

RESTORATION ADVISORY BOARD

FORT McCLELLAN, ALABAMA

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Taken before KELLI K. LOWERY, a Certified  
Court Reporter and Commissioner for Alabama at Large,  
at Building 215, Fort McClellan, Alabama, on the 14th  
day of January, 2008, commencing at approximately  
5:00 p.m.

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OHATCHEE, AL 36271  
256-892-0591  
FAX 256-892-3001

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1 DR. BARRY COX: Okay. So I guess  
2 we'll go ahead and call the meeting to order. For the  
3 first order of business, we'll introduce the guest  
4 that are the nonmembers starting with Ron back in the  
5 back there.

6 RON GRANT: Ron Grant, interested  
7 citizen.

8 JEREMY COX: My name is Jeremy Cox.  
9 I'm a graduate student for UFH, and I'm with the  
10 Anniston Star.

11 LISA HOLSTEIN: I'm Lisa Holstein  
12 with the Transition Force.

13 BRENDA CUNNINGHAM:  
14 Brenda Cunningham, RAB coordinator.

15 KAREN PINSON: Karen Pinson, Army  
16 National Guard.

17 DR. BARRY COX: Okay. Appreciate  
18 everybody coming out.

19 Has everybody had a chance that was here  
20 last time to review the minutes?

21 BRENDA CUNNINGHAM: I need you to  
22 take roll.

23 DR. BARRY COX: Okay.

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1                   We'll do the minute approval and go back  
2           and get the roll.

3                   Has everybody had a chance look over the  
4           minutes? Is there any additions, or corrections,  
5           deletions?

6                   PENN WILSON: I make a motion that  
7           the minutes be approved.

8                   DR. BARRY COX: Do we have a second?

9                   DR. JOHN SPAIN: I second.

10                  DR. BARRY COX: All in favor, say  
11       I. All opposed, same sign. Motion carried.

12                  Okay. Let's go down the roster here.

13                  Mr. Buford?

14                  JAMES BURFORD: Here.

15                  DR. BARRY COX: Mr. Burgett?

16       Mr. Clendenin?

17                  MONTY CLENDENIN: Here.

18                  DR. BARRY COX: Mr. Conroy?

19       Mr. Elser?

20                  JEROME ELSER: Here.

21                  DR. BARRY COX: Mr. Franklin is  
22       here.

23                  Mr. Hall? Dr. Harrington?

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1 DR. MARY HARRINGTON: Here.  
2 DR. BARRY COX: Mr. Jackson?  
3 ROBERT JACKSON: Here.  
4 DR. BARRY COX: Dr. Kimberly?  
5 DR. MIKE KIMBERLY: Here.  
6 DR. BARRY COX: Mr. Kimbrough?  
7 Mr. Miller? Dr. John Spain?  
8 DR. JOHN SPAIN: Here.  
9 DR. BARRY COX: Dr. Steffy?  
10 DR. DAVID STEFFY: Here.  
11 DR. BARRY COX: Mr. Wilson?  
12 PENN WILSON: Here.  
13 DR. BARRY COX: That's our voting  
14 members.  
15 Old business. What do we have on tap  
16 for old business? No pun intended.  
17 DR. JOHN SPAIN: I think we might  
18 have the thing about the status of Pete Conroy. That  
19 might be old business.  
20 MONTY CLENDENIN: Is he the unnamed  
21 member mentioned in the minutes that has not been in  
22 attendance? The minutes refer to one of our members  
23 who has not attended regularly.

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1                   BRENDA CUNNINGHAM: I'm sorry. You  
2                   need to do the bylaw change first before you jump to  
3                   that.

4                   MONTY CLENDENIN: Okay. I'm sorry.

5                   BRENDA CUNNINGHAM: That's okay.  
6                   I'm sorry. Because the TAPP contract, there's no  
7                   change. They're still waiting on funding, so that's  
8                   all we know about that.

9                   Scott Bolton is excused tonight and  
10                  Cheryl Bragg. Mr. Bolton is in mandatory training in  
11                  Maryland, so he couldn't be here.

12                  The bylaws change is in your packet.  
13                  Last meeting, it was requested that the bylaws be  
14                  changed to offer members to call in on a conference  
15                  call, so I did change those, and it's in your packets.  
16                  I changed it to read paragraph four five, "Attending  
17                  via conference call: RAB members can participate in  
18                  the meeting by calling in on the conference line.  
19                  Members wishing to use the conference option must  
20                  notify the RAB coordinator five working days prior to  
21                  the meeting so arrangements can be made. Regular  
22                  members' attendance via conference line will be  
23                  considered as present only once a calendar year." So

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1 in the four meetings a year, it will only count you as  
2 being present in a meeting once.

3 Now, the only problem I saw with that as  
4 I was doing that was down on paragraph five three, it  
5 says "no proxy." This was already in your bylaws.

6 It says "A regular member must be  
7 physically present at a meeting in order to have his  
8 or her vote counted at same or have called in  
9 accordance with paragraph four five above." I added  
10 that on the end, so it will allow you to call in that  
11 one time on a conference call.

12 So it's up to you if you want to leave  
13 it like that or if you want to change the words or  
14 whatever you want to do.  
15 (Whereupon Brandy Little is in attendance.)

16 ROBERT JACKSON: I got a question.  
17 Let's say somebody calls in. Is that considered part  
18 of the quorum?

19 DR. JOHN SPAIN: Yes.

20 BRENDA CUNNINGHAM: Once, I think  
21 is --

22 ROBERT JACKSON: In other words, if  
23 that person calls in, that would be enough to have a

1 quorum if we got down to that?

2 DR. MARY HARRINGTON: And that was  
3 one of our reasons for doing that because sometimes we  
4 have to go so long to even get the minutes approved.  
5 (Whereupon Jim Miller is in attendance.)

6 BRENDA CUNNINGHAM: You all can  
7 decide whether you want to keep that. I think it was  
8 brought up last month or last meeting to allow for  
9 people when they're traveling to be able to attend the  
10 meeting via the conference line.

11 DR. JOHN SPAIN: I think the five  
12 three paragraph looks good.

13 DR. MARY HARRINGTON: I move that we  
14 -- what you call this -- the amendment to the bylaws  
15 be approved as printed.

16 MONTY CLENDENIN: Second.

17 DR. BARRY COX: Any discussion? All  
18 in favor? All opposed, same sign? Motion carried.

19 Any further discussion on the member  
20 attendance?

21 BRENDA CUNNINGHAM: At the last  
22 meeting -- it's hard on Dr. Cox. He hasn't been here  
23 in a while, so I'll try to catch you up.

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1                   Last meeting, it was brought up,  
2           according to the bylaws, I have to let the RAB know  
3           when a member hasn't been in attendance for a while,  
4           if he misses four meetings in a year. Mr. Conroy  
5           hasn't been able to be here since April of '05, and it  
6           was brought up that he be changed from a regular  
7           member to an ex officio member, and he will not have a  
8           vote if you all move him to ex officio.

9                   He is fine with that. Dr. Spain has  
10          talked to him about it. I talked to Mr. Conroy, and  
11          he would like to be made ex officio. So you all can  
12          either make him ex officio, do nothing, or vote him  
13          off the RAB completely. Those are your choices.

14                   DR. JOHN SPAIN: There was some  
15          comments made that Pete might be useful in that -- I  
16          hate to refer to him as useful, but --

17                   JIM MILLER: I'm sure he wouldn't be  
18          offended.

19                   DR. JOHN SPAIN: He might be useful  
20          to the RAB at some point in time.

21                   PENN WILSON: Yeah, but he may not  
22          actually be here at the meeting, but we might be able  
23          to reach out and touch him and get his counsel on

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1 something. I'm inclined to favor that ex officio.

2 DR. BARRY COX: Would you like to  
3 put that in the form of a motion?

4 PENN WILSON: Yes, sir. I so move  
5 that Pete Conroy be made an ex officio member of RAB  
6 Board.

7 DR. JOHN SPAIN: I second that.

8 DR. BARRY COX: Seconded?

9 DR. JOHN SPAIN: Second.

10 DR. BARRY COX: Any discussion?

11 DR. MIKE KIMBERLY: I know I'm a  
12 neophyte at this, and I read the minutes. Thank you  
13 for sending them to my home. I read them.

14 My question would be: If you had  
15 another member under here, would you do the same thing  
16 for that other member, make them an ex officio? Do  
17 they have the same -- I guess my question is: Do all  
18 members have the same weight, or are they needed as  
19 Mr. Conroy is needed? My point is: Would you do this  
20 for someone else who was continually out?

