

ORANGE WATER AND SEWER AUTHORITY

MEETING OF THE BOARD OF DIRECTORS

SEPTEMBER 13, 2007

The Board of Directors of the Orange Water and Sewer Authority (OWASA) met in regular session on Thursday, September 13, 2007, at 7:00 P.M., in OWASA's Community Room.

Directors present: Michael A. (Mac) Clarke, Chair; Gordon Merklein, Secretary; Fred Battle; Braxton Foushee; Marge Anders Limbert; Gene Pease; Alan Rimer; and William R. Stott. Director absent: Randolph M. Kabrick, P.E., Vice Chair. Braxton Foushee was excused from the Board meeting at 7:45 PM.

OWASA staff: Ed Kerwin; John Greene; Mason Crum; Patrick Davis; Greg Feller; Ed Holland; Andrea Orbich; Kevin Ray; Paula Thomas; and Robert Epting, Esq., Epting and Hackney.

Others present: Meg Holton, Water, Wastewater, and Stormwater Manager, University of North Carolina at Chapel Hill; Brandon Murrill, UNC Student; Theodore Sampson, Carrboro resident; B. Galecke, Raleigh resident; and Donald Greeley, Deputy Director of Water Management, City of Durham.

There being a quorum present, Chair Mac Clarke called the meeting to order.

MOTIONS ACTED UPON

1. Alan Rimer made a motion to deny Theodore Sampson's petition that the Board restore his water service and use money that he alleges is owed him from OWASA's insurance carrier because of damage OWASA caused to his home a year ago. The motion was seconded by Gordon Merklein and approved by a vote of five to two with Fred Battle and William Stott voting against the motion.

2. Fred Battle made a motion to approve the Minutes of the August 23, 2007 Closed Session of the Board for the purpose of discussing a claim out of which litigation may be expected; the motion was seconded by William Stott and unanimously approved.

3. Alan Rimer made a motion to strongly support the mutual environmental benefit of the transfer of wastewater from the City of Durham to OWASA for the Blenheim Woods development as a one-time request; the motion was seconded by Gene Pease and unanimously approved.

4. BE IT RESOLVED THAT the Orange Water and Sewer Authority adopt the "Resolution Amending the Job Description Requirements for Certain Positions and Authorizing the Executive Director to Modify Certain Job Description Duties." (Resolution so titled attached hereto and made a part of these minutes. Motion made by Alan Rimer, seconded by Fred Battle, and carried by unanimous vote.)

5. BE IT RESOLVED THAT the Orange Water and Sewer Authority adopt the "Resolution Approving OWASA's Rainwater Harvesting Systems Requirements and Charges." (Resolution so titled attached hereto and made a part of these minutes. Motion made by Alan Rimer, seconded by Fred Battle, and carried by unanimous vote.)

6. Marge Anders Limbert made a motion that the Board go into closed session for the purpose of discussing a human resources matter; the motion was seconded by William Stott and unanimously approved.

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ITEM ONE: ANNOUNCEMENTS

CONFLICT OF INTEREST

Mac Clarke said any Board Member who knows of a conflict of interest or potential conflict of interest with respect to any item on the agenda tonight is asked to disclose the same at this time. There were none.

COMMITTEE MEETINGS

Gordon Merklein said the Ad Hoc Art Committee met prior to the Board meeting with artist Jane Eckenrode, who presented concepts for the atrium art project for the Committee's consideration. Another meeting will be scheduled for October, 2007 and a final product should be ready in about a year.

NOMINATING COMMITTEE

Marge Anders Limbert said that the Nominating Committee met on Tuesday, September 4, 2007 and proposes the following slate of officers for consideration at the Board's Annual Meeting on Thursday, September 27, 2007:

Chair, Randy Kabrick;
Vice Chair, Gordon Merklein; and
Secretary, Braxton Foushee.

