

Liquefied Petroleum Gas Board
Minutes
July 19th, 2012

The Alabama Liquefied Petroleum Gas Board held its regular quarterly Board meeting on July 19th, 2012 at 10:00 a.m. at 777 S. Lawrence Street, Montgomery, AL. Those in attendance were Chairman Wayne Caylor, Vice-Chairman Bob Reed, Benny Gay, Scott Lybarger, Board Members, Public Safety Designee Lt. Todd Till, Administrator Mark Nelson, Attorney Elizabeth Utley, Board Secretary Loretta V. Cook, Chief Inspector Tom Nuffer and LPG Fees Secretary Rose Johnson. Guests present were Daniel Dixon of Central Propane, Andy Wise of Ferrellgas, Chuck Britton of NexAir, LLC, Walt Stuart of Heritage Propane Express, Ken and Bonnie Coker of Wan-Bon Gas and Lisa Fountain of the Alabama Propane Gas Association. Board Member Darrel Calhoun, State Fire Marshal Ed Paulk and Consumer Advocate Charlene Goolsby were absent. Attorney Bill Garrett arrived at 10:42 a.m.

The Chairman called the meeting to order. The secretary called roll, a quorum being present. Mr. Lybarger gave the invocation.

The Chairman called for a motion to adopt the agenda.

- (1) Mr. Reed made a motion to adopt the agenda as presented. Seconded by Mr. Lybarger, the ayes were unanimous.

MINUTES OF THE LAST MEETING

The Chairman called for consideration of the minutes of the April 19th, 2012 meeting.

- (2) Mr. Gay made a motion to approve the minutes of the April 19th, 2012 meeting as circulated. Seconded by Lt. Till, the ayes were unanimous.

RESOLUTION UPDATE

The LP Gas Board Conference room was formally dedicated the “Barnie E. Gilliland Conference Room” during a ceremony held on July 19th, 2012 at 9:00 a.m. Family members of Mr. Gilliland, Board members, and office staff were in attendance.

OLD BUSINESS

Administrator Nelson advised the Board that the Rules and Regulations committee continues to work on industry employee qualifications and testing. Industrial Training Service has an established curriculum and is in the process of developing examinations for the Board’s review.

The Administrator advised the Board that all Settlement Agreements approved at the April Board meeting have been finalized.

The Administrator gave a legislative update. Proposed legislative amendments approved by the Board were not passed and efforts to reconsider and present at 2013 Legislative session are in progress.

NEW BUSINESS

The Class A Permit application for NexAir, LLC, Birmingham, AL was presented to the Board. After a discussion the following motion was made:

- (3) Mr. Reed made a motion to approve the Class A Permit application for NexAir, LLC, Birmingham, AL. Seconded by Mr. Lybarger, the ayes were unanimous.

The Class A Permit application for Heritage Propane Express, LLC, Centre, AL was presented to the Board. After a discussion the following motion was made:

- (4) Mr. Reed made a motion to approve the Class A Permit application for Heritage Propane Express, LLC, Centre, AL. Seconded by Mr. Gay, the ayes were unanimous.

The Class A Permit Application for Central Propane, LLC, Scottsboro, AL was presented to the Board.

- (5) Mr. Lybarger made a motion to approve the Class A Permit application for Central Propane, LLC, Scottsboro, AL as presented. Seconded by Mr. Gay, the ayes were unanimous.

The Class B Permit application for Centennial Energy, LLC, Denver, CO was presented to the Board.

- (6) Mr. Lybarger made a motion to approve the Class B Permit application for Centennial Energy, LLC, Denver, CO as presented. Seconded by Mr. Gay, the ayes were unanimous.

The Class B Permit application for Gavilon, LLC, Omaha, NE was presented to the Board.

- (7) Mr. Gay made a motion to approve the Class B Permit Application for Gavilon, LLC, Omaha, NE as presented. Seconded by Lt. Till, the ayes were unanimous.

The Class B Permit application for NexAir, LLC, Memphis, TN was presented to the Board.

- (8) Mr. Lybarger made a motion to approve the Class B Permit Application for NexAir, LLC, Memphis, TN. Seconded by Mr. Gay, the ayes were unanimous.

