

Lower Cape Fear Water & Sewer Authority  
Regular Board Meeting Minutes  
March 13<sup>th</sup>, 2023

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Chairman Blanchard called to order the Authority meeting scheduled on March 13<sup>th</sup>, 2023, at 9:00 a.m. and welcomed everyone present. The meeting was held at the Authority's office located at 1107 New Pointe Boulevard, Suite 17, Leland, North Carolina. Director Leonard gave the invocation.

**Roll Call by Chairman Blanchard:**

**Present:** Norwood Blanchard, Patrick DeVane, Wayne Edge, Harry Knight, Al Leonard, Jackie Newton, Scott Phillips, Charlie Rivenbark, Chris Smith, Bill Sue, and Frank Williams

**Present by Virtual Attendance:** Phil Norris and Bill Saffo

**Excused Absent:** Rob Zapple

**Absent:** None

**Staff:** Tim H. Holloman, Executive Director; Matthew Nichols, General Counsel; Tony Boahn P.E., McKim & Creed, Sam Shore, COG; and Danielle Hertzog, Financial Administration Assistant

**Guests Present:** Glenn Walker, Brunswick County Water Resources Manager; Jordan Clark, Computer Warriors; Kenny Keel, Pender County Public Utilities Director; and Jess Powell P.E., McKim & Creed.

**Guests Virtual Attendance:** Ken Waldroup, Cape Fear Public Utility Authority Executive Director; Tom Hendrick, Pender County Utilities Water Treatment Plant Superintendent; and John Nichols, Brunswick County Public Utilities Director

**PLEDGE OF ALLEGIANCE:** Chairman Blanchard led the Pledge of Allegiance.

**APPROVAL OF CONSENT AGENDA**

**C1 – Minutes of January 13, 2023, Regular Board Meeting**

**C2 – Kings Bluff Monthly Operations and Maintenance Report**

**C3 – Bladen Bluffs Monthly Operations and Maintenance Reports**

**C4 – Line-item Adjustment for January 31, 2023**

**Motion:** Director Rivenbark **MOVED**; seconded by Director DeVane, approval of the Consent Agenda Items C1-C4 as presented. Upon voting, the **MOTION CARRIED UNANIMOUSLY**.

	<u>For</u>	<u>Against</u>	<u>Abstained</u>	<u>Absent</u>
Norwood Blanchard	X			
Patrick DeVane	X			
Wayne Edge	X			
Harry Knight	X			
Al Leonard	X			
Jackie Newton	X			
Phil Norris	X			
Scott Phillips	X			
Charlie Rivenbark	X			
Bill Saffo	X			
Chris Smith	X			
Bill Sue	X			
Frank Williams	X			
Rob Zapple				X
	13	0	0	1

**NEW BUSINESS**

**NB1 – Consider the purchase of a Caterpillar TL642 Telehandler for the Kings Bluff Raw Water Plant**

Executive Director Holloman presented the item. There is \$30,000 set aside in the current budget for the TL642 Telehandler, and the remaining \$127,000 will be financed for three years. Director Phillips wanted to know the difference between leasing and purchasing the telehandler. Glenn Walker advised in the past, they have only rented the forklift on an as-needed basis. Director Newton wanted to know if this quote contains a service and maintenance agreement and what is the depreciation on the forklift. Executive Director Holloman advised the quote does not include a service and maintenance agreement; however, he can ask if they have a service and maintenance agreement that can be added to the quote. Executive Director Holloman stated the depreciation would be around seven years and replacement after 15 years.

**NB2 - Resolution Approving Financing Terms for the Caterpillar TL642 Telehandler**

Purchase is tabled to compare leasing versus purchasing.

**Motion:** Director Williams **MOVED**; seconded by Director Newton, table until next month to compare lease versus purchase. Upon voting, the **MOTION CARRIED UNANIMOUSLY**.

