

Minutes

WATER AND SEWER ADVISORY COMMITTEE

Regular meeting

7 p.m. Oct. 5, 2023

Board Meeting Room of Town Hall Annex, 105 E. Corbin St.



Present: Vice Chair Saru Salvi, Mo Rasheed, Daniel Rawlins, Steed Robinson, Barry Weston and Commissioner Evelyn Lloyd

Absent: Chair Jenn Sykes and Member Grace Beeler

Staff: Utilities Director Marie Strandwitz; Civil Engineering Technician Tyler Freeman

1. Call to order and welcome of guests

Vice Chair Saru Salvi called the meeting to order at 7:02 p.m. She took roll and confirmed the presence of a quorum.

2. Agenda changes and approval

No changes were presented.

Motion: Member Daniel Rawlins moved approval of the agenda. Member Mo Rasheed seconded.

Vote: 5-0.

3. Minutes review and approval

Minutes from regular meeting on Aug. 3, 2023.

Motion: Rawlins moved approval of the Aug. 3, 2023 minutes as submitted. Member Barry Weston seconded.

Vote: 5-0.

4. Updates

A. Utilities status report highlights

The town was notified over the weekend that Lake Orange is 2 feet below its normal pool, so it has progressed to Stage 2 water withdrawal restrictions. Withdrawal is now limited to 1.3 million gallons per day, though demand is about 1.7 million gallons per day, so the town will need to release more to make up the difference. If it does not rain soon the town may have to go on voluntary water restrictions. There is currently more than one year's worth of supply available. There was discussion of the volume of water that the town is releasing to keep up the Eno River's regulated flow.

B. Out-of-town vacancy

The out-of-town vacancy is still being promoted. There have been no further applications so far. Salvi promoted board service during a meeting with Government 101 participants.

C. Bill language and format

The mock-up of the bill was not ready at the time of the meeting, but Utilities Director Marie Strandwitz confirmed that the bill will break out line items like in the Orange Water and Sewer Authority bill. Average monthly consumption and a bill calculator on the website are possibilities for inclusion so residents can

calculate their monthly payments. Strandwitz will research export functions for billing history. Most customers still use paper billing. There was discussion of the process for updates to the format and website, and the committee requested that Strandwitz invite a finance or communications person to the next meeting to discuss changes to the functionality of the billing platform.

D. Backflow code

Strandwitz reported that the Board of Commissioners agreed in concept with the recommendation of the Water and Sewer Advisory Committee regarding the backflow code, and desire to simplify the code. The air gap is an approved backflow method and will be added to the code. Educational materials will be distributed physically and on the town website but the air gap agreement and adding education to the code will not be done. There are about 60 known homeowners for whom this code update will apply.

5. Discussion

A. Officer elections

Motion: Rawlins moved to re-elect Chair Jenn Sykes as chair for 2024, pending her acceptance of the position. Weston seconded.

Vote: 4-1. Nays: Salvi.

Motion: Rawlins moved to elect Rawlins as vice chair for 2024. Weston seconded.

Vote: 5-0.

B. Reimbursement recommendation for installed backflow devices

Salvi recused herself from discussion as an impacted citizen. Rawlins assumed leadership of the discussion.

Strandwitz presented a chart of homeowners who had received letters from the town in early 2023 notifying them of the requirement to install reduced pressure zone valves (RPZ) for their in-ground swimming pools and who had complied to some extent.. The chart detailed the status of each residence's permit applications, installation, and inspection. There were seven homeowners.

Strandwitz reported that the Board of Commissioners had requested a recommendation from the Water and Sewer Advisory Committee about which individuals would be eligible to receive reimbursement for their compliance with the code after receipt of the initial notification letter. She detailed the chart's groupings:

- Those who had completed installation to town specifications and received a final permit inspection.
- Those who had completed installation, but perhaps not to town specifications and did not receive a final completion, including one where the County signed off without town approval.
- Those who applied for a permit and installed an RPZ after receiving the letter on May 22, 2023, notifying them of the potential pause of the code requirement (and as noted in the permit system). This customer's plumbing company also did not receive an issued permit before the work was completed.

