

# Starting A State Onsite Wastewater Association



*What you need to know to successfully establish an organization to represent you and your colleagues' interests*

*Published by*



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## Starting a State Onsite Wastewater Association

If your state does not already have an organization which represents onsite wastewater professionals, chances are good that you and many of your colleagues have discussed whether to create an organization to represent your interests. If you are reading this document, your conversations have likely resulted in a desire to actually create such an organization for your state.

You've come to the right place! This document will cover the important steps you need to take and the key considerations you must settle in order for the organization to take shape.

Creating a new association is typically done to address a common interest/problem faced by individuals in similar situations. In our industry, most state onsite wastewater associations were originally formed to secure

legislation to benefit onsite wastewater practitioners, or to have a stronger voice in shaping regulations which affect onsite wastewater systems or the professionals who design, install, service or manufacture such systems. That may be what is driving your

effort; however, there can be other reasons for forming an association, such as offering continuing education for professionals, improving the image of the industry, setting standards or establishing a professional certification program.

Whatever the reason, it's important to understand at the outset that establishing an association requires considerable time and effort to address the legal, financial and administrative steps which need to be set up – not to mention developing programs/services and actually getting people to join the new organization!

***There isn't really a right or wrong reason to form an association; the real key is that the reason is considered important by a wide cross-section of the people you want to have as members.***

# Assembling the Organizing Committee

## Key takeaways:

- Select your organizing committee with care.*
- Find volunteers with the time, ability and knowledge to meaningfully contribute.*
- Volunteers with good reputations within state are especially valuable.*

Starting an association is very much like starting a new business – lots of hard work and careful planning are necessary to be successful. Your first step is to identify a core group of people who can serve as the organizing committee. Chances are good that the individuals on this committee will be among your first board members, so care should be taken to ensure that the people selected are well-suited to the task.

Ideally, your group should have the following characteristics:

- It is comprised of volunteers who have the time, interest and knowledge necessary to roll up their sleeves and contribute to the effort.
- It represents a reasonably representative cross-section of the various constituencies you envision the new association will serve.

- It includes individuals who have good reputations among their peers, as their participation provides credibility and helps your group gain notice.

Recognize that not everyone will contribute at the same level, and some who agree to serve

on the committee with great intentions will discover that they don't have the bandwidth they thought they would have to follow through on their assignments. For this reason, it may make sense to assign organizing tasks to teams or committees of your volunteers to

help ensure that important activities are accomplished.

Once you have your committee in place, the real work of standing up your new association can begin!



# Setting the Stage

## Key Takeaways:

- Be clear about what you want the organization to accomplish.
- Identify your competition and how they serve your potential members.
- Be clear about who you want to join your organization.
- Your mission statement is the foundation of all future association activities. Take the time to get it right.

The first steps for the organizing committee are:

### **Define the purpose of the new association.**

Why do you want to create this association? This is a good time to define the key reason (or reasons) for organizing.

**Identify the competition.** Are there already organizations which serve segments of your membership? For example, many states have environmental health associations which serve regulators; in other states, groundwater protection or well drilling associations may serve segments of your membership. Universities and community colleges may offer continuing education. In a few instances you may even find industry suppliers offering education and training programs that cover more topics than just the products they sell. There are also national organizations, including NOWRA, NAWT (National Association of Wastewater Technicians) and NEHA (National Environmental Health Association) which offer education and training. If you are planning to lobby your legislature, it's important to have a good grasp of potential supporter and opponents of issues important to your members and industry. Recognizing who your competition is will help you better define your mission and purpose.

### **Identify and understand who your potential members are.**

To move forward you will need



to understand what your universe of potential members looks like. Gathering this information can be time consuming and challenging, but it is critically important to get as much useable information as possible.

### **Identify and understand who your potential members are.**

Most state onsite associations draw members from installers, O&M providers, system designers, engineers, soil scientists, educators, regulators, and equipment manufacturers and distributors. You will likely need to consult multiple sources to obtain

good estimates of each segment. You will want to:

- a. identify a reliable estimate of how many potential members exist.
- b. Determine if it is large enough to support an organization. (Keep in mind that only a small percentage of that number is likely to sign up in the first year)
- c. Have some ideas about how you will reach them (*see the appendix to learn more about the importance of developing and maintaining your membership list.*)
- d. Since some of your potential members may belong to related organizations, it's a good idea to gather some intelligence about how they serve your potential members. For example, many state environmental health organizations have members who inspect or regulate septic systems, but often don't offer much in the way of education and training for that task. This could be an opportunity for your group
- e. **Develop your mission statement.** The information gathering you do in the prior stage should be done to help you focus on answering the question, "What are the unmet needs of our potential members that our

organization should address?" The answer to that question should be the basis for your mission statement. Put simply, your mission statement says

***Put simply, your mission statement says what your organization is and who it is intended to serve. You may find reaching consensus on that statement to be challenging, but it is worth working through this exercise. All of your future activities will be considered in the context of how well they meet your mission***

what your organization is and who it is intended to serve. It should be short and to the point – no more than one or, at most, two sentences. While easy to describe, you may find reaching

consensus on that statement to be challenging, but it is worth working through this exercise. All of your future activities will be considered in the context of how well they meet your mission, so how it is articulated really does matter. (*See samples of other state onsite wastewater organizations' mission statements in the Appendix*)

Once they have developed their mission statement, most organizations establish several objectives to fulfill the mission. Each objective typically has a set of goals to meet. The goals should be specific and measurable (not "recruit new members" but "recruit 10 new members"). These goals will be extremely helpful in setting the organization's initial plan of action, its budget, and in making adjustments to them based on actual results.

