

US EPA ARCHIVE DOCUMENT

We recently had kick off meetings across the entire state, and the results were very exciting. There seems to be universal interest and support for a statewide stormwater association with regional meetings, a state board, and an annual statewide conference. We also seem to have support for participation from the MS4's in developing the criteria for Qualified Local Programs.

It appears that, at least initially, we will have five regional groups.

- West Tennessee (located in Shelby County)
- Middle Tennessee (located in Metro Davidson County)
- East Tennessee (located in Knoxville)
- Northeast Tennessee (the tri-cities area)
- Southeast Tennessee (Chattanooga/Hamilton County)

Here is a partial contact list:

West Tennessee :

Chris Masin Chair -
chris.masin@shelbycountyttn.gov

Middle Tennessee:

Todd Spangler Chair - spangler@brentwood-tn.org

Regina Wilder Co-chair - ReginaW@williamson-tn.org

East Tennessee:

Chris Granju Chair -
chris.granju@knoxcounty.org

Andrew Sonner Co-Chair -
asonner@cityofalcoa-tn.gov

Northeast Tennessee:

Andy Best Chair - abest@johnsoncitytn.org

Dan Wankel Co-Chair -
wankel@ci.kingsport.tn.us

Southeast Tennessee:

Tim McDonald Chair - timm@hamiltontn.gov

Jonathan Jobe - jjobe@cityofclevelandtn.com

As we move forward, please remember that according to the agreement between EPA, TDEC, and MTAS: the association is for the MS4's, by the MS4's, and TDEC is only to be a guest or reference. MTAS is supposed to coordinate, facilitate, and provide administrative/clerical support. Therefore, please address all communications regarding the association to John Chlarson. Robbie Karesh, TDEC, has informed me that, that some association communications have been sent to him by mistake. Also, remember, MTAS is not a regulator and is independent of TDEC and was established by the legislature to support Tennessee local governments.

As we progress, while this is *your* association, and we want you to be autonomous, we do need to try and keep the regional groups moving in similar directions. There are some things that we need all the groups statewide to address.

First, there is the immediate, first things first list:

- We need the contact information for the Qualified Local Program Stakeholder Group representatives.*
- We need input on the association name.* We have three proposals that have been made, please pick one or put a new one forward.
 - The Tennessee MS4 and Floodplain Association
 - The Tennessee Stormwater Association
 - Tennessee Amalgamation of Precipitation Principals (TAPP)
 - ?
- Who should be allowed membership? Should there be levels of membership, so that other folks can be associate members, but some meetings are MS4 only?*
- We need to coordinate the calendars of the various regional meetings so that John Chlarson will be available for support and/or facilitation. This is an initial requirement for grant support.*

Then, here are some other things we need to be working on:

- How should the association be organized? What would an organizational chart look like?
- Should the association incorporate as a non-profit?
- What should the bylaws look like?
- When can we have a joint meeting with all of the chairpersons of the regional groups at a central location?
- Can designated persons from a couple of centrally located Phase I's and Phase II's serve as contact points and represent the other QLP representatives from the regional groups?
- Alternatively, should the QLP meeting locations float?
- Or should all the MS4 group representatives meet, and then send a couple of representatives to the main QLP stakeholder meeting?
- Some members have suggested starting a small membership fee so that the organization will have funds available when the grant expires or for special needs not covered by the grant.
- What are some committees that need to be established? (Example: Bylaw committee, Website committee, etc.)

Please let me know anything that we should add to the list. To start the ball rolling, we are attaching a copy of the Florida Stormwater Association's Bylaws for your consideration.

Florida Stormwater Association, Incorporated

Bylaws

Revised June 21, 2002 Orlando, Florida

ARTICLE I

NAME, OBJECTS AND PURPOSES

A. Name

The name of this organization shall be "The Florida Stormwater Association, Incorporated", hereinafter sometimes referred to as the "Association."

B. Objects

The Association believes that local governments and stormwater professionals should exercise initiative and leadership in dealing with Florida's water resource and environmental problems, especially those such as stormwater flooding, water quality, financing and related stormwater management issues.

C. Purposes

The purposes of the Association shall include but are not limited to the following:

1. To enhance the effective management and operation of stormwater utilities.
2. To study, research, collect, compile and disseminate information about stormwater, stormwater management, flooding, and water quality; local, state and federal environmental practices, programs and policies; and, the creation and operation of stormwater utilities to federal, state and local levels of government and the public in general.
3. To monitor and become actively involved in the legislative process and the decision-making processes of the state regulatory agencies as relates to the interests of the membership and to keep the membership informed of same.

