

## MINUTES

The Commissioners of Public Works of the City of Spartanburg, SC, Regular Meeting, held at 200 Commerce Street, Spartanburg, SC, February 25, 2020, at 3:00 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 Ms. Viney, and Mr. Montgomery. Mr. Littlejohn was absent.

The meeting was opened with the following statement:

This is a regular meeting of The Commissioners of Public Works of the City of Spartanburg, SC. 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 forwarded to local and nearby news media, at least 24 hours prior to this meeting.

### 1. **APPROVAL OF MINUTES OF REGULAR MEETING OF JANUARY 28, 2020**

Ms. Viney moved and Mr. Montgomery seconded the motion to approve the minutes as written. The motion passed by quorum.

### 2. **MONTHLY FINANCIAL REPORT**

Newt Pressley presented a financial summary of SWS expenditures and revenues for the seven-month period ending January 31, 2020. An explanation was provided for the favorable and unfavorable budget variances.

The above was provided as information to the Commission.

### 3. **APPROVAL OF REVENUE BOND REFUNDING**

A. Brad Love of Haynsworth Sinkler Boyd, SWS bond counsel will present the resolution authorizing the Series 2020 bond refunding, as follows:

A RESOLUTION OF THE COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF SPARTANBURG, SOUTH CAROLINA, PROVIDING FOR THE TERMS AND CONDITIONS OF THE ISSUANCE OF A SERIES OF TAXABLE WATER SYSTEM REFUNDING REVENUE BONDS, SERIES 2020 OF THE CITY OF SPARTANBURG, SOUTH CAROLINA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING THIRTY MILLION DOLLARS (\$30,000,000), AND OTHER MATTERS RELATING THERETO.

Management requested Commission approval of the resolution.

Brad Love of Hansworth Sinkler Boyd, SWS bond counsel, presented the resolution authorizing the Series 2020 bond refunding and noted the anticipated savings of \$300,000 annually.

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Ms. Viney moved and Mr. Montgomery seconded the motion to approve the resolution authorizing the Series 2020 bond refunding. The motion passed by quorum.

**B. Financial Advisory Services**

In connection with this refunding transaction, management recommends that the Water System utilize the financial advisory services of First Tryon Advisors. The scope of services will include the following:

- Prepare and maintain a detailed financing calendar for the financing, incorporating any required notices, board actions, public hearings and other financing milestones identified by the Client or its counsel.
- Produce quantitative schedules outlining sources and uses of funds, debt service requirements, escrow requirements and other data required by the Client or its bond counsel in connection with the financing.
- Coordinate activities, meetings and conference calls among the members of the working group.
- Assist the Client, as requested, in procuring any additional professionals or working group participants necessary to complete the financing (e.g., underwriter, trustee, printer, verification agent, etc.).
- Review and provide comments, as appropriate on all bond and underwriting documentation.
- Advise the Client regarding current bond market conditions and other developments that would normally be expected to influence interest rates for the financing.
- Provide recommendations for the Bonds to achieve terms that are favorable to, and appropriate for, the Client, including date of sale, interest payment dates, amortization, security provisions, credit ratings, credit enhancement and other provisions that may be helpful in meeting the Client's stated objectives.
- Assist the Client with any rating agency interaction, if necessary, including (1) preparing comprehensive rating presentation materials, (2) coordinating all logistics for any meetings, visits or other interactions with any rating agency analysts, and (3) preparing the Client thoroughly for the rating agency presentation.
- Provide various services relating to the pricing of the Bonds including: preparing pre-pricing materials to review with the Client, providing pricing comparisons of the Client's transaction to other comparable transactions in the market during the same period of time, participating in all pricing calls, providing assistance in negotiating interest rates with the underwriters of the day of pricing and review final numbers provided by the underwriters.
- Prepare and present information regarding the financing process to the Client's governing board, staff or other stakeholders, as requested.
- Coordinate all closing logistics to help ensure a smooth closing and to reduce demands on the Client's staff.

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- Provide ongoing responses to any related questions and perform other customary tasks that might arise during the course of the financing.

First Tryon will provide these outlined services for a not to exceed fee of \$50,000.

Mr. Pressley reviewed the Financial Advisory Services agenda item in connection with the transaction of the Series 2020 bond refunding and the scope of services utilizing First Tryon Advisors.

Ms. Viney moved and Mr. Montgomery seconded the motion to approve management’s recommendation for the Water System to utilize the financial advisory services of First Tryon Advisors in connection with the Series 2020 bond refunding transaction. The motion passed by quorum.