Four Class B-1 Permit applications were presented to the Board:

- (a) Airgas USA, LLC, Bessemer, AL
- (b) Airgas USA, LLC, Decatur, AL
- (c) Airgas USA, LLC, Montgomery, AL
- (d) Airgas USA, LLC, Opelika, AL

After a discussion the following motion was made:

- (9) Mr. Reed made a motion to approve the four Class B-1 permit applications as presented to the Board. Seconded by Mr. Lybarger, the ayes were unanimous.

The Class B-1 Permit application for Blossman Gas, Inc., Waynesboro, MS was presented to the Board:

- (10) Mr. Gay made a motion to approve the Class B-1 Permit Application for Blossman Gas, Inc., Waynesboro, MS. Seconded by Mr. Reed, the ayes were unanimous

The Class C Permit application for McGuire Plumbing Company, Wilsonville, AL was presented to the Board.

- (11) Mr. Lybarger made a motion to approve the Class C Permit application for McGuire Plumbing Company, Wilsonville, AL. Seconded by Mr. Gay, the ayes were unanimous.

The Class C Permit application for Tiffin Motor Homes, Inc., Red Bay, AL was presented to the Board.

(12) Mr. Lybarger made a motion to approve the Class C permit application as presented. Seconded by Lt. Till, the ayes were unanimous.

The Class F Permit application for CWI, Inc., d/b/a Camping World, Inc., Calera, AL was presented to the Board.

(13) Mr. Gay made a motion to approve the Class F Permit application for CWI, Inc., d/b/a Camping World, Inc., Calera, AL. Seconded by Mr. Lybarger, the ayes were unanimous.

The Class F Permit application for Greenville Propane Bottle Fill, Greenville, AL was presented to the Board.

(14) Mr. Gay made a motion to approve the Class F Permit application for Greenville Propane Bottle Fill, Greenville, AL. Seconded by Mr. Lybarger, the ayes were unanimous.

The Class F-1 Permit application for Holston Gas, Inc. was presented to the Board. After a discussion the following motion was made:

(15) Mr. Lybarger made a motion to approve the Class F-1 Permit application for Holston Gas, Inc., Jasper, AL. Seconded by Lt. Till, the ayes were unanimous.

Two Class F-1 Permit applications were presented to the Board:

- (a) Montgomery Industrial Gases, Inc., Brewton, AL
- (b) Montgomery Industrial Gases, Inc., Troy, AL

After a discussion the following motion was made:

(16) Mr. Reed made a motion to approve the two Class F-1 Permit applications for Montgomery Industrial Gases as presented. Seconded by Mr. Lybarger, the ayes were unanimous.

CODE VIOLATION SETTLEMENT AGREEMENTS

Settlement Agreement 2012-06 for code violations by a permit holder was presented to the Board by recusing Board Member Benny Gay. After a discussion the following motion was made:

(17) Mr. Reed made a motion to accept Settlement Agreement 2012-06 for code violations as presented. Seconded by Mr. Lybarger, there were three ayes. (Lybarger, Reed and Lt. Till voted aye. Mr. Gay abstained.)

In the absence of recusing Board Member Paulk, Settlement Agreement 2012-07 for code violations was presented to the Board by the Administrator. After a discussion the following motion was made:

(18) Mr. Lybarger made a motion to accept Settlement Agreement 2012-07 for code violations as presented. Seconded by Lt. Till, there were four ayes. (Lybarger, Reed, Lt. Till, Gay voted aye.)

In the absence of recusing Board Member Goolsby, Settlement Agreement 2012-08 for code violations was presented to the Board by the Administrator. After a discussion the following motion was made:

(19) Mr. Reed made a motion to accept Settlement Agreement 2012-08 for code violations as presented. Seconded by Mr. Lybarger, there were four ayes. (Reed, Gay, Lybarger, Lt. Till voted aye.)

In the absence of recusing Board Member Paulk, Settlement Agreement 2012-09 for code violations was presented to the Board by the Administrator. After a discussion the following motion was made:

(20) Mr. Lybarger made a motion to accept Settlement Agreement 2012-09 for code violations as presented. Seconded by Mr. Gay, there were four ayes. (Gay, Reed, Lt. Till, Lybarger voted aye.)

In the absence of recusing Board Member Calhoun, Settlement Agreement 2012-10 was presented to the Board by the Administrator. After a discussion the following motion was made:

(21) Mr. Lybarger made a motion to accept Settlement Agreement 2012-10 as presented. Seconded by Mr. Reed, there were four ayes. (Gay, Reed, Lt. Till, Lybarger voted aye.)

