

Lower Cape Fear Water & Sewer Authority
Regular Board Meeting Minutes

September 14, 2020

Chairman Milliken called to order the Authority meeting scheduled on September 14, 2020 at 9:00 a.m. and welcomed everyone present. The meeting was held at the Authority's office located at 1107 New Pointe Boulevard, Suite 17, Leland, North Carolina. Director Burroughs gave the invocation.

Roll Call by Chairman Milliken:

Present: Norwood Blanchard, Trent Burroughs, Patrick DeVane, Wayne Edge, Harry Knight, Patricia Kusek, Al Leonard, William Milliken, Jackie Newton, Charlie Rivenbark, William Sue, and Frank Williams

Present by Internet or Telephone: Bill Saffo, Phil Norris

Absent: none

Staff: Tim H. Holloman, Executive Director; Matthew Nichols, General Counsel; Tony Boahn P.E., McKim & Creed, and Allison Covington, Financial Administration Assistant

Guests Present: Anthony Colon, Pender County Utilities

PLEDGE OF ALLEGIANCE: Director Rivenbark led the Pledge of Allegiance.

ADMINISTER OATH OF OFFICE: Patrick DeVane, Bladen County Representative was sworn in by Chairman Al Milliken.

APPROVAL OF CONSENT AGENDA

C1 - Minutes of Regular Board August 10, 2020

C2 - Kings Bluff Monthly Operations and Maintenance Report

C3 - Bladen Bluffs Monthly Operations and Maintenance Reports

Motion: Director Blanchard **MOVED**; seconded by Director Newton, approval of the Consent Agenda Items as presented. Upon roll call vote, the **MOTION CARRIED**.

	<u>For</u>	<u>Against</u>	<u>Abstained</u>	<u>Absent</u>
Norwood Blanchard	X			
Trent Burroughs	X			
Wayne Edge	X			
Patrick DeVane	X			
Harry Knight	X			
Patricia Kusek	X			
Al Leonard	X			
Jackie Newton	X			
Phil Norris	X			
Al Milliken	X			
Charlie Rivenbark	X			
Bill Saffo	X			
Bill Sue	X			
Frank Williams	X			
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OLD BUSINESS

None

NEW BUSINESS

NB1 - Easement Research Pertaining to the Remaining 10-mile Segment of the Kings Bluff 48-inch Raw Water Main Right-of-Way

- A) **A Resolution of Lower Cape Fear Water and Sewer Authority Exempting Lower Cape Fear Water and Sewer Authority from the Provisions of N.C.G.S § 143-64.31**
- B) **Proposal for Professional Consulting Engineering Service for Boundary Research for the Remaining 10-mile Segment of Kings Bluff 48” Raw Water Main Right-of-Way**
- C) **Fiscal Year 2020 - 2021 Budget Amendment #2**

Executive Director reported that the remaining 10 miles of LCFWASA right-of-way is not being addressed during the construction of the current Kings Bluff 48” Raw Water Main Right-of-Way. The Resolution is just for investigation of boundaries, provision to award professional engineering contract, and a budget amendment to cover the contract expenses.

Motion: Director Burroughs **MOVED**; seconded by Director Sue, approval of the *Easement Research Pertaining to the Remaining 10-mile Segment of the Kings Bluff 48-inch Raw Water Main Right-of-Way*, the *Resolution of Lower Cape Fear Water and Sewer Authority (LCFWASA) Exempting LCFWASA from the Provision* , *Proposal for Professional Consulting Engineering Service for Boundary Research for the Remaining 10-mile Segment of Kings Bluff 48” Raw Water Main Right-of-Way*, and *Fiscal Year 2020 - 2021 Budget Amendment #2* as presented. Upon roll call vote, the **MOTION CARRIED**.

	<u>For</u>	<u>Against</u>	<u>Abstained</u>	<u>Absent</u>
Norwood Blanchard	X			
Trent Burroughs	X			
Wayne Edge	X			
Patrick DeVane	X			
Harry Knight	X			
Patricia Kusek	X			
Al Leonard	X			
Jackie Newton	X			
Phil Norris	X			
Al Milliken	X			
Charlie Rivenbark	X			
Bill Saffo	X			
Bill Sue	X			
Frank Williams	X			
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NB2 – Proposed Amendment to the Brunswick County Operation and Maintenance Agreement

Executive Director reported that once our property and liability coverage insurance carrier was switched, they had concerns on how the Brunswick County Operations and Management agreement were written and wanted the wording to align with the way the Smithfield Foods agreement was written. This proposal is to replace some technical wording changes and added indemnification. The proposal will be taken to the Brunswick County Board at their next scheduled meeting on September 21st. Attorney Matt Nichols stated he reviewed the changes Friday September 11th, agreed with them, but noted the Brunswick County Attorney’s office has not seen yet.

