

**SEPTIC TANK PUMPERS ADVISORY COMMITTEE MEETING
MAY 21, 2011, MEETING MINUTES**

CALL TO ORDER

The Septic Tank Pumpers Advisory Committee Meeting was called to order on at the end of the Annual STP Training Conference on May 21, 2011, at 2:08 p.m.

MEMBERS PRESENT:

Conrad C. Eckert, Eckert Services (Chairman)
Blaine Rogers, Doorbust'n Portables & Septic Service, LLC (Primary Region 1)
Robert Cleveland, A-1 Yellowstone Sewer, LLC (Alternate Region 3)
Wade Stout, Badger Pass Septic Service, LLP (Alternate Region 4)
Dale Jacobsen, J & S Horizons, Inc. (Alternate Region 5)
John Tveit, Ready Freddy, Inc. (Alternate Region 5)
Don Heimbigner, Don's Septic Service (Primary Region 6)
Ken Wheeler, Kenneth E. Wheeler (Alternate Region 6)
Carl Kunday, CWS Inc. (Primary Region 7)
Tim McKinley, McKinley Septic & Excavating, LLC (Alternate Region 7)
Julie Lethert, Broadwater County (Alternate County Sanitarian Representative)
Renai Hill, Montana DEQ
Guest – Jocelyn Brown, Brown's Septic Service
Guest – Richard Rogers, Doorbust'n Portables & Septic Service, LLC
Guest – Betty Heimbigner, Don's Septic Service
Guest - Tonya Eckert, Eckert Services
Guest - Conrad Eckert Sr, Eckert Services
Guest – Judy Watkins, MT DEQ Enforcement
Guest – Other attendees of conference.

MEMBERS WHO CALLED-OFF:

Kelly Brown, Brown's Septic Service (Alternate Region 5)

MEMBERS NOT IN ATTENDANCE:

John Hazen, GWWS, Inc. (Alternate Chairman)
Brian Tatman, Heavy Water Haulers, Inc. (Primary Region 1)
John Goff, Quality Septic & Vacuum Service (Primary Region 2)
Jamie Hillman, Jim's Backhoe & Septic Service (Alternate Region 3)
Frank Laverell, Laverell's Inc. (Alternate Region 3)
Len Hunter, Southwest Septic & Sewer, Inc. (Primary Region 4)
Craig Caes, Gallatin County (Primary County Sanitarian Representative)

APPROVAL OF MINUTES FOR January 28, 2011 MEETINGS

Conrad Eckert, Chairman, asked for any changes to the draft minutes. A motion to approve the January 28, 2011, minutes was made by Tim McKinley and seconded by Don Heimbigner. The motion carried and the January 28, 2011, minutes were approved.

DISCUSSION ITEM:

1. SPAC Rules and Procedures: Tabled until next meeting.

2. Forming a Septic Tank Pumper Association:

The Septic Tank Pumper Advisory Committee is just an advisory committee to DEQ. Conrad Eckert discussed forming an association separate from the DEQ. He stated that there is so much they could do in order to make changes, if they had to get bills introduced. They could get lobbyists to introduce bills and they would have more power to get things done. This association would be for all pumper businesses. Let's really think about this and when we come together for our next meeting we can talk about it and get more input. This won't happen overnight, it could take a year or two to get started. There could be certification requirements for getting additional education. Pay dues to have your voice heard on bills and existing laws. Look at the number of people in attendance, we should be overflowing with people but we're not because attendance is voluntary and part of the license fee goes towards the training. The association would give everyone more of a voice and believes more people would be involved because of the dues. We cannot take the money we put into our annual license fee to support a bill, but we could with the dues for an association. Is the association something we want to do or should we just stop now. The question was asked, would the SPAC be disbanded and do something different? Members present stated they hoped not because SPAC has done a lot of good such as this training. Conrad Eckert stated that with the association we could require them to attend training for certification. Members discussed what could and could not be required by the association.

Conrad Eckert discussed the lack of disposal sites, losing agricultural lands to new subdivisions with homes on septic systems, being hindered with more and more regulations, losing land application sites due to setbacks because of new homes being built. Counties not caring that there are no disposal sites as long as they receive the revenue from the subdivisions and fuel costs to haul 30 plus miles to dispose of their loads.

Discussion of the difference between eastern and western Montana. Lack of land application sites is not as great of an issue in eastern Montana than central and western Montana. Those pumpers that don't come to the training are not being educated on new changes, so how are they going to educate the public and their customers.

