Orange Water and Sewer Authority

Virtual Work Session of the Board of Directors

November 12, 2020

The Board of Directors of the Orange Water and Sewer Authority (OWASA) held its duly noticed regular work session by virtual means in accordance with law, on Thursday, November 12, 2020, at 6:00 p.m. utilizing Microsoft Teams software.

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

OWASA staff present: Amy Armbruster, Mary Darr, Robert Epting, Esq. (Epting and Hackney), Stephanie Glasgow, Robin Jacobs (Epting and Hackney), Deepthi Kalyanam, Jacqueline Mills, Andrea Orbich, Ruth Rouse, Todd Taylor, Mary Tiger, Stephen Winters and Richard Wyatt.

Others present: Meg Holton (UNC Water Resources Manager) and Ben Poulson (UNC Associate Director of Energy Services).

Motions

1. Yinka Ayankoya made a motion to approve the Minutes of the October 8, 2020, Virtual Work Session of the Board of Directors; second by Jody Eimers and the motion was unanimously approved.

2. Yinka Ayankoya made a motion to approve the Minutes of the October 22, 2020, Virtual Meeting of the Board of Directors; second by Jody Eimers and the motion was unanimously approved.

3. Yinka Ayankoya made a motion to approve the Minutes of the October 22, 2020, Virtual Closed Session of the Board of Directors for the purpose of discussing a personnel matter; second by Jody Eimers and the motion was unanimously approved.

4. Bruce Runberg made Motion that the Board of Directors approve the proposed 2020 Energy Management Plan Update and authorize staff to proceed in accordance with the approach described in the proposed plan; second by Ruchir Vora and the Motion was unanimously approved.

5. BE IT RESOLVED THAT the Board of Directors of Orange Water and Sewer Authority adopts the Resolution of the Board of Directors of Orange Water and Sewer Authority Approving Amendments to the Water and Sewer Management, Planning and Boundary Agreement Boundary. Motion by Bruce Boehm, second by Yinka Ayankoya and the Motion was unanimously approved.

6. BE IT RESOLVED THAT the Board of Directors of Orange Water and Sewer Authority adopts the Resolution Honoring the Service of Ruchir Vora to the Chapel Hill-Carrboro-Orange County Community as a Member of the Orange Water and Sewer Authority. Motion by Yinka Ayankoya, second by Bruce Boehm and the Motion was unanimously approved.

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Announcements

Chair Ray DuBose announced that due to COVID-19 public health concerns, the OWASA Board of Directors held the work session virtually utilizing Microsoft Teams software. Mr. DuBose stated that Board Members, General Counsel, and staff participated in the meeting remotely.

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.

Jody Eimers noted she serves on the Orange County Commission of the Environment (COE) and at the November 9, 2020, COE meeting, she recused herself from the COE's evaluation of Climate Action Grant Program proposals that included OWASA's request for funding for a solar PV system at the Cane Creek Reservoir site, so that she would be able to discuss the Energy Management Plan Update agenda item tonight.

Mr. DuBose said at the November 4, 2020 Chapel Hill Town Council meeting, the Town Council reappointed John Morris and appointed Kevin Leibel to the OWASA Board of Directors. Appointments begin on December 1, 2020 and go through June 30, 2023.

Mr. DuBose announced Care to Share Day will be held on Thursday, November 19, 2020, which will be promoted via social media, the internet and radio; all donations will be directed to OWASA's customer assistance program.

Mr. DuBose said that Todd Taylor, Mary Tiger and he will attend the December 7, 2020 Orange County Board of County Commissioners meeting to provide an update on OWASA's plan to assist customers when the temporary moratorium of service disconnection for non-payment is lifted.

Ms. Eimers, Human Resources Committee Chair, said Mr. DuBose and she met with Todd Taylor, OWASA's new Executive Director, to share the Board's recent evaluation regarding his onboarding process. The Board will meet in Closed Session tonight to continue the evaluation of his progress and will meet again January 14, 2021 with Mr. Taylor.

Bruce Boehm, Vice Chair of the Board, announced that as part of the Board's 2020 self-assessment, the Board will request OWASA's management team to provide feedback via anonymous survey which will be emailed next week.

Mary Tiger said the Orange County Climate Council held a public event on October 22, 2020 to provide the community with an update on the Climate Council's activities during the past year. Ms. Tiger and Chair DuBose serve on the Council on behalf of OWASA, and the next meeting is scheduled for November 19, 2020.

Ruth Rouse announced a public webinar for the Long-Range Water Supply Plan will be held on Tuesday, November 17, 2020 at 6:00 p.m. to provide information on OWASA's activities to date and receive public feedback which will be summarized to the Board.