NORTH CAROLINA BOTANICAL GARDEN

William Stott said that he has received an invitation from Johnny Randall, of the North Carolina Botanical Garden, to take a walking tour along the corridor of the Morgan Creek sewer interceptor project. Dr. Stott will confirm date and time with Mr. Randall and then notify the Board and staff. Dr. Stott said that Board Members and staff are also invited.

WATER SUPPLY PRESENTATION TO THE TOWN OF CHAPEL HILL

Ed Holland said that on September 10, 2007, he made a presentation to the Chapel Hill Town Council to review water supply and demand as of September 10th.

ITEM TWO: PETITIONS AND REQUESTS FROM THE PUBLIC

Mr. Theodore Sampson, OWASA customer, asked the Board to restore his water service and to use money that he alleges is owed him from OWASA's insurance carrier because of damage OWASA caused to his home a year ago.

The Board encouraged Mr. Sampson to meet with staff to develop a payment plan to restore his water service.

Alan Rimer made a motion to deny Mr. Sampson's petition. The motion was seconded by Gordon Merklein and approved by a vote of five to two with Fred Battle and William Stott voting against the motion. Please see Motion No. 1 above.

ITEM THREE: PETITIONS AND REQUESTS FROM THE BOARD

Mac Clarke asked for petitions and requests from the Board. There were none.

ITEM FOUR: PETITIONS AND REQUESTS FROM THE STAFF

Mac Clarke asked for petitions and requests from the staff. There were none.

ITEM FIVE: CLEAN WATER MANAGEMENT TRUST FUND GRANT AGREEMENT
FOR THE RAY TRACT PURCHASE, TERMS OF PROPOSED EASEMENT

The Board received this report as an information item.

ITEM SIX: QUARTERLY REPORT ON ATTENDANCE AT BOARD OF DIRECTORS'
MEETINGS

The Board received this report as an information item.

ITEM SEVEN: ANNUAL PERFORMANCE MEASUREMENT REPORT

The Board received this report as an information item.

ITEM EIGHT: MINUTES

Fred Battle made a motion to approve the Minutes of the August 23, 2007 Closed Session of the Board for the purpose of discussing a claim out of which litigation may be expected; the motion was seconded by William Stott and unanimously approved. Please see Motion No. 2 above.

ITEM NINE: PROPOSED TRANSFER OF WASTEWATER FROM THE CITY OF DURHAM TO OWASA FOR THE BLENHEIM WOODS DEVELOPMENT

Mason Crum provided a summary, highlighting that Durham staff had clarified that the Blenheim Woods Development is the only location where they anticipate making a request to OWASA to accept wastewater flow from their service area and that OWASA staff's recommendation remains that the proposal be approved. He said that even with the approval and support of the OWASA Board, the proposal would still have to receive the approval of the Carrboro Board of Aldermen, the Chapel Hill Town Council and the Orange County Board of Commissioners before OWASA could enter into a wastewater transfer agreement with Durham.

Alan Rimer made a motion to strongly support the mutual environmental benefit of the transfer of wastewater from the City of Durham to OWASA for the Blenheim Woods development as a one-time request; the motion was seconded by Gene Pease and unanimously approved. Please see Motion No. 3 above.

ITEM TEN: RESOLUTION AMENDING THE JOB DESCRIPTIONS REQUIREMENTS FOR CERTAIN POSITIONS AND AUTHORIZING THE EXECUTIVE DIRECTOR TO MODIFY CERTAIN JOB DESCRIPTION DUTIES

Alan Rimer requested and the Board agreed that if the Executive Director makes a substantial change to a job description, the Executive Director would as a courtesy, notify the Board.

Alan Rimer made a motion to approve the resolution; the motion was seconded by Fred Battle and unanimously approved. Please see Motion No. 4 above.

