Agenda
Virtual Work Session of the OWASA Board of Directors
Thursday, July 9, 2020, 6:00 P.M.

Due to COVID-19 public health concerns, the Orange Water and Sewer Authority (OWASA) Board of Directors is conducting this meeting virtually utilizing Microsoft Teams software. Board Members, General Counsel and staff will be participating in the meeting remotely.

The Board of Directors appreciates and invites the public to attend and observe its virtual meetings online. Public comment is invited via written materials, ideally submitted at least two days in advance of the meeting to the Board of Directors by sending an email to board_and_leadership@owasa.org or US Postal Service (Clerk to the Board, 400 Jones Ferry Road, Carrboro, NC 27510). Public comments are also invited during the Board Meeting via telephone, and you will need to be available to call-in during the meeting. Please contact the Clerk to the Board at aorbich@owasa.org or 919-537-4217 to make arrangements by 3:00 p.m. the day of the meeting.

Public speakers are encouraged to organize their remarks for delivery within a four-minute time frame allowed each speaker, unless otherwise determined by the Board of Directors.

The Board may take action on any item on the agenda.

Announcements

a. Announcements by the Chair
   - 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.
   - Deanie Anyangwe, Chapel Hill Appointee, declined her appointment as an OWASA Board Member
   - Update on Standing Committees of the Board of Directors

b. Announcements by Board Members

c. Announcements by Staff

d. Additional Comments, Suggestions, and Information Items by Board Members (Chair)

Consent Agenda

Information and Reports

1. Quarterly Report on Board and Committee Meetings (Andrea Orbich)

Action

2. Minutes of the June 11, 2020 Virtual Work Session of the Board of Directors (Andrea Orbich)

Regular Agenda

Discussion and Action

3. Honoring the Outstanding Service of Ed Kerwin (Ray DuBose)
   A. Resolution Honoring the Outstanding Service of Ed Kerwin to the Carrboro, Chapel Hill and Orange County Community
   B. Resolution Renaming the Orange Water and Sewer Authority Training Room in the Operations Center to the Ed Kerwin Team Room
4. Potential Conservation Easement on Private Land in the Cane Creek Reservoir Watershed (Ruth Rouse)

Information and Reports

5. Update on OWASA's Agreement with U.S. Environmental Protection Agency (Robin Jacobs/Stephanie Glasgow)

Discussion

6. Update on OWASA's COVID-19 Information and Discussion by the Board (Todd Taylor/ Stephen Winters)
7. Diversity and Inclusion Program Update (January – June 2020) (Todd Taylor/Stephanie Glasgow/Denise Battle/Addison McDonough)
8. Review Board Work Schedule (Ray DuBose/Todd Taylor)
   a. Request(s) by Board Committees, Board Members and Staff
   b. July 23, 2020 Board Meeting
   c. August 13, 2020 Work Session
   d. 12 Month Board Meeting Schedule
   e. Pending Key Staff Action Items

Summary of Work Session Items

9. Executive Director will summarize the key staff action items from the Work Session

ORANGE WATER AND SEWER AUTHORITY - QUARTERLY REPORT

ATTENDANCE AT BOARD AND COMMITTEE MEETINGS

BOARD OF DIRECTORS	APRIL 2020	MAY 2020	JUNE 2020
RAY DUBOSE, CHAIR	Apr 2 HR (Meeting) Apr 9 WS (Meeting) Apr 23 Board (Meeting) Apr 24 Special (Meeting) Apr 25 Special (Meeting)	May 14 WS (Meeting) May 28 Board (Meeting)	Jun 11 WS (Meeting) Jun 25 Board (Meeting)
RUCHIR VORA, VICE CHAIR	Apr 2 HR (Meeting) Apr 9 WS (Meeting) Apr 23 Board (Meeting) Apr 24 Special (Meeting) Apr 25 Special (Meeting)	May 14 WS (Meeting) May 28 Board (Meeting)	Jun 11 WS (Meeting) Jun 25 Board (Absent)
BRUCE BOEHM, SECRETARY	Apr 2 HR (Meeting) Apr 9 WS (Meeting) Apr 23 Board (Meeting) Apr 24 Special (Meeting) Apr 25 Special (Meeting)	May 14 WS (Meeting) May 28 Board (Meeting)	Jun 11 WS (Meeting) Jun 25 Board (Meeting)
YINKA AYANKOYA	Apr 2 HR (Meeting) Apr 9 WS (Meeting) Apr 23 Board (Meeting) Apr 24 Special (Meeting) Apr 25 Special (Meeting)	May 14 WS (Meeting) May 28 Board (Meeting)	Jun 11 WS (Meeting) Jun 25 Board (Meeting)
JODY EIMERS	Apr 2 HR (Meeting) Apr 9 WS (Meeting) Apr 23 Board (Meeting) Apr 24 Special (Meeting) Apr 25 Special (Meeting)	May 14 WS (Meeting) May 28 Board (Meeting)	Jun 11 WS (Meeting) Jun 25 Board (Meeting)
ROBERT MORGAN	Apr 2 HR (Meeting) Apr 9 WS (Meeting) Apr 23 Board (Meeting) Apr 24 Special (Meeting) Apr 25 Special (Meeting)	May 14 WS (Meeting) May 28 Board (Meeting)	Jun 11 WS (Meeting) Jun 25 Board (Meeting)
JOHN N. MORRIS	Apr 2 HR (Meeting) Apr 9 WS (Meeting) Apr 23 Board (Meeting) Apr 24 Special (Meeting) Apr 25 Special (Meeting)	May 14 WS (Meeting) May 28 Board (Meeting)	Jun 11 WS (Meeting) Jun 25 Board (Meeting)

BOARD OF DIRECTORS	APRIL 2020	MAY 2020	JUNE 2020
BRUCE RUNBERG	Apr 9 WS (Meeting) Apr 23 Board (Meeting) Apr 24 Special (Meeting) Apr 25 Special (Meeting)	May 14 WS (Meeting) May 28 Board (Meeting)	Jun 11 WS (Meeting) Jun 25 Board (Meeting)
VACANT CHAPEL HILL SEAT			
TOTAL MEETINGS HELD:	**5**	**2**	**2**

Board – Board of Directors
FC – Finance Committee
HR – Human Resources Committee
Special – Special Meeting of the Board
WS – Work Session

Orange Water and Sewer Authority

Virtual Meeting of the Board of Directors

June 11, 2020

The Board of Directors of the Orange Water and Sewer Authority (OWASA) held a virtual work session on Thursday, June 11, 2020, at 6:00 p.m. utilizing Microsoft Teams software.

Board Members present: Raymond (Ray) DuBose (Chair), Ruchir Vora (Vice Chair), Bruce Boehm (Secretary), Yinka Ayankoya, Jody Eimers, Robert Morgan, John N. Morris and Bruce Runberg.

OWASA staff present: Mary Darr, Monica Dodson, Jesse DuClau, Robert Epting, Esq. (Epting and Hackney), Vishnu Gangadharan, Stephanie Glasgow, Blake Hodge, Ed Kerwin, Ken Loflin, Andrea Orbich, Dan Przybyl, Ruth Rouse, Kelly Satterfield, Todd Taylor, Mary Tiger, Stephen Winters and Richard Wyatt.

