

AGENDA

Lower Neuse Basin Association, Inc.[®] Neuse River Compliance Association, Inc.[®]

**February 2, 2023
City of Raleigh, N. C.
10:00 a.m.**

- **Welcome, Roll Call, and Introduction of Guests**
 - * Member Introductions**
- **Approval of Minutes for November 3, 2022 (AI) – John (pages 2-4)**
- **LNBA/NRCA Financials –**
 - * November, December, and January, 2023 Treasurer’s Reports (AI) – Donald (page 5)**
 - * FY 2023-24 Recommended Budget and Membership Fees – Finance Committee (page 6-8)**
 - * Website update - Haywood**
- **Legal Counsel Regulatory Update - Dan**
- **Officer Nomination Committee Appointments - John**
- **NRCA Updates -**
 - * Neuse River Watershed Model – John Huisman, Haywood**
 - * NRCA NPDES Permit Renewal - Haywood**
 - * Annual Nutrient Report - Haywood**
- **LNBA Updates -**
 - * Sampling Report – November, December, and January, 2023 – Haywood (page 9)**
 - * Sampling Site J4115000, Replacement for Marks Creek on Pritchard Road - Haywood**
 - * LNBA Annual Report - Haywood**
- **Member Reports -**
- **Next Meeting and Adjourn – Location/Date: Contentnea MSD – May 4, 2023**

Action Items (AI)

Lower Neuse Basin Association®/Neuse River Compliance Association®
November 3, 2022 Meeting Minutes
City of Wilson, N. C.

Attending:

John Kiviniemi (Chair)	Raleigh Water	Donald Smith (Treas)	Town of Cary
Kenny Stevens (Sec)	City of Kinston	Chuck Smithwick (V-Chair)	Contentnea MSD
Brian Leavitt	Town of Benson	Lori Avent (call in)	Town of Apex
Benjamin Overton	City of Goldsboro	Reggie Hicks	City of Durham
Jimmy Pridgen	City of Wilson	Richard Hamilton	City of Goldsboro
Kathy Cooper	City of Raleigh (call in)	Laura Pruitt	City of Wilson
Tony Hawkins	City of New Bern	David Suggs	CovationBio
Larry Durgin	Town of Apex	Johnathon Bulla	Town of Cary
Dan Wall	Johnston County	Bill Simpson	Town of Clayton (call in)
David Huffman	NC DWR	Anthony Futrell	CWS – Fairfield Harbour
Mark Vander Borgh	NC DWR	Steve Tedder	Black & Vetch
Rick Day	City of Havelock	Kimberly Pickett	Town of Benson
Katie Dickens	Aqua, N.C.	Barrett Jenkins	Restoration Systems
Mark Oliveira	Environment I	Travis Cooke	RES
Haywood Phthisic	LNBA/NRCA		

The Chair, John Kiviniemi, called the meeting to order and welcomed everyone. The roll was called and there were 13 of 19 members present representing the LNBA and 16 of 24 members present representing the NRCA. There was a quorum present for both associations. Guests were introduced and recognized.

Board Minutes – The Board Minutes from the September 5, 2022 meeting were presented. Being no revisions, Kenny Stevens made the motion to approve, seconded by Dan Wall, and approved by the Board.

Financials – Treasurer's Report – Donald Smith presented the Treasurer's Report for the period of August 31, 2022 through October 31, 2022 to the Board. As of October 31st, the LNBA account balance was \$305,045.25 and NRCA account balance was \$353,227.53. Dan Wall made the motion to approve the report as presented, seconded by Jimmy Pridgen, and approved by the Boards, respectively.

990 Tax Return for the LNBA and NRCA – Haywood reported he distributed the LNBA and NRCA 990 Tax Return for 2021 to the Board for review and comment. The tax returns will be submitted electronically by November 15th.

Finance Committee Appointments – The Chair announced the appointments to the Finance Committee to review the draft budget and membership fees for FY 2023-24. The committee members will be Donald Smith, Treasurer, Jimmy Pridgen, Chuck Smithwick, and Lori Avent.

Website Update – Haywood reported he's continuing to discuss options for the revised website due to the fact the software company will discontinue supporting the version of software the website currently operates. In the discussions with the software developer the upgrade will cost on the order of \$30,000 to build the new website.

