

AGENDA

SPARTANBURG SANITARY SEWER DISTRICT COMMISSION

REGULAR MEETING

**MEETING PLACE: 301 South Avenue
Spartanburg, SC 29306**

Tuesday, October 27, 2020, 2:15 p.m.

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 have been forwarded to local and nearby news media (including 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) at least 24 hours prior to this meeting.

- 1. PRAYER**
- 2. APPROVAL OF MINUTES OF REGULAR MEETING OF SEPTEMBER 22, 2020**
- 3. UNITED WAY CHAIRMAN'S AWARD**

Ms. Paige Stephenson, President and Chief Executive Officer of the United Way of the Piedmont, will present Ms. Schneider with the United Way Chairman's award.

Each year United Way recognizes a corporate leader who is the catalyst for significant change within their company campaign, which resulted in greater investment in our community. Usually, it recognizes a leader that has created a significant one-year increase in their campaign, but this year we are recognizing a leader whose steady, consistent leadership; and support has led to a 10% increase in employee giving over the past 5 years. Ms. Schneider has created an environment where employees can become educated about community issues and be a part of the solution through giving, advocating, and volunteering.

AGENDA – Spartanburg Sanitary Sewer District Commission, Regular Meeting
Tuesday, October 27, 2020

4. NACWA EXCELLENCE IN MANAGEMENT RECOGNITION

On October 6, 2020, the Spartanburg Sanitary Sewer District was selected to receive Excellence in Management Silver Recognition for 2019. This honor celebrates our utility's commitment to sustainable, successful programs that exemplify the attributes of an effectively managed utility.

NACWA launched the Excellence in Management Program in 2003 to acknowledge significant achievements by NACWA member agencies in the utility management arena. This program honors member agencies that are implementing management practices that address a range of challenges identified in the Ten Attributes of Effectively Managed Water Sector Utilities.

These attributes are:

- Product Quality
- Financial Viability
- Customer Satisfaction
- Stakeholder Understanding & Support
- Operational Optimization
- Employee & Leadership Development
- Enterprise Resiliency
- Infrastructure Strategy & Performance
- Community Sustainability
- Water Resource Sustainability

As an Excellence in Management honoree, the District will be recognized with a presentation of this award during NACWA's Virtual Awards Ceremony on Wednesday, October 28, 2020.

5. MONTHLY FINANCIAL REPORT

Newt Pressley will present a financial summary of SSSD expenditures and revenues for the three-month period ending September 30, 2020.

6. COVID-19 REPORT

Management will provide the Commission with an update.

AGENDA – Spartanburg Sanitary Sewer District Commission, Regular Meeting
Tuesday, October 27, 2020

7. ADVANCED ENVIRONMENTAL OPTIONS, INC. – SETTLEMENT AGREEMENT

On October 30, 2019, staff informed the Commission that Advanced Environmental options, Inc., (AEO) had requested an Adjudicatory Hearing on the matter of an Administrative order issued by the District for Significant Non-Compliance (SNC) with its permit limit for Biological Oxygen Demand (BOD) in the first quarter of 2019.

AEO was granted an Adjudicatory Hearing in regard to the Administrative Order in accordance with District Sewer Use Rules and Regulations. The hearing was conducted by Josh Eagle, an attorney and professor of environmental law at the USC School of Law. On June 2, 2020, Professor Eagle issued a Memorandum and Order on Motions for Summary Judgment in which he found the District decision to assess a fine and costs against AEO was reasonable and lawful. AEO's Motion for Summary Judgment was denied, and the District's Cross-Motion for Summary Judgment was granted.

AEO filed a Notice of Appeal to the Spartanburg County Circuit Court on June 19, 2020. AEO and the District subsequently negotiated a Settlement Agreement and Consent Order under the terms of which AEO accepted the original violation, agreed to pay the originally assessed civil penalties totaling \$1,500 and agreed to reimburse the District \$22,000 for its legal fees and cost. AEO agreed to voluntary dismissal of the court case with prejudice.

The above is provided as information to the Commission.

8. RED FLAGS

Spartanburg Water adopted the Red Flags Program in 2009 in response to federal legislation aimed at protecting consumers against identity theft. C.J. Armour, Customer Service Manager, will provide an annual update on the program status.

9. CYBER SECURITY UPDATE

Kevin Brown, Director of Administrative Services, will review strategic measures to protect electronic data and enhance cyber security.

AGENDA – Spartanburg Sanitary Sewer District Commission, Regular Meeting
Tuesday, October 27, 2020

10. OWNERSHIP AGREEMENT – CLEVEDALE FARMS

Mark III Properties, Inc., proposes to construct approximately 2,975 linear feet of 8-inch gravity sewer line to provide service to 93 residential lots in Clevedale Farms located off of Willis 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 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 Mark III Properties, Inc. 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 is provided as information to the Commission.

11. OWNERSHIP AGREEMENT – DRAYTON MILL VILLAGE

DM Venture, LLC proposes to construct approximately 3,360 linear feet of 8-inch gravity sewer line to provide service to 132 residential lots in Drayton Mill Village located on Dalmation 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 DM Venture, LLC. Under the terms of the resolution adopted by the

AGENDA – Spartanburg Sanitary Sewer District Commission, Regular Meeting
Tuesday, October 27, 2020

Commission on May 29, 1990, this agreement has been executed on behalf of the Commission by the Chief Executive Officer.

The above is provided as information to the Commission.

12. NEGOTIATIONS AND MISCELLANEOUS ADMINISTRATIVE MATTERS