

AGENDA

Re: Sanitary District Board Meeting
March 14, 2017; 5:00 PM

(The Chair shall inquire as to whether any member knows of any conflict of interest or appearance of conflict with respect to matters before the Commission. If any member knows of a conflict of interest or appearance of conflict; please so state at this time.)

<u>Item No.</u>	<u>Department</u>	<u>Description</u>	<u>Duration</u>
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Open

All items listed under the Consent Agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time Board votes on the motion. Consent Agenda items may include any non-controversial subjects.

CONSENT AGENDA		- February 14, 2017 Regular Meeting Minutes	00:05:00
		- Board Account Budget Needs for March	
		- Consumption Reports	
		- February Financials Report	
		- Budget Amendments	
		- CEO Report	
		- Safety System Report	
1.	Administrtion	Fire Hydrant Permit	00:10:00
2.			00:00:00
3.			00:00:00
4.			

Next Meeting: April 11, 2017; 5:00 p.m. @ RRSD Business office; 1000 Jackson St., Roanoke Rapids, NC, (252) 537-9137

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Items to be placed on the agenda must be presented to the CEO at least seven (7) calendar days prior to the announced meeting. Durations and order of agenda items may be adjusted at the Chairman's discretion to facilitate the meeting.

February 14, 2017
ROANOKE RAPIDS, NC
5:00 P.M.

A regular meeting of the Roanoke Rapids Sanitary District Board was held in the Sanitary District office on the 14th of February, 2017, at which time the following proceedings were held:

PRESENT: E. J. St Clair, Chairman; J. R. Barber, Secretary; S. M. Holliday, Member;
 Dan Brown, CEO; Thomas Wrenn, Finance Director; Brad Elliott, Attorney

ABSENT: None;

VISITORS/STAFF: Justin Blackmon, Utility Engineer;

Motion was made by S. M. Holliday and seconded by J. R. Barber to approve and adopt the following items contained in the Consent Agenda:

- a) January 10, 2017 Regular Board Meeting Minutes
- b) Board Account Budget Needs for February 2017
 - i. Budget Check #1041 - \$ 250,000.00
 - ii. Investment Check #1042 - \$ 580,000.00
 - iii. Transfer \$160,000.00 from NCCMT; when needed
- c) Statement of Revenues and Expenses, Consumption Reports, and January 2017 Financial Report
- d) Budget Amendments:

<u>Account No.</u>	<u>Account Description</u>	<u>Dr.</u>	<u>Cr.</u>
103990.0000	FUND BALANCE APPROPRIATED	\$15,000.00	
108120.7406	Capital Outlay - SCADA System		
Item 12	Utility Cloud Workflow Management System Service, Training, Development and Equipment		\$15,000.00

Budget Amendment for FY 17 Capital Outlay

- e) 2016 NC Debt Setoff Clearinghouse Annual Report
- f) NC Capital Management Trust Regional Advisory Board Meeting
- g) CEO Report (see Board Agenda for complete text)
 - i. J. Blackmon and S. Ellis completed the Basic Water Utility Management Institute Training
 - ii. December 21, 2016 Letter from Step Construction Rescinding Uncovered Work Claim
 - iii. Halifax County EDC Notice of Board Meeting and Agenda
 - iv. NCWQA Emails: ¹Analysis of EPA's Dental Amalgam Rule ²Executive Order for Regulation
 - v. Verizon Antenna replacement on Rapids Tank and the Fifth Amendment to Option and License Agreement
 - vi. Sub Basin C&D Rehab Letter of Approval for Loan Payment #19
 - vii. UNC EFC Blog – WIFIA! EPA's New Billion Dollar Water and Wastewater Loan Program Hits the Streets
 - viii. WTP & WWTP – Monthly Operating Reports
 - ix. 2017 Permit to Operate a Community Public Water System
 - x. Notice of Water Supply Plan Annual Update
 - xi. US EPA Large PWS Registration for the Fourth Unregulated Contaminant Monitoring Rule
 - xii. Industrial User Permit Renewal for Kennametal
 - xiii. Notice of Violation for Don Pancho
 - xiv. Notice of Violation for Halifax Linen
 - xv. Drought Monitor

h) Safety System Report

- i. January 12, 2017 Safety Committee Meeting Minutes
- ii. 2016 Annual Safety Award Applications
- iii. Workplace Hygiene Silica Survey
- iv. Workplace Hygiene Lab Air Quality Survey

Motion unanimously passed.

