

PUBLIC WORKS COMMISSION
MEETING OF WEDNESDAY JANUARY 12, 2022
8:30 AM

Present: Evelyn O. Shaw, Chairwoman
Ronna Rowe Garrett, Vice Chairwoman
Donald L. Porter, Secretary
Wade R. Fowler, Jr., Treasurer

Others Present: Elaina L. Ball, CEO/General Manager
Chris Davis, City Council Liaison (VIA WEBEX)
Jimmy Keefe, Cumberland County Commissioner, Liaison

Absent: Telly Whitfield, Assistant City Manager
Scott Meszaros, Hope Mills Town Manager
Media

REGULAR BUSINESS

Chairwoman Evelyn Shaw called the meeting of January 12, 2022, to order.

Approval of Agenda

Upon motion by Commissioner Wade Fowler, seconded by Commissioner Donald Porter, the agenda was unanimously approved.

CONSENT ITEMS

Upon motion by Commissioner Wade Fowler, seconded by Commissioner Donald Porter, the Consent Items were unanimously approved.

A. Approve Minutes of meeting of December 8, 2021

B. Adopt PWC Resolution # PWC2022.01 – Approving the Interlocal Agreement for the Sale of Property to the Town of Four Oaks

Staff recommends the Commission grant authority to the CEO/General Manager of the Fayetteville Public Works Commission to sell to the Town of Four Oaks (the “Town”) a 2008 747-FR Trailer Mounted Sewer Jet with serial number 1S9KU21208C381360 (the “Property”) in exchange for \$40,100.00 pursuant to an interlocal agreement.

C. Adopt PWC Resolution # PWC2022.02 - Approving the Interlocal Assignment, Assumption and Consent Agreement by and between the City, PWC, and Synterra. Assigning to PWC Primary Responsibility for the Pilot Project and Open Task Authorizations related to Groundwater Remediation at the TEXFI Site

Staff recommends approval of the Interlocal Assignment, Assumption and Consent Agreement by and between the Fayetteville Public Works Commission, the City of Fayetteville, and SynTerra Corporation in order to allow PWC to manage the pilot project and related tasks associated with groundwater remediation at the Texfi site adjacent to PWC’s Hoffer water treatment plant site.

D. Adopt PWC Ordinance # PWCORD2022-01 thru PWCORD2022-04

- PWCORD2022-01 amends the NCDOT CPF. The amendment adds a project and adjusts the cost estimate for several projects based on updated information.
- PWCORD2022-02 amends the Replacement of 20-in North Fayetteville Force Main CPF to close out the fund. Project is complete.
- PWCORD2022-03 amends the Annexation Phase V – Asphalt Overlay CPF to close out completed projects.
- PWCORD2022-04 amends the Annexation Phase V Reserve Fund. It adjusts the transfer needed for the Annexation Phase V – Asphalt Overlay CPF based on a true-up of budgeted estimates to actual costs for completed projects.

END OF CONSENT

GENERAL MANAGER REPORT

Elaina Ball introduced Henry Smith, PWC's new Safety, Health and Environmental Manager; and Brian Payne, PWC's new Senior Utility Safety, Health and Environmental Specialist. Mr. Smith, and Mr. Payne provided a brief background of their experience to the Board.

TEXFI Remediation Efforts

Ms. Ball stated the on our Consent Agenda, an interlocal agreement establishing a limited assignment of an agreement from SynTerra related to piloting a technology to begin the remediation efforts at the Texfi Site. This has been a huge issue for our community for a very long time. Ms. Ball thanked Mr. Noland, Mr. West, and the team for their diligent work on this assignment with the City. This is a very important issue for our City and our delegation who helped to get some funds to start this pilot project.

MetroNet

Ms. Ball stated the project is continuing. We have nearly 2/3 of the poles, approximately 7,000 out of 11,000. She stated we recently became aware they have been hitting our customers' water and sewer laterals. She met with MetroNet at their most recent safety meeting, and requested a safety standdown, as well as a reset of their construction crews to ensure they are doing the locates. Water and sewer are obviously costly when they are hit, and it is an inconvenience, however if the crews hit a gas line it can cause serious injury or even worse. MetroNet has been verbally very responsive, and we will monitor it closely.

Budget Preparations

Ms. Ball Stated, we are continuing to work on our budget preparations. We are working through each division and should have an update of the financial forecast very soon. We are also rounding the corner on the cost of service for electric. Commission will see of this in the spring as we bring the cost of study to you and present the full budget.

