

WATER AND SEWER AUTHORITY OF CABARRUS COUNTY
MARCH 17, 2022
5:00 P.M.

The Board of Directors (the “Board”) of the Water and Sewer Authority of Cabarrus County (“WSACC”) met in regular session on Thursday, March 17, 2022 at the Administrative Offices. The meeting was also set up for virtual attendance administered by Zoom and streamed on YouTube.

Public access to the meeting could be obtained by calling into the conference bridge at 1-(267) 930-4000 and using the participant access code.

The following Board Members were present:

Mr. Darrell Hinnant	Mr. Robert Ritchie
Ms. Jennifer Parsley-Hubbard	Mr. Jim Sells (virtual attendance)
Mr. Mike Legg	Mr. Lynn Shue
Mr. Jonathan Marshall	

Mr. Corley and Mr. Donham were unable to attend due to a prior commitment.

Also present were Mr. Michael Wilson, Executive Director; Ms. Tammy Garifo, Executive Secretary/Secretary to the Board; Mr. Chad VonCannon, Engineering Director; Ms. Robin Moore, Deputy Executive Director/Administration; Mr. Thomas Jakubisin, Network Administrator; Mr. Mark Fowler, Facilities Director; Mr. Thomas Hahn, Assistant Engineer Director; Mr. Christopher Tucker, Finance Director; Mr. William Isenhour and Ms. Amy Vickers, Johnston, Allison & Hord, P.A. (“JAH”); and Ms. Kassie Watts, Town of Midland.

At 5:00 P.M., Chairman Legg called the meeting to order.

UNFINISHED BUSINESS

Request for Approval of the Minutes of February 17, 2022

Mr. Marshall made a motion to approve the February 17, 2022 minutes. Mr. Shue seconded the motion and the Board approved by unanimous vote.

CONSENT AGENDA

Request for Approval of the Acceptance of Substation Easement A-1

Mr. Fowler’s memo informed the Board that due to the recent improvements that the City of Concord Electric Department made to the electrical delivery for the Rocky River Regional Wastewater Treatment Plant, the original Substation Easement A-1 was no longer being used and was being offered back to WSACC. Acceptance of this easement by the WSACC Board and with the recording of the Non-Warranty Deed would return the use of this property back to WSACC. This transfer was important due to the location for the new standby generators in the Medium Voltage Upgrade project currently underway.

Mr. Hinnant made a motion to approve the Acceptance of Substation Easement A-1. Mr. Sells seconded the motion and the Board approved by unanimous vote.

NEW BUSINESS

Request for Approval of a Resolution Directing Executive Director and/or Finance Director to submit a Local Government Commission Application for Approval of Debt

WSACC was awarded \$35 million of 2021 American Rescue Plan (ARP) funds through the State Fiscal Recovery Fund in the North Carolina adopted budget. As part of the application process, WSACC's Board of Directors, at their December 16, 2021 Board meeting, designated Michael Wilson as the authorized representative for administering the ARP funds.

Mr. Tucker said part of the approval of debt process was for WSACC's Board to adopt a resolution that directs WSACC's Executive Director or Finance Director to submit an application to the Local Government Commission, accepting the offer while also establishing several findings of fact which are established in the resolution.

Mr. Shue made a motion to approve the Resolution Directing the Executive Director and/or Finance Director to Submit an Application to the Local Government Commission for Approval of Debt. Mr. Marshall seconded the motion and the Board approved by unanimous vote.

The Resolution was approved as follows:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER AND SEWER AUTHORITY OF CABARRUS COUNTY, DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF ENTERPRISE SYSTEMS REVENUE BONDS AND CERTAIN RELATED MATTERS.

WHEREAS, the Board of Directors (the "*Board of Directors*") of the Water and Sewer Authority of Cabarrus County (the "*Authority*") hereby determines that it is desirable to finance certain improvements to its water and sewer systems (the "*Enterprise Systems*");

WHEREAS, the existing Enterprise Systems currently provide water and sewer system services to the constituent members of the Authority, which includes: the City of Concord, North Carolina, the City of Kannapolis, North Carolina, the Town of Harrisburg, North Carolina, the Town of Mt. Pleasant, North Carolina, and the County of Cabarrus, North Carolina (the "*Member Jurisdictions*") and certain residents, and businesses located within the Member Jurisdictions and surrounding areas