Item One: Minutes

Yinka Ayankoya made a motion to approve the Minutes of the October 8, 2020, Virtual Work Session of the Board of Directors; second by Jody Eimers and the motion was unanimously approved. Please see Motion 1.

Item Two: Minutes

Yinka Ayankoya made a motion to approve the Minutes of the October 22, 2020, Virtual Meeting of the Board of Directors; second by Jody Eimers and the motion was unanimously approved. Please see Motion 2.

Item Three: Minutes

Yinka Ayankoya made a motion to approve the Minutes of the October 22, 2020, Closed Session of the Board of Directors for the purpose of discussing a personnel matter; second by Jody Eimers and the motion was unanimously approved. Please see Motion 3.

Item Four: Energy Management Plan Update

Mary Tiger, Sustainability Manager, provided an update on OWASA's Energy Management Plan (Plan) whereby OWASA has met and surpassed a 2015 Board goal to reduce use of natural gas by 5% by 2020, and notable progress has been made to achieve a goal to reduce use of purchased electricity by 35% by 2022. The updated Plan identifies a path to achieve energy management goals, including the installation of solar lease projects at OWASA facilities.

The Board expressed appreciation to staff on a Plan well done.

Bruce Boehm suggested the Executive Summary separate what greenhouse gas reductions are attributable to OWASA and what is attributable to Duke Energy and/or suppliers.

Ruchir Vora suggested the Board and staff consider new additional scope items for the next Energy Management Plan, including goals for reduction in vehicle usage and contractor energy usage.

Ray DuBose suggested making note that certain projects would make sense under increased energy pricing.

Bruce Runberg made Motion that the Board of Directors approve the proposed 2020 Energy Management Plan Update and authorize staff to proceed in accordance with the approach described in the proposed plan; second by Ruchir Vora and the Motion was unanimously approved. Please see Motion 4.

Item Five: Long-Range Water Supply Plan: Drought Response Operating Protocol

Ruth Rouse, Planning and Development Manager, provided an update the Long-Range Water Supply Plan. Staff suggests incorporating the provisions of the Drought Response Operating Protocol (DROP) that require notice to the community before mandatory water restrictions enacted into the Water Shortage Response Plan. Staff also suggests rescinding the DROP as it restricts staff's ability to access its Jordan Lake allocation which increases our vulnerability to droughts and potentially increases the length that drought surcharges would apply to customers impacting affordability. These actions will improve the resiliency of OWASA's existing water supply and staff requested the Board's comments and feedback on them. Ms. Rouse suggested the Board delay approval until after the November 17, 2020 public webinar so that any feedback received can be included in the final proposal.

Bruce Boehm suggested a change to the background information to clearly note what is operational and what is policy. The change suggested is: "…the Board determined that Jordan Lake is the most cost-effective option to meet OWASA's long-term (50-year) water supply needs" to, "…the Board agreed with staff's recommendation to authorize staff to evaluate alternatives to provide access to our Jordan Lake allocation."

Overall, the Board expressed approval of the staff presentation and agreed with staff's recommendation to consolidate certain provisions of the Drought Response Operating Protocol (DROP) into the Water Shortage Response Plan, and to rescind the balance of the DROP.

Staff will provide an updated Water Shortage Response Plan which will incorporate the Drought Response Operating Protocol water shortage advisory, Board feedback, and any public input received from the November 17th webinar at the December 10, 2020 Board work session.

Item Six: Consideration of an Amendment to the Water and Sewer Management, Planning and Boundary Agreement Boundary

Ruth Rouse, Planning and Development Manager, provided an overview of a requested amendment to the Water and Sewer Management, Planning and Boundary Agreement which was previously approved by local elected officials in Chapel Hill, Hillsborough, and Carrboro and the Orange County Board of County Commissioners are scheduled to consider this request on November 17, 2020. The amendment will extend the service boundary to include lots on Bayberry Drive, which are adjacent to Lots already within the service area, such that the service area boundary will no longer bisect that particular cul-de-sac.

Bruce Boehm made a motion to approve the Resolution of the Board of Directors of Orange Water and Sewer Authority Approving Amendments to the Water and Sewer Management, Planning and Boundary Agreement; second by Yinka Ayankoya and the Motion was unanimously approved. Please see Motion 5.

Item Seven: Determine Process for Selecting Audit Firm for Fiscal Year 2021

Stephen Winters, Director of Finance and Customer Service, provided an overview of staff's request to extend OWASA's arrangement with Martin Starnes and Associates for one year to conduct the Fiscal Year (FY) 2021 audit for the same fee as charged in FY 2020.

