



Oconee Joint Regional Sewer Authority

623 Return Church Road
Seneca, South Carolina 29678
Phone (864) 972-3900
www.ojrja.org

OCONEE JOINT REGIONAL SEWER AUTHORITY Ad-Hoc Reconstitution Committee and Executive Committee October 9, 2025

The Ad-Hoc Reconstitution Committee and Executive Committee meeting was held at the Coneross Creek Wastewater Treatment Plant.

Commissioners/Committee Members that were present:

- Katherine Amidon (Environmental Planner, Bolton & Menk)
- Chip Bentley (Appalachian Council of Gov'ts.)
- Kevin Bronson (City of Westminster) – Committee Chair
- Chris Eleazer (Oconee Joint Regional Sewer Authority)
- Lawrence Flynn (Pope Flynn - OJRSA Attorney) – *via Microsoft Teams*
- Joel Jones (Consultant, JonesWater) – *via Microsoft Teams*
- Angie Mettlen, (Vice President, Ardurra)
- Scott Moulder (City of Seneca)
- Celia Myers (City of Walhalla)

Committee Members that were not present:

- Amanda Brock (Oconee County)

OJRSA appointments and staff present were:

- Lynn Stephens, Secretary/Treasurer to the Board and Office Manager

Others present were:

- Mayor Linda Oliver, Town of West Union
- Dick Mangrum, WGOG Radio

A. Call to Order – Mr. Bronson called the meeting to order at 9:00 a.m.

B. Approval of Minutes

- **Ad Hoc Reconstitution Committee and Executive Committee Meeting of September 11, 2025** – Ms. Amidon stated that she suggested a few minor edits to the minutes, as she was specified directly for things that pertained to this committee, the OJRSA, and the consultants. The items that were changed were highlighted in yellow pages 3 and 4 on the “corrected copy” of the minutes (*made a part of these minutes*).

Mr. Moulder made a motion, seconded by Mr. Bentley, to approve the September 11, 2025 meeting minutes with the edits made by Ms. Amidon. The motion carried.

C. Committee Discussion and Action Items:

1. **Consider Updated Master Plan Recommendations and Consider Action Items Listed in the New Review Summary Section (Pages 1-3) (Exhibit A)** – Ms. Amidon stated that from page 3 onward, everything should be the same as seen before with just a few small edits based on feedback from this committee. A summary was placed at the beginning of the document discussing how things stand and the next steps.

Mr. Eleazer asked if he had any updates on the document that the OJRSA was involved in that was commissioned back a couple years ago and doesn't have to be discussed in the committee meeting, should he just send to Ms. Amidon. Ms. Amidon replied yes and added that this is a living/breathing document that can be updated. Some items may be removed as priority as things evolve, and others may come to the front burner. The ownership of who does the implementation, as suggested from the Master Plan, isn't necessarily the OJRSA but rather the municipalities as a whole.

Ms. Amidon stated it was learned last month about a pilot project between Oconee County and the City of Seneca to talk about land use immediately adjacent to the city, and a few other ideas were offered. It is up to this committee if it wants to move forward on them.

Mr. Bronson suggested Mr. Eleazer update the board on what Ms. Amidon has provided at a future board meeting. Mr. Moulder agreed, as this is the guiding document that this committee will work from. Mr. Eleazer said he will provide it at the next board meeting and will add his comments on it and provide that to Ms. Amidon.

2. Update on Discussion with Oconee County Attorney Regarding County Ordinance 34 - Utilities –

Mr. Flynn stated he had several emails back and forth with Oconee County Attorney, Mr. David Root, which ended with a short conversation yesterday. The result was that Mr. Root agreed, based on his review of the Sewer Use Regulation as codified in Oconee County's Code of Ordinances, that it does not need to be there any longer.

Mr. Root is going to make a recommendation (and theoretically could have a draft of the Ordinance for first reading on the agenda for County Council's meeting next week) to go ahead and repeal the two (2) offending sections of Chapter 34, Articles 3 and 4, dealing with the Sewer Use Regulation and have it repealed by year end.

Mr. Flynn added that he and Mr. Eleazer have reminders on their calendars to follow up next week to see if the repeal has been put in place and will stay on it to make sure it happens.

