



Chatham County, NC

Meeting Agenda

NE Chatham Sewer Study Commission

Monday, July 25, 2022

6:00 – 8:00 p.m.

Agricultural & Conference Center

Residents may attend the meeting virtually in listen only mode through Zoom:

<https://us06web.zoom.us/j/89577295060?pwd=emRUN1QzdmRZQj9kSTBvVTh0UUFMrZz09>

Lead

Welcome & Opening Remarks

Liz Rolison

Approve April 25, 2022, Minutes

Liz Rolison

Study Commission Journey

Ken Bruce

Prospective Partners Responses

Co-Chairs

Board of Commissioners Final Report Preparation

(Includes reaching agreement on what to recommend to the Board of Commissioners)

Ken Bruce

Closing Comments

Ken Bruce

Adjourn

Liz Rolison

NE Chatham Sewer Study Commission Members

- Lee Bowman
- Victor D'Amato
- Francis DiGano
- James Flood
- Halford House
- Perry James
- David Moreau
- Denise O'Gorman-Nowak
- Scott Peck
- Liz Rolison
- Robert Paul Waldrop
- Jason Welsch



NE CHATHAM COUNTY WASTEWATER STUDY COMMISSION

Monday, April 25, 2022

6:00 – 8:00 p.m.

Agricultural & Conference Center

Present: Dan LaMontagne, Charles Archer, Kenneth Bruce, Lindsay Ray, Liz Rolison, Hal House, Vic D’Amato, Fran DiGiano, James Flood, Perry James, Scott Peck, Denise Nowak, David Moreau, Robert Waldrop

Welcome & Opening Remarks

Perry James

Mr. James welcomed everyone to the first in person meeting of the WWSC for NE CC. This month has been challenging but he thanked the whole commission on behalf of the co-chairs for their continued work and dedication. We have tried to stay within the parameters of the Open Meetings Law and tonight will be a good night to have an open dialogue.

Mr. House said he felt he didn’t personally have enough information to rank the options. He felt what was developed was what we were familiar with and not a technical evaluation of each one. He anticipates that the commission will move a large portion of these options to a more detailed analysis. Mr. James thanked Mr. House for his comments.

Approve March 25, 2022, Minutes

Perry James

Mr. James asked for a motion to approve the minutes with the suggested changes (submitted by Liz Rolison and Fran DiGiano) and have them corrected at a time convenient to the clerk.

Mr. Flood requested that the final version of the revised minutes be emailed to the entire commission and then uploaded on the website. Ms. Ray agreed to send revised minutes to the commission.

Mr. Rolison said Kenneth had presented the NOV’s for this study area at a previous meeting, but it wasn’t complete. At the last meeting we provided an analysis of sewer rates in the study area. She has also provided additional information to the commission. They would like to have the extra documents on the website – not as part of the minutes but as a separate area on the website.

Lindsay offered to send a raw draft of meeting notes to the committee for the commission to use to finalize meeting notes.

Motion to approve the March 25th Minutes with submitted revisions made by Mr. Flood, Ms. Nowak seconded. Motion passed unanimously.

Audio recording is not on the website but Lindsay can provide a link to it.

Dan clarified the BOC asked for a report from the co-chairs on May 16th that is approved by the entire commission. Mr. James said the purpose of tonight is to finalize an outline of the presentation to the BOC.

Study Commission Journey

Charles Archer

Mr. Archer thanked everyone for coming. The meeting is being audio recorded. Mr. Archer stated there are two handouts provided for tonight's meeting. The first is the agenda with the Problem Statement adopted in February and the original List of Potential Wastewater Solutions. The second is the revised List of Potential Wastewater Solutions with a summary table of these solutions and an outline of the draft presentation proposed by the co-chairs for presentation to the BOC.

Mr. Archer reviewed the work of the study commission to date. Tonight, we want to focus on what you want to include in the presentation. The BOC has asked how the commission had arrived at the problem statement and the potential solutions. The BOC would also like any suggestions on what the commission would like to see in the scope of work for Phase 2.

