

ALABAMA ONSITE WASTEWATER BOARD

MINUTES OF MEETING

October 26, 2021

The one hundred twenty-second meeting of the ALABAMA ONSITE WASTEWATER BOARD (hereinafter referred to as “the Board”) was called to order at 9:00 a.m., October 26, 2021, at the Board’s administrative offices located at 60 Commerce Street, Suite 1050 by the Honorable Chris Gulley, Chairman.

PRESENT

Board Members present – Chris Gulley (Chair), Sharon Kimbrough (Vice-Chair) 9:05 a.m., David Mastin (Treasurer), Michael Dansby 9:37 a.m., Craig Gall, Alan Astin, Leigh Salter, and Dr. Mark Barnett. Other guests: Melissa Hines (Executive Director), Neva Conway (AOWB Attorney), Tracy Welch (AOWB), Joel Barnes (AOWB), Baron Litaker (AOWB), Charles Hall (AOWA), Debbie Johnson (AOWA), Alan Tartt (UWA), Jason Harris, Billy Donaldson, Shawn Davis, and Terry White.

A quorum was established, and the meeting was called to order.

EXECUTIVE DIRECTOR’S REPORT

Expiration of Terms:

David Mastin – 09/30/2021 – reappointment has not been received.

Craig Gall – 9/30/2021 (completing a partial term from when Alan Astin was moved to the Pumper Seat) reappointment has not been received.

Online Education – Melissa Hines, Executive Director, asked to revisit the October 2020 motion that was made and carried that all online education be limited to ½ of the licensees required hours. Craig Gall made the motion to postpone this motion regarding online education for 1 calendar year. Dr. Mark

23 Barnett seconded the motion. Roll Call Vote: Sharon Kimbrough – YES; David Mastin – YES; Dr.
24 Mark Bennett – YES; Alan Astin – YES; Michael Dansby – (LATE); Craig Gall – YES; Leigh Salter –
25 YES. Motion passes

26

27 ****Licensure Exam Dates have been scheduled for 2022 and are attached to the Board Packet.*

28

29 **CONSENT AGREEMENTS/UPDATES ON PREVIOUS RECOMMENDATIONS**

30 Tommye Brown – attended Basic Installer Training/passed exam

31 Jonathan Pickle – licensed; 1 count @ \$1,000.00 and attend pumper training within 6 months. NO
32 RESPONSE; would like to recommend suspension of license until pumper training is completed.

33 Jim Tice – licensed; 1 count @ \$1,000.00, stated via phone that he was NOT going to pay it.

34 Tommy Sellers – license suspended until fine paid; 2 counts @ \$625.00 each; NO RESPONSE.

35 Robert Joiner – licensed; 5 counts @ \$1,000.00 each; NO RESPONSE.

36 Johnny West – no response; unlicensed; 2 counts @ \$1,000.00 each.

37 Ryan McCain – no response; unlicensed; 1 count @ \$250.00.

38 ***Letters were sent to licensed individuals regarding payment of fines; if not paid within 10 days,
39 filing claim on bond for fines/administrative hearing costs. {*confirmed with underwriting companies*
40 *this can be filed and processed.*} Craig Gall made the motion to suspend licenses for Jonathan Pickle;

41 Jim Tice; and Robert Joiner until fines are paid along with any other requirements completed –

42 **PENDING LEGAL APPROVAL** (Neva Conway, Board Attorney, is reviewing). Dr. Mark Barnett

43 seconded the motion. Roll Call Vote: Sharon Kimbrough – YES; David Mastin – YES; Dr. Mark

44 Bennett – YES; Alan Astin – YES; Michael Dansby – (LATE); Craig Gall – YES; Leigh Salter –

45 ABSTAIN. Motion passes ***pending legal approval.*** Also, when licenses are suspended, AOWB will

46 notify ADPH of that status. Alan Astin made the motion that AOWB can collect unpaid fines/fees by
47 any means necessary regarding any unlicensed individuals who have unpaid fines. Roll Call Vote:
48 Sharon Kimbrough – YES; David Mastin – YES; Dr. Mark Bennett – YES; Alan Astin – YES; Michael
49 Dansby – (LATE); Craig Gall – YES; Leigh Salter – ABSTAIN. Motion passes.

50 **TREASURER’S REPORT (4TH Quarter 07/01/2021 – 09/30/2021)** was presented by David Mastin,
51 Treasurer. Alan Astin made the motion to accept the Treasurer’s Report; Craig Gall seconded the
52 motion. Roll Call Vote: Sharon Kimbrough – YES; David Mastin – YES; Dr. Mark Bennett – YES;
53 Alan Astin – YES; Michael Dansby – (LATE); Craig Gall – YES; Leigh Salter – YES. Motion passes.

54 ***ENFORCEMENT REPORT FOR THE QUARTER***

55	Complaints pending Probable Cause	6
56	Complaints received for the Quarter	15
57	Holding for Hearings	0
58	Compliance Visits for the Quarter	44

59 **BREAK** – Chris Gulley, Chair called for a 5-minute break at 9:34 a.m., after which the Administrative
60 Hearing was held.

61 **ADMINISTRATIVE HEARING** – an administrative hearing was held for Elmer Sorrells, who advised
62 the Executive Director, Melissa Hines, that he would not attend. Mr. Randy Salle presided over the
63 hearing; he will review the transcripts and submit his recommendation to the Board.

