

ALABAMA ONSITE WASTEWATER BOARD

MINUTES OF MEETING

April 21, 2022

The one hundred twenty-fourth meeting of the ALABAMA ONSITE WASTEWATER BOARD (hereinafter referred to as “the Board”) was called to order at 9:06 a.m., April 21, 2022, at the Board’s administrative offices located at 60 Commerce Street, Suite 1050 by the Honorable Chris Gulley, Chair.

PRESENT

Board Members present – Chris Gulley (Chair), Alan Astin (Vice-Chair), David Mastin (Treasurer), Sharon Kimbrough, Craig Gall, Leigh Salter, Dr. Mark Barnett, and Mark Haswell. Other guests: Melissa Hines (Executive Director), Neva Conway (AOWB Attorney), Tracy Welch (AOWB), Joel Barnes (AOWB), Baron Litaker (AOWB), Melanie Boggan (ADPH), and Debbie Johnson (AOWA). A quorum was established, and the meeting was called to order.

INTRODUCTION OF NEW BOARD MEMBER – Mark Haswell

MINUTES – Alan Astin made the motion to accept the minutes of February 8, 2022, as presented. David Mastin seconded the motion. ROLL CALL VOTE: Sharon Kimbrough – YES; David Mastin – YES; Alan Astin – YES; Mark Haswell – YES; Craig Gall – YES; Leigh Salter – YES. Dr. Mark Barnett – (Dr. Barnett was in another room on a Zoom Conference and unable to vote.) Motion passes.

22 **TREASURER'S REPORT** – David Mastin, Treasurer, presented the 2nd Quarter Treasurers report for
23 January 1, 2021, through March 31, 2021. Sharon Kimbrough made the motion to accept the
24 Treasurer's Report as presented. Craig Gall seconded the motion. ROLL CALL VOTE: Sharon
25 Kimbrough – YES; David Mastin – YES; Alan Astin – YES; Mark Haswell – YES; Craig Gall – YES;
26 Leigh Salter – YES. Dr. Mark Barnett – (Dr. Barnett was in another room on a Zoom Conference and
27 unable to vote.) Motion passes.

28

29 **NEW BUSINESS:** None.

30

31 **EXECUTIVE DIRECTOR'S REPORT**

32 **Sunset Committee Hearing** – The AOWB has been scheduled to appear before the Sunset Committee
33 on Thursday, May 19, 2022, at 9:30 a.m., in Room 200 of the Alabama State House. All Board
34 Members are required to attend. The issues with the Executive Director's responses are included in the
35 Board packet.

36 **AOWA Trade Show** – The Trade Show went very well. There have been lots of compliments on the
37 Mock Trial held by AOWB.

38 **Economic Interest Statements** are due April 30, 2022.

39

40 **CONSENT AGREEMENTS**

41 **Case 2022-0009** – Jimmy Copeland, a licensee, installed without a permit and did not afford the local
42 health department the opportunity to inspect. He was offered \$500.00 per violation for a total of
43 \$1000.00. He accepted and agreed to pay the \$1,000.00 Consent Agreement fee. David Mastin made
44 the motion to accept the Consent Agreement; Craig Gall seconded the motion.

45 ROLL CALL VOTE: Sharon Kimbrough – YES; David Mastin – YES; Alan Astin – YES; Mark
46 Haswell – YES; Craig Gall – ABSTAIN; Leigh Salter – ABSTAIN; Dr. Mark Barnett – (Dr. Barnett
47 was in another room on a Zoom Conference and unable to vote.) Motion passes.

48 Case 2022-0005 – Mike Emery, an unlicensed individual, installed at his primary residence without a
49 permit. He was offered and agreed to pay a \$500.00 Consent Agreement fee. David Mastin made the
50 motion to accept the Consent Agreement; Sharon Kimbrough seconded the motion.

51 ROLL CALL VOTE: Sharon Kimbrough – YES; David Mastin – YES; Alan Astin – YES; Mark
52 Haswell – YES; Craig Gall – ABSTAIN; Leigh Salter – ABSTAIN; Dr. Mark Barnett – (Dr. Barnett
53 was in another room on a Zoom Conference and unable to vote.) Motion passes.

