



# Charlotte Chapter

AMERICAN SOCIETY OF PLUMBING ENGINEERS

Local Chapters Are Not Authorized to Speak for the Society

## Why is George so Happy?



*To find out, read the story regarding last month's meeting*

Thank you to Brian Conner and Charlotte Pipe & Foundry for the informative and humbling tech session last week.

About two dozen of our members split into two teams & competed in the installation of a domestic water system using FlowGuard Gold. George Reese was one captain, Scott Steindler was the other. Now you might have an idea why George is doing his little happy dance. I don't mean to sound petty, but

*(Continued on page 4)*

## ASPE Golf Tournament

Dan Flora deserves a round of applause for picking the nicest day of spring for our annual ASPE Golf Tournament.

The lining up of sponsors, donations, players, selection of location, signs and setup was good, too! Special thanks to Courtney Morrison, also from Elm Engineering, for helping.

A good time was had by all who attended, and no one went home empty handed. Danny Todd was still smiling; no one made the hole in one on #4.

Check out the pictures throughout the newsletter to see the big winners and the players. Final figures and more info in next month's newsletter.

### Our Next Meeting Will Be on MONDAY

**April 27th**

11:00am Board Meeting  
 11:30 - 1:00pm General Membership  
 Lunch & Technical Session  
 at  
 Charlotte Pipe Training Center  
 632 W. Summit Ave  
 Charlotte, NC

**COST: \$15**

**Topic will be Air Admittance Valves & P.A.P.A. Valve Systems used in high-rise buildings**

**Presenter: Greg Paquin with Studor, Inc.**

**Tabletop: Jeff Hicks with Carotek, Inc.**

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## Chapter President's Thoughts - Todd Arnett

Greetings to all,



Spring has finally arrived and I do hope you are enjoying the nice weather and had the opportunity to play in our chapter's annual golf tournament. I have not yet received word regarding the success of the tournament as I was out of town last week. Regardless, I wish to thank all of the players and sponsors for your participation in these difficult financial times.

The Region 3 President's meeting will be held in New Orleans on June 13<sup>th</sup>. I currently plan on attending and will take any questions or concerns that you may have with me. National President Julius Balanco will be in attendance; hence, your question(s) will be directed to the top.

Please keep in mind that the 2009 Technical Symposium will be held in Dearborn, Michigan in late October. It is my own suspicion that attendance will be low due to the current financial crisis. However, if you (or your employer) can afford to attend, you will have many educational options that will be of benefit.

Do note that our next technical session is on Monday, April 27 at 11:30.

Best regards,  
Todd Arnett  
President

## VP Technical - Scott Steindler

*I've attached a proposed bylaw to address some areas that are lacking in the non-conflict agreement in ASPE's P&O manual.*

### **AMERICAN SOCIETY OF PLUMBING ENGINEERS (ASPE) CONFLICT OF INTEREST POLICY**

#### **DISCUSSION:**

The key difference between Section 501(c)(3) and Section 501(c)(6) organizations is the obligation to serve the public good. Because Section 501(c)(6) organizations serve industry rather than the public, they do not need to make their work available to the public on a nondiscriminatory basis.

Although there is an existing policy regarding conflict of interest in the Policy and Operations manual, the existing policy is vague and does not address several issues and procedures to deal with such a situation when it arises.

The purpose of the conflict of interest policy is to protect ASPE's interest when it is contemplating entering into a position, transaction, or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. Since ASPE is a volunteer board, the idea of the conflict of interest policy is to prevent any favoritism in ASPE's dealings with an individual organization/business. A policy should inform officers and directors about what would constitute this kind of self dealing. *(Continued pages 5-8)*



## VP Education - George Reese

Let me start off by congratulating the UNC players and fans for their total dominance of the NCAA tournament. Duke did succeed in winning its 8<sup>th</sup> ACC tournament in 11 years, which is also a great feat. So hats off to Coach K and the Blue Devils too. Now back to business.

The warmer days are starting to set in and it's once again time to update all with the latest educational presentations, news, and materials that are available for ASPE members.

I hope you all had a great time at last month's educational training on properly installing a FlowGuard Gold domestic system. It was very informative and fun at the same time. Brian Connor, Director of Product Knowledge Training at Charlotte Pipe, did a great job in properly training us and keeping it all relatively simple.

This month we will have Greg Paquin from the IPS Corporation as our guest presenter. He will be conducting a brief presentation on air admittance valves also known as Studor vents and the PAPA system. The PAPA system is an alternative to the traditional venting system. It can be utilized in buildings over 4 stories tall. This too, will be a very worth while presentation and hope to see you all there.

