



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

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**MINUTES
Board Meeting
Thursday, February 13, 2014**

A meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board was called to order at 10:10 a.m. on Thursday, February 13, 2014, at the Board Office located at 2777 Zelda Road, Montgomery, Alabama. Board members in attendance were as follows: Mr. Jim Massey, III, Mr. Matt Hall, Mr. Jason Windham and Mr. Larry Bryant. Members not in attendance were Mr. Steve Taylor, Mr. Quincy Banks and Mr. Tripp Clements. Also in attendance were Mr. Robert Tambling (Board Counsel), Mr. Randy Barrows (Executive Assistant), Mrs. Ashley Cousins (Board Engineer) and Ms. Renee' Reames (Executive Secretary to Mr. Warren). A quorum was present to conduct business.

Public notice of this 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.drycleaningtrustboard.alabama.gov.

New Board member, Mr. Larry Bryant, was administered the oath of office by Notary Public, Hope Paulene. The Board welcomed Mr. Bryant who was appointed to the environmental engineer position on the Board. Mr. Massey and other Board members welcomed Mr. Bryant and expressed their appreciation about Mr. William Allinder's service on the Board in this position.

The Board reviewed the minutes from the November 13, 2013 meetings. Mr. Windham made a correction to the minutes on page 2, to Payment Requests, which totaled \$72,254.87. Mr. Hall made a motion to approve the minutes as corrected. The motion was seconded by Mr. Bryant and unanimously approved by the Board.

Ms. Amber Hartley, with the Alabama Department of Revenue, presented financial information to the Board and reported a balance of \$143,031.75 as of February 4, 2014. She also reported on delinquent accounts as of February 4, 2014, and accounts that were new and those that had been closed in the 4th quarter of 2013.

Ms. Bonnie Temple, with ADEM, reported that the DERTF active list, commenting of those accounts that were past due and new ownership of the former Phenix Supply Company. Ms. Cousins commented on some of the Master Cleaners sites having previously been incorporated into one entity (LLC) and additional information was being requested to determine these active and closed site locations. She further commented on the cost of Fund participation under one entity and remediation deductible. Ms. Temple presented information about accounts that were delinquent over 12 months. The Board indicated that they would like to continue to receive reports on these delinquent accounts. Ms. Temple also presented

on the status of activities at various locations regarding initial investigation, monitoring, risk assessment, etc.

The Board discussed the Prioritization Summary of properties comparing weighted scoring to simple count scores, as provided by Ms. Temple. Ms. Cousins explained that simple score high risk properties needed to move more quickly in funding and when comparing the two scoring systems (weighted vs. simple count) to each other would give focus to spending priorities and spending would slow down based on prioritization. The Board discussed modifying the reporting format of the Prioritization Summary.

Mrs. Ashley Cousins presented the approved cost proposal summary as a historical record of payouts to sites. She reported that as of November 13, 2013, the Board had authorized \$1,770,878.93 in Cost Proposals, and paid a total of \$2,501,893.91 in Payment Requests. She explained the discrepancies was due to this information not being tracked previously.

She also presented a quarterly contribution bar graph which showed collections into the Fund, from 2nd quarter 2008 through 1st quarter 2014. The Board discussed the decline in revenue and developing a Rule concerning auditing of records regarding reported income, etc. The Board asked the Board Counsel to report on this subject at the next Board meeting.

Ms. Cousins reviewed the Fund balance sheet report through 1st quarter 2014. She reported that the Investment Account totaled \$2,512,488, and it had not been necessary to transfer funds from the Investment Account to Operating Account.

Ms. Cousins presented recommendations for Cost Proposals and Payment Requests for the Board's approval. She indicated that two new sites proposals had been received and deductibles would have to be met. She recommended the Board authorize cost proposals in the amount of \$69,878.07. Mr. Windham made a motion to approve the cost proposals as recommended by Mrs. Cousins. The motion was seconded by Mr. Hall and unanimously approved by the Board.

Mrs. Cousins reported on the Payment Requests and recommended \$87,449.54 be approved. Mr. Windham made a motion to approve the Payment Requests as recommended by Mrs. Cousins. The motion was seconded by Mr. Bryant and unanimously approved by the Board.

Also recommended by Mrs. Cousins was to allow an extension for former Copeland Cleaners. Mr. Windham made a motion to approve the recommendations presented by Mrs. Cousins. The motion was seconded by Mr. Hall and unanimously approved by the Board.

Mrs. Cousins recommended that four cost proposal, that had been previously submitted, be held over due to time constraints. Mr. Hall made a motion to approve the recommendation presented by Ms. Cousins. The motion was seconded by Mr. Windham and unanimously approved by the Board.

Ms. Cousins presented a list of Environmental Consultants and recommended the approval. She explained that there was no changes in this list from the previous year's list. Mr. Hall

made a motion to approve the renewal list of Environmental Consultants. The motion was seconded by Mr. Windham and unanimously approved by the Board.

Ms. Cousins presented an article published in the Denver Post concerning cancer-causing chemical PCE contaminates in Colorado soil, water and homes.

Mr. Massey reported that a date would be set in the future for Board's legislative committee to meeting. This committee was created to recommend changes in the statute concerning revenue sources to the Fund.

Mr. Barrows reported that it was time to renew the Administrative Management Contract. Mr. Hall made a motion to renew the Administrative Management Contract, with Warren & Company, Inc., for an additional year with no changes. The motion was seconded by Mr. Windham and unanimously approved by the Board.


Mr. Barrows reported that the annual election of officers were due. Mr. Bryant nominated Mr. Windham as Chair. There were no additional nominations. The nomination of Mr. Windham was seconded by Mr. Hall and unanimously approved by the Board.

Mr. Bryant nominated Mr. Massey as Vice Chair. There were no additional nominations. The nomination of Mr. Massey was seconded by Mr. Hall and unanimously approved by the Board.

The next meeting of the Board is scheduled May 15, 2014.

There being no further business before the Board, Mr. Massey adjourned the meeting at 11:41 a.m.

Respectfully Submitted,



Jason Windham
Chair



Keith E. Warren
Administrator