

## MINUTES

Spartanburg Sanitary Sewer District Commission, Regular Meeting, held at 200 Commerce Street, Spartanburg, SC, January 25, 2022, 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 Rice. 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 Newt Pressley opened with a prayer.

Mr. Blanton and Commissioners welcomed recently elected Mayor Jerome Rice, Jr.

### 2. APPROVAL OF MINUTES OF REGULAR MEETING OF DECEMBER 7, 2021

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

### 3. PUBLIC COMMENT

Mr. Blanton opened the public comment period, noting nine requests to speak were submitted for the SSSD meeting and the SWS meeting.

Mr. Blanton recognized Mr. Joslin and stated that the Commissioners of Public Works are also Spartanburg Sanitary Sewer District Commissioners and noted that Mr. Joslin will be addressing both Commission Boards and he would be given 10 minutes to speak.

Mr. Joslin stated he should not have been denied access to the public meeting last time for no legal reason whatsoever. Mr. Joslin read the Freedom of Information Act (FOIA) and stated that public meetings are covered under FOIA and every citizen has a right to attend a public meeting.

Mr. Joslin stated the main and first reason he came to the meeting is the South Carolina Constitution, Section 49-1-10, referring to navigable streams as common highways and free to all citizens, without tax. Mr. Joslin stated that charging people to go on Lake Bowen and Lake Blalock is against the law. Legislature allows for certain rules like horse power ratings and lake times, but not the authority to tax.

In addition, Section 49-1-15, projects involving impoundment or diversions of waters of navigable streams saying the projects proposed for shored areas of the water courses provide a means of portage or bypass for the project

structure. There is no portage access on Reservoir #1, Lake Bowen, or Lake Blalock. Spartanburg Water purchased the property at Fingerville Mill, and now there is no portage at that dam. Mr. Joslin offered to provide portage on his property around this dam, but expects Spartanburg Water to provide portage at Reservoir #1, Lake Bowen, and Lake Blalock. Mr. Joslin completed his comments.

Mr. Blanton stated the public comment period is now closed.

#### **4. EXECUTIVE SESSION**

Mr. Horton moved and Mr. Montgomery seconded the motion to enter into executive session to discuss contractual matters related to the proposed execution of an agreement with an employment search firm at 2:24 p.m. The motion passed unanimously.

Mr. Blanton stated that he recused himself prior to the executive session and that he did not participate in the executive session discussion.

Mr. Montgomery lead the executive session on Mr. Blanton's behalf.

Mr. Montgomery stated that the SSSD meeting has come out of executive session, the discussion on contractual matters is closed and there was no action taken.

#### **5. CONTRACTUAL MATTERS**

Mr. Montgomery lead the contractual matters agenda item.

Ms. Barnes moved and Ms. Viney seconded the motion to select Colin Baenziger & Associates as the executive search firm for the recruitment of a new Chief Executive Officer of Spartanburg Water, based on the information received during the executive session. Majority approved as Mr. Blanton recused himself from the vote.

#### **6. MONTHLY FINANCIAL REPORT**

Newt Pressley presented a financial summary of SSSD expenditures and revenues for the five-month period ending November 30, 2021, and the six-month period ending December 31, 2021. An explanation was provided for the favorable and unfavorable budget variances.

The above was provided as information to the Commission.

#### **7. COVID REPORT**

Ms. Schneider provided the Commission with an update on COVID-19. After recent holidays, employee COVID-19 cases increased within the work group. Case load peaked around January 12 with 14 confirmed positive cases and 17 exposures. The most recent case load had six confirmed positive cases and five exposures. The Supreme Court has stayed the OSHA emergency temporary standard (ETS), and unless something changes Spartanburg Water will not implement anything with the ETS. Spartanburg Water is in Phase 3 of re-entry, using some of the updated information

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regarding exposure and isolation data. This updated information has helped to maintain the Spartanburg Water workforce.

The above was provided as information to the Commission.

