

ALABAMA ONSITE WASTEWATER BOARD

MINUTES OF MEETING

October 27, 2022

The one hundred twenty-seventh meeting of the ALABAMA ONSITE WASTEWATER BOARD (hereinafter referred to as “the Board”) was called to order at 9:04 a.m., October 27, 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, Leigh Salter, Dr. Mark Barnett, Craig Gall, Mark Haswell and Dr. Harold Pate.

Other guests: Melissa Hines (Executive Director), Neva Conway (AOWB Attorney), Tracy Welch (AOWB), Joel Barnes (AOWB), Baron Litaker (AOWB), Melanie Boggan (ADPH), Debbie Johnson (AOWA) and Special Guest – Mr Jerry Casey. A quorum was established, and the meeting was called to order.

MINUTES – Alan Astin made the motion to accept the minutes of July 14, 2022, as presented. David Mastin seconded the motion. ROLL CALL VOTE: Dr. Mark Barnett – YES; Mark Haswell – YES; David Mastin – YES; Leigh Salter – YES; Alan Astin – YES; Craig Gall – YES; Sharon Kimbrough – YES; Dr. Harold Pate – YES. Motion passes unanimously.

TREASURER’S REPORT – David Mastin, Treasurer, presented the 4th Quarter Treasurers report for July 1, 2022, through September 30, 2022. The Treasurer’s report for Fiscal Year 2021 was also

included with Board Member packets. Dr. Mark Barnett made the motion to accept the Treasurer's

24 Report as presented. Craig Gall seconded the motion. ROLL CALL VOTE: Dr. Mark Barnett – YES;
25 Mark Haswell – YES; David Mastin – YES; Leigh Salter – YES; Alan Astin – YES; Craig Gall – YES;
26 Sharon Kimbrough – YES; Dr. Harold Pate – YES. Motion passes unanimously.

27

28 **SPECIAL GUEST: Mr. Jerry Casey, a Portable Restroom Operator, who addressed the Board**
29 **regarding continuing education for Portable Restroom Operators in Alabama.**

30

31 **EXECUTIVE DIRECTOR'S REPORT**

32 Eligibility Application – Beginning 2023, Advanced Level I and Advanced Level II licensing class
33 applicants will require an approval letter. Sponsors of Education must require letters of approval before
34 registration. Melissa Hines, Executive Director, has attended several Continuing Education events and
35 has been trying to support the “kid catchers” and “safety screens” and plans to continue to educate the
36 industry and encourage them to add this safety measure on installs. Executive Director Hines attended
37 the AOWA meeting on October 16th, 2022. She gave her report in which she is requiring more stringent
38 requirements to be put in place to be approved for first time license training; she was asked to bring to
39 the Board a path for those who do not have the required 6 months or 12 months experience needed to
40 attend first time license training and drafts were presented to the Board today. Board Chair, Chris
41 Gulley asked for a committee to review the draft to tweak the outline for Board approval to present to a
42 potential vendor to develop such a course. Alan Astin and Craig Gall agreed to serve on this committee.
43 Rule Revision – As the Health Department rules are now going into effect, the Board needs to look at
44 rule revisions. Executive Director, Melissa Hines, asked if Leigh Salter, Dr. Harold Pate and Neva
45 Conway would work as the Rule Revision Committee; all agreed.

46 **ENFORCEMENT REPORT FOR THE QUARTER**

47	Complaints pending Probable Cause	7
48	Complaints received for the Quarter	20
49	Holding for Hearings	2
50	Compliance Visits for the Quarter	31

51

52 **APPROVAL FOR 2023 EDUCATION**

53 **Continuing Education**

54 Dr. Mark Barnett, Education Chair, previously reviewed continuing education sponsor outlines. Dr.
55 Mark Barnett made a motion for the Board to approve continuing education from PSAI, Jade Learning
56 (approved selections highlighted), WWETT Show, AOWA and UWA. Craig Gall seconded the motion.

57 ROLL CALL VOTE: Dr. Mark Barnett – YES; Mark Haswell – YES; David Mastin – YES; Leigh
58 Salter – ABSTAIN; Alan Astin – YES; Craig Gall – YES; Sharon Kimbrough – YES; Dr. Harold Pate –
59 YES. Motion passes.

60

61 **First Time Training Education**

62 Dr. Mark Barnett, Education Chair, previously reviewed AOWA first time education outlines. Dr. Mark
63 Barnett made a motion for the Board to approve the 2023 first time training outlines for Basic Installer,
64 Advanced I Installer, Advanced II Installer, Pumper, and Manufacturer from AOWA. Craig Gall

65 seconded the motion. ROLL CALL VOTE: Dr. Mark Barnett – YES; Mark Haswell – YES; David
66 Mastin – YES; Leigh Salter – ABSTAIN; Alan Astin – YES; Craig Gall – YES; Sharon Kimbrough –
67 YES; Dr. Harold Pate – YES. Motion passes.

68

Dr. Mark Barnett, Education Chair, previously reviewed UWA first time education outlines. Dr. Mark
70 Barnett made a motion for the Board to approve the 2023 first time training outlines for Basic Installer,
71 Pumper, Advanced I Installer, and Advanced II Installer from UWA. Craig Gall seconded the motion.
72 ROLL CALL VOTE: Dr. Mark Barnett – YES; Mark Haswell – YES; David Mastin – YES; Leigh
73 Salter – ABSTAIN; Alan Astin – YES; Craig Gall – YES; Sharon Kimbrough – YES; Dr. Harold Pate –
74 YES. Motion passes.

