

MINUTES

The Commissioners of Public Works of the City of Spartanburg, SC, Regular Meeting, held at 301 South Avenue, Spartanburg, SC, September 22, 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, Mr. Littlejohn, and Mr. Montgomery. No one 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 AUGUST 25, 2020 AND EXECUTIVE MEETING OF SEPTEMBER 9, 2020

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

2. MONTHLY FINANCIAL REPORT

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

The above was provided as information to the Commission.

3. 2021 HEALTH INSURANCE AGENT/BROKER RENEWAL

Since October 2009, Steinberg and Associates has been acting as Spartanburg Water's consultant/broker of record for health, dental, disability, and voluntary life plans. (This includes vision, prescription drug cards and reinsurance as applicable).

During the past several years, the value of having Steinberg & Associates as our agent was demonstrated by their attention to details that resulted in savings and significant reimbursement to the company from our re-insurer. Their knowledge and oversight provides the expertise needed in the complicated medical insurance industry.

Steinberg and Associates submitted a renewal proposal for their professional services of \$30,000 for the 2021 calendar year. Steinberg and Associates does not receive commissions for medical, dental, vision or reinsurance. This amount represents no increase in cost from the previous year.

Management recommended renewing the agent/broker agreement with Steinberg and Associates. The allocation between companies is \$22,200 for SWS and \$7,800 for SSSD.

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Ms. Viney moved and Mr. Littlejohn seconded the motion to ratify the action taken in the SSSD meeting to approve management’s recommendation to renew the agent/broker agreement with Steinberg and Associates. The motion passed unanimously.

4. 2021 RETIREE SUPPLEMENTAL INSURANCE

Spartanburg Water retirees who are 65 and over are currently covered by a Medicare Supplement Insurance Plan provided by United American that includes prescription coverage. Steinberg and Associates performed a market study of potential carriers to determine a recommended provider for the plan renewal in January 2021.

Our consultant obtained the following proposals for the renewal:

Monthly Cost per Retiree:

United American	\$382.55
Transamerica	\$384.55
Hartford	\$389.23

Management recommended United American as our provider for the 2021 renewal of over 65 retiree supplemental insurance.

Spartanburg Water pays 85% of the cost of the supplemental insurance for retirees and they contribute 15%. Based on the number of retirees, the approximate annual net cost is as follows: \$144,374 for SWS and \$70,236 for SSSD.

Mr. Littlejohn moved and Ms. Viney seconded the motion to ratify the action taken in the SSSD meeting to approve management’s recommendation to approve United American as our provider for the 2021 renewal of over 65 retiree supplemental insurance. The motion passed unanimously.

5. PROCUREMENT POLICY REVISION

The Spartanburg Water System grants bidders the opportunity to protest or challenge the terms of a solicitation or the award of a contract for the procurement of goods and services. Bid protests are an important part of the bidding process to ensure that a procurement is completed in a fair manner and with the highest level of quality and integrity. For this reason, the Spartanburg Water System Procurement Policy includes a section dedicated to the resolution of bid protests. The policy details the responsible parties and timelines as it relates to a bidder’s right to protest, attempts to resolve a protest, notice of decision by the Spartanburg Water System, and the appeal process.

Revisions are proposed to Section 19. Authority to Resolve Protests of the Spartanburg Water System Procurement Policy in an effort to make the appeal process for bid protests consistent with other appeal processes used throughout the company in which the Chief Executive Office is designated as the final decision maker. The revision would give the Chief Financial Officer or his designee the authority to hear, attempt to resolve, and issue a decision regarding bid protests. Per the revision, the Chief Executive Officer will hear

any appeal to the Chief Financial Officer's decision and render a final decision. The proposed revisions to Section 19 will also reduce the number of days a protesting party may submit a protest. The number of days is currently set at fourteen. Per the revision, a protest must be submitted in writing ten days after the protesting party knows or should have known of the facts of a solicitation or award. This revision is consistent with the protest guidelines of the State of South Carolina Procurement Code. Below is Section 19 with the proposed revisions:

SECTION 19. AUTHORITY TO RESOLVE PROTESTS.

