

1 **ALABAMA ONSITE WASTEWATER BOARD**

2 MINUTES OF MEETING

3 July 25, 2017

4 The ninety-seventh quarterly meeting of the ALABAMA ONSITE WASTEWATER
5 BOARD (hereinafter referred to as “the Board”) was called to order at 9:08 a.m., July 25,
6 2017, at the Board’s administrative offices located at 60 Commerce Street in Suite 600 by
7 Randall Anderson, Chairman.

8 **PRESENT**

9 Michelle Stephens, Dr. Kevin White, Alton Williams, Leigh Willis, Officers present were
10 Randall Anderson-Chair and Derrick Hutchins, Vice-Chair. Other guests: Melissa Hines
11 (Executive Director) Jeffrey Long (Attorney for AOWB), Tracy Welch (AOWB), Dave
12 Roll, Executive Director (AOWA) Allen Tartt, Director (AOWATC) David Mastin
13 (AOWA Board Member) Robert Joiner (AOWB), Jerry Todd (AOWB), Kati Weis
14 (FOX10 News Mobile) Franz Barraza (FOX10 News Mobile). Absent were Michael
15 Dansby-Treasurer and Greg Ryland. A quorum was established and the meeting was
16 called to order.

17 **AGENDA**

18 Chairman Anderson called for a change to the agenda due to the presence of FOX10
19 News, who were only in attendance for the verdict on the Clarence Crook Hearing. This
20 moves item #6 – Hearing Officer Recommendations (April Hearings) up to proceed
21 before agenda item #3 Treasurers Report.

22

23 **RATIFICATION OF APRIL 25, 2017 MINUTES**

24 AOWB Board Attorney, Jeffrey Long, recommended that the actions of the Quarterly
25 Board Meeting of April 25, 2017 to be ratified. Mr. Long had advised Melissa Hines in
26 error that there was a quorum at that meeting and there was not a quorum. (Letter sent to
27 all board members who were not in attendance of the April 25, 2017 is attached) Leigh
28 Willis made a motion to ratify the minutes. Alton Williams seconds the motion. Roll
29 Call Vote: Michael Dansby – absent; Michelle Stephens – yes; Alton Williams – yes;
30 Derrick Hutchins – yes; Greg Ryland – absent; Dr. Kevin White – yes; Leigh Willis –
31 yes; all approved. Motion carries.

32

33 **HEARING OFFICER RECOMMENDATIONS**

34 At 9:12 a.m. Alton Williams moved to go into executive session to discuss the good
35 name and character of Clarence Crook II, Richard Williams, Josh Pesnell, Timothy Britt
36 and James Love for approximately 30 minutes. Jeffrey Long certified the requirements
37 were met to go into executive session. Chairman Anderson advised the media that no
38 cameras or recordings were allowed to be left on as the room was closed for the executive
39 session. At 9:45 a.m. Dr. White made a motion to go back into regular session. Derrick
40 Hutchins seconds the motion. All approved by uplifted hand. Motion carries.

41 **CLARENCE CROOK II**

42 Chairman Anderson called for a motion on the recommendation of case #2017-0009
43 Clarence Crook II. Dr. Kevin White made a motion that based on the evidence the
44 hearing officer suggested Mr. Crook is guilty of 2 counts. Count one is the use of a non-
45 permitted pumper truck and Count two is violating laws dumping raw sewage into an

46 unapproved sanitary sewer system. Dr. White moves that the Board find him guilty on
47 both counts and to fine Mr. Crook the maximum fine of \$1000.00 on each count and that
48 his license be revoked under 1975 Alabama Code, Section 34-21-A-21A6. Alton
49 Williams seconds the motion. Roll Call Vote: Michael Dansby – absent; Michelle
50 Stephens – yes; Alton Williams – yes; Derrick Hutchins – yes; Greg Ryland – absent; Dr.
51 Kevin White – yes; Leigh Willis – abstain; all approved. Motion carries.