Proposed Meeting Dates for 2023 - Proposed meeting dates for 2023 are: February 2nd; May 4th; September 7th, and November 2nd.

Neuse River, “River of the Year” – John reported American Rivers held a celebration of the Neuse River, “River of the Year” designation in October. The celebration was well attended with dignitaries from the State and Federal level, many LNBA/NRCA members, and many communities located in the river basin. There were approximately 100 attendees at the celebration.

NRCA Updates –

NRCA NPDES Permit Renewal – Haywood reported the NRCA’s permit will be update for renewal January 1, 2024 so working will beginning on that process after the first of the year, The permit application will be due for submittal July 1, 2023.

Midyear Nutrient Report – Haywood reported the draft midyear report (the period from July 1, 2021 to June 30, 2022) has been prepared for review. The report is prepared from DMRs so please review your data for accuracy and completeness. If you find any errors, please contact Haywood.

Nitrogen Exceedances and Leases for 2022 – Haywood reminded those who are close or will exceed their nitrogen allocations to execute a lease before December 31, 2022. Failure to do so will result in an assessment from the NRCA. A summary of all nitrogen exceedances was presented to the Board for review.

LNBA Updates –

Work continues on the Lower Neuse River Monitoring Service Contract No. 5 with Environment I. All sampling was completed by Environment 1 in September and October with the exceptions listed below:

September: All samples collected, analyzed per MOA requirements with the following exceptions:

J4690000 (Middle Creek at SR1152 Holly Springs Rd. nr Holly Springs): 06/06/22 & 06/23/22: No sample collected; road/bridge construction.

Results are in the final review step.

October: All samples collected and analyzed per MOA requirements.

Analysis of these samples is ongoing.

All invoices have been processed and paid through September, 2022.

Sampling Site J4110000, Marks Creek on Pritchard Road – The existing sampling site is located on a two lane, heavily travelled, blind curve road and has become a safety issue. An alternative site has been identified downstream and the process is underway to curtail sampling at the existing site and move to the new site.

LNBA MOA with DWR – Haywood noted the Memorandum of Agreement (MOA) with DWR (Coalition Monitoring Program) will be up for renewal by July 31, 2024

Review of the NRCA – Haywood made a presentation to the Board of the history of the NRCA. The presentation may be reviewed at the link: [NRCA History](#)

The next meeting is scheduled for February 2, 2023 at 10:00 hosted by the City of Raleigh. With no further business, the meeting was adjourned.

DRAFT

Lower Neuse Basin Association, Inc. / Neuse River Compliance Association, Inc.

Treasurer's Report

1/31/2023

LNBA

Balance Forward: (checking per bank statement - 10/31/2022)		Checking	\$	133,142.65
		Savings		171,902.60
Debits:	Environment I, Inc. (LNBA, Invoices)		\$	22,962.18
	Environment I, Inc. (Raleigh, Invoices)			4,255.65
	MFG Consulting, LLC			180.00
	JMW Bookkeeping (990 Tax Return)			650.00
	PCi (Invoices)			4,894.29
	Total Debits		\$	32,942.12
Credits:	Interest (checking)		\$	45.22
	Interest (savings)			617.69
Checking Account Balance (per bank statement -1/31/2023)			\$	100,245.75
				172,520.29
Total LNBA Account Balance			\$	272,766.04

NRCA

Balance Forward: (per bank statement -10/31/2022)		Checking	\$	75,257.30
		Savings		277,970.23
Debits:	PCi (Invoices)		\$	7,341.00
	MFG Consulting, LLC		\$	540.00
	NC DEQ (NPDES Permit Renewal)		\$	3,440.00
	JMW Bookkeeping (990 Tax Return)		\$	650.00
	McLawhorn Law Office			700.00
	Total:		\$	12,671.00
Credits:	Transfer from Checking to Savings Acc't		\$	-
	Interest (Savings)			995.60
	Interest (Checking)			25.98
Account Balance (per bank statement - 1/31/2023)		Checking	\$	62,612.28
		Savings		
				278,965.83
Total NRCA Account Balance			\$	341,578.11