WHEREAS, the Board of Directors is considering the issuance of not to exceed \$100,000,000 Enterprise Systems Revenue Bonds, Series 2022A (the "*2022 Bonds*") to (1) finance the costs of extensions, additions and capital improvements to, or the acquisition, renewal and replacement of capital assets of, or purchasing and installing new equipment for the Enterprise Systems, including the need to expand and improve its facilities to provide additional capacity to the Member Jurisdictions and to certain residents, and businesses located within the Member Jurisdictions and surrounding areas (the "*Projects*") and (b) pay the costs of issuing the 2022 Bonds;

WHEREAS, the Board of Directors wants to retain (A) Parker Poe Adams & Bernstein LLP, as bond counsel for the 2022 Bonds; (B) Johnston, Allison & Hord, P.A. as counsel for the Authority (C) Davenport & Company LLC, as financial advisor for the 2022 Bonds, (D) Robert W. Baird & Co. Incorporated and PNC Capital Markets, as underwriters of the 2022 Bonds (the "*Underwriters*"), (E) U.S. Bank Trust Company, National Association, as trustee for the 2022 Bonds, and (F) Stantec Inc., as feasibility consultant (collectively, the "*Financing Team*"); and

WHEREAS, the Board of Directors wants the Authority's Executive Director or Finance Director to file with the Local Government Commission of North Carolina (the "*Commission*") an application for its approval of the 2022 Bonds, on a form prescribed by the Commission, and (1) request in such application that the Commission approve (A) the negotiation of the sale of the 2022 Bonds to the

Underwriters, (B) the Authority's use of the Financing Team in connection with the issuance of the 2022 Bonds; and (2) state in such application such facts and to attach thereto such exhibits in regard to the 2022 Bonds and to the Authority and its financial condition, as may be required by the Commission, and to take all other action necessary to the issuance of the 2022 Bonds.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE WATER AND SEWER AUTHORITY OF CABARRUS COUNTY DOES RESOLVE AS FOLLOWS:

Section 1. That the 2022 Bonds are to be issued by the Authority for the purpose of providing funds (1) to finance the Projects and (2) to pay the costs of issuing the 2022 Bonds, all as shall be set out fully in the documents attached to the Authority's application to the Commission. The use of the proceeds of the 2022 Bonds, as described, is necessary to meet the needs of the users of the Enterprise Systems and to assure that the Enterprise Systems remain in full compliance with all state and federal requirements for the provision of water and sewer services.

Section 2. That the Financing Team is hereby approved and confirmed in connection with the issuance by the Authority of the 2022 Bonds, and the Executive Director and the Finance Director, in consultation with the Commission, are each hereby authorized to retain other co-managing underwriters for the 2022 Bonds and other persons or organizations as may be necessary and appropriate to carry out the intention of this Resolution.

Section 3. That the Executive Director or the Finance Director, or their respective designees, with advice from the Authority's counsel, financial advisor and bond counsel, are each hereby authorized, directed and designated to file an application with the North Carolina Local Government Commission for its approval of the issuance of the 2022 Bonds.

Section 4. That the Board of Directors finds and determines and asks the Commission to find and determine from the Authority's application and supporting documentation:

- (a) that the issuance of the 2022 Bonds is necessary or expedient;
- (b) that the not to exceed stated principal amount of the 2022 Bonds will be sufficient but is not excessive, when added to other moneys available to the Enterprise Systems, to finance the Projects;
- (c) that the Enterprise Systems as now constituted, and as it will be constituted after the completion of the Projects, is feasible;
- (d) that the Authority's debt management procedure and policies are good; and
- (e) that the 2022 Bonds can be marketed at a reasonable interest cost to the Authority.

Section 5. That the Board of Directors requests that the Commission sell the 2022 Bonds through negotiation to the Underwriters on such terms as may be agreed on but at a true interest cost not exceeding 5.0%.

Section 6. That the Chairman of the Board of Directors, the Executive Director and the Finance Director, and their respective designees, individually and collectively, are each hereby authorized to do any and all other things necessary to complete the steps necessary for the authorization of the 2022 Bonds.

Section 7. That this Resolution is effective on the date of its adoption.

STATE OF NORTH CAROLINA)

ss:

WATER AND SEWER AUTHORITY OF CABARRUS COUNTY)

I, *Tammy Garifo*, Secretary to the Board of Directors of the Water and Sewer Authority of Cabarrus County, hereby certify that the foregoing resolution entitled "**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER AND SEWER AUTHORITY OF CABARRUS COUNTY, DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF ENTERPRISE SYSTEMS REVENUE BONDS AND CERTAIN RELATED MATTERS**" was adopted by the Board of Directors of the Water and Sewer Authority of Cabarrus County, at a meeting held on the 17th day of March, 2022.