In the absence of recusing Board Member Paulk, Settlement Agreement 2012-11 was presented to the Board by the Administrator. After a discussion the following motion was made:

(22) Mr. Gay made a motion to accept Settlement Agreement 2012-11 as presented. Seconded by Mr. Reed, there were four ayes. (Gay, Reed, Lt. Till, Lybarger voted aye.)

Board Attorney Bill Garrett arrived at 10:42 a.m.

The respondent in Settlement Agreement 2012-12 and Settlement Agreement 2012-13 has not replied/responded to the agreement. The Administrator will contact the licensee prior to the October 2012 Board meeting. After a discussion the following motion was made:

(23) Mr. Reed made a motion to table Settlement Agreement 2012-12 and Settlement Agreement 2012-13 until the October 2012 meeting. Seconded by Mr. Till, the ayes were unanimous.

The Administrator presented a request from Chiles Propane, LLC, a Tennessee Limited Liability Company for a waiver of minimum storage requirements. The LP Gas Board does not have authority to waive a statutory requirement. After a discussion the following motion was made:

(24) Mr. Reed made a motion to allow Board Attorney Bill Garrett to answer in writing that the Board does not have the authority to waive the statute. Seconded by Lt. Till, the ayes were unanimous.

The Administrator acknowledged and thanked Board Attorney Bill Garrett for his assistance.

RESEARCH EDUCATION ADVISORY COMMITTEE MEMBERS

The Chairman appointed Mr. Gay and Mr. Lybarger to serve on the Research Education Advisory Committee for a one-year term.

ADMINISTRATOR'S REPORT

The Administrator requested that the list of cancelled permits be accepted/approved as presented and circulated.

(25) Mr. Reed made a motion that the cancelled permits be accepted/approved as printed and circulated. Seconded by Mr. Lybarger, the ayes were unanimous.

Cancelled Permits

Inergy Propane LLC d/b/a Columbus Butane, Double Springs, AL, Class B-1 No. 520 cancelled effective June 2012. The branch has closed.

Inergy Propane LLC d/b/a Dowdle Gas, Eutaw, AL, Class B-1 Permit No. 473 cancelled effective June 2012. The branch has closed.

Inergy Propane LLC d/b/a Dowdle Gas, Greenville, AL, Class B-1 Permit No. 479 cancelled effective June 2012. The branch has closed.

Inergy Propane LLC d/b/a Dowdle Gas, Hamilton, AL, Class B-1 Permit No. 481 cancelled effective June 2012. The branch has closed.

Barnett Heating & Air, Haleyville, AL, Class C Permit No. 400 cancelled effective December 31, 2011. Company failed to meet all statute requirements (non-payment of renewal fees and proof of insurance).

CMEC Services, Piedmont, AL, Class C Permit No. 859 cancelled effective December 31, 2011. Company failed to meet all statute requirements (non-payment of renewal fees and proof of insurance).

Pride Heating & Air, Inc., Morris, AL, Class C Permit No. 865 cancelled effective December 31, 2011. Company failed to meet all statute requirements (non-payment of renewal fees and proof of insurance).

Climate Control Heating & A/C, Carbon Hill, AL, Class C Permit No. 399 cancelled effective February 2012. Applicant failed to complete all statute requirements.

Cox Gas Appliance Repair & Installation, Class C Permit No. 762 cancelled effective December 2010. Company failed to meet all statute requirements (non-payment of renewal fees and proof of insurance).

Cross Country Heating & Air, Inc., Chatom, AL, Class C Permit No. 219 cancelled effective December 31, 2011. Company failed to meet all statute requirements (lack proof of insurance, non-payment of permit renewal fees and late penalties).

Falkner Plumbing Services LLC, Birmingham, AL, Class C Permit No. 835 cancelled effective December 31, 2011. Company failed to meet all statute requirements (lack proof of insurance, non-payment of permit renewal fees and late penalties.)

Greg Murray Heating & A/C Service, Ozark, AL, Class C Permit No. 426 cancelled effective December 31, 2011. Company failed to meet all statute requirements (lack proof of insurance, non-payment of permit renewal fees and penalties).

Hollon Heating & Air, Clanton, AL, Class C Permit No. 726 cancelled effective December 31, 2011. Company failed to meet all statute requirements (lack proof of insurance, non-payment of permit renewal fees and penalties).

