

PUBLIC WORKS COMMISSION  
MEETING OF WEDNESDAY JULY 12, 2023  
8:30 AM

Present:       Ronna Rowe Garrett, Chairwoman  
                  Donald L. Porter, Vice Chairman  
                  Evelyn O. Shaw, Secretary  
                  Christopher Davis, Treasurer

Others Present:   Mick Noland, Interim CEO/General Manager  
                      Deno Hondros, City Council Liaison

Absent:         Adam Lindsay, Assistant City Manager  
                  Jimmy Keefe, Cumberland County Liaison  
                  Chancer McLaughlin, Hope Mills Interim Town Mgr.  
                  Media

I.     REGULAR BUSINESS

Chairwoman Ronna Rowe Garrett called the meeting to order at 8:30 a.m.

APPROVAL OF AGENDA

Upon motion by Commissioner Donald Porter, seconded by Commissioner Evelyn Shaw, the agenda was unanimously approved.

II.    NTUA LIGHT UP NAVAJO PRESENTATION AND EMPLOYEE RECOGNITION

Presented by:   Jonathan Rynne, Chief Operations Officer – Electric Systems

Mr. Rynne stated today we will recognize the employees who organized and participated in this great effort that is occurring in Utah, Colorado, New Mexico, and Arizona. Mr. Rynne went on to give the background of the genesis of this mutual aid effort through the APPA. He went on to state there were 15,000 families in that area who never had electricity, and in most cases running water in their homes. This program began in 2018. We were slated to go out in 2020, which was the second phase of this effort (Light-up Navajo II), but we all know what happened. COVID occurred and the Tribal Nation was very negatively impacted by COVID.

Marc Tunstall, Electric Construction and Maintenance Manager, stated in 2019 he had the opportunity to ride out to the Navajo Nation. He stated it is amazing that we have people in the U.S. that do not have electricity. We wanted to be a part of this effort and we were able to send 10 employees out there in June (for two weeks) to help bring electricity to the Navajo Nation. The nation is 27,000 square miles. He went on to state that people drive several times a week to Window Rock, their capital just to get water.

Our guys, along with two other crews built 3 ½ miles of line, and connected 27 families, which was a great effort, especially in rock. Mr. Tunstall introduced all the participants, though two were unable to be in attendance.

Jonathan Bullard  
Austin Hawley  
Stone Johnson

Dustin Britt  
Lamar Hunt  
Cameron Phipps

James Deans  
Cody Jonaitis

Adam Daugherty  
Marshall Jackson

Chairwoman Garrett asked for the employees who were in attendance to give their comments on their experience while at the Navajo Nation. She thanked each employee for their contributions in representing PWC.

Commissioner Porter stated he is proud to be a part of this organization. As a military veteran he has been blessed to go around the world, and has been in third world countries, and you don't think that there are families right here in the United State that do not have the basic necessities. He thanked each member of the team who went out to the Navajo Nation.

Commissioner Davis stated he was at APPA this year, and it was telling when he heard the president of the Navajo Nation tell the attendees that the first time, he had the opportunity to experience electricity and running water was when he went to college as a freshman.

Commissioner Shaw stated she is just full in hearing what they did. She stated they must have had a heart to go. She had the chance to visit a part of the Navajo Nation in Colorado some years back, and you never know how blessed you are and how much you have until you encounter those who have so little. But the resilience of the people was just awe-inspiring. She thanked the team on behalf of our community. She knows the people were elated for what our employees brought to them.

One of team members recalled the story of one of the residents who was unable to be home when they connected her house to electricity. They later found out that she had been a school teacher before COVID hit; and subsequently she decided to go back to college to enter a new field, though she was already in her 60s. In order to do her school work she had to drive three hours each way to a Burger King for an internet connection, for a total of six hours a day. She told them she was so excited that she no longer has to travel six hours a day to complete her school work, and still go to work the next day.

A video was then presented which entailed the team's efforts, as well as the Navajo Nation's comments of gratitude about their work.

