

UNRBA Board of Directors: *January 16, 2013 Meeting Minutes*

The Board of Directors of the Upper Neuse River Basin Association (UNRBA) met at 9:30 A.M. on Wednesday, January 16, 2013 at the Town of Butner's Town Hall.
Meeting attendees are listed below (* denotes member Director to the Board; ** denotes alternate).

Name	Affiliation
Melissa Hodges	Town of Butner
Nancy Alford *	Town of Stem
Jessica Gladwin	Town of Butner
Barry Baker **	Granville County
Mike Gering*	Town of Hillsborough
Pam Hemminger (Chair)*	Orange County
Jimmy Clayton (Treasurer)*	Person County
Lindsay Mize *	South Granville Water and Sewer Authority
Randy Stagner*	City of Raleigh
Randy Cahoon	City of Creedmoor
Don O'Toole	City of Durham Attorney's Office
Michelle Woolfolk	City of Durham Stormwater
Kenny Waldroup **	City of Raleigh
Tom Davis**	Orange Co. Dept. of Environment, Agriculture, and Parks and Rec.
Dan McLawhorn	City of Raleigh Attorney's Office
Paula Murphy	Person County
Jim Wrenn	Attorney Rep. Granville Co., Person Co., Butner, Creedmoor & SGWASA
Sybil Tate **	Person County
Ellen Reckhow *	Durham County
Terry Hackett **	Town of Hillsborough
Brian Alligood	Granville County
Joseph Threadcraft	Wake County
Jimmy Minor *	City of Creedmoor
Forrest Westall	UNRBA Executive Director
Melinda Clark **	Wake County
Bob Jordan	Durham County
Reginald Hicks **	City of Durham
Rick Flowe **	City of Creedmoor
Tommy Marrow **	Town of Butner
Holly Safi	City of Durham Attorney's Office
Anne Coan	N.C. Farm Bureau Federation
Haywood Phthisic	LNBA/NRCA/UNRBA

Welcome and Recognition -

Chair Pam Hemminger called the meeting to order and asked attendees to introduce themselves and share relevant information with the group. Pam introduced two new "alternates" to the Board; Paula Murphy with Person County and Terry Hackett with the Town of Hillsborough. The meeting minutes from December 12, 2012 was presented for approval. Lindsay Mize made the motion to approve the minutes, seconded Randall Stagner, and the minutes were approved by the Board.

Officer Elections – The Board held its annual officer selection for 2013. Forrest Westall, the Board Secretary, presided over the nominations for Chair. Nominations were opened and Pam Hemminger was nominated for Chair. With no other nominations the nominations were closed. The Board approved Pam as President unanimously. Pam, presiding over the officer selection, opened the floor for Vice Chair with one nomination received, Cora Cole-McFadden. The nominations were closed and the Board approved Cora unanimously. The floor was then opened for Treasurer, with Jimmy Clayton being nominated. With no other nominations the floor was closed and the Board approved Jimmy unanimously.

Legislative Initiatives –

Piedmont Triad/Jordan/TREBIC - Forrest reported there was a recent meeting in Greensboro regarding the Jordan Rules implementation schedule. Several individuals and member representatives of the UNRBA were in attendance along with the Executive Director.

The meeting was organized by a group from the Triad area TREBIC—Triad Real Estate & Building Industry Coalition. The main objective of the organization in relation to the Jordan Rules seems to be directed at extending the implementation schedule. Implementation of other nutrient control programs and initiatives in NC was discussed at the meeting. Falls Lake Rules were specifically mentioned and the group asked if there was any interest from the UNRBA joining with their initiative. The Association’s representatives at the meeting told the organizers that at this time other options were under consideration.

However, as reported and discussed at the Board Meeting, it is possible that the TREBIC initiative could result in legislation that would impact the Falls Rules. Because of this potential development the Board discussed the benefits of a UNRBA initiative that would properly look at the implementation issues of Stage I Existing Development requirements under the Falls Lake Rules. The provisions of a potential initiative discussed were:

- * Developing a reasonable extension of the initiation date of Stage I Existing Development implementation to establish a more comprehensive list of nutrient reduction practices and credits for the Model Program (under development by DWQ) and local programs.
- * Leaving the final Stage I compliance deadline in place.
- * Providing for a more effective process to establish a comprehensive list of options for nutrient reduction and the related N and P credits that would be available for using these approaches.
- * If State funding isn’t available or realistic to accomplish this, provide for the development of a package of practices/credits “outside” of the State, but make it clear that adoption of these by NC is critical and expected.
- * Establishing specific provisions and deadlines for the development of the package and DWQ/EMC approval of these practices/credits.
- * Clarifying and improving the local program review/approval process to allow approval before implementation.