**4. APPROVAL OF AUDIT SERVICES**

Halliday, Schwartz & Co. (formally McAbee, Schwartz, Halliday & Co.) has served as the Water System’s auditor for the last four fiscal years (FY16 – FY19). The previous request for proposal allowed for the extension of audit services based on satisfactory performance. Based on the Halliday, Schwartz & Co. effective service to the Water System, management requested a proposal for a four-year renewal period and received the following fee proposal:

<u>Fiscal Year</u>	<u>Fee</u>
FY20	\$18,750
FY21	\$18,750
FY22	\$18,750
FY23	<u>\$18,750</u>
Total	<u>\$75,000</u>

Management requested approval of Halliday, Schwartz & Co. for a new four-year engagement period.

Mr. Pressley provided an overview of the audit services by Halliday, Schwartz & Co., and the request for an extension of audit services based on satisfactory performance. This would be a four-year renewal period. There is a slight increase in fees and this is due to hours required to complete audit tasks. This extension is requested based on the effective service of Halliday, Schwartz & Co., to the Water System.

Ms. Viney moved and Mr. Montgomery seconded the motion to approve management’s recommendation for the extension of audit services from Halliday, Schwartz & Co., for a four-year renewal period. The motion passed by quorum.

**5. BID FOR WATER FACILITIES MOWING AND MAINTENANCE CONTRACT**

Bids were received on January 21, 2020, for contractor services to mow and maintain 28 selected Spartanburg Water System facilities. Invitations to bid were forwarded to prospective bidders and publicized in the local media.

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A tabulation of the responses is below listing the annual cost.

<b><u>BIDDER</u></b>	<b><u>AMOUNT OF BID</u></b>
Green Lawn Specialist, LLC Rutherfordton, NC	\$16,050
Derrick's Green and Clean Services Cowpens, SC	\$16,485
Piedmont, LLC. Mooresboro, NC	NON-RESPONSIVE

Based on the results of the bid evaluations, management recommended the approval of an award to Green Lawn Specialist, LLC in the amount of \$16,050 per year, which will be paid at a rate of \$1,337.50 per month. Funding will be provided by the SWS operating budget.

Ms. Viney moved and Mr. Montgomery seconded the motion to approve management's recommendation for the approval of an award to Green Lawn Specialist, LLC. The motion passed by quorum.

**6. ENACTMENT OF EMERGENCY PROCUREMENT – R.B. SIMMS FILTER #4**

The underdrain system for R.B. Simms Filter #4 failed on July 12, 2019, and was immediately taken out of service. In order to ensure adequate filter capacity is available during critical sequencing associated with the upcoming construction upgrades, it is essential to get this filter back in-service.

Assessments and inspections have been made by qualified filter underdrain vendors and general contractors. Lead-time for underdrain fabrication is estimated at up to 12-weeks with construction taking an estimated 6-weeks to complete once construction materials are on-site. Total cost for the replacement of the underdrain system is estimated at \$289,271.

Harper General Contractors is on site at the Simms plant performing reliability upgrades to Alum Storage and various other filter upgrades. Harper General Contractors will execute the scope of work associated with the repairs to Filter #4, as they are already mobilized at the R.B. Simms site and immediately available to initiate and complete the project. Funding for this project will be provided by SWS depreciation funds.

Ms. Schneider provided an overview of the emergency procurement enactment for the R.B. Simms Filter #4.

The above was provided as information to the Commission.

**7. PREVENTIVE MAINTENANCE AGREEMENT (PMA) – PERKIN ELMER ICP-MS SYSTEM**

This system is used to analyze water and wastewater samples for the Safe Drinking Water Act and Clean Water Act (CWA) programs respectively, and for support of plant operations. Perkin Elmer has quoted an annual PMA for this system for a total cost of \$33,970.

Funding will be provided through the Laboratory Services operating budget, with costs shared 50/50 between SWS and SSSD.

Management recommended the approval of the renewal of this Perkin Elmer Preventive Maintenance Agreement for an amount not to exceed \$16,985.

Ms. Viney moved and Mr. Montgomery seconded the motion to ratify the action taken in the SSSD meeting and approve management's recommendation for the approval of the renewal of the Perkin Elmer Preventive Maintenance Agreement for an amount not to exceed \$16,985. The motion passed by quorum.

## **8. FEBRUARY 2020 STORM EVENT UPDATE**

Charles Logue provided the Commission with an overview of the effects of the recent storm pertaining to DWT and Watershed Management. The overview included damage from the storm, how staff worked through the effects of the storm, and the financial impact at this point. Mr. Logue noted that there were 10 docks damaged at Lake Bowen and 38 docks damaged at Lake Blalock. Mr. Logue noted that staff worked extremely hard to work during the storm and its effects and the treatment plant was able to remain in compliance.