## Becoming Official



### Key Takeaways:

- The benefits of incorporation are many, but make sure you understand your state's requirements.*
- You should definitely apply for tax-exempt status with the IRS. There are two types of non-profit status. Choose your status carefully.*
- Even if not required by your state, you should create bylaws for your association. See below for what to include and the appendix for samples.*

**Incorporate!** Once you have developed your mission statement and any objectives or goals supporting your mission it's time to incorporate by registering with your state. You have the option to not incorporate, but it is not recommended. Unincorporated organizations expose association members to personal liability and a host of other negatives. Incorporated organizations must comply with certain rules established by the state (such as taking minutes of board meetings and holding an annual meeting), but they are not unreasonable. There are costs associated with incorporating and many states also require (generally modest) annual fees. Many states (Florida, for example) require articles of incorporation to be filed. Those documents may require inclusion of

information which is generally outlined in your bylaws. This may mean you will want to write your bylaws before you take the incorporation step. Make sure you read and

***Unincorporated organizations expose association members to personal liability and a host of other negatives.***

understand the specific rules for incorporating in your state.

**Apply for non-profit status with the IRS.** You will need to apply for a Taxpayer ID Number with the Internal Revenue Service, and determine which non-profit status to choose. The IRS website has numerous tools to help



you walk through the process of applying for tax-exempt status. The biggest question you will need to answer is whether you want to apply for 501(c)3 or 501(c)6 status?

501(c)3 organizations are those which are organized for educational, scientific, religious or charitable purposes, and offer many advantages:

- Revenue generated is generally exempt from federal taxes
- In some states, 501(c)3 organizations are also exempt from state/local taxes
- They may be eligible for non-profit postal mailing rates
- They are eligible for applying for grants from government and foundation sources
- Dues are tax deductible for your members
- Lobbying is permitted but with restrictions

501(c)6 organizations are technically considered to be business leagues or trade associations, and offer these advantages

- Revenue generated is generally exempt from federal taxes
- The organization may engage in lobbying at the federal or state level, including political lobbying.
- They are eligible for some grants, but may be restricted for applying for grants for which 501(c)3 groups are eligible.

It is important to understand that many state onsite wastewater groups have 501(c)3 status but also lobby their state legislature. Such activity is perfectly permissible, subject to the following limitations.

- A 501(c)3 organization may spend up to \$500,000 or up to 20% of its annual revenue on lobbying activities (whichever amount is less) without losing its tax exempt status.
- In addition, a 501(c)3 may not



engage in 'political' lobbying. In other words, they are not allowed to work for or against the election of a particular individual.

So which status is best for your organization? Revenue is tax exempt

under both types of non-profit. While the postal discount sounds attractive, onsite industry associations are too small to meet the mailing minimums needed to qualify for postage discounts. So neither of those features are helpful in making your decision.

If you are not planning to engage in lobbying, 501(c)3 status makes more sense since dues are tax deductible for your membership.

If you plan to apply for government or foundation grants, 501(c)3 status is the better choice since 501(c)6 organizations may be restricted from applying for some grants.

If you do plan to lobby, the question becomes “Can you envision your lobbying efforts ever being more than 20% of your total revenues? For example, if you think you might hire a lobbyist to represent your organization in the state capital, there’s a decent chance you will exceed the 20% threshold. Cost estimates to hire a lobbyist vary considerably, but it is not unreasonable to expect to spend as much as \$5,000 per month for a lobbying firm’s services. In addition, there are internal costs for lobbying, such as overhead, print collateral, communication and research.

The decision about which tax status is best for your organization should be carefully considered, as it is extremely difficult to switch your tax-exempt status once you select it.

c. **Bylaws.** The vast majority of nonprofit organizations draft bylaws, even though many states do not require them. They are desirable because they define the internal structure of an organization and will be a guideline for board procedures long after the founders have departed.

Bylaws serve as a document which outlines the relationship between the organization and its membership. As such, they should be concise, easy to understand and easily accessible by the membership. They should not be too specific, as they will likely require frequent amendments. By the same token, they should not be too general, as that will cause confusion.

***The following topics are typically covered in association bylaws:***

- Membership categories and qualifications
- Application and resignation procedures
- Membership privileges
- Board size
- Qualifications of officers: duties and terms of office
- Description of standing committees
- Nomination and election procedures
- Methods of filling vacancies
- Methods for amending bylaws
- Indemnification of board and officers
- Procedures for dissolution

You will want to pay special attention to qualifications for board membership, nomination procedures, and membership categories (for example, individual members, institutional members, associate members, honorary members) developed as part of your bylaws. These

statements will tell potential members what kind of an organization this new group will be. Some of these qualifications are whether it will be an "open" or "closed" society, whether it will be democratic or autocratic, and whether or not a particular category of membership will have more power or privileges, thus becoming a driving force in the organization.

