

Lower Cape Fear Water & Sewer Authority
Regular Board Meeting Minutes
July 8th, 2024

Chairman Knight called to order the Authority meeting scheduled on July 8th, 2024, 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 DeVane gave the invocation.

Roll Call by Chairman Knight:

Present: Norwood Blanchard, Patrick DeVane, Wayne Edge, Harry Knight, Charlie Rivenbark, Chris Smith, Bill Sue, Phil Tripp, Frank Williams, and Rob Zapple

Present by Virtual Attendance: Al Leonard, Jackie Newton, and Scott Phillips

Absent: Bill Saffo

Staff: Tim H. Holloman, Executive Director; Matthew Nichols, General Counsel; Sam Boswell, COG; Tony Boahn P.E., McKim & Creed; Jess Powell P.E., McKim & Creed; and Danielle Hertzog, Financial Administration Assistant

Guests Present: Jorgen Holmberg, Computer Warriors; Christopher "CJ" Cahoy, Garney Construction; Keith Burke, Garney Construction; Erin Jones, Pender County Utilities Water Treatment Plant Superintendent; James Proctor, Pender County Utilities Deputy Director; Glenn Walker, Brunswick County Water Resources Manager; David Carson, Brunswick County Water Resources Supervisor; Craig Wilson, Cape Fear Public Utility Authority Engineering Manager; Katie Elliott P.E. Water Group, McKim & Creed

Guests Virtual Attendance: Larry Froelich, Stepan Company Plant Manager

PLEDGE OF ALLEGIANCE: Chairman Knight led the Pledge of Allegiance.

APPROVAL OF CONSENT AGENDA

C1 – Minutes of July 8, 2024, Regular Board Meeting

C2 – Kings Bluff Monthly Operations and Maintenance Report

C3 – Bladen Bluffs Monthly Operations and Maintenance Reports

C4 – Line-Item Adjustment for May 31, 2024

Motion: Director Williams **MOVED**; seconded by Director Blanchard, approval of the Consent Agenda Items C1-C4 with an update to show Director Zapple was excused. Upon voting, the **MOTION CARRIED UNANIMOUSLY**.

NEW BUSINESS

NB1- Resolution Approve Design-Build Contract for Portion of Phased 10-Mile Parallel Raw Water Line Project - Project #1, Phase 2A

Director Zapple confirmed the resolution cost covers seven miles of design, seven miles of piping, and three miles of construction. Executive Director Holloman confirmed this. Director Zapple asked if the project would be GMP (greatest maximum price). Executive Director Holloman stated it is a lump sum project, placing more risk on the contractor. If the price exceeds 18.6 million, LCFWASA is harmless up to a 10% threshold. Executive Director Holloman added that LCFWASA has a contingency plan of 5.2 million.

Motion: Director Zapple **MOVED**; seconded by Director Williams, to approve the Resolution of Design-Build Contract for the Portion of Phased 10-Mile Parallel Raw Water Line Project - Project #1, Phase 2A. Upon voting, the **MOTION CARRIED UNANIMOUSLY**.

NB2- Resolution to Approve Design-Build Team of Garney Companies, Inc. and McKim & Creed, Inc. for Remaining Approximately 3 Miles of the Phased 10-Mile Parallel Raw Water Line Project

Motion: Director Blanchard **MOVED**; seconded by Director Williams, to approve the Resolution of the Design-Build Team of Garney Companies, Inc. and McKim & Creed, Inc. for the Remaining Approximately 3 Miles of the Phased 10-Mile Parallel Raw Water Line Project. Upon voting, the **MOTION CARRIED UNANIMOUSLY**.

NB3- Budget Amendment #1

Motion: Director Blanchard **MOVED**; seconded by Director Williams, to approve Budget Amendment #1. Upon voting, the **MOTION CARRIED UNANIMOUSLY**.

ENGINEER'S COMMENTS

No comments.

ATTORNEY COMMENTS

No comments

EXECUTIVE DIRECTOR REPORT

EDR1 – Comments on Customers' Water Usage and Raw Water Revenue for Fiscal Year to Date Ending June 30, 2024

Executive Director Holloman reported that during June, all customers were above projections.

DIRECTOR'S COMMENTS AND/OR FUTURE AGENDA ITEMS

Over the next few months schedule tours of the Kings Bluff Plant and Bladen Bluffs Plant for current directors.

PUBLIC COMMENT

No comments

CLOSED SESSION

Chairman Knight requested a motion to go into a closed session in accordance with N.C.G.S. §143-318.11(a)(3) to discuss with attorney matters within the attorney-client privilege related to the following pending lawsuit:

Cape Fear Public Utility Authority, Brunswick County, Lower Cape Fear Water & Sewer Authority, and Town of Wrightsville Beach v. The Chemours Company FC, LLC, E.I. Du Pont De Nemours and Company, and The Chemours Company

Motion: Director Rivenbark **MOVED**; seconded by Director DeVane, to go into closed session in accordance with NCGS §143-318.11(a)(3) to consult with attorney in order to preserve the attorney-client privilege. Upon voting, the **MOTION CARRIED UNANIMOUSLY**.

At 9:38 a.m., the board went into closed session. At 9:55 a.m., the board returned to open session. Discussion only; no action taken.

ADJOURNMENT

There being no further business, Chairman Knight adjourned the meeting at 9:56 a.m.

Respectfully Submitted:


Scott Phillips, Secretary