Board of Commissioners Report Preparation

Charles Archer

Scott – Can you help us clarify the intent of the May 16th presentation to the Board. Dan said he works for the Board and it is his responsibility to let the BOC know if things have changed from their original direction. The BOC decided they wanted to hear how the commission arrived at the problem statement and the 7 options.

Liz & Scott said the commissioners asked for an update but Charles' email and opening comments sounded like a final report. The commission is not ready to give a final report but are willing to give an update. Charles clarified the BOC has asked for a report, not a final report.

Mr. House said it sounds like the BOC could decide it is a final report or it could be an interim report. He thinks it would be impossible to recommend any options yet.

Dan – There is nothing hard and fast about May 16th. What he is hearing is a lot of stuff happening but he doesn't know if everyone is hearing and he has been at every meeting and he hasn't heard any of this. Liz – there are a lot of individual discussions because we have not had

open discussion time in these meetings and have restrictions due to the Public Meeting rules. We would benefit from hearing from everyone.

Vic – The outline was put together by the co-chairs? Liz – yes, the three co-chairs. Vic – So staff was not involved. He just wanted to clarify that. We can look at this as an interim report.

Hal – Anything of great substance would be really tough by May 16th. Scott Peck - I am hearing Dan say the BOC is just asking us to present how we came up with the problem statement and the potential solutions. It sounds like everyone is comfortable with an interim report.

Liz – At this point, we can present how we came up with the problem statement and the potential solutions and what we feel we need to do to complete our evaluations and reach our final recommendations.

Charles – There are two options. One option is a brief report on those two things – how you came to that statement and options and also how the study commission would like to proceed or for Dan to say to the BOC, they would like more time to come to a final report. Dan is unsettled with what happened from meeting 2 to meeting 3. We haven't reviewed package plants. Dan would like to research what we can do with package plants currently. Denise, that is one of our options. Dan, I have never heard that discussion.

Charles suggested rather than focusing on outline of the board, instead focus on review of the nine options.

Liz – We are missing critical information. We need some rules/guidelines on how we can get the additional information we need to review and assess these options. She understands the members of the commission do not represent Chatham County. We are volunteer residents. To make an educated recommendation, we need more information. If it takes making an update to the BOC to explain this problem and find a resolution, then I think we need to make the update to the BOC.

Jim - Before January the members of this commission had previous lives, either professionally or personally. We have relationships and people we share ideas with. We are not forming subcommittees. Other committees have site visits and they aren't subcommittees. We are feeling stymied. There is a huge amount of experience and talent and expertise and we are just asking you to let us help.

Charles – I don't know how we can get around the open meetings law. Mr. James –Let's bring those outside parties here for open meetings. Denise – She doesn't understand the difference between someone coming in and talking to us about package plants and not being able to hear from other parties on our other options. She feels we are being forced down a package plant path, but there are other paths.

Liz – Original plan was to have a presentation on public options in Meeting 3 which didn't

happen. Having a meeting on public options would be very helpful with representatives from the different public options on our potential options. We are grateful for the info we got at the last meeting but we have additional questions that we need answers to.

Hal – Open meetings law is open to interpretation. Is there a way to allow subcommittees?

Dave – Can we go as individuals to seek the answers to the questions we want answers to? He would like to more information on their current capacity, current hydraulic load, extent of their service area, maps of the sewer areas and the main trunk lines and what is their willingness to expand service area. As far as the list, these are not mutually exclusive options. They may not necessarily need to be ranked. He continues to discover new information.

Fran – I am a data driven kind of person. He is concerned about drilling down too deeply in the information. He wonders if we talk among ourselves and ask what do we want to know most about each of these nine options. Should we have someone from DEQ to come talk to us management of the package plants and limitations DEQ has in their oversight. Maybe we could go through our 9 and have a discussion about how some of that can be obtained in a two-hour session with multiple speakers present. We want to encourage the BOC to go forward with Phase 2.

