

Orange Water and Sewer Authority
Virtual Meeting of the Board of Directors
April 22, 2021

The Board of Directors of the Orange Water and Sewer Authority (OWASA) held its duly noticed regular meeting by virtual means in accordance with law, on Thursday, April 22, 2021, 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, Kevin Leibel, Robert Morgan, John N. Morris and Bruce Runberg. Board Member absent: none.

OWASA staff present: Mary Darr, Robert Epting, Esq. (Epting and Hackney), Vishnu Gangadharan, Stephanie Glasgow, Robin Jacobs, Esq. (Epting and Hackney), Andrea Orbich, Johnny Riley, Todd Taylor, Mary Tiger, Stephen Winters and Richard Wyatt.

Others present: Monica Dodson, Meg Holton (UNC Water Resources Manager), Ben Poulson (UNC Associate Director of Energy Services), Kelly Satterfield and Tom Wedsworth.

Motions

1. Jody Eimers moved that in advance of public hearings scheduled for May 27, 2021, the Board of Directors hereby authorizes staff of the Orange Water and Sewer Authority to publish information about the Fiscal Year 2022 proposed budget and schedule of rates, fees and charges which includes a five percent increase in monthly water and sewer rates; second by Robert Morgan and the Motion was unanimously approved.
2. Jody Eimers made a Motion to approve the Minutes of the March 25, 2021 Meeting of the Board of Directors, second by Robert Morgan and the motion was unanimously approved.
3. Jody Eimers made a Motion to approve the Minutes of the April 8, 2021 Closed Session of the Board of Directors for the purpose of discussing a personnel matter, second by Robert Morgan and the motion was unanimously approved.
4. Robert Morgan made a Motion that staff proceed to extend a paved sidewalk to the shore launch area at University Lake; second by Bruce Runberg and the Motion was unanimously approved.
5. Bruce Boehm made a Motion: to increase boat reservations at Cane Creek Reservoir to 50 and University Lake to 15 starting April 30, 2021; add picnic/lawn reservations for visitor arrival between 11 a.m. and 1 p.m. starting April 30, 2021; and add \$15,000 to the Fiscal Year 2022 Operating Budget for part-time help in anticipation of returning to equipment rental and boating at full capacity later this summer as conditions related to the pandemic improve. The Motion was seconded by Kevin Leibel and was unanimously approved.

6. Bruce Runberg made a Motion to close the nominations of the Chair of the Board and the Board agreed the nominees for the Election of Chair of the Board for Fiscal Year 2022 will be Yinka Ayankoya and Jody Eimers; second by Kevin Leibel and unanimously approved.

7. Kevin Leibel made a Motion to close the nominations of the Vice Chair of the Board and agreed the nominees for the Election of Vice Chair of the Board for Fiscal Year 2022 will be Yinka Ayankoya and Jody Eimers; second by Ray DuBose and unanimously approved.

8. Kevin Leibel made a Motion to close the nominations of the Secretary of the Board and agreed the nominee for the Election of Secretary of the Board for Fiscal Year 2022 will be John Morris; second by Ray DuBose and unanimously approved.

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Announcements

Ray DuBose announced that due to COVID-19 public health concerns, the OWASA Board of Directors held this meeting 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 knows 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 announced that Jody Eimers, Todd Taylor, and he met with Renee Price and Jamezetta Bedford, Chair and Vice Chair of the Orange County Board of County Commissioners. The group had a productive discussion and topics included the extension of a moratorium on service disconnections, OWASA's Fiscal Year 2022 budget, Long-Range Water Supply Plan, Energy Management/Solar PV and upcoming Orange County OWASA Board Member appointment.

Mr. DuBose announced that he and Bruce Boehm participated in a Wonderful Water radio segment to encourage volunteers to apply for positions on the OWASA Board of Directors and aired on April 16, 2021.

Yinka Ayankoya announced that Robert Morgan and she presented OWASA's annual update to the Carrboro Town Council on April 20, 2021. Ray DuBose and Todd Taylor also attended. She said the Council update included: progress to update our Long-Range Water Supply Plan; OWASA's Fiscal Year 2022 Budget; extension of the moratorium of service disconnections to our customers; energy management and solar photovoltaic (PV) improvements; the upcoming OWASA Board Member appointments; and OWASA's diversity & inclusion program. Ms. Ayankoya said the discussion was good and well received by the Council.

Mary Tiger announced that on April 15, 2021, the Orange County Climate Council meet to receive an update on the Town of Chapel Hill's Climate Action Plan and the Council's Bylaws were discussed. The next meeting of the Orange County Climate Council will be May 20, 2021.