***[See samples of several state onsite associations' bylaws in the Appendix]***

It may be useful to develop your bylaws prior to applying for incorporation or IRS tax-exempt status, as both the IRS as well as some states require that your bylaws and articles of incorporation are matched.

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## Budgeting for Success



### Key Takeaways

*-Before you get underway, you need to identify how much it will cost to launch. Lots of upfront costs, plus you'll want to have one or more organizing events and promote it to your potential members.*

*-Set up a budget and determine what you will charge for dues.*

*-You will also need to find a bank, procure some type of accounting software, and establish financial controls for handling funds.*

As part of your planning you should be thinking about how the new organization will raise enough revenue to be able to pay its bills. Initially, you should be focused on three questions:

- *How will we cover the expenses involved with setting up the organization?*
- *How will we generate revenue and what expenses can we expect to encounter?*
- *How do we handle our financial transactions?*

**Set up costs.** There can be a number of expenses connected with getting a new organization established. At a minimum you will need to cover the costs for incorporating your organization. Those costs can range from a few hundred dollars to as much as \$5,000. (You'll want to check your state's

incorporation guidelines to determine how much it will cost in your state). You will also likely incur costs for developing and printing materials promoting your organization, postage, office supplies, etc. You may also wish to engage an attorney to review your legal documents. Another major expense for



which you will have up-front costs is your organizing meeting (more on that below).



important decision, because you'll have to live with it for some time.

You'll want to identify other sources of income you anticipate. It is common for state onsite associations to generate income from conferences and trainings, exhibit booths at conferences and meetings, vendor sponsorships of educational activities, and advertising in online and print publications. (Holding a training in conjunction with an organizing meeting, can be a good way to both build members and generate income from registration fees)

***A good rule of thumb when creating a budget is to estimate income conservatively and expenses liberally.***

Some of the expenses for which you will want to include in a budget include:

- Insurance (see discussion below)
- State/local fees
- Website development
- Office equipment and supplies
- Conference/meeting expenses (food & beverage, room rental, speakers, promotional materials, print materials, etc)
- Lobbying
- Outside consultants (i.e., attorneys, accountants, etc)
- Staffing costs

A good rule of thumb when creating a budget is to estimate income conservatively and expenses liberally. Be realistic about how many members you can expect to join initially and what it will cost to service them. You should also be realistic about how much your members will be willing to pay to join your organization or attend events you host.

Professional member dues vary widely among onsite wastewater associations, ranging from

\$50 to more than \$300 per year.

Most are between \$80-150. Fees for conferences are typically around \$100-\$125/day, and typically

include lunch. Non-members typically pay significantly more than members do for association programs such as conferences. Many state onsite organizations will build a year of membership dues into the registration cost for non-members.

***Other financial considerations.*** Once you have incorporated, one of your first orders of business will be to select a bank for your accounts. Shop around as services, pricing and interest rates can vary considerably between institutions. .

You will need financial software to log and track income and expenses, and to generate reports for review by the Board. There are



many products available, including low-cost online accounting software programs offered by Quickbooks, Google and more. In addition to selecting software, make sure you have determined what types of financial

controls should be implemented to ensure funds are accounted for and used properly. At a minimum, all financial transactions should be touched by at least two people before the transaction is completed. For example, checks

might go to the secretary to be recorded and deposited in the bank. The treasurer then assigns the deposited funds into the proper account. Make sure to document your procedures and share them with the Board.



# Hosting Organizational Meetings

## Key Takeaways

- Adding an educational component to your organizing meeting(s) will increase interest in attendance.*
- Many state groups offer 1 year of membership to non-members when they register for an educational event. You should consider doing the same.*
- Start planning your organizational meetings as soon as you can and get as many people as possible involved in the effort to help handle all of the moving parts involved with hosting an event.*

Once your organization is on the path to becoming a legal entity, you should begin planning your first organizational meeting. It is highly recommended to hold one or more in-person events to introduce your new organization to your potential members.

While there is no one 'right' way to introduce your new organization, in our industry, it is fairly common to host some form of continuing education or social activity in conjunction with the organizational meeting.

Offering a few high quality education sessions or a social event establishes credibility for your group and will help your members answer the question, "What's in it for me?"

The brief discussion of the items below is not intended to be a comprehensive guide to planning your first event, but it should provide a good overview of the tasks you will want to complete in order to have a successful event.

**Establish an event planning committee.** Try for at least 5 people you can rely on to accomplish assigned tasks. The more the merrier. Ideally, you should establish this committee at least 6 months before you want to host the event, so this activity should probably begin prior to the launch of the new organization.

**Determine format, date, location and length of event.** When selecting the date for your event, keep in mind the times of year when

your members are not especially busy and try to schedule your event during those times. In many states, winter is a popular time of year to host educational events. Also be aware of other



times when attendance would likely lag. In addition to holidays and elections, try to avoid popular hunting seasons! This is also where your research on your market can pay off, as the list you have should give you a good idea

of the geographic distribution of potential members and locate your event in a centrally located area.

