

## MINUTES

Spartanburg Sanitary Sewer District Commission, Regular Meeting, held at 200 Commerce Street, Spartanburg, SC, April 23, 2024, at 2:15 p.m.

Copies of the agenda were forwarded to the following news media: Spartanburg Herald-Journal, The Spartan Weekly, Greenville News, The Greer Citizen, Hometown News, WSPA-TV 7, WYFF-TV 4, WLOS-TV 13, WHNS Fox Carolina, WORD News Radio, WOLT-FM Radio, Tribune Times, and the Times Examiner.

Commissioners present were Mses. Barnes and Viney and Messrs. Blanton, Littlejohn, Montgomery, Rice, and Willard. No one was absent.

The meeting was opened with the following statement:

This is a regular meeting of the Spartanburg Sanitary Sewer District Commission. Written notice of the date, time, and place for this meeting, along with the agenda, has been posted in the lobby and on the Spartanburg Water website, and copies mailed to local and nearby news media, at least 24 hours prior to this meeting.

### 1. PRAYER

Mr. Blanton called the meeting to order and Rick Jolley opened with a prayer.

### 2. APPROVAL OF MINUTES OF REGULAR MEETING OF MARCH 26, 2024

Mr. Montgomery moved and Mr. Littlejohn seconded the motion to approve the minutes as written. The motion passed unanimously.

### 3. MONTHLY FINANCIAL REPORT

Cam Cole presented a financial summary of SSSD expenditures and revenues for the nine-month period ending March 31, 2024. An explanation was provided for the favorable and unfavorable budget variances.

The above was provided as information to the Commission.

### 4. INTERGOVERNMENTAL AGREEMENT BETWEEN SPARTANBURG COUNTY AND SPARTANBURG SANITARY SEWER DISTRICT (SSSD)

SSSD management has been in negotiations with Spartanburg County since early 2024 that would establish a long-term agreement by which SSSD would utilize the Spartanburg County Class Three Landfill at 595 Little Mountain Road, Wellford, South Carolina for disposal of SSSD biosolids from the A. Manning Lynch Wastewater Treatment Plant. SSSD has been dispatching biosolids from the A. Manning Lynch Wastewater Treatment Plant to the Spartanburg County landfill, on a trial basis, since the fall of 2023.

While management had hoped for a longer-term agreement with the County, the County has agreed to a one-year term with four additional annual terms. In setting a much shorter initial term, the County has stated, "acceptance of SSSD's Residuals at the Landfill is a new practice for the County and creates additional operational burdens and environmental risks. The trial period has worked well enough to spur us to consider a longer-term commitment; but, we desire to proceed with due caution as we continue to learn through our experience."

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Operationally for SSSD, the use of the Spartanburg County landfill provides SSSD with a better economic model for the next one to five years. Management hopes that as this relationship with the County matures, there will be future opportunity to establish a longer-term agreement with continued favorable tipping fees.

Therefore, management recommended the Commission authorize Guy Boyle, Chief Executive Officer, to formally enter into this Intergovernmental Agreement with Spartanburg County, South Carolina.

Mr. Boyle noted that management has worked closely with Spartanburg County to build a relationship and create an agreement that would allow SSSD to utilize the landfill to dispose of SSSD biosolids. SSSD has been dispatching biosolids from the A. Manning Lynch Wastewater Treatment Plant to the Spartanburg County landfill, on a trial basis, since the fall of 2023.

Mr. Boyle stated Spartanburg County has agreed to enter into an Intergovernmental Agreement with SSSD for a one-year term with four additional annual terms. Spartanburg County would like to progress slowly with the biosolids agreement as they increase their knowledge regarding biosolids, and build the relationship with SSSD regarding this agreement.

Rick Jolley added that this agreement provides approximately 20-22% savings, as the Tipping Fee is \$23 cheaper per ton, although transportation is about the same.