ITEM ELEVEN: RECOMMENDED OWASA POLICY AND APPROACH REGARDING THE USE OF RAINWATER HARVESTING AND OTHER NON-POTABLE WATER SUPPLY SYSTEMS WITH POTENTIAL TO DISCHARGE TO THE OWASA SANITARY SEWER SYSTEM

Patrick Davis presented this item on behalf of Paula Thomas, who could not attend. Mr. Davis provided a one-page handout presenting the methodology used to estimate the volume of wastewater discharge from the rainwater harvesting system serving the Pacifica development.

Alan Rimer made a motion to approve the resolution; the motion was seconded by Fred Battle and unanimously approved. Please see Motion No. 5 above.

ITEM TWELVE: CLOSED SESSION

Marge Anders Limbert made a motion that the Board go into a closed session for the purpose of discussing a human resources matter. The motion was seconded by William Stott; and carried by a unanimous vote. Please see Motion No. 6 above.

There being no further business to come before the Board, the meeting was adjourned at 8:45 P.M.

Enclosures

**RESOLUTION AMENDING THE JOB DESCRIPTION REQUIREMENTS FOR
CERTAIN POSITIONS AND AUTHORIZING THE EXECUTIVE DIRECTOR
TO MODIFY CERTAIN JOB DESCRIPTION DUTIES**

WHEREAS, on June 14, 2007 the Orange Water and Sewer Authority (OWASA) Board of Directors approved several new compensation strategies for employees including a bonus for job relevant professional certifications; and

WHEREAS, the Executive Director has developed an Administrative Guide which details the requirements and procedures for consideration of a bonus for a job relevant professional certification; and

WHEREAS, the Human Resources staff have met with employees to advise them of these new compensation strategies and to review the requirements and procedures contained in the Administrative Guide; and

WHEREAS, during the review of several job relevant professional certifications it became apparent that there were certain positions where the current job requirements created an inequitable bonus situation; and

WHEREAS, each position classification at OWASA has a corresponding job description which details relevant duties, certification and education requirements and those duties may need to be modified in order to stay current with the operations and practices of OWASA and the industry;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF ORANGE WATER AND SEWER AUTHORITY:

1) That the job descriptions for the Utility Mechanic I, II, III and Crew Leader positions be amended to include professional certification requirements as follows:

<u>TITLE</u>	<u>REQUIRED CERTIFICATION(S)</u>
Crew Leader	NC Water Facility Operators Certification Board - Distribution System Grade B; or Water Pollution Control System Operators Certification Commission - Collection System Grade III
Utility Mechanic III	NC Water Facility Operators Certification Board - Distribution System Grade C; or Water Pollution Control System Operators Certification Commission - Collection System Grade I or II

<u>TITLE</u>	<u>REQUIRED CERTIFICATION(S)</u>
Utility Mechanic II	None
Utility Mechanic I	None

2) That any employee currently in good standing and in one of the positions noted above who has already obtained the additional required certification(s) be eligible to receive a single one-time bonus of \$500.

3) That the Executive Director is delegated the authority to establish and update the OWASA job descriptions as he/she sees fit to maintain the accuracy and completeness of the job description relative to the duties required of the position.

4) That this resolution be effective immediately.

Adopted this 13th day of September 2007.

**RESOLUTION APPROVING OWASA'S
RAINWATER HARVESTING SYSTEMS REQUIREMENTS AND CHARGES**

WHEREAS, Orange Water and Sewer Authority (OWASA) highly values water use efficiency and strongly encourages water conservation practices by all customers; and

WHEREAS, “rainwater harvesting” (the collection, storage, treatment, and use of rainwater for beneficial purposes) helps to conserve our essential drinking water supplies and reduce demand on our reservoirs, provide increased capacity and security, reduce the rate and volume of stormwater runoff and maintain site-scale hydrologic balance, and can have an important role in permaculture design; and

WHEREAS, rainwater harvesting systems and other non-potable water supply systems have the potential to result in wastewater discharges to the OWASA sanitary sewer system, thereby requiring the collection and treatment of those discharges at a cost to OWASA; and

