

22 discussion could be tabled until the end of the meeting; Brent Bradshaw – Chair agreed and continued
23 the meeting.

24 **TREASURER'S REPORT** – was presented by David Vogelgesang, Treasurer. Michael Dansby made
25 the motion to approve the Treasurer's Report as presented; David Mastin seconded the motion; by a
26 show of hands, the Treasurer's Report was approved as presented and the motion passes unanimously.

27 *Discussion following Treasurer's Report* – Michael Dansby asked for an estimated number of licensees
28 who have not renewed at this time; Melissa Hines, Executive Director, advised about 150 licensees. She
29 also advised that these licensees have been called by both Compliance Officers. David Vogelgesang -
30 Treasurer asked if these licensees can work without a license; Executive Director Hines advised they
31 cannot, and we have investigations pending on a few of those. David Mastin asked if the local health
32 departments have been advised of the licensees that have not renewed their licenses; Executive Director
33 Hines advised they had not, however she will email them.

34

35 **CONSENT AGREEMENTS/EXECUTIVE DIRECTOR**

36 **CONSENT AGREEMENT – 2020-0109** A technician committed a dishonest act by falsifying an
37 inspection forms stating that both sides of a tank had been pumped and that the lids did not need
38 replacing. The licensee verified that this was true and refunded the homeowner \$325.00 and paid the
39 AOWB a \$100.00 fine. This was in Lincoln Alabama. Alan Astin made the motion to accept the
40 consent agreement; Michael Dansby seconded the motion. **Roll Call Vote:** Michael Dansby – YES;
41 David Mastin – YES; Alan Astin – YES; Chris Gulley – YES; Sharon Kimbrough – YES; Dr. Kevin
42 White – ABSENT; Leigh Willis – ABSTAIN; David Vogelgesang – YES. **Motion Carries.**
43 The licensee was Shawn Newman.

44

45 **CONSENT AGREEMENT – 2020-0002** – No Permit; No License, a plumber installed a septic tank
46 and field lines in Shelby county without a license or permit at an Exxon gas station. He paid a \$500.00
47 fine and was advised to get an Installer’s license if he wanted to continue installations in the State of
48 Alabama. Michael Dansby made the motion to accept the consent agreement; David Mastin seconded
49 the motion. **Roll Call Vote:** Michael Dansby – YES; David Mastin – YES; Alan Astin – YES; Chris
50 Gulley – YES; Sharon Kimbrough – YES; Dr. Kevin White – ABSENT; Leigh Willis – ABSTAIN;
51 David Vogelgesang – YES. **Motion Carries.** The individual’s name is Kyle Shirley.

52 **CONSENT AGREEMENT – 2020-0018** – This installer committed a dishonest act by falsifying
53 documents stating that system was installed at the original location and it was not; the local health
54 department deemed unusable due to numerous infractions. The engineer also had a complaint filed on
55 him as well by the Engineers Board. This was in Vandiver Alabama; first complaint – fined \$500.00.
56 Chris Gulley made the motion to accept the consent agreement; David Mastin seconded the motion.
57 **Roll Call Vote:** Michael Dansby – YES; David Mastin – YES; Alan Astin – YES; Chris Gulley – YES;
58 Sharon Kimbrough – YES; Dr. Kevin White – ABSENT; Leigh Willis – ABSTAIN; David
59 Vogelgesang – YES. **Motion Carries.** The licensee was Ronnie Thompson.

60 **CONSENT AGREEMENT – 2019-0100** – No License; No permit in Leeds, Alabama. Individual does
61 not have a license and did not get a permit from the St. Clair County Health Department. He was fined
62 \$500.00 on each count for a total of \$1,000.00. Michael Dansby made the motion to accept the consent
63 agreement and David Vogelgesang seconded the motion. **Roll Call Vote:** Michael Dansby – YES;
64 David Mastin – YES; Alan Astin – YES; Chris Gulley – YES; Sharon Kimbrough – YES; Dr. Kevin
65 White – ABSENT; Leigh Willis – ABSTAIN; David Vogelgesang – YES. **Motion Carries.** This
66 individual was Ceaser Vasquez.

