

MINUTES

Spartanburg Sanitary Sewer District Commission, Regular Meeting, held at 200 Commerce Street, Spartanburg, SC, February 26, 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, and Montgomery. Mayor White 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 JANUARY 22, 2019

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

3. BLUE RIDGE FOOTHILLS DISTRICT LABORATORY ANALYST OF THE YEAR AWARD

On January 15, 2019, a Spartanburg Water staff member was recognized by the Blue Ridge Foothills District (BRFD) for outstanding contributions to the water profession in South Carolina during 2018. BRFD is the regional district of the Water Environment Association of South Carolina (WEASC) and the South Carolina American Water Works Association (SCAWWA). BRFD serves the Upstate, including 600 members from Anderson, Greenville, Oconee, Pickens and Spartanburg Counties.

The regional group recognized Ron Gilbert as the BRFD laboratory Analyst of the Year for 2018. Ron is the Quality Assurance Officer for the Spartanburg Water laboratories.

Management is proud of this recognition for Ron's professional achievement. It underscores the importance of highly skilled staff in order to provide a level of quality and service that meets and exceeds all requirements.

John Westcott, Regulatory Compliance Manager, introduced Ron Gilbert. Mr. Westcott provided an overview of the award and of Mr. Gilbert's recognition.

The Commission congratulated Mr. Gilbert on this achievement.

The above was provided as information to the Commission.

4. MONTHLY FINANCIAL REPORT

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

Mr. Pressley noted that budget work sessions are planning to be scheduled during the week of May 20.

The above was provided as information to the Commission.

5. EXECUTIVE SESSION

Mr. Montgomery moved and Ms. Barnes seconded the motion to enter into executive session to discuss contractual and personnel matters at 2:23 p.m. The motion passed unanimously.

Mr. Montgomery moved and Mr. Horton seconded the motion to come out of executive session at 3:28 p.m. The motion passed unanimously.

Mr. Blanton stated the Commission discussed contractual matters. No action was taken on the contractual matters.

Mr. Montgomery moved and Mr. Littlejohn seconded the motion to increase the Chief Executive Officer's annual compensation by 3%. The motion passed unanimously.

6. PROFESSIONAL ENGINEERING SERVICES – LAWSON FORK FACILITY IMPROVEMENTS PROJECT

During the recently completed Lawson Fork Pump Station Grease and Grit Project, the engineering consultant, Goldie Associates (GA), identified a number of improvements to the facility that would address the conditions and concerns that prompted the original project, and others that would improve the overall efficiency and reliability of the facility. At the request of the Spartanburg Sanitary Sewer District (SSSD), GA conducted a detailed evaluation of these additional findings and prepared a Preliminary Engineering Report (PER) outlining their recommended path forward and cost estimates associated with each action item.

Following a review of the PER and a final determination of those action items deemed necessary by SSSD, GA has submitted a cost proposal for the design, permitting, bidding and construction oversight (as needed) of the following improvements:

- Improvements to the headworks concrete influent channels and replacement of the existing mechanical bar screens and solids-handling equipment;
- Removal and closeout of the existing grit system including associated piping improvements;
- Improvements to the wastewater holding capacity at the transfer pump station using the facility's available concrete structures;

- Repair and recoating of the transfer pump station wet well.

The total construction costs are estimated at \$1,300,000.

Management recommended the approval of a professional services contract with Goldie Associates in the amount of \$111,800. This project will be funded by depreciation and capital funds.

Gene Jackson reviewed the Lawson Fork Facility Improvements Project. This recommendation from management is for the approval of a professional services contract with Goldie Associates in the amount of \$111,800, for the design phase of the contract. The design process would start immediately and management would target late Fall to bid the project.

Mr. Montgomery moved and Mr. Littlejohn seconded the motion to approve management's recommendation to award a professional services contract with Goldie Associates in the amount of \$111,800. The motion passed unanimously.

7. RECEIPT OF PROPOSALS – COWPENS WASTEWATER TREATMENT FACILITY EVALUATION AND IMPROVEMENTS PROJECT

In response to an initial Request for Qualifications, Spartanburg Sanitary Sewer District (SSSD) received responses from six Progressive Design Build Teams (PDB) for the Cowpens Wastewater Treatment Facility and Improvements Project. These Statements of Qualifications were reviewed and scored by a SSSD selection committee team consisting of representatives from the Operations and Engineering Departments with assistance from Hulse, McCormick and Wallace, acting as the Owner's Representative.

