OAK RIDGE TOWN COUNCIL MEETING
JANUARY 9, 2020 – 7:00 P.M.
OAK RIDGE TOWN HALL

AGENDA

1. **CALL TO ORDER**
   - A. Invocation
   - B. Pledge of Allegiance
2. **APPROVE AGENDA**
3. **APPROVE MINUTES OF DECEMBER 5, 2019 REGULAR MEETING**
4. **RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS**
   Presentation by Tree City USA committee
5. **REPORT FROM GUILFORD COUNTY SHERIFF'S OFFICE**
6. **REPORT FROM OAK RIDGE FIRE DEPARTMENT**
7. **OLD BUSINESS**
   Water system management plan and water rules
8. **NEW BUSINESS**
   - A. Parks & Recreation Master Plan presentation (John Ford, McGill Associates)
     (Public hearing at February meeting of Town Council)
   - B. Introduction to Ordinance changes (Goal 2.2 of Strategic Plan)
9. **TOWN MANAGER'S REPORT**
   - A. Board/Committee appointments/reappointments
     - Bill Barbour and Beth Walker to BOA
     - Tammy Gardner as ETJ North representative on P&Z Board
   - B. Parks & Recreation Ordinance amendment
   - C. Non-profit Funding Policy
   - D. Oak Ridge Youth Association agreement
   - E. GFI Environmental Services (formerly Waste Industries) changes for 2020
   - F. Any other business
10. **PUBLIC COMMENTS**
11. **MONTHLY FINANCIAL UPDATES**
12. **TOWN BOARD, COMMISSION, AND COMMITTEE REPORTS**
    - A. Mountains-to-Sea Trail
    - B. Historic Preservation Commission
    - C. Special Events Committee
    - D. Parks & Recreation Advisory Board
    - E. Finance Committee
    - F. Planning & Zoning Board
13. **COMMUNITY ORGANIZATION REPORTS**
    - A. Merchants of Oak Ridge
    - B. Oak Ridge Youth Association
    - C. Oak Ridge Military Academy
    - D. Oak Ridge Elementary School
14. **PUBLIC COMMENTS**
15. **COUNCIL COMMENTS**
16. **ADJOURNMENT**

MEMORANDUM

TO: Town Council

FROM: Bill Bruce

DATE: January 3, 2020

RE: Water Rules and Water System Management Plan

The Water Rules and Water System Management Plan, if approved, will serve as the policy foundation for the proposed Town of Oak Ridge Water System and will become components of our application for state approval. The documents have been available for review on the Town's website and paper copies were on display at the open house hosted by the Town on November 21. Council reviewed and voted to approve these documents at its December 5, 2019 meeting by a vote of 3-1 (Mayor Pro Tem Kinneman was absent). The lack of a supermajority on the date of introduction, however, has necessitated a second vote.

At the December 5 meeting, Council instructed staff to begin preparation of a Request for Proposals from qualified firms for an operating and business services contract for the proposed Town Water System. The Request for Proposals (under development) will establish qualifications for submittal that would include both relevant experience and cost as selection criteria.

Strategic Plan reference: GOAL 3.1: The Town of Oak Ridge will investigate current and future water and wastewater needs.

Requested action: Approve proposed Water Rules and Water System Management Plan.

Water System Management Plan
Town of Oak Ridge Water System

NCDENR – DEH - PWS
Town of Oak Ridge
Guilford County, NC

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List of Appendices

Appendix A: Rules and Regulations

- Town of Oak Ridge Water System – Water System Rules and Regulations (dated:)
- Town of Oak Ridge – Code of Ordinances
  - Water System Ordinance
  - Development Ordinance
  - Town of Oak Ridge - Water Conservation Plan (dated:)

Appendix B: Water System Operating Agreement

- Town of Oak Ridge Contract for Operations, Management, and Maintenance Services (as approved:)
- Town of Oak Ridge Contract for Billing and Customer Service Operations (as approved:)

Appendix C: WSMP Certification

- WSMP Certification of Town of Oak Ridge Water System

Appendix D: Water System Map

- Town of Oak Ridge - Water System as of date:

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Water System Management Plan
Town of Oak Ridge

NCDEQ – DEH - PWS
Town of Oak Ridge Water System
Guilford County, NC

1.0 Organization Details

A. Description / chart of organizational structure for management of water system

- *Name:* Town of Oak Ridge Water System (PWS ID: No PWS ID assigned yet as it is a new water system)
- *Governing Body:* Oak Ridge Town Council
- *Hierarchy:* Diagram of management levels with responsibilities provided below.