75

76 **2023 Training Course Outlines (according to the new ADPH Onsite Rules)**

77 The ADPH Onsite rule changes will be effective December 5, 2022. Executive Director, Melissa Hines,
78 presented 2023 Training Course Outlines and Exam Dates. If approved by the Board, the new exams
79 should be ready by the end of 2022. Melissa Hines, Executive Director, also asked the Board for their
80 thoughts regarding asking all sponsors of First Time Pumper Training to ensure they will have a pump
81 truck on site for training. The Executive Director advised that if the education sponsors had trouble
82 finding someone with a pump truck, she would be glad to assist in that matter. Discuss was had.

83 David Mastin, Treasurer, made the motion for the Board to approve the training outlines as changed,
84 along with the exam dates. Alan Astin seconded the motion. ROLL CALL VOTE: Dr. Mark Barnett –
85 YES; Mark Haswell – YES; David Mastin – YES; Leigh Salter – ABSTAIN; Alan Astin – YES; Craig
86 Gall – YES; Sharon Kimbrough – YES; Dr. Harold Pate – YES. Motion passes.

87

88 **NEW BUSINESS:**

89 None.

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BOARD MEMBER REORTS

93 **Leigh Salter** – advised that the ADPH Onsite Rules are up for public comment November 1, 2022,
94 through November 5, 2022. The public hearing is November 14, 2022, and the effective date should be
95 December 5, 2022.

96
97 **EXECUTIVE SESSION** – At 10:21 a.m., Alan Astin made the motion for the Board to go into
98 Executive Session, not to exceed 20 minutes, to discuss the Ruling and Recommendations from
99 Administrative Law Judge, Randy Salle; David Mastin seconded the motion. ROLL CALL VOTE: Dr.
100 Mark Barnett – YES; Mark Haswell – YES; David Mastin – YES; Leigh Salter – YES; Alan Astin –
101 YES; Craig Gall – YES; Sharon Kimbrough – YES; Dr. Harold Pate – YES. Motion passes
102 unanimously.

103 **EXECUTIVE SESSION CONCLUDED** - At 10:33 a.m., David Mastin made the motion for the Board
104 to come out of Executive Session; Dr. Harold Pate seconded the motion. ROLL CALL VOTE: Dr.
105 Mark Barnett – YES; Mark Haswell – YES; David Mastin – YES; Leigh Salter – YES; Alan Astin –
106 YES; Craig Gall – YES; Sharon Kimbrough – YES; Dr. Harold Pate – YES. Motion passes
107 unanimously.

108 Upon resuming open session, Chairman Chris Gulley called for a motion of the Board.

109 **Ruling and Recommendations**

110 **DWIGHT POE**

111 David Mastin made the motion to accept the consent agreement for Dwight Poe; Dr. Mark Barnett
112 seconded the motion. ROLL CALL VOTE: Dr. Mark Barnett – YES; Mark Haswell – YES; David
113 Mastin – YES; Leigh Salter – ABSTAIN; Alan Astin – YES; Craig Gall – YES; Sharon Kimbrough –
114 YES; Dr. Harold Pate – YES. Motion passes.

115 **TERRY CRAIG**

116 David Mastin made the motion to accept the Administrative Law Judge's recommendation for case
117 2022-0043, Terry Craig; Dr. Mark Barnett seconded the motion. ROLL CALL VOTE: Dr. Mark
118 Barnett – YES; Mark Haswell – YES; David Mastin – YES; Leigh Salter – ABSTAIN; Alan Astin –
119 YES; Craig Gall – ABSTAIN; Sharon Kimbrough – YES; Dr. Harold Pate – YES. Motion passes.

120 **CALVIN INGRAM**

121 David Mastin made the motion to accept the Administrative Law Judge's recommendation for case
122 2022-0040, Calvin Ingram; Dr. Mark Barnett seconded the motion. ROLL CALL VOTE: Dr. Mark
123 Barnett – YES; Mark Haswell – YES; David Mastin – YES; Leigh Salter – ABSTAIN; Alan Astin –
124 YES; Craig Gall – ABSTAIN; Sharon Kimbrough – YES; Dr. Harold Pate – YES. Motion passes.

125 **JOHNNY BROOKS**

126 David Mastin made the motion to accept the Administrative Law Judge's recommendation for case
127 2022-0016, Johnny Brooks; Dr. Mark Barnett seconded the motion. ROLL CALL VOTE: Dr. Mark
128 Barnett – YES; Mark Haswell – YES; David Mastin – YES; Leigh Salter – ABSTAIN; Alan Astin –
129 YES; Craig Gall – ABSTAIN; Sharon Kimbrough – YES; Dr. Harold Pate – YES. Motion passes.

130

131 **ADJOURNMENT**

132 Alan Astin made the motion to adjourn the meeting; Dr. Mark Barnett seconded the motion. By a show
133 of hands, the motion passes unanimously. Meeting was adjourned at 1:58 p.m. by Chair, Chris Gulley.

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137 **The 2023 quarterly meetings will be held:**

139 January 26, 2023

140 April 20, 2023

141 July 27, 2023

142 October 26, 2023

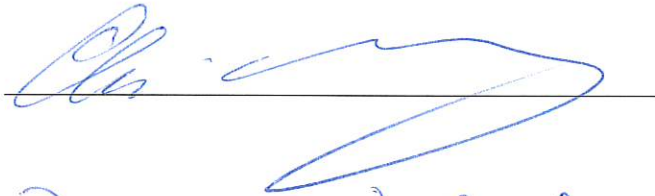
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145 Minutes submitted by: Tracy Welch

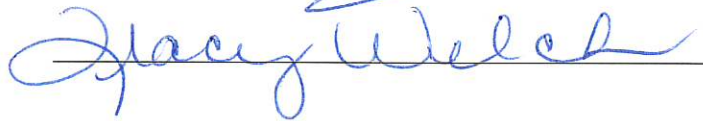
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147 Approved by: Chris Gulley

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

148

149 Recording Secretary

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