**8. PROPOSED 2022 COMMISSION MEETING SCHEDULE**

January 25	February 22 *UMC Feb 21-24
March 22	April 26
May 24	June 28
July – No Meeting	August 23
September 27	October 25
November – No Meeting	December 6

Mr. Montgomery moved and Mr. Littlejohn seconded the motion to approve the proposed 2022 Commission meeting schedule. The motion passed unanimously. It was noted that Ms. Viney may need to Zoom into the August 23, 2022, meeting.

**9. JANITORIAL SERVICES CONTRACT**

Proposals were received on January 5, 2022, for contract services to furnish material, labor, transportation, and equipment necessary to perform janitorial services at multiple facilities throughout the organization.

The scope of works calls for placing personnel as needed at the Administrative Complex, the C&D complex, Lake Bowen and Lake Blalock, the R.B. Simms Water Treatment Plant (including the Pavilion), and the A. Manning Lynch Wastewater Treatment Plant to provide services at each facility as detailed in the Request for Proposals.

A pre-bid conference was held and guided site tours provided to further familiarize the bidders with the locations, the overall size of the facilities, and the work required.

An evaluation team made up of staff from various departments and facilities was formed to review and score the proposals received. The evaluation criteria consisted of the responder’s approach and strategy; company information and experience; MWBE utilization; Community Benefit Program; and cost. Each proposal was evaluated using a weighted scoring matrix, with the successful supplier being selected for the highest scoring proposal.

Invitation to respond was placed in the local media and forwarded to prospective suppliers. A cost tabulation of the responses are listed below. The costs are represented in annual totals, based on an initial 12-month term with two optional renewal terms.

<b><u>BIDDER</u></b>	<b><u>AMOUNT OF BID</u></b>
Sunbelt Janitorial Group Spartanburg, SC	\$186,744

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Jan-Pro of the Western Carolina’s Greenville, SC \$300,132

Management recommended an award be granted to Sunbelt Janitorial Group in the annual amount of \$186,744 based on their highest scoring proposal.

These services will be funded from the operating budget as follows: SSSD \$51,583 and SWS \$135,161.

Ms. Schneider provided the Commission with an overview of the Janitorial Services Contract, and confirmed that Sunbelt Janitorial Group is the current provider.

Ms. Barnes moved and Mayor Rice seconded the motion to approve management’s recommendation to award the bid to Sunbelt Janitorial Group. The motion passed unanimously.

**10. CONTRACT PUMP AND HAUL SERVICE AGREEMENT**

Bids were received on December 16, 2021, for contract pump and haul services for the various wastewater treatment facilities to supplement work performed by SSSD personnel and equipment. Services are broken into two sections which include routine pump and haul requirements and emergency pump and haul requirements, whereby the agreement will be applicable to normal operating hours as well as after hours or emergency situations. In addition to general pump and haul provisions, the contractor may be required to clean tankage and transfer seed sludge from one of the eight facilities identified in the scope of work. Quantities for this agreement are estimated at 200 loads per year.

Invitations were forwarded to prospective bidders and published in the local media. A tabulation of responses is listed below.

<u>BIDDER</u>	<u>AMOUNT OF BID</u>
Hugh R. Simmons Septic Tank Services Wellford, SC	\$185 per load
Al’s Septic Tank Service Pauline, SC	\$350 per load

Management recommended an award be granted to Hugh R. Simmons Septic Tank Services based on their bid of \$185 per 2,500 gallon load. Based upon an estimated 200 loads per year, the value of the contract would be approximately \$37,000 annually. Funding will be provided through the SSSD operating budget.

Ms. Schneider provided the Commission with an overview of the Contract Pump and Haul Service Agreement.

Mr. Horton moved and Mr. Littlejohn seconded the motion to approve management’s recommendation to award the bid to Hugh R. Simmons Septic Tank Services. The motion passed unanimously.

**11. PURCHASE OF CRAWLER CAMERA SYSTEM**

Responses from a Request for Proposal for a portable crawler camera system for the Spartanburg Sanitary Sewer District were received on January 6, 2022. The scope of work calls for the successful vendor to provide a new crawler camera system and install in the existing camera van. The camera is used to inspect sewer pipes between 6" and 18" in diameter.

