

**DRAFT BASWG Meeting Minutes**  
February 11, 2016  
9:00 am – 11:30 am  
Milford Town Office, Milford, Maine

**Meeting Attendees**

Scott A. Adkins, Doug Hill, Rich May, Andrea Dickinson, Keith Fowler, Kathy Hoppe, Michael Falvey, Tracy Drew, Sean Currier, Kyle Severance, Patrick Decker, Belle Ryder, Tom Palmer, Brian Bernosky, Rhonda Poirer, Jim Beyer, Susanne Miller, Phil Ruck, and David Ladd. Facilitator: Brenda Zollitsch.

**Welcome and Introductions**

Belle R. called the meeting to order. She had everyone introduce themselves.

**BASWG Annual Meeting**

As a nonprofit, BASWG is required to hold an annual meeting of its membership. This meeting takes place each February, according to the BASWG bylaws. This is into the second half of the permit year, which starts on July 1<sup>st</sup> and ends June 30<sup>th</sup>.

**Year in Review:** Brenda Z. provided a 2015 Year-in-Review presentation (see attached), reviewing the work BASWG has done over the last twelve months to comply with the BASWG Regional Stormwater Plan. The presentation was made based on the six minimum control measures and organizational activities.

**Treasurer's Report:** Patrick D. (BASWG Treasurer) provided a financial update to the group. The BASWG has expended approximately half of its annual budget.

**Electronic Voting:** Belle Ryder introduced a vote to allow for electronic voting by the membership when necessary. The Town of Orono Town Manager and legal counsel has researched the legality of electronic voting for the BASWG. There is nothing in the bylaws or law that prohibits electronic voting by the BASWG. On the BASWG's ballot, the following question was posed and passed unanimously: "Do you want the bylaws of the BASWG to allow for the submission of electronic votes via email on formal business items when a quorum is required?" The vote was 17-0 in favor.

**Review of BASWG Executive Committee Positions and Terms:** Brenda Z. shared the roster of Executive Committee Officers. Belle Ryder has been interim Chair, Tracy Drew has been Interim Vice Chair, Scott Wilkerson has been Second Vice Chair, the Secretary position is currently vacant, and the Treasurer position is held by Patrick Decker. Both Scott and Patrick are starting the second year of their two-year term in their positions.

**Vote to Change BASWG Executive Committee Position Term Length to One Year:** Belle R. shared that one of the barriers to people committing to serve on the BASWG Executive Committee is length of term. The group discussed term length and determined that they did want to vote on changing the term from two years to one year. On the BASWG's ballot, the following question was posed and passed unanimously: "Do you want the BASWG's bylaws amended to make all Executive Committee Position Terms for one year, renewable by a vote of the membership? The vote was 16-1 in favor.

As some of the nomination positions were still open, BASWG members were asked to serve on the Executive Committee.

- Belle Ryder has agreed to run for BASWG Chair
- Brian Bernosky agreed to run for Vice Chair
- Scott Wilkerson will continue to serve as Second Vice Chair (2<sup>nd</sup> year of current term)
- Doug Hill agreed to run for Interim Secretary.
- Patrick Decker will continue to serve as Treasurer (2<sup>nd</sup> year of current term)

The ballot reflected these nominations and allowed for write-in candidates.

#### **All Nominees Approved to Serve on Executive Committee**

The vote for Belle Ryder as Chair was 16-1 in favor. The vote for Brian Bernosky as Vice Chair was 17-0 in favor. The vote for Doug Hill as Secretary was 17-0 in favor. All terms of service will end at the 2017 Annual Meeting. All Executive Committee positions may be renewed by a vote of the membership.

#### **2016 Events Calendar Dates Collected**

Belle R. asked meeting participants to write information about their upcoming events on a flipchart posted in the front of the meeting room. This information was collected and will be shared with Pulse Marketing for addition to the BASWG.org website events calendar.

The following event dates were documented:

- March 24th - Maine Water Conference
- March 23rd-25th - NEAB (Maine DEP Hosting)
- April 22nd - Birch Stream Clean-up (Maine Air National Guard)
- April 9th - Penobscot Watershed Conference (Point Lookout, Northport)
- May 4th - Maine Day - Stormdrain Stenciling at University of Maine
- May 4th - Earth Day at EMCC
- May 7th (9 am - 12 pm) Brewer Stream Clean-up
- May 7th (9 am - 12 pm) - Hampden Stream Clean-up
- May 14th - Milford Stream Clean-up
- May 21st (9 am - 12 pm) - Orono Stream Clean-up
- May ? - EMCC Tech Day Clean-up

## **Group Brainstorming with Maine DEP Staff: Improving Enforcement of Site Violations**

*This section will be provided to DEP for review to ensure information was captured accurately; until otherwise indicated, this section remains in draft form*

DEP representatives introduced themselves from the Bangor Regional DEP Office. In attendance were Jim Beyer and Susanne Miller from the Bangor Office, along with David Ladd and Kathy Hoppe. Jim shared that they are very limited in staff to enforce violations in ½ the state of Maine.

