

## MINUTES

Spartanburg Sanitary Sewer District Commission, Regular Meeting, held at 200 Commerce Street, Spartanburg, SC, August 27, 2019, 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, Horton, Littlejohn, Montgomery, and White. 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 Mr. Littlejohn opened with a prayer.

### 2. APPROVAL OF MINUTES OF REGULAR MEETING OF JUNE 25, 2019

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

### 3. MONTHLY FINANCIAL REPORT

Newt Pressley presented a financial summary of SSSD expenditures and revenues for the twelve-month period ending June 30, 2019, and the one-month period ending July 31, 2019. An explanation was provided for the favorable and unfavorable budget variances.

The above was provided as information to the Commission.

### 4. NACWA FACILITY PEAK PERFORMANCE AWARDS

In July 2019, Spartanburg Water received eight Peak Performance Awards from the National Association of Clean Water Agencies (NACWA) based on 2018 performance. NACWA'S Peak Performance Awards recognize member agency facilities for outstanding compliance of their National Pollutant Discharge Elimination System (NPDES) permit limits. This recognition program consists of three categories – Platinum, Gold, and Silver.

Platinum Awards: Fingerville WWTF (Platinum-7), Clifton-Converse WWTF (Platinum-6), Page Creek WWTF (Platinum-6), and Cowpens WWTF (Platinum-5).

The Platinum-5, Platinum-6, and Platinum-7 Awards recognize 100% compliance with NPDES permits for five, six, and seven years respectively.

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Gold Awards: A. Manning Lynch WWTF (Formerly the Fairforest WWTF) and Pacolet Mills WWTF

Gold Awards recognize facilities that have achieved 100% compliance with their NPDES permit for an entire calendar year.

Silver Awards: Lower North Tyger River WWTF and South Tyger River WWTF

Silver Awards recognize facilities that have received no more than five NPDES Permit Violations per calendar year.

Rick Jolley, Wastewater Treatment Manager, provided the Commission with an overview of the NACWA Peak Performance Awards that recognize member agency facilities for outstanding compliance. This recognition program consists of three categories – Platinum, Gold, and Silver. The Commission congratulated Mr. Jolley and staff for their hard work and accomplishment of these awards.

**5. UNITED WAY AWARD**

Newt Pressley stated that Spartanburg Water received the Campaign Spirit Award for 2018-2019 at the United Way of the Piedmont annual meeting. Jason Cass was the Spartanburg Water Volunteer Coordinator for 2018-2019. The Commission thanked staff for their support and congratulated them on the accomplishment of this award.

**6. SEWER RIGHT-OF-WAY CLEARING PHASE 9**

Bids were received on June 18, 2019, for the contract clearing of approximately 3,200 LF of sewer right-of-way within the City Limits of Spartanburg. The scope of work calls for the contractor to remove trees and clear vegetation from the sewer right-of-way.

The final condition of the right-of-ways will be a cleared path no less than 25 feet wide (12.5 feet on either side of the sewer line). The path will be covered with tree chippings or re-vegetated with grass. Proper erosion control measures will be employed along the disturbed area. A tabulation of the responses is listed below.

<b><u>BIDDER</u></b>	<b><u>AMOUNT OF BID</u></b>
AAA Utility and Construction, LLC Columbia, SC	\$54,599
DS Utilities Little Mountain, SC	\$82,500
Graham County Land Company Robbinsonville, NC	\$119,000

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C&S Nature Works Boiling Springs, SC	\$137,000
Martin & Son Contracting, Inc. Spartanburg, SC	NO BID
TAG Grinding Services Marietta, GA	NO BID

The lowest bidder, AAA Utility and Construction, LLC did not provide references that could substantiate their ability to perform the tasks outlined in the request for bids. Management recommended an award be granted to DS Utilities of Little Mountain, SC based on their responsiveness and bid of \$82,500. Funding will be provided through the SSSD collection system rehab funds.

Janet Cann provided an overview of the bid process for the Sewer Right-Of-Way Clearing Phase 9.

Mr. Blanton asked if she knew how many more clearing phases there would be. Ms. Cann said management is trying to quantify it, but there are more phases needed, and they would depend on budget and location.

Mr. Montgomery asked how management prioritizes these rights-of-way for clearing. Ms. Cann stated they are determined through staff input regarding accessibility and size.

Ms. Barnes moved and Mr. Littlejohn seconded the motion to approve management's recommendation that the award be granted to DS Utilities of Little Mountain, SC based on their responsiveness and bid of \$82,500. The motion passed unanimously.

