Orange Water and Sewer Authority

Virtual Work Session of the Board of Directors

November 11, 2021

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 11, 2021, at 6:00 p.m. utilizing Microsoft Teams software.

Board Members attending virtually: Jody Eimers (Chair), Yinka Ayankoya (Vice Chair), John N. Morris (Secretary), Bruce Boehm, Raymond (Ray) DuBose, and Kevin Leibel. Board Member absent: Todd BenDor.

OWASA staff attending virtually: Amy Armbruster, Brad Barber, Denise Battle, Mary Darr, Robert Epting, Esq. (Epting and Hackney), Vishnu Gangadharan, Stephanie Glasgow, Andrea Orbich, Dan Przybyl, Ruth Rouse, Allison Spinelli, Todd Taylor, Mary Tiger, Stephen Winters, and Richard Wyatt.

Others attending virtually: Monica Dodson, Margaret Holton (UNC Water Resources Manager), and Kelly Satterfield.

Motions

1. BE IT RESOLVED THAT the Board of Directors of the Orange Water and Sewer Authority adopts the Resolution Awarding a Construction Contact for the Mason Farm Wastewater Treatment Plan Fermenter Mixing Improvements Project. (Motion by Kevin Leibel, second by Bruce Boehm and the motion unanimously approved.)

2. Kevin Leibel made a Motion to approve the Minutes of the October 14, 2021, Work Session of the Board of Directors; second by Bruce Boehm, and the Motion was unanimously approved.

3. Kevin Leibel made a Motion to approve the Minutes of the October 28, 2021, Closed Session of the Board of Directors for the Purpose of Discussing Confidential Information Regarding Security Infrastructure In-Place to Protect OWASA Customers, Personnel and Assets; second by Bruce Boehm, and the Motion was unanimously approved.

* * * * * * *

Announcements

Chair Jody Eimers announced that due to COVID-19 public health concerns, the OWASA Board of Directors held this meeting virtually utilizing Microsoft Teams software. Ms. Eimers stated that Board Members, General Counsel, and staff participated in the meeting remotely by virtual means.

Ms. Eimers 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.

Yinka Ayankoya said on November 2, 2021, OWASA Board Members, staff, forest consultant, and two members of the public attended a forest management program tour of the Cane Creek Mitigation Tract. The tour consisted of a brief history of the Mitigation Tract, reasons why the tract is managed, and a tour of the most recent forest management activities.

Mary Tiger, Strategic Initiatives Manager, said on November 18, 2021, the Board will hold its first Strategic Plan Work Session virtually utilizing Zoom at 3:00 p.m. and requested Board Members provide any questions or comments in advance to help prepare for the session.

Mary Darr, General Manager of Operations, announced OWASA's Mason Farm Wastewater Treatment Plant is the recipient of the AWWA's 2021 Partnership for Clean Water Directors Award.

Stephanie Glasgow, Director of Human Resources and Safety, acknowledged Veterans Day and OWASA's veterans.

Item One: Award a Construction Contract for the Mason Farm Wastewater Treatment Plant Fermenter Mixing Improvements Project

Kevin Leibel made a Motion to adopt the Resolution Awarding a Construction Contact for the Mason Farm Wastewater Treatment Plan Fermenter Mixing Improvements Project; second by Bruce Boehm, and the Motion unanimously approved. Please see Motion 1.

Item Two: Minutes

Kevin Leibel made a Motion to approve the Minutes of the October 14, 2021, Work Session of the Board of Directors; second by Bruce Boehm, and the Motion was unanimously approved. Please see Motion 2.

Item Three: Minutes

Kevin Leibel made a Motion to approve the Minutes of the October 28, 2021, Closed Session of the Board of Directors for the Purpose of Discussing Confidential Information Regarding Security Infrastructure In-Place to Protect OWASA Customers, Personnel and Assets; second by Bruce Boehm, and the Motion was unanimously approved. Please see Motion 3.

Item Four: Review and Discuss Draft Water Conservation Plan

Amy Armbruster (Sustainability and Outreach Coordinator) and Mary Tiger (Strategic Initiatives Manager) provided the Board a presentation on the draft Water Conservation Plan.