A. Right to Protest.

Any actual or prospective bidder, proposer, or contractor ("Protesting Party") who is aggrieved in connection with the solicitation or award of a contract may protest to the Chief ~~Executive Financial~~ Officer or his designee. The protest shall be submitted in writing within ~~14~~ 10 days after the Protesting Party knows or should have known of the facts giving rise thereto.

B. Attempts to Resolve Protest.

After receiving written notice of a Protest the Chief ~~Executive Financial~~ Officer or his designee shall attempt to resolve the Protest by mutual agreement. The Chief ~~Executive Financial~~ Officer is authorized to offer to submit the Protest to mediation. Unless mutually agreed to in writing, attempts to resolve a Protest must be concluded within 14 days of receiving written notice of the Protest (the "Resolution Period").

C. Decision.

If the Protest is not resolved by mutual agreement, the Chief ~~Executive Financial~~ Officer or his designee shall issue a decision in writing within 10 days of the expiration of the Resolution Period.

D. Notice of Decision.

A copy of the decision under Subsection C of this Section shall be mailed or delivered to the Protesting Party and, where applicable, the Presumptive Winner. The Chief ~~Executive Financial~~ Officer's decision shall be final and conclusive, unless fraudulent, or the decision is appealed.

E. Notice of Appeal.

If the Protesting Party or Presumptive Winner is aggrieved by the Chief ~~Executive Financial~~ Officer's decision, and would like to appeal that decision, it must provide notice of such appeal to the Chief ~~Executive Financial~~ Officer within seven days of receiving written notice of the decision.

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F. *Decision on Appeal.*

The ~~Commission~~ Chief Executive Officer will hear the appeal and render a final decision.

Management requested that the Procurement Policy be updated to include the revisions to Section 19. Authority to Resolve Protests.

Mr. Littlejohn requested the language be changed to gender neutral throughout the proposed policy revisions. The Commission agreed.

Mr. Horton moved and Mr. Montgomery seconded the motion to approve management's recommendation with the requested amendment to change the language to gender neutral. The motion passed unanimously.

6. WATER QUALITY REPORT

Bobby Walden provided the Commission with an update on water quality.

Reservoir #1 Intake Structure: Geosmin - Ranged from 6.2 PPT-17 PPT. MIB - Ranged from 5.3 PPT-34 PPT. Finished Water entering the distribution system: Geosmin - Ranged from 2.9 PPT-10 PPT. MIB – Ranged from 6.1 PPT-18 PPT. The average raw water temperature in Lake Bowen was 26 degrees Celsius (79 degrees Fahrenheit) and Reservoir #1 was 28 degrees Celsius 82 degrees Fahrenheit).

With MIB levels reaching as high as 220 PPT in Lake Bowen and 51 PPT at the water intake (38 PPT in the distribution) an additional copper based application was conducted on Lake Bowen and Reservoir #1 on August 26-27. This application was written to target 379 acres of Lake Bowen east of the Hwy 9 bridge and 199 acres of Reservoir #1. The algaecide product was applied on both reservoirs just below the water surface and two feet from the lake bottom. No adverse side effects were noted as a result of the applications.

The above was provided as information to the Commission.

7. REPORT ON DRINKING WATER RESERVOIRS

Ms. Schneider stated that the Watershed Management staff continue to process land permits for Lake Bowen and Lake Blalock. In 2020, from January 1 to September 16, staff has issued a total of 1,969 permits, this included irrigation permits.

Ms. Schneider stated that the Commission approved the Blalock Policies and Procedures to be effective on July 10, 2020. Lake Blalock residents were notified of the document.

As of December 1, 2019, when the Press Pause Program for Lake Bowen ended, a total of 681 participants signed up. All participants have been contacted at least three times by phone. 563 packets have been issued and 118 packets have not been picked up. Letters of notification have been sent to qualifying participants who have not picked up their packets that they

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have until October 31 to do so, or they will lose the permitting/licensing benefits of the program. During the inventory process, staff identified 30 property owners with a potential dwelling encroachment. Staff contacted these property owners prior to a separate letter being sent to them placing them on notice of the need to obtain a current survey to validate or refute the assumption of an encroachment. Once resolved all permits and licenses will be released to these property owners.

Ms. Schneider noted that this is the third year for annual dock inspections. Inspections were completed September 16, 2020. There were 13 owners of non-maintained docks, eight on Lake Bowen and five on Lake Blalock. Letters will be mailed out by September 30, 2020, notifying contiguous land owners to repair, replace, or remove the dock.