Hunter Electric Service, Huntsville, AL, Class C Permit No. 42 cancelled effective May 2012 upon receipt of Articles of dissolution of the Hunter Electric Service, Inc.

J & R Propane Service, Ozark, AL, Class C Permit No. 864 cancelled effective December 31, 2011. Company failed to meet all statute requirements (lack proof of insurance, non-payment of permit renewal fees and penalties).

M & C Mobile RV Service, Pell City, AL, Class C Permit No. 814 cancelled effective December 31, 2011. Company failed to meet all statute requirements (non-payment of permit renewal fees and penalties).

TLC Gas Fitters, Wetumpka, AL, Class C permit No. 833 cancelled effective December 31, 2011. Company failed to meet all statute requirements (non-payment of permit renewal fees and penalties).

Tri-Services, Arab, AL, Class C Permit No. 788 cancelled effective December 31, 2011. Company failed to meet all statute requirements (non-payment of permit renewal fees and penalties).

Wright Heating & Air Conditioning, LLC, Montgomery, AL, Class C Permit 487 effective December 31, 2011. Company failed to meet statute requirements (non-payment of permit renewal fees and penalties).

NexAir LLC of Memphis, Memphis, TN, Class F-1 Permit No. 202 cancelled effective December 31, 2011 at the company's request.

The Administrator advised the Board's that Board Inspector David Norris was hired June 2012 to fill the North Central territory position. The Southwest territory position is still vacant.

The Board's quarterly objectives and financial position were presented to the Board.

(26) Mr. Lybarger made a motion to accept the Administrator's Report as presented. Seconded by Mr. Gay, the ayes were unanimous.

Date of the next Board meeting is October 11th, 2012.

(27) Mr. Reed made a motion to pay the Board members expenses. Seconded by Mr. Gay, the ayes were unanimous.

The meeting was adjourned at 11:00 a.m.



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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MONTGOMERY, ALABAMA 36102-1742

W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Hare Krishna, Inc. dba Jet Pep #21
F Permit # 235

SETTLEMENT AGREEMENT 2012-06

Hare Krishna, Inc. dba Jet Pep # 21 (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board" to the following:

STIPULATED FACTS

1. Respondent's employee, Julie Wheeler, attempted to fill an out-of-date 100 pound cylinder presented for filling by an Alabama LP-Gas Board Inspector.

STIPULATED CONCLUSIONS OF LAW

Respondent admits employee attempted to fill an out-of-date cylinder in violation of NFPA 58 (1998 Edition) §4-2.2.4

STIPULATED DISPOSITION

The Board and the Respondent agree that this action will be settled upon the following terms:

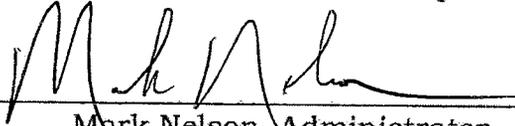
1. The Respondent agrees to remit a fine of \$ 500 to the Board within 30 days of the Board's acceptance of this agreement.
2. The Respondent agrees to serve a one-year probation of F Permit # 235, during which time any violation of a Board statute, rule, or regulation will subject said permit to the Board's full pursuit of administrative remedies available under Alabama Law.
3. The Respondent agrees to notify and provide the Alabama LP-Gas Board with certificates of training for all new employees prior to allowing them to dispense propane. Also, new employees must complete

- and pass the Class F exam provided by the Alabama LP-Gas Board prior to dispensing propane.
4. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its administrative remedies available under Alabama Law.
 5. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
 6. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
 7. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 09 day of July, 2012



Pritesh Patel (Respondent)
Hare Krishna, Inc. dba Jet Pep #21



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



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W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Inergy Propane, LLC dba Country Gas / Selma B-1 Permit # 527
&
Inergy Propane, LLC dba Dowdle Gas / Haleyville B-1 Permit # 480

SETTLEMENT AGREEMENT 2012-07

Inergy Propane, LLC dba Country Gas/Selma and Dowdle Gas/Haleyville (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

1. Respondent's employee, Kevin Box, failed to change the relief valves in 25 forklift cylinders after the first 12 years of service.
2. Respondent's employee, Ron Reynolds, disconnected and replaced a competitor's container and failed to leave the competitor's container on a firm masonry foundation.