Mr. Bronson stated, for the record, that he neglected to welcome Mayor Linda Oliver of West Union to the meeting today. He thanked her for being here and participating in the discussion.

3. Update on Outstanding Municipal Sewer Debt – Mr. Flynn said he had a conversation last Friday with Mr. Michael Burns, Mr. Brandon Norris, and Mr. Michael Kozlarek, the bond counsels for Seneca, Westminster, and Walhalla. They were all generally aware of the Ad-Hoc Committee conversations that are going on. Mr. Flynn said he brought them up to speed on the status of the reconstitution efforts and shared a copy of the Ad-Hoc Committee reports for their records. There was a good discussion about what it would look like in the event of reconstitution and the consolidation of the various collection systems were captured by the reconstituted entity and how that would be dealt with for outstanding revenue bond purposes for each of the various systems. There were conversations around necessary USDA consent, which deals with some of the Westminster and Walhalla debt. There is an open issue about the Walhalla debt because of the water plant and the combined resources that are pledged as security for those obligations. This was all taken as information under advisement. Their next step will be to reach out to the individual cities. He asked Mr. Moulder, Mr. Bronson, and Ms. Myers that if they do not hear from their bond counsel soon, to plan to put it back on the front burner for them to start digging into it. This will be a long-running issue that needs to be addressed, and the committee will need to know what the process will be for each of the entities sooner rather than later.

Mr. Bronson said he had two (2) conversations with Mr. Michael Burns, and it is underway.

4. Consider Approving Draft of Recommended Revisions to South Carolina Code of Laws Title 6 Chapter 35 (Joint Authority Water and Sewer Systems Act) and Submitting to Oconee County Delegation for Consideration (Exhibit B) – Mr. Flynn stated this is the same version from the last several months. The conversation at last month's meeting was to contact Senator Alexander and some of the other members of the Oconee Delegation, and some initial attempts to do so have

started. There are no material changes to the terms of the document, and there will be feedback from legislative drafting once it gets turned over to them. Mr. Flynn said he would defer to this committee as to the conversations to be had with the various local leadership and Oconee County about getting it introduced.

Mr. Bronson said he and Mr. Eleazer had one (1) conversation with Senator Alexander a while back and asked Mr. Eleazer if there were any other conversations since. Mr. Eleazer said he met with Senator Alexander one (1) time recently and gave him a copy and an electronic copy of the document. He added that he has been less successful obtaining a meeting with Representative Duncan and Representative Whitmire. They have been unable to find a time to get together.

Mr. Flynn added the idea of bringing on a lobbyist to shepherd the process through has been discussed in the previous Ad-Hoc Committee meetings and the board meetings, and he is unaware if this conversation is continuing, but he is putting it back out there to keep it on the front burner due to the importance in legislation and the full reconstitution process.

Mr. Eleazer said he spoke to Mr. Earl Hunter (a former SCDHEC commissioner who is now a lobbyist), and Mr. Hunter is ready and waiting for any directions that will be provided by this committee and the board. Mr. Eleazer added that the initial decision was to work directly with Senator Alexander and the local delegation and then decide to bring a lobbyist on if necessary. Ms. Mettlen said this is good, as Mr. Hunter is also the lobbyist for the combined water associations, so he can help smooth it over.

Mr. Eleazer asked Mr. Flynn if this committee needs to approve this document to move forward. Mr. Flynn replied that it has already been approved by the previous Ad-Hoc Committee and the board. If this Reconstitution Committee wants to formally approve it that's fine, but this committee doesn't control it. The direction from the committee and the board was that the document was to be shared with Senator Alexander and to press upon him the request to have it pre-filed as part of the pre-file legislation, so it is on the legislative calendar (which is done in December), and to get confirmation that it will be introduced before the start of the session. This is the last year of the two-year legislative cycle, and there is not a ton of wiggle room for this to delay. This document needs to get full support, and Senator Alexander needs to be committed to it.

Mr. Moulder said he feels the board would have to approve it. Mr. Bronson replied that he and Mr. Flynn believe the board already did approve it. Mr. Moulder agreed and said he feels this committee doesn't need to.