Bobby Walden provided the Commission with an overview of the effects of the recent storm pertaining to the Water Distribution System, and the financial impact at this point. Mr. Walden said the Distribution System did not lose power or access to any facilities. There was an emergency on Carolina Country Club Road where a structural support system for the 12" line that crossed Fairforest Creek was destroyed from debris from the storm. Staff put a plan together to run a bypass line across the bridge to provide water service and fire protection to approximately 450 customers. Mr. Walden noted that almost every department was involved in working through this situation, and did a great job designing a plan to provide service to customers in this area.

## **9. WATER QUALITY REPORT**

Bobby Walden noted that during the month of February, raw-water samples taken at the Reservoir #1 Intake Structure showed Geosmin ranged from 5.8 – 13 PPT; and MIB ranged from less than detect – 2.6 PPT. At the Point-of-Entry into the distribution system Geosmin ranged from 4.0 – 5.1 PPT; and MIB remained at less than detect. Raw water temperature in Lake Bowen and Reservoir #1 is slightly down since the last report. Lake Bowen temperature is averaging 9 degrees Celsius or 48 degrees Fahrenheit; Reservoir #1 temperature is around 10 degrees Celsius or 50 degrees Fahrenheit.

## **10. REPORT ON DRINKING WATER RESERVOIRS**

Ms. Schneider reported that land permits continue to increase and there were 680 from January 1 through February 19, 2020. The Press Pause Program ended December 1, 2019. There were 681 participants.

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388 properties have been inspected. 381 permit packets have been prepared. 201 permit packets have been issued and 80 packets are ready to be picked up.

Irrigation permit renewals were mailed out in December. There are 393 total irrigations and 389 have renewed. Four have not – 1 at Bowen and 3 at Blalock. Watercraft permits will be mailed mid-March and SWS will begin selling permits on March 16, 2020.

Ms. Schneider stated that annual dock inspections were completed in November. There were 23 owners of non-maintained docks notified by mail in January. Six owners have responded and the have until March 23 to contact SWS or SWS will plan for removal of the non-maintained dock. Repairs must be completed by May 1, 2020.

Lake Bowen Stormwater and Erosion Task Force Committee composed of Lake Bowen stakeholders and Spartanburg Water staff met in January. The committee will work to identify locations of stormwater and erosion that is impacting Lake Bowen water quality, and prioritize the locations and seek to reduce, repair and prevent further impacts to water quality in Lake Bowen. Lake Bowen contiguous landowners can contact SWS about erosion and sedimentation issues via: [healthystreams@spartanburgwater.org](mailto:healthystreams@spartanburgwater.org)

Ms. Schneider noted that the January 2020 Healthy Lakes Newsletter was mailed on January 27 and new issues will start being released quarterly. The next issue is targeted to go out on March 6, 2020, and will be available electronically. Lake Blalock Policies and Procedures are targeted to complete by Spring with Policies and Procedures for Municipal Reservoir #1 following.

There will be boater education classed offered in April and May with the dates and locations posted on the SWS website. Paddle Fest dates and locations are also on the website. Employee Watershed Workdays are projected to be October 7 and 8.

The above was provided as information to the Commission.

**11. PROFESSIONAL SERVICES – PARRIS BRIDGE PUMP STATION REPLACEMENT PROJECT**

The Parris Bridge Pump Station was constructed in 1983 as an additional supply to the Carlisle Elevated Storage Tank. The station serves to supplement the Boiling Springs Pump Station in times of high demand in the distribution system. The pump station is nearing the end of its useful life, and is in need of replacement.

Staff recently requested a proposal from Goodwin, Mills, and Cawood, Inc., of Greenville, SC to provide design, permitting, and construction administration services for the replacement of the pump station.

Management recommended the approval of a professional services contract with Goodwin, Mills, and Cawood, Inc., on a lump sum basis of \$72,500. This scope of professional services will be completed under an existing

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Master Services Agreement, executed in 2015, with Goodwin, Mills, and Cawood, Inc., of Greenville, SC. The funding will come from bond funds.

Gene Jackson provided an overview of the Parris Bridge Pump Station Replacement Project.

Ms. Viney moved and Mr. Montgomery seconded the motion to approved management's recommendation of a professional services contract with Goodwin, Mills, and Cawood, Inc. The motion passed by quorum.

**12. AGREEMENTS EXECUTED BY THE CHIEF EXECUTIVE OFFICER ON BEHALF OF THE COMMISSION**

The following agreements have been executed on behalf of the Commission by the Chief Executive Officer in accordance with the resolution adopted by the Commission on March 28, 1989.

