal Army  
4       budging process to address, because that's not an  
5       immediate threat to human health or the  
6       environment.

7                       MR. LEVY: I'll just mention to you  
8       that all of these sites, to include what's to be  
9       negotiated in the Bravo area, are already in the  
10      Army's budgeting cycle. And every year we do a  
11      cost to complete where we identify what our costs  
12      are. Every year we can refine it based on better  
13      characterization data. We may get closer to a  
14      number which may go up or it may go down based on  
15      our characterization, but it's in the budget cycle.  
16      And we have been in the budget cycle now since our  
17      inception. So, some years are good years, some  
18      years are bad years based on where they are  
19      divvying the money out to. This year has been a  
20      good year for, well, particularly for the JPA. I  
21      don't think we the Army, the guys on the ground,  
22      would have ever seen forty-eight point five million  
23      from a cleanup standpoint. We just never would

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1       have gotten that kind of money. The JPA certainly,  
2       since they are taking on the cleanup, did get to  
3       see that kind of money. So from that standpoint,  
4       it is a success to you all.

5                   MR. DOYLE: And then as a follow-on,  
6       Mayor Kimbrough last month's meeting asked what our  
7       budget was for the current fiscal year, which was  
8       October of '02 through October of '03 this year,  
9       and to get back to you with an answer on that, it  
10      was just a little over twelve million dollars that  
11      we've expended in the entire, all of the  
12      environment remediation projects at Fort McClellan.  
13      And while we do not have our budget that begins  
14      October '04, it's going to be much leaner than what  
15      we had available. Of course, now, some of that is  
16      because of the fact that JPA will be taking on what  
17      was the Army's responsibility. But notwithstanding  
18      that, this is going to be a lean year before the  
19      next BRAC round where we presume there will be  
20      additional moneys that come available.

21                   DR. HARRINGTON: Thank you, Ron, for  
22      the report. Has our questions been satisfied?  
23      Now, we will move to our new business. Mr. Hood

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1 submitted his resignation to the RAB. And his  
2 letter just thusly states "Please accept my  
3 resignation from the RAB. I've been very honored  
4 to be a part of Fort McClellan RAB since its  
5 creation. Unfortunately it has become difficult to  
6 attend the meetings. Thank you, Ronald Lee Hood."

7 We will be accepting that. Now, what you  
8 need to tell me, you know, we need a new member. I  
9 think we have one application left, and that's Mr.  
10 Keith Howland. And we do have the applications on  
11 the web and he's been among our pool since I guess  
12 the last three or four elections. Give me the  
13 wishes of the body.

14 MS. FATHKE: Are you asking us  
15 whether or not we want to vote him on?

16 DR. HARRINGTON: Yes.

17 MS. FATHKE: I would like to see his  
18 resume one more time to refresh my memory of him.

19 MS. CUNNINGHAM: I really need to  
20 contact him first to see if he's still interested.  
21 I would just kind of like to know if the RAB would  
22 like me to ask him if he's interested since he's  
23 been passed over a few times, I wasn't really sure.

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1 DR. HARRINGTON: RAB members?

2 MR. BECKETT: Is there any way you  
3 could send us out the resume over the e-mail? Or  
4 should we just go back through our previous  
5 packets?

6 MS. CUNNINGHAM: I could, but  
7 before we, you can vote on that I need to make sure  
8 that he is still willing to serve, that his  
9 schedule would still allow it. That he's still  
10 interested. But I could e-mail his application to  
11 you.

12 MS. FATHKE: Why don't you do that  
13 first.

14 DR. HARRINGTON: Okay. Our next  
15 order of business then once you get the e-mail, you  
16 will respond directly to Brenda if you want her to  
17 make contact to see if he's interested. I see your  
18 heads, help me now.

19 MR. MILLER: That's a good idea. We  
20 like that.

21 DR. HARRINGTON: All right. We need

22 --

23 MR. DOYLE: How is Brenda to

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1 interpret the no response?

2 DR. HARRINGTON: No response means  
3 no. I didn't need the e-mail. But I think if we  
4 get an e-mail we ought to do it anyway. But I  
5 still have my copy. So.

6 MR. LEVY: It would be helpful too  
7 if RAB members could nominate some folks, you know,  
8 get names into the pot so you could look at them.