**Find an appropriately sized venue.** Again, your market research should give you a reasonably good idea about how many people you can expect to attend your event. For most groups a space holding 50 to 200 members will be a good size. Where do you find such venues? Hotels are an obvious choice, but you will likely

pay for room rental, and hotel food and beverage fees can be ridiculously expensive.

Many other groups have facilities they may be willing to let you reserve for a nominal cost, or even for free. Groups like Ruritan, the Elks, Knights of Columbus may have a facility available, or perhaps there is a church hall available at little or no cost. Local governments may also have meeting space which can be reserved at low or no cost. If you don't use a hotel, remember that you will need to find a caterer if you plan any food or beverage functions, and someone to help you secure the audio/visual equipment you will need to conduct your event.

**Map out your program and identify potential topics, activities and speakers.** This is where you make decisions about the content of your event – educational sessions and possible speakers, meals, happy hours or other social

activity, a trade show perhaps, and most important, the session introducing your new organization and its plans for the future.

**CEU tracking if needed.** If your state or counties require continuing education and you are recognized as a provider of relevant training, you will need the ability to track and report attendees' earned CEU credits and report it to the responsible state agency. Many states take weeks or months to respond

to requests to be an education provider, so you should reach out to them with your agenda as soon as the agenda has been finalized.

**Develop your agenda.** Before you invite people to your event, you need to put together your agenda so people can make the decision about whether it is worth it to attend. You don't necessarily need to have every detail in the agenda fully nailed down, but it should be at least 90% complete before you begin to promote it.

**Promotion.** Your goal should be get the word out to the greatest number of people possible at the least cost. It is best to have a written plan of promotional activities, along with a schedule for those activities. Below are some helpful ideas on low-cost promotions:

- If you have a website set up, your organizing event should be front and center on the home page.

**Many groups have meeting facilities they may be willing to let you reserve for a nominal cost, or even for free. Groups like Ruritan, the Elks, or Knights of Columbus may have a facility available, or perhaps there is a church hall available at little or no cost. Local governments may also have meeting space which can be reserved at low or no cost**

- Consider creating a Facebook business page or Instagram account promoting your conference. If you determine that key segments of your potential membership use other types of social media, develop media that will work on those platforms.
- Develop a press release describing your new organization and the event you plan to hold to introduce it. You should plan to send it to *Onsite Installer* magazine and *Pumper* magazine, along with any relevant



state publications. In addition, provide local manufacturers reps and distributors

with a supply of brochures or flyers for them to distribute to their customers. You should also ask if your state and/or local county health departments would be willing to post information in any newsletters or other communication vehicles. Some health departments may even let you place “take one” brochures promoting your conference in their reception area. If your state has related organizations (such as environmental health professionals, well drillers, etc.) make sure to send the release and brochures to them as well.

**At the conference.** You should plan to have individuals assigned to oversee registration, audio/visual equipment, meal and social event coordination, verification of continuing activities (if available), and making sure speakers have arrived and are prepared.

**Post conference follow up.** Assign a team to follow up with attendees after the event. If they joined during the event, make sure to thank them; if they didn’t join, encourage them to do so. If membership was included as part of their registration fee, make sure to remind them of that and provide any credentials they might need for their records. You may also wish to include a short survey to get feedback on both the event and the organization. Consider holding a meeting after the event to review what worked, what didn’t work, and what you might want to do differently the next time the event is held.

# Other Things You'll Want to Know

## Key Takeaways

- Affiliating with NOWRA will deliver tangible benefits to your members while you develop additional programs.*
- Securing insurance to protect your volunteers (and staff), your organization, and your events is a good management practice.*
- You'll need to figure out where to establish your headquarters, who will manage your association and how you will communicate with members and prospective members.*
- You can't have too many volunteers, but they don't just magically appear and they won't stay if their efforts go unrecognized.*

**Join NOWRA as soon as you are able.** As a new organization, affiliation with NOWRA will provide you with a host of benefits that will allow you to provide your members with an immediate, tangible return on their membership investment. When your affiliate joins NOWRA, all of your members automatically become NOWRA members.

NOWRA benefits include:

- Significant membership discounts on products and services
- Access to both in-person as well as online continuing education training at member rates
- Regular membership communications, including electronic newsletters and a 4-color magazine covering industry issues
- Liability insurance for members (in states where the insurer is licensed to operate)
- Access to a network of industry professionals able to offer advice and assistance when you or your members need it
- A member listing on the Septic Locator. Homeowners looking for an onsite wastewater professional can look for

you by name, geographic area served or by services offered

NOWRA also offers a lower-cost option for states to become affiliated. The Supporting Affiliate category provides most (though not all) services available to full State Affiliates.



An additional benefit of NOWRA membership is that it will share revenue it receives from continuing education courses taken by individuals in your state. You will receive revenue-sharing payments for both members and nonmembers in your state who take a NOWRA continuing education course.

