

WATER AND SEWER AUTHORITY OF CABARRUS COUNTY
JUNE 16, 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, June 16, 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. Jeff Corley	Mr. Jonathan Marshall
Mr. Rob Donham (virtual attendance)	Mr. Jim Sells
Mr. Darrell Hinnant	Mr. Lynn Shue
Mr. Mike Legg	

Ms. Hubbard and Mr. Ritchie were unable to attend due to a prior commitment.

Also present were Mr. Michael Wilson, Executive Director (virtual attendance); Ms. Tammy Garifo, Executive Secretary/Secretary to the Board; Mr. Chad VonCannon, Engineering Director; Mr. Mark Fowler, Facilities Director; Ms. Robin Moore, Deputy Executive Director/Administration; Mr. Thomas Jakubisin, Network Administrator; Mr. William Isenhour, Johnston, Allison & Hord, P.A. (“JAH”); Mr. Brock Wortman, Crowder Construction Company; and Mr. George Anipsitakis, Brown & Caldwell.

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

OATHS OF OFFICE/ELECTION OF OFFICERS

Oaths of Office

Ms. Garifo administered the oaths of office to Mr. Jeff Corley and Mr. Jim Sells for re-appointment to WSACC’s Board of Directors for the years 2022-2025.

Discussion and Election of the Following WSACC Board Officers for the Fiscal Year 2022-2023 – Chairman, Vice Chairman, Secretary, Treasurer

Chairman Legg opened the floor for nominations of officers for the fiscal year 2022-2023.

Mr. Hinnant made a motion to re-elect Mr. Mike Legg as Chairman, Mr. Jeff Corley as Vice Chairman and Ms. Tammy Garifo as Secretary to the Board. Mr. Shue seconded the motion and the Board approved by unanimous vote.

Mr. Marshall then made a motion to elect Ms. Wendi Heglar as Treasurer to the Board. Mr. Corley seconded the motion and the Board approved by unanimous vote.

UNFINISHED BUSINESS

Request for Approval of the Minutes of May 19, 2022

Mr. Sells made a motion to approve the May 19, 2022 minutes. Mr. Hinnant seconded the motion and the Board approved by unanimous vote.

NEW BUSINESS

Request for Approval of a Merit Increase Scale

Mr. Wilson recommended a merit range increase of up to 5% for WSACC employees based on their performance, along with authorizing the Executive Director to develop procedures to implement the increases.

Mr. Wilson said WSACC recently did a pay study that included a 3.1% base pay increase for all employees, but the pay study did not include a merit increase. After reviewing the member jurisdictions recommendations for their employees, WSACC would like to recommend a merit range increase based on performance reviews of up to 5%.

Mr. Marshall made a motion to approve the merit increase scale. Mr. Shue seconded the motion and the Board approved by unanimous vote.

Request for Approval of Various Policies Required by Federal/State Recovery Funds

Mr. Wilson presented several policies that WSACC needed to have in place, as a requirement by the State, for the use of American Rescue Plan (ARP) and Coronavirus Local Fiscal Recovery Fund (CLFRF) monies. Mr. Wilson said JAH reviewed the requirements and reviewed and made the appropriate edits to each policy that were needed for WSACC. A copy of each policy was included in the agenda.

Mr. Wilson then asked the Board to approve the following policies: Nondiscrimination Policy, Eligible Use Policy, Property Management Policy, Program Income Policy, and Allowable Costs and Cost Principles Policy.

Mr. Hinnant made a motion to approve the various policies required by Federal/State recovery funds. Mr. Corley seconded the motion and the Board approved by unanimous vote.

Request for Approval of the Preconstruction Services Amount of \$7,812,250.00 to Crowder Construction for the RRRWWTP Phase 4 Expansion

Mr. VonCannon said in August 2021, the Board approved Crowder Construction and Brown & Caldwell as the progressive design-build team for the 34 million gallons per day (MGD) expansion of the Rocky River Regional Wastewater Treatment Plant (RRRWWTP). The RRRWWTP expansion project was split in phases to expedite the construction of the expansion. Phase 3 of the RRRWWTP expansion is now underway and Guaranteed Maximum Price #1, #2, and #3 have been approved by the Board.

Mr. VonCannon then requested approval of the preconstruction price proposal from Crowder Construction Company for Phase 4 of the RRRWWTP expansion in the amount of \$7,812,250.00, to be billed on a time and materials basis with a not to exceed amount of \$7,812,250.00.

