THE COUNTY OF CHESTER

COMMISSIONERS
Marian D. Moskowitz
Josh Maxwell
Michelle Kichline

Seung Ah Byun, Ph.D., P.E.
Executive Director

WATER RESOURCES AUTHORITY
Government Services Center, Suite 260
601 Westtown Road
P. O. Box 2747
West Chester, PA 19380-0990
(610) 344-5400 Fax (610) 344-5401
www.chesco.org/water

Chester County Water Resources Authority

Minutes
April 21, 2021

The April 21, 2021 meeting of the Chester County Water Resources Authority Board of Directors was held online using the Zoom live stream video conferencing platform. Information regarding instructions on how to join the meeting, either electronically or by phone, was provided to the public on the Authority webpage prior to the meeting. Ms. Lisa Donlon presided with Messrs. Robert Struble, Jr., Denis Newbold, Rick Smith, Denny Howell, Sid Brookes and Mses. Caren Andrews and Barbara D'Angelo in attendance. Also attending were Mses. Seung Ah Byun, Teresa Greenawalt and Messrs. Craig Thomas, Cory Trego and Mark Chegwidden, CCWRA staff; and Mr. Drew Reif, USGS Liaison.

1. Call to Order:

   The meeting was called to order by Ms. Donlon at 5:01 pm.

2. Introductions:

   There were no introductions.

3. Announcements:

   There were no announcements.

4. Public Comments on Agenda Items:

   There were no public comments.

5. Administrative Items for Board Action:

   A. Minutes of March 17, 2021 Meeting

   A motion to approve the March 17, 2021 Board meeting minutes was made by Mr. Smith, seconded by Mr. Struble, and approved with one abstention.

B. Treasurer's Report

1. Financial Statements March 31, 2021

The Board received copies of the financial statements for the BB&T Bank Operating and Brandywine accounts and the PLGIT accounts from March 1, 2021 through March 31, 2021. Ms. Andrews highlighted the account activities for the period as follows:

The BB&T Bank Operating Account balance was $36,679.56. The balance of the BB&T Bank Brandywine Account was $8,026.00. The Petty Cash Balance was $73.15.

The balance from the PLGIT Operating Account was $52,467.09. The balance from the PLGIT Dams Account was $134,611.92. The balance from the PLGIT USGS Account was $408,609.69. The balance from the PLGIT Brandywine Account was $33,017.43. The balance of PLGIT Beaver Creek Dam Account was $100,250.22. The balance from the PLGIT Brandywine 2 Account was $146,218.64. The total assets as of March 31, 2021 were $919,953.70.

A motion to approve the financial statements as presented for March 31, 2021 for BB&T Bank and PLGIT accounts was made by Ms. Andrews, seconded by Mr. Smith, and unanimously approved.

2. Bills Payable: April 2021

The Board reviewed the list of bills payable through April 21, 2021. The bills payable for the BB&T Operating Account totaled $98,658.65. The bills payable for the BB&T Brandywine Account totaled $3,025.83. The total bills payable for all accounts was $101,684.48.

A motion to approve payment of the bills payable as presented was made by Mr. Brookes, seconded by Mr. Newbold, and unanimously approved.

C. 2020 Annual Financial/Federal Single Audit

Ms. Greenawalt reviewed with the Board the final draft Federal Single Audit financial statements and audit results prepared by the auditor. The opinions presented by the auditor concluded there were no issues or evidence of noncompliance to federal requirements or general accounting practices. The Board was also informed of the required distribution requirements as follows:

- Annual Report submitted to Chester County Office of the Controller, due May 1,
- Form DCED-CLGS-04 to be submitted online to Pennsylvania Department of Community and Economic Development,
- SF-SAC form submitted to the Federal Audit Clearinghouse, and
- Concise Statement of Net Position to be published in the Daily Local News.

A motion to approve the draft documents as final 2020 Financial Reports, and to approve distribution as described, was made by Mr. Brookes, seconded by Mr. Smith, and unanimously approved.

Ms. Greenawalt also presented the Representation and Certification Letter, addressed to Maillie LLP from the Board, reviewed its purpose and content, and requested the Board authorize the Chairman and Treasurer to sign the letter.

A motion to authorize signature by the Board Chair and Board Treasurer of the Representation and Certification Letter, was made by Mr. Newbold, seconded by Mr. Brookes, and unanimously approved.

D. 2022 Budget Update (Review of 2021 Budget)

Ms. Byun shared with the Board the plan to present the 2022 Budget in separate components over the course of several months prior to requesting Board to approve the 2022 Budget submittal. The Authority normally requests Board approval of the next year's budget in July to meet the submittal requirements of the County. To start the 2022 budget preparation process, Ms. Greenawalt reviewed the previously approved 2021 budget, highlighting the various components that make up an annual budget. A more detailed review of the Operations portion of the budget will be presented next month.

