



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

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**MINUTES  
Board Meeting  
Thursday, May 12, 2011**

A meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board was called to order at 10:06 a.m. on Thursday, May 12, 1011 at the Board Office in Montgomery, Alabama. Board members in attendance were as follows: Mr. Jim Massey, III, (Chair), Mr. Matt Hall (Vice Chair), Mr. William Allinder, Mr. Wyndall Ivey, Mr. Steve Taylor, and Mr. John Patterson. Member not in attendance was Mr. Tripp Clement. 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 (Assistant to Mr. Warren). 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](http://www.sos.alabama.gov), in accordance with the Alabama Open Meetings Act and advertised on the Board's web site at [www.drycleaningtrustfund.alabama.gov](http://www.drycleaningtrustfund.alabama.gov).

The minutes of the February 15, 2011 meeting were presented. Mr. Taylor made a motion to approve the minutes as presented. The motion was seconded by Mr. Ivey and unanimously approved by the Board.

Mr. Hall and Mr. Ivey arrived at 10:08 a.m.

Ms. Bonnie Temple, with Alabama Department of Environmental Management, updated the Board regarding the status of the fund members and reported a Board fund balance of \$560,737.40. Mr. Warren requested to amend the balance of the fund to reflect the investment account as well, for a total fund balance of \$3,064,497.80. The Board agreed that future reports would include current activities, and those locations that have received concurrent letters would be removed from the report. The Board also discussed having authority to establish deadlines for compliance issues, particularly for collection of payments.

Mrs. Cousins inquired about further action by the Board regarding delinquent open accounts. Mr. Allinder made a motion that legal counsel would write a letter to accounts-holders that were delinquent, to include a deadline to make payment(s). The motion was seconded by Mr. Ivey and unanimously approved by the Board.

Mr. Tambling submitted to the Board, for their review and approval, a letter concerning Talladega Plaza-Plaza Cleaners, which addressed issues of an abandoned facility, registration

with ADEM and participation in the ADERTF (see attached). The Board unanimously approved the letter, which would be sent on behalf of the Board.

Mrs. Cousins reported on the Quarterly Contributions to ADERFF, which included a graph covering 2<sup>nd</sup> quarter 2008 through 1<sup>st</sup> quarter 2011, and a detail statement indicating the fund balance as of April 29, 2011 (see attached).

Following discussion led by Mrs. Cousins of various scenarios regarding abandoned facilities (see attached), the Board agreed to establish a sub-committee of the Rules and Regulations Committee to make a recommendation to the Board on these matters. The sub-committee was comprised of Messrs. Allinder, Ivey, and Massey, Board Counsel, Administrator and Mrs. Cousins.

The Board discussed the statute under Section 287-1-1-.05(1)(a) regarding owners' and operators', etc. request for coverage, after initially electing not to participate through the fund. The Board agreed that changes to the statute would be needed to address these issues.


Mrs. Cousins presented the current ADEC list for approval (list attached) and commented she had received applications to add to ADEC, if evidence of insurance is satisfactory. Mr. Ivey made a motion to approve the list presented by Mrs. Cousins and accept the applications with the stipulation of having satisfactory insurance. The motion was seconded by Mr. Patterson and unanimously approved by the Board.

Mrs. Cousins finalized her report and submitted her recommendations of payment requests and costs proposals (list attached). She commented on activities for Master Cleaners-Saraland and Copeland Cleaners, indicating that Copeland Cleaners did not provide a cost proposal prior to monitoring activities. Mr. Ivey made a motion to approve the recommendations presented by Mrs. Cousins, with exception to Copeland Cleaners, which was denied based on a cost proposal not submitted before work was done. The motion was seconded by Mr. Allinder and unanimously approved by the Board.

Mrs. Cousins also indicated that she had recently attended an ADEM Trust Fund meeting and reported that updates were being made to reasonable rates and the cost reporting process was being changed. She indicated that she would keep the Board advised of any changes, noting that, in the past, the Board had adjusted rates similar to that of ADEM.

There was not further business, and Mr. Massey adjourned the meeting at 11:25 a.m.

Respectfully Submitted,

  
Jim Massey, III  
*Chair*

Keith E. Warren  
*Administrator*