Mr. Corley made a motion to approve the preconstruction services amount of \$7,812,250.00 to Crowder Construction for the RRRWWTP Phase 4 Expansion. Mr. Marshall seconded the motion and the Board approved by unanimous vote.

Request for Approval of the Capital Project Fund for the RRRWWTP Expansion Design and Construction to 34 MGD

Mr. Wilson presented the Capital Project Fund for the RRRWWTP expansion to 34 MGD for an amount of \$7,812,250.00. Mr. Wilson said WSACC plans to fund the cost using a combination of revenue bonds and contributions from Charlotte Water.

Mr. Hinnant made a motion to approve the Capital Project Fund for the RRRWWTP Expansion Design and Construction to 34 MGD. Mr. Sells seconded the motion and the Board approved by unanimous vote.

The Capital Project Ordinance was approved as follows:

AN ORDINANCE TO ADD A CAPITAL PROJECT FUND FOR THE RRRWWTP EXPANSION DESIGN AND CONSTRUCTION TO 34 MGD

This Ordinance is adopted by the Board of Directors of the Water & Sewer Authority of Cabarrus County (WSACC) in accordance with Section 13.2 of Chapter 159 of the General Statutes of North Carolina for a capital project consisting of the **RRRWWTP Expansion Design and Construction to 34 MGD**.

WHEREAS, the engineering, design, and construction of the **RRRWWTP Expansion Design and Construction to 34 MGD** is required to continue to meet the sewer treatment needs of the service areas; and

WHEREAS, the Board of Directors of WSACC wishes to be responsive to the needs of the service area; and

WHEREAS, the period for the completion of the **RRRWWTP Expansion Design and Construction to 34 MGD** could extend over more than one (1) fiscal year; and

WHEREAS, the Board of Directors of WSACC wishes to comply with the Local Government Budget and Fiscal Control Act.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of WSACC that the following capital project ordinance is hereby adopted:

1. The project authorized is for the engineering, design, purchase of equipment and construction of the **RRRWWTP Expansion Design and Construction to 34 MGD**.
2. The following revenues are anticipated to be available to WSACC:
Revenue Bonds \$4,687,350

Contributions from Charlotte Water \$3,124,900

3. The following amounts are appropriated expenses for the project: \$7,812,250

4. Accounting records are to be maintained by the Executive Director of WSACC in such a manner as to provide all information required to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

5. At the completion of the project, the Executive Director is authorized to transfer all excess funds to any open project and close the project into capital assets.

6. The Executive Director is directed to report on the financial status of this project in accordance with the policy established by the Board of Directors.

7. The Executive Director is authorized to execute contracts for the completion of this project to the extent allowed by law.

Adopted this 16th day of June, 2022.

WATER AND SEWER AUTHORITY OF
CABARRUS COUNTY, NORTH CAROLINA

Michael B. Legg, Chairman

ATTEST: _____
Tammy Garifo, Secretary
(Seal)

Request for Approval of the Procurement of HACH Flow Meters and Accessories

Mr. VonCannon presented a proposal from Frazier Engineering, P.A. for the replacement and installation of 18 new flow meters for the Water and Sewer Authority of Cabarrus County (WSACC) wastewater collection system. Mr. VonCannon said WSACC has 31 flow meters within the system that track wastewater flows within Cabarrus County, and flows entering the WSACC collection system through connections with Charlotte Water.

WSACC contracts with Frazier Engineering for maintenance of the flow meters, data retrieval and processing from the flow meters. WSACC has recently replaced several of the flow meters due to age and now WSACC needs to replace the remaining 18 older flow meters within the system due to their age.

Mr. VonCannon recommended approval of the proposal from Frazier Engineering for procurement of HACH flow meters in the amount of \$191,702.61 for the purchase of 18 proposed flow meters including associated tax, estimated shipping, and installation.

Mr. Marshall made a motion to approve the procurement of HACH flow meters and accessories. Mr. Shue seconded the motion and the Board approved by unanimous vote.

PUBLIC COMMENTS

There were no public comments.

At 5:19 P.M., Mr. Corley 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; and G.S.143-318.11(a)(6) – to consider the qualifications, competence, performance, character, fitness, conditions or appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. Mr. Hinnant seconded the motion and the Board approved by unanimous vote.

At 5:30 P.M., Mr. Shue 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. Shue seconded the motion and the Board approved by unanimous vote.

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