67 **CONSENT AGREEMENT – 2019-0019** – Montgomery County; 2 counts: Local health department
68 was not afforded notification for inspection and the system was constructed in 4A soil during periods of
69 wet weather. Complainant is also suing the licensee. He was fined \$250.00 on each count for a total of
70 \$500.00. Alan Astin made the motion to accept the consent agreement and Michael Dansby seconded
71 the motion. **Roll Call Vote:** Michael Dansby – YES; David Mastin – YES; Alan Astin – YES; Chris
72 Gulley – YES; Sharon Kimbrough – YES; Dr. Kevin White – ABSENT; Leigh Willis – ABSTAIN;
73 David Vogelgesang – YES. **Motion Carries.** This licensee is Sowazttoo Dixon.

74

75 **EXECUTIVE DIRECTOR'S REPORT**

76 **Update on previous Consent Agreements:**

77 **TOMMY SELLERS** – Mr. Sellars contacted Executive Director, Melissa Hines and Mr. Bo Cooper to
78 advise he was going to appeal his case because he doesn't feel that he was treated fairly. The 30 days
79 given to appeal has expired so there will be no appeal on his case.

80 **DANIEL INGRAM & JOHN BALLARD** – Both have not paid fines, and both have neither filed for
81 appeal nor filed motion to dismiss in the 30-day period allowed.

82 *Executive Director Hines advised that she was now looking to the Board as to how to proceed. Alan*
83 *Astin asked what the next step would be, and the Executive Director advised a warrant. Discussion*
84 *was held among Board Members.*

85

86 David Vogelgesang made the motion [moving forward] to establish a policy that notified that they have
87 30 days to pay fines; after that 30-day time period expires, they will be notified that if payment is still
88 not received in the next 30-day period, the license of infraction will be suspended; if payment has still
89 not been paid after that 30-day period, they will be notified that a warrant and/or legal action if these

90 fines are not paid in 30 days. Michael Dansby seconded the motion. **Roll Call Vote:** Michael Dansby
91 – YES; David Mastin – YES; Alan Astin – YES; Chris Gulley – YES; Sharon Kimbrough – YES; Dr.
92 Kevin White – ABSENT; Leigh Willis – YES; David Vogelgesang – YES. **Motion Carries.**

93 **LETTER RECEIVED** - The Executive Director received a letter from Representative Nathaniel
94 Ledbetter written on behalf of one of his constituents requesting the Board to consider a “grandfather”
95 clause for those who have been in the business for many years may be afforded a less complex way to
96 maintain their license. Following Board Member discussion, it was recommended that Executive
97 Director Hines contact Representative Ledbetter and advise him that continuing education is required to
98 maintain any AOWB license and is considered critical due to changes that can and will occur.

99 **OFFICIAL TESTING PROCEDURES** – a proposed set of AOWB official testing procedures were
100 presented to the Board for review and approval. After discussion and a request to change #7 to read:
101 *Students shall not be allowed to use cell phones and all cell phones shall be given to the proctor(s)*
102 *prior to the examination.* Also, a request to add a #13 to read: *Alabama Onsite Wastewater Board*
103 *Official Testing Procedures may be updated as needed or deemed appropriate by the Executive*
104 *Director.* David Mastin made a motion to accept the Testing Procedures with requested changes; Chris
105 Gulley seconded the motion; by a show of hands, the motion carries unanimously.

106 **BREAK** – Chair Brent Bradshaw called for a short break at 10:13 a.m.; Chair Brent Bradshaw called
107 the meeting back to order at 10:20 a.m.

108 **TENATIVE RULE CHANGE – (to 628-X-3.04 Obtaining A New License.)** Melissa Hines,
109 Executive Director feels that there should be eligibility requirements prior to license testing. The
110 Executive Director asked the Board to review the suggested changes for eligibility and hold discussion.
111 An eligibility packet would be created requesting business /work experience in the area of onsite

112 sewage, character references, and other areas of eligibility may also be required. The Board held
113 discussion.

114 ***RECESS FOR COVID-19 LIVE UPDATE FROM GOVERNOR KAY IVEY – Chair Brent***

115 **Bradshaw called the Board in recess at 11:00 a.m.; the Board was called back in session at 11:34**
116 **a.m. by Chair Brent Bradshaw.**