Town Council – The Oak Ridge Town Council (ORTC) is responsible for the policy decisions for the Town of Oak Ridge Water System. The Council consists of five (5) members, elected by the citizens of Oak Ridge, each serving 4-year terms. The elected Council sets Town policies that protect and enhance community interests and establishes long-range development plans. The Council through the town manager is responsible for Town personnel, which includes establishing employment positions that the manager fills. The Council through the town manager maintains compliance with all labor laws as they relate to personnel decisions and policies. The Council establishes the water system's annual budget and water rates. The Council regularly meets on the first Thursday of each month. Meetings are held in the Council Chambers, Oak Ridge Town Hall, 8315 Linville Road, Oak Ridge NC..

Town Manager – The Oak Ridge Town Manager is responsible for the oversight of the Town's day-to-day operations and carries out the policies established by the elected Council .

Contract Operation & Maintenance Provider – As a new water system the Town of Oak Ridge has not previously operated its own water system. The Town is in the process of negotiating an O&M contract to provide full service Contract Operation and Maintenance services. The O&M contract will include full service O&M Services including but not limited to: providing an Operator In-Responsible Charge (ORC) for the Distribution System, water system staffing, and 24-hour/7-days-per-week emergency on-call services.

Water System ORC (and staff) – ORC will:

- be responsible for overall management and daily operation of the water system, including the water distribution system.
- ensure full compliance with all local, state, and federal laws, including, but not limited to, the statutory, administrative, and regulatory law of the State of North Carolina , EPA, DEQ and OSHA, SARA, RCRA, DOT, and all other applicable laws, rules, and regulations.
- identify problems, determine root causes, and make corrections to solve identified problems affecting the water system.
- keep the Town informed of current information.
- acquire a comprehensive knowledge of and enforce all laws, rules, regulations, and policies applicable to the water system.
- maintain labor relations, public relations, vendor relations, and regulatory relations.

Contract Service Provider – Contract Service Provider will be responsible for:

- maintaining water billing records;
- creating and distributing monthly water bills;
- receiving bill payments and handling system finances;
- helping maintain positive customer relations.

Contract Service Provider also will be responsible for monthly reports to the Town Manager and Town Finance Director for reports to the ORTC.

Water System Staff – The Contract Service Provider will employ full- and part-time staff and consultants, consistent with the needs of the system. Some contract labor/on-call contractor as needed also will be retained in the event of major line breaks. Staff will operate under the direction of the ORC and Management of the Contract Provider who will report directly to the Town Manager. Staff will assist with day-to-day operation and maintenance of the water system in accordance with the Town's policies, as well as all applicable state and federal regulations

B. For those directly involved, a synopsis of their roles and responsibilities

- The roles and responsibilities for those directly involved with the water system are described just above in the response to **Question 1.A.**

C. Copies of contracts for systems not managed by owners

- Copy of contract for ***Contract Operation, Management, and Maintenance Provider***
- Copy of contract for ***Contract Service Provider***

2.0 Ownership

A. Identify legal structure of ownership (partnership, municipality, etc.)

- The Town of Oak Ridge has established a water utility enterprise fund for the purpose of providing potable water to citizens of the Town.
- The Town of Oak Ridge is governed by the Oak Ridge Town Council.
- The Town of Oak Ridge has negotiated the purchase of certain existing water distribution facilities.
- The Town of Oak Ridge is a North Carolina municipal corporation, chartered by the North Carolina General Assembly. The Town has general taxing authority and all other powers delegated to municipal corporations under North Carolina statutory law.

B. Provide complete address of (1) owner and (2) location of system

- Town of Oak Ridge

- *Street Address:* 8315 Linville Road, Oak Ridge NC 27310
- *Contact Phone:* 336-644-7009
- *Contact E-mail:* bbruce@oakridgenc.com
- *Web Sites:* www.oakridgenc.com
- *Water System Location Address:* Mailing is the same as above. Physical location of the Water System is generally described as (Also, please see **Appendix D** for Water System map.)

C. State whether or not there are any legal orders that will affect control

- *Encumbrances:* No.
- *Trust indentures:* No.
- *Bankruptcy decrees:* No.
- *Legal orders:* No.
- *Other items that may limit the owner's control over the system*: None.

D. Describe legal authority (ownership, easements) allowing operation

- The Town of Oak Ridge is a North Carolina municipal corporation, chartered by the North Carolina General Assembly pursuant to the North Carolina Constitution and pursuant to Chapter 160A of the North Carolina General Statutes.
- The Town has acquired certain water distribution systems described above.
- All future developments equal to or greater than 30 lots will be constructed in accordance with applicable development standards under the Town Development and Water ordinances, and ownership thereof will be transferred by developers to the Town.