21 If you wouldn't, then you're setting a  
22 different precedence. If you would, then there's no  
23 reason to even have a roll call because you're going

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1 to end up with a lot of folks who maybe just ex  
2 officio members.

3 JIM MILLER: Well --

4 DR. MARY HARRINGTON: We offer them  
5 the opportunity, and some of them desire not to  
6 attend.

7 DR. MIKE KIMBERLY: Well, I guess my  
8 point is: When John and I talked about me coming on  
9 this board, my comment to him was: If I can't be  
10 useful by attending the meetings, then I shouldn't be  
11 there in the first place.

12 Now, if I'm important enough not to come  
13 to the meetings, then I've lost the definition of  
14 importance.

15 JIM MILLER: Well, I think the  
16 feeling of the RAB was that we couldn't let the  
17 continual absences go unnoticed. At the same time,  
18 realistically, very few other people have the stature  
19 and the environmental contacts with the governmental  
20 officials that Pete does, and it's useful to the RAB,  
21 so we don't want to alienate him, but I think it's  
22 completely legitimate.

23 DR. MIKE KIMBERLY: Have we made a

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1 distinct effort to get him here yet?

2 JIM MILLER: Oh, we have.

3 DR. JOHN SPAIN: We have. I don't  
4 think he has any interest in getting --

5 DR. MIKE KIMBERLY: Does that not  
6 say something to the board? I'm not trying to play --  
7 I'm just trying to go by what I think you have here in  
8 terms of bylaws. Don't misunderstand me. Again, I'm  
9 a neophyte. You can tell me to shut up any time you  
10 get ready to because I'm brand new here.

11 But if I'm not interested enough in the  
12 board to come -- you meet four times a year -- then I  
13 don't know how strongly I'm going to lobby for you.

14 JIM MILLER: Well, I tell you, if  
15 you'd have been here for a little while, you'd  
16 recognize that the difficulty is not in people wanting  
17 to be members and being turned away. The difficulty  
18 is getting members, period and particularly getting  
19 them to show up. We've fought with that ever since I  
20 was involved in it.

21 My feeling is still that Pete's a  
22 valuable asset to this organization or board, and we  
23 should keep him in whatever capacity that we can get

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1 him.

2 DR. MARY HARRINGTON: And even  
3 though it's four times a year, it's really difficult  
4 for some people.

5 Now, I missed another meeting tonight to  
6 come here because this is early. We normally meet the  
7 third Monday, and I always miss the third Monday in  
8 July because it takes place when a conference does  
9 that I have to attend with my job.

10 DR. MIKE KIMBERLY: Please don't  
11 misunderstand my comment.

12 DR. MARY HARRINGTON: Oh, I  
13 understand.

14 DR. MIKE KIMBERLY: This is an  
15 organizational question, not a personal question.

16 DR. JOHN SPAIN: I do believe we  
17 decided to treat Pete differently. If I was to quit  
18 coming, I'm not of a regular value to the --

19 DR. MARY HARRINGTON: We would call  
20 you until you tell us don't call you no more.

21 DR. JOHN SPAIN: But realistically,  
22 to be any kind of special status, but there very well  
23 might be some things that Pete might be able to do for

1       the RAB down the road, and to keep him in that special  
2       status, I think, we felt like it would be a useful  
3       thing to the board. Even though he's not making any  
4       current contribution, we might be able to reach out to  
5       him to get him to make some kind of special  
6       contribution in the future that we would not be able  
7       to do if we totally removed him from the board.

8                   MONTY CLENDENIN: I have a similar  
9       concern that's even larger, and that is the clout that  
10      this board has, period. Back when we had the Army in  
11      relationship with the JPA and this committee, we had  
12      somebody's feet to hold to the fire, but I don't know  
13      really what -- if we made a recommendation or  
14      suggestion, I don't know what kind of clout we carry  
15      in the community anyway, all of us collectively. So I  
16      wonder about the status that this committee serves,  
17      period, not just Pete, all of us.

18                   CURTIS FRANKLIN: In regard to  
19      Pete's status, a lot of your concerns were discussed  
20      when this first came up a couple of meetings ago, so  
21      you are not working any new ground with your  
22      questions. Those all came up.

23                   DR. MIKE KIMBERLY: Back to his

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1 question. I'm not a member of the JPA, but I've been  
2 here 13 months, something like that. I have not  
3 missed a JPA meeting, either market meeting, budget  
4 meeting, or regular meeting. I have no vote, I have  
5 no -- but I am concerned enough with my community, and  
6 I've got one tomorrow evening at 5:30. I will be  
7 there because I represent 22 people on Buckner Circle  
8 who's homeowners. I want to know what, why, if,  
9 where, and so forth.

10 And although I'm not long-term Calhoun  
11 County person, I do speak up, and I do ask questions,  
12 and I do try to get things cleared so that -- and I'm  
13 not on that board, but I have a concern about what's  
14 going on in my community, so I meet every time they  
15 do. In fact, I've even been asked once not to come,  
16 but that's neither here nor there.

17 DR. MARY HARRINGTON: That didn't  
18 stop you.

19 DR. MIKE KIMBERLY: I just think  
20 it's important. Part of your validity and your  
21 activity and your worthiness is created by you.

22 Again, I'm a neophyte, but I've been on  
23 a multitude of boards, and I've been on boards of

1 banks, credit unions, and the military, and those who  
2 are effective are those who have active boards.

3 MONTY CLENDENIN: I'm not saying  
4 we're not active. We're just ineffective. For  
5 example, the EPA has not been here in over two years.  
6 Well, if we had an environmental issue and we need to  
7 bring it to their attention, how does this committee  
8 -- we have tried to get them to come, and they don't,  
9 so where is our muscle?

10 DR. MIKE KIMBERLY: How many letters  
11 have you written EPA?

12 MONTY CLENDENIN: None at this --

13 JIM MILLER: Now, that's not exactly  
14 true.

15 DR. BARRY COX: Yeah, we have.

16 DR. MIKE KIMBERLY: I have dealt  
17 with EPA for 28 years. You can get them to come if  
18 you write enough and write it to the right person.

19 JIM MILLER: Personally, I'm not  
20 sure that it's a good investment of tax payer dollars  
21 for them to drive over from Atlanta for what we  
22 normally do here. But I think as long as you meet --  
23 if we have an issue that comes up, I don't have much

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1       doubt that if we brought the pressure to them, they'd  
2       send somebody.

3                   DR. JOHN SPAIN: I think they would  
4       respond. I think our muscle would be in the issue.

5                   JIM MILLER: That's right.

6                   DR. JOHN SPAIN: I think they would  
7       respond if the issue was significant.

8                   DR. MIKE KIMBERLY: I just think  
9       it's good to have this kind of dialogue, and again, if  
10      I'm out of pocket, I apologize.

11                  ROBERT JACKSON: Let me ask this  
12      question: I think I've been on this board three or  
13      four years. Pete Conroy has never been here. How  
14      many times have we called on Pete Conroy in the last  
15      four years?

16                  JIM MILLER: He has been here from  
17      time to time.

18                  ROBERT JACKSON: Well, not when I'm  
19      here. Now, of course, there's been times I haven't  
20      been here.

21                  JIM MILLER: Well, now, he came one  
22      time, I know.

23                  ROBERT JACKSON: My question really

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1 is: How many times has this board called on him for  
2 help?

3 DR. MARY HARRINGTON: A few times we  
4 have.

5 ROBERT JACKSON: I don't know. I'm  
6 just asking.

7 DR. MARY HARRINGTON: I'm one of the  
8 originals, so a few times --

9 DR. JOHN SPAIN: Have we already  
10 voted -- have we got post-vote discussion going on  
11 here?

12 DR. MARY HARRINGTON: That's what  
13 we're doing.

14 DR. JOHN SPAIN: Well, I suggest  
15 that --

16 DR. MARY HARRINGTON: Now, have we  
17 voted?

18 DR. BARRY COX: No. We're having  
19 discussion.

20 DR. JOHN SPAIN: Oh. I though we  
21 had I's --

22 DR. BARRY COX: We've had a motion  
23 and a second, and now we're in the discussion phase.

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1 JIM MILLER: I would make the  
2 comment that I don't believe in burning bridges, and I  
3 don't see any point in burning bridges to make a  
4 point. If we wanted to kick people off this board,  
5 there wouldn't anybody sitting around this table still  
6 be here. These are the people that show up  
7 consistently and take an interest, and whether, you  
8 know, somebody shows up every time or not, I'm not --  
9 I could care less.