The committee reviewed the discussion points provided by staff based on staff's discussion with the town attorney which was generally to be very succinct about who is eligible and what costs would be covered. There was discussion of the type of reimbursement to be offered, whether by check or as a credit toward the homeowner's water bill. A check was the desired method as adding a bill credit could take several

years and if the resident moved, a check would be issued anyway for the balance. There was discussion of the appropriateness of reimbursing homeowners who complied with the current code after receiving the letters informing them of non-compliance as opposed to those who complied with the code from initial installation as staff had been practicing after they realized the county was not including them on swimming pool permits or other permits that may necessitate a backflow device. While recused, Salvi interjected several times aloud and quietly to Rawlins during the conversations.

Rawlins spoke in favor of reimbursement, suggesting that if the homeowners had not received a letter they probably would not have taken on the expense. Rasheed expressed concern about setting a precedent. Weston noted that the code requirement existed all along, but that the letter simply made people aware that they were not in compliance.

Rawlins called for an informal vote about whether reimbursement was appropriate for those who received the letter and complied with the request before the Board paused enforcement on May 8, 2023 and directed a simpler compliance method, and staff notified them. Rawlins and Member Steed Robinson were in favor of reimbursement. Rasheed and Weston opposed reimbursement. Rawlins summarized that because of the 2-2 vote, the committee did not have a clear recommendation for the Board of Commissioners. Despite disagreement on whether reimbursement ought to be provided, the committee proceeded with discussion assuming the hypothetical case that the Board of Commissioners will move forward with reimbursement.

There was discussion of whether reimbursement should be offered to those who had a RPZ installed after receiving the letter, but whose installation did not pass the inspection. The committee decided that homeowners should be eligible if they made a good faith effort to comply with the code prior to the Board of Commissioners decision on May 8, 2023, except for the one customer who applied for a permit on June 1, 2023, after letters were sent and the permit system noted to pause the action and whose plumbing company installed the RPZ without an issued permit. They felt that was an issue between the plumbing company and the owner. .

Therefore, the Water and Sewer Advisory Committee was evenly split in support and opposition of reimbursement. However, if the Board of Commissioners were to proceed with reimbursement, the advisory committee would recommend that reimbursement should be applicable only to:

- Those who received the compliance letters of February and March 2023
- Those who applied for and received a trade/building permit through the county
- Only for the installation and initial testing cost (not necessarily for maintenance testing, removal, restoration, or other ancillary costs)
- Those that apply for the (check-issued) reimbursement within 60 days of notification of eligibility, and who produce documentation of cost

Strandwitz will prepare a memo on behalf of the WSAC for the Board of Commissioners.

6. Reports from Aug./Sept. Board of Commissioners meeting assignments

A. Aug. 14 Board of Commissioners meeting

Robinson provided a report from the meeting on the town's audit, where the financial director reported on the financial status of the water and sewer system. The liquidity ratios presented were strong, the report was positive, and the financial director expressed no concerns.

- B. Aug. 28 Board of Commissioners joint workshop
It was reported that the Board of Commissioners did not want to look at alternate rate structures. They agreed with the concept of using the air gap method as backflow prevention, but they preferred a simplified code for that. At the workshop there was also a presentation on system development fees.
- C. Sept. 11 Board of Commissioners meeting
Rasheed reported that the system development fees were adopted at the Board of Commissioners meeting. There was a discussion of the multi-modal transit study along Route 70 and parking at Holy Family Catholic Church.
- D. Sept. 25 Board of Commissioners workshop
Weston reported that the Board of Commissioners approved the 2023 water shortage plan, which included no substantial changes. There was discussion on development and infrastructure coordination challenges and possible solutions.

7. Assignments for Board of Commissioners meetings

- A. Board of Commissioners meeting Oct. 9 (Beeler/Steed)
- B. Joint Planning Board meeting Oct. 19 (Salvi/Robinson)
- C. Board of Commissioners workshop Oct. 23 (Rasheed/Beeler)
- D. Board of Commissioners meeting Nov. 13 (Rawlins/Sykes)
- E. Board of Commissioners workshop Nov. 27 (Rasheed/Weston sub.)

8. Future agenda items

Bill format change

9. Adjournment

Motion: Weston moved to adjourn the meeting. Rawlins seconded.

Salvi adjourned the meeting at 9 p.m. without a vote.

Respectfully submitted,

Tyler Freeman
Civil Engineering Technician
Staff support to the Water and Sewer Advisory Committee

Approved: Month X, 202X