**Insurance** – Your organization will want to secure insurance to protect the organization and its leadership. The three most important types of insurance to consider are:

- **Director and Officers Insurance. (D & O)** It is important to understand that board and committee members, paid staff, and any other volunteers working on your association’s behalf are personally liable to be sued as a result of their involvement with your group. D & O insurance protects all of those involved with your association from that liability
- **Commercial General Liability (CGL) Insurance.** While D & O insurance protects the individual from personal liability, CGL protects the organization and operates very similar to the liability insurance most contractors purchase to protect their individual businesses.
- **Convention Cancellation Insurance.** For most state affiliates, their annual meeting/convention is the single largest financial event each year. If something happens that causes the event to be cancelled, your organization typically will still have a contractual financial obligations for items such as hotel room guarantees, caterer guarantees, expo decorations, transportation, and more. Convention Cancellation Insurance will cover all or most of these costs.

**Who will manage your association?** Most new organizations start out being operated exclusively by volunteers, typically one or more members of the Board of directors. Some groups operate in that fashion for years, but most organizations soon grow to the point where the team of volunteers no longer has the time necessary to keep up with all of the

tasks involved in keeping an organization and find it necessary to pay someone to handle

**You will want to secure D&O insurance for your board, volunteers and staff; Commercial General Liability coverage for the association, and Convention Cancellation insurance for your meetings.**

some or all of the administrative tasks. Initially you may want to hire someone on a part-time basis.

**Where will you be headquartered?** You will need a legal location for banking, taxes, mail collection, and your operating license from your state/local government. Your organization should identify a location that can serve as your headquarters for a long time – perhaps the home or business location of a volunteer who is not likely to move anytime in the near future. Changing headquarters can be expensive and time consuming.

**Communicating with your audience.** Regular communications with your members, prospective members and other interested parties is critical for building and maintaining awareness of your new organization, but it is important to select the right communication formats, keep your mailing lists current, and decide on how frequently you need to communicate with them.

- **Formats.** In this industry, email communication is the most widely used communications format, although younger members may use email



Eventually, the cream will rise to the top. Always make sure to acknowledge your volunteers' contributions and say thank you to them! Everyone wants to be appreciated!

### ***The value of manufacturers – Industry***



***Make sure to engage important vendors in your state. They can provide support financially, with educational content, member recruitment, promotional communications, and volunteering.***

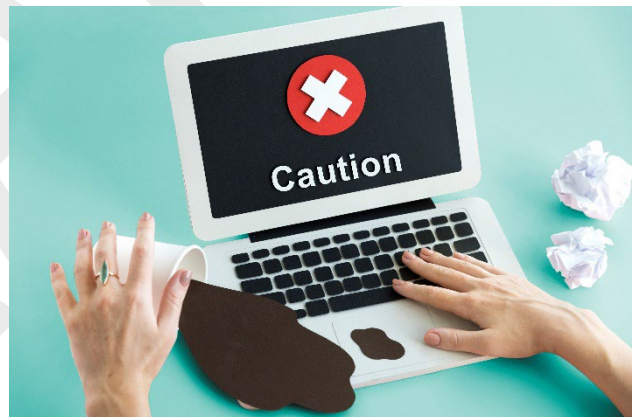
suppliers can play an invaluable role in helping a new association get going. Chances are good that they will have a strong interest in participating in your organization, since it will provide them with new ways to reach their customers. There are lots of ways they can support your efforts:

- Providing seed money to get the organization up and running
- Volunteering to serve on the board or committees
- Serving as subject matter experts to contribute articles or perhaps provide training on key topics
- Recruiting new members from their customer/prospect lists
- Purchasing booths or sponsorships at meetings you host
- And much more

***Antitrust*** – One of the most important legal issues facing all trade associations is antitrust. The US Department of Justice (DOJ) long ago determined that trade associations could provide an environment which makes it easier for individuals or companies in the same

industry to make agreements which benefit them at the expense of their competitors, customers or suppliers. Make no mistake, if antitrust activities take place at an association meeting and the DOJ finds out it happened (and all it will take is for a disgruntled member to call the DOJ and report the activity), they will come down hard on the organization, with fines, sanctions, and even criminal penalties in the most extreme cases.

It is good policy to make sure your members are aware of what they can and cannot say when participating in any association event, whether it is held in person or virtually. Many organizations distribute or read a statement to each member at the beginning of their association meeting. ***A typical antitrust statement can be found in the Appendix:***



***Other important documents.*** Your organization should consider also developing the following policies and documents:

- Board Job Description
- Board Statement of Agreement
- Board Member Code of Conduct
- Conflict of Interest
- Document Retention
- Code of Ethics for members
- Whistleblower

Samples of these documents can be found in Appendix A.

