

UNRBA Board of Directors: *January 15, 2020 Board Minutes*

The Board of Directors of the Upper Neuse River Basin Association (UNRBA) met at 9:30 A.M. on Wednesday, January 15, 2020 at the Town of Butner's Town Hall. Meeting attendees are listed below.

| Name | Affiliation |
|----------------------------|--|
| Sig Hutchinson (Chair) | Wake County |
| Jimmy Clayton (Vice Chair) | Person County |
| Bill McKellar | Town of Butner |
| Reggie Hicks | City of Durham |
| Javiera Caballero | City of Durham |
| Barry Baker | Granville County |
| Carolyn Bachl | City of Raleigh |
| Scott Schroyer | SGWASA |
| Neena Nowell | City of Creedmoor |
| McKenzie Myers | Durham County |
| Michael Felts | Granville County |
| Michael Frangos | City of Creedmoor |
| Jim Wrenn | Representing Granville Co., Person Co., Butner, Creedmoor & SGWASA |
| Sally Greene | Orange County |
| Christopher Sandt | Orange County |
| Sandi Wilbur | City of Durham |
| Terry Hackett | Town of Hillsborough |
| Wesley Poole | Orange County |
| Jay Sauber | Water Quality Consultant |
| Michael Orbon | Wake County |
| David Harris | Durham Soil & Water Conservation |
| Del Mims | City of Creedmoor |
| Peter Raabe | American Rivers |
| Bob Hornick | Town of Hillsborough |
| James Bryan | Orange County |
| Jennifer Tavantzis | Representing Granville Co., Person Co., Stem, Butner, & Creedmoor |
| Katie Cromwell | Representing Granville Co., Person Co., Stem, Butner, & Creedmoor |
| John Huisman | NC DEQ DWR |
| Alix Matos | Brown & Caldwell |
| Emily Bateman | Durham Soil & Water Conservation |
| Forrest Westall | UNRBA |
| Haywood Phthisic | UNRBA |

Welcome and Recognition -

The Chair, Sig Hutchinson, called the meeting of the UNRBA to order, welcomed all attendees, and asked each attendee to introduce themselves. It was noted that this meeting is designated under the Bylaws as the "Annual Meeting" of the UNRBA Board. The Chair asked if any of the Board Directors had any conflict of interest issues with any agenda items and no conflicts were identified. The Chair called the roll and 11 of 13 members were present for a quorum. Sig then asked if there were any revisions to the agenda, and being none, Jimmy Clayton made the motion to approve the agenda as presented, seconded by Terry Hackett, and approved by the Board.

Action Items -

Approval of Minutes from November 20, 2019 Board Meeting - The Chair asked the Board if there were any edits or corrections to the draft minutes provided. Being none, Bill McKellar made the motion to approve the minutes as presented, seconded by Jimmy Clayton, and approved by the Board.

Treasurer's Report – Haywood Phthisic presented the Treasurer's Report for the period ending December 31, 2019. The checking account balance at the close of the statement was \$93,684.63 and the savings account balance is \$1,113,610.66. Following review of the report, Jimmy Clayton made the motion to approve the Treasurer's Report as presented, seconded by Terry Hackett, and approved by the Board.

Prospective Budget for Fiscal Year 2020-21 – Forrest noted the Budget will be presented for approval at the March Board meeting. He also noted that all of the annual water withdrawal values from those who use water from the watershed had not been received. That means the prospective budget provided will have to be updated. He noted the Personnel Committee will present its report this morning and, depending on the Board's decision on the report, a small adjustment in next year's budget may be necessary.

Officer Nominating Committee Recommendations – Bill McKellar reported the committee met and reported the following nominations for 2020 Officers of the UNRBA: Chair, Sig Hutchinson; Vice Chair, Jimmy Clayton; Treasurer, Ryan Eaves; and Secretary, Jenn Weaver. For the nomination of Chair, the Vice Chair assumed the duties of Chair. For the position of Chair Nena Nowell made the motion to approve Sig Hutchinson, seconded by Sally Green, and approved by the Board. Sig Hutchinson resumed duties of the Chair. Bill McKellar nominated Jimmy Clayton for Vice Chair, Ryan Eaves for Treasurer, and Jenn Weaver for Secretary, seconded by Javiera Caballero, and approved by the Board.

Personnel Committee Report – Jim Wrenn gave the Personnel Committee Report (in Don O'Toole's absence) noting the committee was pleased with the Executive Director staff and recommended a 5% increase in the number of Executive Director hours in the contract to a total 1,505. This would result in a 5% increase in the Executive Director compensation portion of the contract. This is consistent with the allowance for annual adjustment in the contract. Additionally, the Committee asked the Board to consider a resolution restating the Executive Director's authority to maintain the focus on the tasks and activities that best serve achieving the goals of the UNRBA. The Personnel Committee further requested that the Board's resolution support and authorize the Executive Director to exercise his leadership authority to keep the priority on the most important objectives of the UNRBA. Following discussion, Jimmy Clayton made the motion to increase in the Executive Director's compensation by 5% in the service contract (\$165,550 executive director, \$16,000 in travel expenses, and \$21,800 in support services for a total of \$203,350) and that the Executive Director's contract be extended through June 30, 2024. Jimmy's motion was seconded by Bill McKellar, and approved by the Board. The Board then discussed the resolution recommended by the Personnel Committee that would restate and support the Executive Director's authority to make decisions that maintain the focus on the goals and objectives of the UNRBA. This focus would authorize the Executive Director to limit new initiatives and to maintain the funding levels and budget allocations necessary to keep the UNRBA on task. Jimmy Clayton made the motion to adopt this resolution, seconded by Sally Greene, and approved by the Board.

