

ORANGE WATER AND SEWER AUTHORITY

MEETING OF THE BOARD OF DIRECTORS

MARCH 23, 2017

The Board of Directors of the Orange Water and Sewer Authority (OWASA) held a regular meeting on Thursday, March 23, 2017, at 7:00 P.M. in the Council Chamber at the Chapel Hill Town Hall, 405 Martin Luther King Jr. Boulevard, Chapel Hill.

Board Members present: Jeff Danner (Vice Chair), Barbara Foushee (Secretary), Yinka Ayankoya, David (Dave) Moreau, Robert Morgan and Ruchir Vora. Board Members absent: John A. Young (Chair), Terri Buckner and Heather Payne.

OWASA staff present: Ed Kerwin, Mary Darr, Monica Dodson, Greg Feller, Vishnu Gangadharan, Stephanie Glasgow, Alicia Grey, Simon Lobdell, Andrea Orbich, Kevin Ray, Todd Taylor, Stephen Winters, Robin Jacobs (Epting and Hackney) and Robert Epting (Epting and Hackney).

Others present: Jeremy Adkins, WTVD; Daria Barazandeh; Alice Boyle; Lauren Brown; Isabel Calingaert; Bill Camp; Rachel Conerly; Zachary Davidson; Eleanor Dillon; David Halley, True North Forest Management Services; Meg Holton, Water, Wastewater and Stormwater Manager at the University of North Carolina at Chapel Hill (UNC); Micah Intrator; Benjamin Kaplan; Debbye Krueger; D. G. Martin; Lillian Mundich; Reade Oakley; Gabriel Pelli; Lauren Piontka; Lorelai Rao; Sharon Reese; JohnAnn Shearer, U.S. Fish and Wildlife Service; Marcela Slade; Charlee Sturmer; Corey Sturmer; Aimee Tomcho, Audubon North Carolina; Claire Viadro; Amy Weiss; Lamont Wilkins; Gwen Willock; Mike Willock, DDS; William Young; Valerie Yow.

There being a quorum present, Vice Chair Jeff Danner called the meeting to order.

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MOTIONS ACTED UPON

1. Dave Moreau made a Motion that staff provide the Board information via e-mail about OWASA's business relationship with Wells Fargo; second by Ruchir Vora and the Motion passed with a vote of five to one with Jeff Danner opposed.
2. Ruchir Vora requested that staff provide the Board information about OWASA's business relationship with Wells Fargo as an agenda item at a future meeting; second by Robert Morgan and the Motion failed with a vote of four to two with Jeff Danner and Yinka Ayankoya opposed.
3. The Board approved amending OWASA's Schedule of Rates, Fees and Charges to determine the water commodity surcharges applicable under water shortage declaration stages will apply to multi-family master-metered accounts. This item was approved by adoption of the Consent

Agenda. (Motion by Dave Moreau, second by Barbara Foushee, and the Motion passed with a vote of five to one with Ruchir Vora opposed.)

4. BE IT RESOLVED THAT the Board of Directors of Orange Water and Sewer Authority adopts the Resolution Awarding a Construction Contract for the Rogerson Drive Force Main Rehabilitation Project. (Motion by Dave Moreau, second by Barbara Foushee and the resolution passed with a vote of five to one with Ruchir Vora opposed.)

5. Dave Moreau made a Motion to approve the Minutes of the February 9, 2017 Work Session of the Board of Directors; second by Barbara Foushee and the Motion passed with a vote of five to one with Ruchir Vora opposed.

6. Dave Moreau made a Motion to approve the Minutes of the February 23, 2017 Meeting of the Board of Directors; second by Barbara Foushee and Motion passed with a vote of five to one with Ruchir Vora opposed.

7. Dave Moreau made a Motion to approve the Minutes of the March 9, 2017 Closed Session of the Board of Directors; second by Barbara Foushee and Motion passed with a vote of five to one with Ruchir Vora opposed.

8. Robert Morgan made a Motion to approve and to authorize staff to implement the Action Plan resulting from the Foxcroft Drive Water Main Break, and directing that the Board and public be kept advised as to staff's progress in completing the Action Plan; second by Ruchir Vora and unanimously approved.

9. BE IT RESOLVED THAT the Board of Directors of Orange Water and Sewer Authority adopts the Resolution of the Orange Water and Sewer Authority Authorization of a New Utilities Engineer Position in the Engineering and Planning Department to Support the Capital Improvements Program. (Motion by Dave Moreau, second by Barbara Foushee and unanimously approved.)

