

**Lower Neuse Basin Association®/Neuse River Compliance Association®
September 7, 2023 Meeting Minutes
North Cary WWTF, Cary, N. C.**

Attending:

John Kiviniemi (Chair)	Raleigh Water	Donald Smith (Treas)	Town of Cary
Kenny Stevens (Sec)	City of Kinston (virtual)	Chuck Smithwick (V-Chair)	Contentnea MSD
Dan McLawhorn (virtual)	McLawhorn Legal	Kathy Cooper	City of Raleigh
Brian Leavitt	Town of Benson (virtual)	Lori Avent	Town of Apex
Reggie Hicks	City of Durham	Jonathon Bulla	Town of Cary
William Beattie	Town of Apex	Adam Stephenson	Town of Fuquay-Varina
Lisa Joseph	Raleigh Water	Heather Adams	Town of Fuquay-Varina
Rick Day	City of Havelock (virtual)	Anthony Futrell	Carolina Water Service
Tony Konsul	Carolina Water Service	Jeff Mahagan	Town of Hillsborough
Jimmy Pridgen	City of Wilson	Robert Sherman	City of Goldsboro
Jim Bridges	City of Wilson	T. J. Lynch	Hazen & Sawyer
Jay Sauber	Sauber Water Quality	Andrew Mlot	City of Wilson
David Suggs	CovationBio	Dan Wall	Johnston County
Joe Pearce	Aqua, N.C.	John Huisman	NC DWR
Steve Tedder	Black & Vetch	Andrew Stevenson	Aqua, N.C.
Joesph Cummings	Town of Cary	Ron Boquist	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 12 of 19 members present representing the LNBA and 15 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 May 4, 2023 meeting were presented. Being no revisions, Chuck Smithwick made the motion to approve, seconded by Dan Wall, and approved by the Boards.

Financials – *Treasurer's Report* – Donald Smith presented the Treasurer's Report for the period of May, June, July, and August, 2023 to the Board. As of August 31st, the LNBA account balance is \$353,743.82 and NRCA account balance is \$393,836.77. Chuck Smithwick made the motion to approve the report as presented, seconded by Jimmy Pridgen, and approved by the Boards, respectively.

2022 990 Tax Returns – Haywood reported the LNBA and NRCA 990 Tax Returns have been prepared and emailed to the Boards for review. If there are any questions regarding the returns please let Haywood know by September 30th. The returns will be finalized and submitted to the IRS after that date.

2022 Nitrogen Assessment – Haywood reported the 2022 assessment for nitrogen allocation exceedance has been paid.

Watershed Modeling Update – John reported the agreement with WSP, Inc. has been executed and Dr. Marty Lebo and his team will be working on the Neuse Watershed model work. John reviewed the initial items that will be requested from DWR to start his work. There is a meeting on September 25th from 3:00 to 4:00 with RESPEC and DWR.

Website Rebuild Update – Haywood noted the beta website is operational and available for viewing. Please take a few moments to review the beta website and provide comments.

Quickbooks Software – Haywood reported (as follow up to the discussion in May) to the Board that the accounting software used to maintain the associations' financial is fully functional. The business model that Intuit has been using changed so an annual subscription will be required for both associations in the future.

20 Year Retrospective Review of the Neuse Estuary – John Huisman, with DWR, made a presentation to the Board regarding the 20 Year Respective of the Neuse Nutrient Management Strategy that has been in place for 20years. The report was initially presented in May with comments welcomed. To review the report please click on this link: [20 Year Retrospective Review of the Neuse Estuary](#) .

NRCA Updates –

NRCA Midyear Report – Haywood presented the 2023 midyear draft report summary. For this draft report the end of pipe total nitrogen average was 2.52 mg/L.

Discussion on Nitrogen Allocation Compliance Bylaw – The Executive Committee lead the discussion on the NRCA bylaws as related to compliance with the individual nitrogen allocations and leasing of nitrogen. A history of the bylaw development was given to the Board. Projections have been made when the Association will reach its permit cap (sum of all individual permit allocations) which appears to be in 2038 to 2043 time frame. For the information discussed please see page 8 in the agenda package: [September 7 2023 Agenda Package](#) . This topic was for discussion and will continue over the next several Board meetings.

LNBA Updates –

Work continues on the Lower Neuse River Monitoring Service Contract No. 6 with Waypoint Analytical. All sampling was completed by Environment 1 in May, June, July, and August with the exceptions listed below:

May - All samples have been collected and analyzed as per MOA requirements with the following exceptions:

5/15/23 - J4580000 (Swift Creek at SR1501 (Swift Creek Road) near Smithfield) - Low flow, upstream dammed.
5/15/23 - J4690000 (Middle Creek, Sunset Lake near Holly Springs (SR-1152) - Unable to collect due to bridge construction.
Analytical results have been submitted.

June - All samples have been collected and analyzed as per MOA requirements with the following exceptions:

6/06/23 - J4690000 (Middle Creek, Sunset Lake near Holly Springs (SR-1152) - Unable to collect due to bridge construction.
6/20/23 - J4690000 (Middle Creek, Sunset Lake near Holly Springs (SR-1152) - Unable to collect due to bridge construction.
Analytical results have been submitted.

July - All samples have been collected and analyzed as per MOA requirements with the following exceptions:

7/07/23 - J4690000 (Middle Creek, Sunset Lake near Holly Springs (SR-1152) - Unable to collect due to bridge construction.
7/19/23 - J4690000 (Middle Creek, Sunset Lake near Holly Springs (SR-1152) - Unable to collect due to bridge construction.
7/27/23 - J4080000 (Poplar Creek at SR-2049 near Knightdale) - Flow too low to collect sample. Field parameters only.
7/27/23 - J4115000 (Marks Creek at Neuse River Trail near Archer Lodge) - Flow too low to collect sample. Field parameters only.
Analytical results are in final data review.

August - All samples have been collected and analyzed as per MOA requirements with the following exceptions:

8/09/23 - J4080000 (Poplar Creek at SR-2049 near Knightdale) - Flow too low to collect sample. Field parameters only.
8/18/23 - J4690000 (Middle Creek, Sunset Lake near Holly Springs (SR-1152) - Unable to collect due to bridge construction.
8/18/23 - J4500000 (Swift Creek at Indian Creek Discharge near Garner (Onondaga Drive)) - No site access due to locked gate.

Analytical results are still be generated and finalized. All invoices have been processed and paid through July, 2023.

The next meeting is scheduled for November 2, 2023 at 10:00 host will be determined. With no further business, the meeting was adjourned.

DRAFT