

Wendy Dixon, EIS Program Manager
 U.S. Department of Energy
 Office of Civilian Radioactive Waste Management
 Yucca Mountain Site Characterization Office
 P.O. Box 30307, M/S 010
 North Las Vegas, NV 89036-0307

RECEIVED

MAR 03 2000

February 28, 2000

Re: YUCCA MOUNTAIN DRAFT EIS, PUBLIC COMMENT PERIOD

Dear Ms. Dixon:

Please consider this correspondence part of the official record of proceedings submitted during public comment period on the Yucca Mountain Project Draft Environmental Impact Statement (EIS).

- 1 [Information contained in DOE Yucca Mountain DEIS requires comment and consideration by DOE. 1) DOE 'QUESTION AND ANSWER' session prior to testimony must be part of the official record of proceedings. What confidence can questioners have in the answers provided by the agency when the
- 2 agency refuses to include its own statements/those answers as part of the official record? 2) DOE public release of updated routing alternatives days/weeks prior to close of 180 day public comment period fails to provide interested parties time to review and comment on those alterations/changes. Internet access is apparently required for review of the routing changes. I have received no
- 3 notification by U.S. mail that changes were available, and/or available upon request. 3) DOE has apparently provided 'clue' of routing preferred alternatives to state regulators in Ohio. 4) After
- 4 review of testimony submitted to DOE on 1/18/00 during Cleveland public hearing, I did not find any comment(s) in support of transport through Ohio to Yucca Mountain from a member of the public or party without a direct promotional interest in the plan. Did I miss something?

According to Alfred Agler, Director of Transportation for the Public Utilities Commission of Ohio (PUCO) numerous concerns and technical issues remain in 'fine tuning' how shipments of nuclear spent fuel will be made through Ohio. PUCO as designated agency in transportation has already taken first steps in working with local communities. Last fall (1999) PUCO issued a grant to Ohio State University to begin the process of examining potential routes and potential issues that need to be dealt with prior to announcement of final routing decisions in Ohio.

It is our intention (PUCO) that when the process begins in looking at the fine tuning of these routes and specifically where it will go, if it goes. It is our intention to involve the local communities in that process and we will only designate local communities only in designated routes where there has been a full participation of the local community. On the other hand, it is also our intention not to designate a route where the purpose is merely to export the risk, be it to a neighboring community or neighboring state and we don't think that would be a reasonable public policy pursuit and we are going to do our very best to engage all parties and find the best solution. (See Attachment I.)

- 5 RE-INVENTING NEPA PROCESS TO GET DESIRABLE PARTICIPATION AND IN-PUT: EXCLUDE THE REST. THE LOCAL PLANNING VERSION OF PUBLIC PARTICIPATION.

PUCO's transportation director has just described as the public policy used to designate Yucca Mountain as the repository for high-level waste, i.e., "export the risk."

6 PUCO's transportation director has also just described the planning, strategy sessions, and citizen surveys for future land use and zoning currently being implemented (from 600 residents of Brown County selected from voter registration records). PUCO has issued grant which Ohio State University (OSU) is currently implementing. The implementation phase currently in progress in Brown County most certainly indicates that transportation routing decisions have, in fact, already been made. Full participation by the public, as described by PUCO, appears to be re-invented as meetings to which the public is invited where questions and/or objections may be stated after-the-fact and too late to do any good.

7 Ohio State University was also selected as grant recipient by the Midwest Compact Commission/Ohio Low-Level Radioactive Waste Development Authority to produce "non-biased," "factual," public educational materials to be distributed locally by county Ohio State University Extension Offices during campaign to site Midwest Compact's Low-Level Radioactive Waste Disposal Facility in Ohio. It appears that the public siting process of the LLRW facility has been put on hold in favor of a commercial facility with considerably less public participation and information distribution process.

8 Ohio State University also monitors the test wells just off-site of the Portsmouth Gaseous Diffusion Plant at Piketon, Ohio. Test wells are used to determine whether contaminants are migrating off-site (into the Scioto River) from the Uranium Enrichment Plant site. Furthermore, Ohio State University hosts The Small Business and Development Centers at Piketon, located on Shyville Road which is the main entrance to the Portsmouth Gaseous Diffusion Plant site. See Attachment II. The multiple funding source connections are rather obvious, as is select-the-route-first then tell the public what they have been selected for process.

