

ALABAMA GULF COAST RECOVERY COUNCIL MEETING
December 17, 2012 AT 10:00 A.M. CENTRAL TIME
MOBILE, ALABAMA

A meeting of the Alabama Gulf Coast Recovery Council was held at the time specified above at Five Rivers Delta Resource Center. Director James K. Lyons, Vice Chairperson of the Council, presided over the meeting.

PRESENT: Director Jimmy Lyons, Commissioner Tucker Dorsey, Commissioner Merceria Ludgood, Mayor Jeff Collier, Mayor Robert Craft, Mayor Sam Jones, Mayor Tim Kant, and Mayor Tony Kennon.

ABSENT: Governor Robert Bentley, Mayor Stan Wright.

As the first order of business, Director Lyons noted that a revised copy of the proposed Bylaws for the Council had been circulated for the Council members to review. At the Director's request, Will Givhan, general counsel of the Alabama State Port Authority, then reviewed the changes that had been made to the proposed Bylaws since the initial draft was circulated. After he responded to questions regarding the same, on a motion made by Mayor Kant and seconded by Mayor Jones, the Bylaws were adopted in the form attached to these minutes by the unanimous approval of all of the Council members present.

As the next order of business, Director Lyons reported on the activities of the Financial Administration Committee that had been appointed at the previous meeting of the Council to consider recommendations to make as to nominating an administrative or fiduciary agent. Director Lyons reported that while the Committee had met to consider the same, it did not yet have a recommendation to make since the Committee felt like it would be better to wait until the exact nature of the role to be played by such agent is better known after the federal guidelines have been issued by the Treasury Department. The Governor's chief of staff, David Perry, reported that a draft of the proposed regulations were currently being considered and that hopefully, proposed regulations were going to be made public in the near future. Several Council members, including Mayor Kant and Mayor Craft, expressed concern over the nature of the role that this administrator or fiduciary agent would play and how their fees would be calculated. Concerns were raised that a conflict of interest may be created if the fiduciary agent or administrator was also seeking project funding from these same funds. It was agreed that the

selection of the fiduciary agent would be delayed until the Treasury regulations were made known and better definition of scope of service were determined.

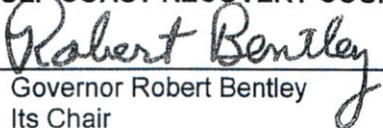
The Director suggested the most pressing next order of business was the selection of a planning consultant to assist the Council in defining its role and process for prioritization of funds allocated to Alabama from the Restore Act. Numerous views were expressed, including one view that it would be better to wait on the finalization of the proposed treasury regulations before trying to develop such a process and another view that it was important to have a strategic plan in place prior to seeking input. Commissioner Ludgood then made a motion to form a subcommittee of the Council members to develop a scope of work that could be used to develop an RFP or an RFQ to select a planning consultant that will assist the Council in developing the criteria and priorities to be used for selecting projects. A thorough discussion ensued during which Director Lyons noted that his intent was that the planning consultant that is selected by the Council should be someone that facilitates the development of a process defining the goals and plan for public input and the process for the selection of project. The motion was then seconded by Mayor Craft and the Council members present unanimously agreed to appoint Director Lyons, Mayor Collier, Mayor Kennon, Mayor Craft, and Commissioner Ludgood as members of such committee.

As the next order of business, David Perry gave a report to the Council members as to the status of the settlement discussions that were ongoing with BP and noted that \$335 million had already been allocated as part of the settlement process to the State of Alabama via the U.S. Fish and Wildlife Coastal Foundation.

On a motion duly made and seconded, the Council then adjourned.

ALABAMA GULF COAST RECOVERY COUNCIL

By: _____


Governor Robert Bentley
Its Chair

ATTEST: _____

By: _____


James K. Lyons
Its Vice Chair