The proposals were evaluated using a weighted scoring matrix. The matrix rated the suppliers based on (1) system specifications and technological approach, (2) warranty, training, and service (3) cost, (4) Community Benefit Program, and (5) MWBE utilization. The evaluation and scoring of the proposals were conducted by an evaluation committee.

Two suppliers submitted responses to the RFP. A cost tabulation of the responses is listed below.

<u>BIDDER</u>	<u>AMOUNT OF BID</u>
Infrastructure Solutions Group Mooresville, NC	\$112,917.10
Jet-Vac Equipment Co., LLC Sumter, SC	\$122,529.45

The highest scoring proposal was submitted by Infrastructure Solutions Group. Based on the results of their response and matrix score, management recommends approval of an award to Infrastructure Solutions Group for the crawler camera system at a cost of \$112,917.10.

Funding is provided through the SSSD depreciation budget.

Ms. Schneider provided the Commission with an overview of the Purchase of the Crawler Camera System.

Mr. Montgomery moved and Mr. Littlejohn seconded the motion to approve management’s recommendation to award the bid to Infrastructure Solutions Group. The motion passed unanimously.

**12. RECEIPT OF BIDS – EASTSIDE SEWER RIGHT-OF-WAY CLEARING PROJECT**

Bids were received on January 13, 2022, for the Eastside Sewer Right-of-Way Clearing Project. This project consists of approximately 12,000 LF of sewer right-of-way in six locations on the east side of the City of Spartanburg.

The project scope calls for the contractor to remove trees and clear vegetation from the right-of-way leaving a cleared right-of-way no less than 25 feet wide (12.5 feet either side of the sewer line). The path will be covered with chippings or re-vegetated with grass. Proper erosion control measures will be employed along the disturbed area. This clearing project will provide access for operation and maintenance therefore reducing the risk of blockages that may result in SSO’s.

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This project was advertised December 11, 2021. The bid package was distributed to 13 contractors and four plan rooms. Six contractors provided a bid. A tabulation of the bid responses are listed below.

<u>BIDDER</u>	<u>AMOUNT OF BID</u>
C & S Nature Works Boiling Springs, SC	\$309,100.00
DS Utilities Little Mountain, SC	\$430,250.00
L-J, Inc. Cayce, SC	\$476,212.00
Lindlers Construction of SC Newberry, SC	\$419,300.00
NGE Services, Inc. Charlotte, NC	\$772,457.00
Piedmont Utility Group Shelby, NC	\$1,389,864.50

All of the bids came in over budget. In order to get the project cost closer to the original budget amount, two sections are being deferred until FY 23.

The reduced scope of the project is now 7,500 LF of sewer right-of-way in four locations. The low bid contractor, C & S Nature Works was contacted and they are agreeable to the reduced scope.

Management recommended awarding the contract to C&S Nature Works of Boiling Springs, SC in the amount of \$214,000. The project will be funded by the collections system rehabilitation fund.

Ms. Schneider provided the Commission with an overview of the Eastside Sewer Right-of-Way Clearing Project.

Ms. Viney asked if doing all phases at one time would provide a savings. Management planned to continue with a lesser scope of the project and monitor funding to see if it becomes possible to complete all scopes.

Mr. Littlejohn moved and Mr. Montgomery seconded the motion to approve management’s recommendation to award the contract to C&S Nature Works. The motion passed unanimously.

**13. REQUEST FOR ANNEXATION – EASTGROUP PROPERTIES**

Eastgroup Properties has requested annexation of approximately 58.704 acres of property located off of Tyger River Drive on parcel 5-26-00-013.00. The property is adjacent to the District boundaries and can be annexed by Commission under authority granted in its enabling legislation.

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Management recommended the Commission approve the annexation request, adopt a resolution giving 90 days' notice to sub-districts, and annex the property effective April 25, 2022.

**Resolution of Annexation  
Adopted by Spartanburg Sanitary Sewer District Commission  
On January 25, 2022**

WHEREAS, Eastgroup Properties owners of a 58.704-acre tract, more or less, adjacent to the existing Sewer District boundary line, and located off of Tyger River Drive on parcel 5-26-00-013.00 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 owner has been accepted by the Commission, the District's governing body (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 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 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 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 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.