**7. REPLACEMENT OF THE INFLUENT STRUCTURE AT THE SOUTH TYGER RIVER WWTF – PROPOSAL FOR PROFESSIONAL SERVICES**

During the June 26, 2018, Spartanburg Sanitary Sewer Commission meeting, an approval for professional services was awarded to Wiedeman and Singleton for the completion of an evaluation of the influent structure at the South Tyger River Wastewater Treatment Facility. The evaluation was completed in late January 2019, and offered three alternatives. The most value added alternative utilizes stainless steel for the construction of the replacement influent box.

Management recommended moving forward with a proposal offered by Weideman and Singleton for engineering services required for the engineering design, bidding, and construction phase services for this improvement project at the South Tyger River WWTF in the amount of \$32,793. Funding will be provided through the SSSD operating budget.

Rick Jolley provided an overview of the proposal for professional services for the replacement of the influent structure at the South Tyger River WWTP.

Mr. Montgomery moved and Mr. Littlejohn seconded the motion to approve management's recommendation of the proposal offered by Weideman and Singleton in the amount of \$37,793. The motion passed unanimously.

**8. NOTIFICATION OF ENACTMENT OF EMERGENCY PROCUREMENT LAWSON FORK 27-INCH LINE BREAK**

Staff investigated an odor complaint in the vicinity of Lawson Fork Regional Pump Station on July 30, 2019, and discovered where a large tree had fallen across the 27-inch cast-iron aerial gravity sewer crushing the pipe approximately 600 FT from the pump station site. Staff installed pneumatic line plugs in manholes upstream and downstream of the damaged pipe forcing the flow within the 27-inch main to be diverted into the existing parallel 48" sewer main. The 27-inch cast-iron line is supported on concrete piers approximately thirteen feet above ground level spanning a swampy area. Due to the height of the aerial crossing, size of the pipe, the need for immediate response, and limited access to the area, staff initiated an Emergency Procurement Request to retain services of a pre-qualified sewer contractor to make the necessary repairs.

Four pre-qualified sewer contractors visited the site with staff to assess the situation and look at access to the line break. Dillard Excavating was selected to make the repairs based on their ability to quickly mobilize, assist with the management of flow, and their estimated timeline for completion of repairs.

27-inch cast-iron pipe is no longer manufactured and transition couplings (27-inch to 30-inch) were needed to complete the repairs. Spartanburg Water System had two 27-inch to 30-inch transition couplings in stock and a section of 30-inch ductile iron pipe available. This material was provided to the contractor for use in the sewer line repair.

Dillard Excavating provided a quote of \$75,000 to restore the pipeline and manage the flow. In addition, Dillard Excavating will be responsible for the replacement of the materials used that were provided by Spartanburg Water. The project was completed and the 27-inch line was placed back into service on August 3, 2019.

The above was provided as information to the Commission.

**9. NOTIFICATION OF ENACTMENT OF EMERGENCY PROCUREMENT – LINDER STREET SEWER LINE REPAIR**

On July 17, 2019, Collection System personnel investigated an odor complaint near the intersection of Linder Street and North Pine. A line blockage was discovered in the 15-inch gravity sewer causing a Sanitary Sewer Overflow. While eliminating the blockage staff found a broken section of pipe that had contributed to the problem. Due to the age, condition, depth of the line and the volume of flow carried through this section of pipeline, staff initiated an Emergency Procurement Request to retain the services of a pre-qualified sewer contractor to make the necessary repairs. Dillard Excavating was selected to repair and replace a section of the pipeline at a cost not to exceed \$80,000.

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The above was provided as information to the Commission.

**10. COLLECTION SYSTEM INFRASTRUCTURE UPDATE**

Janet Cann provided an overview of the progress made by the Collection and Distribution Department to address the needs of the SSSD infrastructure over the past two years.

Four projects throughout the SSSD service area were completed for an investment in the infrastructure of approximately \$2.25 million dollars. These projects represented 110 LF of creek crossing upgrade, 4,400 LF of pipe replacement, 17,572 of large line cleaning, and 10,700 LF of cured in place pipelining (CIPP).

The above was provided as information to the Commission.

**11. SCREENINGS PROCESSING EQUIPMENT REPLACEMENT PROJECT**

The A. Manning Lynch WWTF Fine Screenings Processing Equipment Replacement Project is complete. This project included the replacement of the existing macerator pumps and related equipment that had experienced multiple equipment failures resulting in excessive maintenance costs and negative impacts to the plant operations. Following the recommendations of several equipment manufacturers and engineers, the decision was made to replace the existing equipment with a dewatering-compacting system, which is an accepted alternate method of handling the fine screenings. This project was procured using a Request for Proposals format and was directed towards equipment suppliers who could also provide engineering and construction services for a turn-key project. The project was awarded to Kusters Water of Spartanburg, SC on December 12, 2018.

SCDHEC’s Final Approval to Place in Operation was issued on June 27, 2019.

*Change Order No. 1* (summary) was a net change of \$ 0.00 in the contract price.