WITNESS my hand and the corporate seal of the Water and Sewer Authority of Cabarrus County, this the ___ day of _____, 2022.

Tammy Garifo, Secretary to the Board, WSACC

Request for Approval of an Amendment to the Capital Project Ordinance (CPO) for the RRRWWTP Expansion to 30 MGD Project in the Amount of \$250,000 to Cover Issuance Costs

Mr. Tucker presented an amendment to the CPO for the RRRWWTP Expansion project in the amount of \$250,000. The purpose of the amendment was to budget for the future receipt of revenue bond funds and to appropriate funds for debt issuance costs.

Mr. Hinnant made a motion to approve the Amendment to the CPO for the RRRWWTP Expansion to 30 MGD Project in the Amount of \$250,000 to Cover Issuance Costs. Ms. Hubbard seconded the motion and the Board approved by unanimous vote.

The Ordinance was approved as follows:

AN ORDINANCE TO AMEND A CAPITAL PROJECT FUND ORDINANCE

WHEREAS, the Board of Directors of the Water and Sewer Authority of Cabarrus County, North Carolina (WSACC) did on the 18th day of March, 2021, adopt the **RRRWWTP Expansion Design and Construction Project Ordinance**; and

WHEREAS, the Board of Directors of WSACC has determined that it is appropriate to amend the Capital Project Ordinance for the reasons stated below; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Water and Sewer Authority of Cabarrus County, that in accordance with the authority contained in G.S. 159-13.2, the ordinance is amended as shown and that the total amounts are herewith appropriated for the purposes shown.

Water and Sewer Authority Capital Project Fund

Account	Account Title	Amount	From	To
6038021-4965	Transfer From SDF Fund	\$ 0	\$ 8,412,000	\$ 8,412,000
6038021-4810	Contrib. Charlotte Water	\$ 0	\$ 5,174,000	\$ 5,174,000
6038021-4910	Revenue Bonds	\$ 250,000	\$ 11,992,292	\$12,242,292
6048021-5198	Engineering	\$ 0	\$ 1,000,000	\$ 1,000,000
6048021-6565	Capital Outlay-Other	\$ 0	\$ 122,529	\$ 122,529
6048021-6560	Capital Outlay-Plant	\$ 0	\$ 12,463,471	\$24,455,763
6048021-8726	Issuance Costs	\$ 250,000	\$ 0	\$ 250,000

REASON:

To budget the future receipt of revenue bond funds and to appropriate funds for debt issuance costs

Adopted this 17th day of March 2022.

WATER AND SEWER AUTHORITY OF
CABARRUS COUNTY, NORTH CAROLINA

Michael Legg, Chairman

ATTEST:

Tammy M. Garifo, Secretary

Request for Approval to Adopt a Resolution Approving a Wastewater Service Agreement Between WSACC and its Member Jurisdictions

Mr. Wilson requested the Board's approval to adopt a resolution that would approve a Wastewater Service Agreement between WSACC and its member jurisdictions.

Mr. Isenhour said the Wastewater Service Agreement will replace the existing Sewer Service Agreement between WSACC and each of the member jurisdictions.

After brief comments and discussion about the content of the Wastewater Service Agreement, **Mr. Marshall made a motion to Adopt a Resolution Approving the Wastewater Service Agreement between WSACC and its Member Jurisdictions. Mr. Shue seconded the motion and the Board approved by unanimous vote.**

The Wastewater Service Agreement was approved as follows:

RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER AND SEWER
AUTHORITY OF CABARRUS COUNTY APPROVING A WASTEWATER SERVICES
AGREEMENT WITH ALL OF ITS MEMBER JURISDICTIONS

WHEREAS, the Water and Sewer Authority of Cabarrus County (the "*Authority*") has proposed to enter into a Wastewater Service Agreement (the "*Agreement*") with the City of Concord, North Carolina, the City of Kannapolis, North Carolina, the Town of Harrisburg, North Carolina, the Town of Mt. Pleasant, North Carolina, and the County of Cabarrus, North Carolina, each of its member jurisdictions, under Article 20 of Chapter 160A of the North Carolina General Statutes, as amended (the "*Interlocal Act*"), for the purpose of establishing certain terms and conditions with respect to the operation and maintenance of the wastewater disposal facilities owned and operated by WSACC for the benefit of the member jurisdictions, the expansion or improvement thereof and the provision of other improvements, the financing thereof and certain other matters;

