

MINUTES

Regular Meeting
Cleveland County Water Board Room

May 12, 2020
Tuesday, 7: 00 P.M.

Present: Chairman Donald Melton; presiding, Vice Chairman Dewey Cook, Secretary Bill Cameron, Commissioners Amy Bridges, Tony Brooks, Bruce Martin, and John Taylor, General Manager Brad Cornwell, and Attorney Tim Moore.

Chairman Donald Melton called the meeting to order at 7:00 PM, welcomed all who were in attendance and recognized Vice Chairman Dewey Cook who gave the invocation and Commissioner Bruce Martin led the *Pledge of Allegiance*.

A. Approval of agenda:

Chairman Melton asked Commissioners if anyone had any questions related to the adoption of the agenda. Chairman Melton requested a motion to adopt the agenda as amended.

ACTION TAKEN: Upon a motion by Mr. Cameron and second by Mr. Brooks, the Board of Commissioners voted unanimously to approve the agenda.

B. Public Comment:

There were no public comments.

C. Consent Agenda:

Action Taken: Chairman Melton presented the Consent Agenda Items. Upon a motion by Mr. Brooks second by Mr. Martin, the Board of Commissioners voted unanimously to approve the Consent Agenda. The Consent Agenda consisted of the following items:

- 1) Approval of the Minutes of the Regular Meeting of March 10, 2020
- 2) Consideration of Ordinance Number 6-2020 a FY 2019-2020 Budget Ordinance Amendment for Cleveland County Water Budget Amendment Number 2
- 3) Consideration of Resolution Number 16-2020 A Resolution Ratifying the Purchase of Real Property From Broad River Asset Solutions, LLC
- 4) Consideration of Special Meeting for May 26, 2020

D. Unfinished Business:

- 1) Consideration of Resolution Number 13-2020 A Resolution Authorizing The Execution of A Funding Offer and Acceptance From the North Carolina Department of Environmental Quality For The Clearwell & High Service Pump Station Project

Mr. Cornwell explained the details for the funding of the Clearwell & High Service Pump Station. This resolution accepts the terms of the funding offered by the NC Department of Environmental Quality.

Action Taken: Upon a motion by Mrs. Bridges, second by Mr. Martin, the Board of Commissioners voted unanimously to adopt Resolution Number 13-2020 *A Resolution Authorizing The Execution Of a Funding Offer and Acceptance From The North Carolina Department of Environmental Quality For The Clearwell & High Service Pump Station Project*

E. New Business:

- 1) Consideration of Resolution Number 14-2020 A Resolution Authorizing The General Manager to Make Certain Arrangements Concerning Employee Compensation In Response To The COVID-19 Pandemic and Stay At Home Orders

Mr. Cornwell shared details of the actions taken during the COVID-19 pandemic and the stay at home order. These resolutions contain historical details for future reference to show the actions of the federal and state government during the pandemic. The president declared a state of emergency on March 13, 2020 for COVID-19. This resolution was created to protect the employee salaries. The administrative staff in the office were set up on a rotating schedule to limit the staff in the office. Some employees were deemed essential to working during the pandemic, other employees were deemed non-essential and worked from home. The members were contacted and kept up to date with details during the pandemic, it was noted by the members that the employees should be taken care of during this time. Mr. Cornwell explained for comparison the actions of Cleveland County during COVID-19. Mr. Cornwell tracked the time of the employees and the

maximum an employee was paid to stay at home was seventeen days. This resolution authorizes the General Manager to credit sick time and vacation to employees that worked during the pandemic. The time will be split evenly between the sick time and the vacation time. Mr. Cornwell noted that all time worked was documented and details could be provided for all employees. Mr. Cameron asked how long this resolution would be effective. Mr. Cornwell noted that the time stopped effective Monday, May 11, 2020 as the employees have all returned to regular work.