9 The Brown County Planning Commission has already created an economic development zone near Macon, Oh (intersection of St. Rt. 32 and 62). State Route 32 also leads to and from Piketon, Oh. It is obvious that when objection from the public surfaced after presentation of the BROWN COUNTY LAND USE CAPABILITIES ANALYSIS and GREEN WAY AND OPEN SPACE STUDY the Brown County Planning Commission continued implementation in absence of public meetings and "input." See Attachment III. Planning Commission members 'expertise' and interests include: low-income apartment complex/resident builder, banking, and former rural water utility planner.

With approval (and authority) from the Brown County Board of Commissioners, the Director of Brown County Economic Development formed a team of "Specialists for Economic Development" for Brown County in 2000. Interests represented include: Southern State Community College director, financial/banking interests, tobacco farmers-warehouses, OSU Extension Service, schools, and the Brown County Planning Commission. See Attachment IV. "Miller (Economic Development Director) plans to meet regularly through-out the year with the committee. Public meetings are also planned." The point is rather obvious--decisions are not being made in the public or with "input" by the public. Decisions are being made by appointed entities in closed sessions with "public meetings" tacked on afterwards.

Note that "surveys" from some pre-selected members of the public were due to be received on or about February 4, 2000 and to be returned by February 27, 2000. On February 13, 2000 preliminary results/opinions of approximately 20 percent of the 600 residents selected to be surveyed were published. See Attachment V. With deadline for return of surveys two weeks away--preliminary results were published in local newspapers. The "results" have been pre-determined by selection of the 600, and further compromised by publication during process! If survey recipients feel that they agree--why bother to send in their survey. If survey recipients feel that they do not agree--implicitly by publication--they are already out numbered and in "opposition."

10... DOE is relying on "risk" to population data from HLRW transport as collected by the 1990 Census. On national average only 65 percent of households receiving 1990 Census forms returned them. Return of census data from rural areas was even lower than national average, only 58 percent of residents of Grant County, Ky. In Brown County, Oh data collection/return ranged from 74-80 percent to 57-64

- 10 cont. percent, according to geographic area within the county. See Attachment VI. DOE is assessing risk and designating urban, suburban, and rural "zones" based upon 1990 Census data which is incomplete, and 10 years out of date. Sliding scale in calculating less harm to rural populations from accident/incident/non-event exposures from routine transport supports de-facto transportation routing through rural areas. At the same time, rural areas are receiving considerable monetary and infrastructure incentives to grow/increase populations which will actually be exposed when transportation begins. As incentives, rural areas are promoted as tourism centers, which increases likelihood that non-resident populations will also be exposed to risk of transport in rural areas. The inconsistency is similar to the Las Vegas area which is promoted as one of the fastest growing populations in the nation--for tourism and real estate purposes--but, is a desert with sparse population during discussions as to where to site a HLRW site!

LOCAL "DEMOCRATIC" PROCESS:

- 12 DOE is relying upon local community assistance for fire, EMT, and police assistance, should need arise. DOE must consider local interpretation of democracy. Charges against the Village of Sardinia's police chief were subject of special village council meeting. Council member who expressed concern that background checks may be less than adequate was told that she didn't ask to see the personnel file before employment. She didn't verify what she was told and she didn't ask the right questions, apparently. In response to members of council who felt village residents and council were entitled to answers:

The mayor told members who were questioning actions that he could air dirty laundry of 'people at this table.'

When asked by a councilman whether investigation would be appropriate response to residents concerns, the mayor responded by saying:

. . .if residents weren't happy they would have attended the meeting. (Attachment VII., THE BROWN COUNTY PRESS, "Sardinia Council Alleges Mayor Withholding Data, 2/27/00, pg. 1.)

Note that council met in special session!! Previous council meeting adjourned out of the public view to discuss matters of personnel.

- 13 DOE has no basis for assuming that local governmental jurisdiction is acceptable substitute for agency oversight. The integrity of the process requires a complete record of questions asked, and answers provided by the agency.

