

**? Lower Neuse Basin Association®/Neuse River Compliance Association®
May 4, 2023 Meeting Minutes
Contentnea MSD, Grifton, N. C.**

Attending:

John Kiviniemi (Chair)	Raleigh Water	Donald Smith (Treas)	Town of Cary
Kenny Stevens (Sec)	City of Kinston	Chuck Smithwick (V-Chair)	Contentnea MSD
Brian Leavitt	Town of Benson	Lori Avent	Town of Apex
Tony Hawkins	City of New Bern	Anthony Futrell	Carolina Water Service
Jimmy Pridgen	City of Wilson	Richard Hamilton	City of Goldsboro
David Suggs	CovationBio	Dan Wall	Johnston County
Travis Cooke	RES	Mark Vander Borgh	NC DWR
Steve Tedder	Black & Vetch	Andrew Stevenson	Aqua, N.C.
Mark Oliveira	Waypoint Anal.	Haywood Phthisic	LNBA/NRCA

The Chair, John Kiviniemi, called the meeting to order and welcomed everyone. The roll was called and there were 11 of 19 members present representing the LNBA and 13 of 24 members present representing the NRCA. There was a quorum present for both associations. Guests were introduced and recognized.

Board Minutes – The Board Minutes for the February 2, 2023 meeting were presented. Being no revisions, Chuck Smithwick made the motion to approve, seconded by Jimmy Pridgen, and approved by the Board.

Officer Elections - The Officer Nomination Committee (Bert Sherman, Dan Wall, and Tony Hawkins) met in March and discussed possible nominations. The term will be 2 years beginning in May, 2023. Following discussion, the Committee made the following recommendations and motion for the 2023 officers:

Chair – John Kiviniemi, City of Raleigh
Vice-Chair – Chuck Smithwick, Contentnea MSD
Treasurer – Donald Smith, Town of Cary
Secretary - Kenny Stevens, City of Kinston

The floors was opened for nominations by the Board members. Being none, Jimmy Pridgen seconded the motion by the Committee and the officers were approved unanimously by the Board.

Financials – *Treasurer's Report* – Donald Smith presented the Treasurer's Report for the period of February, March and April, 2023 to the Board. As of April 30th, the LNBA account balance is \$239,407.01 and NRCA account balance is \$333,508.62. Jimmy Pridgen made the motion to approve the report as presented, seconded by Tony Hawkins, and approved by the Boards, respectively.

Consideration of Proposal for the Neuse Watershed Modeling – Haywood presented the Board with a proposal to oversee the Neuse Watershed Modeling by DWR's contractor, RESPEC. The modeling is to develop transport factors for the Neuse River as related to end of point discharges by wastewater facilities on the Neuse River and for use in nonpoint source credit transactions. Haywood noted we are negotiating with Marty on the amount of the contract as we define the scope of work for the modeling oversight. Following discussion by the Board, Jimmy Pridgen made the motion to authorize the Chair to execute the agreement the agreement for the NRCA not to exceed \$30,000, seconded by Dan Wall, and approved by the Board.

Consideration of Proposal to Rebuild the LNBA/NRCA Website – Haywood presented a proposal from River Delta Consulting to rebuild the program of the website. The website was built on Drupal version 7 and will not support the software in the fall of 2023. The updated website will be programmed on the latest version on that Drupal has (10 or 11). The proposed cost to program the website is \$30,000. Haywood noted this is budgeted in the FY 2023-24 budget. Following discussion by the Board, Jimmy Pridgen made the motion to authorize the Chair to execute the agreement (cost shared, half LNBA, half NRCA) with River Delta Consulting, seconded by Richard Hamilton, and approved by the Board.

Quickbooks Software – Haywood reported to the Board that the accounting software used to maintain the associations' financial has revised its way on doing business. The software that has been available for purchase up until 2021. The software is now available for online application so more information will follow in updates.

Contract Updates – Haywood noted that several agreements with Subject Matter Experts are up for renewal. Those are: McLawhorn Law, MFG Consulting (website), and Sauber WQC. Following discussion, Dan Wall made the motion to authorize the Chair to execute the McLawhorn Law agreement, seconded by Kenny Stevens and approved by the NRCA Board members. Jimmy Pridgen made the motion to authorize the Chair to execute the agreement with MFG Consulting, seconded by Kenny Stevens, and approved by both Boards. Jimmy Pridgen made the motion to authorize the Chair to execute the agreement with Sauber Water Quality Consulting, seconded by Kenny Stevens, and approved by both Boards.

NRCA Updates –

NRCA Annual Nutrient Report – Haywood reported the 2022 annual report has been submitted to DWR. For 2022 the end of pipe total nitrogen average was 2.44 mg/L. Haywood reviewed several reports that reflect the members performance for 2022.

NRCA 2022 Violations/Assessments – Haywood reported that the Town of Clayton exceeded their nitrogen allocation for the year by 1,632 lbs. This is the first violation for Clayton and based on the bylaws, the assessment for this violation is \$10,608.00. Following discussion, Tony Hawkins made the motion to approve the assessment, seconded by Dan Wall, and approved by the NRCA Board.

Haywood noted Craven County leased because they do not own nitrogen allocation. CWS, Inc. leased to be compliant as did Aqua, N.C. This does violate the bylaws leasing to be compliant.

LNBA Updates –

Work continues on the Lower Neuse River Monitoring Service Contract No. 6 with Waypoint Analytical. All sampling was completed by in February, March and April with the exceptions listed below:

February:

All samples collected per MOA requirements with the following exception:

02/13/23 (J4690000-Middle Creek at Holly Springs Rd. nr Holly Springs): unable to collect due to bridge construction. Final results have been submitted for samples collected in February.

March:

All samples collected per MOA requirements with the following exception:

03/06/23 (J4690000-Middle Creek at Holly Springs Rd. nr Holly Springs): unable to collect due to bridge construction.

Many of the Conductivity, pH and Dissolved Oxygen data points will be qualified due to some missing documentation from a former employee. Results for samples collected in March are in final data review

April:

All samples collected per MOA requirements with the following exception:

04/12/23 (J4690000-Middle Creek at Holly Springs Rd. nr Holly Springs): unable to collect due to bridge construction.

Analysis of these samples is ongoing. All invoices have been processed and paid through March, 2023.

LNBA Annual Report – Haywood noted the annual report has been submitted to DWR as required by the MOA. Total nitrogen graphs for 2022 were included (for 2022 by station and a graph summing the average total nitrogen concentration from 2003 to 2022).

The next meeting is scheduled for September 7, 2023 at 10:00 host will be determined. With no further business, the meeting was adjourned.