Others present: Meg Holton (UNC Water Resources Manager).

Motions

1. BE IT RESOLVED THAT the Board of Directors of the Orange Water and Sewer Authority adopts the Resolution Authorizing the Executive Director to Execute Amendment #1 to the Memorandum of Agreement for the Western Intake Partnership. Motion by Robert Morgan, second by Bruce Boehm and unanimously approved.

2. Robert Morgan made a motion to approve the Minutes of the May 14, 2020, Virtual Meeting of the Board of Directors; second by Bruce Boehm and unanimously approved.

3. Robert Morgan made a motion to approve the Minutes of the May 14, 2020, Virtual Closed Session of the Board of Directors for the Purpose of Conferring with Its Consultant a Regarding Personnel Matter; second by Bruce Boehm and unanimously approved.

4. Robert Morgan made a motion to approve the Minutes of the May 28, 2020, Virtual Closed Session of the Board of Directors for the Purpose of Discussing Two Confidential Personnel Matters; second by Bruce Boehm and unanimously approved.

5. Jody Eimers made a motion to send a letter regarding House Bill 1200 as amended by Bruce Boehm to State elected officials providing support of state funding of utility bill assistance; second by Robert Morgan and unanimously approved.

6. BE IT RESOLVED THAT the Board of Directors of the Orange Water and Sewer Authority adopts the Resolution Affirming Orange Water and Sewer Authority's Diversity and Inclusion Values and Supporting a Community Free of Hatred. Motion by John Morris, second by Bruce Boehm and unanimously approved.

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7. BE IT RESOLVED THAT the Board of Directors of the Orange Water and Sewer Authority adopts the Resolution Adopting the Schedule of Rates, Fees, and Charges on or after October 1, 2020. Motion by Bruce Boehm, second by Ruchir Vora and unanimously approved.

8. BE IT RESOLVED THAT the Board of Directors of the Orange Water and Sewer Authority adopts the Resolution Adopting the Annual Budget for Orange Water and Sewer Authority for the Fiscal Year July 1, 2020 through June 30, 2021. Motion by Robert Morgan, second by Yinka Ayankoya and unanimously approved.

9. BE IT RESOLVED THAT the Board of Directors of the Orange Water and Sewer Authority adopts the Resolution Approving the Capital Improvements Program and Budget for Fiscal Years 2021-2025. Motion by Jody Eimers, second by Robert Morgan and unanimously approved.

10. BE IT RESOLVED THAT the Board of Directors of the Orange Water and Sewer Authority adopts the resolution Capital Project Resolution for Fiscal Year 2020 Infrastructure Improvements. Motion by Jody Eimers, second by Bruce Boehm and unanimously approved.

11. Ruchir Vora made a motion the Board of Directors convene in a virtual closed session for the purpose of discussing a confidential personnel matter, as provided in N.C. General Statutes 143.318.11(6); second by Bruce Boehm and unanimously approved.

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Announcements

Ray DuBose announced that due to COVID-19 public health concerns and in compliance with local governments "stay at home" orders, the OWASA Board of Directors was holding this work session virtually utilizing Microsoft Teams software.

Mr. DuBose said members of the public are able to view or listen to the meeting but did not have an opportunity to speak during this meeting. The public was invited to provide comments via written materials in advance of the meeting; no comments were received.

Mr. DuBose asked if any Board Member knew of a conflict of interest or potential conflict of interest with respect to any item on the agenda tonight to disclose the same at this time; none were disclosed.

Mr. DuBose said without objection, agenda item 2 (Award a Construction Contract for the West Cameron Avenue Water Main Replacement – Phase 1) will be removed from the agenda because on June 8, 2020, the low bid received was below the formal bid threshold and therefore does not require Board approval; there was no objection.

Item One: Resolution Authorizing the Executive Director to Execute Amendment #1 to the Memorandum of Agreement for the Western Intake Partnership

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Ruchir Vora requested staff provide a copy of Scope of Work for Project Management for the Western Intake Partnership.

Robert Morgan made a motion to approve the resolution, second by Bruce Boehm and unanimously approved. Please see Motion 1.

Item Two: Award a Construction Contract for the West Cameron Avenue Water Main Replacement – Phase 1

The Board agreed to remove this item from the agenda.

Item Three: Minutes of the May 14, 2020 Virtual Work Session of the Board of Directors

Robert Morgan made a motion to approve the Minutes of the May 14, 2020, Virtual Meeting of the Board of Directors; second by Bruce Boehm and unanimously approved. Please see Motion 2.

Item Four: Minutes of the May 14, 2020 Virtual Closed Session of the Board of Directors for the Purpose of Conferring with Its Consultant Regarding a Personnel Matter

Robert Morgan made a motion to approve the Minutes of the May 14, 2020, Virtual Closed Session of the Board of Directors for the Purpose of Conferring with Its Consultant Regarding a Personnel Matter; second by Bruce Boehm and unanimously approved. Please see Motion 3.

Item Five: Minutes of the May 28, 2020 Virtual Closed Session of the Board of Directors for the Purpose of Discussing Two Confidential Personnel Matters

Robert Morgan made a motion to approve the Minutes of the May 28, 2020, Virtual Closed Session of the Board of Directors for the Purpose of Discussing Two Confidential Personnel Matters; second by Bruce Boehm and unanimously approved. Please see Motion 4.

Item Six: Update on OWASA's COVID-19 Response and Discussion by the Board

Ed Kerwin, Executive Director, noted Orange County extended the COVID-19 state of emergency through August 31, 2020 and required face coverings in some situations.

Todd Taylor, General Manager of Operations, provided an update on OWASA's lake season which opened on May 29, 2020 and has been operating under COVID-19 restriction utilizing an electronic reservation system. Mr. Taylor said lake-use fees were waived for the first two weeks and that staff will begin collecting on June 12, 2020 via credit or debit card transactions.

Mary Tiger, Sustainability Manager, provided an update on affordability, utility bill assistance and noted the Governor's Executive Order 142 extended the statewide moratorium on utility disconnects for non-payment until July 29, 2020. Ms. Tiger said staff will communicate to those customers who are past-due on their bills. OWASA will continue the suspension of service disconnection for non-payment through at least the end of August 2020 and will keep the Board

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informed on plans for customer payment plans and utility billing assistance. A draft letter was emailed to the Board in support of House Bill 1200 that provides money in utility bill assistance across the state.

Bruce Boehm suggested the letter be amended to include that disconnects will resume at some point after Executive Order 142 is expired; the Board agreed.

Jody Eimers made a motion to send a letter regarding House Bill 1200 as amended by Bruce Boehm to State elected officials providing support of state funding of utility bill assistance; second by Robert Morgan and unanimously approved. Please see Motion 5.

Item Seven: Resolution of OWASA's Diversity and Inclusion Values

Ray DuBose stated his appreciation to Ruchir Vora's suggestion the Board consider a resolution supporting OWASA's diversity and inclusion values and thanked staff and General Counsel for drafting the resolution for the Boards consideration. Mr. Vora read aloud the resolution.

Yinka Ayankoya expressed her appreciation to the Board regarding OWASA's Diversity and Inclusion program which began in 2016. She said OWASA is a forward-thinking organization, and she is proud of the work over the last several years.