Respectfully submitted,

Diana I. Cahall

Diana I. Cahall
7019 Ashridge Arnheim Road
Sardinia, Ohio 45171
(937) 446-4583

Attachments

Via the U.S. Postal Service, regular mail, postage prepaid on 2/28/00; and by facsimile transmission to 1-800-967-0739 on 2/28/00, at approximately 2:45 P.M. EST.

I.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DEPARTMENT OF ENERGY

Public Hearing on the)	
)	
Draft Environmental Impact)	Friday
)	January 28, 2000
Statement for a Proposed)	11:00 a.m.
)	
Repository at Yucca)	
)	
Mountain, Nevada)	

Holiday Inn Lakeside City Center
 1111 Lakeside Avenue
 Ontario Room
 Cleveland, Ohio 44114

BEFORE:

Robin Sweeney, Hearing Officer

Morning Session

1 Yucca Mountain in the year 2000. If appropriate,
2 recommend siting a repository at Yucca Mountain to
3 the President in year 2001 and apply for a license
4 with the NRC in 2002. Only by doing this, will
5 Yucca Mountain open in 2010. Thank you.

6 ROBIN SWEENEY: Thank you.

7 MR. HOLMES: Alfred Agler, to be
8 followed by Marji Edguer.

9 ALFRED AGLER: My name is Alfred Agler.
10 I am the director of transportation for the Public
11 Utilities Commission of Ohio. I would first like to
12 applaud the DOE for the series of meetings that
13 they've been having across the country on this very
14 vexing issue as you've heard in the presentations
15 today. We have provided some written comments to
16 the panel today. I'm not going to belabor the
17 meeting today by reading all of those. I would like
18 to capsulize a few of the thoughts that are
19 contained in there.

20 Representative Kucinich got it right this
21 morning when he was saying that this is an issue
22 that we need to approach and bring to bear the best
23 minds in the country to address this problem. The
24 presentations from the DOE this morning demonstrated
25 that there has been a tremendous amount of work and

1 effort that has gone into this, but there still
2 remain numerous technical and legal and political
3 questions that call into question whether or not
4 these shipments will ever take place.

5 That being said the Commission's position
6 can be very simply stated in this matter. And that
7 is; that if these shipments are to be made, it's our
8 desire that these shipments be made as safely as
9 possible for the citizens of Ohio. Now, the role of
10 the Commission and our primary responsibilities in
11 this regard are essentially three fold. The
12 Commission, first and foremost, is involved in the
13 safety business in terms of inspecting and licensing
14 the companies that are going to be involved, be they
15 trucking companies or be they railroad companies.
16 And we have an active program of inspection activity
17 to ensure compliance with the applicable federal
18 motor carrier safety regs and railroad safety regs
19 and hazardous materials regulations.

20 The second item that we are going to be
21 focusing on is the routes that are going to be used
22 to make sure that those are the safest possible
23 routes that minimize the potential risk to the
24 public. That is, as a part of our role as the
25 designated routing agency for the State of Ohio that

1 would be involved with the local communities and to
2 ensure that all voices are heard and all concerns
3 are considered in this area in the fine tuning of
4 how these shipments will be made.

5 We've taken some first initial step in that
6 regard to start gathering the data and gathering the
7 processes to logically follow in that area. This
8 fall the Commission granted a -- issued a grant, I
9 should say, to the Ohio State University to begin
10 this process of examining potential routes and
11 examining issues that need to be considered in
12 making a proper evaluation. And at the appropriate
13 time that can be used to involve the local
14 communities and the local emergency planners.

15 The final thing that the Commission is
16 involved in is providing the funds and technical
17 assistance to these local communities both in the
18 routing process and also in supplying the funds to
19 train their emergency responders to address any
20 potential problems that arise in the shipment of
21 these things.

22 Ohio is very fortunate to have a
23 comprehensive hazardous material safety program that
24 addresses many facets all the way through inspection
25 to education to training and enforcement activities.

1 Cleveland is fortunate in that they have a center
2 here at the Cleveland State University that has had
3 substantial funding by the Commission to address
4 hazardous material issues and provide training to
5 emergency responders and we intend to continue to
6 actively support that effort.

