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RESTORATION ADVISORY BOARD

FORT McCLELLAN, ALABAMA

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Taken before KELLI K. LOWERY, CCR, a
Court Reporter and Commissioner for Alabama at Large,
at Building 215, Fort McClellan, Alabama, on the 15th
day of October, 2007, commencing at approximately
5:00 p.m.

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1 SCOTT BOLTON: What's everybody
2 think? Do we want to give it a couple of extra
3 minutes before we go ahead and start? Apparently,
4 Mr. Franklin is in route. We could wait a couple
5 minutes more if Curtis showed up.

6 JIM MILLER: You snooze, you lose.
7 Let's go ahead.

8 SCOTT BOLTON: All right. Well,
9 then I guess we'll call it to order, and then turn it
10 all over. Well, call the roll first.

11 Obviously, Mr. Franklin is apparently in
12 route. Ms. Bragg? Mr. Buford?

13 MR. BUFORD: Here.

14 SCOTT BOLTON: Mr. Burgett?

15 PHILLIP BURGETT: Here.

16 SCOTT BOLTON: Mr. Clendenin?

17 Mr. Conroy? Dr. Cox was unable to be here.

18 Mr. Elser?

19 JEROME ELSER: Here.

20 SCOTT BOLTON: Mr. Hall?

21 Dr. Harrington?

22 DR. MARY HARRINGTON: I know he's
23 sick. He had a heart attack.

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1 SCOTT BOLTON: Is that right? I
2 guess that's legitimate then. That's not good.
3 Dr. Harrington?
4 DR. MARY HARRINGTON: I'm here.
5 SCOTT BOLTON: Mr. Jackson?
6 ROBERT JACKSON: Here.
7 SCOTT BOLTON: Mr. Kimbrough?
8 Mr. Miller?
9 JIM MILLER: Here.
10 SCOTT BOLTON: Dr. Spain?
11 DR. JOHN SPAIN: Here.
12 SCOTT BOLTON: Dr. Steffy?
13 DR. DAVID STEFFY: Here.
14 SCOTT BOLTON: And Mr. Wilson?
15 PENN WILSON: Here.
16 SCOTT BOLTON: And Michelle Klomp is
17 here, and Brandi Little is here from ADEM. I do not
18 think we're going to have anybody here from EPA.
19 So all that being said, I believe we're
20 one short of having a quorum. We have to have nine,
21 and we've got eight. With any luck, Mr. Franklin will
22 get here, and we'll be in good shape.
23 We'll get any guest we have here to

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1 introduce themselves.

2 MR. GRANT: Ron Grant, interested

3 citizen.

4 KENT BOLER: Physicist from Matrix.

5 KAREN PINSON: Karen Pinson, Army

6 National Guard.

7 LISA HOLSTEIN: Lisa Holstein, Fort

8 McClellan Transition Force.

9 SCOTT BOLTON: I guess we'll count

10 Brenda as a semi-guest. Brenda Cunningham, Transition

11 Force. She's outside trying to round up people.

12 JIM MILLER: She'd have better luck

13 out on the highway.

14 SCOTT BOLTON: Well, there's some

15 other ways, too.

16 Since we don't have a quorum, we can't

17 approve minutes. I suggest we move on until we

18 hopefully get a quorum.

19 DR. MARY HARRINGTON: We can do

20 agency reports.

21 SCOTT BOLTON: We can do that. So

22 we'll do the agency reports.

23 You guys ready?

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1 BRANDI LITTLE: Sure. In your
2 packets should be three pages for the ADEM activities
3 report, and I have to admit I was gone for three
4 months on maternity leave, but here are the lists of
5 documents that we received and reviewed during that
6 time. And we've been doing pretty good getting
7 documents in and out lately. You can see our list of
8 meetings and site visits on the last page.

9 And we had -- Brittney Stroup left ADEM,
10 and we have replaced her with Ashley Toellner. Unless
11 anyone has any questions, that's all I've got.

12 SCOTT BOLTON: Michelle, you want to
13 go next?

14 MICHELLE KLOMP: I can do that. The
15 next page is a summary of the JPA documents received
16 over the previous quarter. It's pretty straight
17 forward. If you have any questions, I'd be happy to
18 answer them.

19 SCOTT BOLTON: You do realize we're
20 stalling time here?

21 MICHELLE KLOMP: If you'd like, I
22 can do diagrams.

23 SCOTT BOLTON: I guess I can give

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1 you a summary of some of the Army's actions that have
2 been going on. In addition, we've just concluded --
3 on the last page that Brandi referenced, we concluded
4 a couple of days of meetings with ADEM, the Army, and
5 our respective contractors on just a number of
6 different activities that are out there, half a dozen
7 remedial investigations.

