

REVISED MEETING MINUTES

September 27, 2006

Project: Former Camp Butner Restoration Advisory Board

Date: July 24, 2006, 6:30 – 7:40 p.m.

Place: Butner Town Operations Building

Butner, North Carolina

Attendees: Sam Colella, USACE Wilmington (Co-Chair, Government Representative), Amy Blalock, Granville County Resident (Co-Chair, Community Representative); Barry Baker, Granville County Senior Planner; Kent Cash, Durham City Employee, Marti Morgan, NCDENR Engineer, Hope Taylor-Guevara, Granville County Resident; Doug Logan, Granville County Emergency Management; Ken Lucas, EPA; Art Shacter, NC Division of Environment and Natural Resources (State Representative); Richard Veazey, Granville County Resident; (Bob Keistler and Raymond Livermore, USACE Wilmington).

Prepared by: Brenda K. Daniel

Topic: RAB Meeting 8

INTRODUCTION AND APPROVAL OF MINUTES

At 6:30 p.m. Co-Chairperson Amy Blalock called the meeting to order. She noted the members that were not present. They are Tom McGee, Scott Strickland and Edgar Smoak. It was noted that Mr. Strickland has a death in his family.

Barry Baker motioned to approve the minutes of April 27, 2006 as presented, seconded by Kent Cash and the motion was unanimously carried.

FUTURE WORK UPDATE

Bob Keistler with USACE Wilmington, thanked the RAB for allowing the regular meeting date to be changed. He noted that due to the retirement of his Boss, the regular meeting date was a conflict.

At this point, Mr. Ray Livermore addressed the RAB. He proceeded to show the RAB a map of Camp Butner areas of interest. He stated that they are still in the process of obtaining the rights of entry (ROE) to conduct the work

for the next four areas of interest. The status of the ROEs for these four areas is as follows:

- Lakeview: 8 of 11 ROEs obtained;
- Area 4A: 1 of 3 ROEs obtained. Mr. Livermore noted that this number could change. He stated that they are in the process of finding some property owners since Mr. Tunstall has subdivided his property. He stated that once the property owners are obtained he would send/mail out the applications for rights of entry;
- Area 4C: 8 of 13 ROEs obtained;
- Area 4D: 10 of 20 ROEs obtained.

Mr. Livermore explained that fieldwork is dependent on obtaining the ROEs. Fieldwork is tentatively scheduled to begin in mid August. They have talked with the contractor to help expedite the process, the contractor is willing to try and obtain the ROEs, once they get out in the field.

When asked, Mr. Livermore stated that once a landowner refused the ROE and the contractor was ready to move out of the area the decision would be made by the Corps and the contractor whether to attempt to get ROE from the landowner. He stated that if the landowner does not sign, "they did not have any recourse of action to force them to give them rights of entry (ROE)". When asked once they move out of said area, would they go back and pick up that landowner that would not give the ROE. He stated that "at this point, I'm not sure how that situation would be handled and it would have to consider what remaining fieldwork remained for that area".

Ms. Blalock stated that if someone refused the ROE and then they changed their mind later, their name should go on the bottom of the list. She also stated that if the landowner sold his property to another person, then the land would still remain at the bottom of the list.

Mr. Livermore related that in the Lakeview Area, there are 3 landowners that have not approved the ROEs. He stated that, in the past, some of these are the same landowners that were slow in granting the ROEs, "it's just a matter of continuously talking to the landowner and trying to convince them to sign". Ms. Blalock responded by stating that Mr. Livermore should reiterate to the landowners that if they do not respond that the contractor would have to keep moving forward and that the landowners understand the ratification of their decision "not to ignore the request". Mr. Livermore responded by stating "we will do that".

A RAB member asked Mr. Livermore if the landowner could get the ROE on the day that the contractor mobilizes to go out in the field? Mr. Livermore related that he did not think so. He stated that once a property owner signs a

ROE application it has to go to the real-estate office for approval prior to conducting the sampling. When asked if Mr. Livermore could work in another area until he got the ROE back, Mr. Livermore stated "yes". Several of the RAB members stated that they agreed with Ms. Blalock, once the landowner refused the ROE, the landowners name would go to the bottom of the list.

Mr. Livermore stated that Mr. Daniel is one (1) of three (3) property owners in Lakeview that has not signed the ROE. It was noted that Mr. Daniel was deceased and that Mr. Daniel's daughter was living at said address. Mr. Livermore stated that the Corps had mailed a letter to said address and should hear something back. He stated he would contact his real-estate agent to see if they have followed up with the residence of Mr. Daniel's property.

Mr. Livermore stated that the other 2 landowners, Ms. Woods and Mr. Willette properties are considered to be in the buffer. At this point, Mr. Livermore showed the RAB a map where the three-(3) properties are located.