*(continued on next page)*

## VP Membership - Laura Pelchat

Hopefully, you've been participating in some of our recent activities. Last month's meeting was an interesting change, actual hands-on the pipe, rather than the computer. I would have felt much better seeing a blueprint. Even if you're not much of a golfer, our annual tournament was a great time for everyone that attended. I think I got all the names right, hopefully under the right pictures. Daniel did a great job organizing everything, especially in these economic times. I think we'll be able to volunteer him again.

Welcome to Robbie Kornegay with Moen. Our membership numbers are slowly moving up, we've gone from 95 members in January to 97 this month. An increase is pretty good, National went from 6939 members in January, to 6905 this month, so we're ahead of the curve.

If you hear of any job opportunities, check our website for members that are looking for a position, or get in touch with me & I'll pass along the info.

As always, let me know if there's anyone that would like information.

*HELP! Please  
contribute  
ideas and  
information  
for the  
newsletter*



## Winners

&

## Losers!



Come on!!! Three Plumbers????



Looking pretty happy for losers!

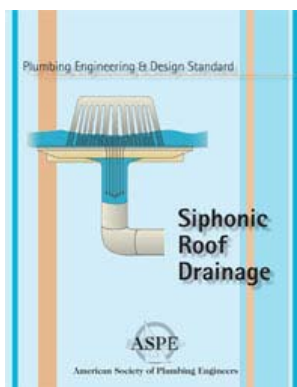
the winning team did have three professional plumbers on it! I must say - not only did the winning house not have any leaks, it looked good!

Looking at the smiles all around, it seemed to be a good meeting: even the losing team wasn't hanging their heads.

Michael, I want to know how the tallest person in the whole group ended up working under the house?



## VP Education - Continuation



Also the ever popular: *Plumbing Engineering & Design Standard on Siphonic Roof Drainage* is still being sold to ASPE members for \$49.95 and non-members \$79.95. This great resource, now at a reduced price, is great for those who would like to know the ins and outs of designing

a siphonic roof drainage system. This is a "must have" for all plumbing engineers & designers alike.

This is one of the several great learning tools that are still available to members and non-members alike, from the ASPE National website.

[www.aspe.org](http://www.aspe.org)

This is a summary of the things that are available, educational wise, for the upcoming month or so. There may be other things added, so it's a great practice to check the Charlotte chapter's website once a week to stay current.



## Golf - Big Winners



Hans Haas was closest to the pin.



Erik Andrews had the longest drive on #18



Lowest Game - 58  
Andy Linn, Thomas Linn  
Missing: David Hawthorne, Chris Ray



"Honest Round" - 79  
Silvano Ferrazo, John Clark, Lou Clendaniel



Good food and good stories



## 2009 ASPE Annual Golf Tournament



Dennis Kelleher, Joe Grote, Boyce Barton, Frank Lastowski



James Grindstaff, Chuck Curlin, Don Deese, Charles Wooten



Jason Dawe, Scott Cathey, Larry Rash, Mike Villela



Keith Conner, Richard Miller, Denny Miller, Blake Fulbright



Les Scott, Brent Barnette, Carl Walker, Mike Gilmore



Hans Haas, Sheila Haas, Robbie Kornegay



## 2009 Annual ASPE Golf Tournament



Lou Clendaniel, John Clark, Silvano Ferrazo



Bob Johnson, Tom Sharp, Daniel Flora, Charles Flora



Erik Andrews, Frank Buyna, Mark Reynolds, Jeff Hicks



Thomas Linn, Andy Linn, David Hawthorne, Chris Ray



Mike Helig, Brad Smalling, Mark Johnson



The term "conflict of interest" can mean many things to many people. The key criteria are that the public good overrides your own, and that the interests of ASPE should precede any other interest. You should keep informed about the general activities of ASPE, and use the utmost good faith in all your dealings on behalf of ASPE. Make sure you know all the duties of your position, and be aware of potential conflicts of interest or any situation that creates the appearance of a conflict of interest. When in doubt, full disclosure could offer you the best course of action. Remember, unless you officially represent a corporate or other type of entity, you only represent yourself. Impartiality and fairness are key throughout the development process.

A clear conflict of interest would be apparent when the individual acting as the Executive Director of the Organization (ASPE) acts as a compensated lobbyist or representative of an individual or entity which comprise a part of the Industry of which ASPE serves.

ASPE interests should be relevant and respond to regulatory and market needs. They should not have adverse effects on competition, or stifle innovation and technological development.

ASPE should assure that there are no agreements or understandings—express or implied formal or informal—that restrict a participant's freedom to make independent decisions in those matters that may affect competition.

There should be no penalty unless an officer or Board Member failed to declare the possibility of a conflict and actually participated in a decision that material assisted the cause of the conflict (individual, corporation, etc.), over and above every similarly situated entity. (This is very important because ASPE is a trade organization which should be making policies that would benefit their industry. Decisions and policies which equally affect all of ASPE's member organizations cannot create a conflict of interest, even if an officer/director is an owner or otherwise represents such an organization.

