

**Lewes Board of Public Works
Regular Board Meeting
May 25, 2022**

The Wednesday, May 25, 2022, regular meeting of the Lewes Board of Public Works was held at 2:30 pm at City Hall Council Chambers.

1. WELCOME, CALL MEETING TO ORDER.

President Lee called the meeting to order at 2:30pm.

2. ROLL CALL

Board Members:

D. Preston Lee, P.E.- President

A. Thomas Owen- Vice President

Thomas Panetta- Secretary

Earl Webb- Treasurer

Richard Nichols- Assistant Treasurer

Ex-Officio Members:

Andrew Williams- Mayor

Austin Calaman- General Manager

Robin Davis- Assistant General Manager

Michael Hoffman- Legal Counsel

Others:

Richard Plack, Inframark

Mike Wolgemuth, Inframark

Kim Bellere, BPW

Charlie O'Donnell, GMB

Josh Gritton, BPW

Brent Jett, GMB

Karly LeCompte, GMB

Joshua Elliott, GMB

Brent Jett, GMB

Dennis Reardon

Sharon Sexton, BPW

Aaron Mushrush, Cape Gazette

Michael Demaryius

Tracy Walton

Joshua Gritton, BPW

On via Zoom:

Madeline Nichols

Elizabeth Owen

Tim Ritzert

Suzanne Powell, BPW

Barbara Curtis

Carolyn Jones. City Council

Kristina Keller, BPW

Laura Oakley, BPW

3. EXECUTIVE SESSION

ACTION: *Mr. Owen motioned to adjourn to executive session. Mr. Nichols seconded the motion, which passed unanimously.*

President Lee adjourned to executive session at 2:33pm.

4. RETURN TO OPEN SESSION

ACTION: *Mr. Owen motioned to adjourn to open session. Mr. Nichols seconded the motion, which passed unanimously.*

President Lee adjourned to open session at 4:01 pm and led the pledge of allegiance.

5. REVISIONS AND/OR DELETIONS TO THE AGENDA

None

6. CONSENT AGENDA

- a. Receive Vice President Report
- b. Receive Secretary Report- approval of minutes of March 23, 2022
- c. Receive Treasurer Report
- d. Receive Asst Treasurer Report

ACTION: *Mr. Owen motioned to accept the consent agenda. Mr. Nichols seconded the motion, which passed unanimously.*

7. RECEIVE INFRAMARK REPORT

Mike Wolgemuth presented:

- EQ Tank: Pump control and VFDs have been replaced. SCATA working well.
- Filters: Train 2 de-ragging was completed the beginning of last week. Train 1 was put back online with no issues. There were some issues with the maintenance washes. Mr. Plack stated that there was a mapping issue that indicated which pump were actually operating during the maintenance clean. Found that there were hardware issues causing an air leak. The pumps were restored, and fault was cleared. No problems since. Mr. Wolgemuth stated that Inframark has received Suez since and the maintenance washers were logged and TMP was normal. Mr. Panetta questioned why there was 5-6 weeks with no hypochlorite cleaning done on the filters. Mr. Plack stated that through the process of elimination it came to light that the issue was the failing hardware and was keeping that from happening. Has been restored and in future Inframark knows to contact Suez to expedite. Mr. Wolgemuth stated that the cleanings are automated and Inframark cannot tell locally if they occur. It can be verified through insight and Inframark will be checking insight from now on that the cleanings are done.
- Pump Stations: The automatic transfer switch for the generator at pump station eight is scheduled to be replaced next week. Cleanout for both suction lines pump station four were installed last week. Everything is back online and went well. Both pumps are online currently and have not had a clogging issue and cleanouts have not needed to be used. Moving next week to pump station nine. Sprig will come in and replace the internal piping to the wet well

connecting to the force main. Mr. Webb referred to note that Inframark is waiting on an electrical contractor. Mr. Webb questioned if Inframark has staff with electrical licensed to do this job. Mr. Wolgemuth stated that Curtis Powell is to install and is included in the price. It is scheduled for next week. Inframark does not have a licensed electrician in the state of DE.

- BPW accepted proposal from Sprig at pump station three to locate the piping and identify the sizes to put a bypass line in and replace valves. Proposal to replace wet well piping at pump station two. This is like pump station nine deterioration of the wet well piping.
- Verified the function of the point watch system at Towerhill. Josh Gritton is working on getting access to the system.
- Mr. Wolgemuth questioned if the project plan provided meets expectations. Mr. Panetta stated that he is not sure that it covers all the items discussed like the temporary transfer pumps at the chemical building or the replacement of the sumps in the electrical manways. Mr. Wolgemuth stated that Inframark is soliciting pricing to replace pumps and electrical pricing to restore power to the pump in the manhole. All parts for the turbidimeter have been received but it is not highest priority. Mr. Panetta would like to at least include them in the projects list to keep visibility. Mr. Panetta suggested that it can be here or a separate punch list and that it is probably better if not in the report since it is a living document. Inframark has the list internally but can share document with Mr. Calaman.
- Mr. Panetta questioned the number of Inframark employees, and the contractors used for membrane cleaning and other items. Mr. Wolgemuth stated that for corrective items that are out of Inframark's expertise. It was not anticipated to need the membranes cleaned and contractors were used because of the number of hours needed to do the cleaning. Mr. Wolgemuth stated that this was at Inframark's cost.
- Mr. Panetta questioned the results of cleaning train one versus prior trains and if there is betterment of the flow. Mr. Plack stated that the overall ragging has diminished but was still significant since train one was cleaned prior to the installation of the temporary screening dumpster. Until Inframark gets into two, they will not be able to compare properly because of the additional screening. Functioning well according to Suez report. Mr. Panetta questioned the extent of damages and if it was just six fibers. Mr. Plack stated that on the one module it was ten and was localized to the one part. Mr. Wolgemuth stated that based on where the TMPS were a year ago, the TMPS are lower this year. There were elevated TMPS as the modules were being cleaned.
- Mr. Panetta stated that there has been a year and a half without any lost time accidents of Inframark employees. Has there been any time lost incidents with the contractors? Mr. Wolgemuth stated no.
- Mr. Webb questioned if Mr. Wolgemuth reached out to others on hurricane preparedness. Mr. Wolgemuth stated that Inframark has not, other what is in the emergency response plan. Mr. Webb suggested reaching out to others that Inframark serves if there is some info that could be leveraged.
- Mr. Panetta referred to the anaerobic and oxygen level in the Suez report. Mr. Wolgemuth stated that they are not licensed operators within state of Delaware. Mr. Wolgemuth stated that Inframark adjusts the air to meet the BPW permit. Currently ammonias are low, which means plenty of air, and nitrates high. Too much air. Mr. Wolgemuth stated that he would appreciate if she (Erin Horocholyn) would not comment on the DOs. Mr. Wolgemuth stated that

