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**LETTER FROM FERNALD COMMUNITY REUSE ORGANIZATION CHAIRMAN  
MEMBERS ANNOUNCING NEXT MEETING AND DISTRIBUTING DRAFT  
MINUTES FROM 11/19/96 MEETING**

12/03/96

**MCWILLIAMS      CRO  
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LETTER**

# Ross Local Schools

SUPERINTENDENT (513) 863-1253 / TREASURER (513) 863-1250

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District Offices / 3371 Hamilton - Cleves Road • Hamilton, Ohio 45013

December 3, 1996

Dear Committee Member:

The next Fernald Community Reuse Organization (CRO) meeting will be on Tuesday, December 10, 1996, from 7 p.m. to 9 p.m. at the Ross High School Media Center, 3425 Hamilton-Cleves Road.

A preliminary meeting agenda and the November 19 meeting minutes are enclosed. Please call me before December 10 if you have any significant comments on the minutes.

I have several proposed goals for the group to accomplish before we start a new year. They include:

- to resolve any open questions with the Department of Energy on contractual and legal issues;
- to select a subcommittee to initiate the strategic planning process;
- to determine appropriate action regarding Colerain Township's membership request; and,
- to determine potential application of CUED's final recommendations to the CRO.

The strategic planning process will be a critical step for the group. Please consider carefully who you want on the strategic planning subcommittee. I hope to have resumes from potential facilitators and sample strategic plans from other DOE CROs to share with you at the December meeting. My primary objective, however will be to identify those committee members who will serve on the subcommittee and evaluate potential facilitators for our planning process.

During the November 19 meeting, Darryl Huff requested that we revisit our meeting schedule. Please indicate your preference for future CRO meetings on the enclosed form and bring the form with you to the meeting. If you are unable to attend the meeting, please call me and indicate your preferences for meeting dates so that everyone's preferences can be represented during our discussion.

I have not received CUED's final draft report yet. Ed Gilliland, CUED Research and Technical Advisory Services director, said the draft report should be complete by the end of this week. If there is time, I'll send you each a copy of the draft report to review prior to the December 10 meeting. If not, I'll bring copies of the report to the meeting and attempt to summarize the basic findings for your consideration.

One topic we did not address during the November meeting was approval of our charter. With all the information we have learned over the last few months, I believe it is important to wait until we have time to fully consider CUED's recommendations before giving final approval to the charter as it is presently written. Therefore, I recommend we postpone discussion on the charter for now.

Your participation is important as we get more involved in setting our direction. Please call me if you can not attend the meeting. My phone number is 863-1253.

Sincerely,

  
David McWilliams

MORGAN ELEMENTARY •  
3427 Chapel Road  
Hamilton, Ohio 45013  
(513) 738-1986

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3980 Hamilton-Cleves Road  
Hamilton, Ohio 45013  
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ROSS SENIOR HIGH  
3425 Hamilton-Cleves Road  
Hamilton, Ohio 45013  
(513) 863-1252

**Fernald Community Reuse Organization****Preliminary Meeting Agenda****December 10, 1996, 7:00 to 9:00 p.m.****Ross High School****3425 Hamilton-Cleves Road**

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**A G E N D A**

- 7:00 p.m. Chair's Opening Remarks and Housekeeping Items
- 7:10 p.m. Approve November 19, 1996, Meeting Minutes
- 7:15 p.m. Report on Bill Hinkle's attendance at the Community Closure Network Meeting
- 7:25 p.m. Continued Discussion with DOE on Contractual and Legal Issues
- 7:45 p.m. Strategic Planning Process  
--appointment of subcommittee  
--review of candidates
- 8:15 p.m. Discussion of CUED Final Report
- 8:40 p.m. Colerain Township Membership Request
- 8:50 p.m. Future CRO meeting schedule
- 8:55 p.m. Meeting Feedback
- 9:00 p.m. Adjourn

**F**ernald  
**C**ommunity  
**R**euse  
**O**rganization

**November 19, 1996**  
**DRAFT Meeting Minutes**

**Overview**

The Fernald Community Reuse Organization (CRO) met on Tuesday, November 19, 1996, from 7 p.m. to 9 p.m. at Ross High School, 3425 Hamilton-Cleves Road. The meeting was open to the public. Twenty-seven people attended, including 16 CRO members and representatives from the Department of Energy (DOE); the Ohio Environmental Protection Agency; the Fernald Residents for Environmental Safety and Health (FRESH); Fluor Daniel Fernald; the Institute of Advanced Manufacturing Sciences; Butler County Economic Development; and Hamilton County Economic Development Company.

**CRO Members Present:**

Sharon Cornwell  
 Lisa Crawford  
 Louis Doll  
 Ralph Hennard  
 Bill Hinkle  
 Maury Hornbach  
 Darryl Huff  
 Linda Krekeler  
 Dan Lawler  
 David McWilliams  
 Ken Moore  
 Tom Renck  
 Gary Storer  
 Bob Tabor  
 Larry Thinnes  
 Joe Neyer, exofficio member

**CRO Members Excused:**

Bob Copeland  
 Don Thiem

**DOE Designated Federal  
 Official Present:**

Gary Stegner

## Call to Order/Chair's Opening Remarks

CRO Chair David McWilliams called the meeting to order at 7 p.m. He welcomed guests and encouraged public comments and questions throughout the meeting.

