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On The Level - January 2007

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STORM WATER FRONT & CENTER IN '07



Consultants to the City of Temple recently provided interested parties with information about Environmental Protection Agency/Texas Commission on Environmental Quality (TCEQ) standards for storm water pollution control. These standards are imposed under a federal program known as the National Pollutant Discharge Elimination System (NPDES) and require cities to design local programs to address storm water pollution.

Builders and developers will be impacted by the program that the City creates to address these standards, and it is important for all interested parties to be involved in the process.

What is this all about?

The City of Temple invited TABA and our members to become stakeholders that will review Best Management Practices (BMPs) for containing pollutants at the construction, municipal, and industrial levels. Upon agreeing to the request, TABA was provided with a notebook full of statutory information and best management practices for implementing the (EPA/TCEQ) statutes for cities less than 100,000 in population.

Up until now, only cities above 100,000 in population were required to implement a Municipal Separate Storm Sewer System program. Now EPA has arrived at Phase 2 of the NPDES process and cities below 100,000 in population are being added to the mix.

To complete this process, the EPA requires the City to develop and implement a storm water management plan [eventually via ordinance(s)] that will reduce the discharge of pollutants, protect water quality, and satisfy 6 minimum control measures. These control measures include: public education;

public involvement; illicit discharge; construction best management; post construction best management; and pollution prevention.

As far as residential construction goes, the City's main concerns are with reducing floatable pollutants (Styrofoam, plastics, construction debris, etc) and sediment which can include trash and metals.

Examples of Control Measures:

Control measures that TABA will focus on include the following:

- **Illicit Discharge:** likely BMPs for illicit discharge include a GIS Storm Drain System Map, an Illicit Discharge Ordinance, illegal dumping measures, and the reduction of sanitary sewer overflows. The minimum control measures concerning illicit discharge require that the City must "develop, implement, and enforce a program to reduce pollutants from construction site activities that disturb 1 acre or more."
- **Construction Site Runoff Control:** potential BMPs for construction site runoff control include check dams, filter berms, mulching, silt fences, sediment traps, etc. Additionally an Erosion Control Ordinance will be included and procedures for receipt and consideration of public inquiries and concerns regarding local construction activities will be put into place. This is a requirement.
- **Post Construction Storm Management:** potential BMPs include dry detention, wet ponds, buffer zones, open space, narrower streets, no curb and gutter, etc. Though there are few requirements for this, everything here will be new. The Phase 2 Final Rule requires municipalities develop, implement, and enforce a program to reduce pollutants in post-construction runoff from new development and redevelopment projects that disturb areas of 1 acre or greater.

Goal:

The goal of the developer's stakeholder committee will be to provide the City of Temple with public input on the BMPs. This will be accomplished by reviewing recommended BMPs; suggesting or developing other BMPs; and voting to recommend BMPs to the City Council for adoption. TABA will seek input from builders, developers, and associations locally and in other areas to find out which BMPs are most preferable.

How will this impact our industry?

In the coming months there will likely be more and more focus on our industry complying with the well known **Storm Water Pollution Prevention Program**, better known as SWP3. This means, the continued development of SWP3 plans and filing **Notices of Intent** on developments of more than five acres and notifying municipalities of developments greater than 1 acre.

This requirement has been around for years now, and many builders and developers in other (larger) cities have been hit with **steep fines for non-compliance**.

What will the process be?

A series of stakeholders meetings. TABA has now been involved in two which were designed to familiarize us with the new rules our community will soon be faced with and to provide us with a series of best management practices for our consideration.

The next meetings will afford all stakeholders an opportunity further review and vote on the BMPs that

they believe the City should implement.

The final meeting will be with the City Council asking them to approve the “plan” that will then be submitted to TCEQ.

After the plan has been submitted and approved, it will be put into practice over the next several years. During the implementation process we can expect to be involved with multiple “developer’s stakeholders meetings,” and impacted by new ordinances.

After the ordinances are adopted, new requirements resulting from the ordinances will be phased in over time.

In summary, this process will take a number of years to be fully implemented, but the wheels are turning. Change is coming on this front.

[What is the timeline?](#)

The City of Temple continues to wait on TCEQ to finalize their Texas Pollutant Discharge Elimination System requirements. This should be completed early this year. Once complete, the City will review the finalized requirements with Carter - Burgess and then meet with the stakeholders again to begin reviewing BMPs.

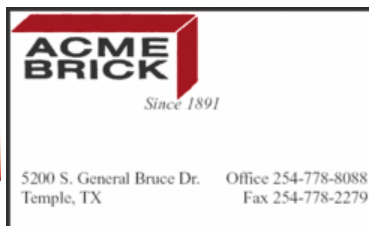
Once the City reviews the BMPs with stakeholders, selects the BMPs, and determines a program; they will take the program results to the City Council for approval prior to sending it to TCEQ. The program proposal must be finalized within 180 days of TCEQ's municipal permit (MS4) rules passage; which likely means by the summer of 2007. Once the plan is finalized and approved by TCEQ, the City will then have approximately five years to fully implement the MS4 general permit program.