Mr. Noland recognized Mr. Rynne and Mr. Tunstall. He stated it took a lot of planning and coordination with two crews away for two weeks.

### III. CONSENT ITEMS

Upon motion by Commissioner Evelyn Shaw, seconded by Commissioner Christopher Davis, Consent Items were unanimously approved.

A. Approve Minutes of meeting of June 28, 2023

- B. Adopt PWC Resolution – PWC2023.16 – Resolution Exempting Replace Standby Power at the Cross Creek Water Reclamation Facility Project from NCGS 143-64.31

In North Carolina, the procurement of professional services performed by architects, engineers, surveyors, and construction managers at risk is governed by G.S. 143-64.31, sometimes referred to as the “Mini-Brooks Act.” It requires PWC to “announce all requirements” for the services sought and, in evaluating responses, to focus on the qualifications or potential firms rather than fees or price of the contract. G.S. 143-64.32 authorizes a unit of local government to exempt itself from the Mini-Brooks Act for contracts with an estimated cost of \$50,000.00 or less.

Staff recommends the Commission exempt the construction phase services needed for the standby power replacement project at the Cross Creek Water Reclamation Facility (the “project”) and grant authority to the CEO/General Manager of the Fayetteville Public Works Commission to enter into a contract with Hazen and Sawyer, P.C. to perform those services.

- C. PWC Resolution – PWC2023.18 – Resolution to Declare Personal Property as Surplus and Authorize Sale of Property by Sealed Bid

Fayetteville Public Works Commission (“PWC”) owns equipment that is identified in our inventory as “transformer shipment #652 Pad Mount, containing one (1) transformer, totaling 2500 KVA” (the “Equipment”). Staff has determined that PWC has no longer has any use for the Equipment, that the Equipment should be sold at this time, and that the estimated that the value of the Equipment is at least thirty thousand dollars (\$30,000.00). Staff, therefore, requests that the Commission declare this Equipment to be surplus and authorize the sale of the Equipment via sealed bid in accordance with G.S. 160A-268.

**COMMENTS:** Staff believes that the Equipment is surplus and requests that the Equipment be declared surplus and authorized for sealed bid.

- D. PWC Resolution – PWC2023.19 – Resolution to Declare Personal Property as Surplus and Authorize Sale of Property by Sealed Bid

Fayetteville Public Works Commission (“PWC”) owns equipment that is identified in our inventory as “transformer shipment #656 Pad Mount, containing one (1) transformer, totaling 1500 KVA” (the “Equipment”). Staff has determined that PWC has no longer has any use for the Equipment, that the Equipment should be sold at this time, and that the estimated that the value of the Equipment is at least thirty thousand dollars (\$30,000.00). Staff, therefore, requests that the Commission declare this Equipment to be surplus and authorize the sale of the Equipment via sealed bid in accordance with G.S. 160A-268.

**COMMENTS:** Staff believes that the Equipment is surplus and requests that the Equipment be declared surplus and authorized for sealed bid.

- E. PWC Resolution – PWC2023.20 – Resolution to Declare Personal Property as Surplus and Authorize Sale of Property by Sealed Bid

Fayetteville Public Works Commission (“PWC”) owns equipment that is identified in our inventory as “transformer shipment #658 Pad Mount, containing one (1) transformer, totaling 2500 KVA” (the “Equipment”). Staff has determined that PWC has no longer has any use for

the Equipment, that the Equipment should be sold at this time, and that the estimated that the value of the Equipment is at least thirty thousand dollars (\$30,000.00). Staff, therefore, requests that the Commission declare this Equipment to be surplus and authorize the sale of the Equipment via sealed bid in accordance with G.S. 160A-268.

**COMMENTS:** Staff believes that the Equipment is surplus and requests that the Equipment be declared surplus and authorized for sealed bid.