**A. Outside City Private Fire Service Agreement**

**(1) Tindall Corporation FS**

Tindall Corporation located at 3076 North Blackstock Road in Spartanburg, SC wishes to connect a 6-inch water line to the Commission's 36-inch water line along North Blackstock Road to serve a private fire protection system including two private hydrants for the above-mentioned industrial enterprise. Tindall Corporation wishes to enter into an agreement for this service.

Annual Stand-by Revenue - \$669.48

**B. Lake Agreements**

Applications have been submitted and all fees have been paid on the following Lake Agreements, associated with new construction and replacement.

**(1) Joshua Brian Barnhill and Stephanie McGill Barnhill** desire to replace a dock and construct a boat lift on Lake Blalock.

**(2) Randall Hank Williams and Mary Ann Williams** desire to construct a dock and hard pathway on Lake Blalock.

Applications have been submitted and all fees have been paid on the following Lake Agreements, associated with acknowledgement of ownership.

**(1) Eric C. Nelson**, boat lift, shoreline stabilization, and hard pathway on Lake Bowen.

**(2) Jeffery D. Beheler**, personal watercraft lift and shoreline stabilization on Lake Bowen.

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- (3) **Gregory J. Boukedes**, boat ramp and shoreline stabilization on Lake Bowen.
- (4) **John Randal Brevard and Michelle Dawn Brevard**, shoreline stabilization on Lake Bowen.
- (5) **Richard Carpenter and Dolores Carpenter**, boat lift, dock replacement, and shoreline stabilization on Lake Bowen.
- (6) **Dan C. Crow and Gwen K. Crow**, shoreline stabilization on Lake Bowen.
- (7) **Jerry W. Daugherty (LE) and Jerry Shayne Daugherty, Shannon Lance Daugherty, and Monica Daugherty Hutcheson**, dock replacement, personal watercraft lift, shoreline stabilization, and soft pathway on Lake Bowen.
- (8) **John Thomas Davis III and Frances D. Thomas**, shoreline stabilization on Lake Bowen.
- (9) **Robert E. Dickerson and Elsie G. Dickerson**, shoreline stabilization on Lake Bowen.
- (10) **James M. Dunbar**, boat lift, dock replacement, and shoreline stabilization on Lake Bowen.
- (11) **Susan H. Gilbert**, boat ramp and dock replacement on Lake Bowen.
- (12) **Charles W. Gilliam and Charles Norman Gilliam, as Co-Trustees**, boat ramp and dock replacement on Lake Bowen.
- (13) **Gary C. Grigsby and Barbara D. Grigsby**, dock replacement and shoreline stabilization on Lake Bowen.
- (14) **W. Evon Hammett**, shoreline stabilization on Lake Bowen.
- (15) **Thomas J. Harney and Jeraldine T. Harney**, boat lift and dock replacement on Lake Bowen.
- (16) **B.A. Harper and Tamara H. Cole**, boat ramp, fire ring, and dock replacement on Lake Bowen.
- (17) **Randall R. and Connie K. Higel**, hard pathway on Lake Bowen.
- (18) **William T. Kaufman, Myra D. Kaufman**, dock replacement, shoreline stabilization, and soft pathway on Lake Bowen.
- (19) **John J. Linnerud and Julie A. Linnerud**, dock replacement, hard pathway, personal watercraft lift, and shoreline stabilization on Lake Bowen.

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- (20) **Henderson Lake House, LLC**, dock replacement and soft pathway on Lake Bowen.
- (21) **Private Investors, LLC**, dock replacement and shoreline stabilization on Lake Bowen.
- (22) **Clyde H. McCrary**, dock replacement on Lake Bowen.
- (23) **Charles A. Meana and Rita Mae Meana**, dock replacement, hard pathway, and shoreline stabilization on Lake Bowen.
- (24) **Michael C. Mitchell**, dock replacement and shoreline stabilization on Lake Bowen.
- (25) **James Nolan and Lee Ann Nolan**, dock replacement, hard pathway, and shoreline stabilization on Lake Bowen.
- (26) **Thomas L. Owens and Julie S. Owens**, dock replacement and soft pathway on Lake Bowen.
- (27) **Robert W. Phillips**, hard pathway on Lake Blalock.
- (28) **Frank J. Prehoda**, boat ramp and shoreline stabilization on Lake Bowen.
- (29) **N.M. Properties**, shoreline stabilization on Lake Bowen.
- (30) **Henry Burton Senn, Jr., and Michele D. Senn**, personal watercraft lift on Lake Bowen.
- (31) **Mary Christina Revis Shealy**, boat ramp on Lake Bowen.
- (32) **Clifton Simmons Jr., and Leah G. Simmons**, boat ramp on Lake Bowen.
- (33) **David G. Smith**, dock replacement, personal watercraft lift, and shoreline stabilization on Lake Bowen.
- (34) **Dwight G. Smith**, dock replacement and shoreline stabilization on Lake Bowen.
- (35) **Sherry L. Smith**, shoreline stabilization on Lake Bowen.
- (36) **Kaye H. Spencer**, dock replacement and personal watercraft lift on Lake Bowen.
- (37) **KCW Family Limited Partnership**, boat lift, boat ramp, dock replacement, hard pathway, and personal watercraft lift on Lake Bowen.
- (38) **Cameron A. Stober**, dock replacement and hard pathway on Lake Bowen.