McWilliams announced the CRO's new address and phone number:

P.O. Box 38  
Ross, OH 45061  
(513) 648-4168

McWilliams circulated copies of two letters from Colerain Township officials requesting membership on the CRO, and asked members to review the requests for a later discussion. Gary Storer asked how CRO convener Maria Kreppel handled Colerain's applications for membership. McWilliams said he will call Kreppel and discuss this issue.

## Approval of Meeting Minutes

The only change to the October 8, 1996, CRO meeting minutes was in response to Lisa Crawford's request to identify which members had excused absences. Ralph Hennard moved to approve the October meeting minutes; Ken Moore seconded the motion. The motion passed unanimously.

## Application of Sunshine Law to CRO

McWilliams asked Gary Stegner to discuss DOE's response to members' questions on whether the Sunshine Law applies to the CRO. Stegner distributed copies of a November 19, 1996, memorandum from the DOE-FEMP contracting officer to the DOE-FEMP site manager responding to the CRO's questions. Stegner confirmed that the Sunshine Law does not apply to the CRO because the group does not appear to be an "agency" as defined in the Federal Sunshine Act.

Members discussed the memo and asked Stegner specific questions regarding personal liability of members and the group; auditing and insurance requirements; incorporation and non-profit tax issues; ethics agreement versus conflict of interest; and legal issues. (A listing of specific questions is recorded on page 6 of the meeting minutes.)

FRESH Treasurer Pam Dunn had several questions about auditing requirements and liability. She discussed the difference between the Fernald Citizens Task Force as an advisory board to DOE, and the CRO as a free-standing entity.

Moore offered to contact reputable law firms to see if any lawyers would be interested in pro bono work for the CRO as a free community service, based on DOE's statement in the memo that the "U.S. Government and Fluor Daniel Fernald will not provide legal advice to the CRO." Linda Krekeler said the lawyers should have a contracts background. Crawford suggested that Stegner first talk with FEMP lawyers to confirm whether or not they could provide free legal advice to the CRO.

A question was raised about insurance for the CRO. McWilliams said if the CRO continues to meet at Ross High School then the CRO will need to make arrangements to secure liability insurance.

Lou Doll asked how many DOE CROs exist and whether the Fernald CRO might ask other CROs for answers to these questions. Doll requested the phone numbers and contact names of other CROs. Stegner agree to collect this information for the CRO. He also said the CRO would be invited to attend the biannual Office of Worker and Community Transition national meetings, and will be included in monthly conference calls.

Stegner said he will arrange a meeting with McWilliams and any other interested CRO members to meet directly with Ohio Field Office contracts personnel to address all of the issues raised during the meeting. Stegner invited members to contact him if they have any additional questions after they read through the memo.

#### **Start-up Grant Contractual/Legal Issues**

Stegner said the \$150,000 grant should be available by the end of the month. The grant is for 12 months, through December 1997. McWilliams asked about internal controls for grant money; specifically, the process to access the grant. Stegner will arrange a meeting for McWilliams to discuss the grant process with the Ohio Field Office personnel who will administer the grant.

#### **National Council for Urban Economic Development (CUED) Report**

McWilliams distributed copies of CUED's draft executive summary to the CRO. The CRO discussed each of the recommendations.

McWilliams asked for data on where FEMP employees reside. Crawford questioned CUED's observation that typical CROs -- in defining their stakeholder region -- base the region solely on where site employees live. She said only a small percentage (approximately 10 percent) of FEMP employees live in the Fernald community, and recommended the region should also reflect local residents and the community. Tom Renck also stated that the CRO's primary focus should be the local communities. McWilliams agreed with CUED's recommendation that the CRO needs to define its region and area of influence, but reminded members that these were only recommendations; the CRO is not obligated to adopt them.

Randy Welker, economic development coordinator with the Hamilton County Development Co., said one of the reasons to broaden the CRO's scope/regional area would be to maximize the amount of resources available to the CRO. If the CRO limits its scope, it will also limit the resources and dollars available. McWilliams said this is an important issue for the CRO to resolve.

Crawford requested a map that shows Fernald surrounding communities beyond the five mile radius of the FEMP. The map should plot where employees reside. Moore offered to call Ohio Kentucky Indiana (OKI) Regional Council of Governments for a map. Stegner will request a map from the FEMP.

Members discussed developing a strategic plan. Moore suggested the CRO may want to either use a facilitator to help with these issues -- similar to approach used during the September Retreat -- or defer further discussion of the scope and region until the CRO hires a consultant. The consultant could help in this area.

