

MINUTES

Spartanburg Sanitary Sewer District Commission, Regular Meeting, held at 301 South Avenue, Spartanburg, SC, September 22, 2020, 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 Bobby Walden opened with a prayer.

2. APPROVAL OF MINUTES OF REGULAR MEETING OF AUGUST 25, 2020

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

3. NACWA FACILITY PEAK PERFORMANCE AWARDS

In August 2020, Spartanburg Sanitary Sewer District received eight Peak Performance Awards from the National Association of Clean Water Agencies (NACWA) based on 2019 performance. NACWA'S Peak Performance Awards recognize member agency facilities for outstanding compliance of their National Pollutant Discharge Elimination System (NPDES) permit limits. This recognition program consists of three categories – Platinum, Gold, and Silver. All facilities were 100% compliant in 2019.

Platinum Awards: Fingerville WWTF (Platinum-8), Clifton-Converse WWTF (Platinum-7), Page Creek WWTF (Platinum-7), and Cowpens WWTF (Platinum-6).

The Platinum-6, Platinum-7, and Platinum-8 Awards recognize 100% compliance with NPDES permits for six, seven, and eight years respectively.

Gold Awards: A. Manning Lynch WWTF, Lower North Tyger River WWTF, South Tyger River WWTF, and Pacolet Mills WWTF.

Gold Awards recognize facilities that have achieved 100% compliance with their NPDES permit for an entire calendar year.

Bobby Walden stated that management was pleased to announce that all eight wastewater treatment facilities received NACWA Facility Peak Performance awards. Four Platinum Awards and four Gold Awards. This is a great accomplishment for staff and SSSD.

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The Commission congratulated Rick Jolley, Wastewater Treatment Manager, and staff for their hard work and accomplishment of these awards.

4. THE UTILITY OF THE FUTURE TODAY AWARD FOR 2020

Spartanburg Water has again been recognized as one of just 65 utilities worldwide to receive recognition as a Utility of the Future Today (UotFT) for 2020.

The opportunity to achieve this title comes just once every three years – this being the second time since the program’s inception in 2016 that Spartanburg Water has taken home the honor.

Spartanburg Water is also just one of two utilities in all of South Carolina to ever be recognized for this award – and one of just 18 utilities globally to be named a Utility of the Future Today for a second time.

Utility of the Future Today was created by the National Association of Clean Water Agencies (NACWA), the Water Environment Federation (WEF), The Water Research Foundation (WRF) and the WaterReuse Association, with input from the U.S. Environmental Protection Agency (EPA), to showcase utilities that have successfully implemented new and creative efforts to address challenges faced by the water industry and the communities it serves.

The 65 honorees, including Spartanburg Water, are credited with embracing and implementing innovative approaches and technologies – related to energy, efficiency, water conservation, green infrastructure, community partnerships, and more – in order to improve sustainability and environmental impacts while lowering operational costs and helping boost the local economy.

Ms. Schneider introduced John Westcott, Regulatory Compliance Manager, who coordinates the submission of required documents to be considered for The Utility Of The Future Today Award. Spartanburg Water was one of just 65 utilities worldwide to receive recognition as a Utility of the Future Today (UotFT) for 2020. Spartanburg Water was also just one of 18 utilities globally to be named a Utility of the Future Today for a second time.

The Commission congratulated John Westcott, Regulatory Compliance Manager, and staff for the accomplishment of this award.

Mr. Littlejohn asked if receiving these awards help Spartanburg Water to receive grant funds. Ms. Schneider stated that it continues to put Spartanburg Water in a good light to EPA and others. As you know, over the last few years Spartanburg Water has received some RAA grants and have applied for 319 grants.

Ms. Barnes asked if the awards effect bond ratings. Mr. Pressley stated that operational compliance and efficiencies are considered during the bond process, not just financial information.

5. MONTHLY FINANCIAL REPORT

Newt Pressley presented a financial summary of SSSD 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.

6. COVID-19 REPORT

Ms. Schneider provided the Commission with an update on COVID-19. Spartanburg Water actively tracks daily positive case and death numbers in Spartanburg County. Average positive daily cases in April were 8.3, then a large increase in July to 67.3 with a decrease in August to 45.5. To date in September the average positive daily cases have increased to 50.9. Spartanburg County has had 6,238 positive cases and 177 related deaths.