#### **PROPOSED BYLAW:**

1. Purpose. The American Society of Plumbing Engineers (ASPE) is a nonprofit, 501(c) (6) trade association. It is the policy of ASPE that their officers, directors, and employees should avoid conflicts of interest, including the appearance of conflicts. The board of directors of each of the ASPE Entities shall adopt this policy. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit organizations.

The directors, officers and senior management employees of ASPE have a fiduciary duty to their respective organization. They are expected to administer the affairs of the organization honestly, prudently, at all times exercising their best care, skill and judgment for the sole benefit of the organization. None of these individuals shall use their positions or their knowledge derived from their positions for personal benefit or for any purpose adverse to the interests of ASPE or the industry ASPE serves.



2. Persons Covered. This policy is directed to all directors, officers and employees of ASPE. Any trustee, principal officer, or member of a committee with Board-delegated powers or staff person, who has a direct or indirect financial interest, as defined below, is an interested person.

3. Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment or family:

- An ownership or investment interest in any entity with which ASPE has a transaction or arrangement

- A compensation arrangement with any entity or individual with which ASPE has a transaction or arrangement

- A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.

- Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

- A financial interest is not necessarily a conflict of interest. Under Section 5, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

3. Conflicts of Interest. Conflicts of interest may arise in the relations of directors, officers and employees with third parties, including:

- Persons or firms supplying goods and services;

- Persons or firms serving as compensated independent consultants for Industry related goods and services;

- Persons or firms leasing property and equipment;

- Persons or firms with whom the ASPE Entities are dealing or will deal with in connection with the gift, purchase or sale of real estate, securities or other property;

- Competing or affinity organizations;

- Donors, sponsors, advertisers or others supporting ASPE;

- Family members, other members of the interested parties household, friends and other employees.

4. Conflicting Interest. A material conflicting interest is an interest, direct or indirect, with any persons or firms listed in Section 3 of this policy or with any other person or firm presenting a similar conflict. Such an interest may arise through:

- Owning stock or holding debt or other proprietary interest in any third party dealing with a ASPE Entity;

- Holding office, service on the board, participating in management or being otherwise employed or formerly employed in or by any third party dealing with a ASPE Entity;

- Receiving remuneration for services with respect to individual transactions involving a ASPE Entity;

- Using the time, personnel, equipment, supplies or good will of a ASPE Entity for purposes other than ASPE Entities' approved activities, programs and purposes.

- Receiving more than nominal personal gifts or any loans from third parties dealing with ASPE Entities.



5. Interpretation. The possibilities for a conflict of interest specifically listed in Sections 3 and 4 of this policy are not exhaustive. Other conflicts could conceivably arise and it is assumed that the directors, officers and employees of ASPE will recognize such conflicts. Conflicts must always be examined for materiality and adversity to ASPE. All directors, officers and employees have a duty to disclose conflicts of interest when the conflicts become apparent to the individual. It is the policy of ASPE that the existence of any conflict of interest shall be disclosed before any transaction is consummated. It is the continuing responsibility of the directors, officers and employees to scrutinize their transactions and outside business and personal interests and relationships for potential conflicts and immediately to make such disclosures.

6. Disclosure Procedure.

*Staff*. Disclosure of a conflict of interest of a staff member should be made to the Executive Director of ASPE. The Executive Director will determine whether a conflict of interest exists and if it is material. If the Executive Director has a conflict, disclosure should be made to the serving President of the Board of Directors.

*Executive Director and Board Members*. Disclosure of a conflict of interest of a Executive Director should be made to the Board of Directors and the Executive Director shall recuse himself from any decisions involving that conflict. If the President or any other Board Member has a conflict, disclosure should be made to the Board of Directors. The Board of Directors will determine whether a conflict of interest exists and if it is material.

*Board Process*. If the President or Board of Directors determines that a conflict of interest exists and that it is material as set forth in subsections a and b above, the conflict will be brought to the serving Board of Directors of ASPE. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

7. Failure to Disclose. If a director, officer or employee has reasonable cause to believe that another director, officer or employee has failed to disclose a conflict, he shall inform that person of the basis of such belief and afford such person an opportunity to explain the failure to disclose. If such person chooses not to disclose the conflict of his own choosing, directors must inform the chairman of the board of the affected entity and employees must inform the president.

8. Violations of the Conflicts of Interest Policy:

If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.



If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action of an appropriate nature, not limited to sanctions, immediate termination, or forfeiture of the position in which the individual currently serves.