[Comments from Temple City Engineer Michael Newman:](#)

“The Municipal Separate Storm Sewer System (MS4) general permit is a federal and state mandatory requirement that has been looming for several years, over cities with less than 100,000 populations. TABA's involvement in the process to help develop the City of Temple's municipal permit is much appreciated.”

If you would like more information on this process, contact [Troy Glasson](#) at the TABA office (254-773-0445) and he will arrange to get you a program notebook. For more on storm water, please see the Director’s comments in the [January Government Affairs](#) section of *On the Level*.

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President's Message

Mike Pilkington

Welcome to our new online newsletter. This is just one of the many new and exciting things going on at TABA as we move into 2007. I am very proud to be leading the greatest association around this year.

The past leaders--from the first men and women that formed our association, through all the people that worked tirelessly under John Kiella last year--have set me on a very high plain from which to launch to lead us through a very great and exciting year.

I want to thank all of those people for making TABA what is today. I also want to thank in advance the board, the committee chairs and members, and Troy and Cheryl, who together will work to make 2007 a great success for TABA and our industry.

We have many exciting things to look forward to in the coming year. One of the biggest will be the completion of our addition to the TABA offices. This project has been in the works for many years and it will be very exciting to see this brought to a conclusion. If you have not had an opportunity to stop and see the progress you should. It will set us apart. Our building will mirror the great standing and influence that our association and its members have in the community.

We will also have the largest Home and Garden Show ever. This has come to be a premier event in Bell County and this year's show will not disappoint.

The 2007 Parade of Homes will be a culmination of many great ideas that have been worked out over the last couple of years. The upgrades to our signage, advertising, and show catalogue will insure a great event along with the many new ideas and "tweaks" that this years committee will be presenting.

The golf tournament committee has also been working hard to present new ideas that will ensure an event that will provide a good time and a great relationship building opportunity for all who attend.

The membership recruiting and retention committee is already coming up with ideas to boost our membership. Their success will depend on help from all of our current members through retention and word of mouth testimony to the advantages of membership--so please use every opportunity to help us with that.

The meetings and sponsors committee is also already in full swing planning many great meetings. We

will again have the very popular crawfish boil and bar-b-que cook-off. Planning is also underway for a bowling tournament in July that will be a fun event in an air conditioned arena. It will provide a networking opportunity for members who do not golf, bbq, or shoot. Just as an aside, for those that do like guns, the skeet shoot we had last year will be a HOMEPAC event instead of a TABA event this year and is planned for a cooler time of year.

We are also working towards forming a committee to help further our good relationship with the realtors of our area that are so critical to our success. The more they sell, the more work for all of us, so this will be a key committee to reaching our association goals as well.

Cheryl has and will continue to work with all of these committees and do a lot of the "behind the scenes dirty work" to ensure that all of these projects and committees are a great success.

We also have Troy Glasson coming into the new year with a full year under his belt. He is really hitting his stride and is ready to take us into the new year working with the Government Affairs Committee to not only keep us abreast of things going on in government and other public entities but to effect these things in a positive way for our industry and community.

Again, thank you to our members and leaders both past and present, to Cheryl and Troy for making this association successful, and for the confidence you have had in me to lead us through what will be a record breaking and historic year.

I would also like to take this opportunity to publicly thank my wife Laurel and my office manager Jennifer Huffman for taking up the slack when I am off attending to TABA activities. It's gonna be a great year.

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Troy Glasson
Executive Officer

TABA Needs Your Input on Storm Water

In a follow up to the November 8th storm water stakeholders meeting ([refer to cover article](#)) that was detailed in our January 07 cover article, the TABA Government Affairs Committee met with City Engineer Michael Newman and Curtis Beitel, who is a professional engineer and consultant with Carter – Burgess. Carter – Burgess is the consultant that is charged with helping the City develop a Municipal Storm Water Program (MS4).

The focus of our follow-up meeting was on the impact of MS4 to the local home building industry. Construction and post-construction control measures were among the focal points of the discussion.

The City is obligated to meet several construction and post construction control measures and TABA has been invited to help the City determine what those criteria are going to be. I have notebooks that detail the MS4 program and TABA members are welcome to come by the office and pick one up.

Construction control measures that the City must implement will include regulatory mechanisms that will ensure compliance to the following:

- Implement appropriate erosion and sedimentation control best management practices.
- Control waste (litter) and sanitary waste at the construction site.

Additionally the City must prepare to:

- Review site plans with consideration for potential water quality impact;
- Receive and consider public complaints;
- Inspect and enforce control measures.

Post construction control measures must include:

- Development and implementation of strategies which include a combination of structural and non-structural best management practices;
- Create ordinances to address post-construction runoff;
- Ensure adequate and long term operation and maintenance of selected best management practices.

TABA is going to be at the forefront of this project and will work to make sure that the selected best management practices are as acceptable as possible to our local building industry.

In doing so, we will be involved throughout the process which will take as long as five years before the program has been completely implemented. The process should officially commence in the summer of 2007, once TCEQ has finalized the State's position. In the meantime TABA will begin researching best management practices from other states through our national builder contacts.