7 I want to just make, quickly, two last
8 points in terms of the Commission's role in this.
9 It is our intention that when the process begins in
10 looking at the fine tuning of these routes and
11 specifically where this will go, if it goes. It is
12 our intention to involve the local communities in
13 that process and we will only designate local
14 communities only in designated routes where there
15 has been a full participation of the local
16 community. On the other hand, it is also our
17 intention not to designate a route where the purpose
18 is merely to export the risk, be it to a neighboring
19 community or a neighboring state and we don't think
20 that that would be a reasonable public policy
21 pursuit and we are going to do our very best to
22 engage all parties and find the best solution.

23 The final thing that I would want to stress
24 is that the training aspects of getting communities
25 up and ready for this does not happen over night and

1 it is very critical that the DOE live up to it's
2 obligations to provide training money to the
3 communities and that it be -- and that we receive
4 notifications far enough in advance so that we have
5 an effective time period to undertake that training.
6 The Commission has it's own funding for emergency
7 training that we secure as a result of penalties
8 assessed upon transporters for safety violations and
9 it is our intention to make sure those monies are
10 used and that no community has to forego necessary
11 training in the event that these movements are made.
12 So with that, I thank you for the opportunity to
13 present these views to you today.

14 ROBIN SWEENEY: Thank you, sir.

15 HOLMES BROWN: I believe we have
16 Marji Edguer, and Lou Stefanini will follow.

17 MARJI EDGUER: My statement is a
18 continuation of the statement that Francis Chiappa
19 started in representing Cleveland Peace Action.
20 What I'd like to talk about is some other concerns
21 that we have around transportation. The
22 transportation of 70,000 metric tons of nuclear
23 waste is a concern for us. The proposed
24 transportation routes would have over 6,900 casks
25 passing through the State of Ohio. And all of the

SPORTSCEN

X The News Democrat
(Sunday)
2/20/00
Pg. 9

SBDC provides business training

The Small Business Development Center hosted by The Ohio State University Centers at Piketon, launched a new microenterprise training program in Ross County for residents of the Chillicothe Metropolitan Housing Authority. The Business and Economic Development Program at The Ohio State University's Piketon Enterprise Center hosts the area Small Business Development Center and Manufacturing SBDC, which serves 10 counties in the rural Appalachian southern Ohio region.

The local SBDC partnered with CMHA Works! to assist residents interested in starting their own business.

Currently, no microenterprise training program is offered in Ross County to support individuals on their path to achieve self-sufficiency. The SBDC and MSBDC already have an established presence in this community because of their involvement with the Chillicothe Ross Chamber of Commerce where they provide business training, counseling and technical assistance to new and existing companies.

SBDC counselors Bill Smeltzer and Julie Fox team teach the six week microenterprise training program for 10 participants. Workshop sessions focus on all segments of the business plan, including marketing, management and finance. In addition to the training workshops, the two counselors provide one-on-one business counseling to help residents apply the seminar information to their individual business plans. The goal is for all participants to develop a business plan for their retail service, manufacturing, or construction company.

CMHA Works! Program Coordinator Mecca Caron, oversees this welfare to work project which includes a MicroLoan Fund Program with low interest loans administered through the Enterprise Development Corporation, located in Athens.

For additional information, contact The Small Business Development Center (SBDC) or Manufacturing SBDC at The Ohio State University Centers at Piketon, 1864 Shyville Road, Piketon, Ohio 45661 or phone (740) 289-3727; 800-860-7232.

www.newsdemocrat.com

X

X

10

Brown County strides toward economic development

By T. J. TUCKER
Staff Writer

2/18/00

The Brown County Planning Commission reviewed progress in placing the groundwork for continued economic development in the county and outlined plans to address future concerns recently.

"The planning commission has made significant progress during the last few years," Vice-Chairman Roger Adkins said.

He said the county has created an economic development zone near Macon, commissioning a waste water treatment study, created a county sewer district to provide sanitary sewers, established an office of econom-

ic development, established a building department and set in place county-wide building codes.

"With the new sewer zone in place, land will be able to be used for stores and retail businesses, which would not have been possible before," Adkins said.

"The future looks bright for the county," County Commissioner Jim Ferguson said.

"Our main purpose in running the (sewer) line from Russellville to Macon was to provide Preferred Lumber, Inc. with sewage. We have received requests from landowners on the other side of SR 32 for

sewage. We can't accomplish this until the first phase of the project is complete. We need to do everything we can to encourage growth to bring jobs to Brown County," Commissioner Dale Reynolds said.