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## ANNOUNCEMENTS

### Conflict of Interest

Jeff Danner said any Board Member who knows of a conflict of interest or potential conflict of interest with respect to any item on the agenda tonight is asked to disclose at this time; none were disclosed.

### Lake Recreation

Todd Taylor, General Manager of Operations, announced that the reservoirs will reopen for recreation on Saturday, March 25, 2017. University Lake will be open Fridays through Sundays

from 6:30 A.M. until 6:00 P.M. and the Cane Creek Reservoir will be open on Fridays and Saturdays from 6:30 A.M. until 6:00 P.M.

Audubon Society Recognition

Ruth Rouse, Planning and Development Manager, said that OWASA received an award from Audubon North Carolina for OWASA's forestry work at OWASA's Cane Creek Reservoir Mitigation Tract. Aimee Tomcho, Conservation Biologist with Audubon North Carolina, presented the award to Ms. Rouse. Ms. Tomcho recognized the importance of partnerships such as the one between OWASA, Dave Halley of True North Forest Management Services, OWASA's consultant, US Fish and Wildlife Service, and Audubon North Carolina to preserve song bird habitat.

PETITIONS AND REQUESTS

Jeff Danner reminded the public that on March 9, 2017, the OWASA Board of Directors decided to continue the current policy of fluoridating drinking water.

Mike Willock, Chapel Hill dentist, said that he believes fluoride is a toxic and does not recommend the use of fluoride of any kind.

Eleanor Dillon petitioned the Board to stop fluoridating drinking water.

Daria Barazandeh requested that the Board hold a fair and legitimate debate on water fluoridation and suggested that Dr. Paul Connett be invited to speak as the expert on fluoride.

Lamont Wilkins opposed fluoridation of drinking water.

Sharon Reese opposed fluoridation of drinking water.

Micah Intrator petitioned the Board to stop fluoridating the drinking water.

Gabriel Pelli opposed fluoridation of drinking water.

Alice Boyle asked the Board to discontinue fluoridating the drinking water.

Corey Sturmer opposed fluoridation of drinking water.

Lillian Mundich opposed fluoridation of drinking water.

William Young opposed fluoridation of drinking water.

Lorelai Rao opposed fluoridation of drinking water.

Amy Weiss opposed fluoridation of drinking water.

Zachary Davidson proposed that the Board remove fluoride from the drinking water.

Isabel Calingaert opposed fluoridation of drinking water.

Lauren Brown opposed fluoridation of drinking water.

Claire Viadro opposed fluoridation of drinking water.

Marcela Slade opposed fluoridation of drinking water.

Yinka Ayankoya stated that she opposes fluoridation of drinking water.

The Board heard the petitions and took no action.

Ruchir Vora requested that staff investigate OWASA's financial involvement with Wells Fargo.

Dave Moreau made a Motion that staff provide the Board information via e-mail about OWASA's business relationship with Wells Fargo; second by Ruchir Vora and the Motion passed with a vote of five to one with Jeff Danner opposed. Please see Motion 1 above.

Ruchir Vora requested that staff provide the Board the information about OWASA's business relationship with Wells Fargo as an agenda item at a future meeting; second by Robert Morgan and the Motion failed with a vote of four to two with Jeff Danner and Yinka Ayankoya opposed. Please see Motion 2 above.

Jeff Danner asked for petitions and requests from the staff; none were received.

**ITEM ONE: 12 MONTH BOARD MEETING SCHEDULE**

The Board received this as an information item.

**ITEM TWO: DETERMINE CONSERVATION WATER COMMODITY CHARGES UNDER MANDATORY WATER USE RESTRICTIONS FOR MULTI-FAMILY MASTER-METERED CUSTOMERS**

The Board approved amending OWASA's Schedule of Rates, Fees and Charges to determine the water commodity surcharges applicable under water shortage declaration stages will apply to multi-family master-metered accounts. This item was approved by adoption of the Consent Agenda. (Motion by Dave Moreau, second by Barbara Foushee, and the Motion passed with a vote of five to one with Ruchir Vora opposed. Please see Motion 3 above.)

**ITEM THREE: RESOLUTION AWARDED A CONSTRUCTION CONTRACT FOR THE ROGERSON DRIVE FORCE MAIN REHABILITATION PROJECT**

Dave Moreau made a Motion to approve the resolution; second by Barbara Foushee and the resolution passed with a vote of five to one with Ruchir Vora opposed. Please see Motion 4

above.

