



# MASE Newsletter

MAINE ASSOCIATION OF SITE EVALUATORS

February, 2016

## MASE Annual Meeting & Technical Seminar

Tuesday February 23, 2016

Ramada Conference Center, Lewiston

Although this winter has produced little snow, you will find plenty of white stuff at the MASE Annual Meeting. That's because when some site evaluators refer to the "albic horizon," they could be talking about their hair color. The wisdom of the ages will be proudly represented at the February 23rd MASE meeting, which will see a gathering of thousands of years of site evaluation experience. Concentrating this vast pool of knowledge in one place means we can expect a nuclear-like explosion of lively discussion. Whether you come for the training credits or the entertainment, you will not be disappointed.

One of the themes of this year's meeting is the business aspect of site evaluation. Most site evaluators are hoping to make some money, and the presentations can help make that happen. We will also be considering changes in the MASE constitution and bylaws to reflect the profession and organization in 2016 and beyond.

Please join us for this year's annual meeting, held once again at the Ramada Conference Center in Lewiston starting at 8:30 AM on Tuesday, February 23, 2016. An agenda and registration is contained within; please let us know by Feb 18 to reserve a meal. We hope to see you there!



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# MASE Newsletter

February 2016



## MAINE ASSOCIATION OF SITE EVALUATORS

Newsletter Editor Richard Green

### 2015 MASE Board Officers

#### Contributors

Dave Kamila  
Roger St. Amand  
Glenn Angell  
Tim Wade  
Dave Moyses

Tim Wade .....President  
Dave Moyses ..... Vice President  
Roger St. Amand ..... Treasurer  
Gary Fullerton ..... Secretary  
Bonnie Cobb ..... Director  
Richard Green ..... Director  
Amy Jones ..... Director  
Earle Rafuse ..... Director At Large  
Dale Knapp ..... Ex-President

Send articles, photos, news, and other publication items to:  
**Richard Green, [richard.a.green@roadrunner.com](mailto:richard.a.green@roadrunner.com)**  
(207)725-4078 *MASE website: [www.mainese.com](http://www.mainese.com)*

## Directions to the Ramada Conference Center 490 Pleasant Street, Lewiston, Maine

#### From North:

Take Interstate 95 South to Exit 80. Continue straight ahead. Follow signs for Industrial Park. At traffic light, go straight. Hotel and conference center is on the left.

#### From South:

Take Interstate 95 North to Exit 80. At stop sign, turn left. Follow signs for Industrial Park. At traffic light, go straight. Hotel and conference center is on the left.



# Message From MASE President Tim Wade



I hope this finds you all well, warm, and ready to go at it hard again next spring. 2015 was best described for me as a whirlwind. The year was a trying one for myself and my family, but also one of growth on many levels, personally and professionally. When I took the reins of this association I did so with wide eyes and big goals. The Executive Board had a very productive first board meeting following the energetic 2015 Annual Meeting, and we continued to work through issues and commitments throughout the year. I want to thank Dave Moyse, Roger St. Amand, Gary Fullerton, Dale Knapp, Bonnie Cobb, Amy Jones, and Richard Green for serving on the board, and David Braley, Glenn Angell, and Earle Rafuse for being present and involved in all of the board activities. The board set off to realize the goals that had been set in 2014 and discussed at the Annual Meeting; continuing to update and evolve the website, dissecting the MASE Constitution and By-Laws to suggest revisions and updates, and providing funding and organization of an internship or educational program to help attract, educate and prepare for the exam, potential Site Evaluators. We also found

ourselves closely watching a couple issues; an imminent rule change; and a plan to move our parent agency, the Drinking Water Program across the river to the Department of Environmental Protection.

The rule changes were minor, myself and some of our members delivered comments, and the new changes were adopted; and because of several member requests, the Department also delivered a summary (which can be found on the website) of the changes. The MASE board offered comments against the DWP move to now former DEP Commissioner Patricia Aho, and received a response from the commissioner (available on the website). The DWP move was tabled indefinitely, though the move being housed in the general budget vote was more the reason for it's demise than our letter. VP Dave Moyse undertook the Constitution and Bylaws, and with the help of a few other regulars and members of the Board, recommended the edits that you have been presented with and will vote on at the upcoming Annual Meeting. I continue to work on both an educational program and trying to keep the website and facebook updated, both are tasks that are involved and time consuming. In 2016 the board will need to continue to work on solving the declining Site Evaluator numbers that Glenn has been reporting, and to do this will need volunteers to step up and join myself and Dave Marceau in trying to make this possible. Additionally, during the meeting I am going to call for a motion to vote on the creation of a paid position, the MASE Media Relations Director to handle the day to day (more likely week to week) updating of the website and any other social media the board may see fit. The job description can be found on the back page of the Newsletter.

2015 saw successful, enjoyable, and at times entertaining events organized fully or in part by the Board including the 25th Golf Tournament, the Sebago Workshop in conjunction with MAPPS and MAWS and the MASE Field Day, and we are looking forward to a lively, educational, and interesting 2016 Annual Meeting. Each was well attended, but there is always room for more. I strongly encourage each of you to try to attend at least one of these events next year to help build camaraderie among our organization. Look for our new hats and t-shirts at any of our upcoming events. Thanks to Bonnie for the hard work, we have an updated stock with an updated style. Hats and t-shirts are available at cost for \$12, pick one up to help represent our Association.

2015 seemed to show a significant uptrend in construction and therefore busier Site Evaluators, your Board included. It is my sincere hope that you all take a moment to consider the sacrifice of time each of your board members have given over the past year, and let them know you appreciate it. Even better, if the urge so strikes, volunteer to help out on a committee or the Board in the future. Here's to a happy, healthy and prosperous 2016.