WHEREAS, OWASA services are paid for by OWASA’s customers through rates and fees, and under the legal requirement that “there will be no free service rendered” and that charges for service will reflect the cost that OWASA incurs to provide that service; and

WHEREAS, OWASA wishes to implement a simple and straightforward administrative process for determining, applying, and collecting the charges applicable to the collection and treatment of wastewater resulting from rainwater harvesting systems and other non-potable water systems; and

WHEREAS, OWASA wants to ensure that rainwater harvesting systems and other non-potable water supply systems used within its service area are designed, operated and maintained to protect public health and the safety and integrity of our water and wastewater systems;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF ORANGE WATER AND SEWER AUTHORITY:

1. That the Board of Directors authorizes and directs staff to apply sewer charges to wastewater discharges resulting from rainwater harvesting and other non-potable water supply systems provided that the minimum threshold for which the charges shall apply is 3,000 gallons per month. Individually-metered single family residential customers with such systems are hereby deemed to fall below the threshold.

2. That this policy shall become effective upon adoption.

3. That the Executive Director is authorized and directed to implement and interpret this policy and incorporate it into OWASA’s Standards and Specifications.

Adopted this 13th day of September, 2007.

OWASA Rainwater Harvesting Systems Requirements and Charges

General Requirements:

Rainwater harvesting is the collection and storage of rainwater from roofs or other catchment areas for future use. This stored rainwater may be for internal use within a building (flushing of toilets, etc.) or may be for external purposes such as irrigation.

OWASA encourages conservation of water through the use of rainwater harvesting systems by OWASA customers provided the following standards and specifications governing their use are met to protect the safety and integrity of the public water and sewer systems:

- Rainwater collection devices or cisterns that are capable of being fed from both a rainwater harvesting system or alternately from OWASA's Potable Water System must be designed, built, operated and maintained to ensure that the OWASA drinking water system is protected from cross-connection and contamination. This shall be accomplished by the installation of an air gap at the point where the potable water discharges into the non-potable water collection device. Air gap physical separation shall be at least double the diameter of the supply line measured vertically above the overflow rim of the containment device, but in no case shall it be less than 1 inch.
- Piping for rainwater harvesting systems shall be separate from any potable piping system (includes both domestic and/or fire suppression systems which use water supplied by OWASA). A physical separation of piping is required between any potable and non-potable water system. The use of backflow devices to separate two piping systems is not allowed. There must be an air gap.
- A detailed written description of a proposed rainwater harvesting and plumbing system shall be submitted to OWASA Engineering Staff for review and consideration. This shall include narrative sufficient to explain how the proposed system will operate along with plumbing drawings detailing potable water piping and harvested rainwater piping. All air gaps between potable and non-potable piping systems must be clearly indicated on drawings.
- No rainwater harvesting system or other non-potable water supply system shall be installed and used by a customer connected to the OWASA Potable Water System and/or the Sanitary Sewer System unless first reviewed and approved by OWASA.

For rainwater harvesting systems that will directly or indirectly result in the generation of wastewater to be discharged to the OWASA Sanitary Sewer System, OWASA will allow and accept such discharges provided they fully meet the requirements of OWASA's Sewer Use Ordinance.

Applicable Sewer Service and Commodity Charges:

Rainwater harvested solely for irrigation or other uses which **do not** introduce flows into OWASA's Sanitary Sewer System shall not be subject to any OWASA sewer charges.

OWASA's sewer charges shall be applicable to rainwater harvesting systems or other non-potable water supply systems that result in a wastewater discharge of 3,000 gallons or more per month to the OWASA Sanitary Sewer System. (Effectively, individually-metered single family residences connected to the OWASA Sanitary Sewer System would not incur a charge for use of the rainwater harvesting system or other similar system.)

The applicable sewer charges will be calculated to fairly and equitably recover the costs of collecting and treating the portion of the harvested rainwater that is being discharged into the OWASA Sanitary Sewer System. OWASA will bill the customer for those services on a monthly basis, and the applicable charges will be shown as a component of the monthly bill sent to the customer.