STIPULATED CONCLUSIONS OF LAW

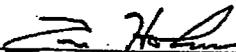
1. Respondent admits employee failed to install new relief valves in 25 forklift cylinders after the first 12 years of service in violation of *NFPA 58 (1998 Edition) § 8-3.7*.
2. Respondent admits employee failed to leave a competitor's container, that he disconnected, on a firm masonry foundation in violation of *Alabama Administrative Code 530-X-2-16(b)(2)*.

STIPULATED DISPOSITION

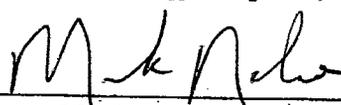
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 2900 to the Board within 30 days of the Board's acceptance of this agreement (\$2500 Forklift cylinders; \$400 masonry foundation).
2. The Respondent agrees to serve a one-year probation of B-1 Permits #527 and #480, during which time any violation of a Board statute, rule, or regulation will subject said permits to the Board's full pursuit of administrative remedies available under Alabama Law.
3. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its administrative remedies available under Alabama Law.
4. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
5. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
6. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 9 day of July, 2012.



Tim Holmes (Respondent)
Director of Fleet and Safety
Inergy Propane, LLC



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Allgas, Inc. / Arab, AL B-1 Permit # 256

SETTLEMENT AGREEMENT 2012-08

Allgas, Inc. / Arab (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

Southern States/Cullman (hereinafter referred to as "Respondent's agent") attempted to fill an out-of-date 100 lb. cylinder without using the scales to properly fill the cylinder.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits Respondent's agent attempted to fill an out-of-date cylinder in violation of *NFPA 58 (1998 Edition) §4-2.2.4*.
2. Respondent admits Respondent's agent failed to use the provided scales to fill the cylinder by weight in violation of *Alabama Administrative Code 530-X-2-.04(a)*.

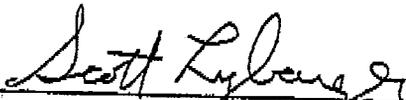
STIPULATED DISPOSITION

The Board and the Respondent agree that this action will be settled upon the following terms:

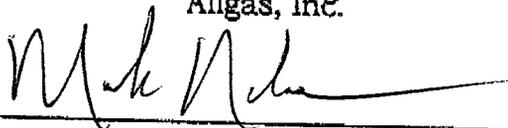
1. The Respondent agrees to remit a fine of \$ 675 to the Board within 30 days of the Board's acceptance of this agreement (\$ 175 out-of-date cylinder; \$500 not using scales).

2. The Respondent agrees to serve a one-year probation of B-1 Permit # 256, during which time any violation of a Board statute, rule, or regulation will subject said permits to the Board's full pursuit of administrative remedies available under Alabama Law.
3. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its administrative remedies available under Alabama Law.
4. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
5. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
6. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 16th day of JULY, 2012



Scott Lybarger (Respondent)
Allgas, Inc.



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Clark Gas Company / Sheffield, AL Class "A" Permit # 177

SETTLEMENT AGREEMENT 2012-09

Clark Gas Company / Sheffield (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

1. Clark Gas Company employee, Danny McSwain, disconnected and replaced a competitor's container and failed to leave the container on a firm masonry foundation and cap the outlet of the container.
2. Cullman Exxon (hereinafter referred to as Respondent's agent) attempted to fill an out-of-date 100# cylinder without using the scales to properly fill the cylinder.

STIPULATED CONCLUSIONS OF LAW

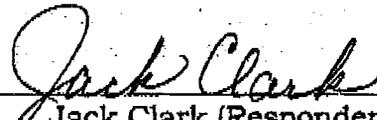
1. Respondent admits to disconnecting a competitor's container and failing to leave it on a firm masonry foundation in violation of *Alabama Administrative Code 530-X-2-.16 (b)(2)*
2. Respondent admits to disconnecting a competitor's container and failing to cap the container outlet in violation of *Alabama Administrative Code 530-X-2-.16(b)(1)*.
3. Respondent admits Respondent's agent attempted to fill an out-of-date cylinder in violation of *NFPA 58 (1998 Edition) §4-2.2.4*.
4. Respondent admits Respondent's agent failed to use the provided scales to fill the cylinder by weight in violation of *Alabama Administrative Code 530-X-2-.04(a)*.