John Morris made a motion to approve the Resolution Affirming Orange Water and Sewer Authority's Diversity and Inclusion Values and Supporting a Community Free of Hatred; second by Bruce Boehm and unanimously approved. Please see Motion 6.

Mr. DuBose said a letter distributing the resolution will be sent to local governments on June 12, 2020.

Item Eight: Approval of the Schedule of Rates, Fees and Charges; Annual Budget; Five-Year Capital Improvements Program (CIP)

Stephen Winters, Director of Finance and Customer Service, provided an overview of the FY 2021 budget and noted it includes roughly $23.2 million for operating expenses, $20.3 million for capital projects, and $9.1 million for debt service. Projected operating revenue is about $36 million and includes no increase in any of the rates and fees OWASA charges for services.

Bruce Boehm made a motion to approve the Resolution Adopting the Schedule of Rates, Fees, and Charges on or after October 1, 2020; second by Ruchir Vora and unanimously approved. Please see Motion 7.

Robert Morgan made a motion to approve the Resolution Adopting the Annual Budget for Orange Water and Sewer Authority for the Fiscal Year July 1, 2020 through June 30, 2021; second by Yinka Ayankoya and unanimously approved. Please see Motion 8.

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Jody Eimers made a motion to approve the Resolution Approving the Capital Improvements Program and Budget for Fiscal Years 2021-2025; second by Robert Morgan and unanimously approved. Please see Motion 9.

Jody Eimers made a motion to approve the Capital Project Resolution for Fiscal Year 2020 Infrastructure Improvements; second by Bruce Boehm and unanimously approved. Please see Motion 10.

Item Nine: Review Board Work Schedule

The Board agreed to begin the virtual June 25, 2020 meeting begin at 6:00 and add an item, Amendment to the Fiscal Year 2020 Budget.

The Board agreed to schedule a Human Resources Committee meeting to discuss summer internships and apprenticeships, with focus on minority participation.

The Board requested Board assessment be conducted routinely.

The Board requested the description of Board Officer duties and responsibilities be included when the discussion is scheduled for next year's Board Nominations.

The Board requested the OWASA Board Member duties and responsibilities used for Board Member recruitment purposes with the local governments be shared with Board for comment before providing to local governments.

Item Ten: Election of Officers

Robert Epting, General Counsel, provided the Board an overview on how the election of officers will proceed and that the term of the new Board Officers will begin July 1, 2020. Mr. Epting said nominees for the office of Chair, Vice Chair and Secretary, were nominated and seconded by the Board on May 28, 2020, as required in the Bylaws, and no further nominations are allowed tonight.

Mr. Epting said in accordance with amended N.C. General Statutes 166A (Public Bodies/Remote Meetings During Declared Emergencies, Section 4.31.(a) Article 1A), Board Members, will vote verbally by roll call in alphabetical order, will announce their name and vote for each office. He said Andrea Orbich, Clerk to the Board, will record the votes and announced the person elected to each office following the vote.

Jody Eimers said because OWASA will soon have a new Executive Director on staff and to minimize the transition of the leadership at OWASA, she will vote for Ray DuBose as Chair of the Board, Bruce Boehm as Vice Chair and Yinka Ayankoya as Secretary.

Mr. Epting said the candidates for Chair of the Board are Ray DuBose and Jody Eimers and called the roll in alphabetical order:

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- Yinka Ayankoya voted for Jody Eimers.
- Bruce Boehm voted for Ray DuBose.
- Ray DuBose voted for Ray DuBose.
- Jody Eimers voted for Ray DuBose.
- Robert Morgan voted for Ray DuBose.
- John Morris voted for Ray DuBose.
- Bruce Runberg voted for Ray DuBose.
- Ruchir Vora voted for Ray DuBose.

Ms. Orbich said the Board elected Ray DuBose as Chair of the Board by a vote of seven to one.

Mr. Epting said the candidates for Vice Chair of the Board are Bruce Boehm and Jody Eimers and called the roll in alphabetical order:

- Yinka Ayankoya voted for Bruce Boehm.
- Bruce Boehm voted for Bruce Boehm.
- Ray DuBose voted for Bruce Boehm.
- Jody Eimers voted for Bruce Boehm.
- Robert Morgan voted for Bruce Boehm.
- John Morris voted for Bruce Boehm.
- Bruce Runberg voted for Bruce Boehm.
- Ruchir Vora voted for Jody Eimers.

Ms. Orbich said the Board elected Bruce Boehm as Vice Chair of the Board with a vote of seven to one.

Mr. Epting said the candidates for Secretary of the Board are Yinka Ayankoya and Jody Eimers and called the roll in alphabetical order:

- Yinka Ayankoya voted for Jody Eimers.
- Bruce Boehm voted for Yinka Ayankoya.
- Ray DuBose voted for Jody Eimers.
- Jody Eimers voted for Yinka Ayankoya.
- Robert Morgan voted for Yinka Ayankoya.
- John Morris voted for Jody Eimers.
- Bruce Runberg voted for Jody Eimers.
- Ruchir Vora voted for Jody Eimers.

Ms. Orbich said the Board elected Jody Eimers as Secretary of the Board with a vote of five to three.

Item Eleven: Summary of Work Session Items

Ed Kerwin noted the following items for staff follow-up:

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- Provide the Board via email a copy of Scope of Work for Project Management for the Western Intake Partnership.

- Staff will schedule a Human Resources Committee meeting to discuss summer internships and apprenticeships, with focus on minority participation.

- Add a regular Board assessment process to the Board Work Schedule.

- With the Board's feedback, update and distribute the OWASA Board Member duties and responsibilities used for recruitment purposes with the local governments.

Item Twelve: Closed Session

Ruchir Vora made a motion the Board of Directors convene in a virtual closed session for the purpose of discussing a confidential personnel matter, as provided in N.C. General Statutes 143.318.11(6); second by Bruce Boehm and unanimously approved. Please see Motion 11.

The Board meeting reconvened in open session at 8:35 p.m. and the meeting was adjourned.

Respectfully submitted by:

Andrea Orbich
Executive Assistant/Clerk to the Board

Attachments

Draft

Agenda Item 3:

Honoring the Outstanding Service of Ed Kerwin

A. Resolution Honoring the Outstanding Service of Ed Kerwin to the Carrboro, Chapel Hill and Orange County Community
B. Resolution Renaming the Orange Water and Sewer Authority Training Room in the Operations Center to the Ed Kerwin Team Room

Background:

Ed Kerwin has been the Executive Director of Orange Water and Sewer Authority (OWASA) since July 1996 and will retire from OWASA on July 10, 2020.

The OWASA Board of Directors wishes to celebrate and express to Mr. Kerwin its sincere appreciation and deep gratitude for his faithful and dedicated leadership, professional expertise and devotion of service to the citizens of the Carrboro-Chapel Hill-Orange County community for over 24 years.

Action Needed:

Adopt the Resolutions Honoring the Service of Ed Kerwin.

