

UNRBA Board of Directors: January 19, 2022 Board Minutes

The Board of Directors of the Upper Neuse River Basin Association (UNRBA) met at 9:30 A.M. on Wednesday, January 19, 2022 via conference call/webinar due to the COVID-19 issues. Meeting attendees are listed below.

Name	Affiliation
Sig Hutchinson (Chair)	Wake County
Bill McKellar (Vice Chair)	Town of Butner
Ryan Eaves (Treasurer)	Durham County
Jenn Weaver (Secretary)	Town of Hillsborough
Reggie Hicks	City of Durham
Maria Cervania	Wake County
Whit Wheeler	City of Raleigh
Michael Frangos	City of Creedmoor
Barry Baker	Granville County
Michelle Woolfolk	City of Durham
Terry Hackett	Town of Hillsborough
David Harris	Durham Soil & Water Conservation
Emily Bateman	Durham Soil & Water Conservation
Kathy Cooper	City of Raleigh
Don O'Toole	City of Durham
Ashley Rodgers	Wake County
Carolyn Bachl	City of Raleigh
Wesley Poole	Orange County
Dan McLawhorn	Self
Javiera Caballero	City of Durham
Joey Hester	DWR Planning
John Huisman	DWR Planning
Wendy Jacobs	Durham County
Carrie Mitchell	Town of Wake Forest
Bob Hornick	Town of Hillsborough
Jessica Sheffield	Eno River Association
Jay Sauber	Water Quality Consultant
Doug Durbin	Brown & Caldwell
Forrest Westall	UNRBA
Haywood Phthisic	UNRBA

Welcome and Recognition -

The Chair, Sig Hutchinson, called the meeting of the UNRBA Board to order and welcomed all those in attendance. The Chair asked if any of the Board Directors have any "conflict of interest" issues with any agenda items, and no conflicts were identified. The Chair called the roll and 10 of 13 members were present for a quorum. The Chair asked if there were any additions or deletions and, being none, the agenda was approved.

Action Items -

Approval of Minutes from November 17, 2021 Board Meeting – The Chair asked the Board if there were any edits or corrections to the draft minutes provided before the meeting. Being none, Jenn Weaver made the motion to approve the minutes as presented, seconded by Wendy Jacobs, and approved by the Board.

Treasurer's Report – Ryan Eaves presented the Treasurer's Report for the period ending December 31, 2021. The checking account balance at the close of the statement was \$772,917.69 and the savings account balance was \$571,883.35. Following review of the report, Bill McKellar made the motion to approve the Treasurer's Report as presented, seconded by Jenn Weaver, and approved by the Board.

2022 Officer Elections – Terry Hackett, for the Officer Nominating Committee reported that the committee contacted the following members for officer consideration: Sig Hutchinson for Chair, Jenn Weaver for Vice Chair, Ryan Eaves for Treasurer, and Wendy Jacobs for Secretary. The Nominating Committee recommended this list of candidates for Board consideration. The other members were asked if there were any other candidates recommended for consideration for officers. Being none, Javiera Caballero made the motion to close nominations, seconded by Bill McKellar, and approved by the Board. The Chair relinquished the position for the "Chair" vote to Vice Chair, Bill McKellar. Bill asked for a motion for the Chair position and Javiera made the motion, seconded by Barry Baker, and approved by the Board. Sig returned to the Chair position. For the remaining officer positions, the Chair asked if there was any opposition to proceeding with the remaining three officer positions as one action. No objection was identified. The Chair put forward the following nominated individuals: For Vice Chair, Jenn Weaver, for Treasurer, Ryan Eaves, and for Secretary Wendy Jacobs. Javiera made the motion to approve the three nominees as presented, seconded by Whit Wheeler, and approved by the Board.

Personnel Committee Report – Don O'Toole presented the personnel committee report prepared by the group. Don thanked those on the committee; the UNRBA Executive Committee (Officers), Reggie Hicks, Jim Wrenn, Dan McLawhorn, and Carolyn Bachl. Don reviewed the comments from the committee members that were very positive and complimentary of the work being provided. Don reported that the requested increase be \$5.00 per hour for the executive director and support staff. The hours of service provided stayed the same. These hourly rate increases represent an increase to \$182,752 for executive director compensation, and an increase to \$24,640 for other support services. Support cost of \$16,000 remained the same. This resulted in an overall Executive Director Services cost of \$223,392. Following discussion, Don O'Toole (for the Committee) made the motion to approve the increase as recommended, seconded by Bill McKellar, and approved by the Board.