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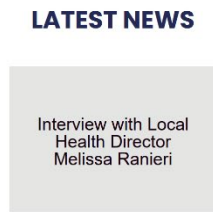
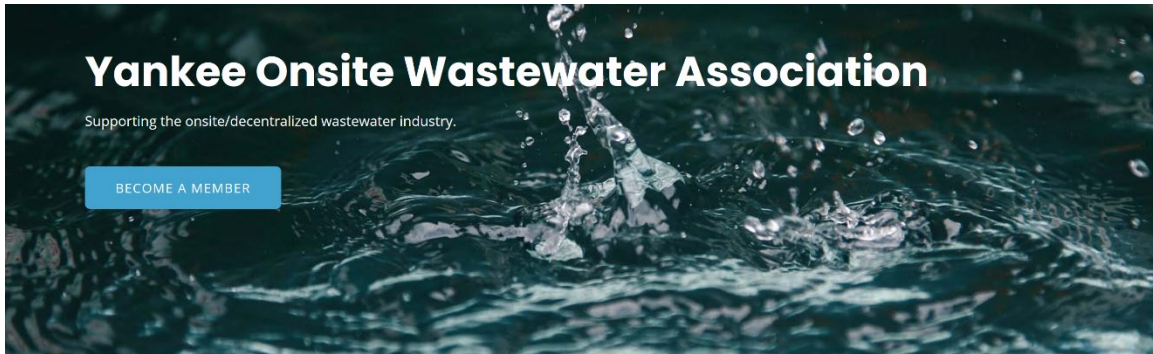
## Create a Better Future for You and Your Colleagues

The path to establishing a new organization is a long and time-consuming process, but if you are successful, it will be a rewarding and productive effort, and you and your

colleagues will be proud to have completed. Stay positive, stay focused, and keep your sense of humor and perspective when obstacles arise (and they will), and success can be yours.



# Case Study 1 -- YOWA – New Regulations Help Foster the Birth of a New State Affiliate



In the late 1990s, the Commonwealth of Massachusetts began to roll out a series of state-wide regulations intended to improve management and oversight of onsite system installations. Those regulations, collectively known as Title 5, required industry professionals and regulators to become certified in system inspection and soil evaluation. Those regulations became a key driver in the formation of the Yankee Onsite Wastewater Association (YOWA).

The development of Title 5 led several influential professionals in Massachusetts to be talking about the need for an organization to support the onsite community in Massachusetts and beyond. They had also noted that many other states had already formed state onsite associations and they felt they needed one as well. The three original founders were: Tom Groves, who ran the

onsite program for the New England Interstate Pollution Control Commission (NEIWPC), John Higgins, who was Massachusetts' top onsite regulator, and Dan Oppenheimer, who was helping several municipalities to set up and operate their onsite wastewater oversight activities. Eventually, they decided that they would try to get an organization established. They also decided that their organization should serve all of New England, for two primary reasons: First, all of the New England states are small and travel between states is easy, and second, NEIWPC was already producing trainings and other materials for all New England states.



The 3 founders recognized that they would need to fill out their group with representatives from the various segments of the onsite community. They identified people from around New England from various disciplines: academia, system installers, soil scientists, vendors, and regulators to fill out the original organizing group. Once the full organizing committee was in place, they held their first meeting in June of 1999. Those in attendance participated in developing the organization’s bylaws and the first YOWA officers were elected. At least two additional organizing meetings were held to bring in as many potential members as possible. In each case, YOWA found sponsors to cover the costs associated with hosting those meetings.

For the next several years, YOWA operated somewhat informally, in part due to a slow rollout of Title 5 regulations, but they continued to meet, hosting trainings, and encouraging more individuals to become Starting a State Onsite Wastewater Association

involved. In 2005 they determined that they needed to incorporate and filed the paperwork to become a 501(c)6 organization, and shortly thereafter requested that YOWA become an official NOWRA state affiliate.

Every NOWRA affiliate is affected by the unique features of the onsite community it serves, and YOWA is no exception. From the beginning, it has provided trainings around Title 5 requirements. Because Massachusetts requires its regulators to obtain Title 5 certification, it has a higher proportion of regulators as YOWA members than most NOWRA affiliates. By the same token, it has fewer installers as members since they are typically not required to be Title 5 certified s. While YOWA has members from around New England, the majority of its members are based in Massachusetts. YOWA also provides trainings attended by installers, designers, and service providers and scores of people from

***The development of Title 5 led several influential professionals in Massachusetts to being talking about the need for an organization to support the onsite community in Massachusetts and beyond.***

around New England have attended these events. Expanding its membership outside of Massachusetts continues to be a goal.

Today, YOWA is a fully viable and successful organization. They have a part-time executive director, publish a regular newsletter for their audience, hold several trainings per year, advocate for needed regulatory changes, and promote sustainable onsite systems in New England.

## Case Study 2

# NDOWRA – Giving a Voice to North Dakota Installers

What can you do when the rules are stacked against you? If your name is Tom Schimelfenig, you fight back. The North Dakota Onsite Wastewater Association (NDOWRA) was established to ensure that installers in the state had a voice in how onsite systems are regulated and managed.



**NDOWRA**  
North Dakota Onsite Wastewater  
Recycling Association

Frustration had been building for years among North Dakota installers, as a generation of older, experienced onsite regulators retired over a several year period. The regulators who replaced them were, in the opinion of many installers, thoroughly unqualified for the positions they held – they made poor, often illogical decisions about plans submitted for approval, made all of their decisions in secret with no input from the installers who had to live with those decisions, and were often openly hostile to the installer community.