"With the municipal sewage systems in place, it will be easier for the municipalities within the county to sell and promote the land for business," member of the commission Dale Wilson said.

The commissioners have received a request for three new subdivisions within the county. The following hearings have been set:

Feb. 23 at 11 a.m., a consider-

ation hearing for Sun View Subdivision, containing a total of 9,337 acres in Jefferson Township will be held.

Feb. 28 at 10 a.m., a consideration hearing for Tower II Subdivision, containing a total of 18,711 acres in Sterling Township will be held.

March 1 at 10 a.m., a consideration hearing for Smith Subdivision containing a total of 35,993 acres in Perry Township will be held.

Brown County Economic Development (BCEED) Director Mike Miller presented the Brown County Land Use Capabilities Analysis and a Green Way and Open Space

developed by his predecessor for the commissioner's consideration. Copies are available with prior notice from the BCEED office.

The Greenways/Open Space Study is more of a subjective study. It involves a visioning process. Outlined on the map are old trails, abandoned railroad tracks, which have been proposed as trails, the White Oak and Straight Creek areas, Miller said.

Other land excluded from growth, but potentially ripe for the development of parks and recreation areas are the lands near the Ohio River in Aberdeen and Ripley, which have been

See BROWN on page 2A

General News

2/18/00 The Holys Budget report

Brown: County strides toward economic development

Continued from Page 1A

purchased through the FEMA hazard mitigation process.

"The state of Ohio owns the Lake Grant area near Mount Orab. It was purchased just after World War II as was the trend to preserve areas for fish and wildlife. Mount Orab maintains the streets. The area should probably have been incorporated into the village a long time ago," Planning Commission Chairman Scott Liming said.

Questions which arose during

the discussion on development included whether the county could compete with sometimes "sweeter" incentives offered in Kentucky.

"We have to give something to have something, but for just so many years," Liming said.

"Kentucky is now wondering whether the abatements were counter-productive," Miller said. Liming stressed the importance of requiring industry to go with existing corporations to get services for their company.

"The larger cities and the best run cities have required coming into the corporation to get service," Liming said.

"There's never a good answer to the kind of growth we're anticipating. No matter what you do, someone is helped, while others are hurt, but it is essential we have a plan," Miller said.

"Everyone in the county has to have input for a plan to have any significance."

Miller pointed out the Census 2000 results could bring things

into Brown County.

All members expressed the need to establish requirements prohibiting strip development along the major highways.

"The time could come, when we'll have to take our grandchildren back a road to be able to see anything like farm land," member Al Rhonemus said. "If development occurs like this, there will be a whole new set of problems in store for residences and businesses, when farmers can't get out to the roadway."

Brown County Economic team formed

By T. J. TUCKER
Staff Writer

Brown County Economic Development Director Mike Miller announced and received approval from the county commissioners for the formation of a team of specialists for economic development for the county in 2000.

The newest addition to the board is Sherry Stout, director of Southern State Community College. Stout will represent the college perspective on growth.

"Her insights will bring another valuable asset to the committee," Miller said.

Other committee members for 2000 representing areas of economic concern include: Edward Wood of Georgetown representing financial institutions; Gary Moran of Ripley representing the farming-tobacco warehouses; Becky Cropper of Georgetown representing the extension service; Gary Keller on Cinergy representing manufacturing; Homer Castle of Aberdeen representing schools; Bob Clonch of Fayetteville representing the planning commis-

See **BROWN** on page 2B.

The Ledger Independent
2/19/00, B-1 IV.

Brown Co: Team formed

X Continued from Page 1B *X*

sion; Will Henry Hartsock representing Trace Community Developers; Judy Copley representing the Brown County Chamber of Commerce and Ray Becraft of Georgetown representing villages.

"I think we have put together a team, which can contribute the ideas and concerns necessary for long-term strategic planning," Miller said.

Miller plans to meet regularly throughout the year with the committee. Public hearings are also planned.

Brown County Press - Sunday, February 13, 2000

Economic surveys returning rapidly

Deadline for returns still two weeks away

By Scott Lanter

Brown County's Economic Development Director says he's impressed with the response to the latest survey the county has sent to hundreds of homes.