9. Compensation:

A voting member of the governing board who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

10. Records of Proceedings: The minutes of the governing board and all committees with board delegated powers shall contain:

The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing boards or committee's decision as to whether a conflict of interest in fact existed.

The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

11. Annual Statements. All directors of the ASPE Entities shall annually sign a statement that affirms that they have (a) received a copy of this policy, (b) read and understand the policy and (c) agreed to comply with the policy. This policy shall be reviewed annually for the information and guidance of directors, officers and employees and new directors, officers and employees shall be advised of the policy, (d) Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

12. Periodic Reviews: ASPE will conduct periodic reviews of their activities, including any transactions with interested parties, to ensure that their activities in the aggregate promote and further their respective purposes, and does not engage in activities that could jeopardize its tax-exempt status. The periodic reviews shall, at a minimum, include the following subjects:

Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.

Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction

When conducting the periodic reviews as provided for in Article 12, ASPE may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.



# APRIL 2009

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

## Dates to Remember

- 23rd - PHCC of NC Expo - Greensboro, NC
- 27th - Charlotte ASPE Chapter Tech Session - **NOTE - Change of day this month - MONDAY**
- May 26 - Charlotte ASPE Tech Session
- June 3 - ASPE Webinar - Greywater Systems
- October 23-25 - 2009 Technical Symposium, Dearborn, Michigan



## Congrats to our Members!

### Anniversaries

- Tony Brandon - 26 years
- Robert Elliott, Jr - 19 years
- Bill Miller, Jr - 14 years
- Bill Boda - 10 years
- Larry Castleberry - 10 years
- Scott Steindler - 9 years
- Todd Arnett - 5 years
- Scott Elliott - 4 years
- Robin McCombs - 4 years
- Joel Johnson - 1 year

### Birthdays

- Wes Horne - April 8th
- John Callahan - April 9th
- Dick McCracken - April 12th
- Philip Edwards - April 12th
- Jeff Hicks - April 24th



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#### CONTACT:

Larry Castleberry (704-564-9663)  
[lcastleberry@promarketinginc.net](mailto:lcastleberry@promarketinginc.net)

Brian Cross (704-516-4942)  
[bcross@promarketinginc.net](mailto:bcross@promarketinginc.net)

David Abel (704-231-4810)  
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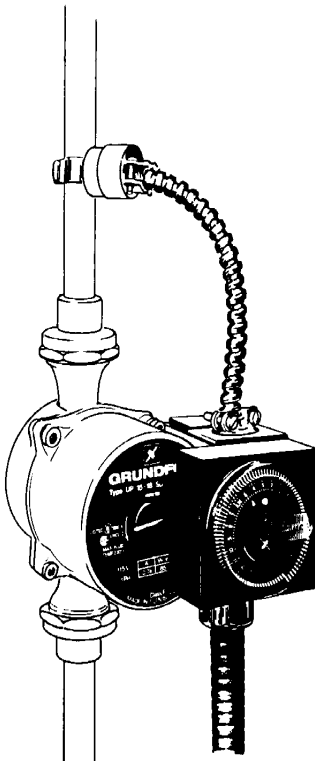
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Triad Area - Jeff Gordon  
(704)588-6262 [jgordon@bradfordsales.com](mailto:jgordon@bradfordsales.com)





## Charlotte Chapter

American Society of Plumbing Engineers

Local Chapters Are Not Authorized to Speak for the Society

Charlotte Chapter of ASPE

PO Box 31843  
Charlotte, NC  
28231-1843

Phone: 704-501-1421  
Fax: 704-527-0539  
E-mail: [lpelchat@smithandstevenson.com](mailto:lpelchat@smithandstevenson.com)

Check Our Website for Updates

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## 2008-2009 Charlotte Chapter of ASPE Board Members

President	Todd Arnett 704-453-7895	<a href="mailto:Mtarnett@bellsouth.net">Mtarnett@bellsouth.net</a>
VP Technical Webmaster	Scott Steindler 704-896-0407	vanZelm, Heywood & Shadford, Inc <a href="mailto:ssteindler@vanzelm.com">ssteindler@vanzelm.com</a>
VP Legislative	Les Scott 704-586-2357	FreemanWhite, Inc. <a href="mailto:lscott@freemanwhite.com">lscott@freemanwhite.com</a>
VP Education	George Reese 704-399-3943	Allied Consulting Engineers <a href="mailto:greesee@allied-engineers.com">greesee@allied-engineers.com</a>
VP Membership Newsletter Editor	Laura Pelchat 704-525-3388	Smith & Stevenson <a href="mailto:lpelchat@smithandstevenson.com">lpelchat@smithandstevenson.com</a>
Treasurer/ Secretary	John Clark 704-295-1733	Green Turtle America Ltd. <a href="mailto:jclark@greenturtletech.com">jclark@greenturtletech.com</a>