

Liquefied Petroleum Gas Board
Minutes
January 14, 2021

The Alabama Liquefied Petroleum Gas Board held its quarterly board meeting on January 14, 2021 at 10:00 a.m. at 173 Medical Center Drive in Prattville, AL. This location has been used for the last three board meetings instead of the normal meeting location due to the need for extra space necessary for COVID-19 social distancing requirements.

Members Present: Chairman State Fire Marshall Scott Pilgreen, Vice-Chairman Dickie Ferguson, Larry Parden, Ken Sexton, Consumer Advocate Elizabeth Barnett (via Microsoft Teams), Public Service Commission Designee Wallace Jones, Public Safety Designee Cpl. Jeremy Burkett, and Board Attorney Matt Bledsoe (via Microsoft Teams).

Members Absent: None.

With a quorum present, the Chairman called the meeting to order and Administrator Mark Nelson gave the invocation.

The Chairman called for a motion to adopt the agenda.

(1) Mr. Jones moved to adopt the agenda. Seconded by Mr. Ferguson the ayes were unanimous.

Copies of 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 Pilgreen opened the nominations for Chairman.

Mrs. Barnett nominated Mr. Pilgreen for Chairman. Mr. Jones seconded the nomination. Mr. Parden nominated Mr. Ferguson for Chairman. Mr. Sexton seconded the nomination. With no further nominations, the nominations were closed. Mr. Pilgreen was then elected Chairman by a vote of 4-3 as follows:

Mr. Ferguson – Mr. Parden, Mr. Sexton, and Mr. Ferguson
Mr. Pilgreen – Mr. Jones, Mr. Burkett, Mrs. Barnett, and Mr. Pilgreen.

Chairman Pilgreen opened the nomination for Vice-Chairman.

Mr. Sexton nominated Mr. Ferguson as Vice-Chairman. Mr. Wallace seconded the nomination. With no further nominations, the nominations were closed.

Mr. Ferguson was elected Vice-Chairman by acclamation.

Minutes of the Last Meeting

The Chairman called for approval of the minutes of the October 8, 2020 meeting.

(2) Mr. Jones moved to approve the minutes of the October 8, 2020 meeting. Seconded by Mr. Ferguson, the ayes were unanimous.

Old Business

(a) The Administrator announced that Mr. Ken Sexton was selected as the Southeast Board Member in accordance with the *Code of Alabama 9-17-101(d) 90-Day Rule*.

(b) The Administrator requested the board consider approval of Petition for a Declaratory Ruling No. 2020-01 based on *NFPA 58 (2011 edition) § 1.5 Equivalency* as presented by Amerigas Propane.

(3) Mr. Jones moved to approve Amerigas' Petition for a Declaratory Ruling Docket No. 2020-01. Seconded by Mrs. Barnett, there were four ayes. (Barnett, Pilgreen, Jones, and Burkett.) There were three nays (Parden, Ferguson and Sexton). The petition request was approved by a vote of 4-3.

New Business

The Administrator advised the Board that three nominees must be submitted to the Governor's office for appointment of a representative to the Alabama Energy & Residential Codes Board.

(4) Mr. Parden moved to approve the following three nominees and send to the Governor with an order of preference as listed below. Seconded by Mr. Ferguson, the ayes were unanimous.

Alabama Energy & Residential Codes Board Appointment Nominees

- Scott Pilgreen, LPGB Board Member – State Fire Marshall
- Lisa Fountain, Executive Director, Alabama Propane Gas Association
- Wallace Jones, LPGB Board Member, Alabama Public Service Commission

A Class A permit application was presented to the Board.

- DCC Propane, LLC/Athens, AL

(5) Mr. Ferguson moved to approve the Class A permit application. Seconded by Mr. Jones, the ayes were unanimous.

Two Class C Permit applications were presented to the Board.

- Burton's LP Service, McKenzie, AL
- Innovative Plumbing Concepts LLC, Opelika, AL

(6) Mr. Parden moved to approve the two Class C permit applications. Seconded by Mr. Ferguson, the ayes were unanimous.

A Class C-2 permit application was presented to the Board.

- Blue Goose Transportation LLC, Florence, AL

(7) Mr. Jones moved to approve the Class C-2 permit application. Seconded by Mr. Ferguson, the ayes were unanimous.

Five Class F permit applications were presented to the Board.

- CSGBSH Huntsville, AL II LLC, Huntsville, AL
- Dawes LLC, Mobile, AL
- Hayneville Ace Hardware LLC, Hayneville, AL
- Jackson Storage LLC, Saraland, AL
- Rocket City Storage LLC, Meridianville, AL

(8) Mr. Jones moved to approve the five Class F permit applications. Seconded by Mr. Ferguson, the ayes were unanimous.