The Board and staff discussed: OWASA's current water conservation efforts; how OWASA's Agua Vista program educates and informs customers on their water use; and what criteria should be used in identifying and evaluating additional conservation opportunities, if any. Staff will incorporate feedback received and present draft guiding principles to guide the completion of the Water Conservation Plan to the Board for approval at a future meeting. The approved Plan will serve as an appendix to the Long-Range Water Supply Plan.

Item Five: Discuss the Development of a New Budget Format

Stephen Winters, Director of Finance and Customer Service, provided an update on the status of developing a new budget format to improve understanding and decision-making. Mr. Winters proposed delaying further development of a new budget format until after several high priority projects are complete.

The Board agreed with staff's recommendation. Staff will incorporate the Board feedback into the next iteration, provide a proposed schedule for developing a new budget format, and research opportunities for potential consultant assistance.

Item Six: Discuss a Temporary Approach for Distributing Care to Share Funds

Denise Battle, Customer Service Manager, provided a verbal update on a temporary approach for OWASA to distribute funds from Care to Share to customers who are delinquent in paying their water and sewer bills.

The Board agreed with this temporary approach. Bruce Boehm expressed concern about OWASA staff making an assessment as to whether a customer is eligible to receive Care to Share funds. Robert Epting, OWASA General Counsel, explained that the temporary approach, to involve specific qualifying conditions applicable to all customers equally, is within OWASA's authority and would be an acceptable alternative under the present exigent circumstances, and given the Legislature's recent discussions indicating that local entities already have apparent authority to accept and expend grant funds to provide relief for customers struggling to keep current on their water and sewer utility bills. Mr. Epting reminded the Board that water and sewer authorities are not authorized by law to expend revenues received from customers to provide such relief.

Item Seven: Review Board Work Schedule

The Board agreed to add an agenda item to a future meeting regarding various factors to encourage the public to apply to the OWASA Board of Directors.

Item Eight: Summary of Work Session Items

Todd Taylor noted the following staff action items and provided an overview of the next two Board meetings;

- Incorporate Board feedback into the draft Water Conservation Plan Guiding Principles.

- Provide a draft schedule for new budget format development for the Board's review, and research opportunities for consultant assistance with new budget format.
- Add agenda item to a future Board meeting regarding various factors to encourage applications to the OWASA Board.

Item Nine: Closed Session

Without objection, the Board of Directors convened in a Closed Session for the purpose of discussing potential environmental claims in accordance with N.C. General Statutes 143.318.11(a)(3).

Following the Closed Session, the Board reconvened in open session, reported no action was taken in the closed session, and the meeting adjourned at 8:04 p.m.

Respectfully submitted by:



Andrea Orbich
Executive Assistant/Clerk to the Board

Attachment

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE MASON FARM WASTEWATER TREATMENT PLANT FERMENTER MIXING IMPROVEMENTS PROJECT

WHEREAS, there is a need to replace non-operational fermenter mixing equipment and associated pipe and valves at the Mason Farm Wastewater Treatment Plant; and

WHEREAS, plans and specifications for the construction of this project have been prepared by Brown and Caldwell; and

WHEREAS, the construction contract bid was publicly advertised on the websites of the State of North Carolina Interactive Purchasing System, OWASA, and The Institute, and in Greater Diversity News beginning September 17, 2021; and

WHEREAS, after receiving only one bid on the first bid opening date of October 22, 2021, the project was re-bid; and

WHEREAS, one bid was received and opened publicly on November 1, 2021, and Gilbert Engineering Company of Statesville, NC has been determined to be the low responsive, responsible bidder for the project; and

WHEREAS, funding for this project is included in the Capital Improvements Budget, last approved by the Board of Directors on June 10, 2021;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Orange Water and Sewer Authority Board of Directors awards the construction contract to Gilbert Engineering Company the low responsive, responsible bidder for the Mason Farm Wastewater Treatment Plant Fermenter Mixing Improvements Project, in accordance with the approved plans and specifications, in the amount of $1,033,031, subject to such change orders as may apply.

2. That the Executive Director be, and hereby is, authorized to execute said contract, subject to prior approval of legal counsel, and to approve and execute change orders and such documents as may be required in connection with the construction contract.

Adopted this 11th day of November 2021.

Jo Leslie Eimers, Chair

ATTEST:

John N. Morris, Secretary