



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

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**MINUTES
Board Meeting
May 20, 2021**

The Alabama Drycleaning Environmental Trust Fund Advisory Board met on Thursday, May 20, 2021, at the Board's office located at 2777 Zelda Road, Montgomery, Alabama, to conduct regular business of the Board. Due to the COVID 19 State of Emergency, the meeting was conducted virtually. Board members in attendance virtually were Mr. Jason Windham (Board Chair), Mr. Steve McKinnon (Board Vice Chair), Mr. Jim Massey, III (member) and Mr. Thomas Bass (member attend 10:08 a.m.). Board members absent were Mr. Cary Spiegel (member), Mr. Quincey Banks (member) and Mr. Steve Taylor (member). Also participating in the call onsite at the Board's office was Mr. Keith Warren (Executive Director), Ms. Renee' Reames (recording secretary) and public guest. Others on the call were Mr. Robert Tambling (Board Legal Counsel), Mrs. Ashley Cousins (Consulting Engineer), Ms. Ashley Powell with ADEM and Ms. Nichelle Norris with the Revenue Department.

Public notice of this regularly 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.drycleaningtrustfund.alabama.gov.

Chairman Windham called the meeting to order at 10:00 a.m. and Mr. Warren called Board roll, reporting that a quorum of the members was not yet present to conduct business of the Board and Mr. Bass was expected to join the call.

Ms. Ashley Powell, with ADEM, reviewed the DERTF list of active participants in the fund. She reported that the former Northington Cleaners owners, 15 East II, LLC, sold to GWTI LLC. She also reviewed the delinquent accounts and current prioritization of active accounts.

Mr. Bass joined the meeting virtually at 10:08 a.m. Mr. Warren reported that a quorum of the Board was present to conduct business.

Mr. Tambling joined the meeting virtually at 10:10 a.m.

The Board reviewed the minutes from the February 18, 2021 regular meeting. A copy of the minutes was provided to the members prior to the meeting for their review. Mr. McKinnon made a motion to approve the February meeting minutes as presented. The motion was seconded by Mr. Massey and unanimously approved by the Board.

Chairman Windham presented a copy of the minutes from the March 10, 2021 Special/Called meeting for the Board's approval. Mr. Massey made the motion to approve the March meeting minutes as presented. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

Ms. Nichelle Norris, with the Department of Revenue, reported on the participating accounts and the status of payments into the Fund. She also reviewed the list of delinquent accounts and reported a cash balance of \$94,834.33 as of May 3, 2021. She reminded the Board about the new account 8410 Whitesburg, LLC. and the addition of GWTI, LLC into the Fund. She also indicated that one account had been closed: Joe B. Brown Cleaning & Clothing, Inc. She reported that delinquent account, 15 East, had paid into the account prior to submitting a payment request for the Board's consideration.

Mrs. Cousins presented a historical record of funding approved by the Board that reflected a total amount in payment requests and approved cost proposals per site. The Payment Requests approved by the Board for all sites totaled \$3,770,842.81.

Mrs. Cousins reviewed quarterly contributions into the Fund, indicating a steady decline in the amount of the Fund since 2017 and noting some improvements in 2021 compared to 2020.

Mrs. Cousins reviewed the status of the projected operating account as of April 30, 2021, indicating a projected Fund balance deficit of \$28,844. She explained that this deficit assumed a 100% funding of all outstanding Cost Proposal obligations. Mrs. Cousins reported an Investment Account balance of \$1,674,877 as of April 30, 2021.

Mrs. Cousins presented the Cost Proposals report for the Board's review and approval. She presented a Cost Proposal recommendation for four (4) sites with an adjustment total cost of \$25,055.66. Mr. Bass made the motion to approve the Cost Proposals as recommended by Mrs. Cousins. The motion was seconded by Mr. McKinnon and was unanimously approved by the Board.

Mrs. Cousins also presented the Payment Requests Report. She recommended an adjustment Payment Request amount for eleven (11) sites totalling \$43,497.62. Mr. McKinnon made a motion to approve the Payment Request as recommended by Mrs. Cousins. The motion was seconded by Mr. Massey and was unanimously approved by the Board.

Mrs. Cousins recommended an extension for one cost proposal. Mr. Bass made a motion to approve the extension as presented. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

Mrs. Cousins reminded the Board of the mid-year review of funding activities' effect on the Quarterly fund ceiling. It was the consensus of the Board to not adjust the current ceiling amount established by the Board.

Mrs. Cousins presented a proposed new letter to delinquent accounts holders about remaining in the Fund. A copy of the last letter to delinquent accounts holders was also provided for review. Mr. Massey made the motion to approve the new proposed letter as presented. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

Mrs. Cousins reported that the Board had approved waiving the requirement for a Notary signature on applications and allow applications to be submitted electronically. Mr. Warren

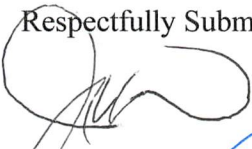
explained that the State of Emergency was scheduled to end July 6, 2021, requiring a quorum of the members attend meetings in-person. Mr. Warren recommended that the Board continue electronic submission of applications. Mr. McKinnon made the motion to allow the electronic submission of applications, to include a Notary signature before submission. The motion was seconded by Mr. Bass and unanimously approved by the Board.

Mrs. Cousins presented an updated list of Alabama Drycleaning Environmental Consultants (ADEC) for the Board's approval. Mr. Massey made a motion to approve the ADEC list as presented. The motion was seconded by Mr. McKinnon and unanimously approved by the Board.

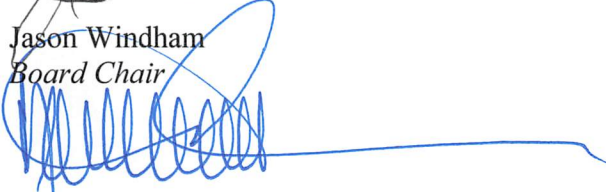
Chairman Windham reminded the members that the next regular meeting of the Board was scheduled August 19, 2021 at 10:00 a.m.

There being no further business of the Board, Mr. McKinnon made a motion to adjourn the meeting. The motion was seconded by Mr. Massey and unanimously approved by the Board. Chairman Windham adjourned the meeting at 10:41 a.m.

Respectfully Submitted,



Jason Windham
Board Chair



Keith E. Warren
Executive Director

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