Action Taken: Upon a motion by Mr. Cook, second by Mrs. Bridges, the Board of Commissioners voted unanimously to adopt Resolution Number 14-2020 *A Resolution Authorizing The General Manager to Make Certain Arrangements Concerning Employee Compensation In Response to the COVID-19 Pandemic and Stay At Home Orders*

- 2) Consideration of Resolution Number 15-2020 *A Resolution Authorizing The General Manager to Make Certain Arrangements Concerning Customer Collection Policies In Response to the COVID-19 Pandemic and Governor Roy Cooper's Executive Order No. 124*

Mr. Cornwell continued with Resolution 15-2020 which is in response to Governor Cooper's Executive Order No. 124. The members were contacted for discussion concerning how the customer practices would be taken care of. Mr. Cornwell noted that late fees and returned check fees were lifted. The third-party convenience fees were lifted effective April 9, 2020, customers making payments online and over the phone were not charged a fee. This expense is being absorbed into the budget and paid by the District. By lifting this convenience fee, it is encouraging customers to pay without being charged the convenience fee. The Governor's Executive Order calls for a payment arrangement plan for the months of April and May. Customers will not be assessed a late fee for any unpaid bills added to their account during this two-month time frame. The executive order is effective until June 1, 2020. The order calls for customers to be granted a six-month payment arrangement for bills charged to their water account during this time. The District has never offered payment arrangements to customers, this will be a new process using the instructions shared with the members. The NC School of Government shared a form created for

this circumstance, Mr. Cornwell adapted this form to apply it to the requirements of the District. The payment arrangements won't be offered to customers until after June 1, 2020 which is the current ending date of the executive order. Mr. Cornwell noted that Mr. Brooks inquired about an incentive for customers who paid their balances owed. Mr. Cornwell explained that the incentive being offered to the customers will remove the late fees from the January, February, and March bills, if the customer agrees to pay their balance without the necessity of a payment arrangement. Mr. Cornwell shared with the members, the numbers for the customers that owe past due balances and are eligible for disconnection. Mr. Cameron asked if the payment arrangements would be required in person. Mr. Cornwell explained that customers would need to come to the office to request and sign their payment arrangements because of social security number requirements and signature requirements. Mr. Cameron asked if a place would be provided to interact with the customers. Mr. Cornwell explained that the transactions would be done in the lobby at the window.

Action Taken: Upon a motion by Mr. Brooks, second by Mr. Cameron, the Board of Commissioners voted unanimously to adopt Resolution Number 15-2020 *A Resolution Authorizing The General Manager to Make Certain Arrangements Concerning Customer Collection Policies In Response to the COVID-19 Pandemic and Governor Roy Cooper's Executive Order No. 124*

3) Consideration of Resolution Number 17-2020 A Resolution Authorizing Execution of an Agreement with AARC Consultants, LLC for Risk and Resilience Assessment and Emergency Response Plan

Mr. Cornwell explained that items three and four are together but are separate tasks. After September 11, 2001, all water systems were required to do a vulnerability assessment. The Federal Legislation entitled America's Water Infrastructure Act of 2018, this legislation will require water systems to create a risk and resilience assessment. The typical engineering firms are not equipped to assist with this assessment, this assessment will require familiarity with business and the environment, also federal guidelines and water systems. A fee has been negotiated with a firm out of Charlotte named AARC

Consultants, LLC. to perform the work. The work will take a year to complete. This work will cross into multiple fiscal years, the next item is the budget ordinance to appropriate the funding for the project.

Action Taken: Upon a motion by Mrs. Bridges, second by Mr. Cook, the Board of Commissioners voted unanimously to adopt Resolution Number 15-2020 *A Resolution Authorizing Execution of an Agreement with AARC Consultants, LLC for Risk and Resilience Assessment and Emergency Response Plan*

- 4) Consideration of Ordinance Number 7-2020 An Ordinance Establishing a Capital Project Ordinance and Budgets for Cleveland County Water's Risk and Resilience Assessment and Emergency Response Plan