Respectfully,  
Tim Wade, President MASE

**MASE Annual Meeting**  
***“The Business Side of the Business”***

February 23,  
2016

**Ramada Inn**

490 Pleasant Street, Lewiston, ME



- 7:30 – 7:45 Vendor set up
- 7:45 – 8:15 Registration, Vendor Displays, coffee
- 8:15 – 8:30 **Opening remarks**  
Tim Wade - MASE
- 8:30 – 9:45 **“How much are you worth? Pricing your services.”**  
Travis Noyes, PE - CES
- 9:45 – 10:15 Break / Vendor Displays
- 10:15 – 11:30 **Business Meeting** MASE Updates – Tim Wade  
Treasurer’s Report – Roger St. Amand  
Constitution Updates – Dave Moyses  
Election of new officers
- 11:30 – 12:00 **Connotative Soil Survey**  
Chris Dorion, Dave Roque - MAPSS
- 12:00 – 1:00 **Lunch – Department Updates – Seasonal Conversion, AT rules, On-line license renewal, online HHE-200 permit look-up, Licensed facilities**  
David Braley – Drinking Water Program
- 1:00 – 1:30 **“Minimum requirements on the HHE-200”**  
Glenn Angell – Subsurface Wastewater Unit
- 1:30 – 2:15 **“How the SBDC can help your Small Business”**  
Peter Harriman – Small Business Development Center
- 2:15 – 2:30 Break
- 2:30 – 4:00 **“Business Legalese – Business planning, structuring, and insuring”**  
Eric Marshall – Eaton Peabody
- 4:00 – 5:00 Networking Session Hotel Lounge



# MAINE ASSOCIATION OF SITE EVALUATORS

## 2016 Membership Form & Annual Meeting

MASE NEEDS YOU!

Your membership is important and our budget depends on your dues! All MASE memberships expire in February. You can join now and be assured of another year of representation of your interests by MASE. We are working to keep license fees down, regulations reasonable, host quality field seminars, an interesting annual meeting & informative newsletters.

*(Please complete a separate form for each individual)*

- Regular Membership** \$25  
(Maine Licensed Site Evaluator)

or

- Associate Membership** \$15  
(Unlicensed individuals with an interest in the goals and purpose of the Association)
- Annual Meeting – February 23, 2016** Member: \$25 (in advance)  
(includes lunch) or Non-member: \$30

*\* Please Register by February 18th to reserve a meal. No refunds are available after February 19th.*

**Make Checks Payable to: MASE**

**Mail To:** Roger St. Amand, Treasurer  
P.O Box 76  
Bass Harbor, ME 04653

**Total Enclosed:** \_\_\_\_\_

[rstamand@ces-maine.com](mailto:rstamand@ces-maine.com)

Name: \_\_\_\_\_ License Number: \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

[www.mainese.com](http://www.mainese.com)

[info@mainese.com](mailto:info@mainese.com)

# SUMMARY OF MASE 2015 TREASURY REPORT

Greetings fellow MASE members, this is my first year as treasurer. Amy Jones has passed the mantle on after many years of great service. She had been a great asset to MASE and has dedicated countless hours to the Organization. We all owe her a huge thank you! Even though she has officially stepped down as Treasurer, it was a gradual shift over the early months as she brought me up to speed. She has remained on as a Director and continues to assist with Treasurer duties. On to finances. 2015 was a good year for MASE financially. We came out ahead even as we tried to devote more resources to education, marketing and promoting MASE and site evaluation in general. Total income for 2015 was \$11,950.00, down ~\$500 from last year. Expenses were down even more at \$8,721.41 for an overall gain of \$3,222.59. In keeping with 2014, again, we brought in less money this year than last year, but we had less expenses. Expenses were offset by the generous education donations from Construction Consultants and sponsor support by Presby Environmental at the MASE Golf and field day events, and a decrease in donation expenditures. We continue to try to break even, so be thinking of how we can use MASE resources to promote the profession in the year to come.

The 2015 annual meeting was pretty much a break-even event. The cost for the meeting was \$4,506.25 and brought in around \$4,575.00. The MASE mutual fund basically held its own over a volatile 2015 and the value of the fund is holding near \$15,750.00.

The MASE annual golf tournament was a big hit for those that went. This year we tried to entice more members by offering free beer at the 19th hole. So we spent a bit more than we brought in. Expenses were \$697.67 and we brought in \$390 from registrations, resulting in a net expense of \$307.67. Thanks to Presby Environmental for covering the cost of lunch!

The annual MASE field day in September was held at Goodwill-Hinckley and combined with the State Site Evaluator testing. We had a lower than normal turnout at around 25 attendees, likely due to other great fall workshops such as the Sebago training that may have used up folks training budget. We came out slightly ahead with \$231.98 in expenses, (backhoe, coffee and doughnuts) and \$300.00 income. Presby Environmental generously provided lunch and a great noontime presentation.

A huge thank you also goes out to Eljen/Construction Consultants for their continuing support of MASE. They provided another generous donation of \$3,000 to go towards educational expenses. The board would appreciate any thoughts or opportunities members may have. Please let President Tim Wade know, he would welcome all your thoughts!

Donations in 2015 included our usual \$1,000.00 to the Envirothon. New expenses in 2015 included the purchase of a P/A system for outdoor events. This was a great asset and will help with those windy outdoor venues! Other new or notable expenses in 2015 included additional funds devoted to develop and maintain the website, free beer at the golf tourney, and a Board meal expense for a meeting in Windham. We have a great new website that I encourage all members to visit.

The Board, as always is seeking input from members on the best uses for spending MASE resources. Please let Tim or any Board member know if you have ideas on thoughts on how MASE can help serve its members and the profession. We could also use volunteer time to help make ideas come to fruition. Feel free to attend Board meetings in 2016. Your time and help would be greatly appreciated. Thanks very much for the opportunity to serve as your treasurer, and best wishes for a prosperous 2016!