The Board agreed with staff's recommendation and is scheduled to approve the one-year extension on January 14, 2021.

Item Eight: Review Board Work Schedule

The Board agreed to schedule a Community Engagement Committee meeting in December to define the nature and types of public comments that may require responses from the Board; a doodle poll will be sent to the full Board.

Item Nine: Resolution Honoring the Service of Ruchir Vora to the Carrboro-Chapel Hill-Orange County as a Member of the Orange Water and Sewer Authority Board of Directors

Ray DuBose read aloud the resolution honoring the service of Ruchir Vora as a Board Member and expressed the Board's deep appreciation for his commitment to OWASA over the past six years.

Yinka Ayankoya made a motion to approve the resolution, second by Bruce Boehm and the Motion was unanimously approved. Please see Motion 6.

Item Ten: Summary of Work Session Items

Todd Taylor noted the following item for staff follow-up:

- Staff will send out a doodle poll to schedule a Community Engagement Committee meeting in December 2020.

Item Eleven: Closed Session

Without objection, the Board convened in a Closed Session for the Purpose of discussing a personnel matter as provided in NC General Statutes 143.318.11(6).

Following the Closed Session, the Board reconvened in open session and the meeting was adjourned at 7:57 p.m.

Respectfully submitted by:



Andrea Orbich
Executive Assistant/Clerk to the Board

Attachments

Resolution of the Board of Directors of Orange Water and Sewer Authority Approving Amendments to the Water and Sewer Management, Planning, and Boundary Agreement

Whereas, in 2001, Town of Carrboro, Town of Chapel Hill, Town of Hillsborough, Orange County, and OWASA adopted a Water and Sewer Management, Planning and Boundary Agreement ("Agreement"); and

Whereas, the Agreement was last amended on October 6, 2020; and

Whereas, P.M. Dubbeling, PLLC submitted a petition to the OWASA Board of Directors on February 27, 2020 on behalf of Chapel Hill residents Frank Baumgartner and Rachel Sumney requesting that the Town allow OWASA to provide water and sewer services to 1204 and 1205 Bayberry Drive in Chapel Hill; and

Whereas, the two lots in question are immediately adjacent to other residential lots that receive OWASA services, and are located on the eastern side of the Hunt's Reserve neighborhood which is predominately located in the "OWASA Primary Service Area" as defined in the Agreement; and

Whereas, OWASA staff have advised that from an engineering perspective, it is feasible to provide water and sewer service to all lots in the Hunt's Reserve neighborhood; and

Whereas, in order to provide consistent water and sewer policy for all lots in the Hunt's Reserve neighborhood the Town of Chapel Hill Council approved the request to include all lots and portions of lots accessed via Bayberry Drive within the boundary of the OWASA Primary Service Area on October 28, 2020; and

Whereas, eleven lots or portions of lots accessed via the eastern end of Bayberry Drive, constituting a total area of approximately 31.88 acres, are currently designated as "OWASA Long-Term Interest Area" in the Agreement; and

Whereas, amendments to the Agreement require the approval of all signatories to the Agreement; and

Now, Therefore, Be It Resolved:

1. That the Orange Water and Sewer Authority Board of Directors hereby approves amendments to Appendix A of the Agreement to designate approximately 31.88 acres in the southeast Chapel Hill area as additional "Primary Service Area" as shown on the map attached hereto.

Adopted this the 12th day of November 2020.