Action Taken: Upon a motion by Mr. Taylor, second by Mr. Martin, the Board of Commissioners voted unanimously to adopt Ordinance Number 7-2020 *An Ordinance Establishing a Capital Project Ordinance and Budgets for Cleveland County Water's Risk and Resilience Assessment and Emergency Response Plan*

- 5) Consideration of Resolution Number 18-2020 A Resolution Authorizing an Execution of a Lease Agreement for Property Owned by Cleveland County Water to the Town of Lawndale

Mr. Cornwell shared pictures of the scout hut with the members. The prior lease from the Town of Lawndale was shared with the District. Mr. Cornwell noted that the lease was reviewed by Mr. Moore and it was agreed to add that any changes to the structure needed to be pre-approved by the District. The scout hut contains several historical details and the preservation of these historical details are important to the future purpose of the building. Mr. Cornwell discussed the exterior and interior construction. There are repairs that need to be made but the overall condition of the building is great. There is termite damage in some areas of the building and Nelson Cole has agreed to treat the building. This will be done as soon as possible with funding that exists in the current year budget. Mr. Cook inquired about the ramp and whether it could be classified as a handicap ramp. Mr. Cornwell

responded that it would not meet requirements. Mr. Cameron asked if a deck could be built off the back with a view of the river. Mr. Cornwell noted that a deck could be built. Mr. Cornwell extended an invitation to anybody that would like to visit the building, he would be happy to show it. Mr. Martin asked about the location of the building. Mr. Cornwell gave directions to the location. It was also noted that the acreage is larger than originally documented on the tax card. Mr. Brooks noted that most commercial properties, not a house, with this amount of age have been tore down. He also noted that the wood inside was worth money and had value. Mr. Cornwell discussed the boy scout history involved in the building and the sentimental value to the community. Mr. Brooks mentioned that the building needed to be added to the historical register and that the intentions are to keep it historically correct.

Action Taken: Upon a motion by Mr. Martin, second by Mrs. Bridges, the Board of Commissioners voted unanimously to adopt Resolution Number 18-2020 *A Resolution Authorizing an Execution of A Lease Agreement for Property Owned by Cleveland County Water to the Town of Lawndale*

F. General Manager's Report:

Mr. Cornwell shared the financial, water plant, billing reports for the months of March and April. The Town of Fallston Line Contractor Mediation was court ordered that no face to face meetings until after June 1, 2020. Fuller Construction refused the use of technology meetings so the mediation has been postponed until a face to face meeting can be arranged. Mr. Cornwell encouraged the members to visit the Lattimore Tank. The American Legion World Series for 2020 has been cancelled. The CCW membership funding for the ALWS has already been paid. A letter and with further information was received from ALWS concerning the appropriation of the funding that was paid. ALWS would like to make improvements to the field and surrounding location. The funding can be appropriated to the improvements, refunded, held over for the 2021 series or a concert could be scheduled for a later date this year and the funds could be used for this concert. The members discussed different scenarios and agreed that the best choice would be to roll the funding forward for the 2021 series. Mr. Cornwell updated the members on the status of NC Debt Setoff

