

McPherson Implementing Local Redevelopment Authority

Board of Directors Meeting

July 21, 2010

Minutes

A meeting of the McPherson Implementing Local Redevelopment Authority (MILRA) was held on Wednesday, July 21, 2010 at the Atlanta Development Authority at 86 Pryor Street, Suite 300, Atlanta, Georgia 30303.

Board Members:

Felker Ward, Jr., Chairman
Joseph Macon
Kenneth DeLeon
Peggy McCormick
Richard Holmes
Tim Lowe, III
Chandra Houston
Ayesha Khanna

Ex-Officio Members:

Councilmember Joyce Sheperd

Staff, Legal Counsel and Others:

Jack Sprott, MILRA
Sandra Tennyson, MILRA
Darlene Hawksley, MILRA
General Phil Browning, U.S. Army Retired
Frank Barton, DOD/OEA
Kristin Denius, Assistant City Attorney, City of Atlanta
Michelynn G. Carellas, US Army, BRAC Coordinator
Ken Neighbors, Greenberg Traurig, LLP

Guests

D. Baxter, ACU
Paul Brightbill, Ft. McPherson Restoration Advisory Board
Keyetta Holmes, City of East Point
Karen Anderson-Cordova, Dept., of Nat., Res. His., Pres., Div.
Len Robinson, Jr., United Consulting
Janice Wittschiebe, Richard Wittschiebe Hand
John Stephenson, Richard Wittschiebe Hand
John McColl, Cousin Properties
Emmy Montanye, Kimley-Horn
Deborah Scott, GA Stand-UP

Mark Sanders, GRA
Cynthia Easley, GA DCA
Amy Johnson, MACC
Jennifer Fire, East Point
Fred Battista,
Samuel Battle, Summerville
Allean Brown
Naima Wong, Georgia Health Policy Ctr.,
Crandall Jones, City Manager of East Point
Egbert Perry, Integral

Chairman Ward called the MILRA meeting to order at approximately 1:08 p.m. It was determined that a quorum was not present. Chairman Ward asked that the Board review and discuss the minutes and agenda in anticipation of a formal vote when a quorum is achieved.

Announcements and Welcome:

Chairman Ward thanked the Authority for their continued support and thanked the audience for their continued interest. He reminded the audience about the sign-in-sheet for public comment for non-board members asking that if anyone making a comment to the Board to please state their name, address and to limit their comment to three minutes. He added that, if anyone wanted a reply from the Board, their request must be submitted in writing and that the Board would respond likewise.

Approval of Agenda:

Confirming that a quorum was now present, Chairman Ward recommended the adoption of the agenda. Joe Macon made a motion to approve, seconded by Kenneth DeLeon. Approval was unanimous.

Approval of Minutes:

Chairman Ward called for the approval of the May 19, 2010 Minutes. Joe Macon made a motion to approve and it was seconded by Kenneth DeLeon. Approval was unanimous.

Regular Session:

Item No. 5: Fort McPherson Cleanup Synopsis:

Mr. Sprott made a presentation to the Board in reference to the cleanup that was taking place at Fort McPherson to date. He stated that the Environmental Condition of the Property, Phase I was completed, January 25, 2007 and that Phase II is in its final draft and waiting for GAEPD's final review. Mr. Sprott also stated that the Site Inspection recently discovered an Old Crematory site.

Mr. Sprott also stated that the Work Plans for the FTMP-04-R-01 trap and Skeet Range and FTMP-13 Dry Cleaning facility, document review has been completed by GAEPD and approved and that SHAW

Environmental began field work in April 2010 and that the Army anticipates having a Remedy in Place by September 2011.

In reference to underground storage tanks and above ground storage tanks, Mr. Sprott stated that there are a total of 54 tanks between Fort Gillem and Fort McPherson throughout the installation and about 26 where on Fort McPherson Base and the Army is seeking closure on all and that a contract of 3.5 million has been awarded to remediate the underground and above ground storage tanks. Mr. Sprott stated that an old gas station/Vet office, both have free product in the groundwater and soil and that efforts have begun to remediate free product. He continued saying that the Radiological Closeout Survey is complete and a Cabrera Report dated June 2010, states no further action is required to address contamination at Fort McPherson.

Mr. Sprott stated that a 2007 site investigation, in which samples were collected for lead and PAH in the underdeveloped portions of the former range. Levels of lead and PAH were above screening values. Work has begun to further delineate the nature and extent of the contamination of the lead during the spring of 2010 and that Land Use Controls are likely to be the only required remedy.

A more thorough site investigation is scheduled for June 2011 or sooner if the range closes. The Environmental Condition of the Property has several Categories and that the total 389 acres can be disposed of at anytime.