8 It was a very productive meeting. I
9 think we resolved a lot of comments and kind of kicked
10 a tad forward. With any luck at all, we should --
11 these activities really -- we can maybe get those
12 closed out and then move on to things like feasibility
13 studies and removal actions.

14 But as far as the written summary is
15 given, I think one of the biggest things that's
16 happened since our last RAB meeting, if you look at
17 the Bravo area, which is approximately 1327 acres, I
18 think most people probably seen it in the meeting, the
19 varying extent. We did -- the Army signed with JPA a
20 new ESCA. That just stands for Environmental Service
21 Corporative Agreement, and basically, it was
22 approximately \$182 million was the total. And what
23 that was, as many of you probably remember that there

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1 was an ESCA signed in 2003, so some of the 182
2 billion, approximately 30 million was unfinished from
3 the first ESCA.

4 So the new ESCA, they decided what to do
5 is to combine it all into one new document rather than
6 having to tract things, like, ESCA 1 and ESCA 1 and so
7 on. Michelle and Lisa have had enough, you know,
8 trying to track just one ESCA, so that would be
9 another order of magnitude.

10 So that is -- the work that Matrix, JPA
11 were doing earlier on, the original ESCA has just been
12 rolled forward into the new one. So that's why -- I
13 know there was some initial confusion out there
14 somewhat about the different numbers that were
15 reported.

16 Basically, it's about 152 million new
17 work, 30 million of old work rolled forward, and I
18 don't remember what the initial funding was, do you
19 know, on the 152? I've heard some a varying number,
20 so it may not be accomplished just yet as to when, but
21 that's what's going on.

22 So what that basically does is that
23 takes that whole Bravo EE/CA area, 327 acres, and it

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1 removes it from Army's responsibility with a few
2 exceptions. We've always got to have a few exceptions
3 just to make it a challenge. So the Army is still
4 responsible for finishing out the remedial
5 investigation to what we refer to as the Iron Mountain
6 Road ranges, which are -- kind of border the eastern
7 bypass, tract three, the last tract to go, and then
8 basically, everything else will fall to JPA, and I'm
9 assuming Matrix to finish everything from
10 characterization to actual remediation, as well.

11 In addition to Bravo area, there's an
12 area we refer to as the Eastern Bypass, the Iron
13 Mountain Road edition. This is an 11-acre area.
14 Essentially, what this is going to be is the exit area
15 for the -- it's the southern exit area onto Iron
16 Mountain Road, which will be eventually turned into
17 industrial access road; correct?

18 MICHELLE KLOMP: (Nods head.)
19 Uh-huh.

20 SCOTT BOLTON: In addition to that
21 area, there will be a service road that will go up to
22 Yahoo Lake as well, on that end.

23 There's 11 acres there. We've met with

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1 ADEM on that a couple of times. They brought their
2 UXO people in, and some of them came to an agreement,
3 I think, on some additional sampling and how to go
4 forward on that.

5 What we're going to do is a stand-alone
6 desktop EE/CA for those 11 acres because the 11 acres
7 intrude into the Bravo area, but they're not part of
8 the Bravo area. We decided the cleanest way to take
9 care of it is to just do a stand-alone desktop EE/CA.
10 The data has already been out there. The sampling,
11 there might be some additional sampling. Everything
12 has already been done as to that specific area. So
13 that's underway, and we're contracting support for
14 some other portions of it.

15 The Charlie EE/CA area, 580, 600 acres
16 of land, pretty much Fish & Wildlife area, the Army
17 retains the responsibility for the clean up there, and
18 that's what we spent a lot of time on the HTRW, the
19 hazardous waste site. In other words, the Army met
20 with ADEM last week, and like I said, I think we have
21 a path forward on the remedial investigations there.

22 I'm not going to read you the other
23 pieces of it, but you can see where the -- some of the

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1 supplemental clean up has been done, the roads,
2 firebreaks, and so forth. We've still got some
3 documents out there we're waiting on. The Fish &
4 Wildlife's comments, service comments, and depending
5 on if we ever get to see what the budget is going to
6 look like, we're operating under continuing resolution
7 authority right now, but as soon as I get a final
8 budget, I'll know what the program manager thinks.
9 I'm hoping that we can move some of the things on the
10 Fish & Wildlife, move them quicker.