Crawford suggested the CRO use a trained facilitator who has experience developing strategic plans. Renck said the strategic plan will require significant time, and suggested that the facilitator bring recommendations back to the group. Crawford said it is important that the CRO be involved during the development process, despite the time commitment. Renck commented that the group needs to make sure it doesn't burn itself out with too much time.

Sharon Cornwell agreed with the idea for a subcommittee to focus on the strategic plan process instead of involving the entire group. Crawford said it would be critical that all members are comfortable with those appointed to the subcommittee and fully support the subcommittee's work and recommendations.

Bill Hinkle offered to take questions raised during the CRO meeting to the Community Closure Network meeting sponsored by the Ohio Department of Development on November 21 in Columbus. He is representing the CRO at the meeting. Hinkle will see if he can get answers to some of the CRO's questions and will also ask participants for copies of strategic plans the CRO might use as a model.

Doll said the group should find a successful "model" CRO with similarities to the Fernald CRO. He suggested a subcommittee to research existing materials. Stegner said FEMP would collect existing strategic plans from other DOE CROs.

McWilliams asked if the CRO agrees to hold any further action on the full-time consultant for now until some of these issues are resolved. The group agreed, and decided to pursue the search for a skilled facilitator. McWilliams mentioned his meeting with Bill Dorsey, Fluor Daniel Consulting, about possible support for the CRO. Crawford said that CRO should use someone completely independent from Fluor Daniel Fernald to develop the strategic plan to avoid potential conflict of interest. She mentioned the possibility of using Marty Stevens, the Miami University professor who facilitated the September CRO Retreat. McWilliams will look for available facilitators, and will request candidates provide resumes, references, and a description of their strategic planning process prior to the December CRO meeting.

McWilliams asked members for feedback on the accuracy of CUED's perception that the CRO separate itself from DOE. Gary Storer said the issue is not whether the CRO should remain separate from DOE, but that the group does not become DOE's puppet. He commented that the CRO's diverse membership should ensure this does not happen. Members agreed. Moore said the CRO should consider a possible name change.

Crawford commented that CUED's executive summary is very employee driven, and should be more community driven. She said this makes sense for Savannah River, but not Fernald since only a small percentage of employees live in the community. Cornwell said to remember that additional funding sources might be available to the CRO if the CRO helps to bring new employment opportunities to FEMP workers who lose work due to downsizing. Welker commented that the CRO should remember that CUED's recommendations involve getting money/resources for the CRO. Crawford asked Welker if he would be interested in sitting through the strategic planning process; he agreed.

Moore asked about the status of the loaned executive. McWilliams commented he thought the Fluor Daniel consultant was beyond the needs of the CRO at this stage. Moore mentioned a retired group of individuals who may help. For now, the CRO will continue to work with Stegner and Julie Loerch.

CRO members discussed the issue of expanding membership to other township representatives, including Colerain. A member asked about whether Harrison and Whitewater township representatives applied for CRO membership. McWilliams will ask Kreppel when he talks with her. Dan Lawler mentioned the CRO should keep its focus on local communities, including the two local counties and three townships, with the possibility of expanding to include Harrison and Colerain.

### **December CRO Meeting**

The group agreed to meet on Tuesday, December 10 in the Ross High School Media Center from 7 p.m. to 9 p.m. Darryl Huff asked if the second Tuesday of each month was a firm date for CRO meetings. McWilliams said the group would revisit the meeting dates at the December CRO meeting.

#### ***Topics for the December meeting will include:***

- Membership changes, including Colerain Township's request
- Strategic planning process
- CUED Final Report

The meeting adjourned at 9:05 p.m.

## Questions/Comments from November 19, 1996 CRO Meeting

Did Colerain Township apply for membership to the CRO?

Is grant money available at this time?

Is it a one year?

Is there a mechanism to allow us to extend the period?

Is CRO a public body?

Who would perform audit required for a grant under federal funding?

Regarding DOE's response to item 6 on ethics, is ethics agreement the same as conflict of interest?

How will we be notified money is available?

What process does CRO use to access the grant money? What are the internal controls for the grant money?

Is process the same as Task Force?

Is the CRO going to file for non-profit tax status? Doesn't this have to come first before you can deal with grants and hire consultants?

Regarding item 7, need clarification on legal advise.

Suppose consultant didn't carry out terms and we need to take action, would we have to apply for additional funds for legal fees?

Can we be sued as a group or individually?

How have other CRO's handled legality/liability issues. What process have they followed to make sure the organization is protected.

What about insurance for CRO?

How many CROs are there? Can't these questions be communicated to them for answer?

Can we get phone numbers of other CRO contacts?

Can we get a map that goes beyond 5 mile radius of site and plot where employees live?

*I agree that the minutes are an accurate account of the November 19, 1996, Community Reuse Organization meeting.*

\_\_\_\_\_  
David McWilliams, Chair  
Fernald Community Reuse Organization

\_\_\_\_\_  
Date

\_\_\_\_\_  
Gary Stegner, DOE Designated Federal Official

\_\_\_\_\_  
Date