



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

2777 Zelda Road
Montgomery, Alabama 36106
334-240-7239
334-263-6115 Fax

**MINUTES
Board Meeting
February 22, 2023**

The Alabama Drycleaning Environmental Trust Fund Advisory Board met on Wednesday, February 22, 2023, 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. Jason Windham (Board Chair), Mr. Steve McKinnon (Board Vice Chair attending virtually), Mr. Jim Massey, III (member), and Ms. Bonnie Temple (member). Board members absent were Mr. Cary Spiegel (member) and Mr. Steve Taylor (member). Also participating were Mr. Keith Warren (Executive Director), Mrs. Ashley Cousins (Consulting Engineer), Ms. Nichelle Norris with the Department of Revenue and Ms. Renee' Reames (recording secretary) and public guest.

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

Chairman Windham called the meeting to order at 10:14 a.m. and Mr. Warren called Board roll, reporting that a quorum of the members was present to conduct business of the Board. Chairman Windham welcomed members and guests.

APPROVAL OF MINUTES

The Board reviewed the minutes from the November 10, 2022, regular meeting. A copy of the minutes was provided to the members prior to the meeting for their review. Mr. Massey made a motion to approve the November meeting minutes with the correction on page 2, paragraph 4, to read "without ADEM knowledge". The motion was seconded by Ms. Temple and unanimously approved by the Board.

ADEM'S REPORT

Ms. Powell and Mr. Cape with ADEM were not able to attend the meeting. Mrs. Cousins reviewed 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.

REVENUE DEPARTMENT'S REPORT

Ms. Norris with the Revenue Department reported on the participating accounts and the status of payments to the Fund, to include Calgon Cleaners that paid after the report was prepared. She reviewed the delinquent accounts, along with closed accounts and new accounts. The Board discussed delinquent accounts and asked Ms. Norris about sending letters to close the Concord Customer Cleaners, Economy Cleaners and TDNK, Inc. accounts as of the end of 2022, since no payments had been received since 2013. Mr. Massey made the motion to send closure letters to

these three accounts effective the end of 2022. The motion was seconded by Ms. Temple and unanimously approved by the Board. Mrs. Cousins reported that Aladdin Cleaners and Laundry had resigned in May 2022. Mr. Massey amended his motion to include Aladdin Cleaners in closed accounts. The motion was seconded by Ms. Temple and unanimously approved by the Board.

Ms. Norris reported on two new accounts, dba Theodore Cleaners and AL Hartselle Hwy 31S LLC, and stated that AL Hartselle Hwy 31S LLC has indicated verbally they may resign because they could not afford participation in the Fund.

CONSULTING ENGINEER'S REPORT

Mrs. Cousins presented a historical record of payment requests and approved cost proposals per site. She reported that the Payment Requests approved by the Board for all sites totaled \$3,947,175.87.

Mrs. Cousins reviewed the quarterly contributions to the Fund, for a comparative period of the second quarter of FY 2016 through second quarter of FY 2023.

Mrs. Cousins reported on the Fund's operating account cash balance, with a projected balance of \$116,835 for second quarter of FY 2023. She indicated that, assuming 100% funding of all outstanding Cost Proposal obligations, the Fund had a projected balance of \$2,634. She reminded the Board that \$150,000 was transferred in November 2022 from the Investment Account to the operating account. She reported an Investment Account balance of \$1,319,822 as of December 31, 2022. The Board discussed the projected sustainability of the Fund and the effect on operations should be Fund drop below \$1,000,000.

Mrs. Cousins updated the Board on Former Mountain Brook Cleaners' activities and reported that the account had been placed on hold. She presented two other Cost Proposals and recommended approval for a total of \$1,366.29. Ms. Temple made the motion to approve the Cost Proposals as recommended by Mrs. Cousins. The motion was seconded by Mr. Massey and was unanimously approved by the Board.

Mrs. Cousins presented Payment Requests from three sites and recommended an adjusted Payment Request amount totaling \$10,257.69. Mr. Massey made a motion to approve the Payment Requests as recommended by Mrs. Cousins. The motion was seconded by Ms. Temple and unanimously approved by the Board.

She reported that the fourth Payment Request was held for resubmission next quarter.

APPROVED ADECs – FEBRUARY 2023

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

BOARD TERMS

Mr. Warren reported that a list of Board members had been submitted to Governor Ivey for appointment, which would require Senate confirmation of the six nominees, noting that one position of a drycleaner employing less than 10 employees remained vacant and difficult to fill.

2023 PROPOSED LEGISLATION

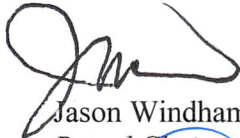
The Board discussed Tennessee's mandatory drycleaning fund participation program and activities in surrounding states, when working with legislators to gain support of the proposed legislation to increase participation in the Drycleaning Fund.

Chairman Windham announced that the next meeting of the Board was scheduled May 18, 2023.


ADJOURNMENT

There being no further business of the Board, Mr. Massey made a motion to adjourn the meeting. The motion was seconded by Ms. Temple and unanimously approved by the Board. Chairman Windham adjourned the meeting at 11:00 a.m.

Respectfully Submitted,



Jason Windham
Board Chair



Keith E. Warren
Executive Director

/rr