11 We had programed some budget there to
12 support them and hopefully -- hopefully that'll work.
13 I'm optimistic it will. I haven't heard that it
14 wasn't, so I'm optimistic that it will.

15 The Eastern Bypass Tract 3, that will be
16 really the last -- that and the 11 acres I spoke of
17 will be the last of the bypass to be transferred, and
18 I think we're still awaiting on the comments to the
19 FOST from AL DOT.

20 Am I correct on that, Lisa?

21 LISA HOLSTEIN: Right.

22 SCOTT BOLTON: Unless something slid
23 in in the last hour and a half, we're still waiting on

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1 their comment. We've met with AL DOT a couple of
2 times, and I think we should have that going, and ADEM
3 concurred with the FOST back in June, so right now,
4 it's not lost.

5 The water tank sites, a subject near and
6 dear to Mr. Miller's heart, all 22.95 acres --

7 JIM MILLER: We ask for so little.

8 SCOTT BOLTON: That's right.

9 That's the one that we've -- the draft
10 FOST is up at the DA for review?

11 LISA HOLSTEIN: For signature,
12 they're already reviewed it.

13 SCOTT BOLTON: Yeah, for signature.
14 And we've had EPA concurrence and ADEM is -- so we're
15 awaiting. The ball is definitely in our court on this
16 one, and we have brought it to their attention that
17 we're still waiting on a response, so I think they're
18 working on it as we speak.

19 I think that's about all that I have
20 got. You know, we continue to work. Matrix and JPA
21 are picking up -- as part of the ESCA, they're picking
22 up some other functions, security functions, these
23 kind of things, land-use control functions, and we're

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1 working with them as far as the handoff goes,
2 requesting bids and so on, and so we're going to
3 continue business as usual until they've got their
4 system in place, and we'll hand it off to them.

5 JIM MILLER: Can I ask a question?

6 SCOTT BOLTON: Sure.

7 JIM MILLER: I guess we've been at
8 the clean up, now about seven years, six?

9 SCOTT BOLTON: We've been at the
10 process seven years, yes, sir.

11 JIM MILLER: And I know that you
12 probably won't know the answer to this, but you
13 probably got a good idea or a wild guess how long are
14 we going to be at clean up before all the property is
15 transferred or we're done transferring?

16 SCOTT BOLTON: Michelle may be a
17 better candidate to answer to -- I'll dump this to
18 Michelle. Michelle might be the person to give you a
19 better answer on the Bravo piece of things. Okay.

20 The Fish & Wildlife piece of the refuge,
21 because of the magnitude of the UXO, and you know,
22 that's like -- it's like peeling an onion sometimes.
23 You've got to peel the first layer off before you can

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1 get to another one so some of the more conventional
2 hazardous-waste type remediation, we can't do until we
3 get into the impact areas and take care of that. So
4 you get into a nut roll there, the sheer magnitude of
5 the clean up there. I don't recall there was an
6 agreement, and there was time lines in that in the MOA
7 between the Army and the Fish & Wildlife.

8 JIM MILLER: Are we talking 10
9 years, 15 years?

10 LISA HOLSTEIN: There weren't time
11 lines. It's just a function of findings.

12 JIM MILLER: Ball park.

13 SCOTT BOLTON: If they keep funding
14 us like they did this year, it's going to be a long
15 long time, but we had some other money we reprogrammed
16 from other areas, it could be as long as five to ten
17 years on the Fish & Wildlife piece of things.

18 JIM MILLER: I guess I misunderstood
19 that a little bit because I thought that part of the
20 reason for making Fish & Wildlife -- or a national
21 wildlife refuge was, we were kind of punting that, and
22 saying, you know, we're just going to let wild turkey
23 and deer roam around in there.

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1 SCOTT BOLTON: Well, there was a
2 little bit of that, and then subsequently, once the
3 Fish & Wildlife Service got in there, they felt like
4 they needed some changes, and so ultimately, it didn't
5 go to the resolution is when the Army had --

6 JIM MILLER: So they didn't take it
7 as is, where is?

8 SCOTT BOLTON: No. The enabling
9 legislation of -- Steve Miller and I, we go around and
10 around about it. He's a good guy to work with, and he
11 doesn't miss many opportunities to push my buttons and
12 vice, versa. And originally, we had figured on the
13 roads and trails and fire breaks to call that clean up
14 complete, and some of the high-use areas. And then,
15 as they actually got into the refuge management or
16 refuge part of it and started looking at it, things
17 changed, so they came back to the Army.