Respectfully Submitted,  
Roger St. Amand  
Treasurer



# MAINE ASSOCIATION OF SITE EVALUATORS

## ANNUAL TREASURER'S REPORT 2015

Cash on Hand as of 12/31/14	\$ 11,323.65
Mutual Fund as of 12/31/14	\$ 14,992.43
<b>Total Assets as of 12/31/14</b>	<b>\$ 26,316.08</b>
<b><u>Income</u></b>	
Annual Meeting Registration	\$ 2,530.00
Annual Meeting Vendor Fees	\$ 2,025.00
Annual Dues	\$ 3,705.00
Eljen/Construction Consultants Donation for training	\$ 3,000.00
Golf Tournament	\$ 390.00
Fall Field Day	\$ 300.00
<b><u>Expenses</u></b>	
Annual Meeting	\$ 4,506.25
Gift	\$ 294.34
Envirothon Donation	\$ 1,000.00
Golf Tournament	\$ 697.67
Fall Field Day	\$ 231.98
Insurance ( paid in 2016)	\$ 0.00
Corporation Filing	\$ 35.00
Website (hosting fee, development, maintenance)	\$ 1,230.34
Miscellaneous (copies, postage, printing)	\$ 98.02
Bank Fees	\$ 56.44
Legislative (ACEC)	\$ 250.00
Equipment ( PA System for events)	\$ 209.40
BOD meeting expenses (Windham-Pats Pizza)	\$ 117.97
<b>Period of 01/01/15-12/31/15</b> Total Income:	\$ 11,950.00
-Total Expenses:	<u>\$ 8,727.41</u>
	\$ +3,222.59
<b>Cash on Hand as of 12/31/15</b>	<b>\$ 14,546.24</b>
Mutual Fund Balance as of 12/31/15	\$ 15,750.85
<b>Total Assets as of 12/31/15</b>	<b>\$ 30,267.09</b>

# 25th Annual MASE Golf Tournament Results

By Dave Kamila

MASE held our 25th Annual Golf Tournament on June 19th as usual at the beautiful Meadows Golf Course in Litchfield. The crew had the course in terrific shape as always and we all enjoyed a great round of golf under sunshine and blue skies. Mary Omara prepared a great lunch compliments of Kathi Emmi of Maine Septic & Pumping and Mike Merlesena handed out t-shirts compliments of Infiltraor Systems. I also handed out \$25 gift cards to all the winners in honor of the 25th Anniversary of this event and I promised to be back with \$50 cards in honor of our 50th Anniversary in 2040!

Yours truly teamed up with Kathi Emmi, Dick Sweet and Clough Toppan to post the winning score of 1 over to win just ahead of Mike Merlesena, Tim Cook, Russ Martin and Charlie Heinonen at 2 over.

Longest Drive honors for the ladies went to Kathi Emmi who topped Bonnie Cobb's best shot for the second year in a row. Dave Moyse, who was last year's champion was beaten by Tim Cook for this year's men's title.

Rod Kelshaw was closest to the pin on No. 3 at 33 ft. and beat yours truly at 48 ft. 9 in. Rod Kelshaw struck again on No. 7, just missing a hole-in-one at 2 ft. 4 in. with Mike Banaitis in 2nd at 11 ft. 1.5 in. Dave Moyse landed one 12'-3" to take No. 15 with Tim Hodgins at 15 ft. 1 in. Bonnie Cobb nailed No. 17 at 12ft. ahead of Ryan Barnard who was at 23 ft.

Looking ahead to next year, the tentative date is Friday June 19th, so mark the date and plan to join us for some friendly competition, a nice lunch along with gifts and prizes.





# THOUGHTS FROM THE STATE SITE EVALUATOR: TAKE THE TIME TO DO IT RIGHT

by Glenn Angell, State Site Evaluator

One of the items that arises when it comes to “the business of site evaluations” is the HHE 200 form and what goes on it. I’ve been asked to address that at MASE’s annual meeting this year so I’ll be covering some specific areas we’ve seen some problems with. Most of our contact with designs is when a state variance is required but we also have items posed to us by LPI’s during their reviews and that’s where my material will be coming from. And generally we address those issues when we see them but this will be my chance to talk with all of you about it. But in this article I thought I’d spend some time on some generalities on why more time and effort needs to go into our designs today over what we did in the past.

Back in the 1970’s, what needed to be on the form in many ways similar, but at the same time radically different, from what needs to be on there today. If you’ve never looked at a version of the Rules from the 1970’s, you really need to. It can be found on the Department’s website:

<http://www.maine.gov/dhhs/mecdc/environmental-health/plumb/rules.htm>

A quick perusal shows you that it’s a fraction of what we deal with today. So, be mindful of that fact when you hear people talk about it taking more time to do. This carried forth to what was needed on the form then vs. today

Back then most of what we did was quick sketches and layouts without a lot of details. Over time more and more specifics have been included in the Rules to the point where now our lives are much different. No longer can we simply say “put in a stone bed of this size” and leave it to the contractor to do the rest. That leads to not just liability issues but seriously jeopardizes whether what we KNOW should happen on a site actual does.

An important thing to note is that the Rules today do NOT contain the actual HHE 200 form in them. The form is contained in the Guidance supplement. Instead, Section 5 of the Rules outlines what is supposed to be on each page of the form. Prior to the 2011 version of the Rules, this information was buried in a few other sections and not spelled out in as much detail as it is now. And that’s where we get into trouble. Why? Because I don’t think site evaluators spend enough time checking and re-reading the Rules to make sure they know what all they need to be including. If there’s one thing I’ve learned in this job it’s that you just can read the Rules once, you need to go back to different parts many times.

Since the Rules were first laid out in 1974, we’ve (both the Department and Site Evaluators) have had time to work with them. The Department has investigated many cases of systems malfunctioning and looked into why they failed. As an example, in the early days the specifications for fill or other materials wasn’t as strict. It allowed fill to be sandy loam or coarser. We discovered that many system failures of systems designed and installed in those early days was because sandy loam fill was actually too fine to use and so this was modified to loamy sand or coarser. While this doesn’t seem like much, it has worked to refine what we as site evaluators need to think about, AND NOTE, on our plans. Many of the reasons we found for failures have been added into the Rules either in Section 4, 5 or even in Section 11.