Petitions and Requests

Ray DuBose said the Board received a petition from Loren C. Davis which will be covered under agenda item 5. Evaluate options to improve access to boat launch area at University Lake and Lakes Recreation schedule for calendar year 2021. Mr. DuBose said that since April 16, 2021, the Board received two additional requests from Vicky Fowler and Donna Wilder regarding the lake recreation schedule under agenda item 5.

John Morris requested if there was an update on the proposed legislation that would authorize Water and Sewer Authorities to suspend service cutoffs and forgive account balances for low- and moderate-income customers.

Robert Epting said the bill was revised to add entities, specifically cities and counties, who can provide this type of assistance to customers and reportedly was well received by some legislators.

Mr. DuBose asked for petitions and requests staff; none were received.

Item One: 12 Month Board Meeting Schedule

The Board received this as an information item.

Item Two: Authorize Staff to Publish Proposed Fiscal Year 2022 Budget and Rate Information

Jody Eimers moved that in advance of public hearings scheduled for May 27, 2021, the Board of Directors hereby authorizes staff of the Orange Water and Sewer Authority to publish information about the Fiscal Year 2022 proposed budget and schedule of rates, fees and charges which includes a five percent increase in monthly water and sewer rates; second by Robert Morgan and the Motion was unanimously approved. Please see Motion 1.

Item Three: Minutes

Jody Eimers made a Motion to approve the Minutes of the March 25, 2021 Meeting of the Board of Directors, second by Robert Morgan and the motion was unanimously approved. Please see Motion 2.

Item Four: Minutes

Jody Eimers made a Motion to approve the Minutes of the April 8, 2021 Closed Session of the Board of Directors for the purpose of discussing a personnel matter, second by Robert Morgan and the motion was unanimously approved. Please see Motion 3.

Item Five: Evaluate Options to Improve Access to Boat Launch Area at University Lake and Lakes Recreation Schedule for Calendar Year 2021

Ray DuBose reminded the Board that a total of six public petitions were received on this item. Mr. Tom Wedsworth's petition is regarding improvements to the boat launch area and he is attending the meeting tonight to provide comments.

Mary Darr, General Manager of Operations, provided an overview of actions needed to extend a paved sidewalk to the shore launch area at University Lake.

Mr. Wedsworth expressed appreciation to the Board and staff for reviewing and possibly approving his petition to improve the boat launch area, and he stated he will enjoy using the extended paved sidewalk.

Robert Morgan made a Motion that staff proceed to extend a paved sidewalk to the shore launch area at University Lake; second by Bruce Runberg and the Motion was unanimously approved. Please see Motion 4.

Ms. Darr and Johnny Riley, Reservoir and Land Resources Supervisor, provided a verbal update on the petitions for increased recreation activities at the Cane Creek Reservoir and University Lake; possibility of providing picnic/lawn reservations for visitor arrival between 11 a.m. and 1 p.m. beginning April 30, 2021; and a request to add \$15,000 to the Fiscal Year 2022 Operating Budget for part-time help at Cane Creek Reservoir and University Lake in anticipation of returning to equipment rental and boating at full capacity later this summer as conditions related to the pandemic improve. Staff will provide an update on lake recreation schedule as we move through the summer.

Mr. DuBose said five petitions were received on the Lake Recreation schedule for calendar year 2021 from Mike Hammersley, Loren C. Davis, Margaretta Yarborough, Donna Wilder & Vicky Fowler; the petitioners were notified of tonight's meeting.

Kevin Leibel asked if there was any consideration to change the rate structure for those who live outside the service area.

Mr. Riley said a rate increase is not being considered at this time. He also noted that visitors are very grateful OWASA has opened Cane Creek Reservoir and University Lake.

Jody Eimers said she is not in favor of increasing the rate structure for those who live outside the service area.

Bruce Boehm made a Motion: to increase boat reservations at Cane Creek Reservoir to 50 and University Lake to 15 starting April 30, 2021; add picnic/lawn reservations for visitor arrival between 11 a.m. and 1 p.m. starting April 30, 2021; and add \$15,000 to the Fiscal Year 2022 Operating Budget for part-time help in anticipation of returning to equipment rental and boating at full capacity later this summer as conditions related to the pandemic improve. The Motion was seconded by Kevin Leibel and was unanimously approved. Please see Motion 5.

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

Todd Taylor, Executive Director, provided an update on OWASA's response to COVID-19, noting staff continues to take proactive measures to ensure the community receives high-quality and reliable water, wastewater, and reclaimed water services. He reported that staff who are working remotely will return to OWASA facilities on May 17, 2021, and the Return to Normal Operation Plans and safety protocols were updated. Staff will also evaluate a whether routine telework opportunities for employees can be productively continued. Mr. Taylor noted staff will evaluate the impact on operating and safety measures on Governor Cooper's announcement about lifting the mask mandates, mass gathering limits and social distancing requirements on June 1, 2021.