Revisions to UNRBA Policies and Procedures Manual – Forrest Westall reported during the audit review process a member Director suggested revisions to the UNRBA Policy and Procedure Manual to add in a whistle blower policy and also asked about the need to include a policy for the UNRBA's responsibility for records retention. A Whistleblower Policy sets out provisions for dealing fairly with anyone that comes forward with concerns about the organization. A draft Whistleblower Policy was provided to the Board at the November meeting for preliminary review. A draft of the Policy and Procedures Manual, was provided before the January meeting and a Whistleblower Policy was included for consideration. In general, the policy provides for reporting of any concerns, establishes a process for consideration of the reported issues, and designates a compliance officer. Records retention is governed by state statute and the UNRBA is keeping records, so no revision to the policy were recommended to add a policy on record keeping. Following discussion, a motion was made by Wendy Jacobs to approve the draft Policy and Procedures Manual which included the Whistleblower Policy. Jenn Weaver seconded the motion, and the motion was approved by the Board.

Status of Proposed Chlorophyll a Site-Specific Standards for High Rock Lake – Forrest discussed the current status of the site specific standard for High Rock Lake. The UNRBA has submitted comments on the Division's proposed site-specific standard for chlorophyll-a a number of times. First, when it was presented

to the Compliance Implementation Committee (under NC's Nutrient Criteria Development Plan) in December of 2020. Second, when presented to the NC Environmental Management Commission (EMC) Water Quality Committee. Third, when presented to the EMC prior to the Commission voting to take the proposal to public hearing. And the fourth time during the public review of the proposal. The NC Water Quality Association, the Yadkin Pee-Dee River Basin Association and the Yadkin River Keeper commented on the proposal during the notice period. There is considerable consistency in the comments provided and the recommendations for revision to the proposal are significantly similar. However, DWR and the EMC has proceeded with the proposal to this point with no changes as recommended by the UNRBA and other commentors. The hearing officer's report has not been released as of this date. Forrest asked the Board for authorization to undertake efforts to address the proposal if the EMC proceeds to adopt the standard as taken to notice without appropriate revision in response to the comments made. The efforts under consideration include providing comments to the Rules Review Commission (RRC) should the EMC adopt the rules as presented and, if approved by the RRC, the filing of letters of objection that would trigger a request for General Assembly review. Forrest also noted that he may reach out to DWR leadership and the EMC if appropriate to encourage consideration of the comments provided during the notice period. Following discussion, Jenn Weaver made the motion to authorize the Executive Director to undertake actions, as appropriate and as identified, to help secure revision of the site-specific chlorophyll-a standard for High Rock Lake. Review of any formal objection letters or other written communication on behalf of the UNRBA would be reviewed by the Executive Committee for concurrence and signature of the Chair, seconded by Wendy Jacobs, and approved by the Board.

Addition of the Town of Stem to the IAIA Program – Forrest noted the Town of Stem has requested to rejoin the UNRBA and become a participant of the IAIA program. Forrest noted the Town met in January and passed a resolution to rejoin the UNRBA and participate in the IAIA program. The bylaws require any new member to pay a prorated amount of their dues based on the number of quarters left in the fiscal year. In this case, the Town's request would result in membership during the last two quarters of this fiscal year. As a result, to rejoin the Town would need to pay two quarters or 50% of the dues it would have normally paid at the beginning of the fiscal year. Based on a determination of Stem's dues for FY 2021-2022, the portion of the membership dues due for the current fiscal year is \$4,402.00. Stem has agreed to submit this amount. Following discussion, Jenn Weaver made the motion to approve the Town of Stem rejoining the UNRBA subject to receiving payment for their dues (as indicated above), seconded by Bill McKellar, and approved by the Board.

The Chair called the Compliance Group Committee of the IAIA to order to consider the Town of Stem's request to join the program. Forrest explained the process for which Stem may join the IAIA program. John Huisman with DWR Planning told the Board the Division would consider Stem in compliance with the Stage I Existing Development Rule as long as Stem was included in the IAIA and that the Town met its investment requirement under the IAIA. During discussion, a question was raised regarding the UNRBA bylaws condition that a new participant cannot join the IAIA during the first year of the IAIA. This condition would limit action today. The CGC decided to refer this issue back to the UNRBA Board to evaluate. The CGC then considered the reporting tool that had been developed to assist in tracking projects in the IAIA program. Following discussion, Wendy Jacobs made the motion to approve the tool, seconded by Jenn Weaver, and approved by the CGC. The CGC meeting was adjourned and returned to the UNRBA Board meeting.

Informational Items -

UNRBA FY 2022-23 Prospective Budget – The Board received the prospective budget and membership dues for FY 2022-23. Forrest reported the recommended budget will be presented at the March Board meeting.

Statistical Model Development and Regulatory Options for the Chlorophyll-a Water Quality Standard – Scott Sheeder with Systech Water reviewed the modeling work that has been completed.

Pet Concern at Falls Lake – Jay Sauber reported to the Board on an incident in which a dog was reported to

have consumed water from the lake and then died. This occurred in late November. DWR investigated the report and noted algae blooms were found but no toxic algae at levels of concern were found. No samples were taken at the vet to confirm the source of the dog's illness. The dog was euthanized.

The next scheduled Board meeting will be March 16, 2022 at 9:30 A.M via remote access. With no other business, the meeting was adjourned.

Approved