10 CURTIS FRANKLIN: Are we burning the  
11 bridge, or is he burning the bridge?

12 JIM MILLER: Well, Pete --

13 DR. MARY HARRINGTON: Have we not  
14 had at least two or three people to speak for or  
15 against? I would like to bring the question up for a  
16 vote.

17 PENN WILSON: If I could speak one  
18 more time before we vote. Just speaking for myself,  
19 but it was said earlier in the discussion about are  
20 there different weights given to board members based  
21 on their expertise or whatever. I'm just -- I guess  
22 I'm speaking for myself, and the mission and functions  
23 of this kind of a board, to me, there's a value in

1       having a connection with Pete Conroy, who has a lot of  
2       environmental contacts and expertise. I would weight  
3       him rather high.

4                   Me, I work in the business school at  
5       Jacksonville State. I'm not really heavy duty in the  
6       environmental issues. I'd probably weight myself a  
7       little lower down on the scale, so that's what I have  
8       to say on the issue.

9                   JIM MILLER: If we were to have an  
10       issue that we needed to take up at a high level with  
11       the Army or the Pentagon or the Secretary of Defense  
12       or whatever, and we had to pick one individual who  
13       would be heard, it would probably be Pete Conroy, and  
14       I don't think that we need to lose that. We may not  
15       ever have that occasion. We may go along here without  
16       having any problems and things go like they always  
17       have and not have any problem and not have, Monty, and  
18       not much happen, but for that one occasion when we may  
19       take issue, we want to get something done about it or  
20       get somebody to hear us, I think Pete is probably the  
21       most capable individual as far as getting somebody to  
22       listen. I'm not going to make any further comment  
23       about it.

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1 DR. MIKE KIMBERLY: I would like the  
2 record to show that I was not against or for voting  
3 Pete Conroy off the RAB. I was simply bringing  
4 questions forward to get this group to think about the  
5 situation they create or not create.

6 I know Pete well. I see Pete almost  
7 every day or so, talk to him. I just want to make  
8 sure that we're doing what we think is the correct  
9 thing to do.

10 DR. JOHN SPAIN: I don't think we  
11 create an issue by treating Pete Conroy differently.

12 JIM MILLER: Frankly, I wish it  
13 would create an issue.

14 DR. MIKE KIMBERLY: Well, I've had  
15 some private conversations with Pete, which I'll keep  
16 to myself, but I just wanted to make sure this is what  
17 we want to do.

18 DR. JOHN SPAIN: Did you have a  
19 motion?

20 DR. MARY HARRINGTON: I call for  
21 vote.

22 DR. BARRY COX: Since it's obviously  
23 going to be a split vote, let's do it by a show of

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1 hands. All in favor --

2 MONTY CLENDENIN: Would you repeat  
3 the motion?

4 DR. BARRY COX: The motion is --  
5 would you read the motion exactly as stated?

6 BRENDA CUNNINGHAM: Can you do that?

7 THE COURT REPORTER: Which part of  
8 it do you want?

9 DR. MARY HARRINGTON: The part that  
10 makes him --

11 THE COURT REPORTER: Ex officio?

12 DR. MARY HARRINGTON: That's it.

13 DR. JOHN SPAIN: I think that's  
14 fine. I'll just -- I move to make Pete Conroy ex  
15 officio status.

16 MONTY CLENDENIN: That's good enough  
17 for me.

18 DR. BARRY COX: So the yea vote on  
19 this will make Pete Conroy an ex officio non-voting  
20 member. A nay vote, at this point, doesn't do  
21 anything but not give him that status.

22 All in favor?

23 BRENDA CUNNINGHAM: Ten.

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1 DR. BARRY COX: All opposed?

2 BRENDA CUNNINGHAM: None.

3 DR. MARY HARRINGTON: There's got to  
4 be some abstentions then, if there are no oppose.

5 BRENDA CUNNINGHAM: Those members  
6 can't vote, the ADEM, they don't have a vote.

7 DR. MARY HARRINGTON: I know they  
8 don't, but did everybody else vote?

9 ROBERT JACKSON: I abstain.

10 DR. BARRY COX: We have two  
11 abstentions, is that correct, two abstentions?

12 DR. MARY HARRINGTON: I think you're  
13 right.

14 DR. BARRY COX: Anything else under  
15 old business that we need to cover?

16 BRENDA CUNNINGHAM: That does bring  
17 up another issue. You all do need another member now  
18 since Mr. Conroy has been -- and we do have a  
19 nomination here. I'll pass out the information.  
20 Dr. Spain nominated this gentleman.

21 If you'd like to tell a little about  
22 him while --

23 DR. JOHN SPAIN: I don't know how

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1 many of you know Gene Howard. I guess he's lived in  
2 Anniston all his life. He now lives in Jacksonville.  
3 I met him early on when I moved into this area, and he  
4 is retired from Goodyear. He's written three books on  
5 the history of the area. He's very knowledgeable  
6 about the social issues and the environmental issues.

7 I've asked him about if he would be  
8 interested and asked him about his commitment for  
9 meetings, and he has indicated that he would like to  
10 become a member and that he would be committed to  
11 attendance and to be active on the board.

12 So with that, I would nominate Gene to  
13 fill the vacancy for Pete Conroy.

14 MONTY CLENDENIN: I would second his  
15 nomination. He is officially a member of my  
16 congregation, but he has recently taken his  
17 congregation up in Piedmont out of the Presbyterian  
18 church, USA, but I still like him. But he would be a  
19 very good asset to this committee. He's not afraid to  
20 ask hard questions. I'd second that.

21 DR. BARRY COX: We have a second.  
22 Any further discussion? All in favor of Mr. Howard  
23 becoming a member of the board, please signify by

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1 saying I. All oppose, by the same sign. Motion  
2 carried unanimous.

3 Do we have anything else under old  
4 business then?

5 Okay. I guess that brings us to new  
6 business and agency reports. ADEM does not have a  
7 report. Is that a fair statement?

8 BRANDY LITTLE: I do.

9 DR. BARRY COX: You do. Not  
10 ADEM -- excuse me -- EPA. Let's try the ADEM first.

11 BRANDY LITTLE: In your packet is  
12 the ADEM handout, and it just lists the documents that  
13 we received since the last RAB meeting, and the  
14 reviews that we've completed and the meetings we've  
15 attended, and I guess the highlight is: We have  
16 completed more than we have received, so I guess  
17 that's a good thing. That pretty much sums it up.  
18 (Whereupon Ed Kimbrough is in attendance.)

19 DR. BARRY COX: Any notable things,  
20 as far as this report, as far as what you found or  
21 didn't find?

22 BRANDY LITTLE: Not really, just  
23 working hard.

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1 DR. MARY HARRINGTON: Dr. Cox, I  
2 think we should make sure we let our minutes show that  
3 Mr. Miller and Mr. Kimbrough did get in during the  
4 meeting.

5 DR. BARRY COX: It will.

6 Anybody have any thoughts or comments on  
7 the ADEM handouts?

8 DR. JOHN SPAIN: Yeah. Sometimes it  
9 seems like we have these reports, and then we just --  
10 there's no discussion.

11 DR. BARRY COX: I agree.

12 DR. JOHN SPAIN: We ask, is there  
13 anything significant, and there's nothing significant.  
14 I would like to see more of a summary of -- a verbal  
15 summary at the meetings, so it might spur any type of  
16 discussion that might need to come out of it rather  
17 than getting into the habit that we've gotten into of  
18 just saying, here's a handout and go with that.

19 BRANDY LITTLE: Okay. We'll  
20 definitely work on that.

21 DR. BARRY COX: So that what you're  
22 asking is clear, a narrative of what this really  
23 means?

1 DR. JOHN SPAIN: Yes.

2 We wouldn't want to put you on the spot  
3 this time, but maybe at the next meeting, maybe we can  
4 start something like that and actually have some  
5 verbal summary and perhaps some dialogue back and  
6 forth about it?

7 BRANDY LITTLE: Absolutely.

8 DR. JOHN SPAIN: I think that  
9 Monty's comment about the board and the standing of  
10 the board, I think that these are some of the things  
11 that might improve that standing some, if we started  
12 to be more involved in some of the things that we  
13 actually do. I don't know whether that makes sense or  
14 not, but it -- I would like to see that as opposed to  
15 us just going on.

16 DR. BARRY COX: Just an example,  
17 perhaps, if I go on to page two under completed  
18 reviews, it says, "Army's response of ADEM comments on  
19 remedial investigation." Did ADEM simply review that,  
20 or did they have response back to the Army's comments?

21 BRANDY LITTLE: We initially sent  
22 comments, and they responded back, and, yes, sir, in  
23 the status column, we sent them back comments or

1       evaluations of their comments.

