

ALABAMA GULF COAST RECOVERY COUNCIL
5 Rivers ~ Alabama's Delta Resource Center
31115 – 5 Rivers Boulevard, Spanish Fort, Alabama
August 15, 2013 - 3:00 p.m. Central Time

A meeting of the Alabama Gulf Coast Recovery Council was held at the time specified above in the Tensaw Theatre, Five Rivers~Alabama's Delta Resource Center, Spanish Fort, Alabama. Director James K. Lyons, Vice-Chairperson of the Council, presided over the meeting.

PRESENT: Director Jimmy Lyons; David Perry, representing Governor Robert Bentley; Commissioner Tucker Dorsey; Commissioner Merceria Ludgood; Mayor Jeff Collier; Mayor Robert Craft; Mayor Tim Kant; Mayor Tony Kennon; Councilwoman Kimberly Barbour, representing Mayor of Bayou La Batre.

ABSENT: Governor Robert Bentley, Mayor Sam Jones.

Director Lyons:

“Okay, good afternoon. Welcome to this meeting of the Alabama Gulf Coast Recovery Council. We have a copy of our Agenda out in the lobby, and we will follow through on our Agenda of Business. We are passing around a sign-up sheet for the members to sign in. We do have a quorum of the Council.”

AGENDA ITEM #I: APPROVAL OF MAY 20, 2013 MINUTES

Director Lyons:

“First item on our Agenda, we distributed earlier copies of the minutes of our May 10, 2013, meeting to all the members, and I would like to call for discussion on the minutes, any comments, suggestions or changes? Otherwise, on the minutes of the meeting, can we have a motion to approve? Moved by Commissioner Dorsey and seconded by Commissioner Ludgood. The motion passed unanimously by all members present.”

AGENDA ITEM #II: MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN ALABAMA GULF COAST RECOVERY COUNCIL AND DEPARTMENT OF CONSERVATION

Director Lyons:

“Next on the Agenda, at the last May meeting, we voted to name the Alabama Department of Conservation and Natural Resources (ADCNR) as the Administrator for the Council. Since that time, we have had our Attorney, Mr. Preston Bolt, draft a Memorandum of Understanding (MOU), and it was circulated back and forth with the Department of Conservation, and the board members have also been furnished this previously. What I'll do, just for a minute, is ask Mr. Bolt to discuss the highlights of the MOU between the ADCNR and the Alabama Gulf Coast Recovery Council.”

Mr. Preston Bolt:

“When you approved the arrangement, Department of Commerce approved hiring them, I was asked to prepare a simple MOU, this is operative word ‘simple’ that sets forth the basis of the agreement which is basically the recitals and the reason for its existence. The most important section is the duties of the Department, and those are in three categories: First, to serve as the fiduciary agent to receive and assist in the preliminary screening and funding assistance of applications, to assist in the selection process of the selection of projects, to receive and process and oversee reimbursement requests, oversee audit processes, and to insure that the Council adheres to all the rules and regulations that apply to it under the Restore Act. The

Second: the second area is outreach, the Department is responsible for all the notices of meetings, facilitate public meeting sessions, maintain public records, to provide information for media and community and to administer the official website. And Third: the administrative function is to oversee the establishment of the office and oversee procurement of various items that need to be purchased for the good of the order, to hire an Executive Director and any successor and outside contractors and to hire administrative staff, as appropriate. Those are the bull point items and those are stated as being, not necessarily everything that the Department would do but are inclusive of those things. The Council, however, maintains overall responsibility for the development of the Plan and for the selection of projects. The term of this is that it continues in perpetuity and is terminated by either side within sixty days' notice. One of the important things, and last important thing here, is that it provides reimbursement of expenses. The Department agrees that it will be reimbursed only to the extent that monies are available under the Restore Act. We don't yet have regulations from the Treasury that may govern that. We know that there are limits on the amount that can be restored for administrative purposes under the Restore Act, and the Department agrees to that. They are to be reimbursed upon application once there are monies available. Of course, there are none as yet, but when there are some, they will be able to be reimbursed for actual out-of-pocket expenses and so forth. I will be happy to answer any questions, but that's pretty much it in a three-page document."

Director Lyons:

"Are there any questions on the MOU from any of the members of the Council?"

Motion was made by Commissioner Dorsey that we adopt the MOU and approve the Governor to sign on behalf of the Council. Motion was seconded by Mayor Kant. The motion passed unanimously by all members present.

AGENDA ITEM #III: UPDATES FROM COUNCIL WORK SESSIONS

Director Lyons:

"Next is the update on work sessions, and I'm going to take care of that. We had the third in a series of work sessions that we have done on our strategic planning, and we reported last time on our strategy map. At this time, essentially the work session, which was done with a facilitation from our consultants from Ascendant Strategy Management Group, and essentially what we talked about a lot was, and nothing was absolutely settled, but we talked a lot about process which right now that's where we are. We're not about projects, we're more about process and what is a project that we will ultimately settle upon when we begin to process, which we probably project to a very voluminous number of projects that will be submitted by the community. We also went through a draft template. Now we're beginning to make a little bit more progress now that we've got the Department of Conservation on board, but we went through a draft template, we're not quite ready to release that. It's going to take some additional work, but we will be releasing that document probably for comments. And it's essentially a template, very similar to what some of you who apply for grants online and are used to seeing like from NOAA grants and things like that, but we envision an online application process where information is available on the website. We've obviously got some development work to do, public comment and public participation very much a part of that discussion. The public will have very ample, as required by the law, ample opportunity to participate in the process through the submission, public comment, as well as public review, prior to any awards of anything. So, that's the essence of what we did at the work session."