NRA is the number one association in the nation. Conrad Eckert asked for a show of hands who were members and 90% of those present raised their hands. He discussed the information, voice and power behind that association. Jocelyn Brown discussed people being involved, however sometimes things get in the way.

We need to form a new group and if we do it right we can get a lot of people involved. It would be a group with lobbying power and we can get a voice out for our own industry. We need a voice right now, we don't have a voice and are being pushed around bad. We can make laws that we can live with and they can too. Right now there is no one to answer for those people making laws on us. Politicians are all about money and that's the way it is. If you can get a lobbyist to introduce a bill that benefits us then we need to go after it. We may not agree with everything the politicians stand for, but that's with everything. Conrad Eckert stated that he does not agree with everything the SPAC has done, but we have a voice inside our little group here but we're not reaching the masses and we're not reaching the legislators. So the association would give us a voice, for example if we had 25 topics the group could vote on what they wanted to go forward, and write the verbiage for a bill. Right now we individually do not have the money to go out and have a lobbyist introduce a bill. If one business does then it only benefits that business and not the industry as a whole or helps that business and hurts the rest of the industry.

We need to get more people involved, it would show the State that this group is really serious about them attending the meetings. It's not Renai we need to talk to. Renai understands where we are coming from. It is Rick Thompson, the legislators and Ed Thamke. We've got to get these people to understand that we are serious so when things are introduced that we have more of a voice.

Another member stated that we pay a pretty good fee to get a license so doesn't that mean anything to the pumpers, can part of the money go towards the association. Conrad Eckert stated, no it would have to be a separate fee for a separate committee. Conrad Eckert stated he understands what their saying. Right now for the most part the money is being thrown away, it is being squandered. Yeah were putting on this training but what response did we get. The SPAC still exist and we could still put this training on...and get NOWT here to do a certification. You need to get to our training or to the National shows to get certification every year or every two years. Others stated that once you get certification you can go where you want to get recertified. People have to have the initiative to go and get training, you can't force them. Conrad Eckert stated that not with SPAC, but with the association we can require training. Renai Hill stated that you cannot force individuals with SPAC or the association to attend training. Requiring training for certification would be required by law. A bill would need to be submitted and passed to make it law. Conrad Eckert stated that they could require it in their by-laws and members of the association would be required to submit copies of their certification each year because it's a fee oriented group and they can do this. The group discussed whether they wanted this or not. Conrad Eckert asked, are we happy with the representation were getting here now and there were no's throughout the group present. Other members asked, can't we take a \$100 of the annual fee and put towards the association. Conrad Eckert stated no we can't. Then the member stated, then lower the annual fee so we can pay the association. Renai Hill explained to the group present how the annual fee and the break down to where the monies go. Fifty goes back to the County where the businesses are located, another fifty goes into the training account, the remaining \$200 pays for mailing, administrative supplies, card stock for licenses, etc. and pays for one FTE (person). The remaining fee only pays for about 40% of the salary of the FTE and the remaining 60% is paid by the Solid Waste. The FTE overseas the STP program, conducts inspections, issues licenses, evaluates new disposal sites, answers calls/questions, and monitors the program. Since the FTE is also paid by the Solid Waste Program that is why the position also inspects other solid waste facilities. A question was asked why the citizens don't pay for the program or why other businesses can't pay for things too. Renai Hill explained that the Solid Waste Program is fee based. The facilities such as landfills are required to pay an annual license fee just like the pumpers do and that fee goes to running the program and the FTEs to maintain it. A member stated that she pays taxes and on her tax bill there is a solid waste fee (not to pick up trash she takes it in), why can't there be a septic tank fee on the taxes and that would bring down the cost of the license fee. Everyone needs their tank pumped, why do we as pumpers have to pay for everything. Renai Hill stated that the tax would go to the local government and/ or the wastewater treatment facility (WWTP). That could be an additional fee to help integrate the additional homes in the area or to build or update the WWTP in order to accept the pumping. Other members stated that the tank owner doesn't pay anything so this way they would be. Renai Hill stated the tank owner is paying a fee to have their tank pumped. Most of the tank owners I've spoken with feel that it's the responsibility of the pumper to build or improve the WWTP in their town since they pay you a fee to pump their tank. Conrad Eckert asked if any of the pumpers explain the bill and where the money goes or explain the monthly fee if they were connected to a WWTP. They spend less to have a tank pumped every 5 years than what they would pay to the WWTP for the same time period. He also indicated this is something the Association could address and get their tank pumping fees increased so they would be fair to the pumper businesses who must buy equipment and upkeep their vehicles. With the SPAC their hands are tied and we can't do anything. Fees and taxes were discussed by the group to include the unhappiness of the tax payers as the fees increase. Conrad Eckert stated that as a group they could get legislation introduced and passed to have an additional fee added to taxes to secure a dump site in every county. This can be either a WWTP or land application site. As a group we could get the money together to get a bill passed where

