

1 **ALABAMA ONSITE WASTEWATER BOARD**

2 **MINUTES OF MEETING**

3 April 25, 2019

4 The one hundred-fourth quarterly meeting of the ALABAMA ONSITE WASTEWATER BOARD  
5 (hereinafter referred to as “the Board”) was called to order at 9:05 a.m., April 25, 2019, at the Board’s  
6 administrative offices located at 60 Commerce Street, Suite 1500 by Randall Anderson, Chairman.

7 **PRESENT**

8 Board Members present – David Mastin, Jr., Brent Bradshaw, Dr. Kevin White and Leigh Willis  
9 (arrived at 9:15 a.m.). Officers present were Randall Anderson-Chair; Sharon Kimbrough Vice-Chair  
10 and David Vogelgesang, Treasurer. Other guests: Melissa Hines (Executive Director), Hillary Houlton,  
11 (AOWB), Robert Joiner (AOWB), Paul “Bo” Cooper (AOWB Attorney), Charles Hall (Executive  
12 Director – AOWA/ASG) and Allen Tartt (AOWA – Training Director). Absent: Michael Dansby and  
13 Michelle Stephens.

14 **MINUTES** – Dr. Kevin White made the motion to accept the minutes of January 24, 2019 as presented;  
15 David Vogelgesang seconded the motion; by a show of hands, the minutes were approved as presented,  
16 and the motion carries.

17 **TREASURER’S REPORT** – was presented by David Vogelgesang. David Mastin, Jr. made the  
18 motion to approve the Treasurer’s Report as presented; Brent Bradshaw seconded the motion; by a show  
19 of hands, the minutes were approved unanimously and the motion carries.

20 **EXECUTIVE SESSION** – At 9:25 a.m., Leigh Willis made a motion to go into Executive Session  
21 regarding Administrative Hearing motions; David Mastin, Jr. seconded the motion. All approved. At

22 9:35 a.m. David Mastin, Jr. made the motion to come out of Executive Session and Brent Bradshaw  
23 seconded the motion. All approved.

24 **ADMINISTRATIVE HEARING RECOMMENDATIONS**

25 Randall Anderson, Chair, called for motions from the Board regarding the Hearing Officer  
26 recommendations for Daniel Patterson and Jim Tice.

27 **Daniel Patterson** – Brent Bradshaw made the motion to fine Mr. Patterson \$1,000.00; Sharon  
28 Kimbrough seconded the motion. Roll Call vote: David Mastin, Jr. – Yes; Brent Bradshaw – Yes;  
29 Michelle Stephens – Absent; Michael Dansby – Absent; Sharon Kimbrough- Yes; Dr. Kevin White –  
30 Yes; David Vogelgesang – Yes; Leigh Willis – Abstain. Motion Carries.

31 **Jim Tice** – David Vogelgesang made the motion to fine Mr. Tice \$1,000.00; David Mastin, Jr. seconded  
32 the motion. Roll Call vote: David Mastin, Jr. – Yes; Brent Bradshaw – Yes; Michelle Stephens –  
33 Absent; Michael Dansby – Absent; Sharon Kimbrough- Yes; Dr. Kevin White – Abstain; David  
34 Vogelgesang – Yes; Leigh Willis – Abstain. Motion Carries

35 **CONSENT AGREEMENTS presented by Melissa Hines, Executive Director.**

36 **Case #2019-0005** – This individual pumped a septic tank without pumping both sides of the septic tank.  
37 The homeowner took pictures and then had someone else to come out and pump the tank. The  
38 homeowner's only request was to get the money back from the initial Pumper. The Executive Director  
39 sent a Consent Agreement for a fine of \$1,000.00 and it was returned with the \$1,000.00 fine payment  
40 and a refund payment of \$275.00 for the homeowner. The Executive Director called for a motion to  
41 accept the consent agreement from the board. David Mastin, Jr. made the motion to accept and Brent  
42 Bradshaw seconded the motion. Roll Call vote: David Mastin, Jr. – Yes; Brent Bradshaw – Yes;  
43 Michelle Stephens – Absent; Michael Dansby – Absent; Sharon Kimbrough- Yes; Dr. Kevin White –

44 Yes; David Vogelgesang – Yes; Leigh Willis – Abstain. Motion Carries. The individual is Lillian  
45 Sullivan of Mt. Vernon.