A Class F-1 permit application was presented to the Board.

- Holston Gases, Inc., Huntsville, AL

(9) Mr. Sexton moved to approve the Class F-1 permit application. Seconded by Mr. Jones, the ayes were unanimous.

Code Violations Settlement Agreements

There were no code violation Settlement Agreements to address.

Administrator's Report

The Administrator presented the following permits for cancellation:

- Alabama Lawn Equipment & Service, Inc./Wetumpka, AL, Class F Permit No. 723 cancelled due to no longer dispensing propane. Equipment has been removed.
- Alder Springs Grocery/Albertville, AL, Class F Permit No. 623 cancelled at the owner's request.
- American Midstream Chatom Unit 1 LLC/Denver, CO, Class B Permit No. 642 cancelled at the owner's request.
- Dawes Hardware LLC/Mobile, AL, Class F Permit No. 533 cancelled at the owner's request.
- House's Outdoor Country LLC/Evergreen, AL, cancelled no longer dispensing propane. Equipment has been removed.
- McBride Tire LLC/Aliceville, AL, Class F Permit No. 664 cancelled for non-renewal of permit.
- Paynes Bellingrath Rd & RV Parks, Inc./Theodore, AL, Class F Permit No. 443 cancelled sold business to another company. Non-renewal of permit.

- S & S Services LLC dba Bay Palms RV Resort/Coden, AL, Class F Permit No. 514 cancelled for non-renewal of permit.
- Shady Acres Mobile Home Court/Mobile, AL, Class F Permit No. 413 cancelled at the owner's request.
- Stateline Gas, Inc/Ranburne, AL, Class A Permit No. 221 cancelled due to business sold to Blossman Gas.

The board's financial position was presented by the Administrator.

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

Date of the next board meeting is April 8, 2021.

- (13). Mr. Jones moved to pay the board members' expenses. Seconded by Mr. Ferguson, the ayes were unanimous.

The meeting was adjourned at 10:34 a.m.

AGENDA
ALABAMA LP GAS BOARD
QUARTERLY BOARD MEETING
January 14, 2021

- 1. Call Meeting to Order**
 - A. Invocation
 - B. Roll Call
 - C. Introduction of Guests

- 2. Adopt the Agenda**

- 3. Election of Officers**
 - A. Chairman
 - B. Vice-Chairman

- 3. Approval of Minutes from October 8, 2020**

- 4. Old Business**
 - A. Update of Southeast Board Member Election
 - B. Update of Amerigas' Petition for a Declaratory Ruling Docket No. 2020-01 – Motion to approve based on *NFPA 58 (2011 edition) § 1.5 Equivalency*.

- 5. New Business**
 - A. Alabama Energy & Residential Codes Board Appointment Nominees**
 1. Scott Pilgreen, LPGB Board Member – State Fire Marshall
 2. Lisa Fountain, Executive Director, Alabama Propane Gas Association
 3. Wallace Jones, LPGB Board Member, Alabama Public Service Commission

Motion: To submit the three nominees to the Governor with an order of preference as listed based on the request of the latter two nominees.

 - B. Class A Permit Application (to perform retail operations)**
 1. DCC Propane, LLC / Athens, AL

 - C. Class C Permit Application (to service, install, repair, and adjust LP-gas appliances and piping)**
 1. Burton's LP Service, McKenzie, AL
 2. Innovative Plumbing Concepts LLC, Opelika, AL

 - D. Class C-2 Permit Application (to perform inspections of LP-gas containers)**
 1. Blue Goose Transportation LLC, Florence, AL

 - E. Class F Permit Applications (to operate a retail LP-gas dispensing station)**
 1. CSGSH Huntsville, AL II LLC, Huntsville, AL
 2. Dawes LLC, Mobile, AL
 3. Hayneville Ace Hardware LLC, Hayneville, AL
 4. Jackson Storage LLC, Saraland, AL
 5. Rocket City Storage LLC, Meridianville, AL

F. Class F-1 Permit Application (to fill welding or cutting gases in LP-gas cylinders or LP-gas motor fuel containers of less than 351 lbs. and transport to industrial sites)

1. Holston Gases, Inc., Huntsville, AL

G. Code Violation Settlement Agreements-None

6. Administrator's Report

- A. Cancelled Permits
- B. Financial Information
- C. Motion to Accept Administrator's Report

