

Onslow Water & Sewer Authority
Board of Directors' Regular Meeting Jacksonville City Hall
Thursday, June 17, 2021
APPROVED MINUTES

CALL TO ORDER: Having a quorum, Chairman Jerry Bittner called the meeting to order at 6:00 pm. Board members present included Chairman Jerry Bittner, Vice Chairman Paul Conner, Secretary/Treasurer Royce Bennett, Directors Timothy Foster, Joann McDermon, Pat Turner, and Robert Warden

INVOCATION: Chairman Jerry Bittner requested that Jeff Hudson, CEO, provide the invocation. Mr. Hudson led the Board and audience in prayer.

PLEDGE OF ALLEGIANCE: Director Joann McDermon led the Board and audience in the Pledge of Allegiance.

CHAIRMAN'S REMARKS – Chairman Bittner provided general guidance to the audience regarding the meeting.

1. APPROVAL OF AGENDA – Secretary/Treasurer Royce Bennett made a motion to approve the agenda as submitted. Vice Chairman Paul Conner seconded the motion. All were in favor. The agenda was approved as presented.

2. APPROVAL OF ITEMS ON CONSENT AGENDA – A motion was made by Vice Chairman Paul Conner to approve the consent agenda. A second was made by Director Timothy Foster. The motion passed unanimously. Therefore, the April & May 2021 Financial Reports, and April 2021 OPS Reports were accepted, the May 20, 2021 Meeting Minutes were approved as presented, the Administrative Service Agreements with the Towns of Holly Ridge, Richlands, and Swansboro were approved and the Chairman of the Board was authorized to execute the agreements and any other documents as may be required, Change Order #1 to amend the construction contract with Primus Structures Incorporated was approved and the Chief Executive Officer was authorized to execute the Change Order and any additional documents as required in connection with the action, Change Order #1 to amend the construction contract with Rescue construction Solutions was approved and the Chief Executive Officer was authorized to execute the Change Order and any additional documents as required in connection with the action, RFP 2021-22C was awarded to the lowest responsible bidders, Amerochem and Univar, for the period of one year beginning July 1, 2021 and the Chief Executive Officer was authorized to execute the purchase contracts along with any other documents as may be required in connection with these purchase contracts, RFP 2021-22C Salt was awarded to Cargill Salt for the period of one year beginning July 1, 2021 and the Chief Executive Officer was authorized to execute the purchase contracts along with any other documents as may be required in connection with these contracts, RFB 2021-22LDV was awarded to Sanders Garage for the period of one year beginning July 1, 2021 and the Chief Executive Officer was authorized to execute the contract and any other documents as may be required by the action, the bid for three 1.5 ton trucks was awarded to the lowest responsible bidder, Sanders Ford of Jacksonville, North Carolina and the Chief Executive Officer was authorized to execute the contracts and any other documents as may be required in connection with these purchase contracts.

3. BUSINESS

A. Declaration of Intent to Amend Utility Ordinance

[A COPY OF THE DECLARATION OF INTENT MAY BE FOUND AT EXHIBIT A AND ARE FULLY INCORPORATED HEREIN BY REFERENCE]

Chairman Jerry Bittner called on Mr. David Mohr to present the item. Mr. Mohr stated the item requests consideration by the Board of Directors for amendments to the current Utility Ordinance that address three areas of concern. He explained the proposed changes add language to further clarify the responsibility between the property owner and ONWASA in regard to sewer service laterals from the

Building Sewer up to the point of connection to the main. He shared that past practice has been for ONWASA to accept responsibility for a portion of all sewer laterals between the sewer main and the first upstream clean out. He went on to say most obstructions in sewer laterals are most often the direct result of property owner actions such as discharge of grease, rags, and other debris into the line and as such the responsibility for recovery from such events should rest with the property owner and not ONWASA. Mr. Mohr said the proposed changes add language to allow the installation of a sewer meter as an option to bill for bulk sewer usage. He went on to say use of a separate sewer meter, which would be done at the discretion of ONWASA, would be appropriate in situations where it is believed water meter readings do not accurately reflect the amount of sewer being discharged from a specific location. He said lastly the proposed changes revise definitions for Water Bulk Fee and Master Meter Fee to better clarify their meaning as well as adding a definition for Sewer Bulk Fee that is already included within the Rate and Fee Schedule. Mr. Mohr stated this was not a change in fees this is just refining the definitions that are in the Utility Ordinance.

