

Lower Neuse Basin Association®/Neuse River Compliance Association®
November 6, 2025 Meeting Minutes
Town of Cary, N. C.

Attending:

Chuck Smithwick (Chair)	Contentnea MSD	Jonathan Bulla (Treas)	Town of Cary
Bert Sherman (Web)	City of Goldsboro	Dan Wall	Johnston County
Corrie Bondor	Town of Cary	Lori Avent (Sec)	Town of Apex
Dan McLawhorn	McLawhorn Legal	Jimmy Pridgen (V-Chair)	City of Wilson
Reggie Hicks	City of Durham	Scott Smart	City of Raleigh (virtual)
David White	Town of Clayton	Travis Warters	Town of Snowhill
Anthony Futrell	CWS of N.C.	Jim Bridges	Town of Cary
William Beattie	Town of Apex	James Blalock	Town of Clayton
Andrew Harris	Waypoint Anal.	Kathy Cooper	City of Raleigh
Salvidor Valdiviezo	Town of Benson	Jay Sauber	Sauber Water Quality Consultant
Barrett Jenkins	Davey Mitigation	Jeff Mahagan	Town of Hillsborough
Steven Jensen	Town of Benson	Philip Smith (Web)	Town of Kenly
John Huisman	DWR – Planning	David Hill	DWR
Brian Pridgen	Contentnea MSD	Ben Overton (Web)	City of Kinston
Ray Burgos	CovationBio	Adam Stephenson	Town of Fuquay-Varina
Ruan Stewart	MCAS-CH	Haywood Phthisic	LNBA/NRCA

The Chair, Chuck Smithwick, called the meeting to order and welcomed everyone. The roll was called and there were 14 of 19 members present representing the LNBA and 17 of 24 members present representing the NRCA. The Chair welcomed the Board members and guests.

Board Minutes – The Board Minutes for the September 4, 2025 meeting were presented. Being no revisions, Dan Wall made the motion to approve, seconded by James Blalock and approved by the Boards.

LNBA/NRCA Financials – Treasurer's Reports – Jonathan presented the Treasurer's Report for the period of September and October, 2025 to the Boards. As of October 31st, the LNBA account balance is \$354,200.69 and NRCA account balance is \$418,787.93. Following discussion, Jimmy Pridgen made the motion to approve as presented, seconded by Dan Wall, and approved, respectively, by the Boards.

2025 990 Tax Return – Haywood reported the 2025 990 tax return has been prepared and distributed to the Boards for review. If anyone has any questions or concerns, please let me know as the returns are due by November 15th and are submitted electronically.

Legal Counsel Recommendation to the Boards – The Chair reported the Executive Committee of both Boards have interviewed three firms for legal counsel of the LNBA and NRCA. The three firms were highly qualified and all have qualifications for serving as general counsel as related to municipal government functions, non-profit corporations, and environmental law. The Executive Committee recommends the Boards engage the firm of Smith Anderson to serve as legal counsel and made the motion to approve this firm as General Counsel and authorize the Chair to execute the agreement, Dan Wall seconded the motion, and the Boards approved. The agreement will begin January 1, 2026.

LNBA & NRCA Meeting Dates for 2026 – The meeting dates for the Boards' consideration for 2026 are:

February 5th; May 7th; September 3rd, and November 5th.

These dates follow the protocol used in the pasted and Haywood noted the Boards could revise if they so desire. Following discussion, Dan Wall made the motion to approve the dates as presented; seconded by David White, and approved by the Boards.

LNBA Updates –

Work continues on the Lower Neuse River Monitoring Service Contract No. 6 with Waypoint Analytical. All sampling was completed by Waypoint in August, September, and October, 2025 with the following exceptions:

September 2025 - 9/16/2025 – J2230000 (Smith Creek at SR-2045 near Wake Forest) – Stream too low to sample; parameters collected.

October 2025 - 10/15/2025 – J2230000 (Smith Creek at SR-2045 near Wake Forest) – Stream too low to sample; parameters collected.

All invoices have been processed and paid through September, 2025.

Special Award/Recognition – The Chair made recognition to Dan McLawhorn, general counsel for the Associations, for being honored by induction into the 2025 Legal Practice Hall of Fame. Dan, as of late, was an associate attorney in the City of Raleigh's City Attorney's Office, served as Chair of the LNBA and NRCA from 2009 to 2021 (Dan's retirement from the City). Dan has served as general legal counsel for the Associations from 2022 until the present.

Neuse River Basin Modeling Update – The Chair, as follow up to the discussions on the Neuse Watershed Modeling at the September Board meeting, reported to the Board members that the Executive Committee met with DWR Director Richard Rogers and expressed the concerns with the draft model. The Director followed up with a letter to the Association stating the comments received by DWR on the model were being addressed by the contractor, RESPEC. DWR expected the final report in late 2025 or early 2026 at which time the revised model will be shared with the stakeholders. Any readoption of the Neuse Rules will occur in 2027. Additional spreadsheets with end of pipe nitrogen were provided and discussed.

Town of Fuquay-Varina Interbasin Transfer Certificate Public Hearing – The Chair reported that notice was received on November 3th for comments on the proposed interbasin transfer from the Cape Fear River Basin to the Neuse River Basin. The Town currently purchases potable water from several provides including Harnett County, Johnston County, and other providers. The Town is seeking approval to transfer 6.17 mgd of water. Following discussion Haywood indicated he would contact the Town for additional information.

The next meeting is scheduled for February 5, 2026 at 10:00 a.m. and the host will be determined. With no further business, the meeting was adjourned.