18 And if you recall, the establishment of
19 the refuge, the way it occurred, is basically
20 Senator Sessions added to one of the Defense of
21 Procreation the requirement that DOI accept the
22 refuge, and I don't know that DOI was particularly
23 prepared at that time to do it, so that created a set

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1 of problems.

2 JIM MILLER: A lot to manage and no
3 more resources to do it with.

4 SCOTT BOLTON: Yeah. I guess it's
5 probably not the first time it's happened with them,
6 but I mean, Nationwide, I think it's something of the
7 issue that they're facing, the Department of Interior,
8 all of our Fish & Wildlife Park Service, all of their
9 sub-element field I guess are facing shrinking budgets
10 from what I understand. It's just stuff for them to
11 take on more. I know their personnel here are
12 stretched across a couple of roads. I think the both
13 their law enforcement services -- I think Steve is
14 managing Cahaba as well as --

15 DR. JOHN SPAIN: Here we go.

16 SCOTT BOLTON: We can do something
17 now. Please let the record show that Mr. Franklin is
18 here, and we now have a quorum.

19 ROBERT JACKSON: Did I understand
20 you to say that all of that has to be cleaned up
21 before anything else can be --

22 SCOTT BOLTON: Not all of it. There
23 are different parts of it that have different levels

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1 of clean up, and I cannot recall off the top of my
2 head how much of what. I mean, it's mapped out as far
3 as X number of acres for clearance to depth or so many
4 of surface clearance and so on.

5 I mean, overwhelming in terms of just
6 sheer acreage, probably the vast majority of acreage
7 is likely to be, you know, just something like surface
8 clearance or nothing at all, but nonetheless, it
9 doesn't take much, particularly on steep elevations to
10 ratchet the price tag up very quickly. It's very
11 difficult to clean on elevations, and we've got, what,
12 three -- Nos. 3 and 4 highest points in the state, I
13 think, on the ridge lines here, Cheaha South, and
14 Dugger Mountain North. It's not real surprising.

15 As far as the contenment area and the
16 Bravo area, that'll be JPA and, of course, Matrix.
17 They're the current operator on that. I don't know
18 what their timelines are on that.

19 Have you even had a chance to --

20 MICHELLE KLOMP: We're looking at
21 about 10 years out, and typical 30 years of monitoring
22 the places. It'll be a while.

23 JIM MILLER: Just as long as y'all

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1 have got something to do.

2 MICHELLE KLOMP: We're keeping busy
3 especially at the ESCA.

4 SCOTT BOLTON: And the weather has
5 been pretty supportive, too, working in the field.
6 Normally, you'll get rain delays. I don't want to say
7 anything positive about this drought, because it's
8 horrible, but the guys that have to get out in the
9 field and move earth are moving fast because they know
10 it won't last.

11 JIM MILLER: I'm beginning to wonder
12 about that, but I'll take your word for it.

13 SCOTT BOLTON: It's Murphy's Law --
14 it seems like you're always out on the site walks and
15 site investigations in the summer time when it's hot
16 and the briars are there and the ticks and chiggers
17 are really bad.

18 JIM MILLER: Not to mention rattle
19 snakes.

20 JEROME ELSER: Speaking of the
21 drought, are we okay with Coldwater Springs?

22 JIM MILLER: For now.

23 JEROME ELSER: For now?

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1 JIM MILLER: That's my stock answer.

2 SCOTT BOLTON: We were up in the
3 mountains on motorcycles this weekend and the
4 reservoirs and lakes and rivers are unreal, and we're
5 down probably four or five feet below normal winter
6 pool. I think, we're at, like -- 564 is normal winter
7 pool, and I think we're, like, 557.

8 JIM MILLER: Depending on how it
9 winds up, it's either the driest or second driest year
10 in the last hundred years.

11 DR. MARY HARRINGTON: Lake Logan
12 Martin, you can walk by.

13 SCOTT BOLTON: It's interesting to
14 see things predates -- you can see where some of
15 the -- my wife's family old barn was under water.

16 JIM MILLER: Another thing that's
17 interesting, they're finding things in the Everglades
18 that nobody's ever seen because it's dry for the first
19 time for hundreds of years.

20 SCOTT BOLTON: I guess, we've got
21 some old business and approval of minutes and so
22 forth. I think we've got, what, two or three sets of
23 minutes that need to be approved.

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1 DR. MARY HARRINGTON: Two.