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- (39) **Russell L. Storrs and Michelle Storrs**, dock replacement, hard pathway, and shoreline stabilization on Lake Bowen.
- (40) **Joan Ellison Strong**, hard pathway on Lake Bowen.
- (41) **Nathan H. Tapp**, shoreline stabilization on Lake Bowen.
- (42) **Gary E. Vanover and Betsy B. Vanover**, boat lift and dock replacement on Lake Bowen.
- (43) **Larry J. Weaver and Miriam M. Weaver**, shoreline stabilization on Lake Bowen.
- (44) **Martin Wildeman and Emily W. Wildeman**, dock replacement on Lake Bowen.
- (45) **Philipp D. Wilson and Allison C. Wilson**, boat lift and boat ramp on Lake Bowen.

The above was provided as information to the Commission.

### **13. NEGOTIATIONS AND MISCELLANEOUS ADMINISTRATIVE MATTERS**

There were no negotiations or miscellaneous administrative matters.

### **14. PUBLIC COMMENT**

Mr. Montgomery recognized Mr. Charles Gray as a public comment speaker and asked Mr. Gray how long he thought he would need to provide his comments, and if he would be prepared to share all of his comments today if given the opportunity. Mr. Gray stated he had comments prepared for five or six meetings. Mr. Montgomery stated that in an effort to cover more than the last few meetings, he would allow Mr. Gray to speak for a 10-minute timeframe.

Charles Gray, of 195 Kaplan Koon Place on Lake Bowen, stated may I say thank you to Spartanburg Water System for allowing me to have a love affair with Rainbow Lake. Maybe it was before your time, but in the late 40's and early 50's it was a big thing and I enjoyed it. Those experiences were captured again at Lake Bowen in the early 60's. At the last meeting, I mentioned the wonderful things we enjoyed at Lake Bowen. Later, my son was constructing a home on this property and construction was well ahead of schedule and then Spartanburg County pulled the building permit. Piedmont First Federal Savings and Loan placed a hold on the construction loan and then the access road was closed. Later, Mr. John Andrea called Mr. Gray's office and said he should meet me at dirty creek. My explanation to Bill Bowen about our onsite permission didn't phase Mr. Andrea, he asked if Mr. Gray had a notarized statement of the build authorizing this encroachment of the 827 Contour Line. Maybe I should have cut that tree down that Bill told us to save. Several weeks passed, monies were extended, extensive surveys completed, and frustration endured. The permits were reinstated, the access road was reopened, and the construction was completed. All of this for less than one-half of one square foot. Later, I

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established a home on this property. After a while, they were having water issues on South Wilkins Road and SWS supplied a new water line.

I petitioned for and received approval for the extension of a 6-inch ductile iron line, 60 feet in length, with an end valve across South Wilkins Road to the property. On May 4, 1999, I spoke with SWS employees about this line, and on May 5, 1999, it was approved. On May 18, 1999, I paid \$3,200 for this line to be extended from the east side of Wilkins Road to the west side.

Time passes, and I decide to downsize my home. Along this time there were several dredging operations around Lake Bowen. I assumed dredging dirty cove would be a grand idea. I spoke with Jimmy Bobo and Eddie Dearybury, and they advised against it. I applied for permits and months passed.

During this timeframe there was a drought and the water went down. When the permits finally came through the water was up and it would have been a costly task. Dirty cove remains dirty and is rapidly filling with silt and soil.

The wave action from the larger body of water on the south carries the silt and soil and deposits it in the cove. More time passes and I engage a real estate agent to market the acre tract on one end at the point. The sale wasn't completed because the buyer wanted to use SWS service and it was denied. I still have the well, but if it fails, I will be talking to SWS about getting water out of that 6-inch pipe. Thank you.

Meeting adjourned at 3:49 p.m.

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G. Newton Pressley  
Secretary-Treasurer

tbh