Ms. Barnes asked what percentage of biosolids does SSSD currently utilize in the Spartanburg County Landfill. Mr. Jolley noted that SSSD has been on a trial basis with the County. The intent is to move from a trial basis to 75% Spartanburg County Landfill and 25% Union/Anderson Landfill. This will be a progression as the relationship builds with Spartanburg County.

Ms. Viney asked if management will continue to look for other options for biosolids other than the landfill. Mr. Jolley stated when the Biosolids Master Plan was developed, composting was explored. This option was not beneficial financially, but management will continue to look at available options. SSSD generates about 750 loads a year.

Ms. Viney asked about land application. Mr. Jolley noted that regulations are different for land application. There is Legislation in progress that may make this option more favorable in the future.

Mr. Willard asked for examples of the “creates additional operational burdens and environmental risks” statement from Spartanburg County. Mr. Jolley stated that management has been in discussion with the County for about five years regarding biosolids disposal in the landfill. The perception of biosolids was incorrect and through the relationship, management has provided clarity and a better understanding. Mr. Willard asked if the biosolids required additional liners in the landfill. Mr. Jolley said they do not require a liner.

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Ms. Barnes moved and Mr. Littlejohn seconded the motion to authorize Guy Boyle, Chief Executive Officer, to formally enter into this Intergovernmental Agreement with Spartanburg County, South Carolina. The motion passed unanimously.

**5. BIDS FOR INVENTORY PIPE YARD CONCRETE PAD**

Sealed bids were received on April 10, 2024, to install a concrete pad in the pipe yard where pipe and pipe fitting inventory is stored. The project consists of grading the area and installing approximately 30,500 square feet of fiber reinforced concrete. The current area is dirt and gravel. The concrete will create a better storage area for these items and easier maintenance.

Invitations to bid were forwarded to prospective bidders and publicized in the local media. A tabulation of the bids is listed below:

<u>BIDDER</u>	<u>AMOUNT OF BID</u>
Cornerstone Constructors, LLC Spartanburg, SC	\$237,627.00
McGillicuddy Concrete Spartanburg, SC	\$243,828.52
T.P. Howards Plumbing Co., Inc. Fairview, NC	\$289,378.00
Harper General Contractors Greenville, SC	\$349,750.00

Management recommended the award of the contract to the lowest responsive and responsible bidder, Cornerstone Constructors, LLC, in the amount of \$237,627.00. The project will be split equally between Spartanburg Sanitary Sewer District and Spartanburg Water System capital funds.

Remsen Parrish provided the Commission with an overview of the Bids for Inventory Pipe Yard Concrete Pad agenda item. Mr. Parrish noted that the concrete pad will allow for a better storage area than the current gravel and grass storage area.

Ms. Barnes moved and Mr. Littlejohn seconded the motion to award the contract to the lowest responsive and responsible bidder, Cornerstone Constructors, LLC. The motion passed unanimously.

**6. MIDDLE TYGER PUMP STATION #1 – PROFESSIONAL SERVICES**

The Middle Tyger Pump Station #1 was constructed in 1999 by the SSSD to pump wastewater from the Middle Tyger basin to the North Tyger Wastewater Treatment Plant, which was replaced by the Lower North Tyger Interceptor project. The pumps, controls, and valves have reached the end of their useful lives and are in need of rehabilitation.

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Staff requested a Task Order from KCI Technologies, Inc., of Piedmont, SC to perform engineering services for design, bid assistance and construction administration services. The scope of work for the project includes the following:

- Replacement of Pump #1
- New and relocated pump station control panel
- Replacement of check valves and gate valves in existing valve vault
- Evaluate benefits and costs of Soft Starts vs. Variable Frequency Drives (VFDs)
- Replace guide rails on existing jib crane
- Add "Safe-Hatch" or equivalent grates into the pump station access covers

Management recommended the approval of the Task Order with KCI Technologies, Inc., with a not to exceed amount of \$32,000. This project will be funded through SSSD depreciation funds.

