

# UNRBA Board Meeting November 16, 2016

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Location: Butner Town  
Hall

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**Pam Hemminger, Chair**

Introductions and Announcements

# Administrative Items:

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- **Approval of September 21, 2016 Meeting Minutes**
- **Approval of the 2017 Meeting Dates**

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# Actions Items

# Approval of the UNRBA's Financial Procedures and Conflict of Interest Policy

- Review of Document
- Discussion
- Recommendation of the Audit Committee

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# Appointment of an Audit Committee at January 2017 Meeting

# Approval of Delegated Responsibilities as Identified in the Procedures and Policy Document

- Executive Director delegations are noted in sections 1.1, 2.5, 2.6, 4.1, 5.1, 5.2, 6.2, 6.5, and 7.2.
- Request that Board approve my delegation under these sections to Haywood Phthisic

# Schedule for a Formal Audit

Recommendation: Board authorize me to proceed with identifying potential audit contractors, review with the Audit Committee and bring a contractor recommendation back to the Board prior to the end of this FY.



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# Appointment of a Nominating Committee for 2017 Officers

# UNC-CH Nutrient Management Strategy Review Process and the Collaboratory

Steve Wall, Outreach  
Liaison, UNC-CH  
Collaboratory

# Regulatory and Legislative

Don O'Toole, City of Durham



## LEGISLATIVE AND REGULATORY UPDATE

1. Legislature is scheduled to reconvene on January 11, 2017.
  
2. In preparation, the League of Municipalities held its Advocacy Goals Conference on October 23, 2016.
  - 28 goals submitted, narrowed down to 15
  - 3 goals submitted by the League’s Regulatory Action Committee (several UNRBA member jurisdictions have representatives on the RAC)



## APPROVED GOALS OF INTEREST TO OUR MEMBERSHIP:

- Oppose legislation that interferes with local management or ownership of local assets.
- Seek legislation eliminating municipalities' repayment of water- and sewer- growth related fees that have been previously collected, and providing municipalities with the authority to assess the level of fees and charges necessary for continued growth and economic development in the future.
- Seek legislation to increase state-level funding for municipal infrastructure needs.
- Support legislation that recognizes that management of a public utility is best determined by the local owning entity due to their consideration of financing, engineering, and regulatory responsibilities.



## RAC RECOMMENDED GOAL THAT DID NOT MAKE THE TOP 15:

- Support solutions addressing established use impairments in waters that are based on current site-specific data and analysis, assign responsibility proportionate to the source, and equitably hold accountable all contributors.

There was some discussion of this goal when it was presented. Reinforced in my mind the importance of the need for education on the requirements of the CWA and the work that an organization like the UNRBA is doing.



### 3. HB44/SL2015-246 section 13—RESTRICTIONS ON BUFFERS

- Key language:

Except as provided in this section, a local government may not enact, implement, or enforce a local government ordinance that establishes a riparian buffer requirement that exceeds riparian buffer requirements necessary to comply with or implement federal or State law **or a condition of a permit, certificate, or other approval issued by a federal or State agency.**



- The EMC Water Quality Committee inquired about compliance with the SL at its September 7, 2016 meeting.
- In response, DWR sent an e-mail to a number of local government jurisdictions, including Durham, inquiring how each jurisdiction planned to comply with the SL.
- City of Durham submitted a response on October 10, 2016 indicating that it would continue to enforce its buffer requirements as they are required by the City’s Stormwater NPDES permit.
- Apparently, DEQ agrees with that position since it has informed at least one local government of the following:

Because the riparian buffer requirements implemented by your government are “necessary to comply with...a condition of a permit, certificate, or other approval issued by a federal or State agency,” there is no reason for the EMC to take action pursuant to §143-214.23A(b).



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# Modeling and Regulatory Support Status—Alix Matos

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# Nutrient Credits Project Status Update—Alix Matos

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# Monitoring Program Status Update—Matt Van De Bogert

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# Information Items and Reports:

PFC Report— Meetings, September  
28<sup>th</sup>, Modeling and Regulatory  
Support Kickoff, July 27<sup>th</sup>, October  
26<sup>th</sup> and Upcoming, December 14<sup>th</sup>

Lindsay Mize and Kenny Waldroup

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# Treasurer's Report—Jimmy Clayton

**Upper Neuse River Basin Association, Inc.  
Treasurer's Report**

Date: 11/15/2016

<b>Balance Forward: (per bank statement - 9/27/16)</b>	Checking	\$	895,767.95
	Savings		503,417.86
<b>Debits:</b>		\$	
Cardno (August 16 Inv, MDP FY 16)			4,307.50
Cardno (August 16 Inv, NCDP *)			4,973.06
Cardno (August 16 Inv, MDP FY 17)			49,040.09
Cardno (July 16 Inv, MDP FY 16)			28,455.00
McGill Asso. (July, Aug, Sept 16 Inv)			45,429.05
MFG Consulting, LLC (Septemebr 16 Inv)			75.00
Phthistic Consulting Inc. (September 16 Inv)			962.91
Sauber Water Consulting (September 16 Inv)			1,400.00
NCSU (Final payment NCDP SME)			6,041.00
Dispute Settlement Center			2,153.94
Bank Charges (check fee & maintenance fee)			1.00
<b>Total Debits</b>		\$	<b>142,838.55</b>
<b>Credits:</b>		\$	
Interest (checking)			97.10
Interest (savings)			96.29
205J Grant Reimbursement			-
<b>Account Balance (per bank statement -10/25/16)</b>	Checking	\$	753,026.50
	Savings		503,514.15
<b>Total UNRBA Account Balance :</b>		\$	<b>1,256,540.65</b>

**Outstanding invoices/deposits in process since the close of bank statement (10/25/16):**

<b>Debits:</b>		\$	
McGill Asso. (Oct 16 Inv)			13,217.56
Cardno (Sept 16 Inv, MDP FY 17)			32,848.96
Cardno (Sept 16 Inv, NCDP*)			7,982.00
Cardno (Sept 16 Inv, MDP FY 16)			540.00
MFG Consulting, LLC (Oct 16 Inv)			200.00
Sauber Water Consulting (Oct 16 Inv)			1,890.00
Phthistic Consulting Inc. (Oct 16 Inv)			859.97
JMW Tax Services			575.00
<b>Credits:</b>		\$	
Transfer to Checking from Savings			-
205J Grant Reimbursement			-
FY 2016-17 Membership Fees			-
<b>Current Account Balances:</b>	Checking	\$	695,453.01
	Savings		503,514.15
<b>Total UNRBA Account Balance :</b>		\$	<b>1,198,967.16</b>

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# Executive Director Report



# Executive Director Report

- Status: DWR 303(d) Process and Segmentation of Lake for Use-Support Determinations, Referred to Assistant Secretary
- Pending Items Before DEQ
- EMC Water Quality Committee and EMC Meetings November 9<sup>th</sup> and 10<sup>th</sup>
- Potential Meeting with EPA Region IV in December
- UNRBA Programs and Projects, Moving Forward
- Potential EMC Changes
- Personnel Committee Review in December
- NSAB Meeting, December 2<sup>ond</sup>
- FY2018 Budget
- Holidays

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Next Scheduled Board Meeting:  
January 18, 2016, Butner Town Hall,  
Beginning at 9:30 AM

Annual Meeting—Officer Elections

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# Closing Comments