7. Date of Next Board Meeting – April 8, 2021

8. Payment of Board Members' Expenses

9. Adjourn

ADMINISTRATOR'S REPORT
January 14, 2021

A. Cancelled Permits

- Alabama Lawn Equipment & Service, Inc./Wetumpka, AL, Class F Permit No. 723 cancelled no longer dispensing propane. Equipment has been removed.
- Alder Springs Grocery/Albertville, AL, Class F Permit No. 623 cancelled at the owner's request.
- American Midstream Chatom Unit 1 LLC/Denver, CO, Class B Permit No. 642 cancelled at the owner's request.
- Dawes Hardware LLC/Mobile, AL, Class F Permit No. 533 cancelled at the owner's request.
- House's Outdoor Country LLC/Evergreen, AL, cancelled no longer dispensing propane. Equipment has been removed.
- McBride Tire LLC/Aliceville, AL, Class F Permit No. 664 cancelled for non-renewal of permit.
- Paynes Bellingrath Rd & RV Park, Inc./Theodore, AL, Class F Permit No. 443 cancelled sold business to another company. Non-renewal of permit.
- S & S Services LLC dba Bay Palms RV Resort/Coden, AL, Class F Permit No. 514 cancelled for non-renewal of permit.
- Shady Acres Mobile Home Court/Mobile, AL, Class F Permit No. 413 cancelled at the owner's request.
- Stateline Gas, Inc/Ranburne, AL, Class A Permit No. 221 cancelled due to business sold to Blossman Gas.

B. Board's Financial Position

ADMINISTRATOR'S REPORT

Alabama LP-Gas Board Finances:

	<u>FY 2020</u>	<u>FY2021</u>	<u>Net Change</u>
Revenue (Oct-Dec)	\$ 376,628.30	\$ 348,231.46*	\$ -28,396.84 -7.54%
Expenditures (Oct-Dec)	\$ 347,713.97	\$ 336,198.12	\$ -11,515.85 - 3.31 %

*Revenue is incomplete due to COVID-19 staffing issues at Comptroller's office the latter half of December leading to some deposits not yet posted to our fund. See Revenue on next page taken from our in-house deposit journals. (~77K)

Gallons:

FY 2020 YTD (Oct. 2019 – Dec. 2019) 64,578,918 gallons

FY 2021 YTD (Oct. 2020 – Dec. 2020) 71,632,488 gallons

- Increase in Gallons from FY 2020 7,053,570
- % Increase in Gallons over FY 2020 10.92 %
- Increase in Fee Revenue \$ 35,267.85

Financial Position:

	<u>FY 2020</u>	<u>FY 2021</u>
Available Cash (December 31)	\$ 326,263.50	\$ 370,757.50
Unobligated Cash (December 31)	\$ 170,156.20	\$ 179,020.36

ADMINISTRATOR'S REPORT (Continued)

Revenue October 2020 – December 2020

<u>Sources of Revenue</u>	<u>Amount</u>	<u>% of Overall Revenue</u>
• Permit Renewal Fees	\$ 56,780.00	13.30 %
• LPG Fees	\$ 358,162.44	83.87 %
• Fines for Code Violations	\$ 8,450.00	1.98 %
• Remaining Revenue	\$ 2,346.00	0.86 %
○ New Permit Applications		
○ Bulk Plant Installation Permits		
○ Misc. (copies of investigative files, etc.)		
○ Penalties (Late LPG fees, permit renewal, etc.)		
○ Surplus Sales		
○ Motor Fuel Decals		
○ Insurance Recovery		

Total FY 2021 Revenue Collected YTD \$ 425,738.44

Expenses October 2020 – December 2020

<u>Expenditure Group:</u>	<u>Amount</u>	<u>% of Overall Expenses</u>
• Personnel Costs	\$ 211,638.37	62.95 %
• Employee Benefits	\$ 82,400.18	24.51 %
• Travel In-State	\$ 6,566.75	1.95 %
• Repair & Maintenance	\$ 569.04	0.17 %
• Rentals & Leases	\$ 4,344.90	1.29 %
• Utilities & Communication	\$ 2,409.25	0.72 %
• Services	\$ 3,788.73	1.13 %
• Supplies	\$ 15,021.63	4.47 %
• Transportation (Operating)	\$ 1,940.65	0.58%
• Grants & Benefits	\$ 7,457.20	2.21 %
• Transportation (Fleet Renewal)	\$ 0.00	0.00 %
• Other Equipment Purchases	\$ 61.42	0.02%
Totals	\$ 336,198.12	100%

C. Motion to accept the Administrator's Report