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ALABAMA ONSITE WASTEWATER BOARD

MINUTES OF MEETING

July 23, 2020

The one hundred-twelfth quarterly meeting of the ALABAMA ONSITE WASTEWATER BOARD (hereinafter referred to as “the Board”) was called to order at 9:15 a.m., July 23, 2020, at the Board’s administrative offices located at 60 Commerce Street, Suite 1050 by Sharon Kimbrough, Vice-Chair.

PRESENT

Board Members present –Leigh Willis, David Mastin, Jr, Alan Astin and Chris Gulley and Craig Gall
Dr. Kevin White was Absent, Michael Dansby was absent. Officers present were Vice Chair Sharon Kimbrough, David Vogelgesang – Treasurer. A quorum was established. Other guests: Melissa Hines (Executive Director), Joel Barnes (AOWB), Caleb Kilpatrick (AOWB), Charles Hall (ASG) and Neva Conway (Assistant Attorney General for the Board).

Announcement from Executive Director

With the passing of Chairman Brent Bradshaw, seated positions on the Board have been changed. The Governor has moved Alan Astin to the pumper seat position and Craig Gall has been appointed to the Board holding the manufacturers seat position. We welcome Mr. Gall to the Board.

SPECIAL GUESTS

Mrs. Sandy Bradshaw and Kennedy Bradshaw were recognized by the Board in honor of Brent Bradshaw.

Todd Johnson of Palomar Insurance visited the Board to educate the Board on bonds and when it should to be used.

ELECTION OF CHAIRMAN OF THE BOARD

23 With the passing of Chairman Brent Bradshaw, the Board has the authority to elect a new Chairman.
24 David Vogelgesang made a motion to open the floor for nominations for Chairman of the Board. Chris
25 Gulley second the motion. All approved by show of hands. David Vogelgesang nominated Sharon
26 Kimbrough for Chairman of the Board; David Mastin nominated Chris Gulley for Chairman of the
27 Board. Alan Astin made a motion to close the floor for nominations for Chairman of the Board. David
28 Vogelgesang second the motion to close the floor for nominations. All approved by show of hands.
29 Roll Call vote for Chairman of the Board: David Mastin: Chris Gulley; Chris Gulley: Chris Gulley;
30 Alan Astin: Chris Gulley; Craig Gall: Chris Gulley; Leigh Willis: Sharon Kimbrough; David
31 Vogelgesang: Sharon Kimbrough. 4 votes for Chris Gulley, 2 votes for Sharon Kimbrough. Motion
32 Carries as Chris Gulley for Chairman of the Board. At this time, Mr. Gulley took the Chairman seat on
33 the Board.

34 **MINUTES** – The minutes from the April 28, 2020 meeting were reviewed. Mr. Alan Astin made a
35 motion to approve to minutes from the April 28, 2020 Quarterly Board Meeting. Mr. David Mastin
36 second the motion. All approved by show of hands. Motion carries.

37 **TREASURER'S REPORT** – was presented by David Vogelgesang, Treasurer. Discussion was had
38 regarding increasing license fees. Mr. Alan Astin made a motion to increase the basic installer
39 license/renewal fee to \$300.00, the Advance Level I license/renewal fee to \$400.00, the Advance Level
40 II license/renewal fee to \$600.00 and the Pumper license/renewal fee to \$300.00 and to remove the
41 penalty fee of \$250.00 and to accept the treasurer's report as presented. This will go into effect January
42 1, 2021 with ample notification given to the licensees. Mr. David Vogelgesang second the motion. Roll
43 call vote: Leigh Willis: yes; David Mastin: yes; Alan Astin: yes; Craig Gall: yes; David Vogelgesang:
44 yes; Sharon Kimbrough: yes. Motion Carries.

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46 **CONSENT AGREEMENTS/EXECUTIVE DIRECTOR**

47 **CONSENT AGREEMENT – 2020-0024** A licensee committed a dishonest act in the performance of
48 his work; he falsified the signature on a CEP-2. He was fined \$750.00. Mr. Alan Astin made a motion
49 to accept the consent agreement. Mr. David Mastin second the motion. Roll call vote: Leigh Willis:
50 abstain; David Mastin: yes; Alan Astin: yes; Craig Gall: yes; David Vogelgesang: yes; Sharon
51 Kimbrough: yes. Motion Carries. Licensee was Tony Woodard.