The six respondents were shortlisted to the top three:

- Brasfield & Gorrie – Goodwyn Mills & Cawood
- Garney Construction – Brown & Caldwell
- Crowder Construction Company – Constantine Engineering

The three shortlisted PDB teams submitted proposals on January 14, 2019. The proposals were reviewed by the same SSSD selection committee, and interviews were held with the three PDB teams on January 31, 2019. Selection of the successful PDB team was based on a number of important considerations including:

- The experience of the teams with each other (Designer and Builder) and with the Progressive Design Build process on similar projects;
- Their understanding of the unique characteristics and challenges of the Cowpens site;
- How well their conceptual design improvements addressed the current and future operational and hydraulic conditions at the Cowpens WWTF;
- Their willingness to listen to and incorporate SSSD's input into the Project;

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- Their understanding of the need to keep the surrounding neighborhood informed of the project, and to take steps to mitigate any negative impacts caused by the construction activities;
- Their methods for administering project documentation and cost accounting;
- Their Design Phase Services fee to produce the Guaranteed Maximum Price (GMP) for the project and their Construction Services Fee percentage.

The selection committee scored all three firms based on their proposals and interviews and determined that the PDB team of Crowder Construction Company – Constantine Engineering was the highest scoring team.

Management recommended awarding the contract for Design Phase Services to Crowder Construction Company – Constantine Engineering for the amount of \$430,000. This project will be funded by bond funds.

Gene Jackson reviewed the Cowpens Wastewater Treatment Facility Evaluation and Improvements Project and the reasoning for a Progressive Design Build Team. Management is also applying for a grant that would provide SSSD with additional funding for this project.

Mr. Littlejohn moved and Ms. Viney seconded the motion to approve management's recommendation to award the contract for Design Phase Services to Crowder Construction Company – Constantine Engineering for the amount of \$430,000. The motion passed unanimously.

8. REQUEST FOR ANNEXATION – NAVAL YARDS, LLC

Naval Yards, LLC has requested annexation of approximately 29.56 acres of property located at 1320 Howell Road. 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 subdistricts, and annex the property effective May 27, 2019.

**Resolution of Annexation
Adopted by Spartanburg Sanitary Sewer District Commission
On February 26, 2019**

WHEREAS, Naval Yards, LLC, owners of a 29.56-acre tract, more or less, adjacent to the existing Sewer District boundary line, and located at 1320 Howell Road 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

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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

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 the ninety (90) days written notice to be given to the governing body of each sub-district of the Spartanburg Sanitary Sewer 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 County Treasurer, The County Auditor and the County Health Officer.

Mr. Montgomery moved and Ms. Barnes seconded the motion to approve management's recommendation to approve the Naval Yards, LLC requested annexation of approximately 29.56 acres of property located at 1320 Howell Road. The motion passed unanimously.

9. OWNERSHIP AGREEMENT – BROCK TRACT GRAVITY WASTEWATER LINE EXTENSION

Pacolet Milliken Enterprises proposes to construct approximately 2,896 linear feet of 8-inch gravity sewer line to provide service to Brock Tract located on Locust Grove Road. The sewer line will connect to the existing Spartanburg Water infrastructure. The domestic waste will be treated at the Fairforest 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 Pacolet Milliken Enterprises. 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.

10. OWNERSHIP AGREEMENT – ENCORE AT THE SPRINGS

Encore Subdivision, LLC proposes to construct approximately 2,284 linear feet of 8-inch gravity sewer line to provide service to Encore at the Springs Apartments located on Cycle Drive. The sewer line will connect to the existing Spartanburg Water infrastructure. The domestic waste will be treated at the Fairforest Wastewater Treatment Facility. SSSD will participate in the off-site sewer construction cost in accordance with the Sewer Extension Policy adopted December 17, 1996.

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 Encore Subdivision, 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.

11. OWNERSHIP AGREEMENT – FOX RUN SUBDIVISION

FoxRun Investments, LLC proposes to construct approximately 3,549 linear feet of 8-inch gravity sewer line to provide service to Fox Run Subdivision located on Lightwood Knot Road. The sewer line will connect to the existing Spartanburg Water 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 FoxRun Investments, 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.

12. OWNERSHIP AGREEMENT – GENTRY PLACE – SECTION II

Albert Francis Development, LLC proposes to construct approximately 1,575 linear feet of 8-inch gravity sewer line to provide service to serve 57 residential lots located off Gentry Rd. The sewer line will connect to the District’s existing infrastructure. The domestic waste will be treated at the Fairforest 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 Albert Francis Development, 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.

13. OWNERSHIP AGREEMENT – NORTHSIDE RESIDENTIAL

Northside Development Corporation proposes to construct approximately 935 linear feet of 8-inch gravity sewer line to provide service to Northside Residential located near the intersection of Howard Street and College Street. The domestic waste will be treated at the Fairforest 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 Northside Development Corporation. 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.