Recommended LNBA/NRCA FY 2023 -24 BUDGET

Date: 1/31/2023

LNBA BUDGET

Expenditures	Current FY 22-23 Budget	Draft FY 23-24 Budget		
Water Sampling Contract	\$ 95,000.00	\$ 97,360.00		
Consultant Services	34,900.00	34,900.00		
Administrative Costs/Website	2,500.00	2,500.00		
Water Sampling Assessment*	17,500.00	18,044.00		
Educational Training	2,000.00	2,000.00		
Website Update **	-	15,000.00		
Total	\$ 151,900.00	\$ 169,804.00		
Revenues				
Membership Dues	\$ 134,400.00	\$ 136,760.00		
Member Assessment *	17,500.00	18,044.00		
Fund Balance **	-	15,000.00		
Total	\$ 151,900.00	\$ 169,804.00		

* Raleigh Water cost to participate in waster sampling program.

** Update website operating system.

NRCA BUDGET

Expenditures	Current FY 22-23 Budget	Draft FY 23-24 Budget		
Consultant Services	\$ 65,000.00	\$ 65,000.00		
Administrative Costs/Website	2,500.00	2,500.00		
Educational Training	2,000.00	2,000.00		
MODMON Research	-	-		
Website Update **	-	15,000.00		
DWQ Permit Fee	3,500.00	4,500.00		
Total	\$ 73,000.00	\$ 89,000.00		
Revenues				
Membership Dues	\$ 73,000.00	\$ 74,000.00		
Fund Balance	-	15,000.00		
Total	\$ 73,000.00	\$ 89,000.00		
Total for LNBA/NRCA	\$ 224,900.00	\$ 258,804.00		

** Update website operating system.

Recommended LNBA/NRCA Membership Dues for Fiscal Year 2023 -2024

Date: 1/31/2023

MEMBER	Permitted Flow (MGD)	2023-24 LNBA Base Fee	2023-24 LNBA (Q)	2023-24 Total LNBA Dues	2023-24 NRCA Base Fee	2022 - MidYear EOP Pounds of TN	2023-24 NRCA (\$/lbs.)	2023-24 Total NRCA Dues	Total Dues FY 2023-24
Town of Fuquay-Varina*	3.117	\$ 250.00	\$ 2,176.46	\$ 2,426.46	\$ -	0	\$ -	\$ -	\$ 2,426.46
City of Havelock	2.250	250.00	1,571.07	1,821.07	250.00	12,388	944.36	1,194.36	3,015.43
Duke Energy Progress	2.160	250.00	1,508.23	1,758.23	250.00	25	1.91	251.91	2,010.14
CovationBio, Inc.	3.600	250.00	2,513.72	2,763.72	250.00	1,595	121.59	371.59	3,135.31
City of Kinston	11.850	250.00	8,274.32	8,524.32	250.00	19,536	1,489.26	1,739.26	10,263.58
Johnston County	9.500	250.00	6,633.42	6,883.42	250.00	32,866	2,505.43	2,755.43	9,638.85
City of Goldsboro	14.200	250.00	9,915.22	10,165.22	250.00	83,452	6,361.67	6,611.67	16,776.89
Town of LaGrange	0.750	250.00	523.69	773.69	250.00	4,850	369.72	619.72	1,393.41
Contentheia MSD	3.500	250.00	2,443.89	2,693.89	250.00	5,199	396.33	646.33	3,340.22
Town of Kenly	0.630	250.00	439.90	689.90	250.00	5,597	426.67	676.67	1,366.57
City of Wilson	14.000	250.00	9,775.57	10,025.57	250.00	57,610	4,391.70	4,641.70	14,667.27
Town of Benson	1.900	250.00	1,326.68	1,576.68	250.00	15,580	1,187.69	1,437.69	3,014.37
Town of Farmville	3.500	250.00	2,443.89	2,693.89	250.00	2,624	200.03	450.03	3,143.92
Town of Cary	24.800	250.00	17,316.72	17,566.72	250.00	67,354	5,134.50	5,384.50	22,951.22
City of Raleigh	80.200	250.00	56,000.05	56,250.05	250.00	396,933	30,258.81	30,508.81	86,758.86
City of New Bern	6.500	250.00	4,538.66	4,788.66	250.00	38,491	2,934.23	3,184.23	7,972.89
Town of Apex	3.600	250.00	2,513.72	2,763.72	250.00	14,024	1,069.07	1,319.07	4,082.79
Town of Clayton	2.500	250.00	1,745.64	1,995.64	250.00	23,601	1,799.14	2,049.14	4,044.78
Town of Snow Hill	0.500	250.00	349.13	599.13	250.00	2,457	187.30	437.30	1,036.43
SGWASA**	5.500				250.00	8,826	672.82	922.82	922.82
City of Durham	20.000				250.00	50,932	3,882.62	4,132.62	4,132.62
Town of Hillsborough	3.000				250.00	4,167	317.66	567.66	567.66
Neuse Colony, Aqua, NC	0.350				250.00	9,185	700.19	950.19	950.19
MCAS Cherry Point**	3.500				250.00	11,883	905.86	1,155.86	1,155.86
Carolina Water Service	0.600				250.00	15,688	1,195.92	1,445.92	1,445.92
Craven County	0.860				250.00	3,877	295.55	545.55	545.55
Total Flow NRCA	219.750	\$ 4,750.00	\$ 132,010.00	\$ 136,760.00	\$ 6,250.00	888,740	\$ 67,750.00	\$ 74,000.00	\$ 210,760.00
Total Flow LNBA	189.057			\$ 136,760.00				\$ 74,000.00	\$ 210,760.00

