



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

2777 Zelda Road
Montgomery, Alabama 36106
334-240-7239
334-263-6115 Fax

**MINUTES
Board Meeting
Thursday, February 14, 2013**

A meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board was called to order at 10:01 a.m. on Thursday, February 14, 2013, at the Board Office located at 2777 Zelda Road, Montgomery, Alabama. Board members in attendance were as follows: Mr. Jim Massey, III (Chair), Mr. Wyndall Ivey, Mr. Steve Taylor and Mr. Jason Windham. Members not in attendance were, Mr. William Allinder, Mr. Tripp Clement and Mr. Matt Hall. Also in attendance were Keith E. Warren (Administrator), Mr. Robert Tambling, Mrs. Ashley Cousins (Board Engineer), and Mr. Randy Barrows (Executive Assistant). A quorum was present to conduct business.

Public notice of this meeting was published on the Secretary of State's web site, 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.

The Board reviewed the minutes from the November 15, 2012, meeting. Mr. Ivey made a motion to approve the minutes as presented. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Ms. Bonnie Temple, with Alabama Department of Environmental Management, updated the Board regarding the status of the Fund members and also reported the Board Fund balance of \$405,080.55, not including the investment account fund amount. She reported on the status of DERTF accounts, along with active, delinquent and prioritization of accounts, noting one active clean-up and another that may begin this year. She also reported on new account, Fairway Investments Real Estate.

Mrs. Ashley Cousins submitted the approved cost proposals and pay requests for the Board's review. It was the consensus of the Board to review this information on an annual basis or earlier when significant changes occur. Ms Cousins reported that cost proposals are now required from the individual project engineers. Ms. Cousins presented for the Board's review a quarterly contribution bar graph showing collections from 2nd quarter 2008 through January, 2013.



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**AGENDA
Board Meeting
Thursday, May 16, 2013
10:00 A.M.**

1. Call Meeting to Order
2. Oath of Office – Quincey M. Banks
3. Roll Call and Travel Vouchers
4. Approval of Minutes from February 14, 2013 Meeting
5. ADEM Report
6. Board Engineer: (CP, PR and Recommendations)
7. Other Business
8. Adjourn

Mr. Warren reported that the administrative services contract was due for renewal, with no changes in fees and services. Mr. Warren explained that the contract renewed annual and had been bid out for 5 years. Mr. Taylor made a motion to renew the administrative services contract with Warren and Company for another year. The motion was seconded by Mr. Ivey and unanimously approved by the Board.

Mr. Warren reported that election of officers were due. Mr. Taylor nominated Mr. Ivey for the position of Vice Chair. The motion was seconded by Mr. Massey. There were no additional nominations for the Vice Chair position and the motion was unanimously approved by the Board.

Mr. Taylor nominated Mr. Massey for the position of Chair. The motion was seconded by Mr. Ivey. There were no additional nominations for the Chair position and the motion was unanimously approved by the Board.

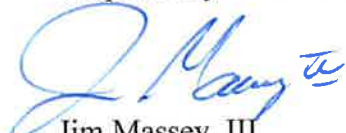
Mr. Warren reported that it was time to reinvest the funds in the investment account. Mr. Warren recommended \$1 million be deposited in a 1 to 3 year short-term investment and the remaining funds deposited in a 3 to 5 year short-term investment account. The Board unanimously agreed with Mr. Warren's recommendations.

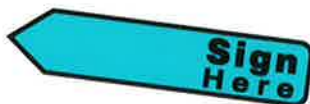
Mr. Warren reported on proposed SB 100 under consideration by the legislature. The proposed bill would allow for some boards to have their funds swept annually; ADETFB would be exempt from this legislation.

Mr. Warren reported that he was working with the Governor's office regarding Board appointments. He indicated that board members would continue to serve past the expiration of their term until replaced. He asked the Board for appointment recommendations.

There being no further business before the Board, Mr. Ivey made a motion to adjourn the meeting at 11:16 a.m. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Respectfully Submitted,


Jim Massey, III
Chair




Randy J. Barrows
Deputy Administrator

Ms. Cousins reported on the Fund balance, including outstanding obligations. She reported an investment account balance of \$2,507,766.00, as of January 28, 2013.

Ms. Cousins reported that ADEM increased underground storage labor rates effective January 1, 2013. Mr. Ivey made a motion to adopt the new underground storage labor rate effective January 1, 2013. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Ms. Cousins presented recommendations for Cost Proposals and Payment Requests for the Board's approval. Mr. Ivey made a motion to approve the Cost Proposals at the new rate as presented and recommended by Ms. Cousins. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

The Board also discussed the Payment Requests. Ms. Cousins presented a request for payment total and a recommended payment total, and reviewed the differences in the two amounts. Mr. Taylor made a motion to approve the recommended Payment Requests amount submitted by Ms. Cousins. The motion was seconded by Mr. Ivey and unanimously approved by the Board.

Ms. Cousin reported on items held specific to four projects and extensions for four projects. The Board discussed establishing a deadline for extensions which allowed a six month interval, which included the initial three months to begin this process and not more than 6 months total. Mr. Ivey made a motion to allow 3 months for progressive action and no more than 6 months total for extensions. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Mr. Ivey made a motion to approve the extensions (four projects) as presented in the Cost Proposals and Payment Requests report. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Mrs. Ashley Cousins presented a current ADEC list for approval (list attached). She commented on ADEM's database tracking system and reported that ADEM was modifying their forms and recommended that the Board modify their forms as well. The Board unanimously concurred and asked Ms. Cousins, Consulting Engineer, to make modifications to those forms as needed for the reporting process.

Ms. Cousins presented a list of Environmental Consultants for ADETFB projects. Mr. Taylor made a motion to approve the Alabama Drycleaning Environmental Consultants list as presented by Ms. Cousins. The motion was seconded by Mr. Ivey and unanimously approved by the Board.

Ms. Cousins presented new mileage rate, as reimbursed under the Alabama Tank Trust Fund, of 56.5 cents per mile, effective January 1, 2013. The Board unanimously concurred with the increase in mileage rate.