Resolution Honoring the Outstanding Service of Ed Kerwin to the Carrboro, Chapel Hill and Orange County Community

Whereas, upon the retirement of Ed Kerwin as Executive Director of Orange Water and Sewer Authority (OWASA), it is fitting to celebrate his service to our organization and community; and

Whereas, since joining OWASA as Executive Director in 1996, Mr. Kerwin has reorganized and directed our work, trained and relied upon us as trusted partners, inspired us, and opened opportunities to each of us in accordance with our willingness and ability to succeed. His encouragement and support, and his willingness to tell our story by his leadership nationally, have made OWASA a model community-owned and operated water, wastewater and reclaimed water utility; and

Whereas, the health and safety of the community, and his insistence that safety comes first for employees, were his top priorities; and, his unwavering commitment ensured high quality drinking water for the community, protected the environment from untreated wastewater, and provided a safe workplace for employees; and

Whereas, his insistence upon and promotion of a culture of excellence and continuous improvement, and, his commitment to provide service so good that if our customers could choose, they would choose OWASA, are now guideposts for our culture; and

Whereas, with his guidance and leadership the OWASA team has protected the Cane Creek Reservoir and University Lake watersheds for the long-term; managed long-range planning for a reliable raw water supply including gaining permission for mining the expanded Quarry Reservoir and protecting the availability of our Jordan Lake allocation; obtained State approval to recycle process water at our Jones Ferry Road Water Treatment Plant (WTP); implemented conservation-oriented rates for our customers, and otherwise increased community water conservation by significant proportions; increased system interconnect capacity for emergency water supplies; partnered with the University of North Carolina at Chapel Hill (UNC) to build and operate a reclaimed water system; upgraded our Mason Farm Wastewater Treatment Plant (WWTP) to enhance nutrient removal and produce beneficially recyclable Class A Exceptional Quality biosolids; pursued and achieved national Partnership optimization milestones for the WTP, distribution system, and WWTP; integrated sustainability, asset management, and financial planning into OWASA's decision-making for the long-term benefit of the community and environment; established one of the first customer financial assistance programs in the nation; and implemented advanced metering infrastructure to empower customers by providing information on their water use; and

Whereas, his leadership should be remembered for his insistence that "running out of water is not an option," and especially so during times of recurring crises, whether brought on by hurricanes, droughts, or other system interruptions, and for his astounding endurance, calmness, and effective leadership throughout those events; for his commitment to the renewal and replacement of the physical facilities essential to our community's health and welfare; and for his insistence upon transparent and inclusive involvement of all citizens, managers, business owners, elected officials and UNC officers in the work of this organization; and

Whereas, his tireless effort to connect with employees on a personal level is one of his greatest attributes as a leader; he always took the time to listen to their suggestions and concerns, to share his wisdom and experience, to celebrate their successes, and mourn their losses, because he truly and deeply cared about each and every one of them; and

Whereas, we will miss Ed and his cheerful insistence that we should be kind to one another, celebrate diversity, live and work together respectfully, and support each other in service to the mission of OWASA; to his credit, the Board and staff shall carry on as he always encouraged us to do:

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board of Directors of the Orange Water and Sewer Authority, acting through its Members, Raymond E. DuBose, P.E., Ruchir Vora, Bruce Boehm, Yinka Ayankoya, Jody Eimers, Robert Morgan, John N. Morris and Bruce Runberg, P.E., hereby expresses to Ed Kerwin the Board's sincere appreciation and admiration for his outstanding service to the people of the Carrboro, Chapel Hill and Orange County community, and wishes Ed a long, healthy and happy retirement.

Adopted this 9th day of July, 2020.

_____
Raymond E. DuBose, P.E., Chair

ATTEST:

_____
Jo Leslie Eimers, Secretary

Resolution Renaming the Orange Water and Sewer Authority Training Room in the Operations Center as the Ed Kerwin Team Room

Whereas, the Orange Water and Sewer Authority (OWASA) Board of Directors congratulates Ed Kerwin on the event of his service retirement after 24 years of quality service; and

Whereas, the Board of Directors recognizes that Mr. Kerwin is only the second Executive Director to serve OWASA in its 44 years of existence; and

Whereas, Mr. Kerwin has always recognized OWASA's greatest assets are the employees and has hired, promoted, and retained the best and the brightest in the industry to achieve and maintain a best-in-class position; and

Whereas, Mr. Kerwin has hired, retained, and-or promoted supervisors and managers with diverse and minority race and gender, contributing to greater inclusivity and opportunity for minorities in the water and wastewater utilities; and

Whereas, the Operations Center was built during his tenure as a best-in-class facility for the purposes of maintenance support and employee training and recognition activities; and

Whereas, the Training Room in the Operations Center is the one location all OWASA employees frequent for training and recognition events; and

Whereas, the Board of Directors chooses to recognize Mr. Kerwin in a most appropriate way upon his retirement:

Now, Therefore, Be It Resolved That:

1. The OWASA Board of Directors hereby renames the Operations Center Training Room, to the Ed Kerwin Team Room.

Adopted this 9th day of July, 2020.

_____
Raymond E. DuBose, P.E., Chair

ATTEST:

_____
Jo Leslie Eimers, Secretary

Agenda Item 4:

Potential Conservation Easement on Private Land in the Cane Creek Reservoir Watershed

Purpose:

To receive guidance from the OWASA Board of Directors on developing the legal documents to protect a conservation easement on private land.

Background:

Matt and Suzanne Case own two parcels of land near Cane Creek Reservoir on Teer Road near Orange Grove Road. The first parcel is approximately 16 acres and is located within Cane Creek Reservoir watershed. This parcel is their homesite. The second parcel is approximately 200 acres; approximately 150 acres lies within the Cane Creek Reservoir watershed and the other 50 acres on the south side of Teer Road lies within the Haw River basin. This parcel is used for farming, and owned in the name of Clearwind Farm, an LLC held by the Cases. OWASA owns a parcel of approximately 18 acres between the Cases two tracts of land as shown in Figure 1.

The Cases approached OWASA and asked if we would be willing to allow them access across our property in exchange for conservation easements on their property. Staff have worked with the Cases to identify mutually beneficial terms for such an arrangement and believe that the proposed arrangement will provide long-term water quality benefits to Cane Creek Reservoir. The following descriptions summarize the provisions that the Cases and OWASA would make; approximate locations are shown in Figure 2.

Case Homesite (PIN 9830-97-3197)
The Cases would provide a riparian buffer on the northeast portion of their lot. The riparian buffer would be located 300 feet off the stream at the northeast corner of their lot. It would then extend in a straight line to a small drainage on the north side of their property. Based on a GIS analysis, the protected area of the riparian buffer would be approximately 2.1 acres.

The Cases would agree to maintain the existing tree line. Outside the tree line, there could be hay or grasses, but no structures or row crops. Any livestock they wanted on their home site would need to be outside the riparian buffer. This buffer would be protected in perpetuity and convey with the land. If the easement was not there, Orange County regulations would require an 80-foot riparian buffer.