	<u>For</u>	<u>Against</u>	<u>Abstained</u>	<u>Absent</u>
Norwood Blanchard	X			
Wayne Edge	X			
Patrick DeVane	X			
Harry Knight	X			
Al Leonard	X			
Jackie Newton	X			
Phil Norris	X			
Scott Phillips	X			
Charlie Rivenbark	X			
Bill Saffo	X			
Chris Smith	X			
Bill Sue	X			
Frank Williams	X			
Rob Zapple				X
	13	0	0	1

**NB3 - Consider the purchase of a 2022 4x4 Canyon Truck**

Executive Director Holloman presented the item and answered clarification questions. Glenn Walker advised this would be a replacement vehicle for the 2005 GMC with over 200,000 miles on it. Director Newton questioned if LCFWASA has a replacement vehicle schedule. Executive Director Holloman advised not at this time, but he will work a schedule.

**NB4 - Budget Amendment #2 for 2022 GMC Canyon**

**Motion:** Director Phillips **MOVED**; seconded by Director Sue, approval to purchase a 4x4 Canyon truck and the Budget Amendment for the Canyon truck. Upon voting, the **MOTION CARRIED UNANIMOUSLY**.

	<u>For</u>	<u>Against</u>	<u>Abstained</u>	<u>Absent</u>
Norwood Blanchard	X			
Wayne Edge	X			
Patrick DeVane	X			
Harry Knight	X			
Al Leonard	X			
Jackie Newton	X			
Phil Norris	X			
Scott Phillips	X			
Charlie Rivenbark	X			
Bill Saffo	X			
Chris Smith	X			
Bill Sue	X			
Frank Williams	X			
Rob Zapple				X
	13	0	0	1

#### **ENGINEER'S COMMENTS**

Tony Boahn presented an overview of the inspection on pump number five completed by Charles Underwood. This pump has been in operation for fourteen-plus years with 40,000 hours. Charles Underwood recommended the purchase of a spare bowl assembly due to the time frame to get the replacement being fifteen months. Mr. Underwood also recommended an inspection of the next pump.

#### **ATTORNEY COMMENTS**

No comments

#### **EXECUTIVE DIRECTOR REPORT**

##### **EDR1 – Comments on Customers' Water Usage and Raw Water Revenue for Fiscal Year to Date Ending February 28, 2023**

Executive Director Holloman reported that during February 2023, Brunswick County and CFPWA were above projections.

#### **DIRECTOR'S COMMENTS AND/OR FUTURE AGENDA ITEMS**

No comments

#### **PUBLIC COMMENT**

No comments

#### **CLOSED SESSION**

Chairman Blanchard requested a motion to go into a closed session to (1) discuss Attorney-Client Privilege related to the following pending lawsuit:

Cape Fear Public Utility Authority, Brunswick County, Lower Cape Fear Water & Sewer Authority, and Town of Wrightsville Beach v. The Chemours Company FC, LLC, E.I. Du Pont De Nemours and Company, and The Chemours Company; United States District Court for the Eastern District of North Carolina, Case No. 7:17-CV-00195-D and Case No. 7:17-CV-00209-D.

(2) and to discuss with the attorney a separate matter within the attorney-client privilege.

**Motion:** Director Williams **MOVED**; seconded by Director Knight, to go into closed session in accordance with N.C.G.S. §143-318.11(a)(3) to preserve Authority's Attorney-Client Privilege regarding the pending lawsuit and to discuss with attorney a separate matter within the attorney-client privilege. Upon voting, the **MOTION CARRIED UNANIMOUSLY**.

	<u>For</u>	<u>Against</u>	<u>Abstained</u>	<u>Absent</u>
Norwood Blanchard	X			
Patrick DeVane	X			
Wayne Edge	X			
Harry Knight	X			
Al Leonard	X			
Jackie Newton	X			
Phil Norris	X			
Scott Phillips	X			
Charlie Rivenbark	X			
Bill Saffo	X			
Chris Smith	X			
Bill Sue	X			
Frank Williams	X			
Rob Zapple				X
	13	0	0	1

At 9:34 a.m., the board went into closed session. At 10:03 a.m., the board returned to open session. Discussion only; no action required.

#### **ADJOURNMENT**

There being no further business, Chairman Blanchard adjourned the meeting at 10:04 a.m.

Respectfully Submitted:

  
 Patrick DeVane Secretary