Kevin Smith, Division Lead Engineer, provided the Commission with an overview of the Middle Tyger Pump Station #1 – Professional Services agenda item. Mr. Smith noted that the pumps, controls, and valves have reached the end of their useful lives and are in need of rehabilitation.

Mr. Willard asked if the location of the pump station will be considered during this evaluation process, given the growth in the area, for example, would it be better located further down the Tyger River. Mr. Smith stated that the location has been considered and the current pump station was strategically placed and is in a good location. Mr. Smith stated that as the scope of work is identified, the location will be considered.

Mr. Littlejohn moved and Mayor Rice seconded the motion to approve management's recommendation of the Task Order with KCI Technologies, Inc. The motion passed unanimously.

**7. RECEIPT OF BIDS – TRADITIONS SUBDIVISION CREEK CROSSING REPAIR PROJECT**

Bids were received on April 5, 2024, for the Traditions Subdivision Creek Crossing Repair project. The aerial crossing is over Big Shoally Creek near the Traditions Subdivision off Vineyard Road in Boiling Springs. The scope of work calls for the contractor to replace the existing aerial pipeline crossing that washed away during recent storms.

Twenty-Two contractors obtained the bid documents for the project and two contractors submitted a bid. The bids were as follows:

<u>BIDDER</u>	<u>AMOUNT OF BID</u>
Payne, McGinn & Cummings Inc. Travelers Rest, SC	\$202,850
North American Pipeline Management, Inc. Greenville, SC	\$354,836

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Engineer’s Estimate \$375,000

Management recommended awarding the contract to the lowest responsive bidder, Payne, McGinn & Cummings, Inc., of Travelers Rest, SC for the amount of \$202,850. This project will be funded by capital funds.

Rick Jolley provided the Commission with an overview of the Receipt of Bids for Traditions Subdivision Creek Crossing Repair Project agenda item. Mr. Jolley stated that the scope of work calls for the contractor to replace the existing aerial pipeline crossing that washed away during recent storms.

Mr. Montgomery moved and Mr. Littlejohn seconded the motion to approve management’s recommendation to award the contract to the lowest responsive bidder, Payne, McGinn & Cummings, Inc. The motion passed unanimously.

**8. REQUEST FOR ANNEXATION – R D ANDERSON VOCATIONAL SCHOOL**

R D Anderson Vocational School has requested annexation of approximately 35.51 acres of property located off Center Pointe Drive on parcel(s) 6-39-00-017.01. The property is adjacent to the District boundaries and can be annexed by Commission under authority granted in its enabling legislation.

Management recommended the Commission approve the annexation request, adopt a resolution giving 90 days’ notice to sub-districts, and annex the property effective July 22, 2024.

**Resolution of Annexation  
Adopted by Spartanburg Sanitary Sewer District Commission  
On April 23, 2024**

WHEREAS, R D Anderson Vocational School and School Districts 4, 5 & 6, owners of a 35.51 acre tract, more or less, adjacent to the existing Sewer District boundary line, and located off of Center Point Drive on parcel 6-39-00-017.01 and more particularly shown on the site location map attached hereto as exhibit "A" has petitioned for annexation of this area comprising the aforementioned tract to the Spartanburg Sanitary Sewer District ("the District"); and

WHEREAS, the petition of the property owners has been accepted by the Commission, the District’s governing body (the "Commission"), after finding (a) that the petition was submitted by the property owners of an area in Spartanburg County on a petition form provided by the District, (b) that the petition was signed by the property owners within such area proposed to be annexed, (c) that there was attached to the petition a map made on a scale as required by the District, made by a registered licensed surveyor showing, in detail the boundary of the area proposed to be annexed and that all other requirements of the applicable law have been met, and

WHEREAS, the Commission, after having given due consideration to all relevant matters pertaining to the proposed annexation of such area as required by the District’s enabling

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legislation, has determined that such an area should be annexed to the District, and

WHEREAS, in reaching its decision to annex such area, the Commission has taken into consideration the additional waste contributed to the system by such area and present and future expansion of interceptor lines and disposal facilities needed to accommodate and service such area, and it has determined that such consideration does not indicate a probable need for expansion to take care of the sewage needs of such area, and,

WHEREAS, the Commission finds that it should now give written notice of ninety (90) days to the governing body of each of the sub-districts of the District.