Perry agrees we don't need to do a full engineering assessment, but we should do enough of an assessment to make a reasonable recommendation. His feeling has been that Dan has expressed the County does not want to be in the wastewater business. We just want to see if there is something better and do it in a comprehensive way.

Hal – A lot of these options would take a long time to implement. Briar Chapel and other communities are suffering. The commission would be responsible to find an interim solution to address these problems.

Scott – Fran you brought up DEQ coming to speak. That was supposed to happen at Meeting 2 and then Meeting 3 and Meeting 4. We haven't seen that yet. Odor concerns aren't a DEQ violation and there is no accountability for these WWTPs.

Fran – We are focusing now on the current situation with package plants. Fran went back to look at the presentation Jason Sullivan gave at Meeting 2. When he looks at the land tracts, there is a lot of land. 45 tracts greater than 100 acres. That is five or six square miles. That is a lot of land that could be developed and we need to look at the future of a planned system. He believes there could be 40,000 people in NE Chatham County when those tracts are developed. Maybe that would require a 4mgd wastewater plant. We need to go beyond where we are today.

Charles – This is great discussion but let's come back to the original question about a report to the BOC on May 16th. Liz and Jim – We can do a status report in two weeks. Liz – The question is can we find a way to bring those people in to provide answers.

Hal – There are three items, problem statement, potential options, and what we need to continue to do our work for a final report.

Dan – Agrees with the plan to give an update report on May 16th. He has lots of experience with interlocal relationships and agreements for these kinds of projects. These are our partners. He and utilities staff are happy to get the questions answered if they are provided. The first question Sanford (or local entity) will ask is how much wastewater capacity do you need?

Hal – Nobody knows if all that land Fran referenced is going to be developed. The land use plan does call for green space in that area.

Scott – Believes Dan has come up with a viable solution of how to go forward. The information Dan provided last meeting was very helpful. He didn't know there was a pipeline to Sanford that has already gone through environmental approval. He doesn't think the difference between 3mgd or 5mgd is as that important, what we need is an approximate amount.

Perry asked Dan if he could give a report to the BOC to state that the commission has found a way to move forward and maybe a report can be postponed until the final report is ready. Dan shared some responses to questions we had posed back in Meeting 2 related to some of the public options on our potential solutions list.

David – tried to get info from Jeff at DEQ and hasn't had a response.

Hal asked how long they will have to present – Lindsay said 30 minutes or less and will likely be the afternoon session. PowerPoint is preferred and it isn't a public hearing. Anyone can speak at the public input segment at the beginning of the session.

Liz – There is a perception that Chatham County does not support a regional solution. I'm concerned about getting answers on our questions through Chatham County staff.

Charles – Dan is a licensed PE, he is a member of the Manager's Association and they have a code of ethics he is held too.

Jim – Can one member of the commission come with Dan on his meetings?

Perry – We are not trying to disparage anyone. No question of ethics and trust. There is skepticism about how the questions will be asked and the passion for doing things.

Scott – A local entity is going to tell volunteers they'll get back to them whereas staff may get a better outcome.

Robert – The questions will be great and we will likely get answers but there would be no interchange.

Hal – It isn't a question of integrity, to be totally objective we have to go through the group process.

Liz – Are we ready to reach agreement? We will put a list together of high-level questions. Dan will take forward to these public entities along with a member of the commission to gather those answers and bring it back and share it with the group. We can then discuss as a group before we reach a final conclusion.

Charles – Do you want to start the list now? Liz – Let's start the list and then step away from the meeting to see if anything else comes to mind.

Scott – Have we decided what we will be presenting on May 16th? I think we need a motion on that. Secondary discussion on whether there are other items that need to be included in addition to the problem statement and list of potential options.