9 DR. HARRINGTON: Are we ready to  
10 move to the next item? We need to elect a vice  
11 chair. Before we get there, I would like to say to  
12 all of you all thank you for allowing me to serve  
13 as your co-chair this past year. And this will be  
14 my last meeting in that capacity. It's been great.  
15 I'm just looking forward to sitting over there  
16 where Mr. Clendenin is sitting. The floor is open  
17 for nominations for a vice chair.

18 DR. COX: I nominate David Steffy.

19 DR. HARRINGTON: Okay, I hear a  
20 nomination of David Steffy, is there another  
21 nomination from the floor?

22 MAYOR KIMBROUGH: I make a motion  
23 that the nominations be closed.

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1 MR. MILLER: Second.

2 DR. HARRINGTON: It has been  
3 motioned and seconded that the nominations be  
4 closed on the name of Dr. David Steffy. Are you  
5 ready to vote? All in favor that the motion be  
6 closed, let it known by aye.

7 RAB BOARD: Aye.

8 DR. HARRINGTON: Opposed the same  
9 opportunity.

10 DR. STEFFY: Opposed.

11 DR. HARRINGTON: Being opposer in  
12 the minority does not count here. You have been  
13 elected as our vice chair.

14 MR. DOYLE: Did we just vote to  
15 close the nominations? Don't you have to vote--

16 DR. HARRINGTON: I did. And I  
17 moved to close, and he opposed. And because he  
18 opposed and he was in the minority, then we just  
19 elected Dr. Steffy.

20 MR. DOYLE: Congratulations.

21 DR. HARRINGTON: Okay. And you have  
22 a fine group of folks that will do everything  
23 possible to help you.

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1           Okay, we're down to the agency reports. And I  
2           think Doyle is not here but his report is in the  
3           packet.

4                       MR. STROUD: Okay, we've received  
5           some letters and a couple of reports here. I'll go  
6           ahead and pass them this way and this way here.  
7           Right now I'm in review of these reports coming in  
8           and a couple of priorities, we have been working  
9           extensively on this transfer, on the FOSET,  
10          especially me on the FOSET, and working hard for a  
11          lot of the bosses above me. They have been  
12          requesting me do a lot of things for them for this  
13          event they had today. We, as for the reports that  
14          we've reviewed, actually there is a laundry list of  
15          them that are going to be signed very soon. They  
16          have been tied up with this transfer. And I can  
17          understand why they are a little bit behind on  
18          certain things, and so next time we'll probably  
19          have a big list of those to be reviewed. But if  
20          you have any questions, feel free to call me at  
21          ADEM and we'll discuss any of these reports or what  
22          we've done, where we're heading. And again, I have  
23          talked with Doyle and his is attached I think to

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1 the agenda, and then back here. Anyway, he didn't  
2 have anything to add.

3 DR. HARRINGTON: Okay, and we don't  
4 have a report from JPA, we know their report was a  
5 big shindig today that most of us got a chance to  
6 attend. I'm sorry that I was unable to. But my  
7 grandmother was funeralized on Saturday, which  
8 meant I spent time out of the office last week and  
9 I had to catch up. Because I have to travel  
10 tonight when I leave here.

11 We don't have anything from the technical  
12 review committee. I was speaking with Pete and  
13 Craig this past week, and they were to hopefully  
14 try and make contact with Bob. And of course I had  
15 e-mailed them. But in the midst of all of this  
16 with my granny, I didn't get back with them. But  
17 Craig and hopefully Pete were going to meet.  
18 Because Bob is getting a little bit disgusted, and  
19 frankly so is the chair, because the board or  
20 members of the board thought that they needed this  
21 expertise or they needed this grant because they  
22 had some things that they needed, and we have not  
23 given Mr. Schmitter any direction. And it really

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1 needs to be done or we need to, if this is what the  
2 board said that it wanted. So technical review or  
3 even members of the board, and Mr. Clendenin, you  
4 are about to get to inherit this baby, so any  
5 suggestions is definitely welcome. Because we  
6 don't need to be saying we want things if we are  
7 not going to use them. We teach our children  
8 against that. What you ask for, you use. Okay.  
9 I've had my spill.

10 Our next report I think is it the action  
11 summary sheet?

12 MR. LEVY: That's me. You all have  
13 a copy of the action summary sheet in your  
14 handouts. I'll just briefly go through each one of  
15 those. In relation to the off site groundwater  
16 monitoring that we were doing at Landfill 3, we did  
17 do a report last month discussing the results of  
18 that. That is complete at this point. Any  
19 additional work beyond what we've done right now  
20 will be part of the JPA initiative in the  
21 cooperative agreement. So we're pretty much  
22 finished with any additional groundwater that the  
23 Army is going to do in relation to Landfill 3.