Our goal is to find common sense, low-cost solutions to make this program as workable as possible.

TABA has already agreed to partner with the City in advancing this program—it is imperative that we hear from our members to guide us in our efforts.

City Engineer Mike Newman stated that because we are a noted “pro-development” community and we are a very accessible community that is located along I35, it is very likely that we will be more susceptible to future inspections than some other communities.

This makes it even more important that we work closely with the City in the development of the MS4 program to make sure our interests are protected as much as possible.

Please let me know if you have any questions or comments.

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RALLY DAY '07



TABA members please mark your calendars for Wednesday, February 28th and plan to join us for a day in Austin that is sure to pay dividends for your business. This is your chance to be involved in the legislative process and to influence a pro-housing agenda in the Texas Legislature that will promote affordable entry level housing and provide the Texas Residential Construction Commission with the tools that are necessary to complete its mission which is to promote quality construction for all Texans.

In partnership with the Texas Association of Builders and other local homebuilder associations from all over the state, TABA will provide you with the opportunity to be heard (or simply to be seen if that is your choice) by our representatives to the Texas Legislature.

Over the next month, I will work to make you aware of the day's agenda. In the mean time, please reserve Wednesday, February 28th for a day in Austin with TABA.

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Building Expansion Pictorial Update

Hopefully by now you have driven downtown to see the extraordinary progress that has taken place at 12 North 5th Street. As you can see, the addition has been plastered and the roof is complete. The existing building has undergone some renovation to the front and is looking spectacular!

TABA would like to thank Aspen Air for the donation of our HVAC unit materials and labor. They have qualified as a platinum spike. Thank you Brandon Tarnow and Darrell Barnes of Aspen Air for such a generous donation to the Association.

We also thank Eddy Moore and Texas Premier Brick for the generous donation of the all the brick for our project. Thank you Eddy and Brandon for all of your help. It is because of members such as these that this project should be complete leaving TABA in little debt.

Check out the photos of our progress. We are very proud.



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PRESIDENTIAL AWARD RECIPIENTS '06

Approximately 100 people attended the TABA Christmas luncheon, which was held at Wildflower Country Club. The gathering provided a wonderful forum for John Kiella to present the 2006 Presidential awards to three very deserving TABA leaders.

Those in attendance witnessed Tony Gallagher of Heart of Texas Landscape & Irrigation receive the Associate of the Year Award, and Mike Pilkington of Pilkington Homes receive the Builder of the Year Award.

Pat Patterson of Patco Construction was awarded the President's Award of Excellence for his outstanding contribution to the association in 2006. Unfortunately, he was out of town and was not able to personally accept the award at the luncheon.

These three members were chosen for their exceptional call to service within the association and in the community.

The luncheon provided a very pleasant end to a hugely successful year.

Congratulations Tony, Mike, and Pat!!!



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EO's Comments

Cheryl Hunka
Executive Officer

Home & Garden Show Almost SOLD OUT!!!

Can you believe it? It's only the beginning of January and the 2007 Home & Garden Show is 90 percent sold out!!! That's incredible. We ended 2006 well over our projected sales for the 2007 show, which indicated that this year's show is going to be a blow out.

We have a new center exhibit--thanks to Stock Building Supply--and we have added exhibit space to the Assembly Hall and the Exposition Building. Our show committee has met and has started to plan the big opening party. The theme for this year is "Welcome Home"--in honor of our troops coming home from overseas. If you are interested in booth space for the 2007 show please do not delay in contacting me.

Congratulations Presidential Award Recipients

I would like to congratulate the well deserving recipients of the three presidential awards that John Kiella presented at the TABA Christmas Luncheon. It was a great event that provided the opportunity for great fellowship in celebration of the Holiday season. **Congratulations Tony Gallagher, Mike Pilkington, and Pat Patterson on your achievements.**

TABA Technology

I hope you enjoy receiving your newsletter online. The website has been in development all year and we think you will find it to be a useful tool. Every member will create their own login and will have the ability to change their personal/business information. Our database is now web-based so things we mail either by email or snail mail will be generated from the website database so it is important that your information is correct and up to date. We are convinced that this is the best way to keep our member information current.

I encourage you to visit the TABA website on a regular basis, perhaps make it one of your favorites, or even use it as your homepage. As time goes on, we will be tweaking the website to make improvements so we appreciate your patience.

That's it from my desk. We do not have a meeting scheduled for January so our next event will be the Preview Party at the Bell County Expo Center. This is one of our "Don't Miss" events and I know I will see everyone there!

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NEW HOME STARTS

| | Dec '06 | Dec '05 | '06 YTD | '05 YTD |
|----------------|---------|---------|---------|---------|
| Temple | 35 | 36 | 380 | 431 |
| Belton | 3 | 2 | 125 | 74 |
| Morgan's Point | 2 | 2 | 43 | 49 |
| Totals | 40 | 40 | 548 | 554 |

ALL HOME CLOSINGS

| | | | |
|---------|-----|---------|-------|
| Dec '06 | 167 | '06 YTD | 2,360 |
| Dec '05 | 194 | '05 YTD | 2,430 |

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