Another difference is that there weren't the number of options available to us for use on a site. It was easy to specify what and then just leave it up to the contractor to put it in with a basic inspection by the LPI. (OK,OK, I know that we've all heard of those "drive by inspections that used to get done) Back in the 1970's and early 1980's there were basically 4 options, stone trenches, stone beds, concrete chambers and mounds. And because of area covered and costs, by far most were stone beds with a few chamber systems and very few trenches or mounds. Thus, everyone quickly knew what the dimensions of a system would be, even the contractors. And because of the few options, the LPI also learned quickly what was going in. Now we have so many options that it is important to detail just what our proposal will be so that the contractor has what he needs to put it in. You can't simply leave it to the contractor to know what to do, your plan has to tell him what is required. These systems are more complex and have pushed the sizing limits to keep costs down and minimize the changes made to a site. Thus, it's crucial that more time be invested into the design to ensure EVERYONE has the information they need to ensure the system is installed correctly.

Also, as time has gone on, the role of the LPI has evolved as well. While some might argue that in parts of Maine they aren't much different than they were 40 years ago, in many places they are much better trained and more invested in the process. But to do their job correctly, they need to have sufficient information on the form. They need to be able to locate where the system should be, even without the corner stakes. Why? Simple. As we all know, systems don't necessarily get installed right after we complete the design. Some designs can sit for years before they actually are installed. Even if a permit is issued, it can be months before the work is done and corner markers for systems have a tendency to disappear, especially if they are in the middle of a lawn or field that needs to be mowed.

Finally, a complete design is crucial should there be problems down the road. The Department routinely gets calls from homeowners, LPI's and even contractors when there are problems with a system. Such cases often involve a lot of finger pointing. While the Department policy is to bring the site evaluator in on these cases, the Department still needs to do a forensic review. There is nothing more frustrating than getting to a site and not being able to re-create what was supposed to happen because the plans don't have sufficient information to help us re-create. How can anyone establish what the elevations should have been if the ERP is long gone?

One last point. Many of you have shifted to the computer to put together your forms. While this can lead to a more readable design, it is not necessary and certainly not required by the Rules. In fact, I've seen some hand-drawn plans that are better than ones done on the computer. The key here is to make sure they are COMPLETE.

As I said above, at this year's annual meeting I'll be getting into more of the details on just what should be on the forms. This presentation will be geared more to generate discussion so come prepared. I will give you one teaser though. On page 2, just what is it that should be filled in for slope in the lower left corner? I have my thought on it, what's yours?

# THE SITE EVALUATOR AND ADVANCING OUR PROFESSION: ARE WE WHERE WE SHOULD BE?

by Dave Moyse

There are certainly a lot of Site Evaluators practicing out there who are more qualified to be writing this article than myself, but I am just dumb enough to volunteer to help Richard fill a spot in the MASE Newsletter! It is hard for me to count how many times I have had this conversation over the last few years with fellow LSEs, but it is far too many and is due time for us to make some changes for not only the betterment of the profession, but for our own personal success as practicing Site Evaluators. This has been a “Gorilla in the Room” for years at our annual meeting, but not much has been said or done about it. This is 2016, not 1916, and it is time for Maine Licensed Site Evaluators and others who are involved in our profession (LPIs, CEOs, Contractors, etc.) to unite and make a more determined effort to complete our work properly, produce a quality product and get paid appropriately for our services. This concern is shared by the MASE Board Members and many MASE members that I have talked with, and is part of the driving force behind the theme of our annual meeting this year...“The Business Side of the Business”.

Practicing LSEs have the Maine Subsurface Wastewater Disposal Rules (The Code), The Site Evaluation Manuals (2001), the Rules for Site Evaluators... (2006), the Guidance Supplement...for The Rules (2011), the MASE Ethics guidelines and all the training that MASE and other organizations provide every year, etc. to help guide our work. These numerous resources are there for us, keeping us current on the latest technology available and give us that “standard of practice” reference. There are simply no excuses for all of us to not be “doing at least the minimum”, but hopefully we are all striving to do much more than meet the minimum. Unfortunately, some of the LSE’s who should probably be taking advantage of those resources are not. They may also be missing out on particularly valuable events, such as the annual meeting presentations and field workshops put on by the tireless efforts of those like Dave Rocque, the Subsurface Program and the MASE Board. It’s the same story... those who probably need the guidance and would benefit the most are usually the ones that don’t attend! Please don’t get me wrong, as there are many...and perhaps most....LSEs that are doing great work and want to be at the “top of their game”, but we all can improve some aspect of our services. Lord knows that I am always learning something new or finding out that I could have done something differently that would be a better approach, even after more than 28 years in the “biz”. Maybe this is another argument for ramping up the CED requirements to maintain the Site Evaluator’s license, or enforcing the current requirements more harshly...that’s another subject for another time.

The quality of the services that each of us provide every day that we are out there not only reflects directly on each of us as an individual LSE, but it also reflects directly on the professional practice as a whole and on the Maine DEH who supervises our work and issues our licenses. You project an image daily to the consuming public of what a Site Evaluator represents, as many clients only need our services once, maybe twice, in their adult lives. The window of opportunity to impress and “set the standard” is very narrow. That reflection on you and the profession can be good or bad, but it’s entirely up to each and every one of us to ensure the positive! Please keep in mind that the service provided starts from the first contact with the client, likely a phone call, to the point of delivering the final product, and all the effort in between...not just the paperwork provided. Perhaps it would be beneficial to remind ourselves of that a little more often. The best advertisement for the site evaluation profession is the experience each client has with a given LSE.