An Assessment Team was formed to assess COVID-19 related cases within Spartanburg Water. The purpose of the team was to bring consistency in case management across all of Spartanburg Water. The team utilizes CDC and DHEC guidance and Spartanburg water practices to navigate each case. Since August 24 there have been eight employees out due to exposure or COVID-19 related symptoms. Of those eight, one employee tested positive. No cases have been found to be work-related exposures (this point is noteworthy as we have not been required to list any of these on our OSHA 300 log as work-related illnesses.) This team reviews every employee exposure to determine if quarantine is necessary.

Management continues to have weekly COVID-19 meetings, where we report out activities within our divisions, review pending actions, SC Governor Executive Orders, discuss the "Health of the Organization," review current changes and topics (e.g. communications to employees, guidance, PPE, and other topics related to COVID-19 that are affecting or could affect Spartanburg Water.

A distribution of 3,000 cloth masks among employees provided from the U.S. Department of Health and Human Services recently took place. A Face Covering Device assessment team was formed covering all departments. The purpose of the team was to go to their respective areas and evaluate face covering needs for tasks performed, compile the information, and develop a policy and protocol for all of Spartanburg Water. The Mask Guidance Document was posted on the Water Web on September 15, 2020, for training.

We continue to attend virtual events and webinars that are COVID-19 related (e.g. NACWA, WATERISAC, WEF, etc.). Licensure and Certification training has continued, on schedule, using web based training through water and wastewater support agencies, consultants, and vendors. Staff also meet virtual and Spartanburg Water events such as Water Matters and United Way have been changed to meet social distancing protocol.

The above was provided as information to the Commission.

7. 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 \$7,800 for SSSD and \$22,200 for SWS.

Ms. Viney moved and Mr. Littlejohn seconded the motion to approve management's recommendation to renew the agent/broker agreement with Steinberg and Associates. The motion passed unanimously.

8. 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: \$70,236 for SSSD and \$144,374 for SWS.

Ms. Viney moved and Mr. Montgomery seconded the motion 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.

9. PROCUREMENT POLICY REVISION

The Spartanburg Sanitary Sewer District 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 Sanitary Sewer District 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 Sanitary Sewer District, and the appeal process.

Revisions are proposed to Section 19. Authority to Resolve Protests of the Spartanburg Sanitary Sewer District 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~~ **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~~ **Executive Financial** Officer or his designee shall attempt to resolve the Protest by mutual agreement. The Chief ~~Executive~~ **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.

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.

Remsen Parrish, Purchasing Manager, provided the Commission with an overview of the requested update of the Procurement Policy. This revision is consistent with the protest guidelines of the State of South Carolina Procurement Code, it also reflects normal practice for Spartanburg Water.

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.

10. FAIRFOREST BASIN LARGE LINE CLEANING AND CCTV PROJECT – PHASE IV

Proposals were received September 8, 2020, for the contract cleaning and CCTV/Sonar inspection of approximately 14,100 LF of large diameter sewer pipelines of varying materials along Fairforest Creek from the terminus of the Phase III cleaning project to South Liberty Street near Logan Street. The contractor will provide cleaning (removal of 100% of loose debris and 95% of hardened debris), transportation of debris for disposal and pipeline inspection services.

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There are no known issues with sanitary sewer overflows (SSO’s) along this section of pipe; however, the most recent sewer system hydraulic model update and system evaluation indicated the opportunity for surcharging in this area during heavy rainfall events.

Interested contractors were requested to provide proposals that included information on company history, project team, project approach, previous experience, current workload, financial and insurance information, MWBE Utilization and community benefit program. The proposals were reviewed by three staff members, who used a weighted scoring system in their evaluation of (1) Approach and Strategy; (2) Technical Competency and Experience; (3) Schedule; (4) Cost; (5) MWBE Utilization; and (6) Community Benefit Program.

The Request for Proposal (RFP) was forwarded to twenty prospective contractors, advertised in the Spartanburg Herald Journal and posted on the Spartanburg Water website Current Opportunities page. Proposals received, with their average composite score and proposed cost, are as follows:

<u>BIDDER</u>	<u>AMOUNT OF BID</u>
Hydrostructures Cayce, SC	\$235,600
CES, LLC Baton Rouge, LA	\$284,000
Bio-Nomic Services, Inc. Belmont, NC	\$285,000
Envirosmart, Inc. Charleston, SC	\$315,217

Hydrostructures received the highest score among the proposal review team and had the lowest price. Management recommended the award of the contract for Phase IV of the Fairforest Basin Large Line Cleaning and CCTV project to Hydrostructures in the amount of \$235,600. Project will be funded by the collection system rehabilitation fund. SSSD will be responsible for the landfill disposal fees.