Liz – There is an advantage to going ahead and doing the status report to answer their questions about the problem statement, describe the range of options (which is a work in progress) and describe the process that we've negotiated with Dan on finishing the information gathering to finish our recommendation. It will give us a chance to get some feedback from the BOC. Jim supports that. If I was a commissioner and asked for an update, I would want an update.

The study commission agreed by consensus to give an update on May 16th.

Dan – Clarified that he went to the board because it varied from what was originally planned, he needs them to hear where we are going and what we have planned. The BOC needs to give the ok to move forward after the presentation.

The group decided to brainstorm some questions. Ken captured the questions and they will type it up in a word document and distribute to the entire group. Perry said he believes there should also be a contextual statement provided. Scott – Keep in mind now, near and far – there will need to be a transition to any long-term solutions. Charles – That needs to be part of the thought process when coming up with the final report to the BOC.

Develop Questions for Potential Partners

Ken Bruce

Contextual Statement

Consider including a description of the Study Area and the need to serve approximately X Homes/businesses and approximately Y Gallons/day of wastewater flow

Questions for Potential Partners

- Size and capacity of existing infrastructure and location (Service Area Maps) Where are the best places for a potential connection?

- What is the partner’s Wastewater Masterplan or Vision for providing wastewater services into the future?
- Is there a willingness to help neighboring communities such as NE Chatham County address their wastewater treatment needs?
- What is the plan/approach for reclaimed water use (farmland/industry) to minimize surface water discharge working toward “discharge elimination”?
- What is the plan/approach to minimize contaminants of emerging concern?
- If an alternative wastewater service is provided are residences and businesses required to connect?
- Effluent limits: BOD, N, P, Flow, etc. and capacity to discharge more within current permit limits?
- In the case of OWASA, how could the 4-party Agreement be reconsidered to serve communities outside the established service area boundary?
- If willing to serve outside service boundaries, what options exist e.g., wholesale treatment only with flow delivered to plant through infrastructure by others, extension of interceptors and treatment, etc.?
- What constraints/impediments exist to accepting wastewater?
- What is needed to say Yes? How can we help?
- What do other communities do when experiencing failing/underperforming systems?
- Who would be responsible for buy-out of existing systems? What does buy-out look like?
- Is there a business case for extending the service that benefits both parties?
- What is your willingness to participate in a partnership (i.e., Authority) with NE Chatham County?

Potential Questions Board of Commissioners May Ask

- What proof/facts support the problem statement?
- Phase 2 Study suggestions
- assess other similar locations in the state to understand the turning point where solutions other than package treatment are more efficient.

Interim Report to Board of Commissioners: plan 20 min presentation/10 min Q&A

David – There is a 4-party agreement with Chapel Hill, Carrboro, Orange County, and OWASA. In the past they have considered and decided against extending their service area south of Chapel Hill on 15-501. Jim – Yes, but the question needs to be asked. Scott - Asking the question is a way to keep it on the list or take it off the list. Denise – How far would OWASA be willing to come into Chatham County? If willing, how far is the potential partner willing to go?

Dan – We are going to need a rough estimate of capacity needed for these discussions.

Fran – We need to think about how to address buy-outs with the private package plants.

Fran – Would we want to specify how our water is used by municipalities or other local entities? Hal – Discussed his philosophy, but not sure how we would negotiate it. If we have a choice, would prefer to go with the option that is handling discharge using reuse.

Charles wrapped up this discussion by reviewing next steps. We will type this up, send to you and give you a deadline to comment on it. The meetings with potential partners will depend on staff's schedule when these meetings can take place.

Tentative presentation on May 16th work session. (20 minutes for presentation, 10 minutes for questions) Liz asked if co-chairs can send the draft presentation to the commission members for their input. Lindsay agreed as long as replies are sent only to the sender (do not use reply all).

Lindsay clarified the site visits done by sub-committees of the Planning Board.