52 **CONSENT AGREEMENT – 2020-0027** – Licensee failed to submit CEP-5 within 3 days – LHD had
53 sent numerous letters to licensee. He was fined \$400.00. Mr. David Mastin made a motion to accept the
54 consent agreement. Mr. David Vogelgesang second the motion. Roll call vote: Leigh Willis: abstain;
55 David Mastin: yes; Alan Astin: yes; Craig Gall: yes; David Vogelgesang: yes; Sharon Kimbrough: yes.
56 Motion Carries. Licensee was Richard Williams from Mobile.

57 **CONSENT AGREEMENT – 2020-0107** – This Licensee did not install according to the permit and
58 did not afford the LHD an opportunity to inspect. He was fined \$500.00 per violation for a total of
59 \$1,000. Mr. Alan Astin made a motion to accept the consent agreement. Mr. David Vogelgesang
60 second the motion. Roll call vote: Leigh Willis: abstain; David Mastin: yes; Alan Astin: yes; Craig
61 Gall: yes; David Vogelgesang: yes; Sharon Kimbrough: yes. Motion Carries. Licensee was Allen
62 Turner from Mobile.

63 **CONSENT AGREEMENT – 2020-0031** – This Licensee installed without a permit. He paid a fine of
64 \$1,000.00 to the AOWB and is working with LHD to get system permitted. Mr. David Vogelgesang
65 made a motion to accept the consent agreement. Ms. Sharon Kimbrough second the motion. Roll call
66 vote: Leigh Willis: abstain; David Mastin: yes; Alan Astin: yes; Craig Gall: yes; David Vogelgesang:
67 yes; Sharon Kimbrough: yes. Motion Carries. Licensee was Donny Dunn.

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70 **EXECUTIVE DIRECTOR'S REPORT**

71 Sunset meeting is October 22, 2020 at 12:00 p.m. Memo in your packet. Rule change has been
72 submitted regarding the process of qualifying for a license. Out for Public Comment. Will be adopted
73 on October 22, 2020 and the process will begin with the first basic installer training of 2021. Testing
74 dates have been scheduled for 2021 and will be posted to the website.

75 Executive Director asked for input from the Board regarding surveillance equipment for enforcement
76 officer. Discussion was had. Mr. Alan Astin made a motion to purchase surveillance equipment at a
77 cost not to exceed \$750.00. Mr. David Mastin second the motion. All approved. Motion carries.

78 **ENFORCEMENT REPORT**

79 There were 31 compliance visits this quarter, that number is down due to COVID-19. There are 8
80 administrative hearings scheduled. 8 awaiting probable cause.

81 **UNFINISHED BUSINESS**

82 Education committee update: Outline and exams are in process. Update from the Alabama Onsite
83 Wastewater Association regarding the pumper course that was recently given. Discussion was had. The
84 Board asked that the Executive Director attend first time trainings when invited by sponsors of
85 education.

86 GC Committee Update: The MOU was electronically submitted to the Executive Director of the GC
87 Board and presented to said Board and we were presented questions. The Executive Director will
88 respond accordingly. ADEM Committee Update: the committee will continue to monitor and negotiate
89 with ADEM and report back at the October meeting.

90 **BOARD MEMBER REPORT**

91 The Executive Director presented a continuing education course for approval via Dr. White. A live class
92 to be held at the UWA training center December 15-16, 2020. Agenda in packet. Discussion was had.
93 Mr. Craig Gall made a motion to table the approval of courses for the live class until the education
94 committee had an opportunity to review and will report back at the October Quarterly Meeting. Ms.
95 Sharon Kimbrough second the motion. Roll call vote: Leigh Willis: yes; David Mastin: abstain; Alan
96 Astin: yes; Craig Gall: yes; David Vogelgesang: yes; Sharon Kimbrough: yes. Motion Carries. Also
97 presented for Dr. White - submitted agenda for UWA to conduct online continuing education for
98 approval. Discussion was had. Mr. Craig Gall made a motion to table the approval of courses for the
99 online continuing education courses until the education committee had an opportunity to review and will
100 report back at the October Quarterly Meeting. Ms. Sharon Kimbrough second the motion. Roll call
101 vote: Leigh Willis: yes; David Mastin: abstain; Alan Astin: yes; Craig Gall: yes; David Vogelgesang:
102 yes; Sharon Kimbrough: yes. Motion Carries.

103 Ms. Willis reported that counties are working on COVID-19; and are working diligently not to let
104 regular work get behind.

105 **ADJOURNMENT**

106 Mr. David Mastin made a motion to adjourn at 1:15 p.m. Mr. Alan Astin second the motion. All
107 approved. Motion carries.

108 The next quarterly meeting will be held on October 27, 2020.

109 Minutes submitted by: Melissa Hines

110 Approved by: Board Chairman Chris Gulley

111

112 Recording Secretary

Tracy Welch