Mr. Plack makes adjustments daily based on Inframark's process. Mr. Panetta stated that in the May 4th report, it was reporting that the oxygen levels were high in the oxygen region and were low in the DO region. Mr. Wolgemuth stated that there are no DO probes in the anoxic region. Inframark is adjusting levels to meet the permit. Mr. Panetta questioned the two trains being different and would it benefit if they were balanced. Mr. Wolgemuth stated that it would be expensive and would need modulating valves that would operate on the DO levels. Unless adjusting valves 24/7 it cannot be controlled. Mr. Plack stated that it is a healthy balance between both trains which join at the header and mix. Mr. Panetta stated that going forward that an agreement should be made between Inframark and Suez so that it is not commented on every time.

- Commented every time but only when appropriate. She does not have DE license. Panetta reads the Suez report but doesn't see it elsewhere. Mr. Wolgemuth stated that he will ask for a Delaware wastewater certification and if provided then Suez can continue to comment on Inframark's biological process. The levels are within permit and the process is checked every day and adjustments are made. Mr. Panetta stated that he is not a licensed operator but reads the Suez report and would prefer some clarity, so the Board and the public understands. Mr. Wolgemuth stated he will reach out to Suez.
- Mr. Webb stated that there are no violations. BOD load can be 188 to 288 and the BPW is less than 15. The nitrogen load can be 100 pounds average and the BPW is at 26. What is coming out is really good. President Lee stated is some of the best effluent in the state and this plant operates better than any other plant.

8. RECEIVE PRESIDENT'S REPORT

None

9. RECEIVE GENERAL MANAGER'S REPORT

Mr. Calaman presented:

- Ms. Bellere and staff continues to work with auditors
- Construction on Pilottown Road continues. Strong on a mid-July completion date, weather dependent.
- Donovan's Road work continues with Mumford and Miller. Intersection at North Atlantic Drive closed. Should be open by the holiday weekend. The crossing of bike path should be started next week.
- Mr. Calaman and Mr. Davis have been working with Mr. Wolfson on the policy document. Mr. Webb, Mr. Nichols, Mr. Calaman, and Ms. Bellere met regarding the cash reserve policy.
- Mr. Calaman attended class on ICS and Mr. Davis will attend next month.
- Continue to meet on budget

Josh Gritton presented:

- Firewall activity is improving, about half the normal attacks. Mr. Owen questioned how many. Mr. Gritton responded that last month there were 623 hits and this month there 342. Pulled reports for other locations, which were very small. The wastewater treatment plant saw 36 hits. Mr. Owen questioned if these hacks are the kind that could shut down systems.

Mr. Gritton stated that these are not serious or hard but if they were to get through it would be a problem.

- Seeing activity on firewall through the VPN through GE. Water is almost none because there zero usage, just updates.
- Scan last month on primary domain and there were three issues, two moderate items and one low risk items. Two moderate items were remediated through Inclind, and the low-risk item is an email on the BPW website that a bot can grab.
- Mr. Gritton attended a Shields Up meeting. It is a joint effort between the state of Delaware and Homeland Security and presented on a healthy cyber hygiene and provided free resources.
- Project items: implementing a help desk solution that is a combination of asset that gives real numbers and forecasting. With the help descend users will be able to submit tickets and will be used for tracking for the IT department.
- Listed a position for a support tech.
- Currently working on the annual penetration test and Mr. Gritton is almost completed with negotiations and the overview of the SOW. Should be tied up by the end of the week and able to move forward. Mr. Webb questioned if phishing attempts are sent out to see who responds. Mr. confirmed and stated that it is a thorough test. Also determines how BPW IT interacts with the billing software, NISC.
- Coming to the end of current servers. The primary servers are at end of life and continue to push them. Placed the order for the new servers. Mr. Webb questioned if there are options to do something with old servers. Mr. Gritton stated that the old servers are going to be cold servers in case something like a fire happened, the BPW would be able to turn them on. Mr. Webb questioned if the BPW owns the servers. Mr. Gritton confirmed. We own old servers and will be relocated and will be a backup. After two years they will be retired.
- There is a tentative date to share best practices with city. It is set for June 13,2022 at 1:00pm.

Mr. Webb questioned if there were any updates on Donovan Smith process. Mr. Hoffman has signed documents in possession and is being held until final approval and confirmation from the lender that the owner has met all its obligations. DNREC will have to send a letter of substantial compliance and once the letter is issued Mr. Hoffman is free to release the documents. Mr. Webb questioned the timeline for moving dirt. Mr. Calaman stated that it will be 12-16 months. Mr. O'Donnell stated that GMB expects to be under construction in October and expect a yearlong project.

10. OPEN FORUM/GENERAL DISCUSSION OF THE SELECTION OF THE 2022-2023 BPW OFFICERS. INFORMATION/DISCUSSION/ACTION (A. CALAMAN)

President Lee stated that in May every year, the Board reorganizes the officers for the coming year. President Lee has served as president for the past seven years and has asked not to be nominated again.

Nominations for President: *Mr. Webb nominates Tom Panetta for president, Mr. Panetta accepts. Unanimous.*

Nominations for Vice President: *Mr. Owen nominates Earl Webb for vice president, Mr. Webb accepts. Unanimous.*

Nominations for Secretary: *Mr. Owen nominates Preston Lee for secretary, Mr. Lee accepts. Unanimous.*

Nominations for Treasurer: *Mr. Owen nominates Richard Nichols, Mr. Nichols accepts. Unanimous.*

Nominations for Asst Treasure: *Mr. Lee nominates Mr. Owen for assistant treasurer, Mr. Owen accepts. Unanimous.*

Nominations for ex-officio on city planning commission: *Mr. Webb nominates Tom Owen, Mr. Owen accepts. Unanimous.*

The planning commission ex-officio must be approved by the mayor and city council.