as separately we can't. As a group it will be easier to explain these issues than it is one on one with the individual tank owners. With the SPAC we are spinning our wheels and not getting anything done because we don't have the power to do it. No, we're not wasting our time in getting things like the training done. Yesterday was great, I don't know if the instructors are getting to know us better and adding new information or what, but it was great. Renai Hill stated that each year she takes the comments from the critiques to help build the next year's training and make it better. Example, last year there were complaints that slides were too small, they wanted them larger, and to have handouts. So this year all of this was incorporated into the training. Also, she called other outside agencies to conduct training that has not been presented in the past such as Jennifer Lowell, Ph.D. from the Montana Communicable Disease Epidemiology Program. Other members began discussing the speakers and one commented on Joe Meeks's presentation and they had a discussion with him and feel that he is a voice for us. Don Heimbigner stated there is only three of the original members who started the SPAC and normally that is all that attends, but today we have a crowd and could get things done. Conrad Eckert stated the reason that most people don't attend is because they don't have a choice as to where their fee goes and if we had a separate association that was introducing legislation they would want to be part of this. It would no longer be wasted money they would be putting money towards a cause and now have a voice. Other states have associations and are getting things done. They have gotten mandatory pumping put through because of the association. Some had to unionize, but we don't want that here. There are states that are truly aggressive because of the industry in their area. Those businesses that don't want to do anything are going to be sitting on the couch in a few years without a job because there are no disposal sites. We have to band together to get something done. Don Heimbigner stated that when they tried to get the SPAC going it took four years and now has seven regions each having the ability to have a voice, however we have never had a representative filling each position nor in attendance at the SPAC meeting. Everyone has at least 12 hours to give the committee, but businesses won't support it...if as an industry you can't support the SPAC we're all going to get run over. This is a volunteer committee, but if a person paid towards an association you are paying towards a voice being heard. Supporting either group is very valuable because you are talking to other pumpers to see what going on in the next county or across the State. Conrad Eckert stated that he is so tired of hearing that individual businesses are so busy that they can't go to SPAC or the training...well he is busy and everyone here is busy also, but we're able to make time to try and better our businesses and the industry. The State has given us something with SPAC, do we want to throw it away, do we want to work with it, and do we want to start another association. We don't have to decide today, but we should not do it just with those here, we need to get every other pumper involved so they can have input, but they need to understand that they will have a voice, but it will come with more requirements. You will be paying dues...your buying into the association to have a voice it will make them want to be more involved. With SPAC, it's coming out of their licensing fee to have training ,but most don't pay attention because they have to pay it to stay in business.

Don Heimbigner stated that it does not matter where your business is located when you run into problems and that issue may not affect other business today or tomorrow, but eventually they will be felt all over the state. If we come together as a group we can discuss the issues and come up with solutions. What a business did across the State to fix a problem may help another business at the other end of the State. As a group we can do more. Land application sites are harder to get approved now in several larger counties and it's spreading with all the new subdivisions coming in. We are fooling ourselves if we think it's going to get better on its own. We have to work as a group to get it done.

Think about the association and talk about it with other businesses. During the next meeting bring your idea, comments, and concerns. Does anybody like what's really being done...when the new rules come out they'll come to us, but just like that graywater deal all the work we put into it and then we had the rug pulled out from under us by one student who did a study about using dish water to grow plants. Does it make it right for everybody in his controlled environment , but theory and reality are two different things. His theory shut down everything else and convoluted everything. A short discussion

began regarding removing graywater from the system and the problems trying to pump the system. Again in theory it was great, but in reality it was a joke, but it passed because somebody was able to have a voice in the legislature and we did not have a voice. Renai Hill asked the group, how many present went to the legislature when the bill was being presented and voiced their concerns and made comments? Several present knew about the bill, but did not attend. Conrad Eckert stated that we are so afraid to take time off because an emergency might come in and we're allowing our businesses to deteriorate. If we had the association we could have had a voice and representation to address our concerns.

Don Heimbigner stated that pumpers needed to start working together and not against each other. When he had surgery earlier in the year he had his customers contact his competitor. He was unable to service his customers due to having surgery so he asked his competitor if he could help him out and he did. Don Heimbigner told his customers to contact Ken Wheeler while he was recuperating and Ken was happy to help out. You need to trust each other and work together.