ITEM FOUR: MINUTES

Dave Moreau made a Motion to approve the Minutes of the February 9, 2017 Work Session of the Board of Directors; second by Barbara Foushee and the Motion passed with a vote of five to one with Ruchir Vora opposed. Please see Motion 5 above.

ITEM FIVE: MINUTES

Dave Moreau made a Motion to approve the Minutes of the February 23, 2017 Meeting of the Board of Directors; second by Barbara Foushee and Motion passed with a vote of five to one with Ruchir Vora opposed. Please see Motion 6 above.

ITEM SIX: MINUTES

Dave Moreau made a Motion to approve the Minutes of the March 9, 2017 Closed Session of the Board of Directors; second by Barbara Foushee and Motion passed with a vote of five to one with Ruchir Vora opposed. Please see Motion 7 above.

ITEM SEVEN: ACTION PLAN TO IMPROVE THE FLUORIDE FEED SYSTEM

The Board received a presentation from Kenneth Loflin, Water Supply and Treatment Manager, on the Action Plan to improve the fluoride feed system at the Jones Ferry Road Water Treatment Plant.

Bill Camp said that staff has done a good job to provide a solution that will work and mitigate risk.

William Young said that the upgrades and improvements cost too much and OWASA should let customers decide if they even want fluoride in the drinking water.

Dr. Claire Viadro said that cost is too high and the Board should allow customers to have a say in where money is spent. Dr. Viadro also petitioned the Board to pay for the water filters that customers purchase and applauded the Board Member who opposed fluoridation of drinking water.

Micah Intrator said he opposes fluoridating the drinking water and the money should go towards purchasing toothpaste for those who want fluoride.

Corey Sturmer said that a new cost/benefits analysis should be done now that new costs have been provided.

Gabriel Pelli said that it is a waste of money to improve the fluoride feed system and that the Board should discontinue the use of fluoridating drinking water.

Rachel Conerly said it was ludicrous to spend customers' money to poison the community.

Zachary Davidson said the Board should not spend money to poison the community.

Barbara Foushee inquired about staffing and training needs for the Water Supply and Treatment department as a result of the fluoride overfeed.

Dave Moreau suggested that the State, in coordination with others, provide guidance and support on water supply matters during various water emergencies instead of only focusing on enforcement of the quality of drinking water. The Board and staff agreed with Dr. Moreau's suggestion, and he will prepare a draft request to the State in this regard.

Robert Morgan said that he would like to delay action until he can further review new information on this agenda item.

Ms. Foushee stated that she was uncomfortable voting on this matter until she understood staffing needs.

The Board agreed to defer action on the proposed Action Plan of the fluoride feed system until the April 13, 2017 meeting. Board members were encouraged to request any additional information they may need from staff in advance of the meeting.

The Board requested that staff distribute to the Board by e-mail the information provided by the public tonight on this item.

**ITEM EIGHT: ACTION PLAN RESULTING FROM FOXCROFT DRIVE WATER MAIN BREAK**

Robert Morgan made a Motion to approve and to authorize staff to implement the Action Plan resulting from the Foxcroft Drive Water Main Break, and directing that the Board and public be kept advised as to staff's progress in completing the Action Plan; second by Ruchir Vora and unanimously approved. Please see Motion 8 above.

**ITEM NINE: FISCAL YEAR 2018 DRAFT BUDGET REVIEW AND STAFF RATE ADJUSTMENT RECOMMENDATION**

The Board discussed the draft budget and rate adjustment recommendation for July 2017 through June 2018 (FY 2018). Stephen Winters, Director of Finance and Customer Service, said that staff's preliminary work on the draft 2018 budget indicates that staff will not be requesting an increase in the rates for monthly water and sewer service in the FY 2018 budget.

**ITEM TEN: PROPOSED RESOLUTION OF THE ORANGE WATER AND SEWER AUTHORITY AUTHORIZATION OF A NEW UTILITIES ENGINEER POSITION IN THE ENGINEERING AND PLANNING DEPARTMENT TO SUPPORT THE CAPITAL IMPROVEMENTS PROGRAM**

Ruchir Vora made a motion to approve the resolution; second by Dave Moreau and unanimously approved. Please see Motion 9 above.

