

MINUTES OF REGULAR MEETING OF COMMISSIONERS
OF LANCASTER COUNTY WATER & SEWER DISTRICT

A regular meeting of the Board of Commissioners of Lancaster County Water & Sewer District was held at Lancaster County Water & Sewer District's Administrative Office in the Conference Center Board Room at 6:30 pm, on Tuesday, August 13, 2024, after due notice of the time, place, and purpose of such meeting.

Members Present: Gerald White, Doc Steele, Robert Barr, Jimmy Deaton, Mike Williams, Robert Harris, Larry Hammond, RJ Clyburn, and Stephen White.

Members Absent: None

In addition, there were present: Brad Bucy, District Manager; Margaret Flow, Business Manager; Wes Carter, Operations Manager; Amanda Threatt, Administrative Assistant; Jim Sheedy and Susan Driscoll, District Legal Counsel.

Gerald White called the meeting to order at 6:30 pm and chaired the meeting.

Public Comment as Necessary
There were no public comments.

Approval of Minutes

Gerald asked if there were any questions or proposed changes to the July 11, 2024, Commission Meeting Minutes. Larry Hammond made a motion to approve the July minutes. Doc Steele seconded. All approved.

Review of Bids for EDA Wastewater Project to Serve a New Industry

Bids were received on Tuesday, August 6th for the EDA Wastewater Project to Serve Gallo. There were three (3) bids received and publicly opened and read aloud. The low bid was received from State Utility Contractors, Inc. with a Total Base Bid of \$8,626,055 and a Base Bid with Alternate of \$9,371,530. The alternate bid of \$745,475 includes upsizing of infrastructure from Meeting Street to the City of Lancaster WWTP. Local funds are available in the amount of \$900,000 to cover the alternate bid. The Engineer will be coordinating with Gallo and Fort Lawn to identify funding and prepare an award package given the Total Base Bid exceeded the grant funds available to Gallo and Fort Lawn. Under the signed Utility Development Agreement, Gallo and Fort Lawn are required to fund the Total Base Bid. Brad provided a drawing of the proposed infrastructure for reference. There was general discussion.

This was provided for informational purposes only.

Approval of H2O Analytics Hosted Software Services Agreement

Margaret Flow presented the H2O Analytics Hosted Software Agreement to the Board and explained the benefits to customers as well as staff. The H2O Analytics Hosted Software will complement LCWSD's advanced metering infrastructure by providing customers with easy

access to their water meter data. Customers can utilize desktop computers or smartphones to access their meter data through dashboard displays and they can monitor usage, set alarm conditions and evaluate trends. Customers will be notified of ways to sign up for this service through bill inserts and LCWSD's website. This Agreement is a small purchase within the \$200,000 threshold set by amendment to the Procurement Ordinance. Stephen White made a motion to approve the H2O Analytics Hosted Software Agreement in the amounts provided in Schedule A-1 of the agreement. Robert Harris seconded. All approved.

Approval of HDR AWIA Risk / Resiliency Assessment and Emergency Response Plan Updates

Brad presented a short form engineering agreement along with a scope of services from HDR Engineering to provide a five (5) year update to the America's Water Infrastructure Act of 2018 (AWIA) Risk and Resilience Assessment. The scope will also prepare updates to the Emergency Response Plan, Source Water Protection Plan, and a tabletop emergency preparedness exercise with Catawba River Water Supply Project (CRWSP) and Union County. Union County will have a separate agreement with HDR for similar services. Both UC and LCWSD will be provided with a CRWSP supplement for activities at the joint venture water treatment facility.

Legal has reviewed the engineering agreement. HDR requested paragraph 5.01.T be added to the Engineering Agreement. This paragraph increases the Owner's responsibility in relation to the operation and maintenance of any owner technology systems. Staff and legal do not object to the change. In all other respects this is a short form engineering agreement with scope of services being the only change.

Robert Barr made a motion to approve the HDR AWIA Risk / Resiliency Assessment and Emergency Response Plan Updates in the amount of \$113,100. Stephen White seconded. All approved.

Approval to Submit Tyco and BASF Claim Forms

On March 12, 2024, LCWSD authorized management and legal counsel to submit claim forms for the Dupont and 3M Public Water System settlements. There are now two more settlement claims available in the Tyco and BASF Class Action lawsuits. The settlements are between these respective PFAS generators and existing public water systems.

Similar to the Dupont and 3M claims, there should be minimal effort by staff in producing the claims and there is an opportunity to collect money which could be used towards future plant upgrades associated with changes in PFAS treatment requirements. However, the expected payouts will be significantly less in Tyco and BASF than in Dupont and 3M. The CRWSP Board has recommended the respective Owners submit claims. Union County, NC is expected to do so. Staff recommends LCWSD submitting the claims.

Doc Steele made a motion to authorize management and legal counsel to submit claims forms for the Tyco and BASF Public Water System settlements. Robert Harris seconded. All approved.

Executive Session

Larry Hammond made a motion to enter Executive Session at 7:07 pm to receive legal advice on Pending Litigation, Contractual Agreement and/or Personnel Issue. Mike Williams seconded. All approved.

Robert Barr made a motion to come out of Executive Session at 7:22 pm. RJ Clyburn seconded. All approved.

There was no action taken during Executive Session.

Adjourn

Robert Barr made a motion to adjourn at 7:23 pm. Stephen White seconded. All approved.



Robert L. Barr, Secretary

