

Liquefied Petroleum Gas Board
Minutes
July 11, 2019

The Alabama Liquefied Petroleum Gas Board held its quarterly board meeting on July 11, 2019 at 10:00 a.m. at 770 S. McDonough Street, Montgomery, AL.

Member Present: Chairman Benny Gay, Dickie Ferguson, Larry Parden, Consumer Advocate Elizabeth Barnett, Public Service Commission Designee Wallace Jones, State Fire Marshal Scott Pilgreen, Public Safety Designee Lt. Ronni Fetty, and Board Attorney Bill Garrett.

Member Absent: Vice-Chairman Bill Montgomery.

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

The Chairman called for a motion to adopt the agenda.

(1) Mr. Ferguson moved to adopt the agenda. Seconded by Mr. Parden, 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.

Minutes of the Last Meeting

The Chairman called for approval of the minutes of the April 11, 2019 meeting.

(2) Mr. Parden moved to approve the minutes of the April 11, 2019 meeting. Seconded by Mr. Jones, the ayes were unanimous.

Old Business

The Administrator stated that Board Attorney Matt Bledsoe has communicated with the City of Huntsville attorney regarding the Municipal & County LP-Gas Code Adoptions issue. The city's attorney agrees with the Alabama Attorney General Opinion 91-00397. Board Attorney Bledsoe and Administrator Nelson are to meet with the City of Huntsville's attorney in the coming weeks.

New Business

- The Chairman appointed board members Dickie Ferguson and Larry Parden to serve on the Research Education Advisory Committee (REAC) for one year.

- The Administrator advised the Board that Board Member Bill Montgomery's term will expire 10/01/2019 for the Northeast territory, and the election process will be completed before the October 2019 meeting.

A Class B permit application was presented to the Board.

1. Inter Pipeline US Marketing LTD Corp, Calgary, Alberta

- (3) Ms. Barnett moved to approve the Class B permit application. Seconded by Lt Ronni Fetty, the ayes were unanimous.

Eight Class C permit applications were presented to the Board.

1. A.H. Plumbing LLC, Columbiana, AL
2. Bobby J's HVAC & Gas LLC, Dothan, AL
3. Camper Inn RV of Madison, Inc., Madison, AL
4. Clark's RV Center LLC, Millbrook, AL
5. Nichols Plumbing LLC, Detroit, AL
6. RV Outlet, Inc., Opelika, AL
7. Tennessee Valley RV Mobile Service & Repair, Madison, AL
8. Tuscaloosa Jeep & Truck Outfitters LLC, Moundville, AL

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

Ten Class F permit applications were presented to the Board.

1. AMU Holdings LLC, Moundville, AL
2. Bobby Tidwell Station LLC, Oneonta, AL
3. Campers Inn RV of Madison, Inc., Madison, AL
4. Dodge City Hardware LLC, Hanceville, AL
5. House's Outdoor Country LLC, Evergreen, AL
6. Law's RV Resort LLC dba All About Relaxing RV Park, Theodore, AL
7. Paris Ace Elberta, Inc., Elberta, AL
8. R-Key Amusements, Inc., Hope Hull, AL
9. RV Outlet, Inc., Opelika, AL
10. Sugar Sands 2019 LLC, Gulf Shores, AL

- (5) Ms. Barnett moved to approve the ten Class F permit applications. Seconded by Mr. Pilgreen, the ayes were unanimous.

Code Violations Settlement Agreements

Settlement Agreement 2019-02 for code violations was presented for approval by recusing Board Member Larry Parden.

- (6) Ms. Barnett moved to accept Settlement Agreement 2019-02. Seconded by Mr. Ferguson, there were five ayes. (Ferguson, Barnett, Fetty, Jones, Pilgreen voted aye. Mr. Parden recused).

Settlement Agreement 2019-05 for code violations was presented for approval. The settlement agreement was based on board pre-approved settlement amounts.

- (7) Mr. Ferguson moved to accept Settlement Agreement 2019-05. Seconded by Ms. Barnett, the ayes were unanimous.

Administrator's Report

The Administrator presented the following permits for cancellation:

- Piedmont Energy Systems, Inc., Belmont, NC, Class D Permit No. 263 cancelled at owner's request.
- Glenda's at Cowan Creek dba Paw Paw's, Centre, AL, Class F Permit No. 745, Business sold.
- Automatic Gas and Appliance Co., Inc., Sylacauga, AL, Class A Permit No. 6. Business sold to ThompsonGas, LLC.
- McKenzie Tank Lines, Inc., Opelika, AL, Class B Permit No. 143. Business sold to Groendyke Transport, Inc.
- Brent's Gas, Decatur, AL, Class F Permit No. 624 cancelled due to expired insurance.
- Lake Martin Mini Mall, Eclectic, AL, Class F Permit No. 313 cancelled at company's request.
- Metro Gas LLC, Lafayette, AL, Class F-1 Permit No. 328 cancelled due to expired insurance.
- Montgomery South RV Park, Hope Hull, AL, Class F Permit No. 535. Business sold to R-Key Amusements dba Montgomery South RV Park.
- Northwood Lake Properties, Inc., dba Northwood Shell, Class F Permit No. 397 cancelled at company's request.
- R & J Group, Inc., dba Pinch A Penny, Class F Permit No. 389 cancelled because business is no longer performing LP-Gas activities.
- Robertsdale Rent – All, Inc., Robertsdale, AL, Class F Permit No. 560 cancelled because business is no longer performing LP-Gas activities.
- Sugar Sands RV Resort, Gulf Shores, AL, Class F Permit No. 343 cancelled due to new ownership.
- The Hawk's Nest, Hartselle, AL, Class F Permit No. 565 cancelled due to expired insurance.
- Tidwell's Citgo Service Station, Oneonta, AL, Class F Permit No. 234, Business sold
- ThompsonGas LLC, Carbon Hill, AL, Class B-1 Permit No. 687, cancelled at company's request.