Mr. Livermore explained that he has been working with Barry Baker of the Granville County Planning Department. He stated that they are working on Area 4A and he is not sure if they have all the specific information on some of the new parcels of land because Mr. Tunstall has subdivided his property. He stated that they would have to obtain this information so they can get the ROE applications out to these new homeowners as soon as possible.

Upon being asked, Mr. Livermore stated that they do have the ROE for Mr. Tunstall's property. He noted that he would have to find out where the division between Mr. Tunstall's property and the subdivided properties that have been sold exists. He also reported that Board Member Richard Veazy spoke with Mr. Tunstall and was instrumental in obtaining the ROE to Mr. Tunstall's property. A RAB member asked Mr. Livermore if the new landowners, who purchased property from Mr. Tunstall, were aware that the property was in the firing range. Mr. Livermore stated that he did not know if they were aware. Mr. Baker explained that there have been approximately 2 or 3 landowners (in the last 3 years) that have applied for Zoning Permits and they were notified on their permit that there is potential unexploded ordnance.

Mr. Livermore related that the next two-(2) areas after Lakeview and Area 4A would be Area 4C and Area 4D. He stated that at the present time we do not currently have approval of an explosives safety submission for those two (2) areas. That document is in the process of being reviewed by two (2) agencies; the *U.S. Army Technical Center for Explosives Safety (USATCES)* and the *Department of Defense Explosives Safety Board (DDESB)*. He stated that the information that he has indicates the review will be completed by the end of September, which will coincide with the schedule "we have right now for completion of Lakeview and Area 4A". He stated that this would allow the contractor to move right into the next two-(2) areas.

Mr. Livermore stated that for Area 4C they have 8 of 13 ROEs obtained. He related that the property owners that have not signed the ROEs are the Glosson's, Skinners, Dixon's, and that the larger parcel on the northern part of area 4C is Rhonda Tuck (does not think there are any homes on this parcel). He explained that further up Mr. Hester has sold his property and it has been subdivided (does not believe there are homes located there). Mr. Livermore noted that in Area 4D, they have 10 of 20 ROEs obtained. He stated that all the parcels on the right-hand side that run from the southern boundary to the northern boundary are owned by the Howerton brothers. Mr. Livermore explained that they had refused the ROE for the EE/CA work that was done, "but they have agreed to allow us to do just the survey on the property". It was asked if the Howerton brothers would not allow you to complete the EE/CA work, then why was their property for clean up work. Mr. Livermore stated that it was due to the historical information, which may have indicated that there was a range in that area (a 37mm was found in that area).

Mr. Livermore continued to explain that the contractor has a preliminary schedule working Lakeview and Area 4A at the same time. They should mobilize and be in the field by August 15 and finished by the end of September and be ready to begin the next 2 areas by the end of October. He noted that this is all tentatively based on obtaining the ROEs. When asked if there was a report for work completed in Area 1A, Mr. Livermore stated "yes there is a report". The report is currently in a draft form requiring regulatory review.

UXO INFORMATION SIGN UPDATE

- The scope of work (SOW) for the UXO sign installation has been prepared;
- Funding has been provided to the USACE Contracting Office.

Mr. Livermore related that the SOW for the UXO sign installation has been prepared and sent to the USACE Contracting Office. He spoke to someone at the Contracting Office who stated that they expected to award the contract sometime this week. He related that he hoped to hear from the contractors in the coming weeks. The contractors will determine when they will be able to begin the work. The rate is about \$75.00 a sign, so they are looking at a \$3,000.00 contract. Mr. Livermore stated that the signs would be "information signs" along the major roads and the Butner area.

Mr. Livermore continued to explain that work in Area 4A, should start around mid August. And there will be evacuation for the homeowners that are adjacent to the clearance. Temporarily lodging will be provided to these homeowners.

TAR RIVER LAND CONSERVANCY

Derek Halberg, Director of Land Protection with the Tar River Land Conservancy (TRLC) spoke briefly to the RAB about his organization. He stated that the TRLC is a non-profit land trust whose mission is to permanently conserve and enhance land, water and cultural resources in the region north of the Triangle.

Mr. Halberg stated that they are a local base organization located in Louisburg with a Board of Directors. He related that Ernie Averett, who resides in Granville County, is the President of the Organization.

Mr. Halberg related that they negotiate with landowners that are willing to work with them to protect the natural resources. He stated that their main objective is to work with landowners with the development of voluntary conservation agreements, called "conservation easements", which will permanently dedicate portions of the property to farming, wildlife habitat, water quality protection, forestry, and historic preservation.

Mr. Halberg continued to relate that the advisory Board has already been working in the footprint of Camp Butner. In the effort that they will be undertaking in conjunction with several other partners; Barry Baker of Granville County, Tom McGee of the Town of Butner and Durham County, etc., in an effort to protect the long term water quality of Falls Lake and the reservoirs upstream in the upper reuse basin through conservation easements with landowners. Mr. Halberg stated in conversation with Barry Baker that "the work the TRLC will be doing would be a benefit to the restoration to the public of the footprint of Camp Butner and/or the Corp of Engineers. Mr. Halberg continued to relate that "he wanted to let the RAB know that they will be working with some landowners whose properties are targeted for some cleanup".