14. OWNERSHIP AGREEMENT – SMITH FARMS INDUSTRIAL PARK

SF Industrial Property Owner, L.P. proposes to construct approximately 1,196 linear feet of 12-inch, and 150 linear feet of 8-inch gravity sewer line to provide service to Smith Farms Industrial Park located at Hammett Road and Reidville Road. The sewer line will connect to the existing Spartanburg

Water 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 SF Industrial Property Owner, L.P. 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 – WELLINGTON SUBDIVISION

Encore Subdivision, LLC proposes to construct approximately 1,723 linear feet of 8-inch gravity sewer line to provide service to Wellington Subdivision located on Cycle Drive. The sewer line will connect to the existing Spartanburg Water infrastructure. The domestic waste will be treated at the Fairforest 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 Encore Subdivision, 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 – WESTGROVE VILLAGE

Mark III Properties, Inc., proposes to construct approximately 5,900 linear feet of 8-inch gravity sewer line, 2,300 linear feet of 4-inch force main, and a pump station to provide service to serve 158 residential lots located off Anderson Mill Road. The sewer line will connect to the District's existing 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, pump station, and force main to the District has been reviewed by the District's attorney and executed by Mark III Properties, Inc. Under the terms of the resolution adopted by the Commission on May 29, 1990, this

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agreement has been executed on behalf of the Commission by the Chief Executive Officer.

The above was provided as information to the Commission.

17. 2018 ECONOMIC DEVELOPMENT REPORT

Ms. Schneider provided the Commission with a summary of economic development activities in the service area for 2018.

The above was provided as information to the Commission.

18. NEGOTIATIONS AND MISCELLANEOUS ADMINISTRATIVE MATTERS

- A.** Ms. Schneider noted that the Employee Recognition Breakfast was held this morning and will be held again tomorrow morning at the Cleveland Park Event Center. Staff is be divided between the two days and Commissioners are encouraged to attend and speak, if desired.
- B.** Ms. Schneider stated that the AWWA/WEF Utility Management Conference will be held in Nashville, TN from March 6-8.
- C.** Ms. Schneider informed the Commission that Spartanburg Community College is honoring businesses that are transforming the Upstate's Economy at their Economic Visionaries event on Thursday, March 21, 2019, at the Spartanburg Marriott. The event begins with a 5:15 p.m. reception and ends with a dinner and awards ceremony at 8:00 p.m. Spartanburg Water will have a table for this event, so please let Trish know by March 8 if you will be attending.
- D.** Ms. Schneider noted that the SSSD Board Retreat will be held on Wednesday, April 17 from 9:00 a.m. until 1:00 p.m. and the SWS Board Retreat will be held on Wednesday, April 24 from 9:00 a.m. until 1:00 p.m. More details will be shared as they are confirmed.
- E.** Ms. Schneider stated that SCDNR Boating Safety Classes will be held at Lake Bowen Park on April 20, May 11, May 25, and June 8.
- F.** Ms. Schneider informed the Commission that the Partners for Active Living/Spartanburg Regional Criterium Bike Race will be held in Downtown Spartanburg on Friday, April 26, from 4:00 – 10:00 p.m. Professional and amateur cyclists alike compete on the half-mile downtown course in six total races. Spartanburg Water will feature the Choose Tap Oasis with free water bottles and information for the thousands who attend.
- G.** Ms. Schneider noted that the Spartanburg Water Day of Caring is scheduled for Saturday, April 27 from 8:00 a.m. until noon. Please let Trish know if you are interested in participating.
- H.** Ms. Schneider shared that Spartanburg Water will feature the Choose Tap Oasis at the annual Spartanburg Earth Day Festival on Saturday,

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May 4, from 10:00 a.m. until 3:00 p.m. at the Unitarian Universalist Church at 210 Henry Place, Spartanburg.

- I. Ms. Schneider informed the Commission that Paddlefest Event with Spartanburg Water and Spartanburg County Parks and Recreation have been scheduled for May 18, June 15, July 20, and August 13.
- J. Ms. Schneider noted that the SSSD and SWS Budget Work Sessions would be scheduled during the week of May 20.
- K. Ms. Schneider stated that the Spartanburg Chamber of Commerce Centennial Celebration will be held on May 21, 2019, at Converse College – Twitchell Auditorium and the Quad. The program will be held from 5:30-7:00 p.m. in the auditorium and the reception will be from 7:00-9:00 p.m. in the quad. More details will follow.

Meeting adjourned at 3:59 p.m.

G. Newton Pressley
Secretary-Treasurer

tbh