Mr. Littlejohn moved and Mr. Montgomery seconded the motion to approve management's recommendation to approve the annexation request by Eastgroup Properties of approximately 58.704 acres of property located off of Tyger River Drive on parcel 5-26-00-013.00. The motion passed unanimously.

**14. OWNERSHIP AGREEMENT – BAKER GROVE**

Mark III Properties, LLC proposes to construct approximately 7,491 linear feet of 8-inch gravity sewer line, one 300 GPM pump station, and 3,200 linear feet of 6-inch force main to provide service to 185 residential lots in the Baker Grove development located off of Old Bethel Road. The sewer line will connect to the existing SSSD infrastructure at the Linden Park development via a new pump station installed with the Baker Grove development. The domestic waste will be treated at the South 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 Mark III 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.

**15. OWNERSHIP AGREEMENT – DUNCAN-REIDVILLE ROAD GRAVITY SEWER EXTENSION PROJECT**

Gray Industrial Realty, LLC proposes to construct approximately 4,100 linear feet of 10-inch gravity sewer line to provide service to a commercial tract located off of Duncan-Reidville Road. The sewer line will connect to the existing SSSD infrastructure. The domestic waste will be treated at the South 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 Gray Industrial Realty, 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 – EAST MAIN MEADOWS**

South Tyger Properties, LLC proposes to construct approximately 1,190 linear feet of 8-inch gravity sewer line to provide service to 56 residential lots in East Main Meadows subdivision located off of East Main Street in Spartanburg. The sewer line will connect to the existing SSSD infrastructure. The domestic waste will be treated at the Clifton-Converse 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 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.

**17. OWNERSHIP AGREEMENT – GODDARD SANITARY SEWER EXTENSION**

Goddard Construction, LLC proposes to construct approximately 785 linear feet of 8-inch gravity sewer line to provide service to six residential lots located off of Patch Drive near Southport 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 Goddard Construction, 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. OWNERSHIP AGREEMENT – MAYFAIR VILLAGE**

Mungo Homes Properties, LLC proposes to construct approximately 8,930 linear feet of 8-inch gravity sewer line to provide service to 290 residential lots in Mayfair Village located off of Hayne Street. 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 Mungo Homes 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.

**19. OWNERSHIP AGREEMENT – PINE VALLEY PHASE II**

Mark III Properties, LLC proposes to construct approximately 15,360 linear feet of 8-inch gravity sewer line to provide service to 434 residential lots in Pine Valley Phase II located off of Hanging Rock 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 Mark III 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.

**20. OWNERSHIP AGREEMENT – REGENCY WALK**

Holly Drive Properties, Inc., proposes to construct approximately 1,190 linear feet of 8-inch gravity sewer line to provide service to 29 residential lots in Regency Walk located off of Holden 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 Holly Drive 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 was provided as information to the Commission.

**21. OWNERSHIP AGREEMENT – SIMMONS TRACE**

Simmons Trace (SC) Owner III, LLC proposes to construct approximately 2,480 linear feet of 8-inch gravity sewer line, 1,730 linear feet of 6-inch force main and a pump station to provide service to 131 residential lots in Simmons Trace subdivision located off of Anderson Mill 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 Simmons Trace (SC) Owner III, 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.

**22. NEGOTIATIONS AND MISCELLANEOUS ADMINISTRATIVE MATTERS**

- A.** Ms. Schneider informed the Commission that as of yesterday, January 24, 2022, the transfer of the Chesnee Wastewater Treatment Plant and the Collection System was complete. All paperwork and financials were completed.
- B.** Ms. Schneider reminded the Commission that Upstate SC Alliance will hold a Zoom Coffee and Conversation regarding the 2022 Legislative Review. This will be a Zoom event held tomorrow, January 26 at 9:00 a.m.
- C.** Ms. Schneider stated that the Outlook Spartanburg Conference was rescheduled for Friday, February 11 from 7:30 a.m. until noon, at the Spartanburg Marriott.
- D.** Ms. Schneider noted that the Utility Management Conference will be February 21-24, 2022, in Orlando, Florida.

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Meeting adjourned at 3:22 p.m.

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G. Newton Pressley  
Secretary-Treasurer

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