64 **BOARD MEETING RESUMED** – Chris Gulley, Chair called for the Board Meeting to come to order
65 and resume business at 10:18 a.m.

66 **MINUTES (July 20, 2021)** – Alan Astin made the motion to accept the minutes as presented; Michael
67 Dansby seconded the motion. By a show of hands, the motion passed unanimously.

68

SPECIAL GUESTS

70 **Jason Harris** – requested the Board to let him to bypass the 2-year waiting period after he completes the
71 Basic Installer training and allow him to attend Advanced Installer training I and II with no waiting
72 period; he is also registered to take Pumper training.

73 **Billy Donaldson Jr.** requested to have 2-year waiting period waived for Advanced Level I
74 training/licensing as his father is retiring due to health reasons and the company needs the license.

75 **Shawn Davis** works for his brother Steve Davis (Adv. Level II) who is going to retire; Shawn is
76 currently licensed as Advanced Level I and wants the 2-year waiting period waived to receive
77 training/license for Advanced Level II.

78 **Terry White** – Mr. White appeared before the Board on behalf of his son Scott Goodwin. He requested
79 to have the 2-year waiting period waived so Scott can be trained/licensed as Advanced Level I.

80 Chris Gulley, Chair advised all those who addressed the Board that this will be taken under advisement.

81 **EXECUTIVE SESSION**

82 At 10:39 a.m., Michael Dansby made the motion to go into Executive Session; David Mastin seconded
83 the motion. At 11:28 a.m. Michael Dansby made the motion to come out of Executive Session; Alan
84 Astin seconded the motion.

85 **JASON HARRIS**

86 Leigh Salter made the motion that as Mr. Harris is already signed up to take the Basic Installer and
87 Pumper classes, he be allowed to bypass the 2-year waiting period after he completes the Basic Installer
88 training/testing/licensing provided he provides proof from Florida of his experience for Advanced Level
89 I license he can then test for Advanced Level I and after training/testing/licensing for the Advanced
90 Level I license, providing that he provides proof from Florida of his experience for Advanced Level II
91 he can then attend training/testing/licensing for Advanced Level II; motion was seconded by Sharon

Kimbrough. Roll Call Vote: Sharon Kimbrough – YES; Dr. Mark Barnett – YES; Alan Astin – YES;
93 Michael Dansby – YES; Craig Gall – YES; David Mastin – YES; Leigh Salter – YES; Motion carries
94 unanimously.

95 BILLY DONALDSON JR.

96 SHAWN DAVIS

97 SCOTT GOODWIN

98 Michael Dansby made the motion to deny these fast-tracks going forward; Leigh Salter seconded the
99 motion. Roll Call Vote: Sharon Kimbrough – YES; Dr. Mark Barnett – YES; Alan Astin – ABSTAIN;
100 Michael Dansby – YES; Craig Gall – ABSTAIN; David Mastin – YES; Leigh Salter – YES; Motion
101 carries.

102 **NEW BUSINESS – NONE**

103 **UNFINISHED BUSINESS**

104 *Update from AOWB Education Committee* – Dr. Mark Barnett advised that first time training and
105 continuing education training had been submitted by AOWA, UWA, PSAL, WWETT Show and Jade
106 Learning. Dr. Mark Barnett made the motion to approve the training presented for 2022 except for the
107 “electrical content” of Jade Learning. Sharon Kimbrough seconded the motion. Roll Call Vote: Sharon
108 Kimbrough – YES; Dr. Mark Barnett – YES; Alan Astin – YES; Michael Dansby – YES; Craig Gall –
109 YES; David Mastin – YES; Leigh Salter – YES; Motion carries unanimously.

110 Dr. Barnett made the motion to adopt the *Procedure for Submitting Training Materials to the AOWB*
111 *for Approval* for future years beginning with submission in 2022 for 2023 license year. Alan Astin
112 seconded the motion. Roll Call Vote: Sharon Kimbrough – YES; Dr. Mark Barnett – YES; Alan Astin
113 – YES; Michael Dansby – YES; Craig Gall – YES; David Mastin – YES; Leigh Salter – YES; Motion
114 carries unanimously.

115 *Update from ADEM Committee – NONE*

116 **BOARD MEMBER REPORTS**

117 **Leigh Salter** – advised that ADPH are almost through with the revamping of the Onsite Sewage rules
118 and are in the final stages before it is finalized for approval. They are looking at November for Dr.
119 Harris to review and approve. Sometime between January and February is when final adoption should
120 take place. Board Members were asked to advise Leigh of anything they would like to see in the rules.
121 Pumpers are now to follow ADPH Septage Rules (420-3-6). Also, ADPH will no longer check
122 manufacturers; they will now have to submit their own testing. Leigh also updated the Board on “The
123 Blackbelt Wastewater Project” it is now called the **Unincorporated Wastewater Project**. There will
124 be updates in the rules regarding septic installation in the Black Belt region.

125 **ADJOURNMENT**

126 Alan Astin made the motion to adjourn the meeting; David Mastin seconded the motion. By a show of
127 hands, the motion passes unanimously. Meeting was adjourned at 1:42 p.m. by Chair, Chris Gulley.

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129 The next quarterly meeting will be held on January 20, 2022.

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132 Minutes submitted by: Tracy Welch

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134 Approved by: Chris Gulley

135

136 Recording Secretary