E. Continuity of Operations Plan

Ms. Byun presented an updated revision of the Authority's Continuity of Operations Plan (COOP), which is an annex to the Chester County COOP program. The revised plan, previously approved in 2013, now includes updated contact information, updated technology requirements, clarification of authorities and responsibilities, and two new Mission Essential Functions: Public Communication and Fiscal Administration.

A motion to approve the Authority's April 2021 Continuity of Operations Plan, and authorize the Board Chairperson to sign the COOP Annex document was made by Ms. Andrews, seconded by Mr. Smith, and unanimously approved.

F. Web Site Update

Mr. Thomas shared that the updated Authority web site is ready to go live on April 26. In addition to the new, more engaging layout, he also noted that the web site will now include a calendar for all public meetings, including meeting dates, agendas and the opportunity to post approved meeting minutes.

A motion to authorize posting of approved minutes to the Authority web site, retroactive to January 2021, was made by Mr. Newbold, seconded by Mr. Smith, and unanimously approved.

G. Other

Ms. Byun noted that the gifts originally selected for the long-term Volunteer Rainfall Observers Network (VRON) participants were no longer available, and so umbrellas were ordered, along with personalized gift tags. Ms. Greenawalt shared that the County's Public Information Officer had asked for information about the VRON program in order to write a press release about the program, and to recognize the long-term participants. That effort is still in progress.

6. *Watersheds* Plan Update

A. General Updates (WPAC, DCNR funding)

Mr. Trego apprised the Board regarding activities during the past month, including a presentation to the Advisory Committee of Latino Affairs in Kennett Square, who has offered to help with creation and distribution of Spanish language surveys for the general public.

The Authority also hosted a Virtual Stormwater Summit on April 16, with a total of 93 attendees. This event also served as one of three annual Act 167 required WPA meetings. There

were a variety of topics presented during the Summit, which are now available to view on the Authority's website and YouTube channel.

Mr. Trego shared that the Authority submitted an application for a Department of Conservation and Natural Resources (DCNR) Keystone Rivers Conservation grant for $80,000 as additional funding for the water plans updates. The grant will be awarded sometime in the Fall 2021.

B. Steering Committee Update

The most recent Steering Committee meeting was held April 20. Topic areas reviewed included determining what makes a useful integrated water resources plan, selecting the name for the new updated plan, and reviewing the content of two new surveys to be distributed to the general public. One survey would ask about general water resource issues of concern to the public. The second survey, developed to support the DCNR grant application, would specifically focus on water-based recreation and access to water based recreation. The next Steering Committee meeting will focus on prioritizing analyses and focus areas for the plan.

C. *Watersheds* and Stormwater Management Plan – Consultant Selection

Mr. Trego informed the Board that the County Commissioners have given approval to proceed with the contracting process with CDM Smith, pending review of the contract by the County Solicitor and resolution of several items of exception taken by CDM Smith. The goal is to have the contract documents ready to present to the County Commissioners for award of the contract at the next Sunshine meeting.

7. Dams Engineering, Maintenance, Repair and Contracting:

A. Executive Director's Report

A written report was provided to the Board by Ms. Byun prior to the meeting, and there were no further updates at the meeting.

B. Dam Safety Engineering and Related Activities RFP

Mr. Thomas informed the Board that four proposals were received in response to the RFP issued for Professional Consulting Services for Dam Safety Engineering and Related Activities. The four proposals were reviewed and ranked by staff, as well as by Mr. Fernandes and Mr. Smith. The two top ranked proposals were submitted by Gannett Fleming and Ramboll Americas. Both firms had noted some exceptions to some to of the contract terms included in the County's standard RFP template; the Authority's Solicitor noted that the exceptions were to be expected and revisions could be negotiated after selection of a firm. Based on the proposals received, in addition to the past performance provided, the staff recommends to the Board that Gannett Fleming be awarded the contract based on their overall dam engineering experience, the breadth and expertise of related disciplines within the company, and cost.

A motion to accept the proposal from Gannett Fleming, direct Ms. Byun to work with the Authority's Solicitor and Gannett Fleming to review and revise the two exceptions to terms in the Agreement, and approve the Chairperson to execute the contract was made by Mr. Smith, seconded by Mr. Newbold, and unanimously approved.

C. Other

There were no other items to report.

D. Updates

1. Easement and Property Boundary Inspections at Barneston Dam

Mr. Chegwidden reported that Gannett Fleming completed the inspections of the flood easements and condition of shared property boundaries between the Authority and private landowners at Barneston Dam on April 7 and 14, 2021. There were no reports of issues or questions raised by the landowners during the inspections. Gannett Fleming will provide a summary and photos of the inspections, highlighting any problems found, if any.