2                   DR. BARRY COX:   And that would  
3       probably be an interesting thing for us to see.   What  
4       were your comments back to the Army?   What were the  
5       issues that you had with their response?

6                   BRANDY LITTLE:   Oh mercy, they were  
7       numerous.

8                   DR. BARRY COX:   I guess that's what  
9       we would like to see.

10                  BRANDY LITTLE:   Okay.

11                  DR. BARRY COX:   If you read this, I  
12       think I could read this and say, everything is cool.  
13       There's a response, and we just went on, and you  
14       commented back, but if you had issue with what they're  
15       telling you, then I think that's what we would like to  
16       know.   That's what I would like to know.   And you  
17       could also separate the big ones from the little ones.  
18       You know, you can say, this one is kind of nit  
19       picking.   We don't particularly like this, or one that  
20       says, we think this is a big deal.   Would that be --

21                  DR. JOHN SPAIN:   Absolutely.

22                  BRANDY LITTLE:   Under our meetings,  
23       that's what led to one of our meetings with the -- it

1       was before, I think, the last RAB meeting when we had  
2       our contractors to meet with Army contractors to  
3       discuss the remedial investigations for Iron Mountain  
4       Road and Bain's Gap Road, but I think that was maybe  
5       the week before the last RAB meeting, so it didn't get  
6       on this one. It was on the last one.

7                       DR. BARRY COX: Now, are these open  
8       meetings? For example, if some of the RAB members  
9       were interested in a particular issue, would they be  
10      allowed to sit in and listen to the discussion back  
11      and forth between the contractors and ADEM and the  
12      Army?

13                     BRANDY LITTLE: I'm not quite sure.  
14      I don't know.

15                     LISA HOLSTEIN: I don't either. We  
16      can refer that question to Scott Bolton next week.

17                     DR. BARRY COX: Okay. Anybody else  
18      have any thoughts on the ADEM report?

19                     ED KIMBROUGH: I got a question on  
20      the changes on the memorandum of agreement in here.

21                     BRANDY LITTLE: Are you under  
22      conference calls?

23                     ED KIMBROUGH: Yes.

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1                   BRANDY LITTLE: Right. Under  
2 documents received, we received a revised version of a  
3 memorandum of agreement.

4                   Is it revised on a regular basis, Lisa,  
5 the MOA?

6                   LISA HOLSTEIN: Which MOA are we  
7 talking about?

8                   BRANDY LITTLE: Between the Army and  
9 ADEM.

10                  LISA HOLSTEIN: For the ESCA?

11                  BRANDY LITTLE: Uh-huh.

12                  LISA HOLSTEIN: No. It's revised  
13 every time the ESCA is changed.

14                  BRANDY LITTLE: Okay. And I believe  
15 we just had minor changes that were made to that.

16                  LISA HOLSTEIN: Well, the MOA, it  
17 just added -- when the ESCA changed, the JPA accepted  
18 responsibility for additional sites, and the Army  
19 funded those sites, and the MOA just reflects who's  
20 responsible for which sites.

21                  ED KIMBROUGH: When you say,  
22 "funding," this is really my question: Funding from  
23 the Army is giving to ADEM to assist them in reviewing

1       these?

2                       LISA HOLSTEIN:  Oh, we're talking  
3       about a different MOA?

4                       ED KIMBROUGH:  No.  This is my  
5       question.  That's not what it's about.

6                       LISA HOLSTEIN:  Funding for ADEM is  
7       through an MOA as well, a different MOA.

8                       ED KIMBROUGH:  And it's separate  
9       from JPA?

10                      LISA HOLSTEIN:  Correct.

11                      ED KIMBROUGH:  So there's money  
12       coming from the ARMY, and there's money coming from  
13       the JPA to ADEM?

14                      LISA HOLSTEIN:  No.

15                      ED KIMBROUGH:  Well, from the Army  
16       with the land to the JPA?

17                      LISA HOLSTEIN:  Correct.  The Army  
18       funds ADEM oversights of JPA projects.

19                      ED KIMBROUGH:  And there were, like,  
20       three and a half individuals have funded for that --

21                      LISA HOLSTEIN:  That I wouldn't  
22       know.

23                      BRANDY LITTLE:  We have --

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1 LISA HOLSTEIN: We're working on a  
2 new MOA with them.

3 ED KIMBROUGH: Okay. I knew there  
4 were some questions on --

5 LISA HOLSTEIN: And we worked with  
6 JPA on that as well, as far as schedules for reports  
7 that are coming out. So we put our schedule together,  
8 the JPA puts their schedule together, and ADEM  
9 evaluates that schedule and determines how many people  
10 they'll need to be funded to oversee the work.

11 ED KIMBROUGH: That's all.

12 DR. BARRY COX: I guess by the same  
13 token, we would also like to see a summary of the  
14 issues from the JPA comments as well as the ones from  
15 the Army.

16 BRANDY LITTLE: Okay.

17 DR. BARRY COX: Anybody else have  
18 any thoughts on the summary sheet?

19 Okay. If I recall, many times in the  
20 past, the Army and ADEM, at this meeting would sit  
21 there, and they'd discuss their positions on  
22 particular issues and disagreements.

23 I guess now we go to the JPA.

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1 MICHELLE KLOMP: Well, you've got  
2 your handouts in front of you, and I'll just run  
3 through the sites there, and speak up if you have  
4 questions.

5 We start out with the Landfill 3 in the  
6 fill area northwest of Reilly. We've got two  
7 different things going on up there at this point.  
8 Pretty much in December, we completed the substantial  
9 work on the completion of a landfill cap on both of  
10 those properties. We put a park area in on the  
11 Northwest Reilly area, and Landfill 3 just has a  
12 pretty looking cap on top of it.

13 We've also begun work on a groundwater  
14 remediation plan for that site. We have a groundwater  
15 plume that's fairly large and entertaining, so we've  
16 hired on a contractor to put together a corrective  
17 implementation plan for that property.

18 DR. BARRY COX: And this is --

19 MICHELLE KLOMP: Landfill 3 and the  
20 fill area northwest of Reilly, which are the very  
21 northern part of the base there.

22 JIM MILLER: What's the contaminate  
23 of concern there?

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1 MICHELLE KLOMP: In the groundwater?

2 JIM MILLER: Uh-huh.

3 MICHELLE KLOMP: Mostly volatile  
4 organic carbon compound.

5 DR. BARRY COX: Which ones?

6 MICHELLE KLOMP: You want the whole  
7 list? It was a landfill.

8 DR. BARRY COX: I'm talking about  
9 the major issues. The major --

10 MICHELLE KLOMP: TCE is one of the  
11 bigger drivers. I don't know the rest of the --

12 JIM MILLER: What type of technology  
13 are you going to be using? Do you know that?

14 MICHELLE KLOMP: We don't know that  
15 yet. That's what the contractor is evaluating right  
16 now. The process of a corrective measures  
17 implementation plan is to evaluate most reasonable  
18 alternatives and choose the most appropriate for the  
19 site, and so that's where we are right now.

20 DR. BARRY COX: What levels of TCE  
21 are you finding?

22 MICHELLE KLOMP: I don't know.

23 DR. MIKE KIMBERLY: Do you all

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1 contract that out to -- who does the testing?

2 MICHELLE KLOMP: The testing is  
3 either done by the contractor or by us. It just  
4 depends on the site.

5 DR. BARRY COX: Could we see a copy  
6 of the data that shows us what compounds are there and  
7 what levels?

8 MICHELLE KLOMP: Yes, sir.

9 DR. BARRY COX: Since we got a  
10 geologist over here on the panel, I thought that would  
11 be very interesting.

12 DR. MIKE KIMBERLY: In the  
13 contracting out, if you do the contracting out of the  
14 work, you have a -- let me see how I want to ask this.  
15 Do you have a border as to when you can contract out?  
16 Does it have to be within Calhoun County? Is it in  
17 Georgia?

18 The reason I ask is: The State of  
19 Alabama has a lab, environmental lab that is pretty  
20 well equip, and I'm sure a contract with the companies  
21 who are doing the sampling, they could do it a heck of  
22 a lot cheaper than a private laboratory and probably  
23 save some money in that contract. Being that I ran an

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1 environmental lab for 27 years, I know they can do it  
2 cheaper than an outside independent lab.

3 MICHELLE KLOMP: Currently, we're  
4 using a lab that's not based in the state of Alabama.  
5 We actually started using them when we joined onto the  
6 project because they were the -- they have a  
7 historical knowledge of this property that can't be  
8 beat, and the consistency that we gain in having the  
9 same laboratory run all of our tests is a huge plus  
10 for us right now.