Fran – At the presentation, what if the BOC asks “what is your evidence, what is your proof”? You’ll need to be prepared for those questions. Perry – He understands commercial growth is stymied by the package plant process. Commercial growth is important so that residential tax payers don’t bare the tax burden for the whole county.

Liz will call Vic to talk a little more about performance of package plants in other parts of the state.

Lindsay will need the presentation by end of day on May 6th. Will have a start time by May 9th.

Closing Comments

Charles Archer

Next meeting is May 23rd. (Note, this meeting was postponed to Monday, July 25th.)

Adjourn

Perry James

NE Chatham Sewer Study Commission Members

- Lee Bowman
- Victor D’Amato
- Francis DiGano
- James Flood
- Halford House
- Perry James
- David Moreau
- Denise O’Gorman-Nowak
- Scott Peck
- Liz Rolison
- Robert Paul Waldrop
- Jason Welsch

Prospective Partner	Willingness to consider partnership opportunities with neighboring communities such as NE Chatham County in addressing their wastewater needs?	Long-term treatment plans	Other constraints/impediments that we should be aware of?
City of Durham	<p>Willingness to discuss – Yes.</p> <ul style="list-style-type: none"> Need to have an engineering study with assessment of capacity needed, size of collection system and costs to move forward with a more meaningful discussion. City of Durham would also need to do a study on their side with the cost of the study covered by Chatham County. We provided our current average flow from our 14 package plants (just over 1 mgd) and our rough estimate of 2-3 mgd by 2050. They would need to work off peak load rather than average flow. 	<p>South Durham WWTP:</p> <ul style="list-style-type: none"> City of Durham is working on a water resources plan which will include wastewater planning. They expect to have answers by next year. They use Community Biz (sp?) to project future growth. 	<ul style="list-style-type: none"> City of Durham’s South Durham WWTP is permitted at 20 mgd and currently running at an average flow of 10.6 mgd. The 20 mgd NPDES permit allowing discharge is a constraint. They do not expect that they can increase that permit with the restrictions on nutrient loads into Jordan Lake. There are no political constraints. City of Durham already has a partnership with Chatham County for water. Currently City of Durham does not have any partnerships for wastewater.
Durham County	<p>Willingness to discuss – Yes.</p> <ul style="list-style-type: none"> Durham County’s Triangle WWTP is permitted for 12mgd (with discharge into Northeast Creek), but has the potential to treat up to 18-24mgd. Their average flow is between 5-6 mgd. In addition to their NPDES permit for 12 mgd they have a reclaimed water permit for land application and industrial uses of up to 5.6 mgd. Their wastewater treatment involves a 5-stage process that results in a high level of water quality that exceeds the current requirements for Jordan Lake. Based on their testing, the water they are discharging into Northeast Creek is improving the water quality of Northeast Creek (which flows into Jordan Lake). They would like a partnership that would support them in making a case to NCDEQ to expand their current permit for plant capacity. By taking wastewater from other areas that currently discharge into Jordan Lake into their plant they could reduce the nutrient load going into Jordan Lake. They are also interested in a partnership for use of their reclaimed water for spray irrigation of golf courses and other green spaces (i.e., Governors Club, The Preserve and Briar Chapel). Note, in the last five years the Triangle WWTP has received only one NOV. Operational record of this plant shows that it is well managed. <p>What would be needed to move this discussion forward?</p> <ul style="list-style-type: none"> Chatham County Board of Commissioner’s would need to support moving forward to investigate this option. An engineering Demand Study would be needed to confirm the potential demand from NE Chatham County (rough estimate \$100,000). This would include talking to private owners to determine if their service areas could be included in this project. An engineering Hydrologic Study would be needed to assess what would be needed to move wastewater from NE Chatham County to Durham County. If the findings from these studies makes a case for a partnership, then an agreement would need to be developed between Durham County and Chatham County. 	<p>Triangle WWTP:</p> <ul style="list-style-type: none"> Durham County is working on long term plans for the Triangle WWTP so timing is good for these discussions. <p>Options for connection to Triangle WWTP?