52

53 **RICHARD WILLIAMS**

54 Chairman Anderson called for a motion on the recommendation of case #2016-0034
55 Richard Williams. Derrick Hutchins made a motion to charge Mr. Williams the
56 maximum \$1000.00 fine and that he is to obtain his own Advanced Installers license, and
57 recommends that his Basic license is suspended until his fine has been paid. Alton
58 Williams seconds the motion. Roll Call Vote: Michael Dansby – absent; Michelle
59 Stephens – yes; Alton Williams – yes; Derrick Hutchins – yes; Greg Ryland – absent; Dr.
60 Kevin White – yes; Leigh Willis – abstain; all approved. Motion carries.

61 **JOSH PESNELL**

62 Chairman Anderson called for a motion on the recommendation of case #2017-00325
63 Richard Josh Pesnell. Michelle Stephens made motion to find Josh Pesnell guilty as
64 charged under Alabama Code, Section 34-21-A-21A6, recommending the maxium \$1000
65 fine and that his license is suspended for two (2) years. Mrs. Stephens also asked
66 Executive Director, Melissa Hines to Read Sections 7 and 8, of 420-3-1.34587 of the
67 Rules of the State Bureau of Environmental Services. (copy attached) Dr. Kevin White
68 seconds the motion. Roll Call Vote: Michael Dansby – absent; Michelle Stephens – yes;

69 Alton Williams – yes; Derrick Hutchins – yes; Greg Ryland – absent; Dr. Kevin White –
70 yes; Leigh Willis – abstain; all approved. Motion carries.

71 **TIMOTHY BRITT**

72 Chairman Anderson called for a motion on the recommendation of case #2017-0008
73 Timothy Britt. Derrick Hutchins made the motion that Mr. Britt should be found guilty
74 and fined the maximum of \$1000.00, with his license suspended until he pays the fine
75 and receives remedial instructions from the Executive Director in person at the Board's
76 administrative office on the necessity and seriousness of making appointments for final
77 inspection. Alton Williams seconds the motion. Roll Call Vote: Michael Dansby –
78 absent; Michelle Stephens – yes; Alton Williams – yes; Derrick Hutchins – yes; Greg
79 Ryland – absent; Dr. Kevin White – yes; Leigh Willis – abstain; all approved. Motion
80 carries.

81 **JAMES LOVE**

82 Chairman Anderson called for a motion on the recommendation of case #2016-0033
83 James Love. Derrick Hutchins made the motion to find Mr. Love guilty on both counts
84 and fined the maximum of \$1000.00 on each count (\$2000.00 total) to be paid within 30
85 days. Michelle Stephens seconds the motion. Roll Call Vote: Michael Dansby – absent;
86 Michelle Stephens – yes; Alton Williams – yes; Derrick Hutchins – yes; Greg Ryland –
87 absent; Dr. Kevin White – yes; Leigh Willis – abstain; all approved. Motion carries.
88 This concludes the hearing recommendations; the press (FOX10 News, Mobile)
89 adjourned.

90

91

92 **TREASURERS REPORT**

93 In the absence of Michael Dansby – Treasurer, Executive Director - Melissa Hines,
94 announced the 2018 Fiscal Year budget is \$485,000 and the Operation Plan will be
95 submitted by July, 31, 2017. Attached in the board meeting packets are revenue
96 summaries and outgoing payments for April, May and June 2017 along with a cash
97 reconciliation report as of 7/1/2017. There were large expenses in 2017 due to the
98 retirement of Mike Talley and resignation of Nada Bullock which required payment to
99 her for unused leave. Dr. Kevin White made the motion to approve the treasurers report
100 as presented. Alton Williams seconds the motion.

101 **MINUTES**

102 A summary of the minutes for April 25, 2017 was included with the board meeting
103 packet; Melissa Hines requested, due to unforeseen circumstances, that the minutes from
104 April 25, 2017 be tabled until the October Meeting. Alton Williams made a motion to
105 table them. Derrick Hutchins seconds the motion. Motion carries.

106

107 **EXECUTIVE DIRECTORS REPORT**

108 *Staff - New employee, Tracy Welch (Account Clerk) will be paying the bills and issuing
109 licenses.