The RAB questioned how the TRLC and the RAB would mesh? Mr. Halberg explained that his land conservancy could assist with conservation easements so that the land is preserved from development where unexploded ordnance may also be located. It was asked if there were any easements within the footprint of Camp Butner that are potential cleanup sites, to which Mr. Halberg stated "not to our organization".

The RAB asked that if land is dedicated as conservation easement in the Camp Butner area that the TRLC should contact the RAB. Mr. Cash also made a recommendation that Mr. Halberg join the RAB so that he could share information with them that might affect Camp Butner.

Ms. Hope Taylor-Guevara related that the RAB has a Planning Committee to which Mr. Halberg stated that he would inform the Planning Committee of any land dedication.

Mr. Lucas asked Mr. Halberg what kind of incentive is there for landowners? Mr. Halberg stated that it gives landowners tax credits and tax deductions in federal income taxes. He further related that there are 2,400 acres in Granville County, working farmland easements (30 easements, 100-90 acres per easement).

BUTNER PUBLIC SAFETY DAY

Art Shacter explained that Diane Degen Tarrant wanted to ask the RAB if there is a Butner Public Safety Day (BPSD) and if so, when is it held and also if this is the type of event that people can obtain information. Ms. Tarrant also wanted to know if it would be OK to put together some information on the RAB and the UXO program. Doug Logan related that Butner does have a BPSD but he did not know what time of the year it is held. He further related that this has been an annual event for the past 3 years. He stated that he thought they had booths/tables and that you are allowed to put out anything that pertains to safety related matters and this event is put together by the Butner Public Safety. Mr. Logan stated that Chief Hobgood would be your contact person.

Art Shacter stated that Ms. Tarrant was not sure if she would be available to help with BPSD and asked if there were volunteers that could help. He further stated that Ms. Tarrant would need to gather information to share about the RAB and the UXO and she also wanted to let the citizens know that they are welcome to come to the RAB meetings. Ms. Blalock related to Mr. Shacter that he would need to contact Chief Hobgood at 919-575-6561 to get the information he needed for BPSD. Mr. Shacter noted that he would get in touch with Chief Hobgood and will give a follow-up report at the next meeting. Ms. Taylor-Guevara stated that Ms. Tarrant would get some help from the RAB and Bob Keistler also stated that he had a sign that the RAB could use.

Kent Cash motioned that Diane Tarrant would have the support of the RAB to gather information on the RAB and UXO for the BPSD. It was seconded by Ken Lucas and was unanimously carried.

SCHOOL PROGRAM UPDATE

Doug Logan related that information was given to the elementary schools; including Butner Middle School and Hawley Middle School. He related that during School Safety Week, this information would be noted. He stated that Jodie Anderson and Judy Middleton would be the contact people for this event.

Kent Cash explained that the Durham and Person County schools have been given information and there has been no feed back.

ORDNANCE DISCOVERY UPDATE

Doug Logan explained that Mr. Veazy had discovered “bones” of approximately 5 practice bazooka rounds on his property. The potential for contamination of well water was raised. Ms. Blalock stated that ordnance had been found near her well and previous sampling results indicated no problem. Ms. Taylor-Guevara asked if the water was going to be tested for contamination to which Mr. Livermore stated that based on the results from the sampling event in 2004, there are no immediate plans for conducting additional sampling events.

RAB MEMBERSHIP

Amy Blalock related that Susan Bass had submitted an application dated February 2006 to join the RAB. She stated that Ms. Bass resides on Bowling Mountain Dr., Stem, NC. Mr. Bob Keistler stated that he called her and left her a message but has not heard back from her. Ms. Blalock stated that she would invite Ms. Bass to the next RAB meeting.

At this point, Ms. Blalock noted that Mike Arrington and Patsy Christian had an unexcused absence for this meeting and if they were absent at the next regular scheduled meeting in October 2006, they would voluntarily resign.

Ms. Blalock informed the RAB that she was expecting twins and would be giving up her position as co-chairperson effective January 2007. She stated that the Board would need to select someone to fill her position. Mr. Sam Colella stated that the election for a co-chairperson would be placed on the Agenda for October.

CLOSING/ACTION ITEMS

Amy Blalock, Co-Chairperson, noted the actions for discussion at the next scheduled meeting on Thursday, October 26, 2006, at 6:30 p.m. The items for discussion are as follows:

- Future Work Update
- UXO Signs/NCDOT Update
- Butner Public Safety Day
- School Program Update
- Ordnance Discovery Update
- RAB Membership – (Invite Ms. Susan Bass to the meeting.)
- Closing/Action Items

Upon a motion of Kent Cash, seconded by Hope Taylor -Guevara and unanimously carried, the meeting adjourned at 7:40 p.m.