WHEREAS, WSACC is in the process of developing and executing on a plan for the maintenance and expansion of the Rocky River Wastewater Treatment Plant to 34 MGD capacity and a parallel interceptor line project for Lower Coddle Creek for which it intends to finance a portion of such projects through the issuance of revenue bonds;

WHEREAS, entering into the Agreement will support the ability of WSACC to finance the projects described above and future projects for the benefit of the member jurisdictions;

WHEREAS, staff has reviewed the Agreement, a form of which is available for inspection by Board of Directors of the Authority;

WHEREAS, the Board of Directors (the "*Board of Directors*") of the Authority has determined it is in the best interest of the Authority to enter into the Agreement for the purposes set forth above and in the Agreement;

NOW THEREFORE. THE BOARD OF DIRECTORS OF THE WATER AND SEWER AUTHORITY OF CABARRUS COUNTY DOES RESOLVE AS FOLLOWS:

Section 1. Authorization of Agreement. The Agreement is hereby authorized, approved and confirmed in all respects, and Chairman of the Board of Directors and the Executive Director of the Authority, and their respective designees (the "*Authorized Officers*") are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Agreement, including necessary counterparts, in substantially the form and content made available to the Board of Directors, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate. Execution by the Authorized Officers of the Agreement will constitute conclusive evidence of the Board of Directors' approval of any and all changes, modifications, additions or deletions therein from the form and content of the Agreement made available to the Board of Directors. From and after the execution and delivery of the Agreement, the Authorized Officers and other appropriate officials of the Authority are authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement as executed.

Section 2. *Effective Date.* This Resolution is effective on the date of its adoption.

STATE OF NORTH CAROLINA)
)
WATER AND SEWER AUTHORITY OF CABARRUS COUNTY) ss:

I, *Tammy Garifo*, Secretary to the Board of Directors of the Water and Sewer Authority of Cabarrus County, hereby certify that the foregoing resolution entitled "**RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER AND SEWER AUTHORITY OF CABARRUS COUNTY APPROVING A WASTEWATER SERVICES AGREEMENT WITH ALL OF ITS MEMBER JURISDICTIONS**" was adopted by the Board of Directors of the Water and Sewer Authority of Cabarrus County, at a meeting held on the 17th day of March, 2022.

WITNESS my hand and the corporate seal of the Water and Sewer Authority of Cabarrus County, this the _____ day of _____, 2022.

Tammy Garifo
Secretary to the Board
Water and Sewer Authority of Cabarrus County

Presentation of the Proposed Budget for the Fiscal Year 2022-2023 and Decide if a Budget Work Session is Desired then set the Public Hearing for April 21, 2022

Mr. Wilson presented a summary of WSACC’s proposed Fiscal Year 2022-2023 (FY23) budget. The budget items he highlighted were:

Revenue and Flow Highlights

Mr. Wilson stated that WSACC is recommending a four-point seven percent (4.7%) increase in the variable sewer rate from \$1.563 to \$1.636 per thousand gallons. The monthly impact of this increase on a residential customer using 5,000 gallons per month would be \$0.365 per month. The variable sewer rate increase would generate \$514,285 in additional revenue. The Operating Fund for the FY23 budget has increased by 21.5% primarily due to debt service. The prior year was \$16,833,659. Retained earnings (fund balance or reserves) have not been used to balance the budget. Most of the budget increase was associated with debt service.

WSACC anticipates issuing approximately \$77 million in revenue bonds in May of 2022 for the expansion of the Rocky River Regional Wastewater Treatment Plant (RRRWWTP) from 26.5 million gallons per day (MGD) to 30 MGD. An interest only debt payment of \$2,926,005 was included in the FY23 budget. WSACC also anticipates issuing \$7.8 million of revenue bonds in the fall of 2022 to complete the funding required for the Lower Coddle Creek Parallel Interceptor. An interest only debt payment of \$172,262 was included in the FY23 budget. Mr. Wilson explained that the net impact of all increases and decreases in debt service and fixed charges will be an increase of \$2,819,284. Using budgeted sewer flows of 7.045 billion gallons would result in an increase of approximately \$2.00 per month for a 5,000 gallon per month customer.

Mr. Wilson stated that the 4.7% increase in the variable sewer rate would generate an additional \$514,285 in revenue. After three plus years of above historical average rainfall, forecasting accurate sewer flows can be challenging. Mr. Wilson said the FY23 budget shows a slight increase in the projected annual sewer flows from 7.040 billion gallons in the prior fiscal

year to 7.045 billion gallons that results in an additional sewer flow of five million gallons which will generate \$8,180. The total variable revenue would be \$11.526 million on 7.045 billion gallons.