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby confirms and ratifies the determinations and findings set out hereinabove, and

BE IT FURTHER RESOLVED that the aforesaid petition be, and it hereby is, accepted by the Commission, and

BE IT FURTHER RESOLVED that the area owned by the aforesaid property owners shown on the map attached to the petition, be annexed to the District effective at the expiration of the ninety (90) days written notice to be given to the governing body of each sub-district of the District, and

BE IT FURTHER RESOLVED that the Commission will give written notice of ninety (90) days to the governing body of each of the sub-districts of the District of the acceptance of the aforesaid petition and of the decision of the Commission to annex the property shown on the above described map.

BE IT FURTHER RESOLVED that when the annexation becomes effective notice of such annexation shall be given to the Spartanburg County Treasurer, the Spartanburg County Auditor and the Spartanburg County Health Officer.

Kevin Smith provided the Commission with an overview of the Request for Annexation – R D Anderson Vocational School agenda item. R D Anderson Vocational School has requested annexation of approximately 35.51 acres of property located off Center Pointe Drive on parcel(s) 6-39-00-017.01. The property is adjacent to the District boundaries and can be annexed by Commission under authority granted in its enabling legislation.

Mr. Montgomery moved and Mr. Littlejohn seconded the motion to approve the annexation request of approximately 35.51 acres of property located off Center Pointe Drive on parcel(s) 6-39-00-017.01. The motion passed unanimously.

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**9. AUTHORIZATION TO ACQUIRE RIGHTS-OF-WAY UTILIZING THE LAW OF EMINENT DOMAIN – MEADOWS CREEK-HWY 292 BASIN GRAVITY SEWER EXTENSION PROJECT PHASES I and II**

The proposed route of the gravity sewer main that will be installed as part of the Meadows Creek-Hwy 292 Basin Gravity Sewer Extension Project Phases I and II will require the acquisition of twenty-six rights-of-way. Favorable responses have initially been received from many of the affected property owners regarding the granting of rights-of-way; however, there may be difficulty in obtaining approval from some of them. To date staff has secured nine of the twenty-six easements needed. Discussions will continue with the property owners; however, if negotiations with one or more of the property owners prove to be unsuccessful, staff requests that the Commission approve obtaining rights-of-way utilizing the Law of Eminent Domain.

Management recommended that staff be authorized to utilize the Law of Eminent Domain if any negotiations are unsuccessful.

Mr. Boyle noted that this project is included in the Spartanburg County approved ARPA Funding.

Kevin Smith reviewed the status of the 26 rights-of-way needed for the project. Nine have been acquired, and negotiations continue with the remaining property owners. The project is out for bid with the bid opening scheduled for May 14. Discussion with property owners have gone well, but most want more money than SSSD offered. SSSD offered appraised value. Most property owners are within reach on a negotiation, but two property owners are requesting a significant amount above appraised value. Management requested authorization to use the Law of Eminent Domain.

Ms. Barnes asked what the deadline to begin the project is. Mr. Smith stated June 1.

Mr. Willard asked what the aggregate total of what SSSD offered versus what the property owners are requesting, and what the total cost of the project is. Mr. Smith stated \$4,000-\$5,000 difference individually. The total project cost is 6.1 Million.

Mr. Willard stated that with the start deadline looming he requested that management continue to work with the negotiations to acquire the right-of-ways. Mr. Boyle noted that three additional property owners are close to signing an agreement with SSSD. Gene Jackson stated that negotiations of up to twice as much as the appraised value have been discussed. Mr. Boyle provided an example of such a negotiation. Management will work to acquire as many right-ow-ways as possible prior to utilizing the law of eminent domain.