Director Mike Miller sent a survey to 600 homes in the county asking residents to respond and send the form back by Feb. 27.

Less than two weeks after sending the surveys out in the mail, Miller says he has received nearly 120 of them back in his office and he's now reviewing and analyzing the preliminary results.

According to the 117 people who have responded so far, 80 percent feel that specific areas for the development of future business and residential should be identified and planned for in Brown County.

Seventy-five percent of those surveyed also said they were willing to support a county-wide zoning code to manage residential and industrial development land uses.

The most popular question on the

survey asked, "Do you feel that areas for greenbelts (agricultural or natural open space areas with some restrictions on development) should be designated in Brown County?"

Eighty-five percent of the respondents said yes, while 12 percent said no and eight percent had no opinion.

Other preliminary results show that people are nearly split on the importance of creating parks and recreation facilities in the county.

Forty-seven percent said it was very important, while 42 percent said it was somewhat important to them.

Fifty-percent said they would support the creation of a county-wide park district, but the majority said they would not support additional taxes for the implementation of parks.

Broken down, Miller calculated that out of the 117 respondents to date, 43 percent said no to additional taxes to fund parks and 40 percent said they would support such a move.

In January, Miller mailed the surveys to 600 randomly selected resi-

Continued on page 16

Economic surveys returning rapidly —

Continued from page one
dents asking them to respond by Feb. 27.

Miller said the indication is good that a majority of the surveys will be returned, allowing his office to calculate the needs and wants of the county to begin planning for the future.

Tammy Scott, office supervisor for the Brown County Department of Economic Development helped Miller compile the preliminary results and said that some surveys are being returned without completing the first two questions on the front.

These questions gauge the interest of respondents concerning growth and future development issues.

The first question asks individuals to rank what they think will be the most important development issues facing the county during the next ten years. Among the choices, respondents can pick residential growth; preserving agricultural land; securing adequate public services such as roads, sewer, water, schools; open space; industrial/commercial.

The second question asks how a respondent feels about residential housing, retail, parks and recreation, open space/greenbelts, farmland preservation, tourism and industrial.

Miller says these questions are very important to the survey and asks that respondents complete all 11 questions before returning it.

13
TA

Census stresses effect of count on area's coffers

BY TANYA ALBERT
The Cincinnati Enquirer

Greater Cincinnati did a good job last time, but some of us can do better.

That's the message the U.S. Census Bureau is bringing to Greater Cincinnati about the Census 2000 forms people will find in their mailboxes next month.

Roughly 75 percent of Greater Cincinnati's households returned the 1990 forms they received in the mail, besting the national rate of 65 percent.

But people in the city of Cincinnati and rural areas weren't as diligent. For example, only 58 percent of the people responded in Grant County. In the city of Cincinnati, the response rate was 67

'90 response

Map of the Tristate shows the level of response to the 1990 census, B6

percent. The survey that takes 10 minutes to fill out will affect Greater Cincinnati for the next 10 years.

"The city of Cincinnati lost over \$40 million because of undercounts," said Cynthia King, a Cincinnati-based Ohio Team Leader for the U.S. Census Bureau. "That meant less fire equipment, less police officers, less money for road repairs, for parks, for nursing homes."

(Please see CENSUS, Page B6)

B 6

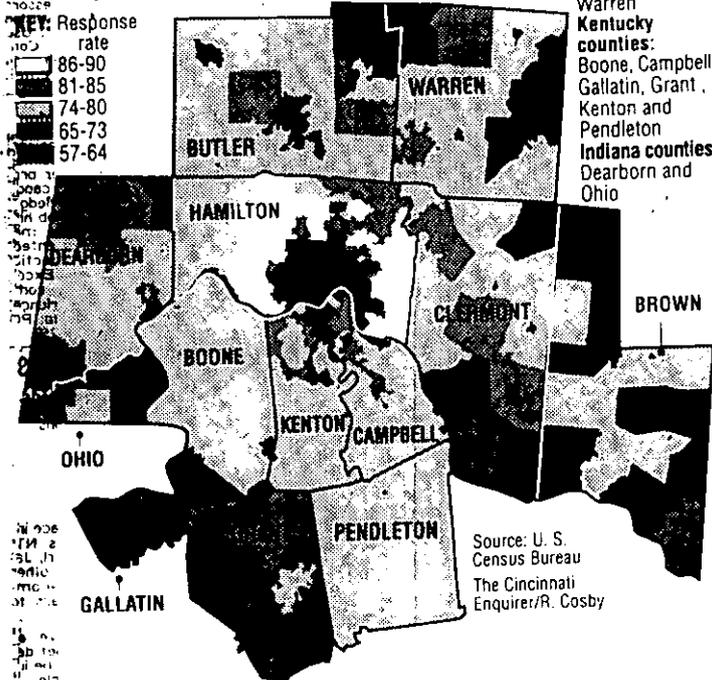
THE CINCINNATI ENQUIRER/Monday, February 21, 2000