2 SCOTT BOLTON: Two. So that's going
3 to be July and April; is that right?

4 ROBERT JACKSON: I move they be
5 approved.

6 SCOTT BOLTON: Pardon?

7 ROBERT JACKSON: I move they be
8 approved.

9 SCOTT BOLTON: We have a motion for
10 both, April and July. Do we have a second?

11 PENN WILSON: Second.

12 SCOTT BOLTON: Motion and a second.
13 All in favor?

14 Looks like it passes.

15 Okay. On to old business, the TAPP
16 contract, we're still in a little bit of a low hover
17 until we see what the budget looks like, and then
18 we'll move on. We put it in, and nobody said no, so
19 we're operating under the implicit assumption at this
20 point that we'll get something. I don't have anything
21 to tell you on that.

22 Is there anything else on the new member
23 application, Mike Kimberly?

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1 BRENDA CUNNINGHAM: You have to
2 vote.

3 SCOTT BOLTON: We have to vote this
4 time on it? That's right.

5 Do we have a motion to -- I guess
6 Dr. Spain nominated Mike Kimberly. Do we have a
7 motion to approve his membership?

8 DR. MARY HARRINGTON: I move that we
9 approve the application of Dr. Mike Kimberly.

10 SCOTT BOLTON: Do we have a second?

11 JIM MILLER: Second.

12 SCOTT BOLTON: Okay. We have a
13 motion and second. All in favor?

14 Looks like the motion is approved then.

15 This next item, I know there was a
16 discussion about members that don't attend and so
17 forth. I don't recall coming to a resolution as to
18 what to do. I thought there was a consensus, I guess,
19 to discontinue Mr. Conroy's membership even though he
20 has not attended in the last -- any motion or anything
21 on that?

22 DR. JOHN SPAIN: I wasn't here for
23 that discussion. Maybe someone could summarize very

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1 quickly. I was thinking of a possible alternative for
2 members that couldn't attend.

3 Have we ever considered a conference
4 call arrangement for members that might not be able to
5 attend to just dial in and join the meeting by
6 telephone?

7 SCOTT BOLTON: I don't know that
8 it's ever come up. Certainly, we have the
9 capabilities of doing it.

10 DR. JOHN SPAIN: That would
11 certainly be the way of getting a quorum, something
12 that it seems like we have a lot of difficulty with.

13 BRENDA CUNNINGHAM: Normally, the
14 way it works, if a member is not able to attend, they
15 call or send me an e-mail and let me know that they
16 can't be here, and they are excused for the meeting,
17 so that doesn't count against their attendance.

18 The RAB bylaws state that if a member
19 fails to attend 3 of the regular RAB meetings in a row
20 or 50 percent of the regular RAB meetings in 12
21 consecutive months, then the RAB has the option to
22 take action.

23 It's totally up to you. It's just

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1 really my job to let you know that this gentlemen,
2 Mr. Conroy, has not been here since April 2005, so,
3 we've sent him -- I sent him letters, you know, that
4 standard "we miss you letter" --

5 JIM MILLER: They strongly work.

6 BRENDA CUNNINGHAM: I know.

7 So, it's really --

8 JIM MILLER: Ron, didn't we decide
9 to make an ex-officio at the Depo RAB for the same
10 reason?

11 That's just another option to take.
12 Remove him from the RAB, but designate him as an
13 ex-officio member. He wouldn't have voting rights,
14 but if there was an issue he felt strongly about, he
15 could still speak as a board member.

16 DR. JOHN SPAIN: It seems if we're
17 going to do that, we should write him a letter and
18 tell him that's what's been decided that he --

19 BRENDA CUNNINGHAM: We do have a
20 letter like that that we send, but it's really up to
21 you. I think Mr. Franklin suggested at the last
22 meeting for some of the RAB members to call him, is
23 one thing he suggested last time.

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1 CURTIS FRANKLIN: I tried to call
2 and did not get a response.

3 BRENDA CUNNINGHAM: Whatever you all
4 want to do.

5 DR. JOHN SPAIN: Well, I'll send him
6 an e-mail, and just tell him where we stand. He was
7 here yesterday. He's out here an awful lot. You
8 think it would be easy just to drop on by here.

9 JIM MILLER: I think if you're
10 willing to send an e-mail suggesting the idea of
11 making him ex-officio, and see about that; if not, in
12 January, we'll take that action. I don't think the
13 world's going to come to an end because Pete's not
14 here.