Figure 1: Location of Case and OWASA Properties

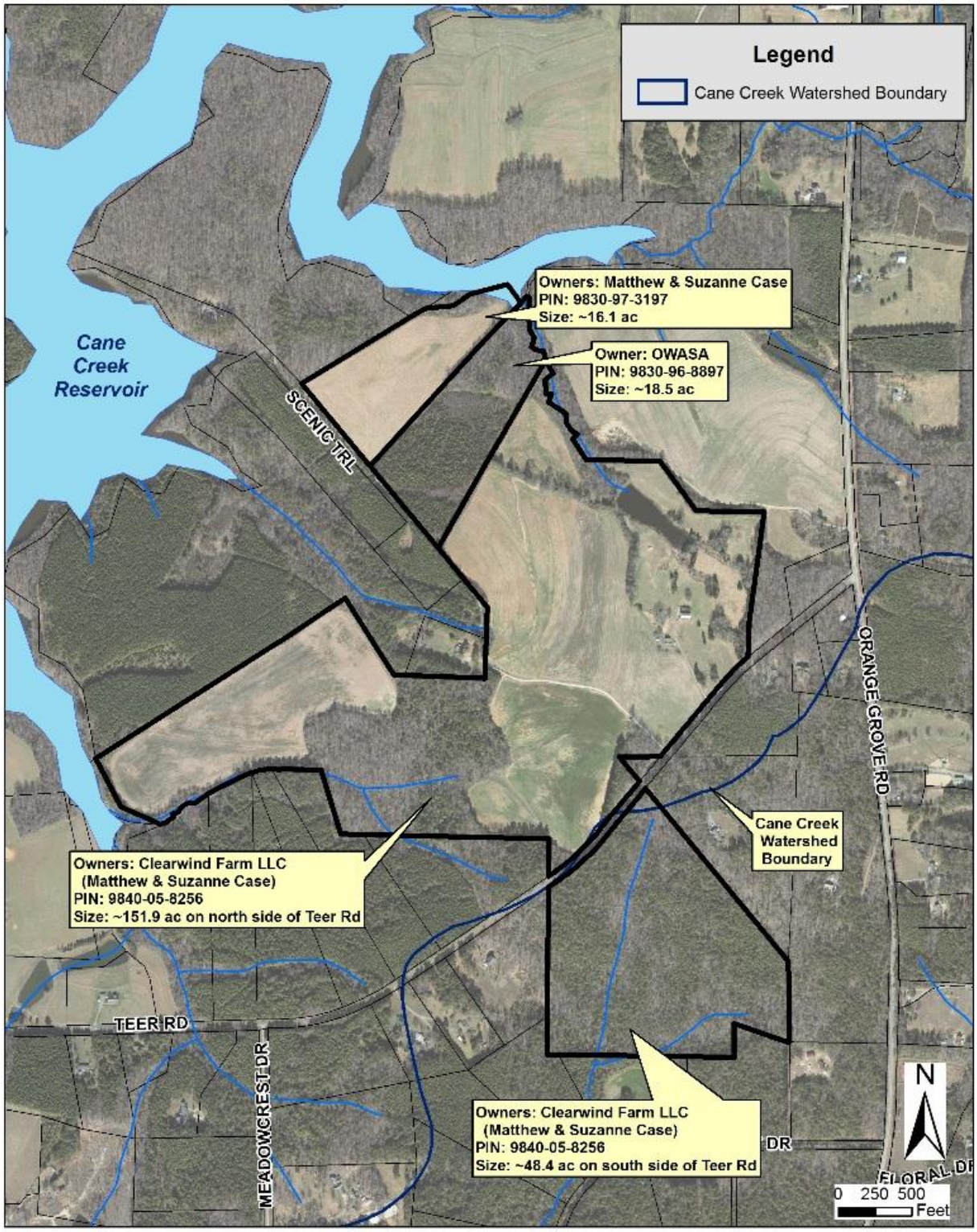
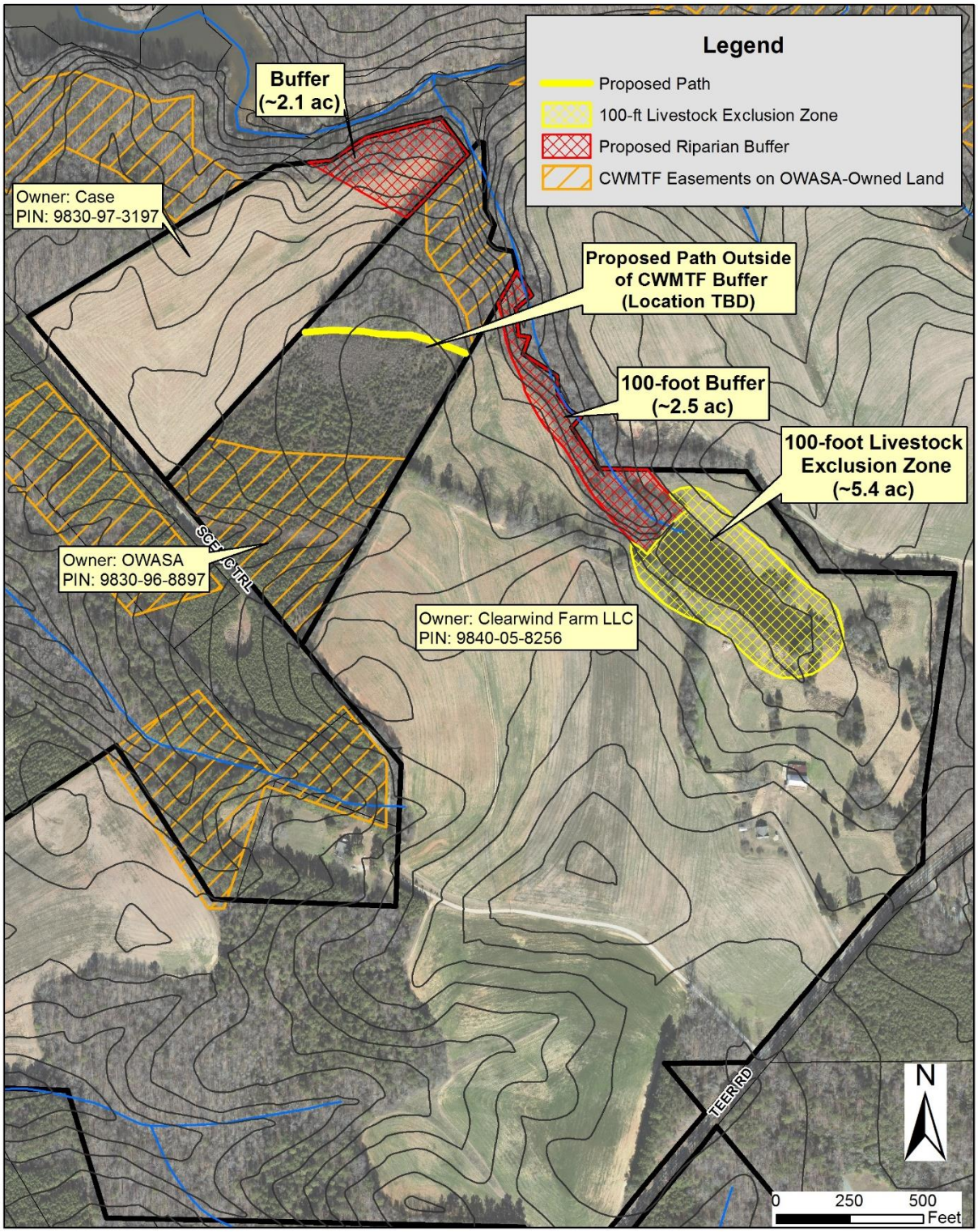


Figure 2: Approximate Location of Proposed Riparian Buffers and Path on Case and OWASA Properties



Clearwind Farm Site (PIN 9840-05-8256)
The Cases would provide a 100-foot riparian buffer downstream of the pond on the farm site. They would agree to maintain the existing tree line. Outside the tree line and within the riparian buffer, they could grow hay. No livestock, row crops, or structures would be allowed within the protected riparian buffer.