Mary Tiger, Strategic Initiatives Manager, provided an update on the extent and severity of past due accounts, including staff's continued work to contact those customers who are in arrears to provide information on where they may apply for financial assistance. Ms. Tiger provided information on how many customers have received bill assistance in the past year. Ms. Tiger said the Low-Income Household Water Assistance Program will be available to states in May 2021 this program will likely be administered through Orange County.

Robert Morgan requested staff provide that update to the Towns and County.

Item Seven: Financial Report for the Nine Month Period Ended March 31, 2021

Stephen Winters, Director of Finance and Customer Service, presented the financial report for the nine-month period ended March 31, 2021, noting all but one of OWASA's financial performance targets were met. Total income for the period was roughly \$484,000 greater than budget and operating expenses were about \$1.5 million less than budget.

Kevin Leibel suggested talking points on the reasons for the five percent rate increase.

Mr. Winters said staff is already preparing talking points for the Board and staff.

Item Eight: Discuss Draft Process for Developing Strategic Plan

Mary Tiger, Strategic Initiatives Manager, provided a brief overview of this item.

The Board provided suggestions and feedback including: requesting the names of staff members on OWASA's Strategic Planning Advisory Resource Council; receive the outliers of various comments received; suggesting terminology changes; and recommending that the timeline include a process to inform new Board Members and engage past staff on the Strategic Plan.

Staff will incorporate the Board feedback into final draft Strategic Planning Process for approval at the May 13, 2021 Board work session.

Item Nine: OWASA Board Members Eligible for Nomination for Election as Board Members

Ray DuBose and Bruce Boehm stated they do not wish to seek the Board Chair position. John Morris said he would not wish to seek the Board Chair and Vice Chair positions.

The Board agreed to begin nominations in sequence for the Office of Chair, Vice Chair and Secretary.

John Morris nominated Jody Eimers as Chair of the Board and the nomination was seconded by Kevin Leibel.

Robert Morgan nominated Yinka Ayankoya as Chair of the Board and the nomination was seconded by Bruce Boehm.

There were no further nominations.

Bruce Runberg made a Motion to close the nominations of the Chair of the Board and the Board agreed the nominees for the Election of Chair of the Board for Fiscal Year 2022 will be Yinka Ayankoya and Jody Eimers; second by Kevin Leibel and unanimously approved. Please see Motion 6.

Robert Morgan nominated Jody Eimers as Vice Chair of the Board and the nomination was seconded by Kevin Leibel.

Ray DuBose nominated Yinka Ayankoya as Vice Chair of the Board and the nomination was seconded by Bruce Runberg.

There were no further nominations.

Kevin Leibel made a Motion to close the nominations of the Vice Chair of the Board and agreed the nominees for the Election of Vice Chair of the Board for Fiscal Year 2022 will be Yinka Ayankoya and Jody Eimers; second by Ray DuBose and unanimously approved. Please see Motion 7.

Bruce Boehm nominated John Morris as Secretary of the Board and the nomination was seconded by Kevin Leibel.

There were no further nominations.

Kevin Leibel made a Motion to close the nominations of the Secretary of the Board and agreed the nominee for the Election of Secretary of the Board for Fiscal Year 2022 will be John Morris; second by Ray DuBose and unanimously approved. Please see Motion 8.

Mr. Epting reminded the Board of the availability of proxy voting on June 10, 2021.

Item Ten: Summary of Board Meeting Action Items

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

- Provide local elected Councils/Board information about outstanding bills and assistance of OWASA Customers.
- Provide an update on lake recreation schedule.
- Incorporate Board feedback into final draft Strategic Planning process.
- Agenda items for the May 13, 2020 virtual Work Session:
 - o Resolution Honoring the Service of Sherman Betts to OWASA and the Carrboro-Chapel Hill-Orange County Community
 - o Approve Employee Health and Dental Insurance Renewals
 - o Finalize Process for Developing Strategic Plan
 - o Discuss Employee Merit Pay for Fiscal Year 2022

Item Eleven: Closed Session

Without objection, the Board of Directors convened in a closed session for the purpose of discussing a personnel matter as provided in N.C. General Statutes 143.318.11(6).

Following the Closed Session, the Board reconvened in open session, reported no action was taken in the closed session, and the meeting was adjourned at 8:17 p.m.

Respectfully submitted by:



Andrea Orbich
Executive Assistant/Clerk to the Board