11 We are always keeping an eye on their  
12 cost, and whenever they do seem to be a little high,  
13 we just talk to them about it, and we are always open  
14 to trying out new things.

15 DR. MIKE KIMBERLY: Well, if they  
16 have a contract, then they have a cost that's enclosed  
17 in that contract unless your breaking contract.

18 MICHELLE KLOMP: We don't -- we've  
19 been working with them since 2003, and they were out  
20 here before that, so costs go up occasionally.

21 DR. MIKE KIMBERLY: I was just  
22 thinking in the sense that I know that the State of  
23 Alabama has a good environmental lab. They have

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1 modern equipment, and they have well-trained people in  
2 their lab, and they could probably do it several  
3 dollars cheaper than a private outside lab. A spec  
4 lab is going to charge you for things, like, if you  
5 say, we need that in 44 hours, and they give it back  
6 to you in 24 hours. If you go to a private lab,  
7 they're going to stick you with a 2 or \$300 fee on  
8 that.

9 That's one way of looking at trying to  
10 save money. The more money you have, you can do other  
11 things with it in the area.

12 MICHELLE KLOMP: Yep.

13 DR. MIKE KIMBERLY: That's a point.

14 I also noted that in the minutes of last  
15 week, there was a lot of stuff about -- a conversation  
16 about what you had tested for, and you put something  
17 and then "others." What are the others?

18 MICHELLE KLOMP: I'm not sure what  
19 you're talking about.

20 DR. MIKE KIMBERLY: It's in the  
21 minutes. There was discussion about some of the  
22 testing what was going on, and it mentions TCEs, and  
23 then it just says "others." I was just concerned

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1       about what the others are, if they were looking for it  
2       or not looking for it or --

3                   MICHELLE KLOMP:   Do you remember  
4       which site it was?

5                   DR. MIKE KIMBERLY:   I can go back  
6       through here --

7                   MICHELLE KLOMP:   Well, I'll be at  
8       the board meeting tomorrow, so --

9                   DR. MIKE KIMBERLY:   Okay.

10                  ED KIMBROUGH:   On Landfill 3, I've  
11       kind of been involved in that from day one because  
12       when I was mayor of Weaver, there was some questions  
13       about the contaminations of our water, which that is  
14       not now, but I think the Army was the first ones -- I  
15       know the Army was, because the base wasn't closed when  
16       this first came to our attention.

17                  The Army originally did the testing, and  
18       we received the information on what they found and the  
19       directions they were going, and I think they came in  
20       and even showed us how the geological studies had gone  
21       and layers, and where the faults were and all that.  
22       And it has been left between the JPA and the Army to  
23       handle the testing. I think, JPA, when they took it

1 over, drilled more wells to determine where the  
2 perimeter was and how far it was going, and it was  
3 determined at that time that the flow of contamination  
4 had moved basically to Highway 21, but it was not  
5 moving east to west. It was moving north at a very  
6 slow rate, and the further it got away, the less the  
7 strength of the contaminants were in the groundwater,  
8 and I think y'all tested some going toward  
9 Jacksonville and found nothing, so --

10 MICHELLE KLOMP: Dr. Spain, did you  
11 have a question, too?

12 DR. JOHN SPAIN: I did. I certainly  
13 wouldn't want you to take any of these comments  
14 personally --

15 MICHELLE KLOMP: It's good to hear.

16 DR. JOHN SPAIN: -- because I like  
17 the discussion. I believe you and I talked about it  
18 at the other meeting. The other thing I would like to  
19 ask you is: Are there any other issues that this  
20 board would have interest in that would not be  
21 something that would be covered by Matrix, but that --  
22 I guess what I'm trying to get to, should we have a  
23 representative here from the JPA as well as a

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1       representative here from Matrix? I don't really  
2       understand the representation here because if there's  
3       other issues, then I'm not sure that you can fully  
4       speak for the JPA.

5                   MICHELLE KLOMP: I actually do have  
6       one issue that's on the bottom of my list of things  
7       that's not on your handout, but it's on my mental list  
8       of things to talk about today that has nothing to do  
9       really with Matrix. It's just an issue that JPA, that  
10      they have outstanding. I always check in with them  
11      and let them know that I'm coming to the meeting and  
12      ask them if they have anything in particular that they  
13      need brought up.

14                  DR. JOHN SPAIN: I'm not sure that  
15      we shouldn't write a letter to the JPA asking to have  
16      a representative be present at the meetings that can  
17      speak for the JPA. I do not wish to exclude you  
18      because I wouldn't like to hear second handed from the  
19      JPA officials all of these issues that you covered  
20      because they're probably much more important, but from  
21      time to time -- we do not have an opportunity to ask  
22      the JPA representative specific questions.

23                  DR. BARRY COX: Do you want to make

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1       that in the form of a motion?

2                       DR. JOHN SPAIN: Perhaps discussion  
3       first.

4                       DR. BARRY COX: Okay.

5                       ED KIMBROUGH: Let me say,  
6       Dr. Spain, I serve on the PM committee for the JPA,  
7       which we're the ones that review contracts, review  
8       information, and all like this, and sometimes I do  
9       find it very interesting the difference in the  
10      information that I get between the two. But the PM  
11      committee meeting, it's open to the public, and  
12      anybody can come to that, and we do have some members  
13      that do come to it. And I was thinking, the JPA, I  
14      don't know -- you don't have but -- now, you don't  
15      have but an accountant and Dan Cleckler and  
16      Mickey Snider, and that's it.

17                      MICHELLE KLOMP: JPA is a little  
18      short on staff.

19                      ED KIMBROUGH: There's only three  
20      people employed by the JPA.

21                      MICHELLE KLOMP: And they still have  
22      Scott, but he's not been well.

23                      ED KIMBROUGH: And if you wanted

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1       somebody, Mickey is the one that's probably involved  
2       in --

3                       STEVE YOUNG:   Well, Perhaps it would  
4       be useful -- if you don't mind a comment from the back  
5       row --

6                       THE COURT REPORTER:   Could I get  
7       your name, sir?

8                       STEVE YOUNG:   Steve Young.

9                       I'm the program manager for Matrix.  
10       Perhaps it would be useful to explain the nature of  
11       our relationship with the JPA because I think maybe  
12       that's gotten lost or lost over the years.   We have  
13       been hired by the JPA to be essentially their arms and  
14       eyes and ears and brains for environmental issues.  
15       Our contract is not specific to the ESCA and the  
16       ESCA-related issues.

17                      So, Dr. Spain, I'm not sure what your  
18       concerns are.   I just want you to understand that if  
19       there are environmental issues outside of the ESCA,  
20       outside of things that Michelle's reporting on, we  
21       could certainly help, and we're happy to do that,  
22       address those on behalf of the JPA or help this group  
23       understand what they might be or address questions or

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1 take questions back.

2 I also don't think that the JPA would be  
3 a first to have someone here. I think the problem on  
4 their side is more, as we've indicated, they're just  
5 short staffed, but certainly, we're not limited in any  
6 way to addressing only the ESCA issues. I just wanted  
7 to clear up that part. We're not contractually bound  
8 not to talk about anything else. We have certainly  
9 pitched in and helped them outside of ESCA issues as  
10 well.

11 DR. JOHN SPAIN: Thank you very  
12 much.

13 DR. BARRY COX: Further discussion?

14 DR. JOHN SPAIN: Well, would you say  
15 then that there are no other issues that the JPA would  
16 have that you all would not cover on behalf of the  
17 JPA?

18 STEVE YOUNG: In the relevant  
19 environmental questions, I don't believe so. We have  
20 in the past advised them on phase-one activities for  
21 properties that were not part of the clean-up process.  
22 We have advised them on mold issues, lead-based paint.  
23 You know, if there's some specific question you have

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1       in mind --

2                       DR. JOHN SPAIN:  No, I don't have  
3       any.

4                       MICHELLE KLOMP:  Or if you want to  
5       get into marketing or property sales --

6                       STEVE YOUNG:  Right.  Now, that kind  
7       of stuff, we wouldn't.  So if you wanted some input  
8       from the JPA on things like marketing or sales or some  
9       of their other initiatives, then, you know -- I'm a  
10      formally long-haired country boy turned  
11      hydrogeologist.  I can't help with marketing.  Things  
12      like that, you would be definitely need a JPA person.

13                      MONTY CLENDENIN:  Is the JPA  
14      interested in anything beyond the clean up and the  
15      environmental issues, such as preservation issues of  
16      historic sites and everything like that?