In addition to the protected riparian buffer, the Cases would exclude livestock from coming within 100 feet of the pond. There is one exception to this – they would like to use goats outside 50 feet of the pond to remove brushy vegetation for 5 to 10 days one or two times per year (allow goat grazing in a portion of the livestock exclusion area for up to 20 days each year). Other uses such as vegetable farming or hay production within 100 feet of the pond would be allowed. The Cases would also be allowed to build a dock on the pond as long as it conforms to any local or state regulations.

Since Clearwind Farm is a bona fide farm, Jordan Lake riparian buffer rules would apply which require protection of existing buffers within 50 feet of a stream. Both the riparian buffer and livestock exclusion area would be in perpetuity and convey with the property.

OWASA Land (9830-96-8897)
OWASA would allow the Cases to develop a bush-hogged trail across OWASA's property. There is a 300-foot protected riparian buffer on the land, and the trail must be located outside the protected buffer. The Cases could use the trail to travel between their two properties by foot, horse, bike, or small utility vehicle. It could not be used for road-approved vehicles. The use of the trail would convey to the Case heirs, but if either parcel was sold, the use would be rescinded.

Staff note that they periodically receive requests from neighbors to use OWASA's land, and staff considered the precedent that allowing the Cases access could set. In past requests, staff have politely declined them. If future requests resulted in a long-term net benefit to water quality as the Case's request has (see section below on Long-Term Water Quality Protection), staff would work with the owner and bring these requests to the Board of Directors for consideration.

Coordination with Clean Water Management Trust Fund:

The OWASA parcel has a protected 300 foot riparian buffer easement on it that is held by the North Carolina Clean Water Management Trust Fund (CWMTF). Staff have consulted with CWMTF to determine if they had any concerns about allowing a trail outside the protected riparian buffer area. They responded that they had no concerns as long as the trail is located entirely outside the riparian buffer corridor. They did express concern that the GIS data layer (shown by orange hatching on Figure 2) may be incorrect, and OWASA should use the survey information to identify the protected buffer corridor boundary prior to flagging the location of the path.

Long-Term Water Quality Protection:

In general, wider riparian buffers provide higher water quality benefits, and as noted above, the Cases are providing wider buffers than would be required under current regulations. These

buffers will be protected in perpetuity, convey with the land, and remain in place regardless of any potential future changes in regulation.

The riparian buffers will also conserve land in perpetuity. Protected open space is another tool used to help protect water quality, and watershed modeling has shown that it is an effective tool in protecting Cane Creek watershed. The table below summarizes the estimated amount of land that will be protected under this easement and the amount that would be protected under existing regulations assuming that Orange County riparian buffer ordinances apply to the homestead site and that the Clearwind Farm site remains in agriculture.

Site	**Proposed Protected Acres (approximate)**	**Protected Acres Under Existing Regulations (approximate)**
Homestead site	2.1	0.2
Stream on farm site	2.5	1.1*
Pond on farm site	3.7 (outside pond)	0**

*These approximations assumed a 50-foot protected area. The Jordan Lake regulations include many exemptions, particularly for agriculture.

**Per NC Division of Water Resources (DWR), no protection is given to farm ponds under the Jordan Lake regulations. DWR has delegated the buffer program to Orange County Soil and Water, and they may have some restrictions not included in the state regulations.

Next Steps:

If the Board recommends that we proceed, the next steps will be to (1) have the proposed easement areas surveyed, (2) verify the location of the CWMTF easement boundary, and (3) draft the easement language. The Cases have agreed to participate in the cost of the survey on their land. OWASA would be responsible for drafting the legal documents. OWASA would also cover any costs to verify the location of the CWMTF easement boundary.

Once staff and the Cases agree on draft conservation easement language and any other legal document, staff will bring them to the Board for approval before signing.

Staff and General Counsel Recommendation:

Staff and General Counsel believe that we are receiving water quality benefits that exceed those that would occur under Orange County's ordinance requirements. If the Board concurs with staff and General Counsel, we recommend that the Board of Directors authorize staff to move forward with drafting an easement and identifying the boundaries of the existing riparian buffer easement with CWMTF. Staff will present the drafted easement to the Board at a future date for final approval. We do not believe a formal resolution is necessary, but recommend the Board authorize us to proceed with a motion. Draft motion language follows: *Motion to authorize staff and General Counsel to draft the legal documents to protect riparian buffers on Matt and Suzanne Case's land and on Clearwind Farm, LLC land in exchange for the use of a trail on OWASA land.*

Agenda Item 5:

- Update on OWASA's Agreement with the U.S. Environmental Protection Agency

Purpose:

- OWASA has received several grants from EPA over the years, including those that paid part of the cost of the Reclaimed Water System as well as part of the purchase price of land used for nutrient recycling and facilities used for nutrient storage. As a grant recipient, OWASA is subject to review by EPA of its compliance with various federal laws and regulations. Robin Jacobs will make a brief presentation to report on OWASA's successful resolution of EPA's compliance review agreement, and she and Stephanie Glasgow will be available to answer any questions. OWASA's agreement with EPA is similar to the one reached by EPA with Orange County.

Action:

- Receive update, no action necessary.

Agenda Item 6:

Update on OWASA's COVID-19 Response and Discussion by the Board

Purpose:

To provide the Board of Directors and public an update on OWASA's response to COVID-19 to ensure we continue to provide the Carrboro and Chapel Hill communities with high-quality and reliable water, wastewater, and reclaimed water services during the pandemic.

Staff will provide a verbal update on activities since June 25, 2020.

Action Needed:

Discussion and questions by the Board of Directors.

July 9, 2020

Agenda Item 7:

Diversity and Inclusion Program Update (January – June 2020)

Purpose:

To provide an update on recent and upcoming diversity and inclusion work.

Background:

In March 2017, OWASA implemented an Employee Diversity and Inclusion (D&I) program.

The D&I program goals are:

- *The diversity of OWASA's workforce reflects the communities we serve.*
- *Providing an inclusive work environment that encourages and supports each team member to contribute to their full ability towards OWASA's mission.*

Updates are provided to the Board three times per year. The annual September update is a comprehensive program progress report and contains the annual Equal Employment Opportunity report. The prior update was provided January 9, 2020.