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1           On the ordnance and explosive site, from the  
2       Alpha area standpoint there, the Army obviously  
3       transferred or is in the process of transferring  
4       this property to the JPA. There is provision  
5       within the cooperative agreement with transfer for  
6       additional investigation and characterization, so  
7       that's moving forward in that sense. For the Bravo  
8       area, we're still working on the draft EE/CA report  
9       on the Bravo area. There's lots of internal  
10      discussions because it will become part of the  
11      follow-on negotiations with the JPA, so that's not  
12      complete and has not gone out to the regulatory  
13      agency. So we're still working that internally.  
14      Within the Bravo area there is the wire removal.  
15      Those of you who don't remember what that area,  
16      I'll point it out. This blue area here, it was  
17      important that we get in there and do a removal so  
18      that the JPA would have the ability to develop in  
19      and around there without having ordnance impacting  
20      that development. We're still working the removal  
21      out there. And we're progressing towards the  
22      completion without giving you a specific date.  
23      We've had some delays associated with the weather

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1 and some manning issues, but we're still working  
2 that removal.

3 MAYOR KIMBROUGH: Ron, on the Bravo  
4 area where the bypass is going through, you know  
5 they have cleared all of that, I understand. But  
6 are there going to be any requirements of any way  
7 to restrict those areas off the bypass if they  
8 haven't been cleaned?

9 MR. LEVY: Conceivably yeah. Within  
10 the Bravo area, directly adjacent to the Eastern  
11 Bypass, there will probably be some defined  
12 removals that could affect what we're calling  
13 exclusion zones, because when you do a removal for  
14 a piece of ordnance you have to have an exclusion  
15 zone depending upon what type of ordnance it is.  
16 It essentially blocks out or we have to black out  
17 property to keep people from moving into that area  
18 while we're doing a removal. So there's a possible  
19 impact there, yes.

20 Within the Charlie area, one of the  
21 things that we're doing now is we're reviewing the  
22 Charlie area EE/CA with the Fish and Wildlife  
23 Service, they have a copy of the document. So we

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1       expect to have some comments back from them on that  
2       as well. The M1-01 area, that's also just to the  
3       inside of the bypass Flying-J. We have completed a  
4       removal out there, signed an action memorandum,  
5       completed a removal and submitted it to the state.  
6       The property is included in the FOSET because of  
7       ongoing issues with ADEM associated with that, we  
8       hope to be able to work those issues out here in  
9       the future.

10           And the Eastern Bypass, the Army did submit a  
11       draft removal report to ADEM. ADEM provided its  
12       comments back in June, we're still working --  
13       excuse me, provided comments back in August, we're  
14       still working through those comments. And we'll  
15       continue to work with ADEM on those. Hopefully  
16       that will be a success though.

17           Well, you've heard most of what I told you  
18       about the landfill status and what we're providing  
19       in terms of funding and the remedies that are going  
20       to occur with the JPA's action for the landfill  
21       investigations. We will do, at some point the Army  
22       will do a report of finding on that and pass all of  
23       that information off to the JPA so they can

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1 complete the action that have been negotiated in  
2 the cooperative agreement. The FOST or the FOSET  
3 that's out there is the one for the early transfer,  
4 Bill mentioned to you about forty-six hundred  
5 acres, that has been signed by the Army. And we  
6 expect it to be signed by the governor here  
7 shortly.

8 Other property transfers that are listed down  
9 there, D-10 which has been complete, D-12, that's  
10 pending, and D-13 which is the FOSET property is  
11 expected to be signed here shortly as well. Just a  
12 listing of the folks who have been on site. Any  
13 specific questions about the work going on in terms  
14 of McClellan?

15 MR. GRANT: Ron, anybody ask you to  
16 do a study on what killed all the greens on the  
17 golf course?

18 MAYOR KIMBROUGH: Chemicals, they  
19 sprayed the wrong stuff.

20 MR. LEVY: Poor management I  
21 suppose. Don't suggest it. Somebody will want me  
22 to do that.

23 DR. HARRINGTON: Y'all have been

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1       here too long. We must go back to the agenda. Are  
2       you done?

3                       MR. LEVY: Yes.

4                       DR. HARRINGTON: Okay, is there a  
5       TAPP report?

6                       MR. GRANT: No documents to review,  
7       no activity on my part. I did submit a bill for  
8       attending the RAB last month and for just sending  
9       you a note saying I attended the RAB and I was  
10      charging you for it.