ITEM ELEVEN: EXECUTIVE DIRECTOR WILL SUMMARIZE THE KEY ACTION ITEMS FROM THE BOARD MEETING AND NOTE SIGNIFICANT ITEMS FOR DISCUSSION AND/OR ACTION EXPECTED AT THE NEXT MEETING

Ed Kerwin summarized the meeting as follows:

- April 13, 2017 Work Session will include the following items:
  - Discuss Draft Energy Management Plan;
  - Discuss Fiscal Year 2018 draft budget, rates, and reserves;
  - Authorize staff to publish proposed rates;
  - Review employee health and dental insurance update;
  - Award a construction contract for pump station improvements;
  - Action Plan to improve the fluoride feed system;
- Staff will e-mail information about OWASA’s financial involvement with Wells Fargo;
- Dave Moreau will prepare a draft document for review by the Board and staff regarding Dr. Moreau’s suggestion that the State, in coordination with others, provide guidance and support on water supply matters during various water emergencies instead of only focusing on enforcement of the quality of drinking water;
- Staff will provide the Board via e-mail information presented in this meeting by the public about fluoridation of drinking water; and
- Staff will implement the Foxcroft Drive water main break Action Plan.

ITEM TWELVE: CLOSED SESSION

Without objection, the Board agreed to delay the Closed Session until April 13, 2017.

The meeting was adjourned at 9:45 P.M.

Respectfully submitted,



Andrea Orbich

Executive Assistant/Clerk to the Board

Attachments

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE ROGERSON DRIVE FORCE MAIN REHABILITATION PROJECT**

**WHEREAS**, there is a need to repair the Rogerson Drive Force Main along Prestwick Road; and

**WHEREAS**, plans and specifications for the construction of this project have been prepared by CDM Smith; and

**WHEREAS**, advertisement for contractor qualifications was published on the websites of the North Carolina Institute of Minority Economic Development, North Carolina Department of Administration, and OWASA on January 17<sup>th</sup>, 2017, and six contractors were qualified to bid; and

**WHEREAS**, on February 8<sup>th</sup>, 2017, the prequalified contractors were formally invited to submit construction bids for the project, and three bids were received; and

**WHEREAS**, Carolina Civilworks, Inc. of Raleigh, North Carolina has been determined to be the low responsive, responsible bidder for the project; and

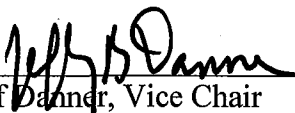
**WHEREAS**, the Capital Improvements Program (CIP) contains sufficient funds for the expedited rehabilitation of the force main;

**NOW, THEREFORE, BE IT RESOLVED:**

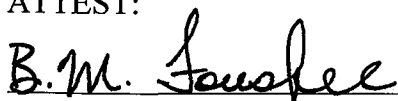
1. That the Orange Water and Sewer Authority Board of Directors awards the construction contract to Carolina Civilworks, Inc., the low responsive, responsible bidder for the Rogerson Drive Force Main Rehabilitation Project, in accordance with the approved plans and specifications, in the amount of \$1,350,630.25, 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 23<sup>rd</sup> day of March, 2017.

  
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Jeff Danner, Vice Chair

ATTEST:

  
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Barbara M. Foushee, Secretary



**RESOLUTION OF ORANGE WATER AND SEWER AUTHORITY TO APPROVE A  
NEW UTILITIES ENGINEER POSITION**

**WHEREAS**, to adequately and appropriately execute the Capital Improvements Program to maintain high quality and reliable water, sewer, and reclaimed water services to the Carrboro-Chapel Hill community, a sufficient and competent staff is necessary; and

**WHEREAS**, the Engineering and Planning Department has evaluated the Capital Improvements Program workload and available staff resources and found that an additional Utilities Engineer position is needed in order to accomplish the work load of the Department; and

**WHEREAS**, the Utilities Engineer position is a skill based pay position classified as Grade 619 (Utilities Engineer Non-Registered) and Grade 620 (Utilities Engineer Registered); and

**WHEREAS**, the Executive Director recommends adding a Utilities Engineer position at Grade 619/620 (annual salary range \$57,839-\$89,070/\$63,622-\$97,978) on the OWASA Schedule of Employee Classification and Authorized Compensation; and


**NOW, THEREFORE, BE IT RESOLVED:**

1. That in order to accomplish the workload of the Department, an additional Utilities Engineer position is needed, and the Board authorizes creation of such a position at a Grade 619/620 on the OWASA Schedule of Employee Classification and Authorized Compensation.

Adopted this 23<sup>rd</sup> day of March, 2017

  
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Jeff Darnel, Vice Chair

ATTEST:

  
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Barbara M. Foushee, Secretary