Mr. Wilson said no new positions were recommended for the FY23 budget. He said WSACC has had a difficult time keeping and attracting qualified employees. The FY23 budget includes seven percent (7%) of salaries and benefits in a lump sum amount of \$364,912 to be used to implement the recommendations from the compensation pay study currently underway, and to continue merit-based compensation rewards for WSACC staff.

The Board of Trustees of the Local Governmental Employees' Retirement System (LGERS) voted to continue the policy of increases in the required employer contribution rate that would be needed to maintain the financial soundness of the LGERS. For FY23, the employer required contribution rate increased from 11.35% to 12.10%. The direct budgeted impact of this increase is \$32,752 for WSACC. Employees will continue to contribute their mandatory 6% of covered payroll.

Health Insurance Premiums are projected to increase by 7.5% which would be an additional \$73,278 in cost for 58 full-time employees and 9 retirees. WSACC expects to have the Health Insurance renewal quotes in late April or early May.

Mr. Wilson said WSACC has seen estimates from vendors for future delivery of chemicals to increase in the 30% - 40% range. The FY23 budget includes an additional \$293,243 in both pretreatment and effluent chemicals associated with both increased flow volumes and maintaining compliance with discharge limits.

The RRRWWTP, Biosolids and Interceptor departments budgeted an additional \$93,724, \$31,361, and \$2,400 respectively based on estimated sewer/sludge volumes and anticipated rate increases.

WSACC has seen state contract pricing on fuels increase approximately 60% since the last fiscal year budget. WSACC has budgeted pricing at \$3.63 and \$3.75 per gallon for gasoline and off-road diesel respectively for a total increase of \$51,878.

The proposed budget for the System Development Fee (SDF) Reserve Fund was \$3.2 million. SDF rates will remain as the previous year until a future new study is completed. The entire amount of SDF collected is budgeted to go into reserves until the Board approves the transfer to capital projects.

WSACC's six-year Capital Improvement Program (CIP) and Asset Management are vital in the development of WSACC's annual budget. The CIP identified \$282.598 million in large capital needs and Asset Management identified an additional \$6.66 million in smaller capital needs. Charlotte Water will fund an estimated \$77.623 million of these needs.

The Board discussed the process of obtaining a new permit for the next RRRWWTP expansion beyond 34 MGD. WSACC's Master Plan includes the expense and planning for the next expansion phase. Charlotte Water is a significant contributor to the Master Plan.

Mr. Wilson will send the Board details of the proposed Fiscal Year 2022-2023 budget and a budget package with a supplemental guide of budget narratives for each department. He asked the Board to review the budget and provide him with any comments before approving at the next Board meeting.

A copy of the proposed annual budget for the fiscal year 2022-2023 is available for viewing in the Secretary to the Board's office.

Chairman Legg asked the Board if they wanted to have a work session on the budget. The Board didn't feel it was necessary. Chairman Legg then asked for a motion to set the Public Hearing for April 21, 2022.

Mr. Ritchie made a motion to set the Budget Public Hearing. Mr. Shue seconded the motion and the Board approved by unanimous vote.

Johnston, Allison & Hord, P.A. Report on Town of Midland Manager's Proposal

Mr. Isenhour went over the proposals from the Town of Midland (Midland) that were presented to the Board at WSACC's February 17, 2022 Board meeting. At that time, the Board asked WSACC staff to go over the extensive process with Mr. Paris and assist Midland with orientating the flow locations and annexation boundaries. The Board also agreed to have Mr. Isenhour look further into Midland's proposal to determine how it would affect WSACC's articles of incorporation and bylaws, then report back to the Board at the March 17, 2022 meeting.

The proposals that were presented during the February Board meeting were as follows:

- Midland intends to acquire the water and sewer system in Midland from the City of Concord. Midland would like to have a non-voting ex officio member placed on WSACC's Board to attend open and closed sessions of WSACC's Board meetings until that water and sewer system is acquired.
- After Midland acquires the water and sewer system from the City of Concord, their ex officio status would be modified to become a full voting member on WSACC's Board.
- In exchange for this commitment, Midland would agree to fund the design of the Muddy Creek Wastewater Treatment Plant (MCWWTP) expansion up to \$1 million from Midland's American Rescue Plan (ARP) funds in two payments. The first payment of \$500,000 would be made to WSACC upon Midland being granted an ex officio seat on WSACC's Board. A second payment of \$500,000 would be made in May 2022, when Midland receives their second ARP disbursement from the state.
- Midland has authorized their lobbyist in Raleigh to pursue an earmark from the legislature for the construction of the Muddy Creek Wastewater Treatment Plant expansion to 1.0 million gallons per day (MGD) while WSACC works through the proposal.