11. PRESENTATION BY CHARLIE O'DONNELL, ON THE WEST CEDAR AVE FLOOD STUDY. INFORMATION/DISCUSSION (CHARLIE O'DONNELL, GMB)

Mr. O'Donnell and GMB presented:

- Brent Jett is GMB's certified floodplain manager, profession engineer, and certified climate change professional. Karley LeCompte is an environmental scientist and did a lot of the GIS work associated with the study. Ms. LeCompte is a licensed drone pilot. Josh Elliott is a professional engineer. This study was funded by a 75/25 grant from FEMA through DEMA that the city obtained. The west end of Cedar was identified as a vulnerable area in 2015 study in terms of evacuation rate and repetitive flooding issues. This addresses two guts that flood that area and the biggest one is closest to CH Mason Way. Over time a corrugated metal pipe deteriorated and collapsed on itself and brought that berm down. This opened the canal to those properties at West Cedar Avenue and the primary reason there is flooding there. Before the berms were put it was all marshland and wetlands which helped to mitigate the problem. Mr. O'Donnell stated that in 1999 or 2000 he tried to replace the pipe, but US Fish and Wildlife killed the efforts because of the wetlands that been created between the deteriorated pipe area and the backs of the homes on Cedar. This was the goal of this project: to mitigate the flooding but keep those wetlands in a healthy condition. With the recent storm, Lewes did not experience loss of beach due to flooding like Rehoboth. The beach itself is higher in elevation, than the canal side of Cedar Avenue and where Lewes sees a lot of flooding. Mr. Webb questioned if any flooding is attributed to water coming up from the bottom of the ground as the water table increases with storms. Mr. O'Donnell stated that this is something to monitored. As sea level rises the ground level will come up as well. Lewes sees flooding from surge tides and has issues with storm events. The study purpose was to consider and develop cost-effective alternatives to meet these goals of mitigation of floods in that area and keeping those wetlands alive. This study looked at a series of surge tides events that Lewes has experienced. Sea level rise was considered throughout the study. There was public outreach and public feedback through the city

website and where flooding was occurring. This data was useful in this project and will be in future projects.

- Mr. Jett referred to slide four and that the green represents the intermediate projection from the University of Delaware that Lewes utilizes. These are perspective numbers and GMB used the 1.31ft. The mean high water of elevation two puts the standard high tide on a normal sunny day at 3.3 ft in the future and only goes up from there.
- Slide Five shows in blue that the mean high water without much effect in 2050. The orange shows a standard sea level on a sunny day without a northeast wind, full moon, or storm surge and it is a pretty good effect. GMB realized that it is not just the gut closest to Roosevelt Inlet causing problems but there is a secondary one in between the two spoil sites. The large orange piece between Cedar Street and the spoil site is pristine marsh and DNREC wanted to keep it healthy by keeping it fed twice a day by high tide.
- Slide six shows the amount of water that comes at Lewes from nor'easter. This is Lewes sees tidal surges because of the large fetch across that area. It is not just tidal surges that cause problems but more intense rains. Mr. Webb questioned if those rains were modelled in this process. Mr. Jett stated it is being worked on with University of Maryland using historic data where it did not rain as intensely. It rains different. President Panetta stated that in the Carolinas, Arkansas, etc. have seen 20-40 inches of rain because of stalled events. Mr. Jett commented that lately this area has seen four inches of rain in one hour. There are cases of thousand-year storms that there is no record of previously. These rains did not happen in 24 hours but 9-11 hours. President Panetta stated that Lewes has seen four 100-year events in the past ten years. When there is a low-lying area in the focus area, it builds up quicker and takes longer to recede.
- Mr. Webb stated that the outfalls go into the canal. As more developments are added, more drainage is needed and will continue to put more and more water into the canal. It is not necessarily causing flooding by adding more water to the canal because the canal moves so quickly. When all the rain comes from Georgetown and this side of 113 eventually gets to Lewes, that is when the back bay pressure builds up.
- Slide seven shows pictures from Zeta storm. There was not a ton of rain from this storm or a good nor'easter, but a recent memory. This is the Tuesday of the future, typical standard for 2065-2080 if nothing is done.
- Slide eight is pretty standard for what Lewes sees as high tides. It tends to run normal but then all of sudden there is a spike. This means that there is about 12 hours warning, but it is coming quickly. Mr. Webb questioned if Mr. Jett has models that would be able to predict when to expect something as large as a nine-foot flood. Mr. Jett stated that this is where GMB leans on the weather service. This slide shows that with Jonas the two high tides prior to the spike was dead on the projected. Right now, when the tide is coming, the tide is coming. The past two Octobers what happened was not expected.
- Slide nine shows pictures from the Jonas storm. Roadway cannot be seen and is an issue for passage. The '62 storm is the bell cow of actual water level on the beach. At the NOAA tide gat, Jonas was higher. The model that was shown used the actual data from the tide gate and applied it to this area. The highest observed water level was 6.64'. Mr. Webb questioned if this was above normal tide and how is that measured. Mr. Jett

stated that baseline is zero. Mr. Webb questioned if the baseline zero is for low tide or high tide. Mr. Jett stated that it is for elevation because mean sea level is always changing. The mean sea level now is based on 1998 and there is four years before numbers have to be run again. Mr. Webb questioned the sign on the road that shows where the flood level was during different storms and would the 6.64' on that sign. The 6.64' is at the NOAA tide gage and not necessarily what was realized on that road. The mean sea level here is below zero. Mean sea level is probably above zero now. Mr. O'Donnell stated that Jonas was four feet above the expected high tide. Mr. Jett stated that Cedar Avenue is approximately four feet so this would be 32" of water on Cedar Avenue. Mr. Owen stated that if a person does not know where zero elevation is then trying to picture where four feet above is, is not easy. Mr. Owen questioned if the gauge at the ferry is zero. Mr. Jett stated that it records based on the NAVD 88 and every surveyor in this area and every elevation is based on NAVD 88. Mr. Panetta stated that mean high tide is at 2'. Mr. Jett stated that low tide is -1.5'. It should hit zero four times a day and if not, then there is a tidal surge. All the recent storms with the exception of Sandy took place within the January to early March timeframe. This is a good news/bad news situation. Being a summer community, there are less residents to evacuate but there are also less people to determine damage. Mr. Webb questioned if there were different agencies that would provide sand refilling in that area or is sand replenishment done universally across the beach. Mr. Jett stated that Army corps and DNREC are responsible for the entire beach. Mr. Webb questioned other areas like Roosevelt inlet. Mr. Jett stated that it is pretty much DNREC and the user. Whoever uses the spoil site, is responsible for maintain the spoil sites. Mr. Webb questioned if there any advantages to having the canal dredged. Mr. Jett stated that he cannot say yes or no. The only difference it would make is the velocity of the water moving through the canal. Mr. Jett stated that the canal is in good condition and the marshes on each side are in great shape. Mr. Jett stated that mother nature finds a natural balance and he prefers not to mess with that unless necessary. Mr. Panetta stated that years ago he discussed dredging with the University of Delaware and that it could actually accelerate erosion on the shorelines. Mr. Jett agrees.

