



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

2777 Zelda Road  
Montgomery, Alabama 36106  
334-240-7239  
334-263-6115 Fax

**MINUTES  
Board Meeting  
May 30, 2019**

The meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board met on Thursday, May 30, 2019, at the Board Office located at 2777 Zelda Road, Montgomery, Alabama, to conduct business of the Board. Board members in attendance were Mr. Steve McKinnon (Vice Chair), Mr. Jim Massey, III (member), Mr. Cary Spiegel (member) and Mr. Thomas Bass (member). Board members absent were Mr. Jason Windham (Chair), Mr. Quincey Banks and Mr. Steve Taylor. Also in attendance were Mr. Randy Barrows (Board Administrator), Mr. Robert Tambling (Board Counsel), Mrs. Ashley Cousins (Board Engineer) and Ms. Renee' Reames (recording secretary). Other guests were present at the meeting. The meeting was called to order at 10:04 a.m. by the Board Vice Chairman, Mr. Steve McKinnon, and a quorum of the members were present.

Public notice of this 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.drycleaningtrustfund.alabama.gov](http://www.drycleaningtrustfund.alabama.gov).

The Board reviewed the minutes from the February 28, 2019 regular meeting of the Board. Mr. Massey made a motion to approve the February minutes as presented. The motion was seconded by Mr. Spiegel and unanimously approved by the Board.

Ms. Bonnie Temple, with ADEM, presented information on the number of DERTF active participants in the Fund. A list of delinquent accounts was also provided. She reported on the current prioritization of active accounts and indicated that Utopia Cleaners had been added to the list of accounts.

Ms. Nichelle Norris, with the Revenue Department, reported on the participating accounts that had submitted Returns and paid into the Fund, and she also reported on the accounts that were delinquent. Also reported was the new account, Gulfdale Plaza Associates, LLC (former parkway Coin Laundry Cleaners) under new ownership and two closed accounts for Gulfdale Improvements and Terry Cleaners Inc. She reported a cash balance of \$146,983.19 as of May 3, 2019.

Mrs. Cousins presented a graph indicating quarterly contributions into the Fund since first quarter of FY 2015 through second quarter of FY 2019. Included with this report was an 18-quarter comparison of contributions into the Fund.

Mrs. Cousins also presented a historical record of funding activity by individual accounts, which included the total amount in payment requests per site and approved cost proposals.

Mrs. Cousins reported a projected Fund balance of \$9,318 as of April 30, 2019, assuming 100% funding of all outstanding Cost Proposal obligations. The Board discussed the comparison to first quarter activities, which was a projected deficit of \$18,763. Mrs. Cousins reported an Investment Fund balance of \$1,812,021 as of April 30, 2019.

Mrs. Cousins presented the Cost Proposals for the Board's approval and recommended an adjusted total of \$48,622.11 for five (5) sites. Following a discussion of the sites, Mr. Spiegel made the motion to approve the Cost Proposal for Westminister Shopping Center as recommended by Mrs. Cousins. The motion was seconded by Mr. Bass and approved by the majority of the Board, with Mr. Massey abstaining from vote. Mr. Massey made a motion to approve the Cost Proposals as recommended by Mrs. Cousins for the remaining four sites. The motion was seconded by Mr. Spiegel and unanimously approved by the Board.

Mrs. Cousins presented the Payment Requests for the Board's approval. She recommended \$30,181.08 be approved for seven (7) sites. Following a discussion of the sites, Mr. Bass made the motion to approve the Payment Request for Westminister Shopping Center as recommended by Mrs. Cousins. The motion was seconded by Mr. Spiegel and approved by the majority of the Board, with Mr. Massey abstaining from vote. Mr. Spiegel made a motion to approve the Payment Requests as recommended by Mrs. Cousins for the remaining six sites. The motion was seconded by Mr. Bass and unanimously approved by the Board.

Mrs. Cousins reviewed the list of cost proposals not considered in the Board's action. She reported that no extensions were requested during this reporting period. She recommended that Master Cleaners Springhill application be voided because of lack of submission within one year and no extension requested. Mr. Massey made the motion to void Master Cleaners Springhill as recommended by Mrs. Cousins. The motion was seconded by Mr. Bass and unanimously approved by the Board.

Mrs. Cousins represented the revised Policies and Procedures for consideration of Cost Proposal and Payment Requests. Mr. Spiegel made the motion to approve the revised Policies and Procedures as submitted. The motion was seconded by Mr. Bass and unanimously approved by the Board.

Mr. Tambling, Board Legal Counsel, presented a copy of the proposed legislative bill prepared by the Alabama Legislative Services Agency. Following a review and discussion of changes to the statute, the Board asked Mr. Tambling and Ms. Cousins to review the proposed bill and make a final recommendation to the Board at a future meeting.

Vice Chairman McKinnon presented a review of Board expired terms. Several potential members were discussed by the Board and further consideration of potential members would be discussed at the next Board meeting.

Mr. Massey introduced John Neu with EnviroForensics. Mr. Neu presented an overview of the company, client success stories and service benefits to drycleaning business owners and potential relieve to depleting the Trust Fund. He explained the benefits to drycleaning service owners, provided by his company, in identifying earlier insurance coverage to assist in contamination and

cleanup. The Board discussed identifying ways to communicate to drycleaning business owners about this financial resource by identifying prior insurance coverage to cover costs associated with contamination.

Mr. Barrows announced that the next regularly scheduled meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board was scheduled August 29<sup>th</sup> and he recommended they change this meeting date. The Board agreed to tentatively meet on September 12, 2019 at 10:00 a.m. and to poll the Board about their availability.

There being no further business of the Board and Mr. Spiegel made a motion to adjourn the meeting. The motion was seconded by Mr. Massey and unanimously approved by the Board. Mr. McKinnon adjourned the meeting at 11:05 a.m.

Respectfully Submitted,



Jason Windham  
*Chair*



Keith E. Warren  
*Executive Director*

/rr