Director Newton motioned that the proposal come before the board after the appropriate legal review has been completed.

Motion: Director Newton **MOVED**; seconded by Director Williams, approval of the *Amendment to the Brunswick County Operation and Maintenance Agreement* be tabled. Upon roll call vote, the **MOTION CARRIED**.

	<u>For</u>	<u>Against</u>	<u>Abstained</u>	<u>Absent</u>
Norwood Blanchard	x			
Trent Burroughs	x			
Wayne Edge	x			
Patrick DeVane	x			
Harry Knight	x			
Patricia Kusek	x			
Al Leonard	x			
Jackie Newton	x			
Phil Norris	x			
Al Milliken	x			
Charlie Rivenbark	x			
Bill Saffo	x			
Bill Sue	x			
Frank Williams	x			
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EXECUTIVE DIRECTOR REPORT

EDR1 - Customers’ Water Usage and Raw Water Revenue Report for Month Ending August 31,2020

Executive Director Holloman reported that during the Month of August 2020, Pender County CPFUA’s usage is below projection for the month. He has spoken to CFPUA and they are still running at low capacity on their pumps. They are expected to use LCFWASA water more starting the end of September. He states that overall in the year, we are below revenue projections, but have cut out Capital Expenditures for this year, which include Kings Bluff truck and Variable Frequency Drive.

EDR2 – Status Report on the Bladen Bluff Regional Surface Water Plant Cape Fear River Bank Restoration Project

Executive Director Holloman reported that the project is complete. Final payout is being made, and there are no cost overruns. The final FEMA submittal will be in October and they will complete their final inspection. He stated that FEMA usually withholds 5% until they finalize their review.

EDR3– The Finance Committee Review of Rates in Preparation for the Coming Year and the First Report at the October Board Meeting

Executive Director Holloman reported that depending on the recommendation by Finance Committee meeting, there may be information regarding a potential rate increase to support funding of the Authority’s capital improvement plan submitted to the Board in October.

CLOSED SESSION

CS1- Closed Session in Accordance with NCGS§143-318.11(3)(i) Attorney Client Privilege to Review Unauthorized Encroachment on Right-of-Way

Chairman Milliken requested a motion for the Board to enter closed session in accordance NCGS§143-318.11(3)(i) to discuss potential action regarding unauthorized encroachment on the LCFWASA right-of-way.

Motion: Director Blanchard **MOVED**; seconded by Director Rivenbark, to enter closed session in accordance with NCGS§143-318.11(3)(i) for stated purposes of discussion. Upon roll call vote, the **MOTION CARRIED**.

	<u>For</u>	<u>Against</u>	<u>Abstained</u>	<u>Absent</u>
Norwood Blanchard	x			
Trent Burroughs	x			
Wayne Edge	x			
Patrick DeVane	x			
Harry Knight	x			
Patricia Kusek	x			
Al Leonard	x			
Jackie Newton	x			
Phil Norris	x			
Al Milliken	x			
Charlie Rivenbark	x			
Bill Saffo	x			
Bill Sue	x			
Frank Williams	x			
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At 9:55 a.m. the Board went into closed session. At 10:10 a.m. the Board returned to open session. No action was taken.

DIRECTOR’S COMMENTS AND/OR FUTURE AGENDA ITEMS

None

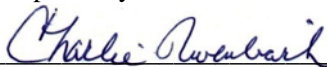
PUBLIC COMMENT

Anthony Colon, Assistant Utilities Director for Pender County utilities spoke of the struggle to keep up with the consumer demand this summer, and how the department heads got together to create a plan to resolve the issue. He stated McKim & Creed and Pender County Utilities are working together to build ground water wells on the eastern side of the county. Currently the well at Annex is pumping about 350 gallons per minute for 12 hours. Pender County Utilities has repaired about 14 hydrants, and maintenance on multiple water mains. The second well should be up and running in November or December and generate about 250-300 gallons per minute. The new well along with the water source in Wallace should produce about 6 million gallons of water a day. He also stated that there is funding in place to build two more wells on the eastern side of the county five years from now. On the west side of the county there is new development of over 150 homes, which will create a need for the maximum 4 million gallons of water from the water plant, he and Executive Director Holloman have previously discussed. A new home development off Highway 117 is set to build 700 homes. The rise in new developments has Pender County Utilities ordering and installing about 300 meters every other month.

ADJOURNMENT

There being no further business, Chairman Milliken adjourned the meeting at 10:10 a.m.

Respectfully Submitted:



 Charlie Rivenbark, Secretary