



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

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**MINUTES
Board Meeting
Thursday, August 15, 2013**

A meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board was called to order at 10:06 a.m. on Thursday, August 15, 2013, at the Board Office located at 2777 Zelda Road, Montgomery, Alabama. Board members in attendance were as follows: Mr. Matt Hall (Vice Chair), Mr. William Allinder, Mr. Steve Taylor, Mr. Jason Windham and Mr. Quincy Banks. Members not in attendance were Mr. Jim Massey, III, and Mr. Tripp Clements. Also in attendance were Mr. Keith Warren, Executive Director, Mr. Randy Barrows (Executive Assistant), Mr. Robert Tambling (Board Counsel), Mrs. Ashley Cousins (Board Engineer) and Ms. Renee' Reames (Executive Secretary 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, 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 May 16, 2013 meeting. Mr. Allinder made a motion to approve the minutes as presented. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Ms. Amber Hartley, with the Alabama Department of Revenue, presented financial information to the Board and reported a balance of \$346,003.20 as of July 31, 2013.

Ms. Hartley also reported that Mallard Pointe Shopping LLC was delinquent with their 1st and 2nd quarter payments and their tax return was also delinquent. The Board agreed that upon verification of delinquent status, payment for work performed at the site would be withheld pending removal from delinquent status.

Ms. Hartley reported that she would seek advised from Mr. Tambling about handling the closure of one business that was closing in July and being sold to another dry cleaning business.

Ms. Bonnie Temple, with the Environmental Management, updated the Board regarding the participation of the Fund members. She reported on the status of DERTF accounts, along with active, delinquent and prioritization of accounts. She reported that two additional members had paid since the date the report was prepared. The new prioritization scores were presented for the Board's review.

Ms. Temple reported that the Clean-Up Inventory List as of July 1, 2013 was being prepared by ADEM and would be sent to county governments to be aware of remediation sites within their counties.

Mrs. Ashley Cousins presented the approved cost proposal summary as a historical record of payouts to sites. As of May 2013, the Board has authorized \$1,507,439.90 in Cost Proposals, and paid out a total of \$2,281,001.10 in Payment Requests. She also presented a quarterly contribution bar graph which showed collections into the Fund, from 2nd quarter 2008 through 3rd quarter of 2013.

Ms. Cousins reviewed the Fund balance sheet report through 3rd quarter and also reported a balance of \$2,504,184 in the investment account.

Ms. Cousins presented recommendations for Cost Proposals and Payment Requests for the Board's approval. She reported on personnel changes within the engineering company affiliated with Aladdin Cleaners-Montclair Road site and presented two cost proposal options. Mr. Allinder made a motion to approve option 2 as recommended by Ms. Cousins, with a one-time warning to Aladdin Cleaners. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Ms. Cousins indicated that the same engineering firm was affiliated with Newman's Cleaners and Laundry. She presented two cost proposal options concerning this site and recommended option 2. Mr. Allinder made a motion to approve option 2 as recommended by Ms. Cousins. The motion was seconded by Mr. Banks and unanimously approved by the Board.

Ms. Cousins reported that Master Cleaners-Springhill site had two consulting engineering firms; one to investigate and monitor and the other for remediation, and funds have been requested to monitor air through soil vapor sampling for off-site ground water contamination.

Ms. Cousins recommended authorization of cost proposals totaling \$144,667.84. Mr. Taylor made a motion to approve the cost proposals as recommended by Ms. Cousins. The motion was seconded by Mr. Allinder and unanimously approved by the Board.

Ms. Cousins reported that it had been determined that Mallard Pointe was delinquent in their payments, which would affect the amount of the cost proposals. Mr. Taylor amended his motion, to include removing Mallard Pointe Shopping LLC from the cost proposals, reducing the cost proposal total to \$141,350.66. The motion was seconded by Mr. Allinder and unanimously approved by the Board.

The Board also discussed the Payment Requests. Ms. Cousins reported that Mallard Pointe had been placed on hold and removed from the recommended amount. Mr. Taylor made a motion to approve the amended Payment Requests amount submitted by Ms. Cousins totaling \$131,491.48. The motion was seconded by Mr. Banks and unanimously approved by the Board.


Ms. Cousins reported one item, plus the Mallard sites were being held, as well as two extensions. Mr. Taylor made a motion to approve the extensions for one quarter, as recommended by Ms. Cousins. The motion was seconded by Mr. Allinder and unanimously approved by the Board.

Ms. Cousins reported that she had received complaints from engineers regarding the new costs for tests for chlorinated compounds based on the new underground tanks reimbursement rate and she will present this information at the next regularly scheduled Board meeting.

Mr. Warren presented the Request for Proposals for Engineer Services and discussed the required dates to post the scope of work and obtain approvals. He indicated that the current contract was scheduled to expire in September. Mr. Banks made a motion to approve the RFP to post and the Board meet to consider the proposals, prior to the current contract expiring in September. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

There being no further business before the Board and Mr. Hall adjourned the meeting at 11:21 a.m.

Respectfully Submitted,



Keith E. Warren
Executive Director