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**FERNALD COMMUNITY REUSE ORGANIZATION APPROVED OCTOBER 8,  
1996 MEETING MINUTES**

**01/13/97**

**CRO  
5  
MINUTES**

**CRO/PUBLIC**

# Fernald Community Reuse Organization

## October 8, 1996 Meeting Minutes

### Overview

*(Community Reuse Organization (CRO) members unanimously approved the October 8 meeting minutes as the first order of business during the November 19, 1996, CRO meeting.)*

The Fernald CRO met on Tuesday, October 8, 1996, from 7 p.m. to 9 p.m. at Ross High School, 3425 Hamilton-Cleves Road. Seventeen people attended, including 13 of the 18 CRO members, and representatives from the Department of Energy, the Ohio Environmental Protection Agency, the Fernald Residents for Environmental Safety and Health, and Fluor Daniel Fernald. Although the meeting was open to the public, the meeting was not advertised as public to allow time for members to focus on internal operations and issues.

#### CRO Members Present:

Alisa Rhodes  
 Bob Copeland  
 Louis Doll  
 Ralph Hennard  
 Bill Hinkle  
 Maury Hornbach  
 Dan Lawler  
 David McWilliams  
 Ken Moore  
 Tom Renck  
 Gary Storer  
 Bob Tabor  
 Don Thiem

#### Excused Absence:

Lisa Crawford  
 Linda Krekeler  
 Joe Neyer, exofficio member

#### DOE Designated Federal Official Present:

Gary Stegner

### Chair's Opening Remarks

Chair David McWilliams called the meeting to order shortly after 7 p.m. After welcoming members, he asked members if they had comments on the September 14, 1996, CRO retreat minutes. No one had comments. Members indicated they want to review draft meeting minutes prior to approval for all future meetings.

## Mission

David McWilliams opened a discussion on the CRO's mission, charter, operating procedures and ground rules. Members were asked if they had any comments on the mission. Vicky Dastillung, Fernald Residents for Environmental, Safety and Health (FRESH), asked whether the term "land use planning" in the mission will cause a potential problem with other outside organizations, such as county planning organizations. Ken Moore, who works for the Hamilton County Regional Planning Commission, responded that he didn't think there would be any problems or turf battles. Members agreed that "land use planning" should remain in the mission.

Bob Copeland asked what was meant by the word "labor" in the mission statement. Gary Stegner explained that it means developing job opportunities, as appropriate, for Fernald's labor force as the site downsizes over the years.

Several questions were asked about land use limitations placed on the CRO by the Natural Resources Trustees and other organizations. Specifically, what percentage of the Fernald site is available to the CRO for land use planning? And, if others want to "take a chunk out of the site," will they have to first come to the CRO for approval? Gary Stegner responded that he is unsure at this time what percentage of the site will be available to the CRO for land use planning, but said that the CRO will be consulted of any future decisions regarding land use planning. Ohio EPA spokesperson Laura Hafer said the Natural Resources Trustees will work closely with the CRO and are available as needed to answer questions.

After further discussion, Ken Moore moved that the CRO accept the mission; Bob Copeland seconded the motion. The motion passed unanimously.

## Operating Procedures/Ground Rules

CRO members' responsibilities were discussed. Several questioned the meaning of the sentence in the operating procedures: "CRO membership is personal and not representative." After some discussion, members agreed that if a member was unable to attend a CRO meeting, the member may have someone represent him/her in the meeting, but the representative will not be allowed to vote. Members agreed to keep the sentence as written.

Ken Moore moved that the CRO accept the operating procedures; Bob Copeland seconded the motion. The motion passed unanimously.

## Charter

Representing Lisa Crawford, Vicky Dastillung asked that the CRO consider adding words to section "**Responsibilities of the Chair**" to indicate that the chair must first consult with CRO members before representing the CRO in all official communications. CRO members discussed this request, but decided that the chair should be allowed to represent the group without having to convene members before he makes a statement. If differences or problems occur, members agreed to work this out with the chair on a case basis. No changes were made.

Vicky Dastillung also requested the sentence: "The CRO may vote to meet in closed executive session and formally vote during executive session," under section "**Public Participation and Meetings**," be revised or deleted because it gives the impression that the public will be excluded from the CRO's decision-making process and have no opportunity for input. Gary Stegner responded that, except for the word "closed" in the CRO charter, the Fernald Citizens Task Force has the same sentence in its charter.

Bob Copeland raised the issue about whether the CRO is accountable as a public body under the Sunshine Law, even though members were not elected to serve. If the CRO is considered a public body under the Sunshine Law, then the CRO may also be required to comply with a new law on selecting consultants. David McWilliams asked Gary Stegner to research whether the Sunshine Law applies to the Fernald CRO, and report back to the CRO at the November meeting.