- Slide ten shows Tropical Storm Zeta in October 2020 and a 36-hour timeframe. If there is a tidal surge, there is pushed water. If water is gone in 24 hours, then everything is fine, but this prove that 24 hours does not solve that. This goes into the solution and the matrix. Everyone determines flooding different.
- Slide eleven shows thresholds for Lewes. The National Weather Service sets their minor stage at 3.37'. Lewes will be at minor flood stage every day in 2050 on a normal day. There is not an advisory until the level hits 3.67'. With the tide coming in and 2" of rain, Cedar Avenue shuts down. A few weekends ago there was not a coastal flood warning, but it was a problem and National Weather Service is not waving a flag until it becomes a bigger problem. Mr. Jett reiterated that a minor flood stage will be an everyday occurrence in the future. This goes into the Matrix to address these issues.
- Slide twelve shows the pattern of high tide flood days projections. In 2000 there were four days and 2020 there were eight days. Last year, 2021, there were eleven days

which fell into the projected range. By 2050, it is projected 135 days, that is every third day.

- When there is rainfall, it tries to get to the marsh. If there is a high tide and the marsh is full, the rain cannot get there. When there is a tide surge and no rain, it comes in the other way. With a high tide surge and a storm that drops 4-6" of rain, no one will be going anywhere.
- Slide fourteen shows the alternatives that were considered.
 - Stormwater infrastructure on Cedar Avenue that includes catch basins and pipes. Mr. Jett's experience is that this is good for 5-10 years. When there is sea-level rise, it introduces the tide quicker. Some have suggested tide gates. Tide gates seal for a while until they don't and "stuff" like sticks get inside and become a pain to maintain.
 - Considered a "lock" system. Overseas, Denmark, the tidal difference is so tight that they have had one high tide outside of a 4" tolerance. Lewes has seen this this week. In the past two weeks Lewes has seen 18 inches difference at high tide. A lock system will be effective and last overseas because of the tides. With a "lock" system GMB looked at what it would do to Indian River and everything in between. Water will find its way. There is different tidal fluctuation around the world for all these various reasons. It is a great solution, but it is not viable here.
 - Considered building a hard floodwall. In ocean city there is a floodwall along the oceanfront. Same in Rehoboth and Cape May. The question is what height it should be built to and then it needs to be considered if views would be blocked. This would also cut off marshes that are great for the environment. This will never get approved and will be an eyesore.
- Slide fifteen discusses the importance of the tidal gut.
- Slide sixteen: Norfolk, Louisiana, etc. has come up with a system. It is a double system. They have built berms and tide gates. On a normal day, the tide gates will stay open. Water will flow in and out and the marshes will be happy. The gut will remain what it is. When it hits elevation, the gate can be set. So, if minor flood stage is reached, the gates can be shut. If marsh elevation is set for 3.5' then the water can still drain, and it is a hydraulic problem at this point. The tide can go up on the outside of the berm and on the backside, it will stay where it is and continue to bypass those two guts. GMB is proposing three 24-inch tide gates. Provides an open flow area for the guts. The ditch behind the wetlands, between Cedar Avenue and the spoil site serves as drainage for that area. The goal is to get the water to the ditch so that the rain is not causing the flooding. The cross section in the middle is where it will be built with upland marsh area. It will be planted with whatever DNREC wants. Mr. O'Donnell stated that it is important that there are three self-regulating tide gate valves at each of these two locations. The gates will operate normally under regular tide fluctuations up and down even surge tides, but when it is known that a hurricane or nor'easter is coming that's when the sluice gates will be utilized. Mr. Webb questioned if water would be put into this holding area. If the sluice gates are shut, this will allow the tide to stay behind the berm up until the

elevation we set at the top of the berm. In between the berm and West Cedar Avenue there will be the back-channel area that will allow the rain through so it will not be as high on this side and still allows the rainfall to exit. Mr. Webb questioned if winners and losers are being picked. Mr. Jett responded no because all the water will be off. Mr. Jett stated that he reached out to the designers and the public works in Newport News. Men usually go out semi-annually for inspection and check quarterly to ensure that it is functioning properly. A grill system can be built to keep debris away. The sluice gate will be on the front and the self-regulating gates will be on the interior.

- Slide Seventeen the total number was cut off. The total was \$3.3 million. DEMA does have money currently for this. GMB is working on a grant application with the city. Mr. O'Donnell stated that the city is going to consider pursuing this at a workshop or June meeting. Mr. Lee stated that the back channel is not maintained very often, and he understands that the BPW cannot touch the inside. Mr. Calaman confirmed that a corps permit is needed. Mr. Lee stated that he has seen everything from trees to coolers and folding chairs washed into the channel. There will need to be a regular maintenance program. Mr. Jett stated that this would be one of the items that will be asked for from Army Corps. Mr. Jett is hopeful that with all this information he will be able to get a good outcome from Army Corps. There is 40% contingency built in. Some of that is built into the construction access. Sometimes access to the site is almost as much as the site itself. These numbers were run in December and there has been a substantial increase in the past five months. When going after a grant, its best to be on the high side. Mr. Webb questioned if these numbers are just to build and not maintain. Mr. Jett confirmed this was correct. Mr. Webb questioned the numbers to maintain. Mr. Jett stated that Newport News has not had their system that long but has been going out quarterly and has replaced one gate in the past year. Mr. O'Donnell stated that the maintenance is minimal and is mostly inspection. Mr. Jett stated that grills can be added to the outside of the cage to keep things from getting in there.
- Slide nineteen: GMB set the top elevation of 5' and there is a solid wall at elevation 5'. In 2050, at 3.35' on a standard day still allows for a foot and half of surge. This slide shows without the berm. The next slide shows post-berm zoomed in. Some of what is shown is noise from the model because technically there should be no flooding on the backside of the berm at all. There is not a single private resident that has water on it. For those on the other side of the canal, the elevation is higher there is nothing on this side. The question becomes what happens when the tide is over 5'. There will be a warning of a storm and the ability to evacuate, and the flooding will not be as intense or dire as in the past when elevation was at 5' or 6'. The thought is that the BPW will mitigate FEMA claims and may help on the flood insurance. Newport News has not been battle tested yet. Mr. Panetta questioned if this berm would be stable being overtopped. Mr. Jett stated that gaby and basket stone are being considered at the core and a drive road on top to allow access to the structure.