The quality of the service that we provide also dictates what we can fairly and justifiably charge for that service. In the case of a septic system design, this becomes an issue when the finished product varies so greatly among practicing LSEs. For example, it is extremely difficult to produce a CAD .dwg of an HHE-200 that is based on a thorough site evaluation and accurately contains and depicts all the detailed information required...and then try

to compete with a septic system design done by another LSE that has a site plan with two unlabeled lines, three different sized, unlabeled squares and maybe a signature. To make matters worse some LPIs will accept and approve it, again setting the standard that this level of work is what the potential client can expect. If this poor quality work is considered “OK”, and that LSE charges a relatively low fee for their work, why would another homeowner pay a different LSE who is putting in the effort and trying to “do it right” a higher, more appropriate fee??? The days of doing our field work on most sites with a pop level, a 6 ft. rule and a handful of wire flags should be over (though some remote sites do dictate that as the only feasible option). The standards applied to our designs now merits a change in our practices. A laser level and a few grade stakes don’t cost much?? Our designs don’t have to be done in CAD, but they should look professional, contain all the required information, be neat and be legible...this is basic “stuff” folks.

If you don’t charge a reasonable fee for your time and services, it also reflects on the entire profession. It “sets the bar” for the market that we all have to practice in, and wow does that have to improve! We spend time pondering every year at MASE gatherings why almost no new people, particularly the younger generation, are getting in to the Site Evaluation profession? Well, if you can’t “make money”, the interest won’t be there...period! If all LSEs are making the effort to do it right and they look at it from a business perspective (It is a business!), you have to account for all of your costs and your fees should reflect those costs and a margin of profit. Now I don’t know about you, but many of us are in this to make a profit, not to simply cover our costs or worse yet, lose money? If many LSEs actually looked at the fees that they are charging for services rendered, relative to what their total actual costs are, many are working for “peanuts”...elephants work for peanuts! I would hope we are all in the business to make money and provide for ourselves and our families. If not, then maybe we should pick a different and more beneficial “hobby”!

When you go to the doctors, go see your attorney, go see your accountant, go to your auto mechanic...whoever... you have a preset notion and expectation in most cases that you are hiring a “professional” who will do their work properly in accordance with the current “standard of practice” in their profession....and here is the best part....you know that are going to get a sizable bill for their services when they are done! Why can’t we do that??

# SUMMARY OF PROPOSED CHANGES TO MASE CONSTITUTION AND BY-LAWS

for

February 23, 2016 Annual Meeting

The following list of proposed changes is based on a thorough and thoughtful review of the current version by several members of the Board and a few MASE members who have volunteered their time. The intent of these proposed changes is to make general edits for readability, grammar and more conforming to the way MASE has been “conducting its business “over the last several years. Some sections are outdated and no longer apply, and other sections proposed for insertion are believed to be applicable and make this document more complete.

A red-lined, tracked changes copy and a proposed final draft copy (without the red lines) will be provided to the MASE Membership for your review. Please be prepared to discuss any issues that you may have and be ready to vote on its acceptance at the MASE Annual Business Meeting on February 23, 2016. The goal is to not spend any significant amount of time at the meeting reviewing, but rather receiving any comments prior to the meeting so that they may be incorporated in to a final draft for the meeting.

Not every edit is listed below, just what the Board believes is “substantive” the membership’s consideration:

- Changed “The Association” to *MASE* throughout the documents
- Changed the order of some articles in both the Constitution and By-Laws for better readability and a more logical sequence of discussion
- Tried to be sure that this document be gender neutral
- Edited numerous grammatical errors

## Constitution

### Art. IV

- Defined “good standing” and “Voting Member”
- Made more clear who can vote

### Art. V

- Made more clear when dues must be paid, changed to *beginning of annual meeting* versus a specific date, like first day of calendar year, etc.

Art. VI

- Further defined Officers on the Executive Board, including Vice President as *President-elect* and Past President as an *Ex-Officio* that may serve on the Board on a courtesy basis to help with continuity and transition
- Changed Director term to 1-year and other Officers (Pres., Vice Pres., Secretary and Treas.) to 2-year terms
- Added *Proxy* option
- Defined *quorum* for Board meetings
- Edited how vacancies on the Board are filled

Art. VII

- Defined *quorum* for meetings of the membership

Art. VII

- Significantly changed the Standing Committees, their names, their roles, etc. to better reflect the current and recent needs, and the typical annual operation of MASE. The names and roles of past Committees were either combined or eliminated to create just four Standing Committees, of which not all maybe active every year, depending on the organization's needs and the membership's assigned tasks to the Board
- The proposed new Committees will be the
  - Nominating Committee*
  - Public Relations (PR) Committee*
  - Legal/Legislative Committee*
  - Technical Committee*

Art. XI

- Added *Rules of Order* for guiding how MASE conducts business

Art. XII

- Added *Conflict of Interest* for guiding how MASE conducts business

Art. XIV

- Edited Effective Date of when proposed revisions will take effect and wanted to preserve the recognition of the original, charter Board Members who adopted the original Constitution on February 5, 1980.

**By-Laws**

Art. I

- Edited when dues must be paid and how that affects the members “good standing”, and right to vote

Art. III

- Edited the Board’s authority to approve *minor* ( $\leq$ \$5,000) versus *major* ( $>$ \$5,000) purchases, with anything greater than \$5,000 requiring the MASE membership’s approval

Art. V

- Redefines the duties of the proposed four, new Standing Committees

The *Nominating* and *Technical* (previously called the Code Committee) Committees are more or less the same

The *PR Committee* is a combination of the Program, Education and Publication Committees that we have had in the past

The *Legal/Legislative* Committee will handle all of the legal, ethical and legislation issues that may arise affecting MASE

We eliminated the reference to a Performance Standards Committee and Finance Committee as they have not been active in many years and those duties have been handled by the Board for years.