4. To develop, promote and conduct educational programs including workshops, seminars and conferences.

ARTICLE II MEMBERSHIP

A. Classes

1. Active members of the Association shall consist of representatives of stormwater utilities or similar departments or divisions within local governments which have an active stormwater utility that was adopted by ordinance or a dedicated, ongoing funding source for stormwater management and have paid their dues as provided in Section B (1)(a) of this Article. For purposes of voting on matters effecting the Association, each active member shall designate the individual authorized to cast the jurisdiction's ballot.

2. Associate members of the Association shall consist of representatives of local governments which do not have an active stormwater utility or a dedicated, ongoing funding source for stormwater management and which have paid dues as provided for in section B (1)(a) of this Article.

3. Private sector members of the Association shall consist of persons employed in the private sector which have paid dues as provided for in Section B(1)(b) of this Article.

4. Water Management District members shall consist of representatives of Water Management Districts which have paid their dues as provided for in Section B(1)(c) of this Article.

5. Special Members:

a. Academic members shall consist of persons employed as teaching or research faculty at institutions of higher learning who have paid dues as provided in Section B(1)(d) of this Article.

b. Student members shall consist of persons enrolled as a degree-seeking student in an institution of higher learning who have paid dues as provided in Section B(1)(e) of this Article.

B. Dues

1. Annual membership fees of the Association shall be payable on or before the first day of November of each year and shall be based upon the official State of Florida population estimates as prepared by the University of Florida and calculated in the following manner:

a. Active and associate members shall be assessed dues equal to \$250, plus an additional amount equal to the following:

1. County governments shall pay an amount equal to \$.01 per capita, based upon the total population of the unincorporated area of the county.

2. City governments and special districts shall pay an amount equal to \$.01 per capita based upon the total population of their jurisdiction.

3. Active and associate members joining after the end of the first quarter of the Association's fiscal year shall pay a prorated amount based upon the number of months remaining in the fiscal year but not less than \$200.

4. In no case shall dues for any jurisdiction exceed more than \$1,000 per year.

b. Private sector members shall be assessed dues based upon the number of professional employees in the stormwater, utilities, or related environmental sciences that are employed in the company's Florida

offices. Companies with less than 11 such employees shall pay dues of \$250 per year; companies with 11 to 35 such employees shall pay \$400 per year; companies with 36 to 99 such employees shall pay \$700 per year; and, companies with over 100 such employees shall pay \$1,000 per year. Private sector members joining after the end of the first quarter of the Association's fiscal year shall pay a prorated amount based upon the number of remaining months in the fiscal year but not less than \$100.

c. Water Management District members shall be assessed dues of \$1,000 per year. Water Management District members joining after the end of the first quarter of the Association's fiscal year shall pay a prorated amount based upon the number of months remaining in the fiscal year but not less than \$200.

d. Academic members shall be assessed dues of \$50 per person per year. Academic members joining after the end of the first quarter of the Association's fiscal year shall pay a prorated amount based upon the number of months remaining in the fiscal year but not less than \$25.

e. Student members shall be assessed dues of \$15 per person per year. Student members joining after the end of the first quarter of the Association's fiscal year shall pay a prorated amount based upon the number of months remaining in the fiscal year but not less than \$5.

2. Special assessments may be levied and assessed by the Board of Directors and confirmed by the general membership at any annual or special meeting for any purpose consistent with the aims and purposes of the Association. Such assessments shall be prorated among the membership according to the formula or ratio governing annual dues.
3. A portion of the dues may be used to enter into contracts, establish an office of the Association and to employ staff.
4. The Association's fiscal year shall be from November 1 until October 31.

C. Termination

1. Upon failure or refusal of any member to pay dues provided for in this Article, after ninety (90) days' notice to pay such dues, such member shall be automatically suspended from membership in this Association; provided, however, that upon later payment of such dues, such member shall be reinstated in the Association.

D. Voting

Each member of the Association shall be entitled to one vote when casting a ballot on business and other matters coming before the Association. Voting by proxy is permitted so long as the person designated to vote is employed by the same organization as the primary member. Academic and student members shall not have the right to vote on business and other matters coming before the Association.

ARTICLE III

BOARD OF DIRECTORS

A. Membership

The Board of Directors shall be composed of the following members, who shall be selected as provided herein.