- Mr. O'Donnell stated that when the vulnerability study was done in 2015, there were six or seven different areas, this being one of them, for evacuation purposes. Mr. O'Donnell believes this is a win/win for the city.

12. OPEN FORUM/GENERAL DISCUSSION ON A PROPOSAL TO UPDATE THE LEWES WELLHEAD PROTECTION DELINEATION IN PARTNERSHIP WITH DNREC. INFORMATION/DISCUSSION/ACTION (T. PANETTA AND A. CALAMAN)

Mr. Calaman stated that this is a proposal was given to the BPW through DNREC. There were conversations about wellhead protection delineation after the BPW had applied for renewal. The BPW went for a new well allocation permit for the five existing wells. This was received and capacity was increased. DNREC with DGS gave a proposal to something similar that was done in 2003 which is a comprehensive study of the entire area.

President Panetta gave additional background. This was instigated by the Mitchell property and development. Yesterday the county council closed the public record and received the BPW supplemental report but made no action. Application is on hold waiting for county engineer recommendations. There was an opportunity for revaluation by DNREC DGS.

Mr. Calaman stated that DNREC offered 10% subsidy. The total cost was \$79,725. Mr. Webb questioned what the BPW would learn that is not already know. Mr. Calaman stated that the BPW would get a new visual that would be attributed to the increase of delineation of the wellhead protection area, not just Lewes but entire area. President Panetta stated that one of the benefits is that BPW has increased the draw down and has applied for additional drawdown. The wellhead protection area is kind of an arbitrary number. It is set as the five-year travel time from the wells to the furthest point. As porous area is converted to imperious area, the amount of recharge is decreased. This study looks at all these things going on around the wellheads. This study will show concerns with not only this development but all the other developments going on. It will also show potential issues with the Ebenezer Branch of Canary Creek. One of DENREC's concerns is with saltwater intrusion coming from the Ebenezer Branch. This would be coming from the regulating agency.

Mr. Lee stated this would have been great to have several years ago, this is late coming but still valuable to the BPW. Since this covers Rehoboth and Tidewater's wells, as well, hopefully they would be willing to contribute. Mr. Lee stated that development may be too far along. President Lee stated that there is still 37 acres, and it is better to get advanced knowledge know. Mr. Lee questioned if the Board could wait to decide on this until someone has talked to Rehoboth and Tidewater to see if they would be willing to chip in some cash. Mr. Calaman stated that it is an 18-month lead time. President Panetta stated that the chances to get Rehoboth to contribute is small. Mr. Lee stated that it does not seem immediate and would like to reach out to see if they would like to participate. President Panetta stated one of the potential benefits of making a decision to move forward would be to provide notification to the county and to notify them that the risks are serious enough of treatment or move wellfield that the BPW is willing to do this. Mr. Webb stated that the lead time is 18-months, and the county is going to make their decision sooner rather than later. President Panetta stated that letting the county know this piece of information helps to reinforce the BPW position. Results are not going to come in time for the

Mitchell farm but may sway the decisions on the antidevelopment on that side of King's Highway. Mr. Webb questioned if by the BPW giving this study allows for a higher probability of getting better well protection today.

Mr. Hoffman clarified that the Delaware Geological Survey (DGS) determines where the boundaries of the BPW wellhead protection are. This study determines if this is still accurate. This becomes the basis for the wellhead protection standard. What exists today is based on the existing delineation. What is currently in front of the county is an application under the current regulations/conditions as they exist today. The question for the Board is understanding if the delineation that exists today is still relevant? Mr. Hoffman recommends reviewing this in the context of important information to understand where this currently sits or if the current delineation is accurate or has it changed.

Mr. Hoffman questioned how often does DGS update. Mr. Calaman stated that DNREC told the BPW that they do not update unless adding a well. MR. Webb questioned if the BPW would still have to pay for the study. Mr. Calaman is unsure who paid for the study in 2003. Mr. Lee had a meeting with WIAC and was told that maybe some of water money may be eligible for this study. Mr. O'Donnell stated that there are planning grants on the water side and would be worth talking to Sandi Spiegel. Mr. Webb stated that he is in favor of anything that stops construction particularly by the wellheads. O'Donnell stated that he doesn't remember a study before 2003 until the 70s. Mr. Owen thinks the study would be worthwhile. Mr. Calaman stated that if the area comes back larger than it ties with the county wellhead ordinance. Mr. Owen stated that if that is the case, the BPW would have more to argue and that the BPW should reach out to get the grants. Mayor Williams questioned if the study will it include excellent recharge areas. O'Donnell is unsure and will look into this. The city would have some interest if it did cover the recharge areas. President Lee stated that the excellent recharge areas are outside the city. President Panetta stated that the DelDot Kings Highway expansion ties into this and the plans show a recharge pond adjacent to the wells. The study will give the BPW information relevant to the impact of that.

Mr. O'Donnell stated that WIAC will not award money if any work is done prior to the grant agreement being executed by all parties. Mr. Owen stated that the grant must be obtained first. Mr. O'Donnell stated that it would take around three months.

ACTION: *Mr. Owen motioned to accept the proposal, with staff reaching out to other parties that would benefit from the study, for contribution. MR. Nichols seconded the motion, which passed unanimously.*

13. OPEN FORUM/GENERAL DISCUSSION ON A PROPOSAL FOR A LONG-RANGE PLAN FOR THE WASTEWATER TREATMENT PLANT. INFORMATION/DISCUSSION/ACTION (T. PANETTA, D. PRESTON LEE P.E., AND A. CALAMAN)

Mr. Calaman stated that the BPW and Sussex County have had a long-standing mutual relationship that has benefited both parties. There is an existing flow agreement where the BPW takes a larger amount of flow in the winter months when the county cannot spray irrigate because it is less viable. Sussex County handles the BPW's biosolids at the inland bays facility,

which results not having to truck the biosolids using a third-party company. Sussex County has been here in a time of need, during the August 15th incident by providing equipment and manpower. There was interest in a joint venture and BPW held a presentation on March 31st. Various options were discussed on a long-range plan. Today, the Board is reviewing a proposal from GHD for a long-range plan. Sussex County has committed to contribute 50% to that plan, \$124,250. President Panetta stated that this decision was unanimous by the county council.