17                      STEVE YOUNG:  Absolutely.

18                      MONTY CLENDENIN:  I'd like to, later  
19      on when we finish this discussion, ask you a question.

20                      DR. JOHN SPAIN:  It seems like  
21      that's a part of this discussion.  If there's issues  
22      that are addressable by this board that are outside of  
23      what Matrix normally does for the JPA, that's what I'm

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1       trying to get to here. Should we ask a member of the  
2       JPA to attend?

3                   I mean, I don't think, this board -- it  
4       means anything to this board whether they're short  
5       handed. I mean, if we need them, we need them,  
6       whether it's shorted handed or whether it's not short  
7       handed, that's really not an issue. They might not be  
8       able to come, but if they should be a part of us,  
9       then I think they should be.

10                   MONTY CLENDENIN: That sort of gets  
11       to what I was saying about our clout. Scott is  
12       normally here, so we've normally got the Army to ask,  
13       but typically, the JPA is not, and if the Army is not  
14       here, and the JPA is not here, and the EPA is not  
15       here, then who do we address our questions and  
16       concerns to? That's kind of what I was trying to get  
17       at about our clout.

18                   We can ask all the questions in the  
19       world, but if we don't have anybody to ask them to,  
20       we're just entertaining ourselves.

21                   ED KIMBROUGH: I think what Steve  
22       was saying is we hire Matrix, and they're working for  
23       the JPA. As far as the environmental issues, they're

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1       the ones that -- now, as far as other issues, then it  
2       would be the whole JPA such as properties and things  
3       like that, but as far as environmental and all like  
4       that, they are like our -- we contract with them for  
5       administration of the clean up and for the bidding and  
6       for the analysis of what needs to be done and all like  
7       that.

8                       So, you know, I think it depends on the  
9       questions, because if it's environment, they're going  
10      to be the ones because there's no one on the JPA that  
11      can go into detail like they do, but as far as the  
12      issues, the historical preservation and the other,  
13      then that goes to the whole board.

14                     DR. BARRY COX: Just to the point of  
15      clarification, don't the JPA make decisions on land  
16      use, which then in turn drives the environment issues?

17                     ED KIMBROUGH: Yes.

18                     DR. BARRY COX: See, that's the  
19      point right there.

20                     ED KIMBROUGH: Right.

21                     DR. BARRY COX: Because if they  
22      claim it's going to be an industrial site, and they're  
23      not going to clean it the same --

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1 STEVE YOUNG: As far as addressing  
2 what those land use decisions are, again, we can help  
3 you with that. Because as you've already identified,  
4 we're married to that. We are absolutely up on what  
5 those decisions are.

6 Now, the process of deciding what's  
7 industrial and what's commercial and what's  
8 residential, to the extent that environmental issues  
9 have to inform that planning process, we participate,  
10 but the actual decisions obviously are not Matrix's.  
11 That's a combination of the JPA and the City. So  
12 questions like that, how did you get to that decision?  
13 What were the other inputs? Certainly, archeological  
14 questions, cultural resource questions, those sorts of  
15 things, we can tell you what we know, but that's not  
16 our charter, so our commission is -- that would have  
17 to be a JPA question.

18 DR. JOHN SPAIN: Well, I'm not  
19 making a motion, but I would suggest that we consider  
20 asking for a representative of the JPA and that we ask  
21 Stan Bennett, our counselman, to attend our meetings,  
22 as a representative of the City, and to have a JPA  
23 representative come.

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1 DR. BARRY COX: You want to make  
2 that -- here again, this is not a motion, just a  
3 suggestion?

4 DR. JOHN SPAIN: Yeah, I'm putting  
5 that forth, not as a motion, but before a motion is  
6 made as a matter of suggestion.

7 DR. MARY HARRINGTON: Point of  
8 clarification: Why would we have Stan Bennet as  
9 opposed to any other council members?

10 DR. JOHN SPAIN: Well, because this  
11 is his area. He's ward 1, this is ward 1. He would  
12 have the -- I would certainly not be opposed to any of  
13 the other councilmen be a part because I would like to  
14 see them be a part, but I mentioned his name  
15 specifically because this is his ward.

16 DR. MARY HARRINGTON: And that gives  
17 him what?

18 DR. JOHN SPAIN: Well, it should  
19 give him a special interest in it.

20 DR. MARY HARRINGTON: Okay.

21 DR. JOHN SPAIN: But, you know, I am  
22 certainly not for -- I don't think we're going to get  
23 the mayor to come. I think Stan should have an



1 interest in his area, and it will give us a conduit  
2 into the City and into the City council if he can.

3 DR. BARRY COX: Okay. Where do we  
4 go from here? I mean, if we're not --

5 DR. JOHN SPAIN: Well, it's not  
6 catching any legs, I don't think.

7 DR. MARY HARRINGTON: I would not  
8 be -- this is just me, personally. I would not be  
9 against part of what you say, but there's so many more  
10 entities to be included when you think of McClellan  
11 then ward 1. Now, that's just me.

12 DR. JOHN SPAIN: Well, I understand  
13 exactly what you're saying. Why don't we write the  
14 City and ask them to send us a councilman, and perhaps  
15 they might want to rotate it every year, something  
16 like that?

17 DR. MARY HARRINGTON: You can ask  
18 them.

19 DR. JOHN SPAIN: What do you think?

20 DR. MARY HARRINGTON: I was just  
21 thinking out loud.

22 JIM MILLER: Just a starting point,  
23 why don't we send a letter to the City council and

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1       just invite them to attend the RAB and see if there's  
2       any response.

3                   BRENDA CUNNINGHAM: I have to tell  
4       you that I send announcements to all the commissions  
5       and all city councils and all the mayors and  
6       everything.

7                   JIM MILLER: And I'm sure it gets  
8       put in the stack with all the others. If we address a  
9       letter from the chairman of the RAB, it might carry a  
10      little more weight, and at least we would extend an  
11      invitation and ask them to participate. Now, whether  
12      they do or not will be their choice.

13                  DR. JOHN SPAIN: Well, it would be  
14      good to write that letter so that it brings a little  
15      pressure that -- you know, explaining our issues, what  
16      we're trying to do, what we're trying to accomplish,  
17      and seek their help in getting these things done so  
18      that we would have some type of recourse back if  
19      nobody showed up.

20                  I mean, if we're going to have any  
21      standing at all as a committee, and I'm basing this on  
22      what Monty said, we have to assume that we do have  
23      some standing and that we are important and what we're

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1       doing here is important.

2                       DR. BARRY COX:   Would you like to  
3       e-mail Brenda a draft, and she'll work on those?

4                       DR. JOHN SPAIN:   I'll tell you what  
5       I'll do, I'll put together a draft and perhaps send it  
6       to Brenda, and then Brenda can send it out to the  
7       entire board for comment.

8                       DR. BARRY COX:   And then we can send  
9       it out.

10                      DR. JOHN SPAIN:   Right.

11                      PENN WILSON:   Sounds like a good  
12       idea.

13                      DR. BARRY COX:   Anything else on  
14       this?

15                      PENN WILSON:   Would the JPA piece be  
16       built into that, or would we consider just requesting  
17       that the JPA -- a formal request about having the JPA  
18       representative in attendance here?

19                      DR. BARRY COX:   Perhaps it would be  
20       -- if we asked the JPA that one of the issues we'd  
21       ask, then, would be so they can address the land use  
22       issues, which as we said, that drives the leverage you  
23       have with the --

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1 JIM MILLER: Not to be negative, but  
2 I think you may be preparing yourself for a lot of  
3 lack of interest because it's not the first time we've  
4 been down this path.

5 DR. BARRY COX: Anything else on  
6 this topic?

7 JIM MILLER: I think she had started  
8 down her list --

9 DR. BARRY COX: We'll move down to  
10 her list then.

11 Are you ready to proceed, Mr. Kimberly?

12 DR. MIKE KIMBERLY: Pardon?

13 DR. BARRY COX: Are you ready to  
14 proceed?

15 DR. MIKE KIMBERLY: With what?

16 DR. BARRY COX: With the rest of the  
17 meeting.

18 DR. MIKE KIMBERLY: Yes, sir.

19 MICHELLE KLOMP: All right. Moving  
20 on to T38, I'm going to just lump that in with T6.  
21 These are two sites where we have solvents in  
22 groundwater, and we -- they're pretty much a parallel  
23 track right now. Their investigations are complete.

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1       We're working on figuring out the corrective measures  
2       for those two sites. In December, we collected  
3       groundwater samples from those two sites to get a  
4       better picture of what it looks like today rather than  
5       what it did look like. So that's where those two are.