Ms. Schneider reviewed the Lake Bowen Landing Project regarding Key Messages for Communications. This includes safety, improvements, and the environment. Enhanced traffic flow around the park to better separate those visiting the park for boating, and those walking, picnicking, fishing, and enjoying the playground. This includes the addition of parking spaces around the upper loop of the park for vehicles without boat trailers. Designation of an existing boat ramp in the upper loop for non-motorized watercraft Improvement. Construction of a dedicated parking area for vehicles with boat trailers will be included. There will be construction of an additional boat ramp, and relocation of an existing dock to locate all launching and retrieval of motorized watercraft within a centralized area. Installation of a curb-gutter system and storm water outlet improvements to reduce the environmental impacts of storm water runoff and water retention. There will also be landscaping improvements to enhance shoreline stabilization.

Ms. Schneider provided an update on communications regarding the project. There are boat permit holders and park users, but businesses such as boat dealerships also count on access to the lake. The goal will be to keep a boat ramp open throughout this process for lake access.

SWS staff met with Lakefront POA Board Representatives on September 14, 2020, to discuss storm water mitigation and Best Management Practices to address erosion and sedimentation entering the lake. Staff has contacted Spartanburg County to address stabilization of property stripped of any ground cover associated with residential construction around the reservoirs. We have requested assistance from adjoining property owners, through our Healthy Lakes Newsletter, to help identify areas affected by storm water runoff and erosion. SWS has received eight calls from adjoining property owners. Staff from the Asset Engineering Department has visited several identified sites and developed engineering control strategies and identified Best Management Practices (BMP's) to mitigate the sedimentation. The placement of sedimentation control devices will be on SW property. In-house staffing will be responsible for the installation and maintenance of these engineering controls.

Watershed staff monitors and inspect sedimentation controls all construction projects/sites around all three reservoirs. Any issues discovered are immediately addressed with the adjoining property owner. Prior to the extreme rain event on September 17, staff installed sedimentation tubes at

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thirteen locations around all three reservoirs as additional measures to help capture sedimentation from the storm water runoff.

The partnership agreement with Woodfin Partners, LLC was approved at the June 23, 2020 Commission Meeting. A permit was issued on July 8 for the three phases of the natural buffer enhancement project surrounding a portion of the 15th green. Phase 1 identified the removal of five trees at ground level and this phase is complete. The stumps and roots remain intact. Extreme efforts were taken to minimize disturbance to the riparian buffer during Phase 1. GeoHay matting was placed around the disturbed area where the trees were removed to minimize the impact of storm water runoff. Two stumps will be ground to facilitate the permitted plantings in Phase 2, which is scheduled to begin at the end of October. This will allow ample time to get all of the plants in and established, while also ensuring that the environment is suitable to support the plantings. SWS Watershed Staff is monitoring project status and conducts in-person/on-site monthly meetings with the Woodfin staff. Phase 3 identified Woodfin's responsibility associated with on-going maintenance and SWS's responsibility to provide oversight for ensuring it is maintained.

Ms. Schneider stated that meetings regarding the Municipal Reservoir #1 Policies and Procedures are scheduled to begin in early October. Management will continue to meet with Lakefront POA regarding Policies and Procedures for Lake Blalock to enhance communications. SWS will continue partnering with the Lakefront POA Committee on storm water impacts to water quality in the reservoirs.

The above was provided as information to the Commission.

8. AWIA RISK AND RESILIENCY ASSESSMENT AND UPDATE OF EMERGENCY RESPONSE PLAN FOR THE LANDRUM WATER TREATMENT FACILITY AND ASSOCIATED DISTRIBUTION SYSTEM

The federal American Water Infrastructure Act (AWIA) requires that drinking water systems to undertake and certify to the USEPA the completion of a Risk and Resiliency Assessment and then the update of the Emergency Response Plan. SWS has completed the required analysis and update for the Simms Water Treatment Facility which was in the first phase of the AWIA implementation. The second phase of implementation was for smaller drinking water systems, such as the Landrum system.

Management recommended that the Commission approve the second amendment to the Master Services Agreement with AECOM consulting engineers to perform the work required for the Landrum system. The second amendment is for \$30, 925. Funding will be provided through the Drinking Water Treatment operating budget.