</p> <ul style="list-style-type: none"> Need results of engineering studies before this can be decided, but location of the plant near where Durham County, Wake County and Chatham County meet offers a good connection location. Discussed proximity of Duke Energy power easement that runs close to Triangle WWTP and into NE Chatham County as an opportunity to explore for pipeline between NE Chatham County and the Durham County Triangle WWTP. 	<ul style="list-style-type: none"> No constraints or impediments from Durham County’s perspective. New County Manager is aware of this meeting and Jay felt that she and the Durham County board would be supportive. There is sufficient headroom/capacity at the Triangle WWTP. There should not be any Interbasin Transfer issues since we are part of the same river basin.
OWASA	<p>Willingness to discuss – No.</p> <p>I had an opportunity to discuss internally yesterday. Basically, we do not want to discuss beyond question 1. OWASA cannot provide service beyond a boundary established by the Water and Sewer Management, Planning and Boundary Agreement. Modifying our service area will require changes to this Agreement that must be approved by the governing Boards of Chapel Hill, Carrboro, Hillsborough, Orange County, and OWASA. If you would like to pursue working with OWASA, you will need to gain the approval of the other local governments and then OWASA staff would present the proposed changes to its Board of Directors for approval. OWASA staff will not assist in obtaining the approval of the other local governments, and it will likely be an arduous process. After that process is completed (assuming successful), OWASA staff will discuss the other questions which would likely require some study. Any studies and infrastructure requirements would need to be funded by means other than OWASA rates.</p>		
City of Sanford	<p>Willingness to discuss – Yes.</p> <p>But Sanford is more interested in partnerships that involve both water and wastewater.</p> <ul style="list-style-type: none"> Water is more profitable and offsets the costs of wastewater – wastewater would likely be too costly. Dan noted that bundling water and wastewater for NE Chatham County was not likely. Town of Sanford is currently working on an agreement with Town of Pittsboro for water and wastewater with plans for 2mgd pipeline. <p>Potential of increasing the size of the 2mgd pipeline that is planned between Pittsboro and Sanford.</p> <ul style="list-style-type: none"> Pipeline is permitted for 2 mgd (designed for 3 mgd), but still awaiting permitting for environmental impact issues (hope for approval end of summer). Agreed that increment cost of expanding pipeline to more capacity is less expensive than running a second pipeline, but delay in permitting is a significant issue. Delay in timing of this pipeline is creating issues for Town of Pittsboro and Chatham Park. Town of Pittsboro is responsible for the approval/installation of the pipeline and cost of the pipeline has been an issue. To increase the permitted capacity of the pipeline would require re-permitting which would further delay the pipeline, which Town of Sanford/Town of Pittsboro do not want. Further it could require additional Interbasin Transfer approval, which would further delay the pipeline. (Note, with Town of Sanford providing water and wastewater, depending on what the finalized agreement calls for the net impact on water transfer could be zero, which would leave up to 2 mgd before these additional approvals are needed.) Note, we missed an opportunity to be involved in this pipeline when Chatham County performed the Master Plan for Water/Wastewater and the needs for NE Chatham County were not included. 2-3 years ago was the time to get involved in the pipeline. 	<p>Big Buffalo WWTP:</p> <ul style="list-style-type: none"> Town of Sanford Big Buffalo WWTP is permitted at 12 mgd and is currently operating at just over 4 mgd. They have committed 2mgd to Town of Pittsboro and another 2 mgd to local economic development. They are currently estimating that their plant has capacity for 10 more years and are starting to work on a long-range plan that will consider the possibility of either expanding the Big Buffalo WWTP or building another large WW facility. Hope to have this plan by end of year. 	<ul style="list-style-type: none"> Town of Sanford is debating how far they want to extend service. Interbasin transfer approvals required years – this is a concern. Financials need to be considered, particularly if only wastewater is being considered.