This change order was executed as per current District policy.

The Financial summary of the project construction is as follows:

Original Contract Price	\$91,101.35
Change Order No.1 (Summary)	<u>\$ 0.00</u>
Revised Contract Price	\$91,101.35

The above was provided as information to the Commission.

**12. AUTHORIZATION TO ACQUIRE RIGHTS-OF-WAY UTILIZING THE LAW OF EMINENT DOMAIN – GRAVITY SEWER EXTENSION ALONG HIGHWAY 9 IN BOILING SPRINGS**

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For many years, the Spartanburg Sanitary Sewer District (SSSD) has worked to encourage the extension of gravity sewer along a section of Highway 9 northward from Old Furnace Road in Boiling Springs. Over the past 10 years, approximately 800 linear feet of sewer line has been installed, providing gravity sewer service to four new commercial establishments and eliminating an existing septic system at a fifth. A current effort is underway to provide gravity sewer to a new medical office building near the intersection of Farm Lake Road and Highway 9. This line will also allow the elimination of the remaining two existing septic systems in this area. The developer of this project has requested the assistance of the SSSD in obtaining necessary rights-of-way from two properties, since negotiations have been unsuccessful so far. 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.

Gene Jackson provided an overview of gravity sewer extension along Highway 9 in Boiling Springs, including the rights-of-way needed to extend services.

Mr. Montgomery moved and Mr. Littlejohn seconded the motion to approve management's recommendation to authorize staff to utilize the Law of Eminent Domain if negotiations are unsuccessful. The motion passed unanimously.

**13. REQUEST FOR ANNEXATION – TYGER OAK, INC.**

Tyger Oak, Inc., has requested annexation of approximately 732.82 acres of property located on parcels 2-28-00-036.00, 2-28-00-027.02, 2-28-00-024.00, and 1-35-00-018.01. 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 the attached resolution giving 90 days' notice to sub-districts, and annex the property effective November 25, 2019.

Gene Jackson reviewed the request for annexation from Tyger Oak, Inc., for approximately 732.82 acres.

Ms. Barnes moved and Mayor White seconded the motion to approve management's recommendation to approve the annexation request. The motion passed unanimously.

Tyger Oak, Inc., also requested annexation of approximately 236.77 acres of property located on parcels 2-28-00-006.00, 1-35-00-011.00, 1-35-00-002.00, 2-35-00-021.00, and 2-35-00-023.00. These parcels are not adjacent to the District boundaries and can be annexed by authority of Spartanburg County Council.

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Management recommended the Commission initiate the process for annexation for parcels that are not adjacent to the District Boundary under authority granted in its enabling legislation.

Gene Jackson reviewed the request for annexation from Tyger Oak, Inc., for approximately 236.77 acres.

Ms. Barnes moved and Mr. Littlejohn seconded the motion to approve management's recommendation to initiate the process with Spartanburg County Council to approve the annexation request. The motion passed unanimously.

**Resolution of Annexation  
Adopted by Spartanburg Sanitary Sewer District Commission  
On August 27, 2019**

WHEREAS, Tyger Oak, Inc., owners of 732.82 acres, more or less, adjacent to the existing Sewer District boundary line, and located on parcels 2-28-00-036.00, 2-28-00-027.02, 2-28-00-024.00, 1-35-00-018.01 and more particularly shown on the site 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 owner has been accepted by the Commission after finding (a) that the petition was submitted by the property owner of an area in Spartanburg County on a petition form provided by the District; (b) that the petition was signed by the property owner 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 had been met; and

WHEREAS, the Commission, after having given due consideration to all matters pertaining to the proposed annexation of such area, including but not limited to health hazards, the feasibility of installation and maintenance of a sewer system, and cost factors, 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 District Commission hereby confirms and ratifies the determinations and findings set out hereinabove; and

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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 owner shown on the map attached to the petition be annexed to the District effective at the expiration of 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 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; and

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

**14. OWNERSHIP AGREEMENT – GREENE CREEK APARTMENTS**

Greene Creek Townhomes, LLC proposes to construct approximately 585 linear feet of 8-inch gravity sewer line to provide service to 85 units in Greene Creek Apartments located at SC Highway 9 and Robin Helton Drive in Boiling Springs. 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 Greene Creek Townhomes, LLC. Under the terms of the resolution adopted by the Commission on May 29, 1990, 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 – MCCRANEY INDUSTRIAL PARK PUMP STATION**

Logistics 85, LLC proposes to construct approximately 2,615 linear feet of 8-inch gravity sewer line, one pump station and 5,360 linear feet of 4-inch force main to provide service to two industrial facilities located on 830 Berry Shoals Road. The sewer line will connect to the new pump station and force main and pumped to existing SSSD infrastructure. The domestic waste will be treated at the South Tyger Wastewater Treatment Facility. SSSD will participate in the upsized portion of the project in accordance with the Sewer Extension Policy adopted December 17, 1996, to allow for future growth in the area.