11                      DR. HARRINGTON: And Mr. Schmitter  
12      had nothing to report and could not attend the  
13      meeting. In asking about the upcoming programs, we  
14      are being asked to also consider what do we want  
15      for 2004. Do we just want to meet at Fort  
16      McClellan or do you want to continue to meet out in  
17      the community? The chair has no vote on this, but  
18      I really think it's good that the community see us  
19      out in the community.

20                      DR. COX: But does the community see  
21      us when we go out anywhere?

22                      MR. CLENDENIN: Yonni did.

23                      DR. HARRINGTON: That's almost like

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1       if a tree falls in the forest and nobody is there  
2       to hear it, does it make a sound?

3                   DR. COX:   Could we not make sounds  
4       out at the Fort?

5                   MAYOR KIMBROUGH:   I think it's good  
6       to give them the opportunity.

7                   DR. HARRINGTON:   I agree, I really  
8       do.   They don't come, but they know that you have  
9       been here.   They know that, you know they met such  
10      and such a place, yeah, I know, but how did you  
11      know.   Tell me.

12                  MR. LEVY:   Well, I'll just tell you  
13      from the Army's standpoint, it's a lot easier for  
14      us to set these things up and provide all the  
15      material and do all the coordination, all our copy  
16      machines and all our material are right there.  
17      That's just our thoughts.   We prefer not having to  
18      go off site, but we understand.

19                  MR. CLENDENIN:   Well, if you don't  
20      have a vote now, I won't have a vote then, right?

21                  DR. HARRINGTON:   No, you won't have  
22      a vote, you better say.

23                  MR. CLENDENIN:   I move that we do it

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1 at the Fort all the time.

2 DR. HARRINGTON: It has been moved  
3 that we do it at the Fort all the time. We need a  
4 second.

5 MR. ELSE: I'll second.

6 DR. HARRINGTON: Okay, it has been  
7 properly motioned and seconded that we have them at  
8 the Fort all the time. Are you ready for the  
9 question? All in favor of said motion let it be  
10 known by a show of hands. Would somebody count  
11 them for me? Opposed? Okay, with the record  
12 noting that we will have the meetings at the Fort.  
13 Are there comments from the audience?

14 MAYOR KIMBROUGH: I would like to  
15 recommend that we send a letter to Mr. Hood, I  
16 think he's been one of the original members.

17 DR. HARRINGTON: We did. And we  
18 made mention of that fact. Go ahead, I'm sorry.

19 MR. DOYLE: Just for everybody's  
20 knowledge, Mary and I have signed a joint letter  
21 from both of us thanking him for his participation  
22 since the RAB's inception.

23 DR. HARRINGTON: And we did mention

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1       that, you know, because we're getting almost like  
2       hens teeth now, extinct.  Is there anything else?  
3       Again, I do want to say before I leave to Mr.  
4       Clendenin and his member how much we appreciate the  
5       repass and the opportunity to share with you  
6       tonight.  Is there anything else?  Thank you for  
7       allowing me again to serve as your chair.  I hope I  
8       will not be that lucky again.  Do I hear a motion  
9       that we adjourn?

10                   MR. MILLER:  I so move.

11                   DR. HARRINGTON:  All in favor?

12                   RAB BOARD:  Aye.

13                   DR. HARRINGTON:  We are adjourned.

14                   (Whereupon this RAB meeting was concluded  
15                   at 7:40 p.m.)

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C E R T I F I C A T E  
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STATE OF ALABAMA )

CALHOUN COUNTY )

I, DONNA D. GALLAHAR, a Court  
Reporter and a Notary Public in and for the State  
of Alabama at Large, duly commissioned and  
qualified, hereby certify that the above referenced  
meeting was reduced by me to shorthand in the  
presence of said witnesses, afterwards transcribed  
upon a computer; and that the foregoing is a true  
and correct transcript of the meeting to the best  
of my ability.

I FURTHER CERTIFY that this  
meeting was taken at the time and place in the  
foregoing caption specified, and was completed  
without adjournment.

I FURTHER CERTIFY that I am not a  
relative, counsel, or attorney for any party, or  
otherwise interested in the outcome of this action.

IN WITNESS WHEREOF, I have

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DONNA D. GALLAHAR  
Notary Public in and for  
Alabama at Large

My commission expires May 20, 2005.

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