

From: [Lynn Segal](#)
To: [David Abelson](#)
Cc: [LeRoy Moore](#); [christopher.allred](#); [Harvey Nichols](#); [Michael Ketterer](#); [judith.mohling](#); [sam.weaver](#); [nagelm@boulder.colorado.gov](#); [mark@superior.colorado.gov](#); [Jared Polis](#); [Governor Jared Polis](#); [jeff.zayach](#); [jeff.zayach](#); [michael.e.ketterer@nau.edu](#); [Bob Schaeffer](#); [Shay](#); [Randy Stafford](#); [randall.weiner](#); [Patricia Mellen](#); "Jeff Gipe"; [nancy.wolfe@gmail.com](#); [roy.young](#); [Tiffany Rocky Flats](#); [agua.das](#); [Agua Das](#); [Oeth - CDPHE](#); [Trisha](#); [Conor May](#); [conor.may@cleanenergyaction.org](#); [jon.lipsky](#)
Subject: Re: Public comment 8 June Rocky Flats. Public Health. Due Process.
Date: Tuesday, June 9, 2020 3:40:32 AM

David this is obfuscation, you deliberately denied me due process. You said on 6-8-20 10:54 AM:

"Lynn,

You did not follow the meeting protocols. As specified in the attached document that you received on May 29th –

1. Public comments during the 8:35 am (approximate time) public comment period are limited to two minutes. Participants must sign up in advance by emailing a request to info@rockyflatssc.org. Requests must be made no later than 5:00 pm (MDT), Thursday, June 4, 2020. Persons submitting requests after this deadline will not be allowed to speak during the public comment period.

You submitted a comment that I forwarded to the board, but you did not specify that you wanted to address the board. The requirement above is necessary in order to facilitate management of a virtual meeting with 47 participants.

David"

I clicked on that email link and made the request **specifically** as directed that same day 29 May. I said "I submit for public comment for the RFSC BOD meeting on 8 June".

I added a lot more about video opportunity for the public and a constrained time of 2 minutes at the bottom of this very thread.

By attribution it is unequivocally clear, since **public comment** is only allowed for RFSC and written comment only is reserved for the DOE annual report part of the combined meeting that **I specifically intended to speak at public comment for the RFSC part.**

On the letterhead in the correct attached document RFSC Bd.mtg packet 6 20.pdf 11 MB you sent me on 5-29-20 it says:

"ROCKY FLATS STEWARDSHIP COUNCIL
P.O. Box 17670 (303) 412-1200
Boulder, CO 80308-0670

www.rockyflatssc.org

Jefferson County ~ Boulder County ~ City and County of Broomfield ~ City of Arvada ~ City of Boulder

City of Golden ~ City of Northglenn ~ City of Thornton ~ City of Westminster ~ Town of Superior

League of Women Voters ~ Rocky Flats Cold War Museum ~ Rocky Flats Homesteaders
Kim Griffiths

Special COVID-19 Announcement

Board of Directors Meeting

Monday, June 8, 2020, 8:30 – 10:00 AM

Due to COVID-19 social distancing requirements, the Rocky Flats Stewardship Council Board of Directors will meet via WebEx, **with an internet/phone link provided by separate notice.** The meeting is open to the public. Following the direction of local governments and other public entities throughout Colorado, public engagement is being modified for this virtual meeting.

To ensure the meeting participants are able to hear the information being presented and the members of the Board of Directors are able to engage in conversation, the following meeting-specific protocols have been developed:

1. Public comments during the 8:35 am (approximate time) **public comment period are limited to two minutes.** Participants must sign up in advance by emailing a request to info@rockyflatssc.org. Requests must be made no later than 5:00 pm (MDT), Thursday, June 4, 2020. Persons submitting requests after this deadline will not be allowed during the public comment period.
2. Public comments on the **DOE** annual report presentation are limited to **written comments.** Comments must be sent to info@rockyflatssc.org. All comments sent by 5:00 pm (MDT), Thursday, June 4, 2020, will be forwarded to the Board of Directors prior to the meeting. Comments sent during or following the meeting are also accepted." ...

I never received the link you noted. What's more I even suggested in my RSVP on the 29th "I need to put in my calendar when I will receive a link. By what date? Could you make an easier one-click registration next time?" You never responded. Sending information on how to access Webex does not constitute a link.

On the 8:44 AM e-mail in this string is a refutation of my being struck from public comment today live on an e-mail as I was listening on the phone. It is a quote from the agenda and states "8:40 AM Public Comment: Comments are limited to the Consent Agenda and non-agenda items. See the "Special COVID-19 Announcement" for details.

Comment means "speaking" in this context. "Written" is distinct from this and it is an egregious misappropriation of my submission for public comment, to forward it as if the request were the comment itself! Making an excuse that you have to manage facilitation of 47 other participants was of your own choice and bears evidence to your inability to manage the public as well. On Friday, the city of Boulder had **two** virtual meeting facilitators for an Xcel "listening session". 61 total on the call, 8 staff presenters and 17 of the public spoke. The mayor, president of Xcel, COB utilities director and others presented. This is the first of three

identical meetings. I thought it was excessively labor intensive and extravagant with two virtual administrators while many staff are furloughed. One facilitator was too much, considering the experience of Sam the mayor to conduct that role, but you need at least one staffer to help you initially, especially with a meeting like this that comes so seldomly. It is well known that virtual meeting success ought not be an afterthought following three mos. of virtual meetings permeating the globe.