3.0 Management Qualifications

A. Describe the qualifications and training of owners and operators of system

- Operation of the System shall be provided by a contract service provider. The service provider shall provide licensed operators meeting or exceeding the required qualifications and licensing of NCDENR and USEPA for the operation of a public water supply system.
- The service providers also shall provide upper level management staff experienced in the operation of public water systems.

B. Names, ID #s, penalties / violations (if any) of other owned or operated systems

- Not Applicable

4.0 Management Training – describe plans to keep management current with regulatory requirements

- All professional memberships will be voluntary; however, employees are encouraged to become involved in professional societies and to take advantage of the educational and networking opportunities available through such organizations.

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- The Contract Service Agreement shall mandate that the Provider shall provide and maintain appropriately certified and licensed operators on site to operate and manage the water system's day-to-day operations.

5.0 Policies – provide information on the following:

A. Cross connection control –

- **Appendix A** provides the Town of Oak Ridge water utility ordinances which include:
  - *Section 46-26(b)(8):* All cross-connections between any type of water supply and the system are prohibited. Discovery of any cross-connection shall result in the immediate disconnection of the affected water supply account(s), pending severance of the cross-connection by the person(s) responsible therefor and/or the owner of the premises.
- **Appendix A** also includes the Town of Oak Ridge Water System Rules and Regulations, Water Rule 13: Cross-Connections and Pollution of Supply.

Appendix A also includes Town of Oak Ridge's *Water Conservation Plan*

- Town of Oak Ridge Water System Rules are included in **Appendix A.**

B. Customer information, complaints, public education

- The Town of Oak Ridge water utility will be a new water system. It currently does not have a published Consumer Confidence Report; however, the water supply information that the Town will provide to their customers will contain the following:
  - Consumer Confidence Reports;
  - Water Rules (**Appendix A**); and
  - Required Public Education and Information relating to the water system once the system is placed into operation.
- On the Town of Oak Ridge website a link will be included to provide for Consumer Confidence Reports submitted by the Town of Oak Ridge.
- Town of Oak Ridge – Local Water Supply Plan – To be provided once the system is placed into operation.
  - The Town of Oak Ridge will prepare its own Consumer Confidence Report (CCR) in one of the three accepted formats as specified in the NCDENR-DEH-PWS document entitled *"Consumer Confidence Report Guidance Document for Community Water Systems"*.
  - These CCRs will be provided, when completed, to NCDEQ – DEH – Public Water Supply Section, as directed.
- The Town of Oak Ridge *Water Conservation Plan* already is included in **Appendix A.** At a later date, once operational, the Town water system may decide to publish an informational brochure for distribution to its customers to outline information regarding water conservation.

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C. Budget development and rate structure

- As a new water system, the Town water utility budget development will be determined based upon the estimated expenses and revenues of the fund. Expenses include, but are not limited to: Debt Service, O, M&M Contract Costs, Service Provider Costs (meter reading, billing, account management, customer service, etc.), other operating and maintenance expenses, and Capital/Debt Service Reserves. Water user rates and fees will be set in accordance with estimated expenses. It is anticipated that rates will be set after bids for the project have been received. Based on the Town's financial model, the anticipated average monthly residential water bill will be $45 to $50 per month. Budgets and rate structure will be set and adopted by the Town of Oak Ridge Town Council.
- The Town will establish a Capital Reserve Fund to provide for the capital needs of the water utility. Surplus revenue generated from user charges for water services will be placed into a water capital reserve fund. The sole purpose of the fund is to pay for improvements and other acquisitions for the water utility.

D. Response and notification in the case of violations

- Information regarding water quality will be provided to customers annually through the Consumer Confidence Report (CCR). Customers will be able to contact the Town of Oak Ridge to obtain additional information regarding treatment and water quality.

- During regular business hours, customers will be able to contact the Town or its Contract Service Provider to report emergencies. The Contract Service Provider will handle problems and work with customers to address problems. After hours emergencies are processed through the Contract Service Provider's emergency phone numbers and with an optional emergency number at the TownDuring water outages, the Town, and its Contract Service Provider, will work diligently to restore water service in the shortest time possible. If there is an outage that affects a large area, then the Town and Contract Service Provider jointly or separately will notify the media to ensure that Town customers are made aware of the problems as well as the steps that are being taken to restore the service.

The Town will develop a *Water Conservation Plan* to include the following: Water Conservation Plan under development.