1. Two (2) members who are employed by a city or county government from within the jurisdictional boundaries of each of the five Water Management Districts within the state,

selected by the other active or associate members from those areas at the Annual Meeting of the Association; however, at least one (1) such member shall be a representative from an active member of the Association. Such members of the Board shall serve for overlapping terms of two years each. Only one member of the Board of Directors may be selected from each local government, with the exception of the persons occupying the offices of President, Vice-President, Secretary-Treasurer and Immediate Past President.

2. The persons occupying the offices of President, Vice-President and Secretary-Treasurer.

3. The two (2) most immediate Past Presidents of the Association, provided that said persons are still employed by a member of FSA.

4. Four (4) private sector members selected by the other private sector members for overlapping terms of two years each.

5. One (1) Water Management District member selected by the other Water Management District members for a term of two years.

6. Up to two (2) additional members may be appointed by the President for one-year terms. Such members of the Board shall be representatives of active or associate members of the Association and shall not reside in the same water management district.

B. Meetings

Meetings of the Board shall be held at least four (4) times each year and at such times and locations as the Board may determine. Calls for additional meetings may be made by not less than four (4) members of the Board and shall be filed with the Executive Director. The Executive Director shall notify the Board members by mail not less than ten (10) nor more than fifteen (15) days after the filing of the call. The purpose of such call shall be stated therein.

C. Quorum

Seven members of the Board of Directors shall constitute a quorum.

D. Dismissal

A director of this Association who is absent from two (2) consecutive meetings of the Board of Directors may be terminated as a member of the Board at the Board's discretion; provided, however, that representation by proxy shall not be considered

an absence. In the case of a vacancy on the Board of Directors, the member jurisdiction shall name the individual to fill the vacancy for the unexpired term.

E. Voting

Each member of the Board of Directors shall be entitled to one vote on any matter coming before the Board. Voting by proxy shall be permitted so long as the person casting the ballot is a member of the Association and is employed by a local government from within the same district as the member of the Board who is absent.

ARTICLE IV OFFICERS

A. Name

The Officers of this Association shall be the President, Vice-President and Secretary-Treasurer, who shall be elected in the manner and for the terms as provided herein.

B. Duties

1. The President shall preside over every meeting and follow the instructions of the general membership and the Board of Directors. The President shall appoint all committees and discharge all other duties as required by the Bylaws and membership of the Association.
2. The Vice-President shall have and perform all the powers and duties of the President in the President's absence. In the event of a vacancy in the office of President, the Vice-President may elect to automatically become President.
3. The Secretary-Treasurer shall keep an accurate record of all meetings of the Board of Directors and shall oversee the financial affairs of the Association. In the event of a vacancy in the office of Vice-President, the Secretary-Treasurer may elect to automatically become Vice-President.

C. Terms

The term of office for the officers of the Association shall be for one year.

D. Executive Committee

The Executive Committee shall be composed of the officers and the Immediate Past President of the Association. Between meetings of the Board of Directors, the Executive Committee shall conduct the business affairs of the Association and shall carry out such duties as the Board of Directors shall delegate. The Committee shall oversee the administration of and provide policy guidance to the Executive Director in the operation of the Association office; give guidance and direction to the Executive Director in the preparation of program and other arrangements for all meetings of the Board of Directors and the Association general membership; and, recommend an annual budget and submit the same to the Board. At the close of each budget year, the Committee shall cause a review to be made of all books of the Association and file copy thereof with the Board of Directors and the Executive Director. The Executive Committee shall review the Association's long range or strategic plan on at least an annual basis.

E. Nomination and Election of Officers

Each office within the Association shall be open for nomination and election at the Annual Meeting of the Association. Only representatives from active, associate or private sector members of the Association shall be eligible for nomination and election as an Officer; provided that no more than one associate member and no more than one private sector member may be a member of the Executive Committee at a single time. The President may appoint a committee to make recommendations concerning nominations for the officer's positions.

F. Vacancies

1. In the event of a vacancy in office of one of the officers that is not otherwise filled pursuant to Article IV. B, the procedures described herein shall apply.
2. In the event of simultaneous vacancies in all Association offices, at least four members of the Board of Directors may call a special meeting of the Board to elect replacements.
3. An Officer who leaves employment with a member of the Association shall resign his office. He shall notify the Executive Director of his resignation as an officer as soon as possible, who shall immediately notify the remaining members of the Executive Committee and the Board of Directors.
4. The President, at his discretion, may solicit the Board of Directors for nominations to fill the vacancy created by the resignation. Such nominees need not be members of the Board of Directors. Such solicitation shall be by written notice.
 - (a) If only one person responds, the President shall appoint that person.
 - (b) If more than one person responds, the Executive Director shall send ballots to the Board of Directors within 10 days after determining that an election for the vacancy is necessary. Ballots

shall be returned to the Association offices immediately and counted by the Executive Director on the tenth day after being mailed to the Board of Directors. The candidate with the highest number of votes shall be elected to fill the vacancy. The President may vote only in cases of a tie.