6                   DR. DAVID STEFFY: Is this type of  
7       information public record?

8                   MICHELLE KLOMP: It is once it's  
9       been finalized.

10                  DR. DAVID STEFFY: What's that mean?

11                  MICHELLE KLOMP: Once we have ADEM's  
12       approval, we put it out in public record, yes. You  
13       can obtain it through the JPA, or you can ask me.

14                  DR. BARRY COX: When we're back and  
15       forth through the comment period, it's not public  
16       record?

17                  MICHELLE KLOMP: I don't know about  
18       that.

19                  MONTY CLENDENIN: Used to, wasn't  
20       there a report filed at the library?

21                  BRENDA CUNNINGHAM: They still are.  
22       I file JPA and Matrix. I file their documents in our  
23       repository, which is also online on the website.

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1 LISA HOLSTEIN: We'd have to have  
2 JPA review our index to make sure that we have  
3 everything that's out there.

4 JIM MILLER: How is that accessed  
5 online? What's that website?

6 BRENDA CUNNINGHAM: I'll get you the  
7 address.

8 DR. BARRY COX: We keep interrupting  
9 you.

10 MICHELLE KLOMP: That's quite all  
11 right.

12 LISA HOLSTEIN: But all the Army  
13 documents are out there.

14 MICHELLE KLOMP: The next bulleted  
15 item is Landfill 1, Landfill 2, and the fill area  
16 north of Landfill 2. These three landfills are  
17 historical legacy landfills that were closed years  
18 before the base was closed. They didn't have  
19 appropriate caps placed on top of them, so what we've  
20 done is submitted to ADEM, and they've essentially  
21 approved our plan to repair the caps on these sites  
22 without doing any other major work on them.

23 ADEM did provide us with comments, and

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1       their comments essentially were about -- essentially  
2       the question you just asked, where to find public  
3       record documents. So we're working on finalizing that  
4       corrective measure implementation plan and capping  
5       those three sites.

6                     The next item is the garbage dump and  
7       the fill area east of Reilly, and those two sites were  
8       also included in the previous notes, but we've  
9       actually begun to cap, and that's why we call that  
10      separately.

11                    On a side note, Landfill 1's cap has  
12      been repaired.

13                    For small weapons repair shop, that is  
14      right over that way (pointing), and it's a small  
15      contained solvent site where we had soil contamination  
16      and groundwater contamination. The soil was  
17      stabilized last year, and we collected samples in  
18      December, and we're double checking the data before we  
19      commit to a corrective measure implementation at that  
20      site.

21                    Chemical laundry and the motor pool area  
22      is a site where we have groundwater contamination, and  
23      the location and concentrations and groundwater

1 characteristics are suitable for monitored natural  
2 attenuation, so we've been collecting samples at the  
3 site twice a year, and we submit what are called  
4 corrective measure effectiveness reports to ADEM twice  
5 a year for those sites.

6 In December, we received approval for  
7 the February 2005, December 2005, and June 2006  
8 corrective measure effectiveness reports. We also  
9 submitted -- we received comments on our draft 2006  
10 December corrective measures effectiveness report. We  
11 committed the June 2007 one, and we conducted our  
12 December 2007 sampling event. It was a busy month.

13 I'm going to lump the next three sites  
14 together, too. It's the motor pool 3100, former base  
15 service station, and the former washrack, Soldier's  
16 Chapel, those three sites are small petroleum  
17 hydrocarbon sites that has light hits in the  
18 groundwater, and what we are proposing with those, we  
19 conducted a groundwater sampling about a year ago, and  
20 we're submitting to ADEM that these sites can receive  
21 no further action with the land use control  
22 prohibiting groundwater use on those sites.

23 We received comments from ADEM on all

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1 three of those sites, and the main comment that they  
2 had was just clarification on the land use controls.

3 The industrial landfill in Landfill 4  
4 are located up near Reilly Lake. The industrial  
5 landfill is actually the permitted and active landfill  
6 on the base. The JPA runs it. We have submitted a  
7 modification for that permit to ADEM, and it's been  
8 approved, and it was for staging of future fill areas  
9 and future close-out parameters for that site.

10 Landfill 4, we also -- it's adjacent  
11 property to the industrial landfill, that's why  
12 they're always lumped in together. As part of that  
13 site, we conducted our annual soil gas sampling and  
14 our surface water sampling.

15 Southern Alfa and MRS-1 are two of our  
16 major UXO sites. They're the ones that led to the  
17 opening of Bain's Gap Road last year. We are still  
18 finalizing some of the paperwork for those two sites,  
19 but they are essentially closed out.

20 MRS-2 and MRS-3 are our newest munitions  
21 and explosive of concern sites, and they run along  
22 Iron Mountain Road and what will be the Eastern  
23 Bypass. We've begun work on both of those sites.

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1       We've got about 80 people out in the field right now  
2       working on those.

3                   As part of the ESCA that was  
4       renegotiated in September, we are currently reviewing  
5       and revising our clean-up agreement with ADEM, as well  
6       our land use control implementation plan, and one  
7       thing that the JPA is working on that I know of that  
8       might be of interest to y'all is a property that's at  
9       the very southern boundary of the base, and it's  
10      approximately 11 acres that AL DOT is interested in,  
11      and I believe the Army is putting together a desktop  
12      EE/CA for that site, and I don't know much about it  
13      other than that.

14                   LISA HOLSTEIN: We're putting  
15      together a desktop EE/CA for that site.

16                   MICHELLE KLOMP: There you have it.

17                   LISA HOLSTEIN: It's certainly  
18      underway. It's progress.

19                   MICHELLE KLOMP: So that's the  
20      highlights for the last quarter of last year for the  
21      JPA.

22                   DR. BARRY COX: Anybody have any  
23      comments or questions?

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1 DR. JOHN SPAIN: I just have a  
2 curiosity question. Is there any major asbestos  
3 disposal that's going on on the base?

4 MICHELLE KLOMP: Disposal? As far  
5 as disposal in the landfill or disposal out of a  
6 building into a permanent place?

7 DR. JOHN SPAIN: No. Brought in  
8 from other locations.

9 MICHELLE KLOMP: No, nothing's  
10 brought in from other locations to the industrial  
11 landfill. I don't know of anywhere else it would be  
12 taken, unless someone has it piled up in their  
13 backyard.

14 DR. JOHN SPAIN: No. I'm talking  
15 about big stuff.

16 MICHELLE KLOMP: At this point, the  
17 industrial landfill is primarily taking material from  
18 the base, and it's construction demolition debris.

19 DR. JOHN SPAIN: No. I'm talking  
20 about in past years that's sitting out somewhere?

21 MICHELLE KLOMP: Oh, not that I know  
22 of.

23 DR. JOHN SPAIN: Okay.

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1 DR. BARRY COX: What are the plans  
2 to remove, like, the heating plants on the base that  
3 has the asbestos on them, such as the one -- 3181.

4 MICHELLE KLOMP: 3181, you're going  
5 to have to remind me --

6 DR. BARRY COX: JSU, Gadsden,  
7 McClellan building. There's a heating plant there.  
8 My understanding was that it probably served about 10  
9 buildings, is that correct, anybody from the old days?

10 PENN WILSON: I used to work in that  
11 building, 3181 and 3191.

12 DR. BARRY COX: I was just curious.  
13 We're on the clean-up list for that.

14 MICHELLE KLOMP: The building clean  
15 up, unless it's actual chemicals, we don't handle it.  
16 Asbestos would be something that would actually be a  
17 question for the JPA. I can tell you that building  
18 demolition, unless the building really needs  
19 demolition is not high on their priority list right  
20 now, and asbestos would be something that would be  
21 handled through their property manager.

22 DR. BARRY COX: So that is a  
23 semi-environmental issue, but Matrix does not handle

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1       that?

2                   MICHELLE KLOMP:  We help them with  
3       it, and we talk to them about it, but we don't handle  
4       it.

5                   STEVE YOUNG:  Right.  Because it's  
6       driven by development, it's not an Army funded  
7       clean-up activity.  It's not something where the  
8       clean-up is done to provide the ability, the  
9       opportunity for development.  Asbestos, lead-based  
10      paint, those sorts of environmental issues are all  
11      done at the time the sale is negotiated.  It's part of  
12      the deal.  So let's say, you're the buyer, and you  
13      don't want to do it, your price gets adjusted to  
14      account for that, the JPA does it, or the other way  
15      around.  JPA says, as is, where is, you deal with it.  
16      It becomes, again, part of the economics of the deal.

