

**Lower Neuse Basin Association®/Neuse River Compliance Association®**  
**February 1, 2024 Meeting Minutes**  
**City of Wilson, Wilson, N. C.**

**Attending:**

Chuck Smithwick	Contentnea MSD	Jonathan Bulla	Town of Cary
Mike Graham	Duke Energy	Josh Cummings	Town of Cary
Dan McLawhorn	McLawhorn Legal	Ed Buchan	City of Raleigh
Lorrie Stagner	Aqua, N. C.	Brian Leavitt	Town of Benson
Reggie Hicks	City of Durham	Joshua Baird	Town of Clayton
David White	Town of Clayton	Adam Stephenson	Town of Fuquay-Varina
Heather Adams	Town of Fuquay-Varina	Anthony Futrell	Carolina Water Service
Tony Konsul	Carolina Water Service	Jeff Mahagan	Town of Hillsborough
Jimmy Pridgen	City of Wilson	Jay Murray	Town of Benson
Glenn Dunn	Poyner & Spruill	Jason Parker	Town of Cary
Arthur Hough	City of New Bern	Raj Laddha	CMSMinds
Shelby Arellano	CovationBio	Carol Davis	CovationBio
Dan Wall	Johnston County	Marty Lebo	WSP, Inc.
Jay Sauber	Sauber WQC	Mark Vander Borgh	NC DWR
Ron Boquist	Waypoint Anal.	Andrew Mlot	City of Wilson
Barrett Jenkins	Restoration Systems	Kenny Stevens	City of Kinston (virtual)
Haywood Phthisic	LNBA/NRCA		

The Vice Chair, Chuck Smithwick, called the meeting to order and welcomed everyone. The roll was called and there were 13 of 19 members present representing the LNBA and 16 of 24 members present representing the NRCA. There was a quorum present for both associations and guests were introduced and recognized.

**Board Minutes** – The Board Minutes for the November 2, 2023 meeting were presented. Being no revisions, Dan Wall made the motion to approve, seconded by Ed Buchan, and approved by the Boards.

**Officer Elections for the Remaining Term (May, 2025)** – The Vice Chair reported that our Chair and Treasurer retired in December thus the need to fill the officer positions for the remainder of their terms, May 2025. Haywood reported an email was sent to announcing this meeting was the annual meeting for 2024 and officer elections would occur. An email was sent to the membership asking if anyone would serve or like to serve as an officer. The following members have agreed to serve: Chuck Smithwick, Chair; Ed Buchan, Vice Chair; and Jimmy Pridgen, Treasurer. The Vice Chair asked if there were any nominations from the floor and, being none, asked if there was a motion to approve the three nominees as presented. Jonathan Bulla with the motion to approve, seconded by Kenny Stevens, and approved by the Boards.

**LNBA/NRCA Financials – Treasurer's Report** – Haywood presented the Treasurer's Report for the period of November, December, 2023, and January, 2024 to the Board. As of January 31<sup>st</sup>, the LNBA account balance is \$294,910.44 and NRCA account balance is \$386,963.36. Haywood noted that the report was prepared prior to the bank statement close so the report did not include savings account interest for January. Ed Buchan made the motion to approve the reports as presented, seconded by Bert Sherman, and approved by the Boards, respectively.

*Website Update and Maintenance Agreement* – Haywood reported the updated website is online and functioning. With that, a new maintenance agreement is needed to support the website and an agreement with River Delta Consulting, Inc. (RDC) is presented for the Boards' consideration. Raj Ladda, with RDC, was introduced to the membership. Raj led the update of the website and will provide ongoing support. There will be an agreement with the LNBA and the NRCA for the site maintenance with each agreement having a \$2,000 annual limit. The hourly rate for the maintenance service will be \$150.00 with the maintenance billed quarterly. Following discussion, Jimmy Pridgen made the motion to approve the agreements and authorized the Chair to execute it, seconded by Ed Buchan, and approved by the Boards.

*FY 2024-25 Recommended Budget and Membership Dues* – Haywood presented the FY 2024-25 LNBA and NRCA budgets and membership fees for the Boards' consideration. The budgets for both associations are presented with little increase. For the LNBA, Duke Energy had an increase in permitted flow in their recent renewal for account for the amount of water being removed in the coal ash excavations and removal from the site. The permitted flow increased from 2.16 mgd to 10.16 mgd which will shift member dues until this coal ash removal is completed. The NRCA had normal shifts in discharged total nitrogen discharges so small variations in dues are normal. Following discussion, Dan Wall made the motion to approve the budgets and membership dues as presented, seconded by Jimmy Pridgen, and approved by the Boards.

**Neuse Watershed Modeling Update** – Dr. Marty Lebo with WSP, Inc. updated the Board on the Neuse Watershed modeling. Marty anticipates delivery of the model to DWR will be in early spring and his team would begin review of the model work.

**Low Dissolved Oxygen Legislation Update** – Jay Sauber gave the Board an update on changes that were made in the last legislative session. Jay noted that this will be of particular interest to members who discharge to waters classified as swamp waters. The amendment states *“for surface water of the State that have naturally occurring low dissolved oxygen levels permitted discharges shall not cause a reduction in dissolved oxygen levels of such surface waters of more than 0.10 mg/L below the approved modeled in-stream dissolved oxygen level at total permitted capacity”*.

#### **LNBA Updates –**

Work continues on the Lower Neuse River Monitoring Service Contract No. 6 with Waypoint Analytical. All sampling was completed in November and December with the exceptions listed below:

#### **November 2023**

11/06/23 - J4690000 (Middle Creek, Sunset Lake near Holly Springs (SR-1152) - Unable to collect due to bridge construction.

11/27/23 – J5630000 (Little River at Riley Hill Road near Zebulon) - Unable to collect due to bridge construction.

#### **December 2023**

12/04/23 - J4690000 (Middle Creek, Sunset Lake near Holly Springs (SR-1152) - Unable to collect due to bridge construction.

12/20/23 – J5630000 (Little River at Riley Hill Road near Zebulon) - Unable to collect due to bridge construction.

All invoices have been processed and paid through December, 2023.

*Renewal of the Memorandum of Agreement with DWR – (July 31, 2024)* – I have received the draft agreement from DWR. The time frame for renewing the agreement will be the final agreement will be presented to the LNBA Board at the May 2, 2024 meeting for approval and proceed to have all members sign the document.

#### **NRCA Updates –**

*Operator Certification Renewal Fees* – Haywood noted that with the increase in the operator certification renewals (increasing from \$50 to \$50 per certification) may cause issues with operators not renewing their certifications upon retirement thus the statewide pool of certified operators may diminish in time. There is discussion of seeking an amendment to this legislation.

*LNBA and NRCA Delegates* – Haywood provided the Board with a list of delegates and asked for all members to review and update their delegates. Haywood noted he would send an email to confirm the member delegates in the near future.

*NRCA Annual Report for 2023* – Haywood reported the draft NRCA annual report for 2023 will be sent to the membership in the next week or so and asked that everyone review their data for accuracy.

**Annual Training Workshop Committee** – Haywood reported the committee will be beginning work on the 2024 workshop and if any members would like to participate on the committee to please contact Haywood.

**LNBA/NRCA Delegates** – Haywood reminded the membership to please keep the membership delegates updated by notifying him.

The next meeting is scheduled for May 2, 2024 at 10:00 hosted by Johnston County Utility Dept., Smithfield, N. C. With no further business, the meeting was adjourned.