A Special Committee can always be appointed by the President, and confirmed by the Board), if a specific task is required that cannot be addressed by one of the Standing Committees

# CONSTITUTION

## MAINE ASSOCIATION OF SITE EVALUATORS (MASE)

February 5, 1980  
**Revised April 19, 1990**  
**Retyped February 16, 2001**  
**Revised February 26, 2002**  
**Revised February 23, 2016**



## PREAMBLE

We, the Maine Association of Site Evaluators (MASE), hereby join together that we may further our profession. Together we shall strive to advance the prestige of the site evaluators through the establishment, promotion, and maintenance of both high ethical and performance standards. Although we represent several different disciplinary backgrounds, we wish to adopt a mutual attitude emphasizing the interdisciplinary nature of the field of site evaluation, and accepting the role, which each discipline can play in the enhancement of the profession. Through interaction, cooperation, and publicity, we seek to promote the ability of site evaluators to serve the public and to contribute to social and environmental well-being.

### ARTICLE I – NAME

Section 1. The name of this organization shall be “The Maine Association of Site Evaluators,” hereinafter called MASE.

Section 2. MASE shall be incorporated as a non-profit organization under the laws of the State of Maine.

Section 3. The name of MASE may not be used, nor any reference to it made in any advertising, promotion, solicitation, or the like, without prior written permission of MASE.

### ARTICLE II – OBJECTIVE

Section 1. The objectives of MASE shall be:

- a. The advancement of the professional, along with the social and the economic interests of the Site Evaluator.
- b. The improvement of public relations and the cultivation of public appreciation of the work of the Site Evaluator.
- c. The uniting of all Site Evaluators of the State into one organization.
- d. The advancement of public welfare, including furtherance of the public awareness and understanding of the Maine Subsurface Wastewater Disposal Rules and the modern wastewater disposal processes that affects the Maine landscape and human environment.
- e. To inform members and other interested persons of current and planned site evaluation programs in Maine.
- f. The consideration of and attention to legislation affecting the practicing Site Evaluator and the profession of Site Evaluation.
- g. The establishment and maintenance of high ethical and moral standards and practices.

- h. To provide a financial base to publish and distribute a periodic newsletter, to cover matters of technical and general interest, and to announce future MASE meetings.
- i. To be exclusively for non-profit, charitable, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations under section 501(c)(3) of the Internal Revenue Code of 1954 as amended.
- j. To receive and administer gifts, contributions, bequests, etc, as outlined in Subsection i. above.

#### ARTICLE III – ASSETS

Section 1. No part of the net earnings of MASE shall inure to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that MASE shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II, above. No substantial part of the activities of MASE shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the cooperation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office, notwithstanding any other provision herein, MASE shall not carry on any activities prohibited under Section 501 (c) (3) and section 170 (c) (2) of the Internal Revenue Code of 1954 as amended.

Section 2. Upon the dissolution of MASE, the officers shall, after paying or making provision for paying all liabilities of MASE, dispose of all the assets of MASE exclusively for the advancement of charitable, educational, religious, or scientific purposes as herein. Any such assets not so disposed of shall be disposed of by the District or Superior Court where the principal office of MASE is then located for the purposes enumerated herein.

#### ARTICLE IV – MEMBERSHIP

Section 1. Member shall be open to any person holding a current Site Evaluator’s license issued by the State of Maine (LSE). All Members in “good standing” shall be considered as Voting Member of MASE.

Section 2. Associate Member shall be open to any person having an interest in the profession of site evaluations, including but not limited to, consultants (not LSE’s), students, local plumbing inspectors, code enforcement officers, planning board members and contractors. Associate Members shall be considered Non-voting Members of MASE, but may be appointed to serve on any committee. **Licensed Site Evaluators are not eligible for Associate Membership.**

Rev. 4/90

## ARTICLE V – DUES AND FEES

Section 1. The dues of MASE shall be determined by the EXECUTIVE BOARD and stated in the By-Laws. The intent of the dues structure is for payment of MASE annual operating costs, such as a periodic newsletter, workshops or similar educational events, meetings and other administrative costs.

Section 2. Dues shall be due and payable by MASE Annual Business Meeting to keep each MEMBER in “good standing”.

## ARTICLE VI – OFFICERS

Section 1. The Officers of MASE shall be Members and shall be known as the Executive Board (referred to herein as the “Board”) and shall normally hold office from election until replaced. They shall manage the affairs of MASE.

Section 2. The Officers of the Board shall number eight, which shall be as follows:

- a. President
- b. Vice President (President-elect)
- c. Secretary
- d. Treasurer
- e. Three Directors
- f. Immediate Past President (Ex-Officio)

Section 3. The President, Vice President, Secretary and Treasurer shall be elected to two- year term at the Annual Meeting by a majority vote of those present, provided there is a quorum.

Section 4. The three Directors shall be elected to one-year terms. The three directors shall be elected by a majority vote of those present, provided there is a quorum.

Section 5. The immediate Past President may serve as a Board Member (Ex-Officio), on a courtesy basis.

Section 6. Proxy Member – a Board Member may, giving written consent, have a Voting Member substitute for them at a Board Meeting with voting privileges as their proxy

Section 7. A *quorum* for meetings of the MASE Board shall be a majority (more than half) of the eight Officers, which is a minimum number of five present in person, by proxy or by communication device that allows them to actively participate “live” in the meeting.

Section 8.. Vacancies on the Board shall be filled by election at the annual meeting, provided there is a quorum. The Vice President shall assume the President position during the President’s absence or if the President can no longer serve. Otherwise, a vacancy can be filled by a vote of the existing Board for other, unexpired terms.

Section 7. An officer may be removed from office for due cause (a) upon a unanimous vote of the remainder of the Board or (b) by a vote of 2/3 of the membership roster at a regular or special meeting.

#### ARTICLE VII – MEETINGS

Section 1. MASE shall hold an Annual Business Meeting each year. The purpose of this meeting shall be to elect officers, receive and approve financial reports and conduct any other business as may legally come before the meeting.

Section 2. Written notice stating the place, day, and time of the Annual Meeting, as determined by the Board and By-Laws of MASE, shall be submitted to each Member in good standing at their last known address, not later than 30 days prior to the appointed day.

Section 3. Special meetings may be called by a majority vote of the Board or by petition of 25% of the voting membership presented to the Board. The request shall state the purpose or purposes of the proposed meeting. Notification shall be the same as required for regular meetings.