Duke Power Cost

Our power costs were higher again. They were 35% over the original projections in December 2020. There are a lot of drivers, and they continue to be commodities and forecasts. Staff appreciates Commission's approval of the request to modify how we are being billed. It will help us and help Duke with interest costs.

COVID

Ms. Ball stated COVID is quickly running through our workforce. We have 15% of our workforce who are quarantined (approximately 85-90 employees). Ms. Ball stated she appreciates the teams working diligently. Some teams have been isolated to ensure we can respond to emergencies. Staff has been working together to move resources as people have been out. As an example, Dispatch was razor thin for the last two weeks, which is a 24/7 operation, watching the grid, responding to outages, and responding to switching operations. We were down to no redundancy, and team members were working multiple shifts, day after day. Ms. Ball thanked Finance for assisting. She stated we have a team member, Jessica Barefoot who in a prior role had been in Dispatch, stepped in and filled in for staff who were at home sick.

Ms. Ball stated we are doing everything we can to keep our teams healthy; keep our operations covered and encourage vaccination.

Grays Creek

We are continuing to work on the wholesale water agreement for Grays Creek. Ms. Ball and Chairwoman Shaw have a meeting with the County later this week to discuss ARP funds, and coordination of it, however, Grays Creek may be discussed.

Small/Local Procurement Program

This program is well underway. We are building a new program. One of our local delegation supported getting a law passed to allow us to establish this program. We have a cross-functional team building it. We expect to present it to the Commission on March 9th. Ms. Ball thanked Mark Cannady and the team for their work. They are doing a terrific job and it will bear a lot of fruit in supporting local businesses.

Availability and Disparity Study

The Availability and Disparity Study that we have partnered with the City is on schedule. Carolyn Justice-Hinson and Lexi Hasapis conducted an interview with APPA on our efforts, that was covered nationally.

EDC Receives Grant

Ms. Ball stated EDC was awarded a gold-leaf grant of almost \$1M to support upgrades and replacements at our lift stations 28 and 29 near the airport. This is critical for us to get the infrastructure necessary to support growth in the airport corridor.

Gallup Action Planning

We conducted our Gallup Action Planning. Ms. Ball will speak to the Commission regarding a specific ask in a closed session. She is pleased with the quality of the action plans that have been populated. She stated her objective is to guide engagement, because high levels of engagement are directly tied to high business outcomes.

Succession Planning

We will have our third and final round of Succession Planning on January 21st. We will do this twice a year. Our new OD Manager will ultimately take over functional responsibility of the Succession Plan. We will work with the board on the Succession Plan.

2nd Quarterly Review of the Strategic Plan

The intent of the quarterly strategic plan review and the detailed action plans we have built is to keep us on task, as well as to assess if the actions we are taking and the projects we are implementing are driving the actions we have set up.

UW Campaign

We exceeded our United Way Campaign of \$125,000. Ms. Ball stated we reached almost \$150,000. Though we are one of the smaller organizations in the community, we were the number one campaign in the County. Ms. Ball thanked everyone for their generosity.

Grinding of the Greens

If you have a fresh tree, please recycle it. It is good for the planet, and it helps with mulch.

MLK Parade

The MLK Parade was postponed to April because of the COVID cases.

Chamber of Commerce

Will have a recognition event for our local delegation, for all the great support of the region. It will be held tomorrow evening. If the Commissioners are interested in attending, please let Ms. Ball or Ms. Justice-Hinson know.

Update on Financial

In our next meeting, we have an update on Financial Health. Rhonda Haskins has organized a ratings analyst from Fitch to present to the Commission as well. Ms. Ball asked the Commissioners to think about the bond market questions they would like answered, as well as questions concerning PWCs outlook. She asked the analyst to communicate and tie our financial health with the financial health of the City.

COMMISSIONER/LIAISON COMMENTS

Commissioner Evelyn Shaw

Commissioner Shaw stated she has a question related to the presentation in March regarding Small/Local Business. She asked if Commissioners would see in the presentation, the progress and statistical information with regard to what we have done up to the point where the new law has kicked in. She stated the last presentation they received from the group shared some data that they indicated to them they were tracking the opportunities as well as the awards that went to local and small businesses. If in fact that has continued, she would like to know since the last presentation where we are.

Ms. Ball replied she took a deep dive into the data, which was from 2017 and 2018, and the data, while it was good information was not complete. We are setting up a new measurement system that will be in alignment with our definition of local and small. It is one of the KPIs we have in our strategic plan. The team is building metrics and the Commission will have monthly updates, as well as the other KPIs.