Bobby Walden provided the Commission with an overview of the AWIA Risk and Resiliency Assessment and Update of Emergency Response Plan for the Landrum Water Treatment Facility and Associated Distribution System.

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Ms. Viney moved and Mr. Littlejohn seconded the motion to approve management's recommendation to approve the second amendment to the Master Services Agreement with AECOM consulting engineers to perform the work required for the Landrum system. The motion passed unanimously.

9. ON-CALL ADVISORY SUPPORT (HAZEN)

Staff has identified the need for an on-call, advisory support related to the on-going technical and scientific issues that arise related to water quality, watershed management, and regulatory issues in Lake Bowen, Municipal Reservoir #1, and Lake Blalock. Staff have received a draft Work Authorization from Hazen, under their Master Services Agreement, which meets the needs identified.

Management recommended that the Commission approve the Work Authorization No. 9 on a time and materials basis not-to-exceed amount of \$50,000. Funding will be provided through the Drinking Water Treatment operating budget.

Bobby Walden provided the Commission with an overview of management's request for on-call advisory support from Hazen and approve the Work Authorization No. 9 request.

Mr. Littlejohn moved and Ms. Viney seconded the motion to approve management's recommendation for approval of the Work Authorization No. 9 on a time and materials basis not-to-exceed amount of \$50,000. The motion passed unanimously.

10. PROFESSIONAL SERVICES – I-85 WIDENING PROJECT WATER AND SEWER RELOCATIONS

At the August 2018 meeting, the Commission approved the award of a professional services contract to Summit Engineering Group to assist Spartanburg Water with the development of water and sewer relocation plans, coordination with the SCDOT, and necessary permitting for the SCDOT's widening of I-85. The professional services contract was based on an hourly rate schedule with a not to exceed amount of \$45,000 for SWS and \$30,000 for SSSD for a total of \$75,000.

An amendment to the professional services contract is needed to change the professional services contract from an hourly rate, with a not to exceed amount, to a lump sum amount. The change is needed due to the need for additional design services and to add construction administration services. The amendment increases the total reimbursement for services and is based on the amounts included in the Memorandum of Agreement between the Commission of Public Works of the City of Spartanburg and the SCDOT. The amounts are based on a percentage of the total construction cost estimates and completed construction plans. Based on the Memorandum of Agreement with the SCDOT, the professional services will be reimbursed by the SCDOT.

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Management recommended the approval of the amendment of the professional services contract with Summit Engineering Group to a lump sum amount of \$172,532 to SWS and \$134,662 to SSSD for a total amount of \$307,194.

Gene Jackson provided the Commission with an overview of the Professional Services – I-85 Widening Project Water and Sewer Relocations, to include the history of this project as the time period has been extensive during the SSSD meeting. To recap, Act 36 of 2019 was approved by legislature that DOT would pay for or reimburse local utilities for requiring them to move infrastructure in the DOT right-of-way. After much conversation, to include the DOT Commission, it was decided that Spartanburg Water would be reimbursed as well. This reimbursement for SWS will be approximately 1.6 Million, which includes the consultant work.

Mr. Littlejohn moved and Ms. Viney seconded the motion to approve management's recommendation for the approval of the amendment of the professional services contract with Summit Engineering Group to a lump sum amount of \$172,532 to SWS and \$134,662 to SSSD for a total amount of \$307,194. The motion passed unanimously.

11. DISTRIBUTION SYSTEM REHABILITATION UPDATE

Spartanburg Water has made a commitment to address the needs of its aging collection and distribution system infrastructure. In FY 20, approximately \$886,747.15 was invested in the rehabilitation of the distribution system. This past year's efforts by the Asset Engineering & Construction Group included twelve distribution system projects to improve fire protection, water quality, and replace aging water mains. Management will provide an overview of the progress made by the Collection and Distribution Department to address these needs in the past year.

Glen McManus, Director of Collection and Distribution, provided an overview of the progress made by the Collection and Distribution Department to address these needs this past fiscal year.

The above was provided as information to the Commission.

