

Alabama Liquefied Petroleum Gas Board
Minutes
January 10, 2019

The Alabama Liquefied Petroleum Gas Board held its quarterly board meeting on January 10, 2019, 10:00 a.m. at 770 S. McDonough Street, Montgomery, AL.

Members Present: Chairman Bill Montgomery, Vice-Chairman Larry Parden, Dickie Ferguson, Public Safety Designee Lt. Ronni Fetty, Public Service Commission Designee Wallace Jones, State Fire Marshal Scott Pilgreen, and Board Attorney Matt Bledsoe.

Members Absent: Benny Gay and Consumer Advocate Elizabeth Barnett.

With a quorum present, the Chairman called the meeting to order and Mr. Ken Coker gave the invocation.

The Chairman called for a motion to adopt the agenda.

1) Mr. Parden moved to adopt the agenda as presented. Seconded by Mr. Ferguson, the ayes were unanimous.

Copies of board meeting packages supplied to board members are retained on file at the Alabama LP-Gas Board office and are available for inspection upon request.

Election of Officers

Chairman Montgomery opened the nominations for Chairman. Mr. Ferguson nominated Mr. Benny Gay for Chairman. The nominations were closed. Mr. Gay was elected Chairman by acclamation.

In the absence of the elected Chairman, Board Member Montgomery served as Chairman for today's meeting.

Acting Chairman Bill Montgomery opened the nominations for Vice-Chairman. Mr. Jones nominated Mr. Bill Montgomery for Vice-Chairman. The nominations were closed. Mr. Montgomery was elected Vice-Chairman by acclamation.

Minutes of the Last Meeting

The Chairman called for the approval of the minutes of the October 11, 2018 meeting.

2) Mr. Parden moved to approve the minutes of the October 11, 2018 meeting. Seconded by Mr. Jones, the ayes were unanimous.

Old Business

The Administrator advised the Board that Mr. Ferguson was the only nominee for board member for the Northwest Territory. His name has been submitted to the Governor for approval.

New Business

Two Class B permit applications were presented to the Board.

1. MarkWest Hydrocarbon LLC, Denver, CO
2. Westlake Chemical OpCo LP, Houston, TX

3) Mr. Ferguson moved to approve the two Class B permit applications. Seconded by Mr. Pilgreen, the ayes were unanimous.

Ten Class B-1 permit applications were presented to the Board.

1. ThompsonGas LLC, Brewton, AL
2. ThompsonGas LLC, Butler, AL
3. ThompsonGas LLC, Camden, AL
4. ThompsonGas LLC, Chancellor, AL
5. ThompsonGas LLC, Chatom, AL

6. ThompsonGas LLC, Evergreen, AL
7. ThompsonGas LLC, Greenville, AL
8. ThompsonGas LLC, Monroeville, AL
9. ThompsonGas LLC, Moundville, AL
10. ThompsonGas LLC, Thomasville, AL

- 4) Mr. Parden moved to approve the ten Class B-1 permit applications. Seconded by Mr. Ferguson, the ayes were unanimous.

Four Class C permit applications were presented to the Board.

1. Down South Air LLC, Randolph, AL
2. Hall & Associates LLC, Foley, AL
3. South Alabama Gas District, Evergreen, AL
4. Ted Light Plumbing LLC, Talladega, AL

- 5) Mr. Jones moved to approve the four Class C permit applications. Seconded by Mr. Ferguson, the ayes were unanimous.

Eight Class F permit applications were presented to the Board.

1. AL-RV Parks LLC dba Island Retreat RV Park, Gulf Shores, AL
2. Alabama Lawn Equipment & Service, Inc. Wetumpka, AL
3. Glenda's at Cowan Creek dba Paw Paw's, Centre, AL
4. Love's Travel Stop #718, Hope Hull, AL
5. Service Star LLC, Gadsden, AL
6. Service Star LLC, Springville, AL
7. Southeast Ace LLC dba McFarland Ace, Northport, AL
8. Tractor Supply Company, Scottsboro, AL

- 6) Mr. Ferguson moved to approve the eight Class F permit applications. Seconded by Mr. Jones, the ayes were unanimous.

Code Violation Settlement Agreements

Settlement Agreement 2018-12 for code violations was presented for approval.

- 7) Mr. Ferguson moved to accept Settlement Agreement 2018-12 for code violations. Seconded by Mr. Parden, the ayes were unanimous.

Request for Waiver of Penalty on Late LPG Fees

The Administrator presented a request from Targa Resources for waiver of penalties in the amount of \$365.64 for late filing of LPG fees. The fee report in question was postmarked after the due date by Targa Resource's own mail room.

- 8) Mr. Pilgreen moved to deny the request for waiver of penalties on late LPG fees. Seconded by Mr. Parden, the ayes were unanimous.