E. Customer connection, disconnection, billing, and collection

- Water Rules regarding customer connection, disconnection, billing, and collection are provided in the following:
  - **Appendix A** - Rules and Regulations

F. Safety procedures

- All departmental employees will follow safety policies and procedures designated by the Town policies. Since these policies and procedures cannot anticipate all events or incidents which an employee may encounter, the Contract Service

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Provider will be responsible for informing employees of specific hazards that from time to time may occur.

6.0 System Monitoring, Reporting and Record Keeping

A. Summarize the system monitoring and reporting requirements

- The Town will comply with all state and federal monitoring, reporting, and record keeping requirements.

- The Contract Service Provider/ORC will be responsible for maintaining all laboratory data on samples analyzed by the contract laboratory and reporting / record keeping of all laboratory data received from the contract laboratory. The Contract Service Provider/ORC will be responsible for maintaining daily monitoring records.

B. Describe the procedures for keeping and compiling records

- The Contract Service Provider/ORC is responsible for operation and maintenance activities for the water system. The Contract Service Provider/ORC establishes daily monitoring requirements to ensure system compliance. Daily, weekly, and monthly samples will be collected and analyzed from designated points in the water system. The Contract Service Provider/ORC, coordinating with the contract laboratory, will collect the samples for analysis. Additionally, the Contract Service Provider/ORC coordinates all system flushing activities for quality control. Daily monitoring includes reading designated bulk water meters in the system to monitor daily water usage. Chlorine and pH samples are taken daily, analyzed, and recorded on the meter reading report. Samples will be taken for bacteriological analysis and reported to the appropriate agency by the Contract Service Provider/ORC.

7.0 Financial Plans to be Submitted

A. Local governments

I. Projects incurring debt need LGC approval of debt issue

WSMP Certification will be included. This will not include the Applicant Certification (showing that the O&M and Emergency Management Plan are complete) with the WSMP. The Town will submit the Applicant Certification for each project after receiving the Authorization to Construct in order to obtain Final Approval.

- The signed WSMP Certification form is included in **Appendix C**.

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Sec. 36-31. – Name

This body shall be known as the Oak Ridge Parks and Recreation Advisory Board, hereinafter the "Board".

Sec. 36-32. – Purpose

The purpose of the Board shall be to make recommendations to the Town Council regarding parks and recreation plans, projects, programs, policies, and special events.

Sec. 36-33. – Duties and Functions

The duties and functions of the Board shall include:

1) Adopting meeting rules of procedures.
2) Soliciting public comment regarding parks, recreation, and trail matters by holding regular public meetings, distributing questionnaires, and conducting workshops.
3) Making recommendations regarding acquisition and use of specific parcels of land for parks and recreation purposes.
4) Recommending solicitation of contracts with consultants to prepare master plans for parks, recreation, and trail facilities, and reviewing construction contracts for said facilities.
5) Coordinating with Guilford County, other municipalities, and non-governmental recreation and conservation organizations, regarding the siting and maintenance of parks, recreation facilities, and trails, so as to avoid duplication and maximize regional potential.
6) Establishing operating rules and policies, and recommending fee schedules, for Town parks, recreation facilities, and trails.
7) Developing and planning special events with the Parks and Recreation Department.
8) Making periodic reports to Town Council regarding activities of the Board.
9) Undertaking such other duties and functions reasonably related to parks and recreation as the Council may assign from time to time.

Sec. 36-34. – Membership

The Board shall be composed of seven (7) members, one of whom shall be a representative of the Oak Ridge Youth Association, Inc., ~~the President of the Oak Ridge Youth Association, Inc.,~~ and three (3) alternates appointed by the Town Council. Board membership should in its educational, employment, and experiential background reflect various recreation needs of the community.

All members and alternates, including the Oak Ridge Youth Association representative, shall be legal residents of Oak Ridge. Appointments or reappointments shall be for a three-year term. Members will serve at the pleasure of Town Council without monetary compensation.

Sec. 36-35. – Officers and Duties

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Chair: A Chair shall be elected by the Board from among its members. The Chair shall decide matters of order and procedure, unless directed otherwise by a majority of the Board in session at the time. The Chair shall appoint any committees found necessary to investigate any matter before the Board.

Vice-Chair: A Vice-Chair shall be appointed the first year by the Town Council and elected thereafter by the Board from among its members. The Vice-Chair shall preside in the absence of the Chair, fill any unexpired term of the Chair, and assume all duties and responsibilities delegated by the Chair.