F. PWC Resolution – PWC2023.21 – Resolution to Declare Personal Property as Surplus and Authorize Sale of Property by Sealed Bid

Fayetteville Public Works Commission (“PWC”) owns equipment that is identified in our inventory as “transformer shipment #657 Pad Mount, containing one (1) transformer, totaling 2500 KVA” (the “Equipment”). Staff has determined that PWC has no longer has any use for the Equipment, that the Equipment should be sold at this time, and that the estimated that the value of the Equipment is at least thirty thousand dollars (\$30,000.00). Staff, therefore, requests that the Commission declare this Equipment to be surplus and authorize the sale of the Equipment via sealed bid in accordance with G.S. 160A-268.

**COMMENTS:** Staff believes that the Equipment is surplus and requests that the Equipment be declared surplus and authorized for sealed bid.

G. PWC Resolution – PWC2023.22 – Resolution to Declare Personal Property as Surplus and Authorize Sale of Property by Sealed Bid

Fayetteville Public Works Commission (“PWC”) owns equipment that is identified in our inventory as “transformer shipment #646, #648, #651, #653, #654, #655, containing six (6) transformers, totaling 2100 KVA” (the “Equipment”). Staff has determined that PWC has no longer has any use for the Equipment, that the Equipment should be sold at this time, and that the estimated that the value of the Equipment is at least thirty thousand dollars (\$30,000.00). Staff, therefore, requests that the Commission declare this Equipment to be surplus and authorize the sale of the Equipment via sealed bid in accordance with G.S. 160A-268.

**COMMENTS:** Staff believes that the Equipment is surplus and requests that the Equipment be declared surplus and authorized for sealed bid.

END OF CONSENT

#### IV. PUBLIC HEARING - SYSTEM DEVELOPMENT FEES

Commissioner Garrett called for the public hearing on the proposed System Development Fees and revised Service Regulations and Charges.

She stated during our board meeting on May 24, 2023, this hearing was set for this July 12th meeting, and PWC staff gave amended public notice of this hearing by publishing notice in a newspaper of general circulation serving this community, the Fayetteville Observer, on Thursday, May 25, 2023, and Sunday, May 28, 2023, and posted the same notice information, along with all relevant documents, on our website on Thursday, May 25, 2023.

She then called on the staff to make their presentation. Ms. Haskins stated staff began this process in August 2022. Raftelis was hired to perform fee calculations and written analysis of Water and Sewer SDF's for FY24. On March 22, 2023, Raftelis presented study results to the Commission's Board. On May 25 of this year, written analysis was posted for 45 days with solicitation for written comments, and as of July 10, 2023, there were no written comments received.

Ms. Haskins stated staff recommends adoption of the proposed System Development Fees and revised Service Regulations and Charges as presented, without any modifications or revisions, along with the resolution that was prepared in accordance with G.S. 162A-205 and delivered to the Clerk.

Ms. Haskins stated the below are the results of the calculation and the fees are accessed based on the meter size.

<b>Meter Size</b>	<b>Water Fee</b>	<b>Sewer Fee</b>
3/4"	\$763	\$1,853
1"	\$1,198	\$2,910
1.5"	\$3,272	\$7,951
2"	\$4,356	\$10,582
2.5"	\$7,628	\$18,533
3"	\$10,900	\$26,483
4"	\$21,793	\$52,948
6"	\$43,586	\$105,897
8"	\$76,279	\$185,328
10"	\$119,865	\$291,225
12"	\$151,261	\$367,506

Mr. Noland, PWC's Interim CEO/General Manager stated staff is also requesting the Commission to approve a second resolution relating to the State of North Carolina's required Water Shortage Response Plan for PWC, which is included in the revised Service Regulations and Charges, and we ask that the Board adopt that resolution as well so we can demonstrate our compliance to the State.

Chairwoman Garrett asked Ms. Durant, Clerk of the Board if she has received any written comments. Ms. Durant replied she has not received any written comments.

Chairwoman Garrett then asked Ms. Durant if anyone has registered to speak at the hearing? She replied no one has registered to speak today.

Chairwoman Garrett asked if there is anyone present who wishes to speak at the hearing but was unable to timely pre-register? No one came forward. She then called for a vote by the board.