Section 4. A *quorum* for meetings of the MASE Membership shall be 25% of the Voting Members present.

#### ARTICLE VIII – COMMITTEES

Section 1. Standing Committees of MASE shall be as follows:

- a. Nominating Committee
- b. Public Relations (Program/Education/Publication) Committee
- c. Legal/Legislative Committee
- d. Technical Committee

Section 2. Special Committees shall be appointed, as required or voted, by the Membership or the Board.

Section 3. Specific duties of the Standing Committees shall be defined in the By-Laws. Not all of the Standing Committees may be active every year, depending on the needs of MASE and tasks identified for that year. Section 4. Standing and Special Committee members shall be appointed by the President, with the approval of the Board.

Section 5. Each committee shall be comprised by 3 or more Members or Associate Members, but can only be “chaired” by a Member.

#### ARTICLE IX – AMENDMENTS

Section 1. Amendments to this Constitution may be initiated by: (1) A majority affirmative vote of the total membership of the Executive Board of MASE; or, (2) A majority vote of Members present at an annual meeting of MASE; or (3) A petition of fifteen (15) Members of MASE in good standing.

Section 2. An amendment initiated by methods (2) or (3) of Section 1 of this Article, shall be reviewed by the Board for editing and clarification, to accomplish the intent of the sponsors.

Section 3. A proposed amendment shall be submitted to the Membership of MASE within at least 30 days of the next annual The proposed amendment will then be voted on by a quorum of the membership at the next annual meeting.

Section 4. The proposed amendment shall become a part of the constitution and supersede any other part preceding, with which it is in conflict, if a majority of the Voting Members are in favor of adoption of the amendment and a minimum of fifty (50) percent of the Voting Members, plus one (1) Member, have voted.

Section 5. Unless otherwise provided, the amendment shall become effective as of the date that the performance of all requisites of amending have been certified to by the Board.

#### ARTICLE X – BY-LAWS

Section 1. The Board shall prepare and adopt a series of By-Laws, which shall govern all procedures under this Constitution, including those of the Board and of the Committees.

Section 2. The By-Laws may be amended by a 2/3 vote of a quorum, provided that the text of the proposed amendment shall be furnished to each Member at least 30 days before the next annual meeting at which a vote on the amendment will be taken.

#### ARTICLE XI – RULES OF ORDER

Section 1. All points not addressed in the By-Laws shall be administered in accordance with Robert's Rules of Order (parliamentary procedures).

Section 2. Definitions of words used in this/her entire document shall be as defined in the most current Merriam-Webster's Dictionary

#### ARTICLE XII – CONFLICT OF INTEREST

Section 1. A conflict-of-interest transaction is a transaction in which a Member of MASE has a direct or indirect financial interest. For the purposes of this Article, a Member has an indirect interest in a transaction if:

- a. Another entity, in which the Member has a material interest or in which the Member is a general partner, is party to the transaction; or
- b. Another entity, of which the Member is a director, officer, or trustee, is a party to the transaction.

Section 2. A transaction in which a Member has a conflict-of-interest may be approved by the Board of MASE before or after consummation of the transaction as follows:

a. The Board may authorize, approve, or ratify a transaction under this Article, in accordance with Section 3 of this Article, if the material facts of the transaction and the Member's interest are disclosed or known to the Board.

Section 3. For the purposes of this Article, a conflict-of-interest transaction is approved by the Board if it receives the affirmative vote of a majority of the Board who have no direct or indirect interest in the transaction, but a transaction may not be approved under this section by a single Officer. If a majority of the Officers on the Board who have no direct or indirect interest in the transaction vote to approve the transaction, a quorum is present for the purpose of taking action under this section.

#### ARTICLE XIII – LIABILITY AND GRIEVANCES

Section 1. No officer, director, committee member, or other Member working in the name of MASE shall be held liable as a result of MASE activities.

Section 2. Grievances concerning any aspect of MASE activities shall be referred to the Board for consideration.

#### ARTICLE XIV – EFFECTIVE DATE

This constitution of MASE, and any subsequent amended versions, shall become effective upon an accepting vote of 2/3 of the Voting Members present at the next annual meeting.

The foregoing, amended Constitution of the Maine Association of Site Evaluators, Inc. is a revision of the original Constitution signed on February 5, 1980 by the Incorporators of the Association of Maine Site Evaluators, Inc. listed below:

Richard A. Manthorne, P.E.

William W. Rideout, Jr.

Ralph S. Baker

Roger Timmons

Gregory Perkins

Albert Frick

Lionel D. Kelley, P.E.

# BY-LAWS

## MAINE ASSOCIATION OF SITE EVALUATORS (MASE)

### ARTICLE I – MEMBERSHIP

Rev. 4/90

Section 1. Any Member or Associate Member not remitting renewal dues to the Treasurer by **the start of the annual business meeting (usually held in February)** of each calendar year) shall be considered to have resigned their Membership in MASE. They will no longer be considered in “good standing” and are no longer a Voting Member.

Section 2. Any Member or Associate Member resigning Membership, as described in Section 1 above, shall be considered a new Member upon future application for Membership in MASE.

Section 3. Potential Members of MASE shall submit an application for Membership to the Secretary for processing.

### ARTICLE II – DUES AND FEES

Rev. 4/90

Section 1. The annual dues of MASE shall be **Twenty-five Dollars (\$25.00)** for Members, or as determined by the Executive Board.

Rev. 4/90

Section 2. The annual dues of MASE shall be **Fifteen Dollars (\$15.00)** for Associate Members, or as determined by the Board.

Section 3. Membership applications processed after September 1 of the calendar year shall be subject to one-half the annual dues.

### ARTICLE III– EXECUTIVE BOARD

Section 1. The Board shall handle the affairs of MASE. Its duties shall include, but shall not necessarily be limited to:

- a. Establishment of dues, fees and payment schedules.
- b. Approval of any minor purchases or reimbursements deemed appropriate. Any major purchases in excess of \$5,000 shall require the approval of the MASE membership.
- c. Confirmation and termination of Membership in MASE. Termination may occur only upon expulsion by a two-thirds vote of the Board, unless such termination occurs as the result of resignation.

