



AD HOC RECONSTITUTION COMMITTEE

Reconstitution Process Communication Memorandum #1

Date: December 10, 2025

To: Member Councils and leadership, Oconee County Council and leadership, West Union Council and leadership

From: Ad Hoc Reconstitution Committee

Purpose:

This memorandum is intended to be the first of many communications to each of the OJRSA Member Councils, Oconee County Council, and West Union Council and associated leadership to provide clear and consistent communication about the current status and proposed next steps for the OJRSA Reconstitution Project. The goal of these memos is transparency and to increase understanding so that each affected party is provided with the same foundational information.

Reconstitution Process Background:

In 2024 a study to consider the governance structure of OJRSA completed the Regional Sewer Feasibility Planning Study (Feasibility Study) which included the following:

- Background research of each public sector wastewater provider (both treatment and collections)
- An analysis of technical, financial, managerial, and operational concerns
- Final recommendation for the reorganization and/or consolidation of the OJRSA governing body, including next steps or phases. The recommendations were required to span the following core areas: (1) governance, (2) revenues and finance, (3) environmental compliance, (4) utility resources, and (5) efficiency in operations and service

The ultimate goal of this effort was to provide insight into why the issues exist and outline recommendations on what may be done to ensure that sewer operations in Oconee County remain viable for the future.

Reconstitution Recommendations:

The main recommendation that resulted from this study was the development of an Ad Hoc Regional Feasibility Study Implementation Committee. That committee convened seven times and developed a series of recommendations that are outlined and have been previously provided to each subject entity on June 16, 2025.



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After analyzing many paths forward, consolidation was the preferred next step for the implementation committee to consider for the following reasons:

- 1) Regulatory compliance is at risk with the current disjointed system.
- 2) Consolidating the systems results in better financial management of operations with economies of scale.
- 3) The development of a unified and equitable rate structure will benefit the system in the long term, making costs consistent in the region for rate payers and also allowing for those rates to help fund the needed maintenance costs to keep the system running in good shape.
- 4) Changing the Board of Commissioners members to a governor appointed body helps to remove the dual role conflict that is currently in place. Present members are asked to serve both their member municipality and the current OJRSA which inherently causes conflict.
- 5) New governing documents will be clearer, avoid contradictions, and consolidate language to avoid current confusing guidelines.



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Additional Background Information

OJRSA Background:

The Oconee County Sewer Commission was formed in 1971 for the purpose of determining the feasibility for a modern, consolidated wastewater treatment facility under the terms of Act No. 950 of 1971, as amended. That Commission determined there was a means and method to provide service to improve the environmental and economic climate in Oconee County.

Oconee County held a “going into the business” sewer referendum and, by ordinance, No. 78-2 dated February 28, 1978, created the Oconee County Sewer Commission¹ (OCSC), establishing a sewer utility and constructing the new Coneross Creek Water Reclamation Facility (Coneross Creek WRF or CCWRF), located southwest of Seneca.

On February 4, 1980, the OCSC began receiving flow at its pump stations and the Coneross Creek WRF. Prior to becoming operational, OCSC entered into service agreements with the cities of Seneca, Walhalla, and Westminster (collectively referred to herein as Member Cities or Cities), as well as the town of West Union, under which the Cities would maintain ownership and maintenance of their existing satellite sewer systems and discharge their wastewater to the OCSC. These discharge points would be located at strategically located trunk sewer connection points for conveyance to the Coneross Creek WRF. This contract-based arrangement lasted until the mid-2000s, when it was decided the OCSC would best be served as its own organization without Oconee County’s oversight.

The Oconee Joint Regional Sewer Authority (OJRSA) was established as a Joint Authority Water and Sewer System in 2007 under the provisions of Title 6 Chapter 25 of the Code of Laws of South Carolina 1976, as amended. Upon creation, the Oconee County transferred all of its assets, including the Coneross Creek WRF to OJRSA.

OJRSA was established, and is now governed, by the provisions of an agreement entitled “Inter-Municipal Agreement and Joint Resolution Creating a Joint Authority Water and Sewer System”² by and among the Member Cities and filed in the offices of the Clerk of Court of Oconee County as of October 31, 2007 (Authority Agreement). OJRSA is governed by a commission consisting of nine commissioners (Authority Commission). Pursuant to the Authority Agreement, the Authority Commission is composed of four members appointed by Seneca, two members

¹ Same name, different government organization from the Special Purpose District.

² Pursuant to Chapter 25, Title 6, South Carolina Code of Laws as Amended by Act No. 59, South Carolina Acts and Joint Resolutions, Effective June 6, 2007, and Assignment of Rights, Privileges, Duties and Obligations Previously Agreed to by the Parties, and Agreement of the Authority to Provide Sewer Services.