46 **Case #2019-0008** – This individual installed a septic tank without a permit. The Executive Director sent  
47 a Consent Agreement for a fine of \$1,000.00 and it was returned with the \$1,000.00 fine payment. The  
48 Executive Director called for a motion to accept the consent agreement from the board. David  
49 Vogelgesang made the motion to accept and Brent Bradshaw seconded the motion. Roll Call vote:  
50 David Mastin, Jr. – Yes; Brent Bradshaw – Yes; Michelle Stephens – Absent; Michael Dansby –  
51 Absent; Sharon Kimbrough- Yes; Dr. Kevin White – Yes; David Vogelgesang – Yes; Leigh Willis –  
52 Abstain. Motion Carries. The individual is Shawn Newman.

53 **Case #2019-0029** – This individual installed a septic tank without a license and without a permit. The  
54 Executive Director sent a Consent Agreement for 2 fines of \$600.00 each (\$1200.00) and it was returned  
55 with the \$1,200.00 fine payment. The Executive Director called for a motion to accept the consent  
56 agreement from the board. Brent Bradshaw made the motion to accept and David Vogelgesang  
57 seconded the motion. Roll Call vote: David Mastin, Jr. – Yes; Brent Bradshaw – Yes; Michelle  
58 Stephens – Absent; Michael Dansby – Absent; Sharon Kimbrough- Yes; Dr. Kevin White – Yes; David  
59 Vogelgesang – Yes; Leigh Willis – Abstain. Motion Carries. The individual is David Dulaney.

60 **Case #2019-0035** – This individual installed a septic tank without a license and without a permit The  
61 Executive Director sent a Consent Agreement for a fine of \$750.00 and it was returned with the \$750.00  
62 fine payment. The Executive Director called for a motion to accept the consent agreement from the  
63 board. David Mastin, Jr. made the motion to accept and Brent Bradshaw seconded the motion. Roll  
64 Call vote: David Mastin, Jr. – Yes; Brent Bradshaw – Yes; Michelle Stephens – Absent; Michael  
65 Dansby – Absent; Sharon Kimbrough- Yes; Dr. Kevin White – Yes; David Vogelgesang – Yes; Leigh  
66 Willis – Abstain. Motion Carries. The individual is Tony Brooks.

67 **EXECUTIVE DIRECTORS REPORT**

68 Director needs clarification on whether a pumper can replace a pump on a septic tank.

69 **(628-x-3.01)** Dr. Kevin White made the motion to amend Rule 628-x-3.01. Brent Bradshaw seconded  
70 the motion. Adding to the end of the definition: “not to include pumps associated with septic tanks,  
71 sewage tanks, sewage tanks and grease traps”. Roll Call vote: David Mastin, Jr. – Yes; Brent Bradshaw  
72 – Yes; Michelle Stephens – Absent; Michael Dansby – Absent; Sharon Kimbrough- Yes; Dr. Kevin  
73 White – Yes; David Vogelgesang – Yes; Leigh Willis – Abstain. Motion Carries.

74

75 Level II decentralized systems: (clarification)

76 Discussion was had. Rule revision will state for an Advanced Level II Installer: from the clean out 5  
77 foot from the home thru ground injection shall require an Advanced Level II Installer.

78

79 **ADJOURNMENT**

80 David Vogelgesang made the motion to adjourn at 11:00 a.m. and Randall Anderson seconded the  
81 motion. By a show of hands, the motion to adjourn was approved unanimously. The next quarterly  
82 meeting will be held on July 25, 2019.

83 Minutes submitted by: Tracy Welch

84

85 Approved by: Randall Anderson 

86

87 Recording Secretary 