17                   At that point, we'll come in and help  
18      with that to the extent that the JPA has made a  
19      commitment, but because that's the way it works,  
20      there's not very much of that going on because there's  
21      not very much building take down going on.

22                   DR. JOHN SPAIN:  Are there any  
23      hazards associated with someone going in and looking

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1 at the building?

2 STEVE YOUNG: There could be.

3 Again, that would be kind of a case-by-case decision  
4 that would have to be made. I know there was some  
5 asbestos survey work that was done, so the JPA,  
6 Scott Bradshaw would have a list of places where  
7 there's suspect asbestos or lead-based paint, so,  
8 they're going to have to handle that on a case-by-case  
9 basis.

10 DR. JOHN SPAIN: Michelle, perhaps,  
11 you could ask Scott to make a presentation to us at  
12 our next meeting on other environmental hazards.

13 MICHELLE KLOMP: Uh-huh.

14 DR. JOHN SPAIN: We need to make  
15 that in the form of a motion, I guess, before we ask  
16 that that be done.

17 MICHELLE KLOMP: Would it be  
18 possible -- maybe, if he -- I don't know -- he's been  
19 out lately.

20 DR. JOHN SPAIN: Yeah, well, we  
21 might skip it next meeting, but it's certainly not a  
22 crisis.

23 MICHELLE KLOMP: Would it possibly

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1       be enough if I got some more information from him and  
2       just said, you know, well, we've got 32 buildings with  
3       asbestos in them, and just gave you a briefing if he's  
4       unavailable?

5                       DR. JOHN SPAIN: I would prefer to  
6       hear it from Scott.

7                       MICHELLE KLOMP: Sure.

8                       DR. MIKE KIMBERLY: If I may,  
9       Michelle, I think Scott did that a couple of meetings  
10      back, did he not? Just before they were discussing  
11      budget, he brought a list of all the buildings that  
12      were either asbestos or other environmental issues,  
13      and he had a list of them.

14                      MICHELLE KLOMP: I know he has the  
15      inventory.

16                      DR. MIKE KIMBERLY: At that  
17      particular point, the budget was at the state that  
18      they could not do anything with it because they were  
19      getting some flak about, see those old barracks down  
20      there, they're already falling in, they're all  
21      asbestos siding, but there was no plan to get anything  
22      because they can't. The fire department won't come  
23      in. The EPA has something to say about that, but

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1       there is a list.

2                   MICHELLE KLOMP:  Yeah, he has the  
3       data.

4                   DR. BARRY COX:  Anything else?  
5       Anybody else have any questions?

6                   We appreciate it.

7                   MICHELLE KLOMP:  Sure.

8                   DR. BARRY COX:  Do we have an Army  
9       report?

10                  BRENDA CUNNINGHAM:  Before we do the  
11       Army report, I wanted to show you what the website  
12       looks like.  It's WWW.McClellan.Army.mil, if I can get  
13       it to come back on.  This is our website, and you come  
14       right here to administrative records, you can click  
15       there, and you can pull -- if you know exactly what  
16       you're looking for, like, the JPA, Matrix documents,  
17       you can click there and do a search.  And these are  
18       all the JPA documents that we have.  They're at the  
19       Anniston Library and the Jacksonville Library, or you  
20       can open it and review it here online.

21                  Does that answer your question over  
22       there, Mr. Miller?

23                  JIM MILLER:  Yes, thank you.  That's

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1       very good. I appreciate that. If I ever have a bad  
2       case of insomnia, I'll know where to go.

3                   BRENDA CUNNINGHAM: Scott's not here  
4       tonight to go over this. Lisa can answer any  
5       questions to the Army if you have any.

6                   LISA HOLSTEIN: Basically, in  
7       summary, I can point out what's changed since the last  
8       meeting, or do you want me to go over the whole thing?

9                   JIM MILLER: I don't think your  
10      voice is going to last to go over the whole thing.

11                   LISA HOLSTEIN: I can make it quick.  
12      I'm not Ron Levy.

13                   Within the Bravo Area, the Army is still  
14      responsible for clean-up actions on seven acres, and  
15      then there's about three acres south of the Bravo area  
16      that we're combining with those seven acres that's  
17      going to be transferred to AL DOT, so we're preparing  
18      a desktop EE/CA. We're going to give the information  
19      that we gather from the Bravo Area during our Bravo  
20      Area EE/CA, and during the Eastern Bypass EE/CA, and  
21      we're pulling in all that information to make a  
22      stand-alone EE/CA for the Iron Mountain Road edition.  
23      Preparation for that EE/CA is underway.

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1                   Within the Charlie Area, we've had  
2                   several versions of the EE/CA out. The Army has  
3                   recently agreed -- they've agreed to do some  
4                   additional sampling in the Charlie Area so that we can  
5                   wrap this EE/CA up.

6                   Currently, Huntsville is preparing a  
7                   proposal for additional sampling, and we'll be  
8                   submitting that to ADEM soon, and to get their buy off  
9                   on what that additional sampling will encompass.

10                  Roads and fire breaks, ADEM has  
11                  submitted some unresolved comments on that report, and  
12                  the Army revised the report based upon those comments  
13                  and submitted that in December.

14                  Installation restoration program, this  
15                  is a new section that I've added so that we can show  
16                  the remedial investigations that are currently  
17                  underway, one, two, three, four, five, six, seven  
18                  remedial investigations in various stages of  
19                  completion.

20                  Let's see. All of them have -- the  
21                  field work has been completed for the remedial  
22                  investigation, and either a draft version of the  
23                  remedial investigation report is out for ADEM review

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1 with the exception of the A-1 millimeter mortar range,  
2 and that MRI has been finalized, and also with  
3 exception of the Range 29, we're awaiting funding to  
4 begin the investigation in that area.

5 Property transfers hasn't changed since  
6 last time. Eastern Bypass Tract 3 transfer, let's  
7 see. There was a requirement in the draft FOST to  
8 post signs to prohibit excavation activities in OES-2.  
9 We -- when did we do -- back in December, we placed a  
10 notice in the Anniston Star that changed the action  
11 memorandum to remove that requirement. Because the  
12 area has been cleared to depth and because on the 30  
13 grids that we're not cleared to depth, AL DOT  
14 construction activities will be adding four feet of  
15 fill prior to placing the road, so the requirement to  
16 post the signs are no longer necessary. We've got  
17 ADEM approval on that.

18 Water Tank Site, that FOST was signed by  
19 the Army on December 5th, and a notice of signature  
20 was published in the Anniston Star. Mobile district  
21 is preparing the deeds for that. No change in the  
22 safety.

23 Any questions?

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1 ED KIMBROUGH: Is the funding  
2 flowing fairly well?

3 LISA HOLSTEIN: Where we need  
4 funding, we've got funding. We're not wanting.

5 DR. BARRY COX: Anybody else have  
6 any questions?

7 Appreciate it.

8 Any other business we need to take up?  
9 Any audience comments that we haven't heard? Do we  
10 want to talk about the program for our next meeting?  
11 So that's a no, I guess.

12 JIM MILLER: You'll have to think of  
13 something.

14 DR. JOHN SPAIN: We can use Scott.  
15 That would be a good program.

16 JIM MILLER: If he's available.

17 DR. JOHN SPAIN: If he's available,  
18 right.

19 DR. BARRY COX: Could part of that  
20 be, as we discussed earlier, perhaps ask ADEM for any  
21 serious concerns they have with any issues with both  
22 the Army and the JPA as far as the -- how the process  
23 is going?

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1                   BRANDY LITTLE: I'm sorry. What  
2 concerns we have?

3                   DR. BARRY COX: Yeah. Anything that  
4 you see as major issues -- well, let's just call it  
5 major unresolved issues, the significant ones, would  
6 that be a --

7                   JIM MILLER: Anything we could help  
8 you worry about.

9                   DR. BARRY COX: Anything else,  
10 ladies and gentlemen?

11                  Do I have a motion to adjourn.

12                  JIM MILLER: So moved.

13                  DR. BARRY COX: Second?

14                  MONTY CLENDENIN: Second.

15                  DR. BARRY COX: All in favor?

16                  This meeting is adjourned.

17

18

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

2 STATE OF ALABAMA)

3 CALHOUN COUNTY )

4

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

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

16 IN WITNESS WHEREOF, I have  
17 hereunto set my hand and affixed my seal at Anniston,  
18 Alabama, on this the 4th of February, 2008.

19

20

21 KELLI K. LOWERY  
22 Notary Public in and for  
Alabama at Large

23 MY COMMISSION EXPIRES: 09-15-2009.

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