Item 1 Dan Brown presented the Resolution for Utilization Fee Authorization (**Exhibit 021417.01**, attached). Dan explained the importance to seek express legislative approval to collect fees on services to be provided. Motion was made by S. M. Holliday and seconded by J. R. Barber to adopt the resolution as proposed. Motion unanimously passed.

ADDENDA

- Dan Brown presented to the Board Surplus Equipment Disposal Forms. Motion was made by J. R. Barber and seconded by S. M. Holliday to authorize the disposal as requested. Motion unanimously passed.
- Dan Brown informed the Board about the public comment session for the Atlantic Coast Pipeline to be held on February 15th, 2017 at the Hilton Garden Inn.
- Dan Brown informed the Board of the Roanoke Valley Chamber's Annual Meeting on February 23, 2017 at Kirkwood Adams Community Center.

There being no further business to come before the Board at this meeting, it was upon motion by S. M. Holliday and seconded by J. R. Barber; the meeting was adjourned at 5:15 P.M.

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ROANOKE RAPIDS SANITARY DISTRICT

CHAIRMAN

SECRETARY



Roanoke Rapids Sanitary District

RESOLUTION

2017 LEGISLATIVE AGENDA ITEM #1 - UTILIZATION FEE AUTHORIZATION

WHEREAS, on April 10, 1990, Roanoke Rapids Sanitary District Board of Commissioners having heard the particulars regarding the Water/Wastewater Utilization Policy and pursuant to G.S. 130A, Art. 2, Pt. 2, adopted said policy authorizing charges for water and wastewater impact fees; and

WHEREAS, the administration of the adopted Utilization Policy requires the Utilization Fee to be collected at the time service connection is requested; and

WHEREAS, the administration of the adopted Utilization Policy has never included costs for services to be furnished; and

WHEREAS, the North Carolina Supreme Court recently invalidated water and sewer impact fees assessed on new development by the Town of Carthage, holding that a municipality lacks the authority under general law to assess such fees contrary to statutory grant of authority providing that a county "(may establish) charges for the use of and for the services furnished or to be furnished by any sanitary sewer system, water system or sanitary sewer and water system of the district." G.S. 162A-88; and

WHEREAS, after careful consideration and review of its Utilization Policy, the Board of Commissioners has determined that it is in the best interest of the health, safety and welfare of the inhabitants of Roanoke Rapids Sanitary District to seek express legislative approval for its impact fees.

NOW, THEREFORE, BE IT RESOLVED by Roanoke Rapids Sanitary District Board of Commissioners as follows:

That the NC Supreme Court has held that municipalities in the State lack the authority to impose impact fees for services to be furnished in the future.

That the court held that State statute for municipalities limits them to charging for services that are furnished and that does not include impact fees for services "to be" furnished in the future.

That conversely, the state statute for Counties authorizes fees to be charged for services furnished and to be furnished. Thus, County impact fees are authorized.

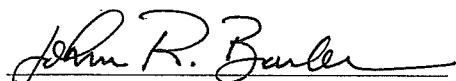
That it requests legislation amending the state statute favorable for Roanoke Rapids Sanitary District authorization to set and collect impact fees to be charged for services furnished and to be furnished.

Adopted this the 14th day of February 2017, at Halifax County, North Carolina.


E. J. St. Clair, Chairman

(Seal)

ATTEST:


SECRETARY

(This Sheet Not Used)