payments. This tax season several customers tax returns were garnished to pay inactive utility account balances. Mr. Martin inquired if lottery winnings could be garnished also. Mr. Cornwell verified that lottery winnings could also be garnished for utility bills. Mr. Cornwell continued with discussion about the Greenway presentation from Destination by Design. The consultant shared the presentation to be shown at the meeting, due to the pandemic the consultant could not attend. Mr. Cornwell explained that the project has been divided into three phases. The first phase included choosing members for the advisory review committee. The suggested members of the committee would be a CCW board member, a Town of Lawndale council member, a Lawndale Historical Society member, possibly a member from the Towns of Fallston and Polkville. Mr. Melton asked about a member from the Town of Casar. Mr. Cornwell answered that the Town of Fallston and Polkville have both expressed interest in the Greenway project and requested visits to the site. The Town of Casar has not expressed interest in the Greenway project but the project would benefit the Town of Casar because of the canoe access located in Casar on Highway 10. The advisory review committee should not be larger than five to seven members. Mr. Cook asked if the General Manager, Brad Cornwell, would be a member of the committee. Mr. Cornwell reported that he would be in attendance but not as a committee member. Discussion continued about the advantages and disadvantages of inviting certain members to join the advisory review committee. Mr. Cornwell advised the members to think about individuals that may be good committee members and he would be in touch in a couple of weeks for their suggestions. Destination by Design shared drone photography for the three parts of the Greenway project. The first part has been named the Lawndale Park, the second part is Long Rock (the Elmore Property) and the last part is called River Point. The focus in the Lawndale Park portion will be the park portion, the multi-use path, the street scape and revitalization plan to the Grigg Street park with the possible overlook. The aerial view shows the property after the clearing including the suspension bridge from the sand bar to the scout hut. Mr. Cornwell shared the future locations for the kayak launch, sheltered restrooms and an adventure playground. Destination by Design has also incorporated a sample picnic shelter and restrooms at the scout hut. The rustic playground that would match the wood design of the scout hut. Mr. Cornwell has

talked to the Mayor of Lawndale concerning funding for the street scape revitalization and some street closures at Grigg Street. The drone pictures continued to the focal point of Grigg Street Park, where the suggestion was made to use composite materials instead of wood. The beauty of wood would deteriorate over time in comparison to the composite material that will require very little maintenance. The drone footage shared the area of Long Rock where the road area narrows and the expertise of TGS Engineers would be heavily involved to build raised board walks. The Long Rock portion will include kayak launch point, picnic shelter with restrooms. Mr. Brooks noted that a septic tank was already installed. Mr. Cornwell verified that septic was already available at this location. At the River Point Park, there is an area that the public will not be allowed because of the water plant operation. The Clearwell project will incorporate some deterrents to this area. River Point Park will have walking paths and wilderness with forty acres of land. There is a high point elevation area to incorporate an observation area or crow's nest. The water plant intake can not be incorporated into the River Point Park, the intake area would not be accessible to the public but would allow for parking lot and a picnic shelter area to observe the intake area north of the administration building. This intake area would also allow another access point to the Greenway area. Mr. Cornwell noted that with the budget adoption a Greenway budget would be included to incorporate the Greenway Master Plan. The master plan would include the items shared in the drone footage. The property purchased consists of three to three and a half miles along the river, the trail design has been stretched to accommodate five miles of trail way. Mr. Brooks noted that the plan did not include any property below the bridge. Mr. Cornwell verified that the plan did not include any property below the bridge. Mr. Cook asked if the trail would be affected by the five-hundred-year flood plain. Mr. Cornwell answered that the trail would be affected by the five-hundred-year flood plain, but the trail would also be affected by the one-hundred-year flood plain. Mr. Cook suggested sharing the Greenway project at a CAGO meeting.

G. Board Members Announcement and Remarks

Mr. Martin noted appreciation for the prayers and concerns for his wife, Carol. No other announcements and remarks were made.

H. Closed Session

- 1) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or other proposed contract for the acquisition of real property by purchase, option, exchange or lease in accordance with NCGS 143-318.11 (5).

Action Taken: Upon a motion by Mr. Brooks, second by Mrs. Bridges, the Board of Commissioners voted unanimously to go into Closed Session at 7:58 PM.

Action Taken: Upon a motion by Mr. Cameron, second by Mr. Brooks, the Board of Commissioners returned to Open Session at 8:01 PM.

Action Taken: Upon a motion by Mr. Brooks, second by Mr. Taylor, the Board of Commissioners voted unanimously to ratify the discussion held in Closed Session and to authorize the General Manager to proceed with the property acquisition under the terms and conditions discussed in Closed Session.

I. Adjournment

Action Taken: Chairman Melton called for a motion to adjourn. Upon a motion by Mr. Cook, second by Mr. Martin the Board of Commissioners voted unanimously to adjourn at 8:06 PM.

Respectfully submitted,

Bill Cameron

Bill Cameron, Secretary