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appointed by Walhalla, two members appointed by Westminster, and one member jointly appointed by Walhalla and Westminster (each a Commissioner).³

The Authority Commission serves as the legislative body for OJRSA and is responsible for hiring an executive director to oversee OJRSA's day-to-day operations and implement the policies adopted by the Authority Commission. Neither Oconee County Council nor the town of West Union⁴ have direct representation on the Authority Commission.⁵

Public Sewer Today:

OJRSA is the only public sewer treatment provider in Oconee County, excluding small package plants that serve specific properties, such as Oconee State Park⁶. They own and operate a 7.8 million gallons per day (mgd) Coneross Creek Water Reclamation Facility (WRF) in Seneca, SC as well as 65 miles of gravity sewer, 24 miles of force mains, and 15 pump stations. Each municipality also has their own public sewer infrastructure, which includes the following:

- Seneca, Walhalla, Westminster, and West Union each have their own municipal collection systems, pump stations, and force mains (Figure 2 – Public Sewer System Service Area). This infrastructure connects to the OJRSA trunk line system and are conveyed to the Coneross Creek WRF.
- Oconee County owns the Golden Corner pump station and force main that runs along Highway 59 which is commonly referred to as Sewer South Phase I. OJRSA operates and maintains the Sewer South infrastructure on behalf of Oconee County.
- A new sewer line from Golden Corner Commerce Park to Exit 1 and Exit 2 along Interstate-85, called Sewer South Phase II, is currently under construction. This study assumes construction for Phase II is expected to be completed in Summer 2024. This extension will be owned, operated, and maintained by OJRSA.

Currently, OJRSA is funded by base and volumetric fees assessed on the sewer customers served by the retail wastewater providers of Seneca, Walhalla, Westminster, and West Union (collectively referred to as the “retail providers”). The retail providers own and maintain their own collection systems that convey flow to OJRSA for transport to the Coneross Creek WRF for treatment. OJRSA does not receive any ad valorem tax (property tax) money or other funding except for maintenance funding for Sewer South Phase I, which is provided by Oconee County.

³ The Walhalla/Westminster joint appointment and one of Seneca's four are “at large” representatives, meaning they cannot be an employee for any Member City, nor can they live inside the municipal boundary of one of the cities.

⁴ Under the Authority Agreement, West Union will not be entitled to a representative until they reach 10% of the cumulative flow to OJRSA, per then intergovernmental governmental agreement.

⁵ Both Oconee County and West Union own sewer infrastructure that is currently served by OJRSA.

⁶ Owned by the State of South Carolina.



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Once the Sewer South Phase II Project goes online, OJRSA will be the retail provider for this area. The Appalachian Council of Governments (ACOG) designated OJRSA as being the retail provider for this area in 2018 when Oconee County began planning for Sewer South Phase II. Pioneer Rural Water District is also chartered for sewer collection services (not treatment); however, they declined to serve at the time as they did not want to get into the retail sewer business.

Table 1 provides a chronological overview of successive actions and agreements along with their basic terms and conditions and is necessary to understand the complexity of the current governance structure of OJRSA⁷.

Table 1. Foundational Documents for Sewer in Oconee County

Law/Agreement	Summary
Act to Create the Oconee County Sewer Commission No. 950, 1971	Established the Oconee County Sewer Commission with five members appointed by the Governor upon the recommendation of the Oconee County Legislative Delegation, including the resident Senator. The Commission was tasked with studying the feasibility of establishing sewer districts and advising the county governing body and legislative delegation on district creation.
Resolution No. 76-21, 1976	Confirmed the results of a referendum approving the acquisition, construction, maintenance, and operation of a sewage waste disposal system in Oconee County.
Ordinance No. 78-2, 1978	Established the governance structure and operation guidelines for the Oconee County Sewer System, including the creation of the Oconee County Sewer Commission ² with nine members appointed by the County Council. The Commission was responsible for operating the county's wastewater treatment program, setting rates for users, preparing annual budgets, and hiring personnel, subject to approval by the County Council.
Memorandum of Understanding, 2004	Established the roles and responsibilities of Oconee County and the Oconee County Sewer Commission regarding the county's wastewater treatment facilities. It confirmed the county's authority over the Sewer Commission and established financial arrangements.
Memorandum of Understanding, 2005	Established agreements between Oconee County, the Commission, and several municipalities regarding water and sewer issues. It clarified funding and system maintenance responsibilities.
Sewer Water Action Group Intergovernmental Agreement, 2005	Outlined cooperation between Oconee County, municipalities, and the Commission for water and sewer infrastructure, ensuring fair treatment and cost distribution.
Amendment to Sewer Water Action Group Intergovernmental Agreement, 2006	Amended the original agreements that were executed in 1978 and 1979 in their entirety, contained many of the provisions in the previous agreements and outlined specific requirements related to the municipalities and Oconee County.
Cornelius vs. Oconee County, 2006	Involved a lawsuit regarding the county's funding plan for sewer projects, which the court ruled must comply with the terms of the 1976 referendum.
Intermunicipal Agreement and Joint Resolution, 2007	Created the OJRSA and outlined the responsibilities, rights, and obligations of the Authority and members regarding the operation and maintenance of the sewer infrastructure previously owned by the

⁷ It is noted that there may be other ancillary documents related to the history of OJRSA; however, the ones contained in this report are those that are the most pertinent to a review of the current OJRSA governance.



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	Commission. It established governance, representation, and voting mechanisms for the authority. It incorporated by reference the 2004 and 2005 MOUs along with the 2005 and 2006 agreements.
Oconee County Referendum, 2012	Expanded the allowable funding sources that could be utilized by Oconee County for the provision of sewer infrastructure in unincorporated areas of the county.
Intergovernmental Operation Agreement, 2019	Established terms governing collaborative efforts between Oconee County and the OJRSA, emphasizing Oconee County's ownership of the Sewer South System and outlining obligations related to operation, maintenance, access rights, financial responsibilities, and record-keeping.
Intergovernmental Operation Agreement Amendment, 2019	Clarified that Oconee County would own Phase I of the Sewer South System and that OJRSA would own Phase II.

Private Sewer Today:

There are several private package plants within the Oconee County that operate separately from OJRSA. Additionally, in more rural regions, many households use personal septic systems.