Diversity and Inclusion Update:

Key activities as part of the D&I Program since January 2020 include:

- The "train-the-trainer" group continues their work in developing a training module for mandatory annual employee D&I training. Staff training will focus on an overview of OWASA's D&I Program and ways to recognize Implicit Bias & Microaggressions. The goal is to begin offering this training in August.
- In March 2020, a joint Diversity Group meeting took place with all three diversity groups.
- When the COVID-19 pandemic began in March 2020 OWASA staff quickly adapted to working remotely to the extent possible and limiting onsite work to essential operations. The Diversity Resource Group implemented ways to maintain connectivity and morale by providing the following opportunities to employees:
    - The Daily Grind: daily 15-minute Microsoft Team's meetings available to all employees to check-in and discuss non-work-related topics
    - Walking Challenge
    - A Day in the Life of COVID-19 photo site where employees could share non work-related pictures and videos
- OWASA continues to recruit and fill positions as needed. Our Welcome Team remains a valuable part of the onboarding process for new staff. The Team has found creative ways to develop relationships and connectivity through Microsoft Teams and other means.

- During the first week of June, African American/Black supervisors were invited to participate in an informal meeting with Ed Kerwin and Stephanie Glasgow to discuss recent events regarding social justice. The intent was to provide support and seek extremely valuable input to help shape the format of two voluntary organizational open forum sessions. Follow-up meetings with the supervisors took place on June 17 and July 1, 2020.
- Ed Kerwin and Stephanie Glasgow held voluntary open forums on June 9 and June 10, 2020 to provide employees an opportunity to talk about the current events regarding social justice.
- At the June 11, 2020 Board work session, the Board adopted a Resolution Affirming OWASA's Diversity and Inclusion Values and Supporting a Community Free of Hatred.

Information:

At the July 9, 2020 Work Session, Addison McDonough, member of the Diversity Resource Group, and Denise Battle, member of the Diversity Recruitment Group, will provide verbal updates and be available to answer Board member questions.

Agenda Item 8:

Review Board Work Schedule

Purpose:

a) Request(s) by Board Committees, Board Members, Counsel and Staff
b) July 23, 2020 Virtual Board Meeting
c) August 13, 2020 Virtual Board Work Session
d) Review and update the 12 Month Board Meeting Schedule
e) Review Pending Key Staff Action Items

Information:

- Draft agenda for the Virtual July 23, 2020 meeting
- Draft agenda for the Virtual August 13, 2020 meeting
- 12 Month Board Meeting Schedule
- Pending Key Staff Action Items from Board Meetings

July 9, 2020

Agenda
Virtual Meeting of the OWASA Board of Directors
Thursday, July 23, 2020, 7:00 P.M.

Due to COVID-19 public health concerns, the Orange Water and Sewer Authority (OWASA) Board of Directors is conducting this meeting virtually utilizing Microsoft Teams software. Board Members, General Counsel and staff will be participating in the meeting remotely.

The Board of Directors appreciates and invites the public to attend and observe its virtual meetings online. Public comment is invited via written materials, ideally submitted at least two days in advance of the meeting to the Board of Directors by sending an email to board_and_leadership@owasa.org or US Postal Service (Clerk to the Board, 400 Jones Ferry Road, Carrboro, NC 27510). Public comments are also invited during the Board Meeting via telephone, and members of the public will need to be available to call-in during the meeting. Please contact the Clerk to the Board at aorbich@owasa.org or 919-537-4217 to make arrangements by 3:00 p.m. the day of the meeting.

Public speakers are encouraged to organize their remarks for delivery within a four-minute time frame allowed each speaker, unless otherwise determined by the Board of Directors. The Board may take action on any item on the agenda.

Announcements

a. Announcements by the Chair
   - 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.

b. Announcements by Board Members

c. Announcements by Staff

d. Additional Comments, Suggestions, and Information Items by Board Members (Ray DuBose)

Petitions and Requests

1. Public
2. Board
3. Staff

Consent Agenda

Action

1. Minutes of the June 25, 2020 Meeting of the Board of Directors (Andrea Orbich)

Regular Agenda

Discussion

2. Update on OWASA's COVID-19 Response and Discussion by the Board (Todd Taylor)

Summary of Board Meeting Action Items

3. Executive Director will summarize the key staff action items from the Board Meeting and note significant items for discussion and/or action expected at the next meeting

DRAFT

Agenda
Virtual Work Session of the OWASA Board of Directors
Thursday, August 13, 2020, 6:00 P.M.

Due to COVID-19 public health concerns, the Orange Water and Sewer Authority (OWASA) Board of Directors is conducting this meeting virtually utilizing Microsoft Teams software. Board Members, General Counsel and staff will be participating in the meeting remotely.

The Board of Directors appreciates and invites the public to attend and observe its virtual meetings online. Public comment is invited via written materials, ideally submitted at least two days in advance of the meeting to the Board of Directors by sending an email to board_and_leadership@owasa.org or US Postal Service (Clerk to the Board, 400 Jones Ferry Road, Carrboro, NC 27510). Public comments are also invited during the Board Meeting via telephone, and you will need to be available to call-in during the meeting. Please contact the Clerk to the Board at aorbich@owasa.org or 919-537-4217 to make arrangements.

Public speakers are encouraged to organize their remarks for delivery within a four-minute time frame allowed each speaker, unless otherwise determined by the Board of Directors.

The Board may take action on any item on the agenda.

Announcements

a. Announcements by the Chair
   - 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.
   - Update on Standing Committees of the Board of Directors
b. Announcements by Board Members
c. Announcements by Staff
d. Additional Comments, Suggestions, and Information Items by Board Members (Chair)

Consent Agenda

Action

1. Minutes of the July 9, 2020 Virtual Work Session of the Board of Directors (Andrea Orbich)

Regular Agenda

Discussion

2. Update on OWASA's COVID-19 Information and Discussion by the Board (Todd Taylor)
3. Long-Range Water Supply Plan - Supply and Demand Management Alternatives (Ruth Rouse/Mary Tiger)
4. Review Board Work Schedule (Ray DuBose/Todd Taylor)
   a. Request(s) by Board Committees, Board Members and Staff
   b. August 27, 2020 Board Meeting
   c. September 10, 2020 Work Session
   d. 12 Month Board Meeting Schedule

Draft

e. Pending Key Staff Action Items
f. Review Action Items Recurring Every 3 to 5+ Years

Summary of Work Session Items

5. Executive Director will summarize the key staff action items from the Work Session

Closed Session

6. The Board of Directors will Meet in Closed Session for the Purpose of Discussing a Personnel Matter, as provided in N.C. General Statutes 143.318.11(6)

Draft

OWASA Board of Directors – 12 Month Board Meeting Schedule (July 2, 2020)