Administrator's Report

The Administrator presented the following permits for cancellation:

- 431 Gas & Country Store LLC, Alexandria, AL, Class F Permit No. 636 cancelled due to cancellation of insurance.
- CNRG LLC dba Harvey Home Hardware, Phenix City, AL, Class F Permit No. 566 cancelled due to non-renewal of permit.
- Cullman Campground, Cullman, AL, Class F Permit No. 376 cancelled due to non-renewal of permit.
- Hubbard & Drake Gen Mech Cont., Decatur, AL, Class D Permit No. 213 cancelled at owner's request.

- Industrial Service & Supply, Valley, AL, Class F Permit No. 183 cancelled at the company's request.
- Island Retreat RV Park, Gulf Shores, AL, Class F Permit No. 603 cancelled due to non-renewal of permit.
- Kowaliga Fireplace LLC, Eclectic, AL, Class F Permit No.525 cancelled due to non-renewal of permit.
- Logan Landing LLC dba Logan Landing RV Resort & Campground, Alpine, AL, Class F Permit No. 590 cancelled due to non-renewal of permit.
- Mid-South Propane, Inc., Carbon Hill, AL, Class B-1 Permit No. 566 cancelled at the company's request. Acquired by ThompsonGas, LLC.
- Mid-South Propane, Inc./Jones Chapel, Cullman, AL, Class B-1 Permit No. 560 cancelled at the company's request. Acquired by ThompsonGas, LLC.
- Mid-South Propane, Inc., Detroit, AL, Class A Permit No. 275 cancelled at the company's request. Acquired by ThompsonGas, LLC.
- Mid-South Propane, Inc., Florence, AL, Class B-1 Permit No. 671 cancelled at the company's request. Acquired by ThompsonGas, LLC.
- Mid-South Propane, Inc., Hazel Green, AL, Class C Permit No. 682 cancelled at the company's request. Acquired by ThompsonGas, LLC.
- Moseley's One Stop, Inc., Kellyton, AL, Class F Permit No. 554 cancelled due to non-renewal of permit.
- PM Hardy LLC dba Cowan Creek Resort, Centre, AL, Class F Permit No. 708 cancelled due to non-renewal of permit.
- Roebuck Landing Grocery, Akron, AL, Class F Permit No. 477 cancelled due to non-renewal of permit and insurance.
- Smith Mountain, Inc. dba Ace of Helena, Helena, AL, Class F Permit No. 293 cancelled due to sale of business to Class F Permit No. 744 – Barron Ventures LLC.
- Southern LP Gas Inc., Bowdon, GA, Class A Permit No. 256 cancelled at the request of the owner.
- Torch 85 Travel Center LLC, Tuskegee, AL, Class F Permit No. 671 cancelled due to non-renewal of permit.
- Wakefield Enterprises Inc dba Gulf Breeze RV Resort, Gulf Shores, AL, Class F Permit No. 412 cancelled at the request of the owner.

The Administrator presented the board's financial position.

- 9) Mr. Ferguson moved to accept the Administrator's Report as presented. Seconded by Mr. Parden, the ayes were unanimous.

The date of the next board meeting is April 11, 2019.

- 10) Mr. Parden moved to pay the Board Members' expenses. Seconded by Mr. Ferguson, the ayes were unanimous.

The meeting was adjourned at 10:50 a.m.



ALABAMA LIQUEFIED PETROLEUM GAS BOARD

777 S. Lawrence Street, Suite 100

TELEPHONE (334) 241-8887

FAX (334) 240-3255

P.O. BOX 1742

MONTGOMERY, ALABAMA 36102-1742

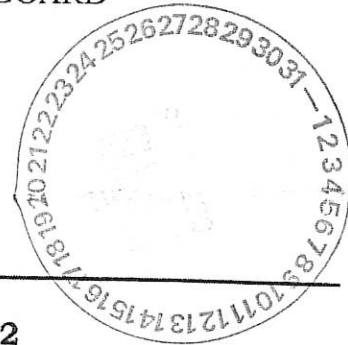
W. MARK NELSON
ADMINISTRATOR

LORETTA VEASLEY COOK
EXECUTIVE ASSISTANT

BEFORE THE
ALABAMA LIQUEFIED PETROLEUM GAS BOARD

IN THE MATTER OF:

Johnny's RV / Grand Bay, AL
Permit "F" # 739 (Pending)
Code Violations



SETTLEMENT AGREEMENT 2018-12

Johnny's RV / Grand Bay in Grand Bay, AL (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 admits operating a cylinder filling dispenser without a permit.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits operating a cylinder filling dispenser without a permit in violation of *Code of Alabama 9-17-105(b)(9)*.

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 (Operating without a permit \$1000) to the Board within 30 days of the Board's acceptance of this agreement.
2. In consideration of Respondent's full and complete compliance with this Settlement Agreement and the terms hereof, the Board agrees to forego

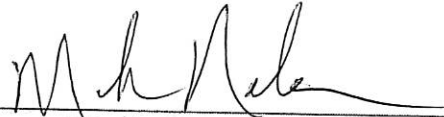
the pursuit of its administrative remedies available under Alabama Law, including Ala. Code §9-17-108(b).

3. 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.
4. 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.
5. 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 12 day of Oct, 2018



Johnny Bowen, Respondent
Johnny's RV / Grand Bay, AL



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board