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 Logistics 85, LLC. Under the terms of the resolution adopted by the Commission on May 29, 1990, 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. OWNERSHIP AGREEMENT – REID PARK SUBDIVISION**

Reid Park Corporation proposes to construct approximately 4,506 linear feet of 8-inch gravity sewer line to provide service to 90 single family lots in Reid Park Subdivision located on Duncan-Reidville Road. The sewer line will connect to the existing SSSD infrastructure. The domestic waste will be treated at the South Tyger 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 Reid Park Corp. Under the terms of the resolution adopted by the Commission on May 29, 1990, this agreement has been executed on behalf of the Commission by the Chief Executive Officer.

The above was provided as information to the Commission.

**17. OWNERSHIP AGREEMENT – SUMMERLIN SUBDIVISION**

South Tyger Properties, LLC. proposes to construct approximately 1,655 linear feet of 8-inch gravity sewer line to provide service to 53 single family lots in Summerlin Subdivision located on Victor Hill Road. The sewer line will connect to the existing SSSD infrastructure. The domestic waste will be treated at the South Tyger 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 South Tyger Properties, LLC. Under the terms of the resolution adopted by the Commission on May 29, 1990, this agreement has been executed on behalf of the Commission by the Chief Executive Officer.

The above was provided as information to the Commission.

**18. EXECUTIVE SESSION**

Ms. Viney moved and Mayor White seconded the motion to enter into executive session at 2:54 p.m. The motion passed unanimously.

Mr. Horton moved and Mayor White seconded the motion to come out of executive session at 3:19 p.m. The motion passed unanimously.

Mr. Blanton stated that the chair would entertain a motion to authorize the Chief Executive Officer to negotiate, finalize and execute any and all documents of any kind or nature necessary or desirable to acquire the systems described during the executive session and in accordance with the contractual terms discussed therein.

Ms. Viney moved and Ms. Barnes seconded the motion to authorize the Chief Executive Officer to negotiate, finalize and execute any and all documents of any kind or nature necessary or desirable to acquire the systems described during the executive session and in accordance with the contractual terms discussed therein. The motion passed unanimously.

**19. NEGOTIATIONS AND MISCELLANEOUS ADMINISTRATIVE MATTERS**

- A.** Ms. Schneider noted that Spartanburg Water partnered with United Way for the Stuff the Bus event. Employees donated approximately \$600 worth of school supplies.
- B.** Ms. Schneider reminded the Commission that the Upstate SC Alliance Mid-Year Meeting will be held today at the Crowne Plaza in Greenville from 4:00-5:00 p.m. with a networking reception to follow.
- C.** Ms. Schneider stated that the Spartanburg Water United Way Campaign will begin August 28.
- D.** Ms. Schneider informed the Commission that the first meeting of the Charter Members of the Partners for Pacolet Rivers watershed organization will be held from noon-1:30 p.m. on September 16 at the Cleveland Park Event Center in the Lower Level event space.
- E.** Ms. Schneider noted that the Conservation Voters of South Carolina will hold their 11<sup>th</sup> Annual Green Tie Awards Luncheon on September 18 from 11:30-1:30 at Historic 701 Whaley in Columbia. Please let Trish know if you would like to attend no later than Friday, August 30.
- F.** Ms. Schneider stated that The Nature Conservancy will celebrate 50 years of conservation in South Carolina on Thursday, September 19 at 6:00 p.m. at the Piedmont Club. Please let Trish know by September 9 if you would like to attend.
- G.** Ms. Schneider informed the Commission that the Hops for the Heart Event with the Spartanburg Regional Foundation, (formerly Hanger B), will be held at the FR8yard beginning at 6:30 p.m. on September 26. Staff will distribute tap water as part of the Choose Tap program.

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- H.** Ms. Schneider noted that the College and Career Showcase will be held on October 2 and 3 at the Spartanburg Memorial Auditorium. This Showcase is designed to increase awareness of career opportunities for all 9<sup>th</sup> graders in Cherokee, Spartanburg, and Union Counties and will serve approximately 4,000 students. Employees will interact with the students and explain about their job at Spartanburg Water and there will be some hands-on demonstrations to show the students the importance of Spartanburg Water.
- I.** Ms. Schneider informed the Commission that Spartanburg Water Week will be held October 7-11.
- J.** Ms. Schneider stated that there will be a Water Matters Alumni Event for all past graduates of the Water Matters Citizens' Academy. It is tentatively scheduled for October 15 from 6:00-8:00 p.m. at the Marriott in Downtown Spartanburg.

Meeting adjourned at 3:26 p.m.

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G. Newton Pressley  
Secretary-Treasurer

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