15 PENN WILSON: I think the
16 ex-officio -- Pete has expertise, you know, it would
17 help keep him linked to --

18 JIM MILLER: He could be useful to
19 us at times he does come. He has links to people in
20 Washington and other people in --

21 DR. JOHN SPAIN: The voting doesn't
22 make a difference anyway. I mean, he hasn't been here
23 in the last two years anyway.

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1 BRENDA CUNNINGHAM: All right. You
2 don't have to do anything. There's no requirement for
3 the RAB to do anything. It just has to be brought to
4 your attention is all.

5 DR. JOHN SPAIN: Associated with
6 that, I would like to continue to explore this idea of
7 a conference call call-in because I know that we have
8 certain requirements as far as attendance, but if you
9 happen to be out of town, and you're just sitting in a
10 hotel room, and you would like to know, you're
11 motivated to know what's going on here, and would like
12 to stay in touch, and if you're willing to suffer the
13 expense of making a long-distance call for an hour,
14 you could just call in and listen to what's going on.

15 I'm sure that there's -- the equipment
16 is already here to be able to do something like that.

17 SCOTT BOLTON: Sitting right there
18 on the floor, so, yeah, we can certainly do that.

19 LISA HOLSTEIN: Or you could have it
20 set up in --

21 JIM MILLER: How would we get our
22 Fritos and dip if that happened?

23 BRENDA CUNNINGHAM: I have to know

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1 how many handouts to make.

2 DR. JOHN SPAIN: To go along with
3 that, would we consider a person present by phone to
4 be a present member as far as achieving a quorum?

5 SCOTT BOLTON: I don't know that the
6 bylaws prohibit it or allow it, either way. I don't
7 think it's ever been brought up.

8 DR. JOHN SPAIN: Then I would make a
9 motion that we make that option available and that we
10 set up the equipment and that we consider a person
11 attending by telephone the same as the person
12 attending --

13 CURTIS FRANKLIN: For everybody?

14 DR. JOHN SPAIN: Only for those
15 people that are not here.

16 DR. MARY HARRINGTON: Like in July,
17 I would call because I know that I'm going to miss.

18 SCOTT BOLTON: I would like to add
19 that caveat because I think in a situation where
20 you're going to have multiple call-ins, we're going to
21 have to set up a line, and we have the capability to
22 do that, but if I'm going to go to that expense, I
23 want to make sure that there's a caveat that we have

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1 people notify if they happen to be out of town so that
2 we know we have two or three people that are calling.

3 DR. JOHN SPAIN: Absolutely. That
4 should be done well in advance. I mean, if you just
5 decide, well, I'm going to visit my mother in
6 Tennessee, and I'll call in, I mean -- and you do that
7 this morning, well, that's not good planning at all,

8 SCOTT BOLTON: Certainly, we've got
9 the capabilities to do that.

10 DR. JOHN SPAIN: Now, the only thing
11 I wouldn't want to see happen there is all of a
12 sudden, we only have three people here because
13 everybody's calling in, and that -- because the
14 discussion is quite fruitful, so you wouldn't want to
15 have that kind of thing, but I don't believe that
16 would happen. If you're motivated to be a part of
17 things, it would seem like you would be here or
18 calling in.

19 Well, I would make that in form of a
20 motion.

21 SCOTT BOLTON: We have a motion. Do
22 we have a second? Is this going to die for lack of a
23 second?

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1 JIM MILLER: I'll second.

2 SCOTT BOLTON: Okay. We have a
3 motion and a second to set up a conference call-in
4 line for future RABs, and that would also -- I'm
5 assuming, Dr. Spain, that that would also count as
6 attendance at the meetings?

7 BRENDA CUNNINGHAM: Do I need to add
8 that to the bylaws?

9 SCOTT BOLTON: We may need to modify
10 the bylaws.

11 BRENDA CUNNINGHAM: There's nothing
12 in the bylaws that states anything like that now.

13 DR. MARY HARRINGTON: But it doesn't
14 say we can't, does it?

15 BRENDA CUNNINGHAM: Right. It
16 doesn't say that we can't.

17 DR. JOHN SPAIN: Should we -- I just
18 want to bring this out there. I know I've already
19 made a motion, but should we limit telephone
20 attendance to once a year or something like that, so
21 we don't get this thing of people just not attending
22 and not participating, but just calling in. I don't
23 know. I'll just throw that out there.

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1 Maybe the way that we could do it is
2 that it would only count as being present once a year.
3 You could call in as many times as you wanted to, but
4 if you did it multiple times -- I don't know. This is
5 certainly getting more complicated than I intended it
6 to be. The more I talk, the more complicated it gets.
7 I think it would be a good idea.