While many North Dakota installers were complaining about how they were being treated, Tom Schimelfenig decided to do something about it. One day, after a meeting in Fargo, Tom and several colleagues were discussing the regulatory situation, when Tom said, “We need to form an association so that we can collectively voice our frustration and make changes to the way things are being done at the regulatory level. His colleagues quickly agreed that was a great solution – one

that would give them the power that they lacked as individuals fighting the system.

Tom’s idea struck a chord and Tom volunteered to lead the effort to get an association established. The first thing he did was attend the 2018 Onsite Wastewater Mega-Conference in Minneapolis. That experience “opened my eyes to what was possible,” he said. From there, he started to identify colleagues from around the state who might be interested in joining him in forming a new association for installers in North Dakota. In relatively short order he had put together a organizing committee.



Everyone on the organizing committee were united in the two main goals for the organization: to provide better continuing education for installers and – most important – to take their case to the state legislature in Bismark so that they could lobby for better onsite wastewater regulations and have a



State of North Dakota  
Office of the Governor  
Doug Burgum  
Governor

greater voice in decisions that affected their business. Tom and his colleagues planned an

educational conference for installers as the first event for their new organization. Nearly 100 people attended and most readily agreed to join the new organization. NDOWRA was born.

NDOWRA is now a recognized player in North Dakota state government. They not only have a seat at the table, they are working with the state to finalize a better regulatory framework and have created an oversight board to review both new rules and decisions made by the public health officials on matters of importance to installers. Installers make up a significant portion of the oversight board. And Tom is still leading the way, racking up the miles on his truck as he now travels frequently to Bismark, where he is a recognized and respected advocate for the installer community. Now that NDOWRA exists, they have more power than ever before, and are putting it to good use.

# Appendix A

## Samples of State Bylaws, Mission Statements and Dues Structures

### Sample Bylaws

[Missouri Smallflows Organization Bylaws](#)

[Yankee Onsite Wastewater Association Bylaws](#)

[North Dakota Onsite Wastewater Recycling Association Bylaws](#)

[Colorado Professionals in Onsite Wastewater Bylaws](#)

[Virginia Onsite Wastewater Recycling Association Bylaws](#)

[Tennessee Onsite Wastewater Association Bylaws](#) (link to pdf document)

**Iowa Onsite Waste Water Association** -- To protect Iowa's water resources, support our members, encourage professionalism, and promote consistent application of onsite wastewater services through continuing education.

**North Dakota Onsite Wastewater Recycling Association** -- Our mission is to promote the proven methods, technologies, and the collected professionalism gathered through many years of experience and proven results.

**Virginia Onsite Wastewater Recycling Association** -- VOWRA's mission is to support, strengthen, advance and unify the onsite wastewater industry in the Commonwealth of Virginia through education, training, and representation.

### Sample Mission Statements

**Colorado Professionals in Onsite Wastewater** -- Taking the Onsite Wastewater Industry in Colorado to a new level by establishing leadership and enhancing professionalism through outreach, information sharing, education and training.

**Florida Onsite Wastewater Association** - FOWA is a non-profit organization whose primary goal is education. We provide knowledge about wastewater technologies and maintenance standards in order to ensure a safe and beautiful Florida for future generations.

**Yankee Onsite Wastewater Association** -- YOWA's mission is to provide knowledge, grow the profession, and educate designers, installers, service providers, system owners and regulators to protect the environment and public health and to promote sustainable onsite wastewater systems in New England.

### Sample Dues Structures

[Colorado Professionals in Onsite Wastewater Dues](#)

[Florida Onsite Wastewater Association Dues](#)

[Iowa Onsite Waste Water Association Dues](#)

[Washington Onsite Sewage Association Dues Categories](#)

[Yankee Onsite Wastewater Association Dues](#)

**Other Sample Documents (from the Oregon Onsite Wastewater Association)**

Board Job Description

Board Statement of Agreement

Board Member Code of Conduct

Conflict of Interest

Document Retention

Code of Ethics for members

Whistleblower

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# Appendix B

## Legal and Fiduciary Responsibilities of Board Members

When a person agrees to serve on a nonprofit board of directors, they not only are making a commitment of their time and energy, they are also accepting legal and financial responsibility for the fortunes of the association. It is not a responsibility to be taken lightly

Board members are fiduciaries for the organization. In other words, they act as trustees of the organization's assets and must exercise due diligence and oversight to ensure that the organization is well-managed and that its financial situation remains sound.

Because board members can be held personally liable both legally and financially for actions taken by the association, it is a good idea for a new organization to secure both Commercial General Liability as well as Director and Officers insurance coverage for their organization.

The following are an overview of many of the most important responsibilities of being a fiduciary:

- They must act for the good of the organization and not for the benefit of themselves.
- They must exercise reasonable care in making all decisions and avoid putting the organization under unnecessary risk.



