



**THE ALABAMA DRYCLEANING  
ENVIRONMENTAL RESPONSE TRUST FUND BOARD**

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**MINUTES  
Board Meeting  
Thursday, August 14, 2014**

A meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board was called to order at 10:00 a.m. on Thursday, August 14, 2014, at the Board Office located at 2777 Zelda Road, Montgomery, Alabama. Board members in attendance were as follows: Mr. Jason Windham, Mr. Jim Massey, III, Mr. Steve Taylor, Mr. Larry Bryant, Mr. Thomas Bass and Mr. Steve McKinnon. Board members absent was Mr. Quincey Banks. Also in attendance were Mr. Keith Warren (Administrator), Mr. Robert Tambling (Board Counsel), Mrs. Ashley Cousins (Board Engineer), Mr. Randy Barrows (Executive Assistant), and Ms. Renee' Reames (Executive Secretary to Mr. Warren). A quorum was present to conduct business.

Public notice of this regularly scheduled meeting was published on the Secretary of State's web site, [www.sos.alabama.gov](http://www.sos.alabama.gov), in accordance with the Alabama Open Meetings Act and advertised on the Board's web site at [www.drycleaningtrustboard.alabama.gov](http://www.drycleaningtrustboard.alabama.gov).

The Board reviewed the minutes from the May 15, 2014 meetings. A copy of the minutes was provided to the Board members before the meeting. Mr. McKinnon made a motion to approve the May minutes as presented. The motion was seconded by Mr. Massey and unanimously approved by the Board.

Ms. Amber Hartley, with the Alabama Department of Revenue, introduced Mr. Thomas Sims. Ms. Hartley reported a cash balance of \$273,621.38 as of July 31, 2014 and reviewed with the Board a list of delinquent accounts as of August 6, 2014. She also reported that Springhill Village (owned by Tuttle Papock Springhill LLC) was purchased by Viking Partners Springhill, LLC and the old account would remain open until proper notification was received regarding the change in ownership.

Ms. Bonnie Temple, with ADEM, presented ADR financial information to the Board and reported a balance of \$273,621.38 as of July 31, 2014.

Ms. Bonnie Temple reported on the DERTF active list and presented information about accounts. Ms. Temple also reported on the list of ineligible sites for coverage under the Fund that were delinquent for over one year and reviewed the prioritization list. She reported that Lord's Cleaners had been closed and not on the list.

Mrs. Ashley Cousins presented the approved cost proposal summary as a historical record of payouts to sites. She reported that there were more delinquent accounts the third quarter than previous quarters and gross receipts had dropped, resulting in reduced payments into the Fund. She explained that April receipts were higher due to payments for abandoned sites submitted with tax filings.

Ms. Cousins reviewed the Fund projected operating report through the 3rd quarter of 2014. She reported that the Investment Account totaled \$2,267,295.00.

Ms. Cousins reminded the Board members about discussions concerning other options to fund the Trust Fund. Mr. Warren stated that the Board may benefit by involving other interest groups in these discussions who would be affected by changes in the statute and gain support of changes in legislation, since the fees were set in the statute. The Committee members agreed to meet one hour prior to the next Board meeting (9:00 a.m. on November 13, 2014) to discuss options to fund the Trust Fund.

Ms. Cousins presented recommendations for Cost Proposals and Payment Requests for the Board's approval. She reported that seven (7) cost proposals were under consideration. The Board discussed cost associated with environmental covenants and the long-term effect these costs would have on the Fund. Ms. Cousins explained that it had not yet been determined if the costs associated with environmental covenants were allowed. Mr. Bryant made the motion to not reimburse costs associated with environmental covenants at this time. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

Mrs. Cousins recommended the Board authorize cost proposals in the amount of \$81,128.63, and remove Aladdin's request regarding environmental covenants, based on the earlier motion by the Board. Mr. Massey made a motion to approve the cost proposals as recommended by Mrs. Cousins. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

Mrs. Cousins reported on the Payment Requests and recommended \$47,745.35 be approved. Mr. Bryant made a motion to approve the Payment Requests as recommended by Mrs. Cousins. The motion was seconded by Mr. Massey and unanimously approved by the Board.

Mr. Massey made the motion to approve a 90-day extension for Master Cleaners Saraland. The motion was seconded by Mr. Bryant and unanimously approved by the Board.

Mr. Bryant left at 11:07 a.m. due to a conflict in his schedule, and a quorum remained present.

Ms. Cousins reported that the request by the former Talladega Plaza Cleaners had been held over from last month due to delinquent fees and that fees continued to be delinquent, and their cost proposal was more than 12 months old. Mr. Massey made the motion to void the cost proposal since they were not current with fees by stated deadlines and their cost proposal was currently over a year old. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

Ms. Cousin reported on 7 items that were held over from the May and August Board meetings.

Ms. Cousins presented information on Lord's Cleaners due to a new owner's request to participate in the Fund. Mr. Sims with the Revenue Department presented to the Board two financial options for participation in the Fund. Mr. McKinnon made a motion to table this matter to allow time for the Board Counsel to review the matter and make a recommendation to the Board. The motion was seconded by Mr. Massey and unanimously approved by the Board.

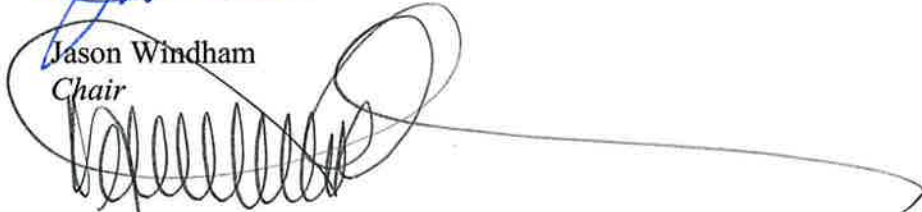
The next meeting of the Board is scheduled November 13, 2014.

There being no further business before the Board, Mr. Windham adjourned the meeting at 11:32 a.m.

Respectfully Submitted,



Jason Windham  
*Chair*



Keith E. Warren  
*Administrator*

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