- d.. Filling of vacancies, pending the next annual meeting, of the Board.
- e. Appointment of a By-Laws Committee, if necessary, from the Board and from the Membership at large; the purpose of said Committee shall be to make any recommendation for amendments to these By-Laws for consideration by the Members at the annual meeting or at a special meeting, specifically called for that purpose.
- f. Confirmation of Committee Member appointments made by the President.

#### ARTICLE IV – OFFICER’S DUTIES

Section 1. PRESIDENT: It shall be the duty of the President to preside at all business meetings and enforce all by-laws and regulations of MASE. The President shall be the Chairperson of the Executive Board, and shall appoint the Chairperson of each Standing Committee, subject to the approval of the Board Members.

Section 2. VICE PRESIDENT: It shall be the duty of the Vice President to assist the President in the discharge of his/her duties and in their absence to officiate in his/her stead. The Vice President shall be a Member of the Board, and to serve as the President-Elect.

Section 3. SECRETARY: It shall be the duty of the Secretary to keep the minutes of MASE; to keep a record of all meetings of MASE and Executive Board in the books belonging to MASE; to keep a correct roll of Members of MASE; to keep a suitable record of correspondence concerning MASE business; to communicate with MASE Members as requested by the Board. In case of his/her inability to attend any meeting they shall send any necessary books or papers to the place of meeting. They shall make a general report of the condition of MASE at the annual meeting. They shall be a Member of the Board. They shall notify the Membership of the next annual meeting.

Section 4. TREASURER: It shall be the duty of the Treasurer to collect all monies payable to MASE; to have custody of all funds of MASE; to deposit same in such bank as may be designated by the Board; to make disbursements; to retain vouchers or if a checking account is maintained, cancelled checks covering all disbursements; to keep in the books belonging to MASE a correct amount of his/her receipts and disbursements and present a summary thereof at the annual meeting. They shall provide each Member in standing with an appropriate Membership ticket. They shall give such bond as shall be required by the Board, the premium thereof to be paid by MASE. They shall be a Member of the Board.

Section 5. DIRECTORS: It shall be the duty of the Directors to help the other Officers with their administrative duties and to vote in the best interest of MASE as Members of the Board.

Section 6. PAST PRESIDENT: The immediate Past President may serve on the Board at their pleasure and as a courtesy to the Board, to help



provide continuity to the Board's decisions and actions during the transition period with new officers.

#### ARTICLE V – COMMITTEE DUTIES

Section 1. Nominating Committee: The Nominating Committee shall be appointed at least 60 days in advance of the annual meeting. Its duties shall include:

- a. Selecting at least 2 candidates for each vacancy to be filled, if possible.
- b. Securing approval of candidates to place their name in nomination.
- c. Acting as tellers and reporting the official ballot count to the Membership.
- d. Making its report at the annual meeting.

Section 2. Public Relations - PR (Program/Education/Publication) Committee. The PR Committee shall be responsible for:

- a. Planning and making the necessary arrangements for the meetings, workshops, etc. as directed by the Board including location, meals and speakers.
- b. Planning and executing any educational or training programs that are deemed necessary by the membership and the Board.
- c. Compiling, editing and distributing to all Members and Associate Members a periodic communication of MASE.
- d. The Committee shall endeavor to keep within its annual budget.

Section 3. Legal/Legislative Committee:

- a. The Legislative Committee shall actively pursue knowledge of any legislation affecting MASE and report same to the Board for action.
- b. The Committee shall appear, when directed by the Board, before Legislative Committees to express the views of MASE in pending Legislation.
- c. The Committee shall appear when requested by a Legislative Committee before that committee for the purposes of providing technical information concerning the Site Evaluator profession. Opinions other than technical fact shall not be rendered.

Section 4. Technical Committee:

- a. The Technical Committee shall be responsible for cooperation between MASE and the Department of Human Services, State of Maine, in matters relating to Site Evaluation and the Maine Subsurface Wastewater Disposal Rules.
- b. It shall endeavor to provide as much communication as possible to the Membership concerning the Maine Subsurface Wastewater Disposal Rules.
- c. It shall draft and propose, through the Board, changes to the the Maine Subsurface Wastewater Disposal Rules suggested by the Membership.

ARTICLE VI – EFFECTIVE DATE

Section 1. These amended By-Laws shall become effective upon acceptance of a 2/3 vote of a quorum of the Voting Members of MASE present at the next annual meeting. They are a revision of the original By-Laws adopted by MASE at their Charter Meeting on February 5, 1980, as administered by the founding Board, with its members listed below:

Richard A. Manthorne, P.E.

William W. Rideout, Jr.

Ralph S. Baker

Roger Timmons

Gregory Perkins

Albert Frick

Lionel D. Kelley, P.E.

## JOB OPPORTUNITY

***Title: MASE Media Relations Director***

***Reports to: MASE Board of Directors***

***Suggested Salary: \$100/month, paid quarterly***

### ***Job Duties:***

***The MASE media relations director (MMRD) will be responsible for managing and maintaining communication between the organization and its members utilizing online media resources. The successful candidate will attend monthly board meetings whenever feasible and be in consistent communication with the board, in order to effectively communicate updates of board activities. The MMRD should be prepared to use various social media, email, the MASE website, or other means to improve communication within the organization and to obtain appropriate media coverage for the organization. The MMRD will also be responsible for communicating information on training events and other organizational updates, or when an event or change happens within the organization. The MMRD will be expected to manage the content and functions of the website in cooperation with an IT contractor; as needed.***

### ***Job Requirements:***

***The successful candidate must be a member of MASE, in good standing. The MMRD should also be familiar with website building software, knowledge of Word Press is a plus, and be able to communicate through various social media venues.***