117 **Back to the Eligibility Packet** Board discussion continued after the recess. Alan Astin made a motion
118 to approve change to rule **628-X-3.04 Obtaining A New License** regarding eligibility requirements with
119 changes of adding **“the Executive Director has authority to investigate backgrounds of prospective**
120 **licensees and forward any questionable applications to the Board; remove Advanced Levels I and**
121 **II from list; change (2) to read, work experience: Basic Installer applicants – 12 months; Pumper &**
122 **Portable Restroom applicants – 6 months; and change #(4) to #(3) {there was no #3 originally**
123 **included}; and approve the recommended verbiage stricken from the current rules. David Mastin**
124 **seconded the motion. Roll Call Vote: Michael Dansby – YES; David Mastin – YES; Alan Astin –**
125 **YES; Chris Gulley – YES; Sharon Kimbrough – YES; Dr. Kevin White – ABSENT; Leigh Willis – NO;**
126 **David Vogelgesang – YES. Motion Carries.**

127 **ENFORCEMENT REPORT** – The visits are down due to the Covid-19 Pandemic; the report totals are:
128 Compliance Visits – 58; Complaints pending Probable Cause – 8 ; Complaints received for the Quarter –
129 10; Holding for hearings – 6.

130 **BEAU COOPER CONTRACT** - Beau Cooper’s 2-year contract will be up in September; he has about
131 \$3,000 left on contract. Discussions were held regarding renewing his contract. It was mentioned that
132 Mr. Cooper needs to be given more education on the septic industry regarding any future charges and
133 that a quote should be requested from the Attorney General’s office for legal services to compare costs.

134

135 **NEW BUSINESS – Sunset** Bill 25 for the Alabama Onsite Wastewater Board was approved by the
136 House for a 1-year continuance. (This was due to issues with the General Contractors Board) Executive
137 Director Melissa Hines emailed Senator Clyde Chambliss because the bill has not yet been approved by
138 the Senate and if it is not, the Alabama Onsite Wastewater Board will be sunsetted on September 30th.
139 Senator Clyde Chambliss responded back in the attached email stating he has talked with Senate
140 Leadership and intends to push that one through when they reconvene. Executive Director, Melissa
141 Hines advised the sooner we can settle something with the General Contractor’s Board the better we will
142 be; when we go back to the Sunset Committee in July or when the second session is held, we can say
143 that we have done all we could regarding this matter.

144 David Mastin advised that there has not been an AOWA Board meeting, however the AOWA
145 Committee (for the General Contractors Board/Advanced II license matter) made a recommendation last
146 night. The Committee wants to present to AOWB an offer to the General Contractor’s Board – For
147 every licensed General Contractor with at least four (4) years of experience, match their experience year
148 for year, they can attend our training classes, take tests and work up to the Advanced Level II license
149 without the waiting period between tests. This will be offered for a period of one (1) year only –
150 withstanding class availability.

151 AOWB General Contractor Committee, via member Chris Gully, wants to bring forward the motion to
152 present the proposal recommended by the AOWA General Contractor Committee to the General
153 Contractor’s Board. Sharon Kimbrough seconded the motion. By a show of hands, the motion carries
154 unanimously.

155 **HOUSE BILL 95** *A Copy of HB95 was included in the Board Member Packets.*

156

157

158 **UNFINISHED BUSINESS** - Education *Committee* – The Education Committee has not met. Brent
159 Bradshaw, Chair, advised that he was dismantling the previous Education Committee and is naming a
160 new Education Committee that will consist of: Leigh Willis, Chris Gulley and Sharon Kimbrough;
161 Sharon Kimbrough will serve as the Education Committee Chair.

162 *ADEM Committee* – Sharon Kimbrough met with Alabama Department of Environmental Management
163 (ADEM). The proposal from ADEM is Reciprocity for education and experience if the ADEM Grade I
164 test is taken. Sharon advised that the questions for the Grade I test could be included in the AOWB test
165 so that would automatically be covered.

166 **BOARD MEMBER REPORTS**

167 **Leigh Willis** – The AOWA Newsletter will have an article on the Lowndes County Project soon.

168 **Alan Astin** – asked if we could have Bond Agent, Todd Johnson, with Palomar Insurance at the next
169 AOWB meeting to explain bonds and how to leverage them properly.

170 **ADJOURNMENT** – At 12:21 p.m., David Mastin made the motion to adjourn the Board meeting;
171 Alan Astin seconded the motion. By a show of hands, the motion to adjourn was approved
172 unanimously. The next quarterly meeting will be held on July 23, 2020.

173 Remaining Quarterly Board Meeting dates for 2020:

174 July 23, 2020

175 October 27, 2020

176

177 Minutes submitted by: Tracy Welch

178 Approved by: Sharon Kimbrough 

179

180 Recording Secretary Tracy Welch 