Mr. Willard moved and Mr. Montgomery seconded the motion to authorize staff to utilize the Law of Eminent Domain if any negotiations are unsuccessful. The motion passed unanimously.

**10. OWNERSHIP AGREEMENT – CREEK RIDGE**

Meritage Homes of South Carolina proposes to construct approximately 6,000 linear feet of 8-inch gravity sewer line to provide service to 153 residential lots in Creek Ridge subdivision located off Old Greenville Highway. The sewer line will connect to the existing SSSD infrastructure. The domestic waste will be treated at the Lower North Tyger River Wastewater Treatment Facility. SSSD will participate in the off-site sewer construction cost in accordance with the Sewer Extension Policy adopted January 26, 2023.

The line will be constructed according to District-approved plans and specifications, with District inspection provided. The owner will provide all necessary right-of-way and easement agreements for this project.

The form of the agreement transferring ownership of the gravity sewer to the District has been reviewed by the District’s attorney and executed by Meritage Homes of South Carolina. Under the terms of the resolution adopted by the Commission on January 26, 2023, this agreement has been executed on behalf of the Commission by the Chief Executive Officer.

The above was provided as information to the Commission.

**11. OWNERSHIP AGREEMENT – KENS CROSSING**

V-Go Holdings, LLC proposes to construct approximately 1,074 linear feet of 8-inch gravity sewer line to provide service to 49 residential lots in Kens Crossing located at Highway 417 and Highway 290. The sewer line will connect to the existing SSSD infrastructure. The domestic waste will be treated at the Lower North Tyger River Wastewater Treatment Facility. The developer will bear all costs.

The line will be constructed according to District-approved plans and specifications, with District inspection provided. The owner will provide all necessary right-of-way and easement agreements for this project.

The form of the agreement transferring ownership of the gravity sewer to the District has been reviewed by the District’s attorney and executed by V-Go Holdings, LLC. Under the terms of the resolution adopted by the Commission on January 26, 2023, this agreement has been executed on behalf of the Commission by the Chief Executive Officer.

The above was provided as information to the Commission.

**12. OWNERSHIP AGREEMENT – PLAINVIEW DRIVE SEWER EXTENSION**

Spartanburg Development Partners, LLC proposes to construct approximately 345 linear feet of 8-inch gravity sewer line to provide service to one commercial lot located off Plainview Drive. The sewer line will connect to the existing SSSD infrastructure. The domestic waste will be treated at the A. Manning Lynch Wastewater Treatment Facility. The developer will bear all costs.



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The line will be constructed according to District-approved plans and specifications, with District inspection provided. The owner will provide all necessary right-of-way and easement agreements for this project.

The form of the agreement transferring ownership of the gravity sewer to the District has been reviewed by the District’s attorney and executed by Spartanburg Development Partners, LLC. Under the terms of the resolution adopted by the Commission on January 26, 2023, this agreement has been executed on behalf of the Commission by the Chief Executive Officer.

The above was provided as information to the Commission.

**13. OWNERSHIP AGREEMENT – RANDELL POINTE**

Mark III Properties, LLC proposes to construct approximately 935 linear feet of 8-inch gravity sewer line to provide service to 61 residential lots in Ransdell Pointe off Plainview Drive. The sewer line will connect to the existing SSSD infrastructure. The domestic waste will be treated at the A. Manning Lynch Wastewater Treatment Facility. The developer will bear all costs.

The line will be constructed according to District-approved plans and specifications, with District inspection provided. The owner will provide all necessary right-of-way and easement agreements for this project.

The form of the agreement transferring ownership of the gravity sewer to the District has been reviewed by the District’s attorney and executed by Mark III Properties, LLC. Under the terms of the resolution adopted by the Commission on January 26, 2023, this agreement has been executed on behalf of the Commission by the Chief Executive Officer.

The above was provided as information to the Commission.