Interim Alternative Implementation Approach (IAIA) for Stage I - Forrest addressed the Board on the progress of the draft IAIA. This approach would allow participants to make specific financial (funding or in-kind cost efforts) commitments on an annual basis as a means of compliance with Stage I Existing Development Requirements. The IAIA would stand in the place of jurisdictional loads and would represent joint compliance of all of the jurisdictions that agree to participate. The IAIA would provide the resources to undertake nutrient reducing and water quality improvement projects instead of counting nutrient pounds reduced under the rules as currently envisioned. Through the work of the PFC, an IAIA program components document has been developed and provided to the Board for its review and consideration. The document identifies key components of the IAIA. It is presented at today's meeting to secure Board endorsement of

the general description of how the IAIA would operate. Adoption of this conceptual guidance document would not make any final commitment on the actual program provisions nor would it commit any UNRBA member to participation in an IAIA, if and when one is put in place. It would just allow the process of consideration within the UNRBA and in discussions with DWR and other stakeholders. It is possible, if the program could be approved and finalized quickly, that it may be able to be implemented beginning in Fiscal Year 2021-22. Forrest asked the Board to endorse the IAIA Program Components Document and authorize him to continue to assess the IAIA approach and to proceed, with input and support from the PFC, with formulating the terms and conditions of a program for potential approval by the Board. As appropriate and if interest in an IAIA continue, final requirements of this program will be brought back to the Board for consideration at a future meeting. Following discussion, Barry Baker made the motion to endorse the program components document and continue developing the IAIA, seconded by Del Mims, and approved by the Board.

UNRBA Decision Framework – Forrest reported on the completed Final Draft Decision Framework Guidance Document and presented it to the Board for approval. The framework memorializes the process by which decisions are made in the UNRBA. Forrest noted that the foundational principle for decision making in the UNRBA has always been and remains consensus. This principle is reflected in the Decision Framework Guidance Document, but it also provides a logical and organized approach if an issue cannot be resolved by consensus. Forrest recommended the Board adopt the framework document for guidance in making decisions in the future. Following discussion, Neena Nowell made the motion to adopt the Decision Framework Document as policy guidance for the Association, seconded by Bill McKellar, and approved by the Board.

Matching Funds for Support of Grant Funds to Support Model Code Development – Forrest reviewed the need for the UNRBA to identify committed funds for the Modeling and Regulatory Support (MRS) as match for a requested grant under the Federal Clean Water Act, Section 319, as administered by DWR. This grant would supplement watershed modeling work underway and funded by the UNRBA. He asked the Board to approve the use of UNRBA funds budgeted under Task 321 as matching funds to secure a grant to develop additional model code for onsite wastewater systems. Following discussion, Barry Baker made the motion to approve the matching funds, seconded by Jimmy Clayton, and approved by the Board.

Informational Items -

Review of the Rules Review Commission (RRC) Meeting Results – Forrest reported the RRC agreed with UNRBA's comments and rejected the nutrient offset rule (02B .0240). The Legal group and Forrest are working with the Attorney General's representative for the EMC to craft language that would address the UNRBA's comments and respond to the RRC's objection.

Modeling & Regulatory Support (MRS) Status – Alix Matos with Brown & Caldwell updated the Board on the work underway in the MRS project. The modeling team is finalizing the land use data for the period 2014-2018, hydrologic calibration of simulated stream flows compared to observations recorded by the US Geological Survey, and working with DWR to secure grant funding to support revisions to the watershed code to include more types of onsite wastewater systems.

Monitoring Program Update – The monitoring program is currently reduced from the original program. At the January PFC meeting the Committee voted to recommend to the Board to discontinue the monitoring for FY 2020-21 for budget consideration.

Ongoing Discussions with DEQ – Forrest reported that a meeting continues to be planned with DWR to review the 2019 Annual Monitoring Final Report. Additional discussion with DWR includes the following subjects: developing information to support a site-specific chlorophyll-a standard for Falls Lake; revamping the 303(d) protocol for Falls Lake; seeking support from DEQ for IAIA for implementation; and finalize a memorandum of agreement with DWR related to the agency's review and consideration of the UNRBA's Falls

Lake reexamination effort.

Communication Support Status – Forrest reported the UNRBA Stakeholder Forum will be held February 12, 2020. The target audience is management leadership at the local government level. A “Save the Date” communication will be sent shortly. Materials are also available regarding communication about the UNRBA at: <https://upperneuse.org/>.

Final Report on Jordan Lake by the UNC Collaboratory – The Final report on Jordan lake by the Collaboratory was released in December. Forrest briefed the Board on the initial findings of the report. The UNRBA team is reviewing the research results for potential applicability to our Falls Lake work.

The next scheduled Board meeting will be March 18, 2020 at 9:30 a.m. With no other business, the meeting was adjourned.

Approved