Under section "**Reporting and Accountability**," Vicky Dastillung requested that a statement be added to the charter that the CRO's annual progress reports will be available to the community in the Public Environmental Information Center. Members agreed to add this to the charter.

Members discussed the definition of a quorum, and agreed that a quorum is 50 percent plus one. To clearly identify which members are present during meetings, a suggestion was made to modify the attendance roster or have two attendance rosters, one for members and one for spectators.

Because of the questions on the Sunshine Law's potential applicability to the CRO, members unanimously agreed to wait to approve the charter until November.

## Discussion of Consultant's DRAFT Statement of Work

Members asked several questions regarding the CRO consultant's statement of work. Bill Hinkle asked how the grant money will be dispersed. Gary Stegner said it will be administered through the Ohio Field Office and would probably be in one lump sum. He said future planning grants will most likely be incremental because they will be larger sums.

Gary Stegner explained that the CRO's start-up grant has been submitted to DOE Office of Worker and Community Transition, and the funding may be available as early as November. He said he will find out more about how the funding will be dispersed to the CRO and report back to the group at the November meeting. Several other questions were asked about the grant, including:

- Who signs the grant? (Gary Stegner responded that the CRO is the grantee, and therefore would sign the grant.)
- If the Sunshine Law applies to the CRO, would the law impact how the CRO handles the grant?
- Who is liable for the grant?
- Who will execute the contract?
- Are there ethics agreements the consultant would be required to sign?
- What kind of legal resources are available to the CRO to review the contract? (Gary Stegner said the Ohio Field Office lawyers and contract specialists will review the contract to make sure it is legal.)

Dan Lawler suggested deleting reference to Fluor Daniel Fernald in the consultant's statement of work since the company will not be involved in administering the consultant's contract. The group agreed.

David McWilliams asked about the approval process for attending Office of Worker and Community Transition workshops. Gary Stegner said approval on such issues would come from the CRO designated federal official. Ralph Hennard asked when the CRO could expect DOE approval for the consultant. Gary Stegner replied that supporting the CRO is a high priority for DOE -FEMP management and he expects quick attention.

David McWilliams then asked for volunteers to serve on a subcommittee to select the consultant. He said he will ask Joe Neyer and Lisa Crawford to serve because of their background and experience. Bob Tabor, Bill Hinkle and David McWilliams also agreed to serve on the subcommittee. Members agreed that these five members would represent the group in approving the final statement of work, screening and interviewing candidates. The subcommittee would then report back to the full group with its recommendation.

Bill Hinkle suggested that the actual cost of the grant be excluded from the statement of work to encourage lower bids on the contract.

## National Council for Urban Economic Development (CUED)

Vicky Dastillung said she was confused by the letter to CRO members and stakeholders on the October 21 and 22 CUED sessions. She said it wasn't clear how CUED fits with the CRO. Members explained that the CRO heard about CUED's services at the August and September meetings, and endorsed using CUED's services. Several members asked about who has been invited to the sessions. Julie Loerch, Fluor Daniel Fernald, explained that approximately 160 people have been invited, including any recommendations from CRO members. Members were invited to attend any of the sessions during the two days, but were encouraged to attend the final session on Tuesday, October 22, when CUED would discuss its findings and recommendations with the CRO.

### November Meeting

Due to the Veteran's Day holiday, members agreed to have the next CRO meeting on Tuesday, November 19, from 7 p.m. to 9 p.m. in the Ross High School Media Center. Members agreed to resume meeting on the second Tuesday of every month beginning in December. The six-month schedule of meeting dates is:

November 19, Ross High School  
 December 10, 1996 (location to be determined)  
 January 14, 1997 (location TBD)  
 February 11, 1997 (location TBD)  
 March 11, 1997 (location TBD)  
 April 8, 1997 (location TBD)

The meetings will be advertised to the public. The group agreed that instead of designating a specific time on the agenda for public comments, spectators may ask questions or provide comments throughout the meeting

David McWilliams said the CRO should consider such issues as problem solving and technical information needs for the future.

For the November meeting, members will discuss potential changes in the charter based on feedback from Gary Stegner. David McWilliams said he would continue to specify in the invitation letter any advance reading or preparation work for members. Gary Stegner proposed that one of the roles of the consultant will be to collect and organize information for CRO members.

### Feedback

Ralph Hennard suggested David start the meetings with general reminders, including fire exits, restrooms, etc. One member said he appreciated the specific instructions in the invitation letter. The meeting was adjourned at approximately 8:55 p.m.