

## UNRBA Board of Directors: June 17, 2020 Board Minutes

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The Board of Directors of the Upper Neuse River Basin Association (UNRBA) met at 9:30 A.M. on Wednesday, June 17, 2020 via conference call/webinar due to the COVID-19 issues. Meeting attendees are listed below.

Name	Affiliation
Sig Hutchinson (Chair)	Wake County
Jimmy Clayton (Vice Chair)	Person County
Jenn Weaver (Secretary)	Orange County
Ryan Eaves (Treasurer)	Durham County
Reggie Hicks	City of Durham
Barry Baker	Granville County
Carolyn Bachl	City of Raleigh
Neena Nowell	City of Creedmoor
Jim Wrenn	Representing Granville Co., Person Co., Butner, Creedmoor & SGWASA
Sally Greene	Orange County
Dan McLawhorn	City of Raleigh
Bill McKellar	Town of Butner
Sandi Wilbur	City of Durham
Terry Hackett	Town of Hillsborough
James Bryan	Orange County
Ellen Reckhow	Durham County
Melinda Clark	Wake County
Michelle Woolfolk	City of Durham
Del Mims	City of Creedmoor
Kenny Waldroup	City of Raleigh
Nancy McCormick	Person County Soil & Water
Don O'Toole	UNC Collaboratory
Jennifer Tavantzis	Representing Granville and Person Stormwater Utility (Granville Co., Person Co., Stem, Butner, & Creedmoor)
David Harris	Durham Soil & Water Conservation
Michael Orbon	Wake County
John Huisman	NC DEQ DWR
Jay Sauber	Water Quality Consultant
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 and welcomed all those on the meeting call. The Chair asked if any of the Board Directors had any conflict of interest issues with any agenda items and Ellen Reckhow noted she would recuse herself from the vote on the Modeling & Regulatory Support contract. No other conflicts were identified. The Chair called the roll and 10 of 13 members were present for

a quorum. Sig then asked if there were any revisions to the agenda, and being none, the agenda was approved.

**Action Items -**

*Approval of Minutes from March 18, 2020 Board Meeting* - The Chair asked the Board if there were any edits or corrections to the draft minutes provided. Being none, Jenn Weaver made the motion to approve the minutes as presented, seconded by Neena Nowell, and approved by the Board.

*Treasurer's Report* – Ryan Eaves presented the Treasurer's Report for the period ending May 31, 2020. The checking account balance at the close of the statement was \$104,767.10 and the savings account balance was \$710,163.61. Following review of the report, Bill McKellar made the motion to approve the Treasurer's Report as presented, seconded by Ellen Reckhow, and approved by the Board.

*Modeling and Regulatory Support Contract and Communications Support* – Forrest reported to the Board the ongoing Modeling and Regulatory Support (MRS) effort is critical to the UNRBA's Reexamination of Stage II. The new scope of work reflects priorities for MRS efforts in FY 2021. The supplementary monitoring ended as of June 30, 2020 and the modeling effort will be assigned all of the program funding for FY 2021. The total contract budget for Modeling and Regulatory Support with Brown & Caldwell for FY 2020-21 is \$800,000, this includes part of the Communications budget. As noted in earlier information provided to the Board, Brown & Caldwell is taking the lead on communications with HDR supporting that effort. Forrest also recommended and noted that the total Brown & Caldwell budget includes \$15,000 from contingency to continue efforts on the IAIA project. Forrest recommended approval of these contracts for FY 2020-21. Following discussion, Sally Greene made the motion to approve these contracts as presented, seconded by Jenn Weaver, and approved by the Board. The Board authorized the Chair to sign on behalf of the UNRBA.

*HDR Supplemental Communications Support* – Forrest reported that the UNRBA has developed significant experience in the last couple of years on conducting a communications program. This program will continue in FY 2020-21. Following discussion, Bill McKellar made the motion to approve the contract for \$15,153 and authorize the Chair to sign the contract. Seconded by Ellen Reckhow, and approved by the Board.

*Executive Director Service Contract* – The Board received the assessment from the Personnel Committee for the Executive Director Services Contract earlier this year. At that meeting Don O'Toole, Chair of the Personnel Committee, recommended on behalf of the Committee approval of the contract to the Board. The contract is for \$203,350 for FY 2020-21 (\$165,550 for executive director services, \$16,000 for travel expense, and \$21,800 for supplemental services--provided by Phthisic Consulting, Inc.), Following discussion, Neena Nowell made the motion to approve the contract and authorize the Chair to sign on behalf of the UNRBA, seconded by Jenn Weaver, and approved by the Board.

*Authorization to Submit Comments on EPA's Draft nutrient Ambient Criteria Recommendations* – Forrest reported EPA has requested comments on proposed ambient water quality criteria for lakes and reservoirs. The comments are due on July 21<sup>st</sup>. Forrest noted Jay Sauber, consultant to the UNRBA, has been working on developing comments. Because there is limited time to develop comments and the Board will not meet again until September 16th, Forrest requested authorization to proceed with developing comments and submit those on behalf of the UNRBA. Forrest stated that he would circulate the draft comments to the PFC. Following discussion, Ellen Reckhow made the motion to approve Forrest's request and authorized the Executive Director to develop and submit comments on the draft ambient water quality criteria, seconded by Bill McKellar, and approved by the Board.

*Continued Legal Support* – Forrest reported the initial work with Barnes & Thornburg, LLP has been completed and asked the Board to authorize continue engagement with the firm. A scope of work has been reviewed by the Legal Workgroup and a draft engagement letter is being finalized. Forrest requested that

the Board authorize him to complete the development of the engagement letter and scope of work in consultation with the Legal Group. Following discussion, Ellen Reckhow made the motion to authorize Forrest to complete this process and provide a final package to the Chair for signature. This motion was seconded by Neena Nowell and approved by the Board.

**Informational Items -**

*Stage I Existing Development Interim Alternative Implementation Approach (IAIA) Program Development Schedule* - Forrest reported work continues toward a final IAIA program. DWR and the UNRBA has reached agreement on draft language for inclusion of an IAIA option in the Model Program. A few additional comments were received on June 3<sup>rd</sup> from the PFC and these will also be provided to DWR. The Legal Group has been engaged to look at a comprehensive Interlocal Agreement that would provide the legal commitment necessary to participate in the IAIA. A preliminary schedule was developed and provided to the PFC and the Board aimed at an IAIA Program implementation date of July 1, 2021. As previously noted, no UNRBA member is required to participate in this program but if not part of the IAIA would have to meet the terms of the Model Program as an individual jurisdiction. The Model Program is still under development.

*Modeling & Regulatory Support (MRS) Status* – Alix Matos with Brown & Caldwell reported to the Board the DWR 319 grant is being finalized to support modifications to the model to better simulate on-site wastewater systems in the watershed. The modeling team is drafting an interim technical memo to describe the watershed modeling and hydrologic performance with the goal of providing interim draft available to the MRSW in June or July. The Modeling Team is working with the MRSW to format the model output for final reporting. Modeling milestones and updates to the project schedule were presented and discussed.

*DWR 2020 Integrated Report and 303(d) Assessments* – The DWR draft Integrated Water Quality Assessment Report and the 303(d) list for 2020 were previously anticipated for June 2020. This target date has been pushed back to probably late September 2020 or perhaps even later.

The next scheduled Board meeting will be September 16, 2020 at 9:30 a.m. With no other business, the meeting was adjourned.