For the record: I was denied public comment and just to be clear, that was for speaking, audio (if not video).

Just by chance, the comment I intended to make refuted your very initial statement in this meeting about keeping Rocky Flats open due to the demand for extra OS use as a result of COVID. My comment uses the same argument to support closure. Here it is.

You must close RF, because of the increased demand for OS in Denver Metro due to the virus combined with the preexisting threat of risk from plutonium inhalation and ingestion. Boulder is experiencing huge demands on their open space in a time of serious deficit on maintenance long before the virus. Now we have catastrophic effects on our budget forcing some closures of parking to preserve access for transit to the areas for emergency vehicles and reducing Open Space maintenance. I would guess some of these same constraints would affect maintenance at RF Greenways trail system.

What's more the denial of this recreational use does affect mental health of those confined to multiple levels of self-isolation. The mental effects are greater in general and especially for those in higher risk COVID categories with a greater need for the freedom of open space where, by default, social distancing is likelier to be accomplished. So there are disproportionate effects and discrimination to those with diabetes, cardiac conditions and advanced age, the riskier COVID categories .

The mental health effects are externalities that must be absorbed by the budget of the respective communities. The tradeoff's in morbidity and legal costs of determining responsibility of co-morbidities alone and between plutonium and the spread of the virus must be part of the economic cost analysis. This would be analogous to lung cancer caused by plutonium verses that caused by smoking. Add to that another level of complication due to the virus. It increases overall costs arising from the discriminating causal liability of the competing health infractions. How will those additional costs will be met in a constrained economy of unprecedented proportions? To say that the mental effects resulting from restricted use of open space is a factor in considering Rocky Flat's being kept open is disingenuous at best and intentional duplicity at worst. This is making an unethical presumption that mental health is somehow more important than death. What's more it assumes that it is not a

compounding health risk to funnel the public to Rocky Flats Greenway Trail system when responsible communities curb that same overuse for health, welfare and prudent economic priorities.

Now David, as to Michael Ketterer, you took your knee to his neck today. He didn't even get to present his findings on 6 April as was intended, because of COVID. He was to have presented soil analysis results then. He had no voice to your allegations that the safety must be high because of the soil collector's alleged failure of applying personal protective gear when taking the samples and that this served as evidence of that safety. You said that the findings of plutonium on the east side of the highway had been detected from over the longer time frame, that this is not new information and concluded that it therefore affirms the past. Alternative facts prevail when it's a one way conversation. Not for long.

As to my voice being stifled from public comment, you knew I was on the phone line waiting to speak. This was firstly because you did not send the promised link and secondly because I could not execute a Webex connection, either on the download or the website after following each explicit step of your directions, trialing the system the night before and alerting you on this string of the trouble preceding this meeting and in real time during it. You even mentioned my name more than once at the beginning. I heard many silences and communication infractions between all other parties recorded on this meeting (if you could call it that). I have experienced nothing close to such a fiasco in 3 mos. of doing myriad meetings utilizing Zoom, Microsoft Teams and countless other vendors and including governmental and international conferences with up to 14 K participants. On my birthday on 7 April when I was at a virtual city council meeting and on the phone before they had set it up on video, I was not enabled to speak due to an inferior facilitation external vendor, but that was 2 mos. ago.

At live meetings plenty of folks speak. Today no one spoke, not one, and there I was waiting to speak at the other end of a phone line. How many others were out there with me? Shame on you, as Greta would say.

You know it is interesting because I registered to speak at an AQCC (Air Quality Control Commission) meeting and had not a dissimilar issue. 280 people registered to attend. Of those a limit of 80 were taken to speak, but not notified of their status and no wait list was provided. 54 of the 80 showed to speak and I was refused even though they were under their limit and although my deceased dad, an aviation air quality control expert had collaborated with Jana Milford, a CU professor and member of the AQCC presiding over the meeting. He died in 2009. I guess you could say they were not showing preference. But you could also say that they saved the time of listening to 26 more testifiers. This is ostensibly on the grounds they wanted to be fair to the remaining folks that changed their mind and wanted to testify if that number exceeded the limit of 80.

I need to know how many registered for this meeting and how many submitted/requested for public comment.

This meeting needs to be reconducted. You need to try again.

Send this out to all participants.

How do I get the recording? STAT.

From: Lynn Segal <lynnsegal7@hotmail.com>
Sent: Monday, June 8, 2020 8:44 AM
To: David Abelson <dabelson@rockyflatssc.org>
Subject: Re: Public comment 8 June

8:40 AM Public Comment: Comments are limited to the Consent Agenda and non-agenda items. See the "Special COVID-19 Announcement" for details.