2. Fidelity Contracting Valve Vault Check Valve Removal & Safety Grate Installation

Mr. Chegwidden advised that the Authority Solicitor recommended the addition of a Performance and Payment Bond requirement as a condition of the Agreement with Fidelity Contracting LLC, the contractor approved last month by the Board to remove a drain check valve from the Hibernia valve vault and to install safety grates on the riser and valve vault hatch doors. Mr. Chegwidden contacted Fidelity Contracting regarding the new requirement, and they amended the cost quote to include the Bond at an additional cost of $275. The work is anticipated to be completed in May.

3. Hibernia Dam NRCS Rehabilitation Project

Mr. Thomas noted that there has been no action in the past month, with staff waiting for NRCS to reconcile and close the funding accounts, and reimburse an estimated $90,000 in unspent funds to the Authority and funding partners. The deadline for NRCS to complete the final closeout of the project is June 29, 2021, so Authority action to complete the project will soon follow.

4. Beaver Creek Dam NRCS Rehabilitation Project

Mr. Thomas reported that NRCS awarded the Beaver Creek rehabilitation project to KC Construction, for a total cost of $2,238,826.00. This is considerably less than the amount of funds forwarded to NRCS by the Authority as a pre-payment for the project and, as a result, the Authority has verbally requested a return of funding that will not be needed to complete the project. This is expected to be approximately $350,000. This action will require a contract amendment with NRCS to allow this reimbursement of funds prior to the completion of the project; the amendment will be presented to the Board for approval at a future meeting.

KC Construction has proposed a schedule that starts August 1 and completes the construction portion of the project by December 31, 2021. The plan intends to avoid extending construction into a second summer, though seeding and removal of E&S controls will not be complete until 2022.

Mr. Thomas also shared some photos of the de-watered pool showing the sparse germination of the seeding project completed last fall. As a result, staff recommends supplemental seeding to help get ground cover vegetation established. Gannett Fleming has suggested a customized seed mix to address the need for getting vegetation started, while keeping the cost of the seed at no more than $1,100. To save labor costs, staff can spread seed over the four to five acres identified.

A motion to purchase seed and proceed with the plan for supplemental seeding was made by Mr. Smith, seconded by Mr. Brookes, and unanimously approved.

5. Barneston Dam Turnaround

Mr. Chegwidden noted that he has prepared a Request for Quotes (RFQ) for the Barneston Dam turnaround as well as another RFQ to repair the access lane at Hibernia Dam at an area where it has eroded. He anticipates the work for both RFQs will be completed by the same contractor. Both RFQs are currently with Ms. Byun for review.

6. Struble and Hibernia Dam ROV Inspections

Mr. Chegwidden reported that staff have been coordinating with Gannett Fleming to review staff comments on the draft specifications prepared by Gannett Fleming for the inspection of the outlet works at both Hibernia and Struble Dams. He is also preparing an Invitation to Bid package for the work, with the goal to have bids received in time for the Board to review and select a contractor at the June meeting, and inspections scheduled for a July/August timeframe.

7. Deerfield Mowing Services Amendment

Mr. Chegwidden reported that, as a result of the change of certain features at Hibernia Dam due to the completion of the Hibernia Dam rehabilitation project, there are some changes to the scope of work for the Deerfield mowing and property maintenance activities at Hibernia Dam. Contract Change Order #4 describes the changes in scope and authorizes an additional $1661.72 in costs annually. This price increase is within the Executive Director's threshold to approve.

8. Embreeville Wetlands New Conservation Area

Mr. Trego noted that the final actions to complete the updated metes and bounds description as part of a revised Declaration of Restriction is with Gannett Fleming, who will complete it as soon as their schedule allows within the next few weeks. Mr. Trego also noted that on May 6 he will be conducting the annual inspection of the wetlands with Mr. Steve Wittig of Gannett Fleming. Mr. Wittig will be providing a report of observations and recommendations shortly thereafter.

E. Other

Mr. Thomas shared that USGS has offered to contribute some additional federal funds to this year's cooperative program in order to do some additional water quality analyses on chloride and specific conductance within local watersheds. This new activity requires no additional local match, but does require an amendment to the joint funding agreement to reflect the increase in total dollar amount authorized by the Funding Agreement.

A motion to authorize the Executive Director to sign documents as required to amend the Cooperative Program Joint Funding Agreement was made by Mr. Smith, seconded by Ms. Andrews, and unanimously approved.

F. Chairperson's Report

There was no Chairperson's report.

G. Members' Comments

There were no members' comments.

H. Public Comments

There were no public comments.

I. Adjournment

There being no further business, a motion to adjourn was made by Mr. Brookes, seconded by Mr. Smith, and was unanimously approved. The meeting was adjourned at 6:46 P.M.

Respectfully submitted,

Teresa Greenawalt

Teresa Greenawalt
Recording Secretary