Commissioner Donald Porter moved to approve the proposed SDFs and revisions to the Service Regulations and Charges and adopt the two related resolutions prepared by PWC staff. Motion was seconded by Commissioner Christopher Davis, and unanimously approved.

## **V. GENERAL MANAGER REPORT**

Mr. Noland stated this is the time of year when we roll over from one fiscal year to the next. There are a lot of exercises to prepare us for the new fiscal year.

Ms. Justice Hinson stated we are currently recruiting for our Community Advisory Group (CAG). In the incoming week we will begin to send out information. We will take nominations and applications through the end of August. The CAG can serve up to three years, though they are not bound by it, but they have the option to continue up to three years. We currently have 22 members. They meet once a month at 6pm.

## VI. COMMISSIONER/LIAISON COMMENTS

Council Member Deno Hondros

Council Member Hondros relayed an experience while in Greece in 1980. It was there that he first realized that people still do not have electricity, and running water. He said that it is amazing that people in the United States in 2023 still do not have electricity or running water, which most of us consider normal.

Commissioner Donald Porter

Commissioner Porter stated it has been a great morning. He stated he appreciates the Chairwoman and the CEO's leadership. He appreciates how they prepare the Commissioners through whatever means necessary. He appreciates everyone and what they do.

Commissioner Christopher Davis

Commissioner Davis stated today has been a great day.

Commissioner Evelyn Shaw

Commissioner Shaw stated we don't need any Advil after this meeting.

Commissioner Ronna Rowe Garrett

Commissioner Garrett stated she appreciates Commissioner Porter's remarks about the leadership. It takes a lot to run the Commission. Mick Noland has done a great job in this last year, and so has the staff. There is a lot that goes on behind closed doors for this meeting. The commitment by the Commission and the leadership team is evident. She stated she always try to be a part of things, people, places, and teams that are meaningful and have purpose. She always feels that there is a purpose and a meaning and very positive things we are doing. She went on to state that that it is hard work, though they have the easier part by making the policies and decision, but it is the blue collar guys with the shirts, and the boots that bring you back to the center of what is really important in this world.

## VII. REPORTS AND INFORMATION

The Commission acknowledges receipt of the following reports and information.

- A. Purchase Orders - May 2023
- B. Personnel Report - June 2023
- C. Career Opportunities

D. Actions by City Council during the meeting of June 26, 2023, related PWC:

- Approved Sole Source Recommendation – Purchase of 230kV 3000 Amp Outdoor Breaker
- Approved Sole Source Recommendation – Purchase of 27kV Class Outdoor Distribution 1200 Amp Vacuum Interrupting Circuit Breakers
- Held Public Hearing – Phase 5 Annexation Areas 28 and 33 North – Preliminary Assessment Resolution

VIII. CLOSED SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTES 143-318.11(A)(3) FOR LEGAL MATTERS

Commissioner Evelyn Shaw motioned to enter Closed Session, pursuant to North Carolina General Statutes 143-318.11(A)(3) to discuss legal matters, Motion was seconded by Commissioner Donald Porter, and unanimously approved by 9:09 am.

There being no further discussion, upon motion by Commissioner Evelyn Shaw, seconded by Commissioner Donald Porter, the Commission returned to open session at 9:36 am.

IX. CLOSED SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTES 143-318.11(A)(6) FOR PERSONNEL MATTERS

Commissioner Donald Porter motioned to enter Closed Session pursuant to North Carolina General Statutes 143-318.11(A)(6) to discuss personnel matters. Motion was seconded by Commissioner Evelyn Shaw, and unanimously approved at 9:36 am.

There being not further discussion, upon motion by Commissioner Donald Porters, seconded by Commissioner Evelyn Shaw, the Commission returned to open session at 9:41 am.

X. ADJOURNMENT

There being no further discussion, upon motion by Commissioner Donald Porter, seconded by Commissioner Christopher Davis, and unanimously approved, the meeting adjourned at 9:41 a.m.