- They must be objective, responsible, trustworthy, and honest.
- They must ensure that programs fit with the organization's mission and goals and that the impact of those goals is measured and reasonable.
- They must understand the

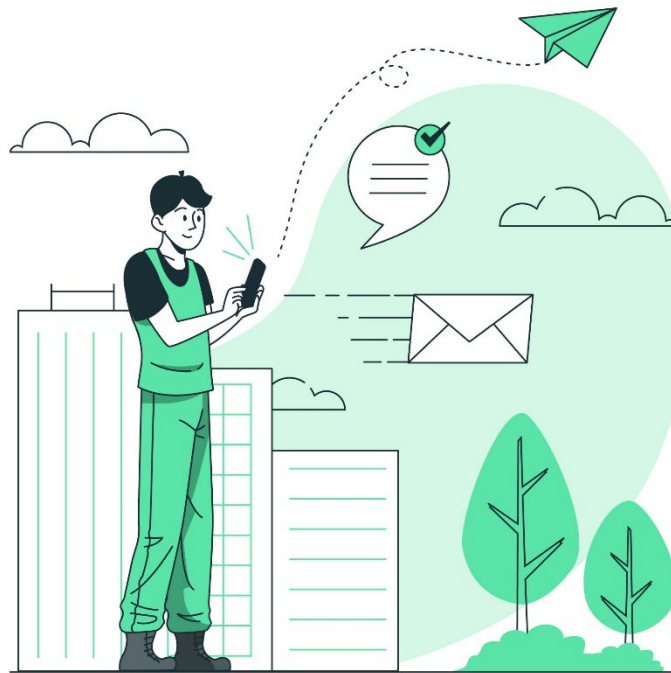
basics of a financial statement and ask questions when information is unclear or incomplete.

- They must make sure all taxes, licenses and other important documents are filed correctly and on time.
- They must make sure adequate financial controls are in place to prevent fraud or misuse of funds.
- They must approve an annual budget.

## Appendix C

# Sources for Building Your Membership Prospect List

In order to get the word out about your organization and to stay in touch with both members and prospective members, one of your earliest tasks will be to set up a mailing list and put mechanisms in place to continue to build the list as you identify more individuals and businesses. It cannot be stressed enough how important a good mailing list is to your future communication and promotional efforts. You can have the best information and the prettiest graphics, but if your message is not reaching the right people, all that has been accomplished is a lot of wasted time.



Here are some good steps to consider when building your mailing list.

- Designate one or more persons as the keeper of the mailing list. This is a very important, but potentially time-consuming task. It will require someone who is willing to really roll up their sleeves and commit to the task.
- Set up a process to collect names of new members and prospects. Names can come from a variety of sources – memberships

and meeting registrations, referrals from other board members, vendors, even health departments.

- You and your fellow organizing committee members may be one of your best, first options for collecting names for your list. Consider asking your colleagues to go through their contact lists and pull out those people who might wish to get involved with your new organization.
  - Try and find out whether there are any lists of industry professionals which can be shared with your organization. Make sure to check with your state health department or any other licensing

authorities. That information may be available to the public. A limited number of states actually publish lists of onsite wastewater licensees online.

- Other possible sources of lists include those held by local health jurisdictions, related associations, such as environmental health or well-drillers, local distributors or other vendors, colleges or technical schools which provide training to onsite wastewater professionals.

- Do not be surprised to discover that a list exists but cannot be shared. There are competitive, policy and legal reasons why an organization may not be willing or able to share the names and contact information with you. It's also possible that they might be willing to do the next best thing – send out a communication on your behalf to their mailing list. You may not get all the names, but chances are good that those who respond will be

excellent prospects for membership – as long as you capture them!

- One final suggestion – chances are good that most of your communications initially will be emails. Plan to include the following P.S. to every communication: “Know someone else who might be interested in (name of your association)? FORWARD THIS TO A FRIEND.”

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## Appendix D

# Sample Antitrust Statement to Share with Members

Because of the risks they present to your organization's existence, many associations



have a statement about what types of discussions are not permitted at any formal or informal association-sponsored activities. Some groups read an antitrust statement at the beginning of an association meeting or activity. Others will publish a statement in the conference program and make sure members are aware that it is there. Still others will distribute a copy of the statement to every member. A typical statement may read as follows:

XYZ Association is aware that the potential exists for conversations or discussions which violate federal antitrust guidelines. It is the policy of this association to be in strict compliance with all federal and state antitrust laws, rule and regulations:

- DO NOT discuss your prices or competitors' prices with a competitor (except when buying from or selling to that competitor) or anything which might affect prices such as costs, discounts, terms of sale, or profit margins.
- DO NOT agree with competitors to uniform terms of sale, warranties, or contract provisions.
- DO NOT agree with competitors to divide customers or territories.
- DO NOT act jointly with one or more competitors to put another competitor at a disadvantage.
- DO NOT try to prevent your supplier from selling to your competitor.
- DO NOT discuss your future pricing, marketing, or policy plans with competitors.
- DO NOT make statements about your future plans regarding pricing, expansion, or other policies with competitive overtones. Do not participate in discussions where other members do.
- DO NOT propose or agree to any standardization which will injure your competitor.
- DO NOT do anything before or after association meetings, or at social events, which would be improper at a formal association meeting.
- DO alert association staff and legal counsel to anything improper.
- DO send copies to an association staff member of any communications or documents sent, received, or developed by you when acting for the association.
- DO alert every employee in your company who deals with the association to these guidelines.