



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

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**MINUTES  
Board Meeting  
Thursday, February 19, 2015**

A meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board was called to order at 10:00 a.m. on Thursday, February 19, 2015, at the Board Office located at 2777 Zelda Road, Montgomery, Alabama. Board members in attendance were as follows: Mr. Jason Windham (Chair), Mr. Jim Massey, III (Vice Chair), Mr. Thomas Bass and Mr. Steve McKinnon. Board members absent were Mr. Bryant Larry, 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 November 13, meetings. A copy of the minutes was provided to the Board members before the meeting. Mr. Bass made a motion to approve the November minutes as presented. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

Ms. Bonnie Temple presented information on the number of DERTF participants and their participation status as of February 17, 2015. She also reported on the number of delinquent accounts. Ms. Temple presented the project status report, along with the prioritization of active accounts by simple score and also referenced weighted rankings. The Board discussed the project status that included assessments and actions taken at the sites.

Mr. Thomas Sims with the Alabama Department of Revenue reported a cash Fund balance of \$66,358.71 as of February 4, 2015. The Board discussed the delinquent payments into the fund and making inquiries about their interest to remain in the Fund.

Mrs. Ashley Cousins also presented a quarterly contribution bar graph which showed collections into the Fund from 2<sup>nd</sup> quarter 2008 through 1<sup>st</sup> quarter 2015. The Board discussed the average contribution into the Fund since 2013 to 2014, and were concerned about the decline in revenue into the Fund. Mrs. Cousin recommended that the projected funds for 2015 be presented at the next meeting by Mr. Thomas with the Alabama Department of Revenue.

Mrs. Cousins presented information on payments made into the Fund and paid out from 2008 through December 31, 2014, by active facilities and abandoned sites. Total contributions by these sites totaled \$1,287,431.02 and payouts totaled \$2,804,659.83. She reported that some members who had benefited from the Fund previously, were no longer in the Fund as contributors, and she commented on the corporate restructure of multiple facilities and sites into one account, which resulted in a reduction in contributions into the Fund.

Ms. Cousins reported that, since the last Board meeting, financial conditions had not required money to be moved from the Investment account into the Fund, as previously authorized by the Board. She reviewed the projected operating account Fund balance, to include outstanding obligations, and stated that contributions into the Fund typically increased in April. Mr. Warren reported a balance of \$2,278,874 in the Investment account and commented on his recent meeting with the Treasurer's Office regarding investment opportunities to increase revenue. After further review and discussion, Mr. Warren stated there were no additional options to generate additional revenue and that the current investment structure was the best the Treasurer's Office could recommend.

Mrs. Cousins presented recommendations for Cost Proposals and Payment Requests for the Board's approval. She recommended a total of \$69,167.13 be approved, which consisted of two (2) cost proposal that were submitted by active sites and four (4) proposals submitted by abandoned sites. The Board discussed the limit per site and lack of availability of money in the Fund. Mr. Massey made the motion to approve the Cost Proposals as recommended by Mrs. Cousins. The motion was seconded by Mr. Bass and unanimously approved by the Board.

Mrs. Cousins reported on the Payment Requests by active sites and abandoned sites. She recommended \$73,574.01 be approved for four (4) active sites and \$26,151.75 for two (2) 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.

Ms. Cousins reported that Master Cleaners-Saraland had made an additional request, but this request was withdrawn by ADEC for site reassessment.

Mr. Tambling reported on a site that had requested funding, which was delinquent in paying into the Fund for an abandoned site. He reported on the letter that was sent to owner, along with the conference call he had with their attorney. Mr. Tambling recommended that payment for work that had been performed at the site be postponed pending their repayment into the Fund. The Board discussed payment plan options for the owner. Mr. McKinnon made the motion that the delinquent account presented on the cost report be placed on hold. The motion was seconded by Mr. Massey and unanimously approved by the Board.

Mrs. Cousins recommend the extension of four (4) projects, and Mr. Massey made the motion to approve the extension for these four sites. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

Ms. Cousins presented a list of Environmental Consultants, and she recommended 14 consultants that had applied by the deadline. Mr. Massey made the motion to approve the list of drycleaning environmental consultants as presented by Ms. Cousins. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

Ms. Cousins presented information about the disposal of contaminated soil at one site and she reported that the cost was originally based on non-municipal landfill (not contained in/contained out).

Mr. Warren presented the Administrative Services ITB specifications for the Board's consideration, along with the old bid specifications for comparison. The Board discussed including a minimum of 10 years experience by the bidder and the flexibility by the Board to increase/decrease compensation. Mr. Massey made the motion to approve the specifications as submitted. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

Mr. Warren explained that the Administrative Services contract would expire on February 28, 2015, and Mr. McKinnon made a motion to continue the contract with Warren and Company, on an emergency basis for 90 days, at the same level of services and compensation. The motion was seconded by Mr. Bass and unanimously approved by the Board.

Mr. Massey presented the Legislative Committee report. He reported that the committee met with firm representatives to assist in raising money for the Drycleaning Fund and proposing legislation. The Board discussed ways to obtain support and agreed to develop a list of drycleaners and other interested parties to begin the process.

The next meeting of the Board is scheduled May 14, 2015.

There was no further business before the Board and Mr. Massey made the motion to adjourn at 11:20 a.m. The motion was seconded by Mr. Bass and unanimously approved by the Board.

Respectfully Submitted,

Jason Windham  
*Chair*

Keith E. Warren  
*Administrator*

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