- 5. Receive Responses to Questions and Comments from the Municipalities and County** – Mr. Flynn said comments were received from all the existing members and the Town of West Union, and Ms. Amidon consolidated those into one (1) document. If there was overlap, it was left in there to provide the manner in which it was presented.

Mr. Flynn said he, Mr. Jones, Mr. Eleazer, Ms. Mettlen, and Ms. Amidon were the consulting group that answered the questions as best they could. This is a working draft, and no one (other than the consulting group) has seen the proposed answers. There is no need for follow-up today as these answers are just being received; however, Mr. Flynn suggested sharing them with the individual Member Cities' and Town of West Union councils for possible follow-up questions or concerns.

Mr. Flynn added that there have been conversations with Oconee County, and they haven't formally met to approve the approval resolution, but the feedback and answers to the questions they asked were provided in this document as well. He said this is a work in progress, and the goal is that any questions, as they pop up in the process, will get addressed to avoid miscommunication.

Mr. Bronson asked if an electronic copy of the document could be sent out. Mr. Eleazer replied he would forward it to everyone and put it on the OJRSA website.

Mr. Bronson said he thinks the consulting group did a great job on getting the answers out and will take it back to his city's council. He added that there may be more questions to come out of it.

Ms. Mettlen replied that she expects this; this is not done every day, and it is not an easy, clear-cut process.

Mr. Bronson told Mayor Oliver that he wants to make sure the Town of West Union gets all their questions answered properly. He said when Mr. Eleazer sends out the answers, if West Union has any other questions or concerns, to send them to Mr. Eleazer to give to this committee and the consultant group.

- 6. Consider Initial and Revisions to Corrective Action Plan and Capital Improvement Plan Updates as Submitted to OJRSA by the Cities Beginning in 2024 for Determining Needs for Technical and Financial Evaluation of Systems** – Mr. Bronson stated he was listed on the agenda to present this and did not know where to go with it. Mr. Eleazer replied this was just to open the discussion as he was asked at the last meeting to provide information to the Member Cities regarding the Corrective Action Plan and the Capital Improvement Plan and see if there have been any updates since last year.

Mr. Bronson asked if Mr. Eleazer received any information back. Mr. Eleazer replied no; he stated he asked the cities to reply to Ms. Mettlen while he was away at a conference and asked her if she received anything. Ms. Mettlen said no.

Ms. Mettlen said the goal is to get a more realistic picture of what the future capital needs will be for each system. There are varying degrees of information in each of these documents; some have good numbers and some do not. If this process is to be used, there needs to be a little more digging into it. Ms. Mettlen added that Westminster has \$10 million planned out over the next ten (10) years, Walhalla has \$1.5 million, and Seneca has a lot of plans with \$7 million for a pump station they are doing right now and approximately \$1.5-\$2 million for another pump station in the near future; however, she is not sure that is everything. She stated that even with some of the studies, she is not sure what numbers to put in. Mr. Moulder said most of Seneca's studies were for expansion and not improvements to the existing system.

Ms. Mettlen said even if it a planning-level estimate only, this gets it closer to being able to use the information and not have to redo everything. She stated that looking at the scope of work with what was done in Greenville County with MetroConnects, it was not going out and doing a Sanitary Sewer Evaluation Study (SSES). It was desktop evaluation with information provided by each of the entities, and it was high-level planning costs. A summary can be pulled together if everyone could just dig in a little more and give some additional information.

Mr. Eleazer asked with what is being asked for, would this be used to determine the system valuation as well as the effort that will be needed for the technical. Ms. Mettlen said yes, it all goes together. It all comes from annual reports regarding condition, depreciation, and debt service. She said the consultants need this number to go into the financial piece, which is the valuation and the rate portion of the assessment. She added that MetroConnects had two (2) different financial consultants to do those, but the OJRSA can have one (1) consultant.

Ms. Mettlen said there is no need to know every inch of the systems at this point, and it's known that everyone doesn't want to pay a lot of money to do in-depth field assessment at this time (which is fine); however, more information is needed to build this out appropriately. She said there is a lot of work in progress, and this can be used towards providing further information by taking the cost for the portion of the system being renewed right now and extrapolate that over the rest of the system to get a number.