Ms. Barnes moved and Mr. Littlejohn seconded the motion to approve management’s recommendation to award the contract for Phase IV of the Fairforest Basin Large Line Cleaning and CCTV project to Hydrostructures. The motion passed unanimously.

11. 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 \$30,000 for SSSD and \$45,000 for SWS 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 Spartanburg Sanitary Sewer District 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.

Management recommended the approval of the amendment of the professional services contract with Summit Engineering Group to a lump sum amount of \$134,662 to SSSD and \$172,532 to SWS 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. 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. This project had already started, so Spartanburg Water wasn't included for reimbursement. Upon learning that Gaffney Board of Public Works was going to be reimbursed, Spartanburg Water asked to be reimbursed. There is a small utility and a large utility part to Act 36. After much conversation, to include the DOT Commission, it was decided that Spartanburg Water would be reimbursed as well. This reimbursement for SSSD will be approximately 1.4 Million, which includes the consultant work.

Mr. Montgomery moved and Ms. Barnes 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 \$134,662 from SSSD and \$172,532 to SWS for a total amount of \$307,194. The motion passed unanimously.

12. COLLECTION SYSTEM REHABILITATION UPDATE

Spartanburg Sanitary Sewer District has made a commitment to address the needs of its aging collection system infrastructure. In FY 20, approximately \$1,186,589.87 was invested in the rehabilitation of the collection system. The initiatives to protect our environment included thirteen wastewater collection system projects. This involved the rehabilitation of damaged aerial creek crossings, cleaning and assessing the condition of key portions of our sewer interceptors and collection system lines, clearing storm-damaged and overgrown sewer line right of ways, and replacing or rehabilitating several pipeline segments.

Janet Cann, Asset Engineering Manager, 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.

13. NEGOTIATIONS AND MISCELLANEOUS ADMINISTRATIVE MATTERS

- A. Newt Pressley provided the Commission with an update on the United Way Campaign. The campaign was held virtually this year due to COVID-19 and social distancing practices. With employee's generous support, a total of \$60,435.96 was raised. This is the largest donation amount in the history of Spartanburg Water's support of The United Way of the Piedmont.
- B. Ms. Schneider noted that the WEFTEC Connect virtual event will be held October 3-7.
- C. Ms. Schneider stated that the 2020 Water Matters Virtual Citizens' Academy will take place on four Thursdays in October – October 8, 15, 22, and 29 at 6:30 p.m. The virtual classes will take place on Zoom, with each lasting 45 minutes. Both water and sewer topics will be covered by Spartanburg Water presenters, with opportunities for live Q&A at the end of each class. Registration is open and available on the Spartanburg Water website:
<https://www.spartanburgwater.org/watermattersvirtual>
- D. Ms. Schneider reminded the Commission that Employee Shred Day is scheduled for Friday, October 16. Below is the stop schedule. Masks will be required when dropping off shred materials with the shred truck.

Administrative Office – HR Parking Lot: 8:00am – 9:00am
R.B. Simms Plant Welcome Center: 11:00am – 12:00pm
C&D Complex: 3:00pm – 4:00pm

Seven garbage bags or medium boxes per person. No media data such as tapes and compact discs. They are able to shred credit cards and papers with staples and paper clips.

- E. Ms. Schneider noted that in an effort to protect our Veterans during the pandemic, a recognition breakfast will not be held. Other alternatives are being looked at to recognize and honor our Veterans this year.
- F. Ms. Schneider reminded the Commission that due to the current safety protocol in place for COVID-19, Spartanburg Water is not offering onsite flu shots this year. However, the flu shot is provided at no cost for employees, spouses and/or dependents over 16 years of age covered on our health insurance with no copay at many provider locations. Also, due to safety protocols currently in place, we will not be offering on site blood donations at our facilities, at this time. We previously have used Blood Connection to administer these blood drives. Blood Connection is located at 270 North Grove Medical Park Dr., Spartanburg, SC 29303. To schedule an appointment to donate, call 864-641-6013.

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- G.** Ms. Schneider noted that the next Commission meeting will be held on Tuesday, October 27.

Meeting adjourned at 3:04 p.m.

G. Newton Pressley
Secretary-Treasurer

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