Mr. Isenhour and Ms. Rickers (JAH) evaluated the mechanics and legal ramifications of Midland's proposals and evaluated WSACC's existing articles of incorporation and bylaws. JAH also looked at Article 1 Chapter 162A to consider any potential conflicts that could come from WSACC's existing contracts or agreements including the Wastewater Services Agreement.

Mr. Isenhour said under WSACC's current bylaws, there was a specific provision in Article III paragraph #7, "Duty to Vote", which states that "no director shall be excused from voting except on matters involving consideration of his or her own official conduct or whether his or her financial or personal interest are involved". Mr. Isenhour said with that provision it was JAH's opinion that WSACC could not have an ex officio non-voting member of the board

under WSACC's current bylaws unless WSACC modified their bylaws. Mr. Isenhour explained that WSACC's bylaws can be modified at any time with an affirmative vote from WSACC's Board, a public notice of the modifications to be made to the bylaws, and a public meeting to discuss those modifications.

Next Mr. Isenhour went over the process for WSACC to add Midland to WSACC's Board.

1. Midland and their Town Council would have to adopt a resolution requesting to become part of WSACC as a member jurisdiction.
2. WSACC would then adopt a resolution consenting to Midland's proposal. As part of the resolution, WSACC would amend their articles of incorporation and bylaws to include Midland as a member jurisdiction, then determine the number of Board members to be on WSACC's Board.
3. After the articles of incorporation and bylaws are amended, WSACC would have a public hearing to consider Midland joining WSACC's Board.
4. The next step would be for the governing bodies of every member jurisdiction, Cabarrus County, City of Concord, City of Kannapolis, Town of Harrisburg, and the Town of Mount Pleasant to vote and adopt a resolution to allow Midland to join WSACC's Board as a new political subdivision.
5. Then, a copy of Midland's adopted resolution along with proof of the public hearing and certified copies of the existing member jurisdictions' consent for Midland to become part of WSACC as a member jurisdiction would need to be filed with the North Carolina Secretary of State's office.
6. The final step would be for the North Carolina Secretary of State to review the documents and determine if the request is compliant with the applicable North Carolina General Statutes. If the request is compliant, the North Carolina Secretary of State would issue a certificate of joiner to make Midland a member jurisdiction.

After continued discussion about the process, the Board agreed to have JAH and Mr. Wilson meet with the Town Manager of Midland to discuss the process for WSACC to add Midland to WSACC's Board. Mr. Wilson and Mr. Isenhour will provide the Board an update at the next Board meeting.

REPORTS

RRRWWTP Expansion Update

Mr. VonCannon gave a presentation that showed the expansion progress that Crowder Construction has begun at the RRRWWTP. Crowder Construction is in the process of setting up their mobile office at the RRRWWTP and construction materials have been arriving on site. Crowder Construction has begun tying rebar for the electrical duct bank installations and all local permits have been received for the work on the electrical upgrades.

Mr. VonCannon said the anticipated progress over the next month was for Crowder Construction to continue the duct bank rebar tying; set up an employee parking area; conduct utility locates for preparing for the duct bank installation, then begin the duct bank installations with two crews; and work on pads for pad-mounted electrical equipment.

PUBLIC COMMENTS

There were no public comments.

CLOSED SESSION

At 6:31 P.M., Mr. Hinnant made a motion to go into closed session - G.S.143-318.11(a)(1) - to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes and closed session – G.S.143-318.11 (a)(3) - to consult with WSACC’s attorney in order to preserve the attorney-client privilege for consideration of and to give instructions to WSACC’s attorney concerning the handling or settlement of a claim, judicial action or administrative procedure. Mr. Shue seconded the motion and the Board approved by unanimous vote.

At 7:15 P.M. Mr. Hinnant made a motion to come out of closed session. Mr. Marshall seconded the motion and the Board approved by unanimous vote.

Mr. Marshall then made a motion to adjourn. Mr. Ritchie seconded the motion and the Board approved by unanimous vote.

The meeting was adjourned until the next meeting scheduled for April 21, 2022.