Mr. Lee stated that this goes back to the workshop and the Board being upfront and transparent. The purpose of the workshop was to get temperature of the public. Notices were sent to every user of BPW utilities. The Board was aware that working with the county is controversial to some. The meeting ended with lots of questions and the Board had few answers and had just the concept. This study would give more information and once the Board has the information, there will be another public meeting to be as transparent as possible. Not only will the study look at working with the county, but at hardening the existing site. It will also look at relocating the plant and spray irrigating, rapid infiltration, or ocean outfall. The study looks at all options for the long-range future of the BPW's wastewater treatment facilities.

Mr. Webb questioned the cost of an ocean outfall. Mr. Lee stated that Rehoboth was around 54 million dollars. Mr. Lee stated that it was included because it was a suggestion. Mr. Webb stated he would not want GHD to do a huge study on something that the BPW does not want. President Panetta stated that it would not change the cost of the study at all. Mr. Lee stated that it was suggested by people in the city as an option and he feels that if it was left out, all the bases would not be covered. Mr. Lee agrees that GHD will not spend a lot of time, because the cost will pop out easily. Mr. Webb stated that if the Board had a better understanding of exactly what needs to be done it would be easier to say go figure these costs out. This is a hodgepodge of what is possible. President Panetta stated that these solutions came directly out of the workshop with the public. Mr. Webb stated that some items like polishing cost could be figured out without the cost of having a study done. Is the polishing something that could be solved in negotiation to ensure that the same level of water quality without a study being done? Mr. Lee stated that this may be a third party and that there are reasonable options on the table. President Panetta stated that the polishing was ensuring the water quality going into the canal is the same as with the county. Mr. Webb stated he is not against this but is there a way to get this without paying for it in the study. President Panetta stated that the county has a polishing regime, but it has not been evaluated. GHD will look at what the county has and determine if it is viable. For the county to take BPW flow, the county would have to meet BPW standards. Mr. Webb questioned why this could not be done without having a study done. Mr. Lee stated that BPW or the county does not have the technical capability to evaluate to a level that can be accepted.

Mr. Webb stated that ocean outfall is never going to happen, and his point is what else is in the proposal that is not necessary. Mr. Webb thinks that finding out what are the problems, and what are the opportunities needs to happen before spending a bunch of money. President Panetta stated that from an engineering perspective, the solutions are unknown until it has been studied. Mr. Lee stated that this is a huge project, no matter the decision and the BPW should look at all solutions that are remotely feasible. President Panetta stated that if the public sentiment is willing to accept the cost, then the study will give the numbers so the public can

see what the trade-offs are. Mr. Owen agrees that collecting the data is ideal. Mr. Nichols questioned if it would be better to focus on what precludes the options to be studied. The study seems to be the right thing to do but a question of specificity of what is to be included.

President Panetta stated that there have been multiple discussions with GHD about the scope of these items and is what has generated the proposal. Not asking to pick an absolute but look at a matrix.

Mr. Hoffman questioned if the scope is paired back, what is the effect on cost. President Panetta stated that removing the outfall to the ocean would be zero effect on cost. Mr. Webb questioned why is it in there? Mr. Lee stated that it was included because it was suggested publicly. President Panetta stated that GHD has data to use and are not going out and studying specific locations.

Mr. Hoffman stated that this GHD proposal was presented to the county was approved by the county. If it is changed then, then it will need to be resubmitted to the county. Mr. Webb stated that he believes the plant needs to be moved and if this study sells it better to public, he is for it. Mr. Webb stated that removing the outfalls is the right thing to do. President Panetta stated that GHD is providing a cafeteria offering and will not cost the BPW anything because GHD has the data available already.

Mayor Williams stated that under deliverables 3d shows one public meeting and questioned what other opportunities the Board will have to keep the public informed. President Panetta stated there would be another workshop to present the findings and recommendations. Mr. Lee stated that this study will include the BPW costs and does not include county costs. There is a lot of piping that to get the flow to their facility and the county is taking care of this and will not be evaluated. President Panetta stated that any upgrades or changes to Wolf Neck is on the county's nickel.

Mr. Owen stated that BPW will be paying \$124,000. Mr. Calaman stated referred to deliverables 3d and the public meeting would be under the BPW. This is the BPWs. Mr. Webb is for the transparency that this provides even though it is expensive

Action: *Mr. Webb motioned to approve the study with the county paying 50%. Mr. Owen seconded the motion, which passed unanimously.*

**14. OPEN FORUM/GENERAL DISCUSSION ON CONSOLIDATED LEWES BPW POLICIES.
INFORMATION/DISCUSSION/ACTION (E. WEBB, M. HOFFMAN, AND A. CALAMAN)**

Mr. Calaman stated that in February a workshop was held to discuss policies. Since then, staff, Mr. Hoffman, and Mr. Wolfson had several meetings to go through the items that were outstanding. The product of these discussions is the redline version of the consolidated policy document.

Mr. Hoffman stated that the expectation is not so much voting today but the opportunity to ask initial questions and follow-up for the following meeting. There will be a resolution for policy adoption at the next meeting. Historically, policies are a compilation of resolutions, motions, standard practices and procedures, and developer's agreements that have morphed over a period of time. The purpose of the document is to put the Board's policies in location and

provides the opportunity to do a periodic review. The black text is existing policy. Redline is the removal of existing policy. The blue underlined text is an addition. Structurally, especially in legislation, words like will and must, should be used instead of shall. Shall is contractual. Mr. Hoffman stated that there are wills that should be must and vice versa, which will be cleaned up. Mr. Hoffman asked for feedback on four items. A resolution will be drafted that will repeal any policies that are inconsistent of document. Mr. Calaman stated that the Board can comment on the draft and staff can incorporate those comments into the document.

Mr. Lee questioned if there were any backflow preventers in the document yet. Mr. Davis stated that backflow and irrigation should be addressed, and the city is going with fire suppression systems. There will be a state mandate for cross connection program. Mr. Hoffman stated that this policy should reflect existing policies and procedures. Newly adopted policies can be added to the document.

Mr. Owen questioned the blanks that need amounts. Mr. Hoffman stated that those blanks should be filled in before the vote.

Mr. Hoffman requested feedback on:

- Section 2.1 – Board confirms second Saturday in April to be open for voter registration.
- Section 3.8.5- Discussion on self-insurance from the workshop determined the Board wanted to call out the specific instances where it would maintain cash reserves for self-insurance. The intention is that the Board will maintain cash reserves in the amount the Board deems necessary to cover specific items. Mr. Owen stated that specific amounts were not asked for before. Mr. Hoffman stated that the current policy states that

“It is not economical justifiable for the lowest BPW to carry some types of insurance on some of the BPW facilities and operations. Examples are flood insurance on the wastewater lift stations a portion of the water reclamation plant plus pollution insurance on storm water and wastewater operation. Insurance deductibles are also included in the self-insurance reserve. The cash reserve policy shall include 100% of amounts identified as self-insurance and current insurance deductibles.”