Sewer charges shall be subject to periodic increases to reflect the current cost-of-service, as determined by OWASA.

OWASA will use either of the following methods for determining sewer charges applicable to rainwater harvesting systems or other non-potable water supply systems:

1. Sewer Charges Applicable to Unmetered Discharges From Rainwater

Harvesting Systems: OWASA may, at its discretion, determine that a separate meter does not need to be installed to measure the actual volume of discharge to the OWASA Sanitary Sewer System that the rainwater harvesting system or other non-potable water supply system may cause. For such cases where the estimated volume is 3,000 gallons or more per month, OWASA will determine and levy a flat monthly sewer charge based on the estimated average wastewater discharge anticipated from those plumbing fixture units that would be supplied by the rainwater harvesting system or other non-potable water supply system. This would assume a certain volume of the harvested rainwater is used for these plumbing fixtures each month.

In order for the service location to be eligible for this option, and for OWASA to estimate the expected volume and determine the applicable charge, the builder/owner/occupant must provide the following information to OWASA:

- (1) a list of the plumbing fixtures discharging to the OWASA Sanitary Sewer System that are supplied by the rainwater harvesting system or other non-potable water supply system;

- (2) a table showing the plumbing fixture unit values or applicable use volumes per unit of use for each of the plumbing fixtures discharging to OWASA Sanitary Sewer System;
- (3) a calculation of the anticipated daily use of each plumbing fixture; and
- (4) a calculation of the estimated daily and monthly wastewater volume that will be discharged by these plumbing units.

Once this information has been received, OWASA will determine the flat rate that will be applicable to the estimated sewer discharge for the facility.

2. Sewer Charges Applicable to Metered Discharges From Rainwater

Harvesting Systems: At the builder/owner/customer's request, or as otherwise determined necessary and required by OWASA, the customer shall at their expense install a special flow measurement system to accurately determine the volume of wastewater that is actually discharged to the OWASA Sanitary Sewer System as a result of a rainwater harvesting system or other non-potable water supply system. Such a measurement system would not include the volume of water used for irrigation/outside uses that do not result in a discharge to the OWASA Sanitary Sewer System. Under this alternative method:

- (1) The meter or flow measurement system would have to be designed and built according to OWASA standards, be accessible to OWASA meter reading and maintenance personnel, and have a remote meter readout installed in an accessible location. OWASA will own and maintain the meter installed for this purpose.
- (2) OWASA would bill the customer for the actual measured volume of sewer discharge, as well as a fixed monthly service charge for billing the customer and maintaining the sewer-only meter or flow measurement system. This would provide for an accurate measurement of the discharge to the sewer system, and cover OWASA's full costs of reading and maintaining the sewer-only meter as well as collecting and treating the wastewater discharge.

In general, to reduce total costs to the customer and provide for ease of administration, OWASA's preferred approach will be to base the applicable sewer charges on the estimated volume of wastewater discharge. However, metering of the actual sewer discharge may be necessary for large volume systems.

ORANGE WATER AND SEWER AUTHORITY
CLOSED SESSION OF THE BOARD OF DIRECTORS
SEPTEMBER 13, 2007

The Board of Directors of the Orange Water and Sewer Authority (OWASA) met in closed session following the Board meeting on Thursday, September 13, 2007, in OWASA's Community Room.

Directors present: Michael A. (Mac) Clarke, Chair; Gordon Merklein, Secretary; Fred Battle; Braxton Foushee; Marge Anders Limbert; Gene Pease; Alan Rimer; and William R. Stott. Directors absent: Randolph M. Kabrick, P.E., Vice Chair.

Others present: Ed Kerwin, Executive Director, Orange Water and Sewer Authority.

ITEM ONE

The Board of Directors met in Closed Session for the purpose of evaluating the annual performance of OWASA's General Counsel for the current fiscal year.

No official action was taken at the meeting.