110 *Statement of Economic Interest forms were placed in each board member's folder as a
111 reminder that these must be completed. Board members were told to disregard the form
112 if they had already completed one.

113 *Licensee reports were included in the packet and summarized.

114 *An email from Paul Williams is included in meeting packets. Melissa Hines read 628-
115 X-3.03 of the AOWB Rules and Regulations (copy attached). Discussion was had.
116 Dr. Kevin White made the motion to allow previous installs and license service time for
117 advanced education and advanced license. Michelle Stephens seconds the motion. Roll
118 Call Vote: Michael Dansby – absent; Michelle Stephens – yes; Alton Williams – abstain;
119 Derrick Hutchins – no; Greg Ryland – absent; Dr. Kevin White – yes; Leigh Willis –
120 abstain; Motion carries.

121 ***Apprenticeship proposal**

122 Discussion was held regarding an apprenticeship program through AOWB and input
123 from the board was requested. There was much discussion with the consensus being that
124 this would be a good idea for “hands-on” experience. Chairman Anderson recommended
125 a subset of the Board review the proposal and that this should be presented to the
126 Education Committee meeting which will occur at the first of the year. The sub-
127 committee will consist of AOWA, Alton Williams, Derrick Hutchins, and the Education
128 Committee. Dr. Kevin White agreed and advised that the Education Committee would
129 then review the proposal and report back in January.

130

131 Leigh Willis moved that the Board go into executive session at 10:23 a.m. to discuss the
132 good name and moral character of Jerry Todd and Robert Joiner. Jeffrey Long certified
133 requirements were met to go into executive session. The session will last approximately
134 10 minutes. At 11:14 Leigh Willis made the motion to go back into general session.
135 Alton Williams seconds. All approved by uplifted hand. Motion carries.

136

137 **ENFORCEMENT REPORT**

138 There were 35 compliance visits; 1 manufacturing plant visit, there are 12 complaints
139 pending probable cause, and there were 7 trainings attended by the Executive Director.
140 There are 8-10 hearings that need to be held, hopeful that she can resolve most of them
141 through consent agreements. The ones who have already completed consent agreements
142 are going to have hearings. Melissa Hines will need to get with Jeffrey Long later to go
143 over those. Melissa Hines, Executive Director, requested a special called meeting date
144 for probable cause by the end of August because of the requirement to have 20-day due
145 process by law. Nothing further from the Executive Director.

146 **NEW BUSINESS** – None.

147 **UNFINISHED BUSINESS** – None.

148 **BOARD MEMBER REPORTS**

149 *Dr. Kevin White had a couple of continuing education requests from April 2017
150 meeting and is recommending 4 classes from FOWA (Florida Onsite Wastewater
151 Association) allowing continuing education credits for our members:

- 152 1. Nitrogen in the Onsite Industry – Part I
- 153 2. Nitrogen in the Onsite Industry – Part II
- 154 3. Understanding EMAP
- 155 4. Management of watersheds.

156 *2017 Onsite Mega Conference will be held October 22nd through October 25th, 2017 in
157 Dover, Delaware. Dr. White recommends that any licensees get continuing education
158 credit for attending.

159 Motion was made by Dr. White to approve the 4 FOWA classes for continuing education
160 and to approve continuing education credit for those attending the 2017 Onsite Mega
161 Conference in October. Vice-Chairman Derrick Hutchins seconds the motion. Chairman
162 Anderson calls a show of hands for all in favor and all opposed; the motion carries by
163 unanimous vote.

164

165 *Dr. White advised the Education Committee is working on Advanced Level I training
166 update and is hopeful to have done by the first of the year.

167

168 *Leigh Willis advised the Health Department is working on a Statewide repair policy – it
169 is still in process for finalizing policy and making it uniform across the entire State.

170 Chairman Anderson recommends that the AOWA review the policy before it reaches its
171 final approval. Leigh Willis agreed ADPH could do that.

172

173 Meeting was adjourned at 12:45 p.m. by Chairman Randall Anderson. The next quarterly
174 meeting will be held on October 24, 2017.

175 Minutes submitted by: Tracy Welch

176

177 Approved by: Randall Anderson

178 Recording Secretary