Mr. Hoffman stated that the will of the Board was not to base it off of 100% of amounts identified as a self-insurance, but instead say that the Board will maintain cash reserves in amount it deems reasonably necessary to cover the following self-insurance expenses. The Board has the discretion to determine what is a reasonable amount to cover specific items. Mr. Hoffman stated that the amount is not missing but what the specific items that are being covered. Mr. Nichols questioned how the amounts are defined in the policy. Mr. Hoffman stated that the Board will take in account the expenses when determining the cash reserve policy. Mr. Hoffman recommends giving the list of expenses some thought before the June meeting.

- Section 4.1- example of where a “must” should be a “will”. Mr. Hoffman will correct this.

- Section 6. 1.4- Mr. Hoffman recommends including language to make clear that the developer is responsible for all off-site extensions unless otherwise agreed upon by the Board.

Mr. Hoffman will make those four changes and the Board can send comments to him for the final draft for the vote.

Mr. Owen questioned 3.8.3, capital improvements program and the two 15%.

Mr. Hoffman stated that there is a two-step process. At the workshop the Board identified items for further review by the finance committee, which 3.8.3 is one of those items. The first step is adopting the vehicle based on changes that were highlighted on existing policies. The second step is addressing the issues that linger.

Mr. Lee questioned item 6.2.3.5 and what is defined as an inlet. Mr. O'Donnell clarified that there are catch basins on either side of the road and lead pipes that go into a manhole. There is a stormwater main that is included along with the water main and the sewer main. It has become popular to not necessarily have a main, but one catch basin (inlet) will drain to the next inlet. An inlet is a catch basin. Inlet was not defined in the document.

President Panetta referred to the electric line drops, section 4.1.3 versus the definitions. This policy seems to interlace the overhead line drops and underground. The definition talks about overhead line drops. This policy created confusion. President Panetta suggested changing the definition so that electric line drops are defined up front in definition 8 as being either overhead or underground. Mr. Hoffman stated that the definition is saying that not that the droplines themselves are overhead. The policy says that if the lines are new and changing the service, then the lines must be underground. Mr. Hoffman believes that it is fine as drafted. It can be made clearer by saying that electrical service drop lines may be above ground or underground lines that run from an overhead pole. President Panetta stated that there is an existing policy that BPW pays for overhead line drops to the meter panel, but the customer must pay for the underground line drops to the base of the pole with adequate wire to go up the pole. President Panetta stated who pays for what is dependent upon whether overhead or underground. Mr. Hoffman stated that if there is another policy, he has not seen this. The only policy is 4.1.3, which came from resolution 19-002. Mr. Hoffman has no objection to say overhead or underground electrical lines that run from an overhead pole. Mr. Hoffman questioned if all lines are running from an overhead pole. Mr. Calaman stated not necessarily. Mr. Hoffman stated that this is the issue with the definition, the overhead pole piece. Mr. Panetta and Mr. Owen stated that it is stated that the homeowner must pay for the underground to the overhead pole but does not remember where. Mr. Owen stated that the clarity can be made here, and the cost situation can be taken care of elsewhere. Mr. Hoffman agreed and stated that this is the purpose of this document.

15. OPEN FORUM/GENERAL DISCUSSION OF THE MITIGATION COMMITTEE SELECTION. INFORMATION/DISCUSSION/ACTION (T. PANETTA)

President Panetta stated that mitigation committee resolution states that there will be four members of the public. There are three members of the public have stepped up: Bob Heffernan, Sumner Crosby, Barbara Curtis. President Panetta recommends seating the committee with an open seat and the ex-officio from the city government. Mr. Hoffman stated that the resolution includes the general manager, the Board needs to select the BPW member who will serve as chair, the mayor and city council must select a member of the mayor and city council to serve as ex-officio. Mr. Hoffman recommends that the Board select the Board member and select the three members of the public. This committee has three-year terms for the public members. Two members will serve until 2025 and one member will serve until 2024 so that the terms are staggered.

ACTION: *Mr. Owen motioned to select Mr. Lee as the BPW Board member to serve as chair on the mitigation committee. Bob Heffernan and Barbara Curtis will serve a three-year term, and Sumner Crosby and the vacant seat will serve a two-year term on the mitigation committee. Mr. Nichols seconded the motion, which passed unanimously.*

16. OPEN FORUM/GENERAL DISCUSSION ON AN UPDATED LEWES BPW POLE ATTACHMENT AGREEMENT. INFORMATION/DISCUSSION/ACTION (A. CALAMAN, R. DAVIS, AND M. HOFFMAN)

Mr. Calaman stated that the BPW will be increasingly getting more pole attachment agreements whether it is cell or fiber or a mixture of the two. This is an update. DEMEC provided a generic version and Mr. Hoffman modified it to fit the BPW needs. Mr. Calaman is not expecting action tonight but for the Board to provide comments.

Mr. Hoffman stated that it is a form document that DEMEC put together in consultation with Max Walton, no major objections. This does not address zoning related processes set by the city. President Panetta questioned if the maintenance of telecommunication and cable should be included. Mr. Hoffman stated that he believes that it is in the agreement. Mr. Hoffman will get the cross reference. President Panetta stated that the BPW has a moderate number of polls that the BPW doesn't own which have the same type of issues with hanging wires. President Panetta questioned how the BPW address can those. Mr. Hoffman will look into this, but it may be a city question because they exist within the city. President Panetta stated that some of those Verizon poles have BPW wires on them. Mr. Hoffman questioned if the BPW is leasing from the Verizon. President Panetta does not know. Mr. Hoffman will discuss with Mr. Calaman. Mayor Williams questioned situations like Donovan Smith where the BPW is supplying the power, but the polls are owned privately. Mr. Calaman stated that they are secondary polls and being fed off the primary coming in. Mr. Hoffman stated that presumably there is a lease, and it would be addressed in those documents because it is not the BPW pole.

Mr. Lee questioned what is done to come up with fees. Mr. Calaman suggested that Mr. Hoffman and himself discuss this further.

President Panetta questioned the cell phone attachment. Mr. Calaman stated that this pertains to the city ordinance, a dual application but then there is a pole attachment agreement on the BPW side. Mr. Webb suggested reaching out to other utilities to see how they handle the pole agreements.