From: Lynn Segal <lynnsegal7@hotmail.com>
Sent: Monday, June 8, 2020 8:40 AM
To: David Abelson <dabelson@rockyflatssc.org>
Subject: Re: Public comment 8 June

I demand to
be heard. I can't breathe!

From: Lynn Segal <lynnsegal7@hotmail.com>
Sent: Monday, June 8, 2020 8:39 AM
To: David Abelson <dabelson@rockyflatssc.org>
Subject: Re: Public comment 8 June

There is public comment! I am on the phone!

From: Lynn Segal <lynnsegal7@hotmail.com>
Sent: Monday, June 8, 2020 8:38 AM
To: David Abelson <dabelson@rockyflatssc.org>
Subject: Re: Public comment 8 June

I have this on record!

From: Lynn Segal <lynnsegal7@hotmail.com>
Sent: Monday, June 8, 2020 8:31 AM

To: David Abelson <dabelson@rockyflatssc.org>

Subject: Re: Public comment 8 June

I tried the 3 entry info including 2 passcodes. Multiple times and a trial last night.

John Hickenlooper.

From: David Abelson <dabelson@rockyflatssc.org>

Sent: Monday, June 8, 2020 8:22 AM

To: Lynn Segal <lynnsegal7@hotmail.com>

Subject: RE: Public comment 8 June

I sent you the instructions. Please follow them.

David M. Abelson

Executive Director

Rocky Flats Stewardship Council

P.O. Box 17670

Boulder, CO 80308

(303) 412-1200

dabelson@rockyflatssc.org

From: Lynn Segal <lynnsegal7@hotmail.com>

Sent: Monday, June 8, 2020 8:22 AM

To: David Abelson <dabelson@rockyflatssc.org>

Subject: Re: Public comment 8 June

I want video also, as I described, You remove video between yourselves and see how it feels to be invisible.

From: Lynn Segal <lynnsegal7@hotmail.com>

Sent: Monday, June 8, 2020 8:19 AM

To: David Abelson <dabelson@rockyflatssc.org>

Subject: Re: Public comment 8 June

303-447-3216

From: David Abelson <dabelson@rockyflatssc.org>

Sent: Monday, June 8, 2020 6:54 AM

To: Lynn Segal <lynnsegal7@hotmail.com>

Subject: RE: Public comment 8 June

The instructions contain the information you need. There are three options, two of which are for the video link.

The third option is the phone

Call 1-408-418-9388

Meeting number is 126 464 1670

If they ask for a passcode it is 765 53 272

David M. Abelson
Executive Director
Rocky Flats Stewardship Council
P.O. Box 17670
Boulder, CO 80308
(303) 412-1200
dabelson@rockyflatssc.org

From: Lynn Segal <lynnsegal7@hotmail.com>
Sent: Sunday, June 7, 2020 10:19 PM
To: David Abelson <dabelson@rockyflatssc.org>
Subject: Re: Public comment 8 June

I have no idea how to do this. I do 5 Zooms a day and many international, governmental, but no protocol like this. I am not familiar with this kind of technical logistics.

Lynn 303-447-3216 24/7

From: David Abelson <dabelson@rockyflatssc.org>
Sent: Friday, June 5, 2020 6:39 AM
To: Lynn Segal <lynnsegal7@hotmail.com>
Subject: RE: Public comment 8 June

Good morning Lynn –

Your public comment will be forwarded to the RFSC board this morning.

Attached is the meeting WebEx information.

David

David M. Abelson
Executive Director
Rocky Flats Stewardship Council
P.O. Box 17670
Boulder, CO 80308
(303) 412-1200
dabelson@rockyflatssc.org

From: Lynn Segal <lynnsegal7@hotmail.com>
Sent: Friday, May 29, 2020 10:42 PM
To: David Abelson <dabelson@rockyflatssc.org>
Subject: Public comment 8 June

I submit for public comment for the RFSC BOD meeting on 8 June.

Lynn Segal 303-447-3216

I need to put in my calendar when I will receive a link. By what date? Could you make an easier one-click registration next time? No worries about security. Not worth the trade-offs in restraints on freedom. Infractions are rare. Also I want a video window and to be able to see and connect on chat and Q/A with any and all and any combination of other attendees and board members. I am sure this would be able to be done on drop-down menus on chat and/or Q/A. Also I want to see all participants video and list by name. I recommend breaks and break out groups to be available for informal discussion ahead, in the middle and after the meeting and for all regular RFSC meetings. I'm just an average gregarious person. And a curious one. Like most everybody. Otherwise you are bound to further polarize!

Why do you have time limits?, For virtual meetings there should be expansions, not detractions of PC time where attendees and board members have extra time from saving on the commute. It is counter-intuitive and inappropriate to impose constraints in an already constrained culture due to the pandemic.

Your second attachment duplicates the first. The first is in a different smaller format. Why not put it all in one attachment, same format and avoid duplication? It is a waste of recipient's time. Better yet, don't put it in an attachment at all. Just display it in the body of the communication. Simple.