Sec. 36-36. – Meetings

Regular meetings of the Board shall be held once a month, and the meeting schedule shall be adopted by the Town Council. Special meetings of the Board may be called at any time by the Chair, provided that at least forty-eight (48) hours notice is given. All meetings shall be open to the public. Whenever there is no business for the Board, the Chair may dispense with the regular meeting by giving notice to all members at least forty-eight (48) hours in advance.

A quorum shall consist of a simple majority of the full Board membership. The vote of a majority of those members present shall be sufficient to decide matters before the Board, provided that there is a quorum.

Sec. 36-37. – Attendance

If a Board member, whose absences are not excused in the manner set out hereinafter, misses more than three consecutive regular meetings or a total of four such meetings during the calendar year, such Board member shall lose the status as a member of the commission. In such cases, the Chair will immediately request the Town Council to fill the vacancy. Absences occasionally occurring due to illness of a Board member, or to illness or death of family members or friends, or to bona fide emergency, shall be regarded as excused absences and shall not affect the Board member's status on the Board. However, in the event of a repeated or prolonged absences on the part of a Board member, whether due to illness or other causes, the Board member may be replaced.

Sec. 36-38. – Amendments

This ordinance may be amended with a recommendation of a majority vote of the full Board with subsequent approval of the Town Council.

Sec. 36-39. – Effective Date.

This ordinance shall be effective upon its adoption.

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TOWN OF OAK RIDGE
NONPROFIT AGENCY/ORGANIZATION FUNDING POLICY

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STATEMENT OF PURPOSE

The purpose of this policy is to set forth parameters and establish guidelines for the funding and/or subsidization by the Town of Oak Ridge of nonprofit agencies or organizations (herein referred to as "nonprofits").

POLICY STATEMENT

The Town of Oak Ridge recognizes the value that partnership with nonprofits can provide. Nonprofits that share a common interest in encouraging the success of our community, specifically those that advance the Town's vision of Oak Ridge as a "safe and livable community", provide needed public goods and services and may be appropriate recipients of public funds, through grants, direct appropriations, partnership agreements, or other kinds of support.

NONPROFIT ELIGIBILITY FOR PUBLIC FUNDS/SUBSIDIES

No nonprofit shall be considered by the Town of Oak Ridge for receipt of public funds, for discounted or waived usage fees, or for any other form of public-private partnership or activity, unless such nonprofit first provides the Town Council with the following documentation:

(1) A statement from a certified public accountant or from the Internal Revenue Service (IRS) confirming the nonprofit's current status as an IRS Sec. 501(c)(3) tax-exempt organization;

(2) A statement that the nonprofit does not and will not directly or indirectly participate in, or intervene in, any political campaign for or against any candidate for elective public office, in compliance with IRS requirements for tax-exempt organizations; and

(3) A statement that the nonprofit is capable of compliance with all financial and program performance requirements for the subject activity as may be specified by contract with the Town of Oak Ridge.

GFL GREEN FOR LIFE
environmental

December 20th, 2019

Mr. Bill Bruce
Town Manager
Town of Oak Ridge
P.O Box 374
8315 Linville Rd
Oak Ridge, NC 27310

Dear Mr. Bruce:

First and foremost, thank you and the Town for your business and continued support. We greatly appreciate our partnership and look forward to a safe and successful 2020. We are excited about the upcoming reroute and are confident that it will help us to better serve the Town and its residents while compensating for future growth.

Similar to previous years we would like to ask for a rate adjustment in line with the South East Region Consumer Price Index, indicated below. The year over year average on all items is 1.6%. With this in consideration we would like to ask for a 1.6% increase effective March 1st, 2020. This will impact all current service rates making the new trash rate $16.77 a month, $1.02 for recycle, $10.61 for bulk items, $15.94 per white good and $1.56 per bag of yard waste.

We strive to provide the best service possible to all our customers and we greatly appreciate the opportunity to provide that same quality of service to the citizens of the Town of Oak Ridge. We enjoy the partnership we have with the Town and thank you for your business.

Sincerely,

Seth Heath
GFL Environmental
General Manager
336-870-4171

The **South region** is comprised of Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

Information in this release will be made available to sensory impaired individuals upon request. Voice phone: (202) 691-5200; Federal Relay Service: (800) 877-8339.

Table 1. Consumer Price Index for All Urban Consumers (CPI-U): Indexes and percent changes for selected periods
South (1982-84=100 unless otherwise noted)

Item and Group	Indexes			Percent change from-		
	Sep. 2019	Oct. 2019	Nov. 2019	Nov. 2018	Sep. 2019	Oct. 2019
Expenditure category						
All items	246.891	247.423	247.385	1.6	0.2	0.0

https://www.bls.gov/news.release/pdf/cpi.pdf