### Key Takeaway Messages:

- Licensing statutory deadlines are top priority and drives DEP staff schedules due to limited staffing.
- MS4s should expect DEP to respond as quickly as possible, but it can take up to two weeks for a DEP staff member to get onsite after a reported violation due to scheduling.
- Priority is placed on gross non-compliance. Considerations include:
  - the size of the impact to resources;
  - whether or not the violator is a repeat offender; and
  - if the project has been permitted by DEP. A project that DEP has permitted is a higher priority.
  - Later the group asked if adding that the community is an MS4 made this priority list. The answer was “yes”, even if there isn’t a major impact to a natural resource, if it’s going into the MS4, there is a big impact to communities.
- Local enforcement needs to be the “eyes and ears” of DEP.
- MS4s should immediately send a local inspector to document the situation.
- MS4s should document all violations
  - Images and reporting that provides a sense of what is going on at the site of the violation (problem, outcome, where discharge is going to).
  - Make sure camera has the correct date on it if digital date/time stamp.
- When addressing a violation, DEP wants to make sure that the worst problems were addressed first (triage the situation).
- The MS4 should let Jim B. know what the MS4 seeks for DEP to do about the violation. This can only be achieved by providing documentation that gives a background about the site/violator.
  - Provide documentation about which inspectors went to the site on which dates and documented what violations, etc. Indicate the site conditions/response when went back. Then state what the MS4 seeks as actions by DEP.
  - Also indicate if the result at the site is connected to MS4 status if not enforced.
- DEP does inspections of new site locations within one year. Approximately 15% of projects get inspected.
- When a violation occurs, if it is the first time or proper steps were taken, the DEP response will first be “fix it!” Major enforcement more likely if there is a long history of violations and lack of care.
- DEP does not have best practices/SOPs for “Extraordinary Events” (ex. Sept 30, 2015 storm that washed away many sites).
- Send ESC violations to Jim B.
- Feel free to call Susanne directly if the issue is politically complicated.
- Inspection goes to Jim, his boss and then DEP lawyer over a 30 day period after site visit.
- DEP has 60 days to get out a Notice of Violation.
- Municipality must ask DEP for the NOV if they want to see a copy of it.

- Contact DEP for a debrief after a DEP site visit for more information (DEP will not contact municipality at this stage).
- DEP will send the municipality a completed consent agreement.

**BASWG Organizational Business**

**BASWG FY 2016-2017 Budget Approved**

The members reviewed four options for the BASWG 2016-2017 budget, which presented multiple scenarios based on different priorities for the group. Brenda Z. recused herself from this portion of the meeting, as her compensation was included in the discussion. The budget options discussed are presented in the attached document “BASWG Budget Proposals for PY4 July 2016 through June 2017”. The membership determined that they wanted to select Option 2, a budget of \$42,240 for PY4 (See below budget detail), a slight increase over PY3’s budget of \$38,400. The motion to accept Budget Option 2 was made by Sean S and seconded by Brian B. The motion was passed by the membership.

<b>Regional Coordination</b>	(PY3 \$12,500)	<b>\$13,750</b>	<b>+</b>
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This line item covers the annual costs of coordinating the BASWG, including meeting management, scheduling, planning, working with speakers, preparing meeting documents, writing letters and other communications requested by the members, developing/editing/submitting plans and reports for the BASWG and other regional coordination expenses.

<b>Website Hosting/Domain Name</b>	(PY3 \$250)	<b>\$100</b>	
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This line item covers the annual cost for the BASWG.org domain name

<b>Financial Audit/Tax Preparation</b>	(PY3 \$1,200)	<b>\$200</b>	
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This line item covers the costs of preparing and submitting a financial audit (which has been reduced significantly by coming under the umbrella of the Town of Orono’s audit process – up to \$1,000) and tax preparation (which will be completed by the treasurer and covers the tax filing fee - \$200)

<b>Grant Writing</b>	(PY3 \$2000)	<b>\$2,000</b>	<b>=</b>
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This line item covers expenses relating to consultant writing, editing and submission of grant proposals on behalf of the BASWG to offset existing line items in the budget or provide supplemental funding for new line items.

<b>Statewide Salt Collaboration Participation</b>	(PY2 \$1,000)	<b>\$1,000</b>	<b>=</b>
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This line item allows BASWG to cover one quarter of the costs associated with the collaborative statewide effort to develop chloride reduction BMPs, manual and associated efforts. The other three stormwater clusters are participants in this effort. Chlorides are the focus on the statewide 4<sup>th</sup> outreach plan and the use of the manual will support MS4s in the region.