* indicates LNBA member only

**indicates NRCA member only

FY 2023–24 Budget and Finance Committee Recommendation

1/31/2023

Finance Committee Members - Jimmy Pridgen, City of Wilson; Chuck Smithwick, Contentnea MSD; and Donald Smith, Town of Cary; Lori Avent, Town of Apex, and Haywood Phthisic, Executive Director.

The committee (through conference call) reviewed the draft budget and membership fee schedule for FY 2023-24 for the LNBA and NRCA.

LNBA Budget:

* Slight increase (2%) in the proposed budget for FY 2023-24 due to the renewal of the contract with Environment I (5 year agreement) for the sampling program. The LNBA budget has \$15,000 of fund balance appropriated to rebuild the software platform (that software support is ceasing later this year) for the Board's consideration. There will be minor changes in the individual amounts with permitted flow changes.

NRCA Budget:

* Slight increase in the proposed budget from FY 2023-24 anticipating an increase in the NPDES permit renewal fee. The NRCA budget has \$15,000 of fund balance appropriated to rebuild the software platform (that software support is ceasing later this year) for the Board's consideration. There will be minor changes in the individual fees based on the nitrogen discharged as indicated in the 2022 Midyear Total Nitrogen Report.

After review and discussion, the committee recommends the following for consideration by the Board:

LNBA - Recommends the approval of the proposed FY 2023-24 budget and membership fees as presented.

NRCA - Recommends the approval of the proposed FY 2023-24 budget and membership fees as presented.

Lower Neuse Basin Association ®

TO: Board Members

FROM: Haywood Phthisic, Executive Director

SUBJECT: Sampling/Monitoring Report for February 2, 2023 Board Meeting

DATE: November 1, 2022

Work continues on the Lower Neuse River Monitoring Service Contract No. 6 with Environment I. All sampling was completed by Environment 1 in September and October with the exceptions listed below:

November: All samples were collected and analyzed per MOA requirements with the following exceptions:

J4080000 (Poplar Creek at SR 2049 Bethlehem Road. Nr Knightdale); Stream level too low for sample collection; no sample collected.

J4690000 (Middle Creek at SR 1152 Holly Springs Road nr Holly Springs): Unable to collect due to bridge construction; no sample collected.

*J4115000 (Mark's Creek at Neuse River Trail nr Archer lodge) replaced J4110000 (Mark's Creek at Pritchard Rd. near Archer Lodge) due to safety concerns.

Final results for November samples have been submitted.

December: All samples were collected and analyzed per MOA requirements with the following exception:

J4080000 (Poplar Creek at SR 2049 Bethlehem Road. Nr Knightdale); Stream level too low for sample collection; no sample collected

Results for December samples are in final data review.

January: All samples were collected per MOA requirements with the following exception:

J4690000 (Middle Creek at SR 1152 Holly Springs Road nr Holly Springs): Unable to collect due to bridge construction; no sample collected

Analysis of these samples is ongoing.

All invoices have been processed and paid through December, 2022.