Chairman Bittner said that is a significant change in terms of the responsibility for a clean out of the sewer line isn't it? Mr. Mohr replied it is. Chairman Bittner replied so in some cases the first upstream cleanup is going to be in the roadway. Mr. Mohr said generally not in the roadway but usually in the right of way. Chairman Bittner asked Mr. Chuck Kitchen, Authority Attorney if he had anything to add. Mr. Kitchen said one thing he would point out is if the right of way is the homeowner is not responsible for anything beyond the right of way so once it gets into the street that will still be ONWASA's responsibility. He went on to say the issue that has come up a couple of times in the last year is there has been a blockage in the sewer line between the clean out and where we would normally be assuming responsibility in other words between the clean out and the right of way or the clean out. Director McDermon said her one question would be if it is in the right of way the homeowner does not own that either. Mr. Kitchen replied that if ONWASA owns or maintains the line then it is our responsibility.

Action: Director Gregory Hines made a motion to approve the Declaration of Intent to Amend the Utility Ordinance. A second was made by Director Joann McDermon. All were in favor, the motion passed unanimously.

4. **PUBLIC COMMENT** – There were no members of the public who wished to comment.
5. **CHIEF EXECUTIVE OFFICER'S COMMENTS** – Chairman Jerry Bittner called upon Mr. Hudson to provide any comments. Mr. Hudson provided an update on the Southeast Wastewater Service Area. He began by explaining the Southeast Wastewater Service Area consists of two plants one in Holly Ridge and one in Summerhouse and that ONWASA is in the position of trying to secure additional gallonage for that area. He ONWASA has employed Hydrogeologist and engineers that are working on opening up a new infiltration basin in the Summerhouse area to provide additional capacity in terms of disposal. He added at the same time we continue to work with Camp Lejeune for possible wastewater disposal at Camp Lejeune but it will take some additional time for the engineers to receive the necessary data for the evaluation.

6. **BOARD OF DIRECTOR'S COMMENTS**

Director Greg Hines thanked everyone for watching the meeting and expressed his appreciation to staff. Secretary/Treasurer Royce Bennett said in regards to Mr. Hudson's comments he would like to say he would be willing to consider any option that would help Holly Ridge because we don't want to be responsible for holding back their growth so if

something can be done to help them I am certainly on board with that. Director Timothy Foster expressed his appreciation to staff. Director Robert Warden said when we met last we were in a drought and that has since changed. He went on to inquire about the current water situation. Mr. Hudson asked Mr. Seth Brown, Director of Treatment Facilities, to come forward and provide an update. Mr. Brown shared in May the record was ten and a half million gallons a day and currently we are at nine and a half million gallons a day. Director Warden asked if at this point we had been able to satisfy our demands internally and had not needed to purchase water from New River. Mr. Brown replied that is correct. Mr. Warden asked if there was an increase in beach demand. Mr. Brown replied yes, we are seeing an increase. Director Joann McDermon expressed her appreciation for the quick repair of the watermain on 210.

7. ADJOURNMENT: A motion was made by Vice Chairman Paul Conner to adjourn at 6:15PM. Secretary/Treasurer Royce Bennett seconded the motion. All were in favor, the motion passed.

Approved on September 16, 2021.

Onslow Water & Sewer Authority Board of Directors



Jerry Bittner, Chairman



ATTEST:



Heather Norris, Clerk

DECLARATION OF INTENT TO AMEND UTILITY ORDINANCE

WHEREAS, the Onslow Water and Sewer Authority (ONWASA) has previously adopted a Utility Ordinance governing the operation of the water and sewer system; and

WHEREAS, staff has reviewed the current Utility Ordinance and recommends a series of revisions which will create greater efficiencies and better serve our customers.

WHEREAS, N.C. Gen. Stat. § 162A-6(a)(14c) requires that the Board of Directors adopt a Declaration of Intent prior to adopting or amending utility ordinances.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE ONSLOW WATER AND SEWER AUTHORITY HEREBY DOTH DECLARES:

1. It is the intention of the Board of Directors to adopt an ordinance or amendment to its Utility Ordinance which will make certain changes or modifications to the ONWASA Utility Ordinance set forth below.
2. The proposed changes or amendments to the ONWASA Utility Ordinance are as follows:

A. Article 1 – General, Section 1.1 Definitions

Current Language

Authority Utility Facilities - shall mean all parts of the Authority's water and sewer utility system and generally includes water lines, sewer lines, treatment facilities, pump stations, hydrants, water meters, meter boxes, cut-off valves and other facilities related to providing water and wastewater utility service but excluding any Owner Service Facilities as defined below.