17. OPEN FORUM/GENERAL DISCUSSION ON AN UPDATED IMPACT FEE ZONE MAP TO INCLUDE THE SAVANNAH 16. INFORMATION/DISCUSSION/ACTION (A. CALAMAN AND M. HOFFMAN)

Mr. Calaman stated that this is the impact fee and zone map for the Savannah 16. Because the Savannah 16 is their own entity outside, the Savannah 16 has their own impact fee zone. Chart lays out the 25/40 equally shared capital cost for the BPW force main sewer extension.

Whenever the impact fee is modified it is brought back to the Board to be adopted. Mr. Hoffman stated that the BPW had resolution 18-001 as revised 18-004, which is now going to be 3.10 in the policies. The Board created a mechanism that if the Board installs infrastructure and basically carries the cost of that infrastructure. That infrastructure can be paid by a group of people in a zone but in order to do that, the Board must approve the zone. Once the zone is approved the cost can be split between the 16 homes. The homeowners have three years to connect and pay their pro rate of share or else the cost to connect goes up.

ACTION: *Mr. Nichols motioned to approve the updated map. Mr. Owen seconded the motion, which passed unanimously.*

18. CALL TO THE PUBLIC

Michael Damaris, 33131 Oyster Cove Drive, a new development off Old Orchard that consists of 24 units, 12 twin homes. Tracy Walton attended as well but could not stay. Mr. Damaris stated that about half the units have closed and the other half are expected to be completed by the end of August. Residents represent states of New Hampshire, Virginia, Maryland, New Jersey, and Pennsylvania and have moved to Lewes. Mr. Calaman and Mr. Lee had responded to Mr. Damaris' emails and invited him to attend the meeting to voice concerns about the sewer costs. Mr. Damaris and other residents in the development feel that the sewer costs are quite exorbitant in comparison to what they had paid previously elsewhere. Mr. Damaris stated that he was paying quarterly \$120 quarter for water in sewer, in a similar size home. At \$108 per month, that is almost \$1300 per unit which equivalates to \$31,000 annually for sewer. Tidewater's bill is \$145 a quarter for water and seems reasonably considering inflation and things of that nature going on. Utilities, food, and other things have been reasonably priced except for the sewer costs. The sewer costs are 60% to 70% more than Mr. Damaris was paying in New Hampshire. Mr. Damaris questioned the rates could be relooked at or what the appeal process is. Mr. Damaris stated that Mr. Calaman explained that the rate is based on an estimated usage and not actual usage, 4,000 gallons per month. Mr. Damaris stated that it seems odd to him that he is not charged for exactly what is used. Mr. Damaris stated that he wanted just to give an outside perspective from five or six different states. Mr. Damaris stated that half the homes are going to be second homes and the water sewer usage is not going to be even at full capacity for these units. Again, the costs seem to be very exorbitant.

President Panetta stated that he is aware that Mr. Calaman shared the rate study. The base rates for electric, water, sewer, and stormwater has been applied across the BPW service territory. MR. Calaman stated that Oyster cove is a fixed amount. Tidewater provides the water and an outside the

city ready to serve rate was developed based on an average water bill of 4,000 gallons. The BPW bills off 80% of water consumption, so it is really 3,200 gallons. Mr. Owen stated that the ready to serve charge is in that rate as well. Mr. Calaman confirmed. Mr. Owen stated that this may be a rate that may not be anywhere else. The ready to serve charge is to pay for the infrastructure. Those who are not in Lewes all the time may not use it as much, but the infrastructure is there for when they need it. President Panetta stated that the BPW is moving to the ready to serve charge for all the utilities. For those on solar, the infrastructure is still there when they want to connect. President Panetta stated that the Board will be reevaluating the rate structure next year and Mr. Damaris is welcome to provide input then. Mr. Webb questioned the 4,000 gallons and if it is like others in the town. Mr. Calaman stated that usage across the town fluctuates between summer and winter, but this is the average consumption. There are some residential services that use 50,000 or 100,000 gallons a month. It is unknown if these residences have irrigation and do not have an irrigation meter, but it is the average. Mr. Hoffman stated that the BPW sets its rates through a public process, as the Board evaluates the rates and has those discussions. The way to ask questions, is just as Mr. Damaris has done, by presenting his case through public process. Mr. Damaris questioned if the rates are reevaluated every year. President Panetta stated that given the market it will be done next year, but typically it is done every two to three years.

CALL TO THE PRESS

Aaron Mushrush, Cape Gazette, questioned Donovan Smith. Mr. Mushrush spoke with the president of the HOA, and he believes that the septic systems should be pumped two to three times a week. Mr. Mushrush questioned if the BPW would be pumping the septic systems in the meantime or does this fall on the property owner. Mr. Calaman stated that he believes that it falls on the NOV that was issued by DNREC.

Mr. Mushrush stated that the Donovan Smith electrical system is interesting with poles near septic systems and propane tanks. Mr. Mushrush questioned if this will be redone or what is the solution. Mr. Mushrush stated that there is an empty lot with a propane tank, a house sinking in, and an electric pole next to it. What are the BPW's capabilities are with the electrical infrastructure in Donovan Smith? Mr. Calaman stated that the BPW provides a primary service that is fed into a secondary service that is the ownership of the park, as of today. Mr. Hoffman stated that this is similar to Abbot Park. BPW feeds the primary line to the private system, and they are responsible of secondary line.

Mr. Mushrush stated that there are concerns that there are some commercial businesses operating within Donovan Smith and has there been any type of survey by the BPW. Mr. Hoffman stated that this is outside the purview of the BPW. MOU is structured so that the BPW provides the service and charges based off the rates and usage. The MOU does put the burden on property owner, for twenty years, to cover those utility expenses.

The June regular board meeting will be held on June 29, 2022, at 4:00pm.

19. EXECUTIVE SESSION

ACTION: *Mr. Owen motioned to adjourn to executive session. Mr. Nichols seconded the motion, which passed unanimously.*

President Panetta adjourned to executive session at 7:16 pm.

20. RETURN TO OPEN SESSION

21. DISCUSSION AND ACTION ON ITEMS FROM EXECUTIVE SESSION, IF APPLICABLE:

None

22. ADJOURNMENT

ACTION: *Mr. Owen motioned to adjourn to meeting. Mr. Nichols seconded the motion, which passed unanimously.*

President Panetta adjourned the meeting at 7:45pm.

Respectfully Submitted

Sharon Sexton

Executive Assistant