54

55 ***ENFORCEMENT REPORT FOR THE QUARTER***

56	Complaints pending Probable Cause	7
57	Complaints received for the Quarter	10
58	Holding for Hearings	6
59	Compliance Visits for the Quarter	43

60

61 **UNFINISHED BUSINESS**

62 Executive Director, Melissa Hines, on behalf of the Family Succession Plan Committee proposed a rule
63 for Family Succession Plan to be voted on by the Board so she can begin the promulgation of the rule.
64 Proposed Rule – **628-x-3-.04(1) The Board may waive a portion of the experience requirement for**
65 **licensure by a spouse or adult child of the licensee if there is a claim of family hardship. A family**
66 **hardship is defined as when a licensee is no longer able to carry on their business due to illness,**
67 **injury, or death of the licensee.**

68 Craig Gall made the motion to accept the rule as written; David Mastin seconded the motion.

69 ROLL CALL VOTE: Sharon Kimbrough – YES; David Mastin – YES; Alan Astin – YES; Mark
70 Haswell – YES; Craig Gall – YES; Leigh Salter – YES; Dr. Mark Barnett – (Dr. Barnett was in another
71 room on a Zoom Conference and unable to vote.) Motion passes.

72

73 **RECESS** – Chris Gulley, Board Chair, called for 20-minute recess at 9:33 a.m. Chair, Chris Gulley
74 called the meeting back to order at 9:49 a.m.

75

76 The Board recognized Randy Anderson, AOWA President and new instructor for licensing education
77 curriculum. Randy advised the Board that he felt the need to have a review of the license exam info to
78 cover the necessary material in a more adequate manner. The Basic Installer and Pumper outlines
79 developed by Melissa Hines were passed out. Previous AOWB Education Committee did not develop
80 any outlines. Discussion was had. The AOWB Education Committee did not provide recent teachers
81 with an outline and specifics. The course outlines will be tweaked by the Education Committee and the
82 Executive Director. The current exam passing rate was set at 80% in 2007 by the Board. Dr. Mark
83 Barnett made the motion to update the exam passing rate from 80% to 70%; Sharon Kimbrough
84 seconded the motion. ROLL CALL VOTE: Sharon Kimbrough – YES; David Mastin – YES; Alan
85 Astin – NO; Mark Haswell – UNDECIDED; Craig Gall – YES; Leigh Salter – ABSTAIN; Dr. Mark
86 Barnett – YES. Motion passes: rule change to be submitted.

87

88 **BOARD MEMBER REORTS**

89 **Leigh Salter** – advised that the ADPH Rules are still pending DOJ Investigation.

90

01 **ADJOURNMENT**

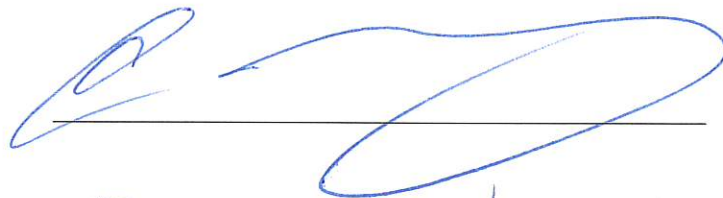
92 Craig Gall made the motion to adjourn the meeting; David Mastin seconded the motion. By a show of
93 hands, the motion passes unanimously. Meeting was adjourned at 1:53 p.m. by Chair, Chris Gulley.

94
95 The next quarterly meeting will be held on Thursday, July 14, 2022.

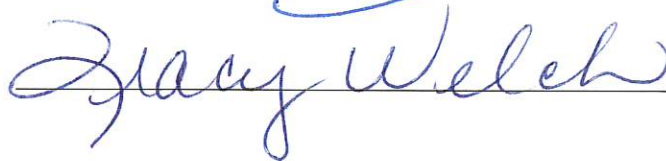
96
97
98

99 Minutes submitted by: Tracy Welch

100
101 Approved by: Chris Gulley

A handwritten signature in blue ink, appearing to be "Chris Gulley", written over a horizontal line.

102
103 Recording Secretary

A handwritten signature in blue ink, appearing to be "Tracy Welch", written over a horizontal line.