- ThompsonGas LLC, Cullman, AL, Class B-1 Permit No. 568, cancelled at company's request.
- ThompsonGas LLC, Hazel Green, AL, Class B-1 Permit No. 691, cancelled at company's request.
- ThompsonGas LLC, Moundville, AL, Class B-1 Permit No. 700, cancelled at company's request.
- South Alabama Gas District, Butler, AL, Class A Permit No. 257, Business sold to ThompsonGas LLC.
- South Alabama Gas District, Camden, AL, Class A Permit No. 287, Business sold to ThompsonGas LLC.
- South Alabama Gas District, Chancellor, AL, Class A Permit No. 289, Business sold to ThompsonGas LLC.
- South Alabama Gas District, Moundville, AL, Class A Permit No. 305, Business sold to ThompsonGas LLC.
- South Alabama Gas District, Thomasville, AL, Class A Permit No. 281, Business sold to ThompsonGas LLC.
- South Alabama Gas District, Evergreen, AL, Class A Permit No. 227, Business sold to ThompsonGas LLC.
- South Alabama Gas District, Brewton, AL, Class B-1 Permit No. 374, Business sold to ThompsonGas LLC.
- South Alabama Gas District, Greenville, AL, Class B-1 Permit No. 454, Business sold to ThompsonGas LLC.
- South Alabama Gas District, Monroeville, AL, Class B-1 Permit No. 377, Business sold to ThompsonGas LLC.
- South Alabama Gas District, Chatom, AL, Class B-1 Permit No. 438, Business sold to ThompsonGas LLC.
- South Alabama Gas District, Bonifay, FL, Class B-1 Permit No. 651, Business sold to ThompsonGas LLC.

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

(8) Mr. Parden moved to accept the Administrator's Report as presented. Seconded by Ms. Barnett , the ayes were unanimous.

Date of the next board meeting is October 10th, 2019.

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

The meeting was adjourned at 10:17 a.m.



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:

River City Propane / Piedmont, AL
Permit "A" 283
Code Violations

SETTLEMENT AGREEMENT 2019-02

River City Propane / Piedmont, 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 installed a propane gas system in a residential home with multiple code violations as outlined in this document.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits allowing two employees to work unsupervised prior to obtaining *Employee Competency Cards* in violation of *Alabama Administrative Code 530-X-2-11*.
2. Respondent admits installing a tank too close to an important building, attached structure, and source of ignition in violation of *NFPA 58 (2011 Edition) 6.3.1; 6.3.8; 6.3.11*.
3. Respondent admits piping a gas system with piping too small to meet the maximum demand in violation of *NFPA 54 (2012 Edition) 5.4.1*.
4. Respondent admits failing to install a sediment trap for the water heater in violation of *NFPA 54 (2012 Edition) 9.6.7*.
5. Respondent admits failing to bury outdoor piping the proper depth in violation of *NFPA 58 (2011 Edition) 6.9.3.12*.

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 \$ 2,400 to the Board within 30 days of the Board's acceptance of this agreement. *(No Employee Competency Cards for two employees \$1400; Tank location \$250; Undersize piping \$250; No sediment trap \$250; Improper burial of piping \$250)*
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.
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 5th day of June, 2019



Ronald T. Ridley, Respondent
River City Propane / Piedmont



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:

Tractor Supply Co. #1470 / Northport, AL
Permit "F" # 368
Code Violations

SETTLEMENT AGREEMENT 2019-05

Tractor Supply Company #1470 / Northport, 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 filled a 20 lb. propane cylinder without the use of scales (Offense #1). The Respondent employee actually filling the cylinder did not possess an *Employee Competency Card* and was not actively supervised during the filling process.

STIPULATED CONCLUSIONS OF LAW

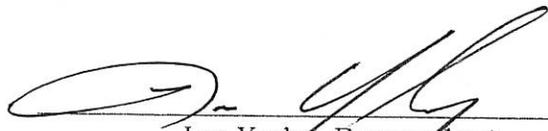
1. Respondent admits filling a propane cylinder without the use of scales in violation of *Alabama Administrative Code 530-X-2-.04(a)*.
2. Respondent admits filling a propane cylinder without active supervision or an *Employee Competency Card* in violation of *Alabama Administrative Code 530-X-2-.11*.

STIPULATED DISPOSITION

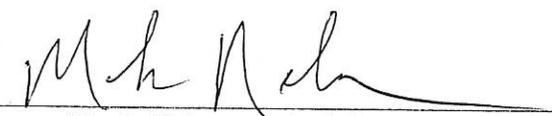
The Board and the Respondent agree that this action will be settled upon the following terms:

1. The Respondent agrees to remit a fine of \$ 1,150 to the Board within 30 days of the Board's acceptance of this agreement. (*Failure to use scales \$450; No Employee Competency Card \$700*)
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.
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 4TH day of April, 2019



Lee Yerby, Respondent
District Manager
Tractor Supply Co. #1470



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board