



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

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**MINUTES  
(Amended)  
Board Meeting  
Thursday, May 14, 2015**

A meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board was called to order at 10:08 a.m. on Thursday, May 14, 2015, at the Board Office located at 2777 Zelda Road, Montgomery, Alabama. Board members in attendance were as follows: Mr. Jason Windham (Chair), Mr. Thomas Bass, Mr. Larry Bryant and Mr. Steve McKinnon. Board members absent were Mr. Jim Massey, III (Vice Chair), Mr. Quincey Banks and Mr. Steve Taylor. Also in attendance were Mr. Keith Warren (Administrator), Mr. Robert Tambling (Board Counsel), Mrs. Ashley Cousins (Board Engineer), Mr. Randy Barrows (Administrator), 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 February 19, 2015 meetings. A copy of the minutes was provided to the Board members before the meeting. Mr. Bass made a motion to approve the February minutes as presented. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

Mr. Cary Spiegel with ADEM reported on that one facility was delinquent in submitting their technical report to ADEM, as a result of having changed consultants. The Board discussed if any penalty fines should be assessed and it was determined that fines in this case were not allowed.

Mr. Thomas Sims with the Alabama Department of Revenue reported on delinquent accounts. The Board agreed that delinquent letters would be sent to the delinquent accounts. Mr. Tambling recommended that Aladdin Cleaners site would be discussed later in the meeting and determined whether the site account should be removed from the delinquent account list.

Mr. Sims continued his report to include accounts that had been paid. He reported a Fund account balance of \$360,001.07 as of May 6, 2015. Ms. Cousins reported that \$250,000 had been pulled last quarter from the investment account.

Mrs. Ashley Cousins presented a list of sites that had paid into the Fund since the account's inception up to February 15, 2015, which totaled \$2,109,270.67 and funds paid through approved Cost Proposals totaled \$2,904,385.64.

Ms. Cousins presented a quarterly contribution bar graph which showed collections into the Fund from 2<sup>nd</sup> quarter 2008 through 2<sup>nd</sup> quarter 2015, and she indicated that the second quarter looked promising based on the amount of funds contributed into the Fund to-date.

Mrs. Cousins reported on the investment fund balance of \$2,030,017 as of May 1, 2015, along with the projected operating account balance. She indicated that based on the operating account balance and assuming 100% funding of all of the outstanding Cost Proposals, the Fund balance would be at \$58,536 deficit.

The Board discussed options to decelerate payments out of the Fund before the diminution of the Fund below \$1 million, in accordance with Administrative Code 287-1-1.003(6)(b). The Board discuss prioritization of accounts to reduce the effect on the Fund's balance. Mr. Tambling discussed the need to rebuild the Fund balance, in accordance with the Trust Board's statute, if it dropped to \$1 million.

Ms. Windham discuss forming a coalition by November 2015 to mobilize support to change the statute that would restructure participation into the Fund. Ms. Cousins stated that an industry study may be needed to consider options in restructuring the Fund. Mr. Windham indicated that he would initiate preparing a fee structure of the industry in the surrounding areas to present to a coalition and discussed the need for a White Paper being prepared.

Mrs. Cousins presented recommendations for Cost Proposals and Payment Requests for the Board's approval. She recommended a total of \$134,803.57 be approved, which consisted of three (3) cost proposal that were submitted by active sites and ten (10) of 12 proposals submitted by abandoned sites. Mr. Bryant made the 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 by active sites and abandoned sites. She recommended a total of \$71,444.61 be approved, which consisted of for five (5) active sites and five (5) abandoned sites. Mr. McKinnon made a motion to approve the Payment Requests as recommended by Mrs. Cousins. The motion was seconded by Mr. Bass and unanimously approved by the Board.

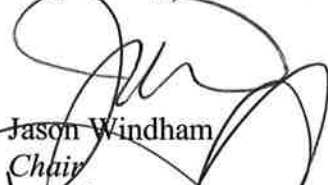
Mr. Tambling reported Aladdin Cleaners - Montclair Road location, an abandoned site and indicated that through a review of the statute §22-30D-6(m), this site met the definitions of both a DC facility and an abandoned site. Mr. Tambling recommended that the matter of Aladdin Cleaners be closed and requested authorization to notify Alabama Revenue Department (ADR) to not pursue collection as an abandoned site delinquent account. Mr. McKinnon made the motion to authorize the Board's Legal Counsel to contact the ADR about removing from the account from the delinquent payment list and to close the matter. The motion was seconded by Mr. Bass and unanimously approved by the Board.

Mr. Tambling presented the bid for Administrative Services contract from Warren and Company, Inc., the only bid received, for the Board's consideration. Mr. Warren explained that the annual bid amount of \$36,000 was lower than previous year's annual rate of \$39,000. Mr. Massey made a motion to accept the bid for Administrative Services from Warren and Company, Inc. at the annual rate of \$36,000, as presented. The motion was seconded by Mr. Bass and unanimously approved by the Board.


The next meeting of the Board is scheduled August 13, 2015

There was no further business before the Board and Mr. Windham adjourned the meeting at 11:36 a.m.

Respectfully Submitted,



Jason Windham  
*Chair*



Keith E. Warren  
*Administrator*

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