



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

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**MINUTES  
Board Meeting  
September 12, 2019**

The meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board met on Thursday, September 12, 2019, at the Board Office located at 2777 Zelda Road, Montgomery, Alabama, to conduct regular business of the Board. Board members in attendance were Mr. Jason Windham (Board Chair), Mr. Steve McKinnon (Board Vice Chair), Mr. Jim Massey, III (member), and Mr. Thomas Bass (member). Board members absent were Mr. Cary Spiegel (member), Mr. Quincey Banks and Mr. Steve Taylor. Also in attendance were Mr. Keith Warren (Executive Director), Mr. Randy Barrows (Board Administrator), Mr. Robert Tambling (Board Counsel), and Ms. Renee' Reames (recording secretary). Other guests were present at the meeting. The meeting was called to order at 1:47 p.m. by the Board Chairman, Mr. Jason Windham, and a quorum of the members were present to conduct business of the Board.

Public notice of this rescheduled 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 meeting was scheduled at 1:30 p.m.

The Board reviewed the minutes from the May 30, 2019 regular meeting of the Board. Mr. McKinnon made a motion to approve the May meeting minutes as presented. The motion was seconded by Mr. Bass 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 and discussed by the Board. She reported on the current prioritization of active 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. She reported a cash balance of \$134,794.39 as of August 7, 2019.

Mr. Barrows presented the Cost Proposals report prepared by Board's Consulting Engineer, Ms. Ashley Cousins, for the Board's review and approval. He presented a Cost Proposal recommendation for seven (7) sites with an adjustment total cost of \$35,934.23. Following a discussion of the sites, Mr. McKinnon made the motion to approve the Cost Proposal recommendations as presented by Mr. Barrows. The motion was seconded by Mr. Massey and approved unanimously by the Board.

Mr. Barrows presented the Payment Requests report prepared by Ms. Ashley Cousins for the Board's review and approval. He presented a Payment Request recommendation for eight (8) sites at an adjusted total cost of \$33,598.78. Following a discussion of the report, Mr. McKinnon

made a motion to approve the Payment Requests as presented by Mr. Barrows for the eight sites. The motion was seconded by Mr. Massey and unanimously approved by the Board.

Mr. Barrows presented a graph indicating quarterly contributions into the Fund since first quarter of first quarter of FY 2015 through third quarter of FY 2019. This report spanned a period of 19-quarter showing a comparison of total contributions into the Fund.

Mr. Barrows 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.

Mr. Barrows reported a projected Fund balance of \$7,474 as of July 31, 2019, assuming 100% funding of all outstanding Cost Proposal obligations. Mr. Warren explained that the quarter (July through September) was not yet complete and there were opportunities for additional funds to be received. Mr. Barrows reported an Investment Fund balance of \$1,831,028 as of July 31, 2019.

Mr. Warren reported that the Request For Bid (RFP) for the Consulting Engineer Services were advertised. He reported that one bid had been received and presented a copy of Ashley Cousins Environmental Strategies & Solutions LLC bid. He stated that the bid met all of the requirements of the RFP. The Board reviewed the proposal, along with the hourly fee for services effective October 1, 2019 through September 31, 2021. Mr. McKinnon made the motion to approve the bid as presented and the Board enter into a contract with Ashley Cousins' company for a two-year period. The motion was seconded by Mr. Massey and unanimously approved by the Board.

Mr. Warren commented on the upcoming Legislation Session scheduled to begin in February 2020. The Board discussed meeting in November to discuss proposed legislative changes to the Board's statute. Mr. Tambling and Ms. Cousins would meet to discuss the proposed bill and make a recommendation to the Board. A draft of the proposed legislative bill prepared by the Alabama Legislative Agency was provided to the members at the May meeting. The Board agreed to meet in November to discuss this matter. Mr. Warren explained that the Open Meetings Act allowed for members to participate by conference call in business discussion and voting on issues, with exception to when the Board was in Executive Session. He explained that a quorum of the members must be physically present at the meeting location to establish a quorum to conduct business and the member participating by conference call was not considered part of this quorum.

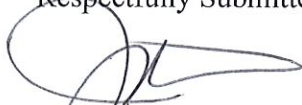
The Board discussed the expired Board terms and potential members to contact about interest in serving on the Board. The matter would be discussed further at the next Board meeting.

Mr. Massey inquired about the Board's ability to consider engaging EnviroForensics as a cost-savings to the Fund by identifying earlier insurance coverage in force per site to assist in contamination and cleanup costs. The Board discussed the information presented at the last Board meeting by Mr. John Neu with EnviroForensics. The Board discussed identifying ways to communicate to drycleaning business owners about this financial resource and similar services offered by other companies.

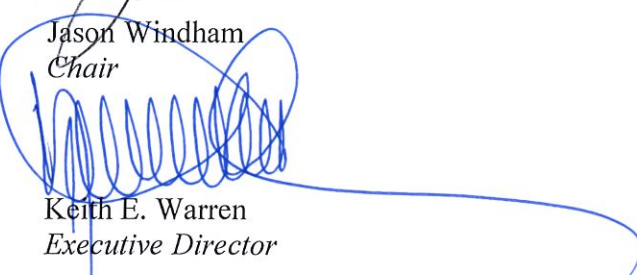
Chairman Windham reminded the members that the next meeting of the Board was scheduled November 21, 2019 at 10:00 a.m.

There being no further business of the Board, Mr. McKinnon made a motion to adjourn the meeting. The motion was seconded by Mr. Bass and unanimously approved by the Board. Mr. McKinnon adjourned the meeting at 2:18 p.m.

Respectfully Submitted,



Jason Windham  
*Chair*



Keith E. Warren  
*Executive Director*

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