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) Tractor Supply FS

Tractor Supply Company located at 4411 S.C. Highway 9 in Boiling Springs, SC, wishes to connect a 6-inch water line to the Commission's 16-inch water line along Highway 9 to serve a private fire protection system, including two hydrants, for the above-

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mentioned retail store. JFS Holdings, LLC 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) **Todd David Danielson and Rae Fuller Danielson**, desire to stabilize the shoreline on Lake Bowen.
- (2) **Leatha and Bret Day**, desire to replace a dock on Lake Blalock.
- (3) **David R. Wood and Roberta D. Thomas**, desire to construct a boat lift on Lake Bowen.
- (4) **Ashley M. and Lynn Bullington**, desire to replace a dock on Lake Bowen.
- (5) **William P. Gee**, desires to stabilize the shoreline on Lake Bowen.

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

- (1) **Bobby E. and Ronda M. Hart**, dock replacement and hard pathway on Lake Blalock.
- (2) **Robert and Joan Galas**, dock replacement, hard pathway, and shoreline stabilization on Lake Blalock.
- (3) **Angela R. Amsler and Timothy Amsler**, hard pathway on Lake Bowen.
- (4) **Robert M. Cornelison and Melinda M. Cornelison**, dock replacement on Lake Bowen.
- (5) **Charles A. Coveney and Tiffany M. Coveney**, personal watercraft lift on Lake Bowen.
- (6) **Timothy Joel Edwards and Alicia Holcombe Edwards**, dock replacement, hard pathway, personal watercraft lift, and shoreline stabilization on Lake Bowen.
- (7) **Steven D. Farish**, personal watercraft lift on Lake Bowen.
- (8) **Gregory L. Fletcher and Kathryn G. Fletcher**, dock replacement on Lake Bowen.

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- (9) **Lane Fowler**, personal watercraft lift and shoreline stabilization on Lake Bowen.
- (10) **Doris L. Ghionis**, boat ramp on Lake Bowen.
- (11) **Elizabeth Harley**, shoreline stabilization on Lake Bowen.
- (12) **Travis M. Haynes and Ann-Marie L. Haynes**, dock replacement on Lake Bowen.
- (13) **James David Hendrix**, dock replacement and hard pathway on Lake Bowen.
- (14) **Donald F. Jones**, dock replacement and shoreline stabilization on Lake Bowen.
- (15) **Daniel A. McDowell and Nancy McDowell**, dock replacement and shoreline stabilization on Lake Bowen.
- (16) **James M. Mikutowicz**, dock replacement and shoreline stabilization on Lake Bowen.
- (17) **Ronald L. Revis and Jacquelyn S. Revis**, boat ramp and dock replacement on Lake Bowen.
- (18) **Richard Tim Rhyne and Naoma K. Rhyne**, shoreline stabilization on Lake Bowen.
- (19) **Kevin A. Seay, Kimberly Seay**, boat ramp, dock replacement, and shoreline stabilization on Lake Bowen.
- (20) **Kevin F. Sullivan and Jo Anne Y. Sullivan**, dock replacement, hard pathway, and shoreline stabilization on Lake Bowen.
- (21) **Peggy Hamrick**, dock replacement on Reservoir #1.
- (22) **Anne Homer**, dock replacement on Reservoir #1.

The above was provided as information to the Commission.

13. NEGOTIATIONS AND MISCELLANEOUS ADMINISTRATIVE MATTERS

There were no negotiations or miscellaneous administrative matters.

Meeting adjourned at 3:46 p.m.

G. Newton Pressley
Secretary-Treasurer

MINUTES

The Commissioners of Public Works of the City of Spartanburg, SC, Executive Session Meeting, held at 297 South Avenue, Spartanburg, SC, September 9, 2020, at 1:00 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, Mr. Littlejohn, and Mr. Montgomery. No one was absent.

The meeting was opened with the following statement:

This is an executive session 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. **CALL THE MEETING TO ORDER**

Mr. Montgomery called the meeting to order.

2. **EXECUTIVE SESSION**

Mr. Littlejohn moved and Ms. Viney seconded the motion to enter into executive session at 1:05 p.m. The motion passed unanimously.

Ms. Viney moved and Mr. Littlejohn seconded the motion to come out of executive session at 2:51 p.m. The motion passed unanimously.

Mr. Montgomery stated the Commission received legal counsel and no action was taken.

Meeting adjourned at 2:52 p.m.

G. Newton Pressley
Secretary-Treasurer

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