STIPULATED DISPOSITION

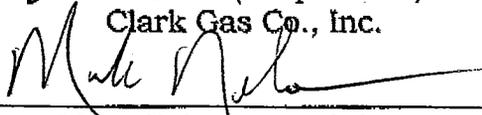
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 1200 to the Board within 30 days of the Board's acceptance of this agreement (\$ 200 out-of-date cylinder; \$500 not using scales; \$100 not capping tank outlet; \$400 not leaving tank on firm masonry foundation).
2. The Respondent agrees to serve a one-year probation of Class "A" Permit # 177, during which time any violation of a Board statute, rule, or regulation will subject said permits to the Board's full pursuit of administrative remedies available under Alabama Law.
3. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its administrative remedies available under Alabama Law.
4. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
5. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
6. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 16 day of July, 2012



Jack Clark (Respondent)
Clark Gas Co., Inc.



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



W. MARK NELSON
ADMINISTRATOR

ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE
ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Automatic Gas Company of Eufaula Class "A" Permit # 24

SETTLEMENT AGREEMENT 2012-10

Automatic Gas Company of Eufaula (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

Automatic Gas Company of Eufaula used a cargo tank delivery truck that had been "Red Tagged" by the Alabama LP-Gas Board.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits to using a truck that had been "Red Tagged" by the Alabama LP-Gas Board in violation of *Code of Alabama § 9-17-100(12)*.

STIPULATED DISPOSITION

The Board and the Respondent agree that this action will be settled upon the following terms:

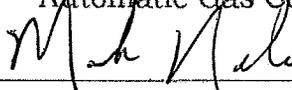
1. The Respondent agrees to remit a fine of \$ 1000 to the Board within 30 days of the Board's acceptance of this agreement.
2. The Respondent agrees to serve a one-year probation of Class "A" Permit # 24, during which time any violation of a Board statute, rule, or regulation will subject said permit to the Board's full pursuit of administrative remedies available under Alabama Law.

3. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its administrative remedies available under Alabama Law.
4. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
5. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
6. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 13 day of July, 2012



Leckie Mattox, III (Respondent)
Automatic Gas Co. of Eufaula



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

P.O. BOX 1742
TELEPHONE (334) 242-5649
FAX (334) 240-3255
777 S. Lawrence Street, Suite 100
MONTGOMERY, ALABAMA 36102-1742

W. MARK NELSON
ADMINISTRATOR



BEFORE THE
ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Ferrellgas / Butler, GA Office Code Violations

SETTLEMENT AGREEMENT 2012-11

Ferrellgas of Butler, Georgia (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to ratification by the Alabama Liquefied Petroleum Gas Board (hereinafter referred to as "the Board") to the following:

STIPULATED FACTS

Respondent installed another company's container without their permission and written authorization.

STIPULATED CONCLUSIONS OF LAW

Respondent admits to installing another company's container without written authorization in violation of *Alabama Administrative Code 530-X-2-.16(c)*.

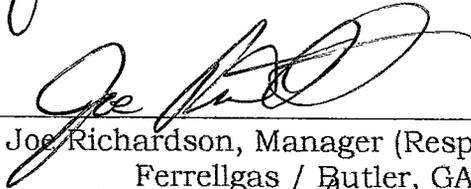
STIPULATED DISPOSITION

The Board and the Respondent agree that this action will be settled upon the following terms:

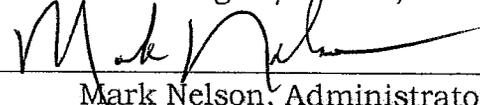
1. The Respondent agrees to remit a fine of \$ 1000 to the Board within 30 days of the Board's acceptance of this agreement.
2. The Respondent agrees to serve a one-year probation of Class "B-1" Permit # 552, during which time any violation of a Board statute, rule, or regulation will subject said permit to the Board's full pursuit of administrative remedies available under Alabama Law.

3. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego the pursuit of its administrative remedies available under Alabama Law.
4. The Respondent waives his rights pursuant to Ala. Code Sec. 41-22-12; and Ala. Admin. Code Sec. 530-X-1-03 including, but not limited to, the opportunity for a hearing before the Board.
5. This Settlement Agreement shall become effective upon the execution by the parties and upon approval by the Board. Upon approval by the Board, this agreement shall be made a part of the official minutes of the Board's next regularly scheduled meeting. Respondent acknowledges and understands that the official minutes of the Board will be published on the Board's website.
6. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Settlement Agreement, the stipulated facts, conclusions of law and impositions of discipline herein.

Signed this 12th day of July, 2012



Joe Richardson, Manager (Respondent)
Ferrellgas / Butler, GA



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board