8 SCOTT BOLTON: Okay. Can you
9 restate this motion?

10 Mr. Franklin, you had something?

11 CURTIS FRANKLIN: You go right
12 ahead.

13 DR. JOHN SPAIN: I would make a
14 motion that we set up the conference line for each
15 meeting, and a person be counted as present if they
16 call in, but they would only be counted present once a
17 year; otherwise, it could very well be excused, but
18 they would not be counted present more than once per
19 year by telephone. I think that would be an incentive
20 to participate, but not exclusively by telephone.

21 JIM MILLER: I amend by second
22 accordingly.

23 SCOTT BOLTON: All in favor?

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1 Opposed?

2 PHILLIP BURGETT: Nay.

3 CURTIS FRANKLIN: Nay.

4 SCOTT BOLTON: Two opposed. Seven
5 to two, so it does carry.

6 CURTIS FRANKLIN: I frankly -- I
7 think it has a potential for killing attendance,
8 period. It's already suffering, and I think it has a
9 potential for killing it even more.

10 With all due respect to Pete Conroy, and
11 I respect him immensely, and I know his input is
12 valued for this group, we need his input and also his
13 influence, but evidently, his plate is either too
14 full, or he's not as interested in this as some other
15 projects he's working on, and I would say that if he
16 were setting here or not.

17 DR. JOHN SPAIN: Certainly, with
18 respect to your discussion, I would not to want to do
19 anything that would cause us to have less people here.
20 On the other hand, I think it's a shame that sometimes
21 we'll go, you know, sometimes we go two or three
22 meetings without being able to approve the minutes.

23 JIM MILLER: And I think if

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1 somebody's interested and they could be here, they're
2 likely going to be here. There are some people who
3 are interested, like the gentleman said, but he's out
4 of town, so why don't we facilitate to be able to
5 participate.

6 You know, if I'm sitting in my office,
7 I'm going to drive out here rather than sit on the
8 telephone down there for an hour. I don't think it's
9 going to affect attendance. We can always try it, and
10 if it does, we can change it.

11 DR. MARY HARRINGTON: See, if we had
12 had that, we could have approved the minutes in July,
13 because I could have called in. I know pretty much on
14 every third Monday in July, I'm not going to be here.

15 SCOTT BOLTON: Well, we approved it
16 by whatever, the seven to two split, so why don't we
17 just try it for a while, and we'll see.

18 BRENDA CUNNINGHAM: I will draft up
19 an addition to the bylaws, and you all can see it at
20 the next meeting and see if you like it that way, and
21 if you don't, we can change the words or whatever you
22 want to do, but I'll draft something up according to
23 the way you asked for it and everyone approved and

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1 have it at the next meeting.

2 JIM MILLER: I would just make a
3 suggestion, too. When you send out your e-mail
4 notice, put a phrase on there, if you wish to
5 participate by conference call, please let us know in
6 advance.

7 BRENDA CUNNINGHAM: All right.

8 SCOTT BOLTON: I believe that
9 concludes the old business, and now we're to upcoming
10 programs.

11 Mr. Franklin, we had jumped to the
12 agency records because we knew you were coming.

13 CURTIS FRANKLIN: I'm sorry I was
14 late.

15 SCOTT BOLTON: So do you want to go
16 ahead and conduct business?

17 CURTIS FRANKLIN: You go ahead.

18 SCOTT BOLTON: We'll move onto new
19 business. So the first thing we're looking at is:
20 We've got to -- as I understand, Mr. Franklin's term
21 as community cochair is expiring, and Dr. Cox is the
22 current vice-chair. The normal routine is for the
23 vice-chair to be moved up as chairman, I guess, in

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1 January; correct? And do we need a note to affirm the
2 ascension of Dr. Cox to community cochair effective
3 January of '08?

4 CURTIS FRANKLIN: I make a motion
5 that --

6 DR. MARY HARRINGTON: First, before
7 we made a motion, have we talked to Dr. Cox lately?
8 His attendance is looking a little shaky, too.

9 BRENDA CUNNINGHAM: Yes, ma'am, I
10 have talked to Dr. Cox. He, unfortunately, has been
11 out of town and has not let me know that he was out of
12 town until this -- this last time. He called and he
13 told me that unfortunately it seems like we have a RAB
14 -- and I told him, I said, well, you're going to be
15 voted in as chairperson, so he's aware of that.