He closed his presentation by saying that the local BRAC Team have done a great job in getting the property ready to be transferred – three hundred eighty-nine acres are available for a Finding of Suitability to Transfer (FOST) and the smaller areas of concern are not in the immediate path of our first phase development.

Regular Session:

Item No. 6 research Master Plan/Business Plan Update:

Mr. Sprott gave a brief update on the master plan. He stated that, at the last Board meeting, the MILRA was told of a need to create a major anchor, engage university participation, to brand the property and the importance of connecting the neighborhood and the community. He also stated that the team will focus on a business plan that is realistic and market driven to ensure it is achievable. He demonstrated how the components from the 2007 plan haven't changed, they have simply been shifted.

Public Comments:

Chairman Ward invited public comment and two participants took advantage of the opportunity to speak.

Item No. 6: Research Master Plan/Business Plan Update:

Chairman Ward made a motion to move into Executive Session and read the required statement:

“Ladies and Gentlemen:

In accordance with O.C.G.A. SECTION 50-14-4(B), a quorum of the McPherson Implementing LRA is present and will enter into executive session by a majority vote. The purpose for the closed section is for members to (1) deliberate regarding the acquisition of interest in real estate. (2) Receive Attorney-Client Communication. The specific reason for the closed session is to (1) discuss the acquisition of real property at Fort McPherson. The specific reasons for the closed session will be entered in the official minutes of the meeting and a notarized affidavit will be executed stating that the executive session was devoted to matters within the exceptions provided by law.”

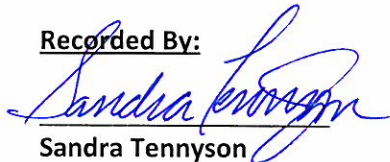
After Chairman Ward read the statement, Joe Macon seconded the motion. The vote was unanimous.

The Board went into Executive Session for approximately 1 hour and 17 minutes. Joe Macon made a motion to end the Executive Session and it was seconded by Richard Holmes. Approval was unanimous.

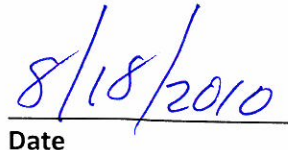
Adjournment:

Joseph Macon made a motion to adjourn; it was seconded by Kenneth DeLeon. Approval was unanimous. The MILRA meeting ended at approximately 3:10 p.m.

Recorded By:

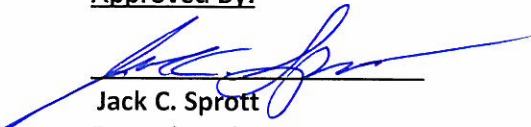


Sandra Tennyson
Executive Assistant



Date

Approved By:



Jack C. Sprott
Executive Director

OPEN MEETINGS AFFIDAVIT

PERSONALLY APPEARED before the undersigned attesting officer, duly authorized to administer oaths, Felker Ward, Jr., who, after being duly sworn in, deposes and on oath states the following:

(1) I was the presiding officer of a meeting of the McPherson Implementing Local Redevelopment Authority (the "Authority") held on the 21st day of July, 2010.

(2) I have been advised that *O.C.G.A* § 50-14-4(b) requires that when any meeting of the Authority is closed in accordance with an exception to the Open Meetings Law that:

- (i) the specific reason for the closure is to be entered upon the official minutes of the meeting;
- (ii) the meeting is to be closed only upon a majority vote of a quorum present for the meeting;
- (iii) the minutes are to reflect the names of the members present and those voting for closure; and
- (iv) the person presiding over the meeting is to execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

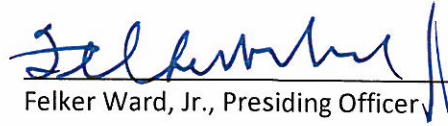
(3) The subject matter of the closed meeting or closed portion of the meeting held on the 21st day of July, 2010 which was closed for the purpose of:

- DELIBERATION REGARDING PERSONNEL MATTER**
- DELIBERATION REGARDING ACQUISITION OF INTEREST IN REAL ESTATE**
(To be spread on minutes upon conclusion of disposition of interest in real estate)
- DELIBERATION REGARDING EXISTING LITIGATION**
- ATTORNEY-CLIENT COMMUNICATION**

as allowed by *O.C.G. A.*, Title 50, Chapter 14 and was devoted to matters within those exceptions and as provided by law.


(4) This affidavit is being executed for the purpose of complying with the mandate of *O.C.G.A. § 50-14-4(b)* that such an affidavit be executed.

This 21st day of July, 2010.


Felker Ward, Jr., Presiding Officer

Sworn and subscribed before me
This 21st day of July, 2010.

Witnessed:



Notary Public

(SEAL)



Witness

Notary Public, Fulton County, Georgia
My Commission Expires July 26, 2010