



THE ALABAMA DRYCLEANING ENVIRONMENTAL RESPONSE TRUST FUND BOARD

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MINUTES Board Meeting May 29, 2025

The Alabama Drycleaning Environmental Trust Fund Advisory Board met on Thursday, May 29, 2025 at the Board's office located at 2777 Zelda Road, Montgomery, Alabama, to conduct regular business of the Board. The following members were in attendance: Mr. Steve McKinnon (Board Vice Chair), Ms. Bonnie Temple (member), Mr. Dan Cooper (member), Mr. Bubba Dean (member), and Mr. Jason Windham (virtual). Two vacancies existed on the Board. Also participating were Mr. Keith Warren (Executive Director), Mr. Robert Tambling (Board Legal Counsel), Mrs. Ashley Cousins (Consulting Engineer), Ms. Ashley Powell and Mr. Steve Cape with ADEM, Ms. Nichelle Norris with the Department of Revenue, Ms. Renee' Reames (recording secretary), and Ms. Lauren Miller (Licensing Specialist).

Public notice of this regular business 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.

CALL TO ORDER AND ROLL CALL

Vice Chairman McKinnon called the meeting to order at 10:06 a.m. Mr. Warren called the Board member roll and reported that a quorum of the members was present to conduct business. Vice Chairman McKinnon welcomed everyone attending the meeting. Chairman Windham attended virtually and abstained from voting on Board business.

APPROVAL OF MINUTES

The Board reviewed the minutes from the March 6, 2025 regular meeting. A copy of the minutes was provided to the members prior to the meeting for their review. Mrs. Cousins recommended that the minutes be corrected to reflect a projected positive balance of \$27,787 in the operating account assuming 100% funding of all outstanding obligations and correct the Payment Request total to indicate \$18,991.25 for the three sites presented.

MOTION: Mr. Dean made the motion to approve the March minutes as corrected. The motion was seconded by Ms. Temple and unanimously approved by the Board.

ADEM'S REPORT

Ms. Powell presented the ADEM reports which included the DERTF list of active participants in the Fund, a list of delinquent accounts and a list of prioritizations of active accounts. She commented on the delinquent accounts that held permits and referenced the prioritization of accounts list.

REVENUE DEPARTMENT'S REPORT

Ms. Norris with the Revenue Department reported on Fund activities as of April 22, 2025 to include the updated Fund's cash balance as of May 27, 2025. She commented on two accounts that the funds were delayed due to accounting oversights, which had been corrected.

CONSULTING ENGINEER'S REPORT

Mrs. Cousins presented a list of cost proposals and approved payment requests, grouped by sites, as a historical record. The report included an indication of delinquency, resignation from the Funds, and closed old accounts that had later been reopened as new accounts. She reported that over \$4,093,277.99 had been paid out of the Fund for work performed at sites.

Mrs. Cousins also reviewed the quarterly contributions to the Fund for a period of FY 2016 second quarter through a portion of FY 2025 third quarter. She also provided a graph indicating contributions received annually as a comparative for the same reported periods.

Mrs. Cousins reported on the Fund's operating account cash balance for the third quarter of FY 2025. She reported a projected cash balance of \$58,167 as of April 22, 2025. She indicated that, assuming 100% funding of all outstanding Cost Proposal obligations, the Fund had a projected positive balance of \$9,814. She reported that an additional \$35,000 was received after the report was printed and the additional funds would be reflected in the report for the next Board meeting. She reported an Investment Account balance of \$1,253,404 as of May 9, 2025. She reported that \$100,000 of the \$150,000 authorized had been transferred from the Investment account to the Operating account.

Mrs. Cousins presented Cost Proposals on two (2) sites. She recommended an adjusted Cost Proposal amount totaling \$29,681.74 for the two sites.

MOTION: Ms. Temple made the motion to approve the adjusted Cost Proposals for the two sites as recommended by Mrs. Cousins. The motion was seconded by Mr. Dean and unanimously approved by the Board.

Mrs. Cousins presented Payment Requests on three (3) sites. She recommended an adjusted Payment Request amount totaling \$5,628.60 for the three sites, indicating that a revised plan had not been received from the Former Mountain Brook Cleaners.

MOTION: Mr. Cooper made the motion to deny the Payment Requests from Former Mountain Brook Cleaners due to non-compliance with ADEM. The motion was seconded by Mr. Dean and unanimously approved by the Board.

MOTION: Ms. Temple made the motion to approve the adjusted Cost Proposals for the two sites, Former Hoover Square and Master Cleaners-Sage Avenue, as recommended by Mrs. Cousins. The motion was seconded by Mr. Dean and unanimously approved by the Board.

Mrs. Cousins reported that Former Talladega Plaza Cleaners' Payment Request was deferred due to delinquent status.

OTHER BUSINESS

Board Terms Update: Mr. Warren reported that Governor Ivey had made reappointments to the Board, along with the new appointments of Mr. Atwater and Mr. Massey, whose appointments were pending confirmation by the Senate. Mr. Warren indicated that since the 2025 legislative session had ended, those appointments would not be considered until the new legislative session in 2026.

Emergency Contract: Mr. Tambling indicated that the current emergency contract indicated that the contract would continue until such time that the Governor approved a new contract.

Update on Administrative Services Request For Proposals: Mr. Tambling commented on the Board's previous actions to approve the Administrative Services contract with Smith Warren, and the award of the new contract was challenged by another vendor. He explained that the Procurement Office created a new template for RFP specifications, which Mr. Tambling presented to the Board for review and approval. The Board reviewed the new specifications for Administrative Management and Logistical Support and evaluation criteria and agreed to strike reference to licensure requirements and to modify the anticipated timetable.

MOTION: Mr. Dean made the motion to approve the RFP specifications to include the minor changes as discussed and authorize the Board Chairman and Board Legal Counsel to incorporate the minor changes to the RFP specifications to include a two-week variation in the timetable. The motion was seconded by Mr. Cooper.

MOTION AMENDED: Mr. Dean made the amended motion to authorize the Board Chairman and Legal Counsel to make appropriate changes to the RFP specifications and timetable as discussed and release the RFP. The motion was seconded by Mr. Cooper and unanimously approved by the Board.

Legislation – Act 2025-357: Mr. Warren reported that the new legislation concerning the Drycleaning Fund had been approved and Act 2025-357 would become effective October 1, 2025.

ANNOUNCEMENTS

Next Board Meeting: Vice Chairman McKinnon announced that the next meeting of the Board was scheduled August 28, 2025. He indicated that the Board would be advised about an interim meeting based the release of the Administrative Services RFP and responses received.

TRAVEL REPORTS SUBMITTED

The Board members submitted travel expense forms and were approved by the Board.

ADJOURNMENT:

Vice Chairman McKinnon called for other business of the Board and there were none.

MOTION: Mr. Dean made the motion to adjourn the meeting. The motion was seconded by Ms. Temple, and Vice Chairman McKinnon adjourned the meeting at 10:45 a.m.

Respectfully Submitted,

Jason Windham
Board Chair

Keith E. Warren
Executive Director

Approved by the Board on _____/rr_____