16 JIM MILLER: Yeah, but now he can
17 attend by conference call so --

18 BRENDA CUNNINGHAM: Can he chair the
19 meeting by conference call?

20 JIM MILLER: As long as he
21 identifies himself to our satisfaction it's really
22 him.

23 SCOTT BOLTON: We'll send him a

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1 secret code each time.

2 Well, we have a motion to affirm the
3 ascension of Dr. Cox to the community cochair position
4 effective January 2008. Do we have a second?

5 DR. MARY HARRINGTON: Second.

6 JEROME ELSER: Second.

7 SCOTT BOLTON: We have a motion and
8 second. All in favor? Oppose? It carries.

9 Okay. The next item on the agenda, we
10 need to elect a vice-chairman for the calendar year
11 2008, so that person will become the 2009 community
12 chairman. So how is it -- this is the first time that
13 I've sat through doing that. How do you normally do
14 it? Is it just by public acclamation to nominate
15 people? Secret ballots?

16 JIM MILLER: I thought it was held
17 behind closed doors with lots of cigar smoke.

18 DR. MARY HARRINGTON: Jim, behave.

19 JIM MILLER: I'm not going to be
20 smart for the rest of the night.

21 Mary, how were you nominated?

22 DR. MARY HARRINGTON: From the
23 floor.

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1 SCOTT BOLTON: It never becomes a
2 problem unless we have multiple candidates.

3 JIM MILLER: I don't think there's
4 much danger in that.

5 SCOTT BOLTON: Do we have any
6 nominations for someone to serve as the vice-chairman
7 for calendar year 2008.

8 JAMES BUFORD: I nominate
9 Scott Bolton.

10 SCOTT BOLTON: I'm on as the Army
11 cochair, so I'm -- you are stuck with me in
12 perpetuity.

13 JAMES BUFORD: Jim Miller. Are
14 you --

15 DR. MARY HARRINGTON: I say Jim.

16 JIM MILLER: In the words of Elmer
17 (inaudible): If nominated, I will not run; if
18 drafted, I will not serve. My wife told me to learn
19 how to say no, and I'm practicing that.

20 JEROME ELSER: Dr. Spain, would you
21 accept the nomination?

22 DR. JOHN SPAIN: Yeah, I would.

23 JEROME ELSER: I nominate Dr. Spain.

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1 ROBERT JACKSON: I second that.

2 DR. MARY HARRINGTON: Well, I move
3 that we closed on said night.

4 SCOTT BOLTON: Okay. We have a
5 motion to close nominations. Second to that?

6 PENN WILSON: Second.

7 SCOTT BOLTON: All in favor of
8 closing the nominations? Opposed?

9 I guess, if it is just voting on one
10 person, all those in favor of Dr. Spain being the
11 vice-chairman effective January 2008? Opposed?

12 JIM MILLER: Congratulations.

13 SCOTT BOLTON: Congratulations.

14 We've already had the agency reports.
15 Upcoming programs? I don't know of any off the top of
16 my head.

17 Do we have any audience or other member
18 comments? Lively bunch.

19 JIM MILLER: I tried to be lively,
20 but I was chastised.

21 DR. MARY HARRINGTON: I'm sorry I
22 chastised you.

23 SCOTT BOLTON: We have a comment.

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1 BRENDA CUNNINGHAM: I'll notify
2 Dr. Kimberly that he is a member, and he will be
3 invited to the next meeting, and he will be invited
4 with all the paperwork.

5 DR. JOHN SPAIN: Does everybody know
6 Mike Kimberly? He is -- he's really a great guy and
7 very active in the community.

8 JIM MILLER: I noticed he lived on
9 Buckner Circle.

10 DR. JOHN SPAIN: He does.

11 DR. MARY HARRINGTON: He'll be here.
12 He'll be able to walk down.

13 DR. JOHN SPAIN: He'll be a good
14 attendee.

15 SCOTT BOLTON: Any further comments?
16 Questions?

17 Do we have a motion to adjourn?

18 JIM MILLER: So moved.

19 SCOTT BOLTON: Second?

20 PENN WILSON: Second.

21 SCOTT BOLTON: All in favor? So
22 adjourned.

23

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

2 STATE OF ALABAMA)

3 CALHOUN COUNTY)

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

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

15 IN WITNESS WHEREOF, I have
16 hereunto set my hand and affixed my seal at Anniston,
17 Alabama, on this the 5th of November, 2006.

18

19

20 KELLI K. LOWERY, CCR
(ALCR No. 334)
21 Notary Public in and for
Alabama at Large

22 MY COMMISSION EXPIRES: 09-15-2009.

23

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