Tonya Eckert stated that there are two legislators that own pumper businesses that could also give us a voice. Conrad Eckert stated that they cannot introduce a bill regarding their own business, but they can get up and speak on its behalf and vote for it. We need to take advantage of this. Bob Cleaveland asked if a letter could go out to all the businesses to see if others would be interested in the association. Renai Hill stated that a survey should be sent out, however it could not come from the Department or SPAC it would have to be developed and mailed out by a group made up of pumpers. Jocelyn Brown stated that it needs to be done in a way that lets them know we want and need their input.

Tonya Eckert stated that Renai Hill briefed the group before breaking for lunch that the SPAC would be meeting after lunch, yet not everyone returned. She asked a show of hands for members of the Committee to determine the number of guest/other businesses present. A discussion began as to why the attendance was low to the training. Renai Hill stated that some of the calls she received from businesses is that they cannot attend because they were busy and they have jobs etc. She stated to the group that she has a job that is not getting done while she is here, the Administrative staff manning the registration desk have other jobs that are not getting done. Work is piling up for eight different programs while they are here supporting the STP Training Conference, but we are all here to provide this training for you. Those pumpers on the Eastern part of the State have indicated that it's a full day drive and too far to drive to Helena for the training. However, when the Department provided training in Billings there were more speakers than attendees present. This was very expensive to pay for all the speakers to travel, hotel stays, etc., for five attendees, but we were happy to do it. Conrad Eckert and Don Heimbigner addressed the group stating that in nine years that they have only missed one meeting. You don't think that hurts my business that I'm sacrificing my business to help better the whole industry. When I'm not there to work it goes to my competitors who are not attending the meetings or training. It's very frustrating that they don't get it. This has been set up to help the whole industry not just those of us that are here. Conrad Eckert has offered to car pool with other businesses in their region to cut down on travel expense to and from meetings.

3. General Discussion:

Conrad Eckert asked what those present thought of the training conference and first tradeshow? He knows we were hoping for something bigger, but it went ok. Bob Cleaveland stated that Mountain Supply thanked him, said he made a lot of new contacts and would like to come to our next tradeshow. Several of the vendors stated that they wanted to come back.

Tonya Eckert requested a list of the speakers and vendors names and addresses from Renai. She wanted to send thank you letters. Renai Hill stated that she would also be sending out a thank you to the speakers and vendors.

Renai Hill discussed call offs and many potential attendees called off due to the flooding around the state. Those pumpers and sanitarians in that area needed to stay and fight the rising flood waters and could not attend.

Conrad Eckert discussed the change in the bylaws for the committee due to members not showing up in order to get things done.

Tonya Eckert and Conrad Eckert discussed the vendors and the need to contact all of those listed in the Pumper Magazine. The list could be broken down A through Z and each region taking a portion of the list to contact. Conrad Eckert stated this would not work because not all the regions attend the meetings. Here we are again a very small group trying everything for the whole group. Wade Stout stated we needed to have a large door prize like a Ford Pickup and see how many people we have show up. If we need to take the lead then we will do it. Jocelyn Brown and John Tveit stated that they will go back and talk to the other pumper businesses in their regions and let them know what they missed and what can be done to get them interested in coming. Tonya Eckert stated that over the last two years she has called about 95% of the pumper businesses and they voiced their interest in the vendor show. Conrad Eckert discussed the association again and maybe bringing in the installers in the State to include them in the meetings and training.