<b>Education and Outreach</b>	(PY3 \$20,000++)	<b>\$25,000</b>	
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This line item covers the BASWG’s participation in the statewide outreach campaign and compliance with the BASWG’s three additional E&O plans (implementation of the regional behavior change plan – incl. social media supplemental plan, and support for both MS4 municipal and chloride outreach plans. Expenses include \$2,240 for PY3 costs for statewide outreach plan implementation, \$17,760 for PY3 BASWG Regional E&O Compliance Work – including website and social media work and an additional \$5k for enhancements to the marketing elements. The BASWG seeks a breakdown of costs by activity for the final budget (e.g. clean-ups, stenciling, social media, etc.)

**Contingency Fund (Including Legal Support)** (PY3 \$1,450) **\$190 (Maint \$2K min)** ↓

The BASWG seeks to maintain a minimum of \$2,000 in a contingency fund for unforeseen expenses related to existing budget line items, unforeseen legal costs, participation in member-approved new opportunities, compliance support or other related costs. The BASWG is able to carry this over from the previous fiscal year. The group made the decision to not keep increasing the contingency fund, instead reallocating this amount to other line items (E&O social marketing work).

<b>Total</b>	<b>(PY3 \$38,400)</b>	<b>PY4 \$42,240</b>	↑
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**MEWEA Update**

Phil R. attended the MEWEA meeting. The group has determined its work priorities and has been involved in some advocacy work in Augusta. The BASWG expressed an interest in MEWEA taking a lead on policy issues and informing the group about developments. As Rob Yerxa (former BASWG Chair) is no longer with the BASWG, there is an opening for a municipal or MS4 representative to attend along with Phil R. Richard M. (Bangor) indicated that he or a representative from Bangor may be interested in assuming this role. He will discuss with his MS4.

**MS4 Telephone Contact List**

Brenda Z. circulated a revised list of telephone contacts for each MS4 for group review. This information will be posted on the BASWG website when it is confirmed.

**Culvert Water Bond**

Kathy H. shared that there is an upcoming opportunity to access funding through the Water Bond for stream crossings, dish passage and flooding issues re culverts. There is approximately \$90k being made available in this round of funding. More information will be shared when it becomes available.

**BASWG External Funding Opportunities**

Brenda Z. reminded the group that they have three potential foundation funding opportunities to pursue in early April. BASWG **must** provide Brenda with information required to complete the applications in the coming weeks. Deadlines are April 1, April 10 and April 30.

## **Education and Outreach**

Brenda Z. introduced the planning session for Education and Outreach. Phil asked Belle to introduce planned changes to the contract. Belle R. has expressed concerns about the effectiveness of the current social marketing approach in the SEE/Pulse contract. Members of the E&O Committee met with Pulse to discuss a change in direction. Participants in this meeting included Belle R., Tracy D., Scott W. and \_\_\_\_\_. The meeting proposed several changes to the contract, including a reduction in the number of social media posts and a refocus on developing marketing materials for the BASWG to assist with recruitment. Pulse is working on a recraft of the contract for submission to BASWG for approval.

The recraft of the contract would refocus from 14 posts per week on social media to focusing on rebranding the group (incl. moving away from the rubber duck theme), development of fliers and brochures, a new stencil and training on a new elevator pitch for MS4 staff about this work. Some members indicated that they did not think that they needed help with an elevator pitch.

Phil R. expressed deep concern that the members of the BASWG committed to providing Pulse Marketing with content for both the web page (MS4 descriptions, events, etc.) and social media. Without input from the group, the electronic media cannot be successful. The recrafting of the E&O consultant role relied on strong participation by MS4s in several aspects of the work. However, few if any MS4s have followed-through with this commitment. Both Phil and Pulse are concerned about moving away from the plan based on current impact. He advocated for staying the course to allow the plan to have time to come into effect. Several members of the BASWG also expressed some concern about changing approaches so soon.

Kathy H. pointed out that both: 1) the BASWG was aware that the shift in focus of the consulting services had relied on BASWG members “stepping up” to contribute content and events. At the time the change was made, members made this commitment. 2) The BASWG needs to remember that their work in E&O needs to be built on a solid understanding of issue, target audience, barriers and messages, all before determining delivery mechanism. Belle R. shared that she believes we have most of this already in place. The BASWG has a focus (reduction of lawncare chemicals), a target audience (30-55 year old DIYer home owners in BUA), and a social marketing message (your neighbors don’t apply lawncare chemicals, so you shouldn’t either). Kathy H. and others shared thoughts that the group should revisit the work that has been done previously (e.g. work by Laura Wilson) prior to focusing on delivery methods and other efforts. The group agreed that more work needs to take place on this issue. E&O will be a focus of the March BASWG meeting. Belle R. will work with Pulse and SEE to secure a revised contract. This contract will be circulated to the BASWG for electronic vote when it is ready (prior to the next BASWG meeting). The group had to wrap-up this discussion prior to its conclusion due the meeting time.

### **Upcoming BASWG January Meeting:**

The March meeting will be held at Eastern Maine Community College in either Room 105 or Room 107 Rangely Hall. The meeting will focus primarily on Education and Outreach planning. Carryover agenda items will include sharing of “promising practices” by MS4s and grant writing decisions.

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