Following discussion on the initiatives above there was a motion by Don O’Toole, seconded by Lindsay Mize directing the Path Forward Committee to:

- * Develop a specific plan of action to accomplish the provisions of the proposal outline above,
- * Include in the plan any regulatory revisions needed to secure a reasonable implementation schedule extension, including legislative action if required,
- * Develop, approve, and carry out, through Cardno-Entrix, a scope of work to establish the necessary work effort, schedule, and cost of project to develop a comprehensive list of practices/credits for submission to the State for approval,
- * Allocate \$8,000 of UNRBA funds to undertake the scope of work identified, and
- * Report to the Board and provide a recommendation on moving forward with a plan of action,
- * Gave authority to the PFC to create sub-groups to complete its work.

The Board approved the motion by roll call vote with all members present voting yes.

Forrest reviewed with the Board the City of Raleigh's request (at the December meeting) to allow Cardno to provide input on the City's plan for accessing the potential impact of using a portion of the Falls Lake Water Quality Pool for future water supply (as part of the City's overall evaluation of future water supply options). It was recommended that this input could be provided through a UNRBA contract amendment with Cardno ENTRIX. Raleigh requested that they be allowed to pay for Cardno's work by way of a special assessment (allowed under the Association's By-Laws). In brief, Cardno would be reviewing under UNRBA management the information and tools Raleigh's consultant is using to assess the impacts that taking water from the Water Quality Pool may have on the Lake and the Falls Lake Rules. Forrest noted the final product will belong to the UNRBA and that the work of Cardno would be under the Association's control. Following discussion, Randall Stagner made a motion to approve a special assessment to the City of Raleigh by the UNRBA to fund this review. The motion was seconded by Jimmy Minor, and approved by the Board.

Task 4 Draft Technical Memo – Forrest discussed the draft Task 4 Technical Memorandum and passed out a summary sheet from that document of the types of monitoring identified and the estimated cost of collecting this data. He stated that the Path Forward Committee (PFC) is still reviewing the draft document and the Committee will make a recommendation to the Board in the near future on what monitoring programs that should be undertaken. It was noted that this list is comprehensive and includes the development of data well beyond what which may be considered as the minimum level of information required for an acceptable relook of the requirements of Stage II. The estimated cost of the full complement of monitoring listed is above \$ 1 Million per year over the minimum three-year monitoring window required by the Rules. The recommendations section of the Technical Memorandum identifies approximately \$ 0.8 Million of annual monitoring effort over the evaluation period as addressing several key issues. Forrest stated that this is a big financial commitment and the PFC would have to review monitoring needs closely to in order to make a recommendation to the Board on what is appropriate to support an effective level of Stage II Reevaluation.

Forrest noted that an evaluation of FY 2014 Membership Dues must take into consideration the discussions on legislative concerns and the monitoring needs. The financial commitment to undertake these activities will exceed the resources of the Association under its current level of funding and reserves.

FY 2013–14 Membership Dues – Forrest present several reports regarding the dues for FY 2014. A template illustrating the effect of a doubling of the dues (using the revenue of FY 2013 as the "base") as well as tripling and what that increase would have on each jurisdiction. The information provided included a projection of the available funds on June 30, 2013. That projected amount is \$239,409.07, including the amount in the savings account. Forrest recommended that the Board retain a "rainy day fund" (the savings account) to maintain the continued activity of the Association in case of unexpected developments. The Board discussed the needs for FY 2014 and the impacts of increased dues. The discussion focused on the following points:

- * Monitoring Program Costs,
- * Schedule Revision Initiative,
- * Maintenance of the "Rainy Day Fund",
- * and the Ongoing Focus on the Revaluation Process for Stage II.

The Chair asked Forrest to e-mail the members copies of the calculation spreadsheets showing dues under the 2013 revenue level, dues to support a doubling of the revenue and a tripling of the revenue level.

Based on the need to incorporate the work being done to complete a review of options for a UNRBA initiative to adjust the Existing Development Stage I Rule implementation and the monitoring needs for the Stage II relook, it was suggested that the Board establish a February meeting to provide updates and to work on the dues for FY 2014. Based on this consideration, the Board voted to meet February 20, 2013 in Butner Town Hall.

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Treasurer's Report - Jimmy Clayton presented the Treasurer's Report and the current balance in the checking account is \$307,547.02 and \$113,054.77 in the savings account as of Dec 27, 2012. Invoices processed since the statement closing totaled \$45,167.59 leaving a checking account balance of \$262,379.43.

Web Site Committee Update - Mike Gering reported the committee has not met since the last meeting.

Executive Director Report – Forrest noted the following activities for January:

- * Annual Assessment, Personnel Committee.
- * Dues for FY 2013-14, Follow-up on today's meeting.
- * NSAB Meeting, January 11, 2013, next meeting February
- * PFC activities on Cardno work products, initiative and future monitoring
- * Nutrient Credit/trading, ongoing discussion, meeting with DWQ, 1/14/13
- * Single Family Residence NPDES Process, meeting scheduled 1/14/13.
- * Watershed Oversight Committee, meeting scheduled 1/30/13.
- * Initiative discussion on Falls Lake Implementation Schedule.

Following this summary, it was noted the next Board meeting will be February 20th in Butner and the meeting was adjourned.