If the industry in the State does not come together we are all go down. All the new rules are just killing us. A discussion to the requirement to pick up litter and why do we have that when you drive by any landfill and litter is blowing across the highway etc., and they are not getting dinged or having their licenses pulled, yet we have to wade through human waste to pick it up. Why because the 503 rules are so inapplicable and so ridiculous. Instead of letting it dry first like the landfills. Renai Hill stated that the landfills do get violations for litter issues and get fined. The violations can be very detrimental because in many cases it's going to the corporation and violations can cause individuals to lose their job. Conrad Eckert continued to discuss the requirement to disk in 6 hours and that it is not feasible to do and everyone is lying about doing it and lying to the State about it, because it cannot happen. Don Heimbigner stated that he will contradict Conrad Eckert because he does go out and disk in the 6 hour requirement. The farmer does not like it, but it has to be done. Conrad Eckert stated that he is not saying litter should not be picked up, but it needs to be feasible. We need a voice to get this changed. Sanitarians won't walk through it to inspect the site no one will. Renai Hill raised her hand and Conrad Eckert said, ok Renai you're a little different, but the local sanitarian won't do it, she does not have a clue. Conrad Eckert asked about the litter issues and the regulations. Renai Hill stated that she can see both sides of the issue with the requirements. The rule/regulations require the litter to be picked up because of the pathogens, this is a pathogen reduction method. There is a potential for pathogens to be transferred to other things in the environment such as humans, animals, etc., if litter is not being picked up and allowed to remain on the ground and then get blown around and off site. I also see the pumpers side of it, the litter is wet and there is no way I'm going to be able to get this all picked up. However, during my inspections I have seen some individual sites that are horrendous yet some multi use sites that are awesome. Sites where there is team work with all the pumpers land applying working together and not against each other to keep the site in compliance. This site had six businesses using the site and I have been out there several times and did not find one piece of litter. Conrad Eckert stated that it's the letter of the law and the intent of the law that he has issues with. BFI gets a violation and they think nothing of it, but if we get it we think we may lose our business. Renai Hill stated that is not the case because the larger corporations that receive the violations may terminate operators at the site because of those violations. Conrad Eckert stated that if we get a fine we can be out of business. Intent was discussed and landfills don't have the same requirements. Renai Hill stated that landfills are required to cover daily and compact the cell, and pick litter. When you have high winds that's when you start having litter off site. The landfills hire litter pickers at the site to pick litter, they are paid to build and put in fencing, etc., to try and stop litter migration off site. The discussion continued that included the

cost of doing business and with it turning back to the industry needing a voice and if they don't get one everyone will be out of business.

Conrad Eckert thanked the members who attended to include the new members. We've been able to get so much done now because of your attendance to meetings. It's been wonderful having you get involved. The group discussed Renai in the past sending out reminder letters, making reminder calls trying to get members to the meetings without results. Conference calls were setup and paid for so those traveling a long distance would not have to, however no one called in.

Jocelyn Brown asked to replace Kelly Brown on the committee as the primary and have him as the alternate because she is better able to make the meetings. Renai Hill stated that Ms. Brown was a pumper and would be a good addition to the committee. Conrad Eckert stated that Kelly would have to attend and resign as alternate and would have to decide if he wanted to be primary or not, the board would then need to vote, etc. If the Primary and alternate can let each other know if they are attending or not that would be very helpful. John Tveit stated that there are no phone numbers on the committee list which makes it difficult to contact each other. Members present tabled the discussion until the next meeting.

Conrad Eckert asked if they could break up the regions and combining several of them. Combine regions 1 with 6 and 2 with 3. We will have fewer members, but maybe more will attend this way. Renai Hill will check with Rick Thompson about the regions.

Don Heimbigner discussed with the group about fuel prices and the wear and tear on the vehicles to change the meetings each year from four to three. He proposes one of the three meeting be scheduled during the training conference. So we would meet twice like in June and December. Conrad Eckert stated maybe every five months. Don Heimbigner made a motion to change from meeting four to three times a year. Wade Stout seconded the motions, members present passed the motions. Details will be worked out at the next meeting. The meeting will run longer now to cover all the information so we need to be more aggressive. Members asked if the meetings could be held on Saturdays. Renai Hill stated she could flex her time, but will check with Rick Thompson for approval. Members stated maybe trying to meet at Perkins instead of the Metcalf building in case we could not use it on Saturdays. Tonya called Perkins to find out what the requirements are. Conrad Eckert discussed when to have our next meeting. Vendors need to know about the training and tradeshow by October 1st in order to project travel etc., for the next year. The first week of August was proposed, August 6, 2011, on a Saturday at 12:00 to 4:00pm at Perkins. Renai will determine if this will work, if not a different date and place will be chosen.

The next tradeshow/conference was discussed and what date do they propose. Trade show will be on Friday and Saturday again. Proposed dates are April 20 & 21 or April 27 & 28. The members prefer April 20 & 21 and made a motion and approved the dates and if this does not work then April 27 & 28. This will be tabled until the next meeting.

NEW BUSINESS

1. Confirm next meeting date

The next meeting will be held on August 12, 2011, on Friday at 12:00 to 4:00pm at the Metcalf Building.

2. Agenda items for next meeting

- SPAC Rules and Procedures, to include meeting attendance.
- Determine types of training and vendors for the next year.
- Discuss dates for the next conference and tradeshow.
- Scheduling the new meeting dates (3 verses 4).
- Changing the Regional map.
- Forming a pumper association pros and cons.
- Conference Critique results.

Conrad Eckert adjourned the meeting at 4:05 pm.