Raymond E. DuBose, P.E., Chair

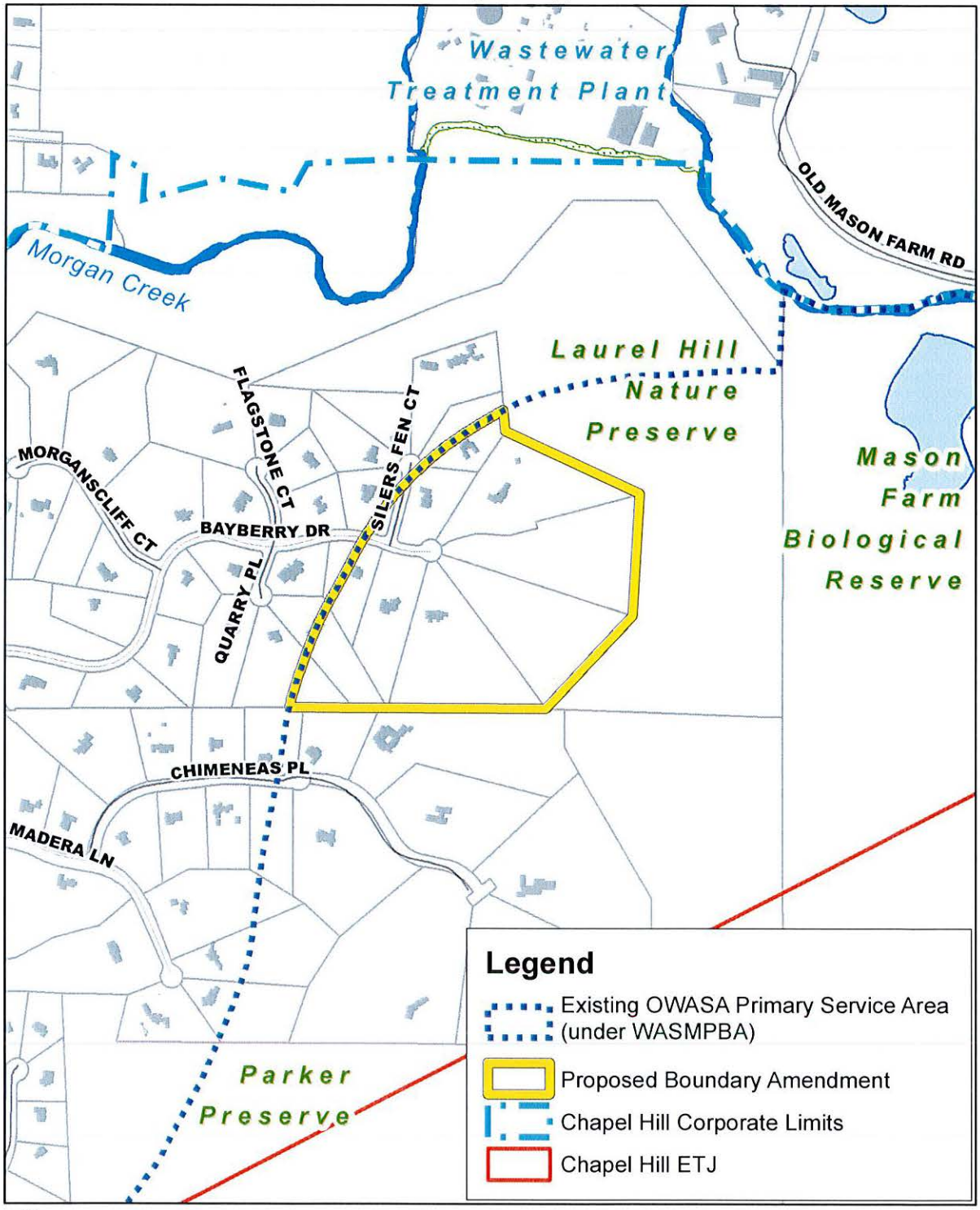
ATTEST:

Jo Leslie Eimers, Secretary

Attachment

Proposed WASMPBA Boundary Amendment Map

Orange Co. PIN(s):
9797182425 (portion); 9797184466 (portion); 9797185863 (portion); 9797187741; 9797196038 (portion); 9797198078; 9797280531; 9797283600; 9797285945; 9797290337 (portion); 9797293252



Map Created: 10-07-20
Planning Department

Resolution Honoring the Service of Ruchir Vora to the Chapel Hill-Carrboro-Orange County Community as a Member of the Orange Water and Sewer Authority's Board of Directors

Whereas, Mr. Ruchir Vora served on the OWASA Board from August 28, 2014, through November 30, 2020, including service as Vice Chair of the Board of Directors from March 1, 2019, to June 30, 2020**;** and

Whereas, Mr. Vora served on the Board's Community Engagement, Finance, Human Resources and Natural Resources and Technical Services Committees during his service, during which he served as Chair of the Community Engagement Committee from September 2015 to August 2017 and July 2018 to July 2019; and

Whereas, Mr. Vora gave freely of his time, energy, and talents in serving OWASA customers with dedication, insight and compassion; and

Whereas, Mr. Vora was a strong proponent for engaging customers, safety and sustainable management and use of resources, and he cared deeply about and advocated for the OWASA employees; and

Now, Therefore, Be It Resolved by the Orange Water and Sewer Authority Board of Directors:

1. That the Board expresses its sincere appreciation and deep gratitude to Ruchir Vora for his outstanding service, leadership and stewardship as a Member of the OWASA Board of Directors; and the Board wishes for him much happiness in the years ahead.

2. That this resolution be recorded in the minutes of the OWASA Board of Directors and be part of the permanent records of OWASA, and that a copy of this resolution be transmitted to the Town of Chapel Hill.

Adopted and presented this 12th day of November 2020.

Raymond E. DuBose, P.E., Chair

ATTEST:

Jo Leslie Eimers, Secretary