

**BRUNSWICK REGIONAL WATER & SEWER H2GO  
SPECIAL MEETING  
THURSDAY, MAY 11, 2017**

**OFFICIAL MINUTES**

**MEMBERS PRESENT:**

Present from the Board of Commissioners were members Bill Browning, Chairman, Ron Jenkins, Vice Chairman, Carl Antos, Secretary, and Jeff Gerken, present from H2GO was Bob Walker, Executive Director, Russ Lane, Assistant Director, Scott Hook, Finance Officer, Tyler Wittkofsky, Public Information Officer, and Deana Greiner, Deputy Clerk to the Board.

Commissioner Trudy Trombley was absent.

Chairman Bill Browning called the meeting to order at 6:00 pm, a quorum was present. Commissioner Gerken questioned who called for the meeting. Commissioner Antos explained that he called the meeting; he stated that he knew we had received word of the NPDES permit so he called Chairman Browning and Commissioner Jenkins individually and all were in agreement to hold a special meeting. Commissioner Gerken referred to the minutes from the regular board meeting on February 9, 2016; he read that Mr. Coble stated a special meeting should be called by a motion and a second from the board. Commissioner Gerken argues that the meeting is not in order based on the said guidelines. Discussion ensues. It was said that the attorney was aware of this meeting and had no objections to the meeting taking place.

The assembly was lead in the Pledge of Allegiance.

Mr. Walker informed the board that bids were received for the construction of the wells for the RO Water Treatment Plant; he explained that there were two bids received from A.C. Shultes of Carolina, INC. and Skipper's Well Drilling & Pump Service, INC. Mr. Walker said that all the bid documents received for both bidders were found to be in order; he said based on the review and bid tabulation from the Wooten Company that he recommends to the board awarding the construction well bid to Skipper's Well Drilling & Pump Service in the amount of \$1,634,278.00. **Commissioner Antos made the motion to award the well construction bid for the RO Water Treatment Plant to Skipper's Well Drilling & Pump Service, INC in the amount of \$1,634,278.00; Commissioner Jenkins seconded and discussion ensues.** Commissioner Gerken stated that given he has only had 12 minutes to review the documents and the fact that Commissioner Trombley was absent that he objects to awarding the bid. It was said that the Wooten Company and the attorney has both reviewed the documents and found them to be in order. **Commissioner Gerken motioned to add the following amendment to the current motion and to all bid awards pertaining to the RO Water Treatment Plant:**

*"To whom it may concern: This is a minority statement on behalf of Trudy Trombley and myself. No funds should be expended by this board until final action by the Local Government Commission—not even expenditures from reserves. Any expenditure in anticipation of LGC approval, including expenditures from the reserve amounts represented to the LGC as being in*

*hand, will be considered by a new board, if elected, as non-binding. Furthermore, the new board will seek rescission of any expenditures for the RO project, no matter the nature of the agreement. It would be our intention that the new board would use all legal means at our disposal to cancel this unneeded project and seek damages from all vendors who have been a part of the misstatements and misrepresentations as part of this permit process, in particular the repeated assertions in formal applications that it was not possible to negotiate new contract terms with Brunswick County. It is the intention of the minority members of this board, who upon the almost certain election of new board members in November will become majority members, to cancel this project, thereby freeing up financial resources to allow us to reduce the water bills of the customers of H2GO.”*

**Commissioner Gerken’s motion failed for lack of a second. Commissioner Antos’ motion passed with a vote of 3 ayes from Chairman Browning, Commissioner Antos, and Commissioner Jenkins and 1 nay from Commissioner Gerken.**

Mr. Walker informed the board that bids were received for the RO Plant equipment procurement; he stated there were five bids received. Mr. Walker explained that this bid did not come as straight forward as the previous; he explained that for each bid the equipment and membrane replacement cost was subject to a 10 year net present value. Mr. Walker explained the net present value was added to each base bid to find the apparent low bidder. Mr. Walker explained that Wigen showed to be the lowest apparent bidder; he explained that because they failed to include sales tax that their bid was deemed unresponsive. Mr. Walker explained that Doosan Hydro was the second lowest bidder; he explained that they did not follow specifications in offering an energy recovery device that met the performance specifications deeming their bid unresponsive. Mr. Walker explained that the third lowest bidder was Harn RO Equipment; he said their bid documents were found to be in order; he said that he recommended the bid to be awarded to Harn RO Equipment for the RO Plant equipment procurement in the amount of \$1,714,225. It was said that the Wooten Company and the attorney has both reviewed the documents and found them to be in order. **Commissioner Antos made the motion to award the RO Plant equipment procurement bid to Harn RO Equipment in the amount of \$1,714,225; Commissioner Jenkins seconded. Commissioner Gerken motioned to add the following amendment to the motion:**

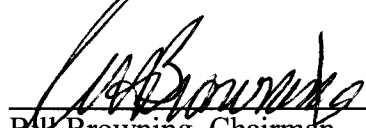
*“To whom it may concern: This is a minority statement on behalf of Trudy Trombley and myself. No funds should be expended by this board until final action by the Local Government Commission—not even expenditures from reserves. Any expenditure in anticipation of LGC approval, including expenditures from the reserve amounts represented to the LGC as being in hand, will be considered by a new board, if elected, as non-binding. Furthermore, the new board will seek rescission of any expenditures for the RO project, no matter the nature of the agreement. It would be our intention that the new board would use all legal means at our disposal to cancel this unneeded project and seek damages from all vendors who have been a part of the misstatements and misrepresentations as part of this permit process, in particular the repeated assertions in formal applications that it was not possible to negotiate new contract terms with Brunswick County. It is the intention of the minority members of this board, who upon the almost certain election of new board members in November will become majority members, to cancel this project, thereby freeing up financial resources to allow us to reduce the water bills of the customers of H2GO.”*

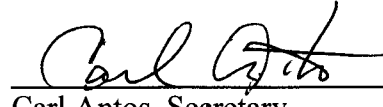
**Commissioner Gerken's motion failed for lack of a second. Commissioner Antos' motion passed with a vote of 3 ayes from Chairman Browning, Commissioner Antos, and Commissioner Jenkins and 1 nay from Commissioner Gerken.**

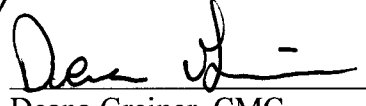
Commissioner Gerken pointed out that they just approved over \$3 million in just over 14 minutes with one board member being absent. It was said that Commissioner Trombley was contacted and offered a means to be present; however she was still unable to attend. Commissioner Antos apologized; he stated that he knew she was unavailable for the 16<sup>th</sup> but did not know her schedule for the rest of the week. **Commissioner Gerken made the motion to excuse Commissioner Trombley from the meeting; Commissioner Antos seconded and the motion carried unanimously.**

**ADJOURNMENT:**

**Commissioner Gerken made the motion to adjourn the meeting at 5:17pm, it was seconded by Commissioner Antos, and the motion carried unanimously.**

  
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Bill Browning, Chairman

  
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Carl Antos, Secretary

  
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Deana Greiner, CMC  
Deputy Clerk to the Board

5-23-2017  
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Date of Approval