Building Sewer - shall mean the private plumbing pipes or any other plumbing facilities of an Owner pursuant to which wastewater is discharged from the Owner's premises to Authority Utility Facilities.

Owner Service Facilities - shall mean (i) the water service facilities owned by an Owner and commencing at the connection on the Owner's side of the Authority's meter and servicing the premises of such Owner, including pipe, private cut-off valves, Backflow Prevention Assembly, pressure reducing valve and other components and (ii) the Building Sewer running from the Owner's premises to the sewer tap provided by the Authority to which an Owner connects private plumbing.

Point of Discharge - shall generally be at the property line of the customer

where the sanitary sewer cleanout or commercial grinder pump station valve box is situated, adjacent to the public street where the Authority's main is located. For single residences served by a grinder pump station that connects to a sewer force main, the Point of Discharge shall be located at the point where the building sewer connects to the wet well. This shall be where the Authority loses jurisdiction and sanitary control over the sewer system infrastructure, and where the customer becomes responsible for all piping, control devices, etc. located on his side of the point of delivery.

Service Connection, Sewer - shall include the tap, service piping, etc. installed from the public sanitary sewer main to the *Point of Discharge*.

Proposed Language

Authority Utility Facilities - shall mean all parts of the Authority's water and sewer utility system and generally includes water lines, sewer lines, treatment facilities, pump stations, hydrants, water meters, meter boxes, cut-off valves and other facilities related to providing water and wastewater utility service, but excluding any *Owner Service Facilities* as defined below.

Building Sewer - shall mean the private plumbing pipes or any other plumbing facilities of an Owner pursuant to which wastewater is discharged from the Owner's premises to *Authority Utility Facilities*.

Owner Service Facilities - shall mean (i) the water service facilities owned by an owner and commencing at the connection on the Owner's side of the Authority's meter and servicing the premises of such Owner, including pipe, private cut-off valves, Backflow Prevention Assembly, pressure reducing valve and other components, and (ii) the *Building Sewer* running from the Owner's premises to the sewer tap provided by the Authority to which an Owner connects private plumbing.

Point of Discharge - shall generally be at the property line of the customer near the sanitary sewer cleanout or commercial grinder pump station valve box is situated, adjacent to the public street where the Authority's main is located. Where the sewer line is not located in a street, or the street right of way cannot be readily determined, the *Point of Discharge* shall be at the adapter coupling immediately adjacent to the sewer line. For single residences served by a grinder pump station that connects to a sewer force main, the *Point of Discharge* shall be located at the point where the building sewer connects to the wet well. This shall be where the Authority loses jurisdiction and sanitary control over the sewer system infrastructure, and where the Owner becomes responsible for all piping, control devices, etc. located on his side of the point of delivery.

Service Connection, Sewer - shall include the tap, service piping, etc. installed from the public sanitary sewer main to the *Point of Discharge*.

B. Article III – Wastewater, Section 3.1 Method of Connection

Current Language

d.) Connections to Authority Utility Facilities will be made at the cleanout provided for the structure to be served.

Proposed Language

d.) Connections to Authority Utility Facilities will be made at the adapter coupling provided for the structure to be served.

C. Article III – Wastewater, Section 3.2 Maintenance of Building Sewer/Damages

Current Language

Whenever a Building Sewer connected to Authority Utility Facilities becomes clogged, broken, out of order or discharging in a manner detrimental to the Authority Utility Facilities, or the public health and welfare. The Owner of any building or premises through which the Building Sewer, defined as running from the point of discharge to the served premises which collects wastewater, shall, upon notification by the Executive Director or his designee, reconstruct, alter, clean or repair the Building Sewer, as the condition of such may require, within thirty (30) days after receiving notification. Noncompliance shall result in disconnection of the sewer lateral at the point of connection to the Authority's public collection system and shall be subject to all applicable fees per the approved Authority Rate and Fee Schedule. The property owner shall be responsible for maintaining sewer service laterals from the served premises to the point of discharge, except that the Authority will maintain sewer service connections extending from the main to the point of discharge if:

- a) A gravity sewer service lateral cleanout is already installed at or near the property line, or
- b) The property owner installs a cleanout at or near the property line.