**14. OWNERSHIP AGREEMENT – ROXBOROUGH PARK**

Upward Lease, LLC and Interconstruction, LLC propose to construct approximately 2,463 linear feet of 8-inch gravity sewer line to provide service to 130 residential lots in Roxborough Park located off Whitestone Glendale Road. The sewer line will connect to the existing SSSD infrastructure. The domestic waste will be treated at the A. Manning Lynch Wastewater Treatment Facility. The developer will bear all costs.

The line will be constructed according to District-approved plans and specifications, with District inspection provided. The owner will provide all necessary right-of-way and easement agreements for this project.

The form of the agreement transferring ownership of the gravity sewer to the District has been reviewed by the District’s attorney and executed by Upward Lease, LLC and Interconstruction, LLC. Under the terms of the resolution adopted by the Commission on January 26, 2023, this agreement has been executed on behalf of the Commission by the Chief Executive Officer.

The above was provided as information to the Commission.

**15. OWNERSHIP AGREEMENT – TRENTON PLACE**

Trenton Place Partners, LLC proposes to construct approximately 2,495 linear feet of 8-inch gravity sewer line; 1,468 linear feet of 4-inch force main; and one pump station to provide service to 140 residential lots in Trenton Place located at Old Georgia Road and East Blackstock Road. The sewer line will connect to the existing SSSD infrastructure. The domestic waste will be treated at the Lower North Tyger River Wastewater Treatment Facility. SSSD will participate in the off-site sewer construction cost in accordance with the Sewer Extension Policy adopted January 26, 2023.

The line will be constructed according to District-approved plans and specifications, with District inspection provided. The owner will provide all necessary right-of-way and easement agreements for this project.

The form of the agreement transferring ownership of the gravity sewer to the District has been reviewed by the District's attorney and executed by Trenton Place Partners, LLC. Under the terms of the resolution adopted by the Commission on January 26, 2023, this agreement has been executed on behalf of the Commission by the Chief Executive Officer.

The above was provided as information to the Commission.

**16. CHIEF EXECUTIVE OFFICER REPORT**

- A.** Mr. Boyle provided the Commission with an update on the oyster recycling program. The recycling location will be at the A. Manning Lynch facility, and will be overseen by Meagan Roy, Watershed Coordinator.
- B.** Mr. Boyle informed the Commission that the first official Spartanburg Water Popular Financial Annual Report (PFAR) has been developed. Communications coordinated the development of this document. It is informative of both entities. Please review and provide any feedback you may have. Mr. Boyle stated that he would like to continue to produce this document annually.
- C.** Mr. Boyle asked Jennifer Candler to share with the Commission an award Spartanburg Water recently received. Ms. Candler shared that Spartanburg Water was recognized by USC Upstate as the inaugural Staff Senate Community Partner of the Year. The Choose Tap program has partnered with USC Upstate for Staff Senate events, providing Choose Tap coolers, refillable water bottles, and biodegradable bottles of water.
- D.** Mr. Boyle reminded the Commission that the budget work sessions are scheduled for Wednesday, May 15. SSSD will begin at 8:30 a.m., immediately followed by SWS.

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- E.** Mr. Boyle stated that the Anchor Park Ribbon Cutting Ceremony will be held on Friday, May 24. The date was changed in honor of Clayton Reed Spencer, this would have been his 34<sup>th</sup> birthday.
- F.** Mr. Boyle reminded the Commission of Spring Fling and the CRIT races that begin at 3:15 p.m. on Friday, April 26. The offices will close at 3:00 p.m. Spartanburg Water Choose Tap Team will have a tent and food will be provided for employees. Please plan to stop by.
- G.** Mr. Boyle informed the Commission that the new Open Carry law that was recently signed into effect by the Governor, has no effect on Spartanburg Water policies, property, or staff. Mr. Boyle has confirmed this with legal counsel.
- H.** Mr. Boyle stated that a calendar of events is provided for their information.

Meeting adjourned at 2:58 p.m.

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Camlyn M. Cole  
Secretary-Treasurer

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