



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

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**MINUTES
Board Meeting
February 9, 2017**

The meeting of the Drycleaning Environmental Trust Fund Advisory Board met on Thursday, February 9, 2017 at 10:00 a.m. at the Board Office located at 2777 Zelda Road, Montgomery, Alabama, to conduct business of the Board. The meeting was called to order at 10:04 a.m. by Mr. Jason Windham, Board Chair. Board members in attendance, comprising a quorum, were: Mr. Jason Windham (Chair), Mr. Jim Massey, III (Vice Chair), Mr. Steve McKinnon (member), Mr. Larry Bryant (member) and Mr. Thomas Bass (member arrived at 10:20 a.m.). Board members absent were Mr. Quincey Banks and Mr. Steve Taylor. Also in attendance were Mr. Keith Warren (Administrator), Mr. Robert Tambling (Board Counsel), Mr. Randy Barrows (Board Administrator), Mrs. Ashley Cousins (Board Engineer), and Ms. Renee' Reames (Executive Secretary to Mr. Warren and serving as recording secretary at this meeting).

Public notice of this regularly scheduled 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.drycleaningtrustfund.alabama.gov.

The Board reviewed the minutes from the November 17, 2016 meeting. A copy of the minutes was provided to the Board members in advance of the meeting for their review. Mr. McKinnon made a motion to approve the November minutes as presented. The motion was seconded by Mr. Bryant and unanimously approved by the Board.

Ms. Bonnie Temple with ADEM introduced Mr. Clethes Stallworth, Chief of Environmental Services Branch, ADEM Land Division. Ms. Temple presented information on the number of DERTF active participants in the Fund, along with delinquent accounts, which included an updated report on Aladdin Cleaners & Laundry, One-Hour Martinizing and CVS/Talladega Plaza. Ms. Amy Jordan with the Alabama Revenue Department reported that she would continue the review of information concerning CVS/Talladega Plaza. Ms. Temple also presented the prioritization of active accounts (category ranking), that included weighted ranking for these accounts.

Mr. Bass arrived at 10:20 a.m.

Ms. Amy Jordan with the Department of Revenue reported on delinquent Tax Returns and payments received for 2016 and 2017. The Board discussed delinquent payments and prior notifications received about remaining in the Fund. The Board agreed to send a letter to

determine continued participation in the Fund, to include Cottage Hill Cleaners, and the contents of the letter. The Board discussed R&W Enterprise as a closed account and Sexton Inc. listed as closed account until more information was obtained.

Mr. Massey made a motion that a letter be sent by the Department of Revenue to delinquent accounts stating the benefits of remaining in the Fund and outlining methods to get caught-up in payments into the Fund. The motion was seconded by Mr. Bryant and unanimously approved by the Board.

The Board also discussed accounts that may be current paying into the Fund, but delinquent in filing a Tax Return. It was the consensus of the Board to remove these accounts from being listed on the Delinquent Accounts report.

Mrs. Cousins presented a report on the approved cost proposals and payment requests by account names as of November 17, 2016. Mrs. Cousins reminded the Board members about the limitations on funding and the prioritization of accounts. Also presented was a historical summary of quarterly contribution collected into the Fund from the 2nd quarter of 2008 to the present reporting period through January 2017. The Board discussed the lump sum payment of \$89,250 and its effect on the average quarterly income in determining the expenditure of funds. It was the consensus of the Board to continue on course with the current policy without an adjustment in the percentage and funds.

Mrs. Cousins also presented the projected operating account cash balance as of January 30, 2017, and reported a projected balance in the first quarter of \$53,663 assuming all outstanding obligations and expenses for the Fund.

Mrs. Cousins presented recommendations for Cost Proposals for the Board's approval. She recommended a total of \$57,182.34 be approved, which consisted of nine (9) sites. She explained the adjusted reduction in the recommended amount compared to the requested amount. Mr. McKinnon 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 presented recommendations for Payment Requests for the Board's approval. She recommended an adjusted amount of \$31,380.66 be approved for four (4) sites. Mr. Massey made the motion to approve the Payment Requests as recommended by Mrs. Cousins. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

Mrs. Cousins presented a list of Environmental Consultants for the Board's approval. Mr. Bryant made a motion to approve the Approved Alabama Drycleaning Environmental Consultants list as recommended by Mrs. Cousins. The motion was seconded by Mr. Massey and unanimously approved by the Board. Mrs. Cousins reported that the approved list of consultants would be posted on the Board's web site.

Mr. Warren reported that the contract between the Board and the Consultant Engineer would expire in September 2017 and the contract would need to be rebid. Mr. Warren reported that

he would present at the next meeting the specifications for bid for the Board's review and approval.


The next meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board is scheduled Thursday, May 18, 2017 at 10:00 a.m.

There being no further business of the Board, Mr. Bryant made a motion to adjourn the meeting. The motion was seconded by Mr. Massey and unanimously approved. Mr. Windham adjourned the meeting at 11:15 a.m.

Respectfully Submitted,



Jason Windham
Chair



Keith E. Warren
Administrator

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