Month	Board Meetings		Committee Meetings & Other Board Items
	Work Session	Business Meeting	
July 2020	D&I Update Update on OWASA's Agreement with the US EPA Resolution Honoring the Service of Ed Kerwin Potential Conservation Easement on Private Land COVID-19 Update (Virtual Meeting) 7/9/2020	COVID-19 Update (Virtual Meeting) 7/23/2020	
August 2020	**Discuss LRWSP Supply & Demand Management Alternatives** COVID-19 Update CS – Prepare for GC Annual Review (Virtual Meeting) 8/13/2020	COVID-19 Update Preliminary 12 Month Financial Report CIP Semiannual Report CS – GC Annual Review (Virtual Meeting) 8/27/2020	*HR Committee Meeting (TBD)*
September 2020	EEO/Affirmative Action Report and D&I Update Annual Report on Disposal of Surplus Personal Property **Forest Management Update** (Tentative) Discuss Work Plan for New ED (Tentative) Discuss Process to Update the Strategic Plan Update on the Water Main Prioritization Model 9/10/2020	Annual Report and Financial Audit **Annual Update of the Energy Management Plan** Approve General Counsel Engagement 9/24/2020	
October 2020	**Strategic Trends Report** Award the WWTP Fermenter Improvements Construction Contract 10/8/2020	Q1 Financial Report Reliability and Resiliency Improvements Update 10/22/2020	
November 2020	TBD 11/12/2020	*Holiday – no meeting*	*Possible welcome of new Board member(s)*
December 2020	TBD 12/10/2020	*Holiday – no meeting*	
January 2021	Appoint Audit Firm Employee Health and Dental Insurance Update for FY 22 Affordability Outreach Program Update D&I Update 1/14/2021	Annual Lakes Recreation Report CIP Semiannual Report Q2 Financial Report Discuss FY 22 Budget Calendar, Planning Assumptions, and New Budget Format 1/28/2021	
February 2021	Department Managers FY 22 Budget Presentations CS – Prepare for GC Interim Review 2/11/2021	CS – GC Interim Review 2/25/2021	
March 2021	FY 22 Draft Budget and Rates 3/11/2021	Set Date for Public Hearings – FY 22 Budget & Rates 3/25/2021	
April 2021	Review Employee Health and Dental Insurance Renewals FY 22 Draft Budget and Rate Adjustment BOD Eligible for Nominations to Election as Board Officers (include Officer descriptions) 4/8/2021	Q3 Financial Report 4/22/2021	

OWASA Board of Directors – 12 Month Board Meeting Schedule (July 2, 2020)

Month	Board Meetings		Committee Meetings & Other Board Items
	Work Session	Business Meeting	
May 2021	Approve Employee Health and Dental Insurance Renewals ↻ FY22 Draft Budget and Rates Adjustment Information and Authorize Staff to Publish Proposed Rates ↻ 5/13/2021	Public Hearings – FY 22 Budget and Rates ↻ 5/27/2021	
June 2021	Approve FY 22 Budget and Rates ↻ Election of Officers ↻ 6/10/2021	TBD 6/24/2021	

New schedule for new ED Performance Reviews – TBD.

The 12 Month Board Meeting Schedule shows Strategic Plan initiatives and other priority efforts that the Board and staff plan to give greatest consideration to during the next twelve months. The schedule also shows major recurring agenda items that require Board action, or items that have been scheduled in response to the Board's prior standing request. This schedule does not show all the items the Board may consider in a work session or business meeting. It also does not reflect meetings at which the Board will discuss and act on the update of the Strategic Plan.

The 12 Month Board Meeting Schedule will be reviewed and updated at each monthly work session and may also be discussed and updated at the Board's business meetings.

In addition to the initiatives shown in this schedule, staff will be working on other Strategic Plan and organizational priorities that are not expected to require major additional discussion with the Board except as part of budget deliberations.

The schedule implies that the following Strategic Plan initiatives would be addressed beyond the 12-month period. The Board may conclude that one or more of the following initiatives are higher priority. The schedule will be revised as needed to reflect the Board's priorities, and any additional initiatives that the Board may decide to address.

- Development of a plan and policy framework for OWASA lands is considered a longer-term priority. The NRTS Committee discussed this issue in September 2017 and determined it was lower priority than Forest Management.
- Water Conservation Plan will be prepared concurrent with update of the Long-Range Water Supply Plan.
- Update of Strategic Plan. On October 24, 2019, the Board and staff agreed to begin updating the Strategic Plan in FY 2021.

The OWASA Board determines which topics it wants to explore as a full Board (potentially in a work session format) and which topics it wants to assign to Board committees or committee chairs for further analysis and development of recommendations. Board also determines priorities and desired timeframes for addressing topics. Committee meetings will be updated on the schedule routinely.

OWASA Board of Directors – 12 Month Board Meeting Schedule (July 2, 2020)

Abbreviations Used in Draft Schedule:

↻	Recurring agenda item (generally these are "required" items)
AV/AMI	Agua Vista/Advanced Metering Infrastructure
BOCC	Board of County Commissioners
BOD	Board of Directors
CE	Community Engagement
CEP	Community Engagement Plan
CHTC	Chapel Hill Town Council
CIP	Capital Improvements Program
COLA	Cost of Labor Adjustment
CS	Closed Session of the Board
CTC	Carrboro Town Council
CY	Calendar Year
D&I	Diversity and Inclusion
ED	Executive Director
EEO	Equal Employment Opportunity
EPA	Environmental Protection Agency
FY	Fiscal Year
GC	General Counsel
HR	Human Resources
JLP	Jordan Lake Partnership
KPI	Key Performance Indicator
LRWSP	Long-Range Water Supply Plan
MOA	Memorandum of Agreement
MWBE	Minority/Women-owned Business Enterprises
MST	Mountains-to-Sea Trail
MFMM	Multi-Family Master Meter
NCDOT	North Carolina Department of Transportation
NRTS	Natural Resources and Technical Services
OC	Orange County
Q	Quarter
RFP	Request for Proposals
SRF	State Revolving Fund
SOW	Scope of Work
TBD	To Be Determined
WTP	Water Treatment Plant
WWTP	Wastewater Treatment Plant

Pending Key Staff Action Items from Board Meetings

No.	Date	Action Item	Target Board Meeting Date	Person(s) Responsible	Status
1.	6-25-2020	Allow for public comments (verbal and e-mail) at Board meetings effective July 9, 2020.	7/9/2020	Orbich	Complete, added to the 7-9-2020 agenda.
2.	6-25-2020	Send public notice regarding Todd Taylor succeeding Ed Kerwin as Executive Director	NA	DuBose	Complete, letter send on 6-26-2020 and noted on OWASA website.
3.	6-11-2020	Provide Board copy of Scope of Work for Project Management for the Western Intake Partnership.	NA	Rouse	Complete, sent to the Board on 6-11-2020 via email.
4.	6-11-2020	Schedule HR Committee Meeting to discuss summer internships and apprenticeships, with focus on minority participation.	NA	Glasgow	
5.	6-11-2020	Schedule routine assessments for the Board of Directors.	TBD	DuBose Orbich	
6.	6-11-2020	Prior to Board Nomination of Board Officers, provide description of Board Officer duties and responsibilities to include duties of the Board's Executive Committee.	NA	Orbich	Complete, added to the 12 Month Schedule.
7.	6-11-2020	Update description of Board Member duties and responsibilities used for Board Member recruitment purposes. Share update with Board for comment before providing to local governments.	NA	Orbich	
8.	2-27-2020	*Respond to P.M. Dubbeling, PLLC, on behalf of Frank Baumgartner and Rachel Sumney, requesting a change to the Water and Sewer Management, Planning and Boundary Agreement.	TBD	Rouse	E-mail sent to Board on 3-5-2020. The process is delayed due to COVID-19. Since this is in TOCH jurisdiction, they have lead. TOCH staff are preparing item to present to their Council likely in fall. After Council takes action, OWASA staff will bring back to Board.