(c) If the President does not act to fill the vacancy as described herein, the Board of Directors shall elect a replacement to fill the unexpired term at their next meeting.

G. Executive Director

1. The Executive Director of the Association shall be nominated by the officers, subject to confirmation by a majority of the Board of Directors.

2. The Executive Director shall be the executive officer of the Association and, under the direction of the Executive Committee, shall establish and manage the Association office. The Executive Director shall do or cause to be done on behalf of the Association all actions directed by the Executive Committee and shall generally have the power to carry on the business of the Association and to do the things necessary or appropriate to execute the policies, decisions, and instructions of the Executive Committee. The Executive Director or the designee of the Executive Director shall keep all records of the Association, give notice of such meetings at the direction of the President, receive all moneys of the Association and record and deposit the same in approved depositories, and at the close of each month, render a financial statement to the officers.

ARTICLE VI

MEETINGS OF THE GENERAL MEMBERSHIP

A. Annual Meeting

The Annual Meeting of the Association shall be held at a time to be fixed by the Board of Directors.

B. Special Meetings

Special meetings of the Association may be held from time to time upon call of not less than four members of the Board of Directors. Any such call shall be filed with the Executive Director, who shall call a meeting not less than 10 days nor more than 15 days after the filing thereof. The purpose of such meeting shall be set out in such call.

ARTICLE VII

COMMITTEES AND ASSOCIATION POLICY

A. Association Committees

There shall be such standing committees as provided herein. The membership of each committee shall include at least two members of the Board of Directors. The Chair of each committee shall be a member of the Board.

1. Education – The education committee shall be responsible for the educational programs of the Association, including operator certification, erosion and sediment control training, and relations with academic institutions.
2. Legislative and Agency Policy – The legislative and agency policy committee shall monitor the activities of the Florida Legislature and state and federal agencies as they relate to the objectives of the Association.
3. Membership – The membership committee shall be responsible for soliciting new members, providing membership services and ensuring continuity of the existing membership.
4. Conference – The conference committee shall be responsible for the planning and administration of the two statewide conferences each year.
5. Communications – The communications committee shall be responsible for the newsletter and supervision/administration of the Association's website.

B. Association Policy

No legislation shall be supported or opposed in the name of the Association except by the direction of the membership of the Association or the Board of Directors, provided the Board of Directors may delegate this power to the Executive Committee.

ARTICLE VIII

CONTRACTS, CHECKS, DEPOSITS AND FUNDS

A. Contracts

The Board may authorize any officer, agent or agents of the Association, to enter into any contract or execute and deliver any instrument in the name of or on behalf of the Association, and such authority may be general or confined to specific instances. The Board of Directors is authorized to enter into a contract with an individual or corporation to provide services as Executive Director.

B. Checks, Drafts and Orders

All checks, drafts, or orders for the payment of money, notes or otherwise evidences of indebtedness issued in the name of the Association, shall be signed by such officers or agents of the Association and in such manner as shall be prescribed and determined by resolution of the Board.

C. Deposits

All funds received by the Association shall be deposited from time to time to the credit of the Association in such banks or other depositories as the Board may designate.

D. Funds

Any funds which may come to the Association or be subject to its control, for its use in furthering and promoting the aims and purposes of the Association or its policies, shall be received, disbursed, controlled and accounted for by the Executive Director in such manner and under such conditions as shall be prescribed and determined by the Board.

ARTICLE IX

GENERAL POWERS

The Association shall have the power to rent, purchase or otherwise own or hold property, including beneficial interests therein, either solely or jointly with other organizations; to solicit and receive contributions; to assess and collect dues; to contract with governmental units, persons, firms or other organizations to procure or provide services or to perform functions by either contracting partly or jointly and to pay or receive money therefor; and to do all such

other things as are incidental and proper or reasonable and desirable to carry into effect the purposes of the Association.

ARTICLE X
AMENDMENTS

These Bylaws may be amended at any Annual or Special Meeting by a two-thirds vote of the members of the Association present and voting, provided that such proposed amendment shall not be voted on until at least 30 days notice has been provided to the membership.