Chairwoman Shaw asked for the Commission to be given an advanced draft of the presentation (as Ms. Ball already does) so as they review it the Commissioners can pose questions in advance of the presentation. Ms. Ball stated absolutely. She recently met with the team to review the definition of local and small. They also previewed the program document with her. It is well on its way. If the Commission is amenable to it, staff will share it over the next couple of months as it develops. If the Commission would prefer to have a fully baked complete program they will hold off. Chairwoman Shaw stated she would prefer to walk along with staff.

Commissioner Ronna Garrett

Commissioner Garrett thanked the team for the brief on Grays Creek before the holidays. She also requested to be included in the orientation and departmental tours that will be provided to Commissioner Porter.

Commissioner Wade Fowler

Commissioner Fowler welcomed County Commissioner Jimmy Keefe to the meetings. County Commissioner Keefe is the new liaison to PWC.

Commissioner Fowler thanked the staff for all the work they are doing. He stated he is beginning his eighth year as a Commissioner and this year is starting out as a special one.

Commissioner Donald Porter

Commissioner Porter stated he appreciates all the work to get him onboarded. He stated it does not take him 30 days to figure out he is part of an efficient organization. He appreciates all he has seen so far, and thanks everyone for their help.

County Commissioner Jimmy Keefe

County Commissioner Keefe stated this is his first meeting this time. He was the liaison about 6 or 8 years ago. He is excited to be serving this time because of the collaboration PWC is having with the City and the County. It is more of a community focus.

He stated he is excited to hear about the local purchasing. He had not heard about it before. He hopes it will become a template that all can use (City, County and School System).

He is looking forward to working with the Commissioners. As Ms. Ball mentioned there are some County projects, and he is looking forward to working with the board on big projects they can move forward.

Council Member Chris Davis

Council Member Davis stated on behalf the City he continues to be excited and optimistic about what he sees going on, and developing relationships. He stated there is a genuine feeling of progress that we all have and see. The City stands ready to push into it and work forward through it.

He stated CEO Ball is doing a great job. He thanked the Commissioners for continuing to lead, as well as leaders and staff at PWC. Mark Brown has really made an impact by his response to the citizens regarding annexation and his response to the communities over there. Continue to thank everyone for the work they are doing.

REPORTS AND INFORMATION

The Commission acknowledges receipt of the following reports and information.

- A. Monthly Cash Flow Report – November 2021
- B. Recap of Uncollectible Accounts – November 2021
- C. Investment Report – November 2021
- D. Personnel Report – December 2021
- E. Formula Rate Tariff Updates – Effective February 1, 2022
 - Buy All Sell All Rider
 - Large Power Service – Coincident Peak
 - Large Power Service – Owning Transmission
 - Medium Power Service – Coincident Peak
- F. Position Vacancies
- G. Financial Statement Recaps
 - Electric – November 2021
 - Water/Wastewater – November 2021
- H. Actions by City Council during the meeting of December 13, 2021 related to PWC:
 - Approved Bid Recommendation – Annexation Phase V Area 24 B/C – Cliffdale Estates, Village Hills & Kings Mill Subdivision

CLOSED SESSION PURSUANT TO N.C. GENERAL STATUTES 143-318.11(A)(3) TO CONSULT WITH AN ATTORNEY

Commissioner Wade Fowler motioned to go into closed session pursuant to NC General Statutes 143-318.11(a)(3) to consult with an attorney. Motion was seconded by Commissioner Ronna Garrett, and unanimously approved at 8:50 am.

There being no further discussion, upon motion by Commissioner Fowler, seconded by Commissioner Garrett, the meeting returned to open session at 9:37 am.

The commissioners took a brief break and returned @ 9:45 am.

CLOSED SESSION PURSUANT TO N.C. GENERAL STATUTES 143-318.11(A)(3) TO CONSULT WITH AN ATTORNEY

Commissioner Wade Fowler motioned to go into closed session pursuant to NC General Statutes 143-318.11(a)(3) to consult with an attorney. Motion was seconded by Commissioner Ronna Garrett, and unanimously approved at 9:45 am.

There being no further discussion, upon motion by Commissioner Fowler, seconded by Commissioner Porter, the meeting returned to open session at 9:56 a.m.

CLOSED SESSION PURSUANT TO N.C. GENERAL STATUTES 143-318.11(A)(6) FOR PERSONNEL MATTERS

Commissioner Wade Fowler motioned to go into closed session pursuant to NC General Statutes 143-318.11(a)(6) to discuss personnel matters. Motion was seconded by Commissioner Porter, and unanimously approved at 9:56 am.

There being no further discussion the meeting returned to open session at approximately 11:40 a.m.

ADJOURNMENT

There being no further business the meeting adjourned at approximately 11:40 am.