Census response

In 1990, Greater Cincinnati's participation in the census was higher than the national average. Here's a look at how neighborhoods and communities responded.

KEY: Response rate

- 86-90
- 81-85
- 74-80
- 65-73
- 57-64



Ohio counties: Brown, Butler, Clermont, Hamilton and Warren
Kentucky counties: Boone, Campbell, Gallatin, Grant, Kenton and Pendleton
Indiana counties: Dearborn and Ohio

Source: U. S. Census Bureau
The Cincinnati Enquirer/R. Cosby

EIS001952

Census: Campaign stresses the importance of count

CONTINUED FROM PAGE B1

With similar low figures seen in cities around the nation 10 years ago, the Census Bureau this time around is hoping a first-time ever \$167 million advertising campaign that includes television, radio and print ads will get the message out. And they're using grass-root efforts, too.

Greater Cincinnati was one of 12 communities where Census Bureau employees kicked off a national campaign last week on the importance of filling out the forms. They will start arriving in mailboxes on March 6.

They must be returned by April 1.

Lincoln Heights' elected officials know first-hand the difference that getting an accurate count can make. With a 64 percent mail response rate to the 1990 census, Lincoln Heights lost its city status and became a village.

"There's funds obviously that are not available," said Mayor Shirley Salter. "It affects the school system. ... our street maintenance, our service, our recreation."

Communities still need levies to help pay for schools, recreation and other activities. But higher census counts can help leverage more state or federal dollars.

The Ohio Department of Development estimates that communities lose \$450 for every household that goes uncounted.

"The problem is, that multiplies," said Steve Sievers, a planner with the Hamilton County Regional Planning Commission and a member of Hamilton County's Complete Count Committee.

If just 10 households are missing, the community can lose \$4,500 annually. Census data is used for 10 years, so that amounts to \$45,000 over the decade.

"And that's just 10 households," he says.

Here are some basics about the census:

- ▶ Census forms should arrive in the mail mid-March.

- ▶ Everyone will receive a short form that should take about 10 minutes to fill out. One in six households will get the long form that should take about 38 minutes to complete.

- ▶ They need to be mailed back by April 1.

- ▶ People who don't return forms will get a reminder in the mail. After that, counters will visit individual households.

- ▶ Questionnaire Assistance Centers will open in communities to help people fill out their forms.

- ▶ The form has a toll-free number for people with questions.

- ▶ By law, the Census Bureau cannot share answers with others, including other government agencies. Anyone who does can receive up to five years in prison and \$5,000 in fines.

VII

Sardinia council alleges

February 27, 2000

Single Copy-25 cents

mayor withholding data

Police Chief facing misdemeanor charge in Highland County

By Scott Lanter

Some of Sardinia's council members believe they are not being told the truth by the mayor about an allegation levied against the village's police chief.

Members Olga DeBruler, Bill Holbrook and Dave Sutter called for a special meeting of the town council last week, wanting to know the status of a criminal charge involving Chief Frank Sedarat as well as other police matters.

Sedarat has been charged with 'unlawful restraint' in Highland County Municipal Court.

The beginning of the special council meeting was not a comfortable moment for members nor Mayor Jerry Buckamneer.

The mayor, who usually leads in a prayer before the start of each meeting, asked if anyone else would consider offering a prayer.

"I have a hard time praying for this meeting," he said, so Olga DeBruler volunteered.

She began the discussion that centered around the police department and said she felt council should have a chance to discuss an applicant before he or she attends a council meeting for employment consideration.