Residential grinder pump systems that are connected to an Authority sanitary sewer force main are maintained by the Authority from the point of connection at the main up to and including the grinder pump station and associated electrical controls subject to the terms and conditions of the Grinder Pump Sewer Service Agreement signed by the customer.

Proposed Language

Whenever a Building Sewer connected to Authority Utility Facilities becomes clogged, broken, out of order or discharging in a manner detrimental to the Authority Utility Facilities, or the public health and welfare, the Owner of any building or premises through which the Building Sewer, defined as running from the Point of Discharge to the served premises which collects wastewater, shall, upon notification by the Executive Director or his designee, reconstruct, alter, clean or repair the Building Sewer, as the condition of such may require, within thirty (30) days after receiving notification. Noncompliance shall result in disconnection of the sewer lateral at the point of connection to the Authority's public collection system and shall be subject to all applicable fees per the approved Authority Rate and Fee Schedule.

The property owner shall be responsible for maintaining sewer service laterals from the served premises to the Point of Discharge.

Residential grinder pump systems that are connected to an Authority sanitary sewer force main are maintained by the Authority from the point of connection at the main up to and including the grinder pump station and associated electrical controls, subject to the terms and conditions of the Grinder Pump Sewer Service Agreement signed by the customer.

D. Article III – Wastewater, Section 3.4 – Basis for Billing Sewer Use**Current Language**

Sewer usage will be billed based on the minimum charge plus flow determined by the flow of the Authority's water meter at the premises being billed. If sewer is provided to the premises to which the Authority does not provide water, or the sewer usage is unrelated to the usage of water, billing will be based at the option of the Authority on one of the following:

- (a) Water meter readings at the premises for water supplied by another water provider or meter readings from a meter attached to any private well supplying the premises, which meter shall be provided and installed at the Owner's expense.
- (b) Flat Rate.

Proposed Language

Sewer usage will be billed based on the minimum charge plus flow determined by the flow of the Authority's water meter at the premises being billed. If sewer is provided to the premises to which the Authority does not provide water, or

the sewer usage is unrelated to the usage of water, billing will be based at the option of the Authority on one of the following:

- (c) Water meter readings at the premises for water supplied by another water provider or meter readings from a meter attached to any private well supplying the premises, which meter shall be provided and installed at the Owner's expense.
- (d) Flat Rate.

Bulk sewer usage fee will be billed based on the Base Charge plus the flow determined by the Authority's water meter(s) or sewer meter(s) at the premises being billed. Billing method will be determined by the Authority.

E. Article IV – Rates, Fees and Charges, Section 4.1 – General

Current Language

- (b) Bulk Rate – a fee for water sold to others for re-sale or for service through a Bulk Meter.
- (d) User Fee – a charge based on volumetric utility usage determined from meter readings or other method acceptable to the Authority, the amount of which increases as volumetric usage increases.
- (e) Volunteer Fire and Rescue Rate – a combination of flat and volumetric rate to be charged to volunteer rescue squads and fire departments.

Proposed Language

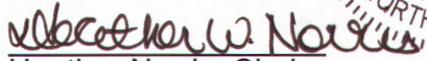
- (b) Water Bulk Fee – a fee for water sold to others for re-sale or for other services.
- (d) Master Meter Fee – a fee for water and/or sewer services per meter that applies to all residential meters and Multi Users.
- (e) Sewer Bulk Fee – a fee for sewer use from a collection system that ties into a single point of discharge.
- (f) User Fee – a charge based on volumetric utility usage determined from meter readings or other method acceptable to the Authority, the amount of which increases as volumetric usage increases.
- (g) Volunteer Fire and Rescue Rate – a combination of flat and volumetric rate to be charged to volunteer rescue squads and fire departments.

The Clerk to the Board shall submit this Declaration of Intent, along with the proposed changes to the Utility Ordinance, to each of the member governing bodies of ONWASA for review and comment.

This the 17th day of June 2021.



Attest:


Heather Norris, Clerk



Jerry Bittner, Chairman