



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

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**MINUTES
Board Meeting
Thursday, May 16, 2013**

A meeting of the Alabama Drycleaning Environmental Trust Fund Advisory Board was called to order at 10:12 a.m. on Thursday, May 16, 2013, at the Board Office located at 2777 Zelda Road, Montgomery, Alabama. Board members in attendance were as follows: Mr. Jim Massey, III (Chair), Mr. William Allinder, Mr. Steve Taylor, Mr. Jason Windham and Mr. Quincy Banks. Members not in attendance were Mr. Tripp Clement and Mr. Matt Hall. Also in attendance were Mr. Randy Barrows (Executive Assistant), Mr. Robert Tambling (Board Counsel), Renee' Reames (Executive Secretary to Mr. Warren), and Mrs. Ashley Cousins (Board Engineer). A quorum was present to conduct business.

Public notice of this 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.

The Board reviewed the minutes from the February 14, 2013, meeting. Mr. Taylor made a motion to approve the minutes as presented. The motion was seconded by Mr. Windham and unanimously approved by the Board.

The oath of office was administered to Mr. Quincy Banks by Ashley Cousins, Notary Public. Mr. Banks was appointed by Governor Bentley to serve as the new Board member representing the environmental group.

Ms. Bonnie Temple, with Alabama Department of Environmental Management, updated the Board regarding the participation of the Fund members and also reported on the Board Fund balance. She reported on the status of DERTF accounts, along with active, delinquent and prioritization of accounts. The Board discussed participation by Alabama CVS Pharmacy (former Talladega Plaza Cleaners) and asked that the contact person for Aladdin Cleaners be verified.

The Board discussed proposing changes to the statute that would require participation in the Fund.

Mrs. Ashley Cousins reported on the ranking of Master Cleaners-Springhill as it relates to assessment for soil vapor intrusion risks. The Board reviewed the ADEM prioritization list and Ms. Temple commented on the air pathway questions component of the scoring process. Mr. Tambling commented on public safety, rank priority, funds available, etc. as

considerations in funding projects. He indicated that the site was a financial liability to the Fund and to the owner, because the Fund money would run out and these funds would not be available. The Board discussed the time period to have information submitted on assessing for vapor intrusion risks and the lengthy remediation for the Springhill site.

Ms. Cousins reviewed the Fund balance sheet reporting a Fund balance of \$401,085 as of April 30, 2013 and an investment account balance of \$2,507,766. She commented on the limited funds in the operating account, and the obligations and expenses affecting the Fund, reporting a projected Fund Balance of \$60,774 (which assumes 100% funding of all outstanding Cost Proposals). The Board agreed to review at the next Board meeting the new re-prioritization of sites to be submitted by ADEM.

Mr. Tambling agreed to contact the Mr. Jones, owner of Master Cleaners-Springhill, regarding the liability to the Fund and prioritization of the project.

Ms. Cousins presented the approved cost proposals and payment requests for the Board's review, which indicated over \$2.1 million paid since inception of the Fund. Ms. Cousins presented a quarterly contribution bar graph which showed collections from 2nd quarter 2008 through 2nd quarter of 2013 into the Fund. She reported that revenue in 2013 was not increasing.

Ms. Cousins presented recommendations for Cost Proposals and Payment Requests for the Board's approval. The cost proposals recommended by Ms. Cousins included a reduction for former Wilson Laundry and Cleaners from the amount requested and a \$10,000 deductible subtracted from the amount requested from Theodore Cleaners. Mr. Allinder made a motion to approve the Cost Proposal as presented and recommended by Ms. Cousins, for a total of \$90,888.29. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

The Board also discussed the Payment Requests. Ms. Cousins presented a request for payment and she recommended reduction in payment to former Wilson Laundry (Copeland). Mr. Windham made a motion to approve the recommended Payment Requests amount submitted by Ms. Cousins totaling \$115,654.33. The motion was seconded by Mr. Allinder and unanimously approved by the Board.

Ms. Cousins reported on items held, as well as extensions. She reported that three items were being held pending additional information and payment to former Talladega Plaza was on hold pending payment of fees into Fund. Ms. Cousins reported that the Saraland extension was due to issues concerning the permit. Mr. Allinder made a motion to approve the extensions in the Cost Proposals and Payment Request Report as presented by Ms. Cousins. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

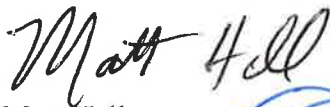
Ms. Cousins presented new underground storage tank reimbursable rates (for personnel). Ms. Cousins recommended approval of the new rates, not the specific task. She reported that invoices received after the effective date would be at the new rates (to include pre-approved proposals). Mr. Allinder made a motion to adopt the new ADEM rates for underground

storage tanks effective June 1, 2013, along with pre-approved proposals received after June 1, 2013. The motion was seconded by Mr. Taylor and unanimously approved by the Board. Ms. Cousins reported that she would notify the sites of the change in rates and the effective date.


Ms. Cousins submitted for the Board's review a copy of the revised Cost Proposal form and the Payment Request form (a reduction from 18 pages to 10 pages). She reported that these forms would be available electronically. The Board unanimously agreed to begin using these forms immediately.

There being no further business before the Board and Mr. Massey adjourned the meeting at 11:31 a.m.

Respectfully Submitted,



Matt Hall
Acting Chair



Keith E. Warren
Executive Director