Mayor Buckamneer said council had no rules or procedures in place to provide for DeBruler's request, but if the panel opted to, rules could be made or changed to the panel's liking.

DeBruler also expressed concern about the background of one of the department's patrolmen.

The discussion turned into an argument over the police department with disciplinary procedures being of utmost concern to DeBruler and others.

While she contends that council has a right to know the background of officers before and after they're hired, the mayor said he has never stopped anyone from seeing the per-

sonnel files of any officer. But, Buckamneer said he didn't recall anyone asking to see the files.

When council hired a present officer, DeBruler said she asked, "if he

was clean."
"What does clean mean?" asked Buckamneer.
"He has an incident in Clermont County," DeBruler said.

But, the mayor said, "There was no lie, there was no misrepresentation." The mayor said DeBruler should have asked to see the officer's file. DeBruler said she trusted

him (the officer).
Councilman Paul Stone said he knew of the patrolman's background since July, 1999.

Continued on page 11

15
72

Sardinia council alleges mayor withholding data

Continued from page one

Former councilman Bill Rowland was in the audience and raised his hand to speak, but the mayor said there would be no questions from the audience because it wasn't on the agenda.

"Why won't you let him speak?" asked councilman Holbrook.

"Fine," said the mayor and allowed Rowland to talk about his days on council and procedures that were followed.

As discussion continued about the patrolman's background the mayor told members who questioned, "You are very wrong."

Stone said he remembered asking the patrolman if he would be able to handle comments from the public if it learned his background.

The mayor said he thought council should have questioned the man at the time of his hiring and not after he has already served.

Buckamneer also said he thought there was another village employee (not on the police force) with more serious crimes, but no questions were asked about that employee. No response was given from members.

"We're faced with a situation with our police chief," said Holbrook.

The circumstances surrounding Sedarat's trial in Highland County Municipal Court, scheduled for April, stem from an incident between him and his wife in January in which there was a domestic dispute.

A report taken by the Highland County Sheriff's Department listed the incident as domestic violence, but the charge has been listed as unlawful restraint.

According to Section 2905.03 of the Ohio Revised Code, "No person

without privilege to do so shall knowingly restrain another of his liberty."

Paraphrased, the section states that if a person is found to have done so, it is defined as unlawful restraint.

Mayor Buckamneer said he thought Sedarat was being convicted before being convicted.

Holbrook said he was concerned about the liability on the village's part if Sedarat would investigate a domestic dispute in town. Holbrook wondered if a lawsuit could be filed because of Sedarat's situation.

The mayor said there would be no more liability than the village already has. Holbrook asked for that in writing from Solicitor George Montgomery.

Holbrook asked if another officer was given a document in writing detailing a reason for his dismissal. Holbrook did not state which officer he was referring to.

The mayor said he did not provide documentation explaining a reason for the termination.

Buckamneer told the panel that he makes mistakes, "but I will stand up for what I believe is right, too," he said.

Referring to the police chief, Buckamneer said, "He's entitled to a jury trial," and told the panel, "I feel you all are very, very wrong."

Stone said, "He's innocent until proven guilty."

DeBruler said that council represents the residents of the village and felt that citizens were entitled to answers they were seeking about the police department.

The mayor told members who were questioning actions that he could also air dirty laundry of, "people at this table."

Stone said the policy and procedures manual that council passed last year are adequate and do not need changed.

Other members felt the manual needed updating and the mayor said an ad hoc committee needed to be formed to closely examine the handbook.

However, it took several minutes to find willing members to serve on the committee.

Ultimately, DeBruler and Holbrook said they would be willing to serve. With no other volunteers, the mayor said he would do it.

Frustration building over the arguments concerning the department, Stone said, "Six months ago it was the fire department, now it's the police department. It's picky, picky s--- and it don't mean a d--- thing."

He also asked if his fellow members had considered alternatives. "What are you going to replace them with?"

Holbrook said the county sheriff's department could cover the village during the interim.

But, the mayor said the town had checked into that plan a few years ago and learned the cost would be too high.

Councilman Dave Sutter said, "If residents aren't happy, shouldn't council investigate?"

Mayor Buckamneer responded saying if residents weren't happy they would have attended the meeting.

10
TB