Mr. Bronson said Westminster got approximately \$3.2 million SCIIP approval, and he needs to give Ms. Mettlen this information, and he read that the City of Walhalla recently got SCIIP approval to do some more work. Ms. Myers said she would provide Ms. Mettlen with Walhalla's information.

Mr. Bronson requested the timeline for this information. Ms. Mettlen said consultants were to be under contract by December 14, 2025, which may not happen as that was an aggressive timeline to begin with; therefore, if it can be done within thirty (30) days, that would be great. She added if it has to be pushed back to just let her know. Ms. Mettlen added that five (5) years of data is clear,

but ten (10) would get into the bigger picture and is a reasonable planning period for what is trying to be accomplished.

Ms. Amidon asked if everyone knew what they needed to provide, or if she should create a bullet list. Everyone thought it was good for Ms. Amidon to provide a list.

Ms. Mettlen said she will share the scopes of work for the two (2) financial consultants that did the financial evaluation, valuation, and rate study to see what it looks like. Mr. Bronson asked if they would want to see the most recent audits; Ms. Mettlen said, "Yes, for sure." Ms. Mettlen said there is a lot of background data, from the study that started all of this, that can be shared with whoever is going to do the financial side of things. A piece of this was done with Willdan from the OJRSA rate model. This is a little better situation than MetroConnects began with.

Mr. Eleazer said that, as part of the Corrective Action Plan, everyone was asked to do a rate study for their system. The City of Westminster completed one from Raftelis. Mr. Bronson said he sent it to Ms. Mettlen, Ms. Amidon, Mr. Jones, and he thought he sent it to Mr. Eleazer. Mr. Eleazer confirmed he has it. Ms. Mettlen asked, if anyone else has done the rate study, could they provide it as it would cut down on some costs.

Mr. Bronson asked if the date in December isn't met, are we now looking at January? Ms. Mettlen replied she is more about meaningful progress and not just trying to hit milestone dates just on account. She said she would rather take a little time, since this data is so important. She will share the scopes of work, and the members can share any rate study information as well as audit information. The previous audits were already collected from the previous study.

There was some discussion about the information presented and the Member Cities' and Town of West Union's councils having sufficient information to base their decisions on. Ms. Amidon asked if making individual folders for each Member City and Town of West Union and put the information that has already been received in them for review. Everyone liked that idea.

Mr. Moulder asked if the OJRSA had a valuation done for the plant and assets. Mr. Eleazer replied that the Capital Improvement Plan included that, but he is not sure how the valuation of the assets is going to be done. Ms. Mettlen said that is part of the whole process. Mr. Eleazer said with Ardurra being involved in the Consent Order and CMOM, and the considerable CCTV work that has been done, this gave a general understanding about the condition of the assets.

Mr. Bronson said the City of Westminster has done some work and will be able to submit some data from that.

Mr. Bronson asked what topics need to be discussed at the next meeting:

- Ms. Mettlen said one topic should be feedback on the two (2) scopes of work for the financial piece and discussion if both the valuation and rate pieces should be combined into one (1) consultant. (She said she is unsure why MetroConnects split it out.) Ms. Mettlen asked Mr. Jones if he knew why one consultant did the valuation piece and another consultant did the rate piece, and he was not sure. Mr. Flynn asked if Ms. Mettlen meant Raftelis and First Tryon; Ms. Mettlen replied yes.

Mr. Flynn said they have very distinct and separate roles. Raftelis is a rate consultant and has a separate group that does system valuations, and they used the operating numbers that First Tryon develops to show operations and debt. There is real value in having both, because they both do those things independently and well. Ms. Mettlen said she would share the scopes of work from First Tryon and Raftelis, and the committee will have to decide whether to have one (1) or two (2) consultants.

Mr. Flynn added that Willdan has done some rate work for the OJRSA in the past, and First Tryon has been involved in some financial advisory planning. He said he does not know their relationship with the Member Cities. Mr. Bronson said the City of Westminster is involved with both Raftelis and First Tryon.

- Ms. Amidon suggested another topic be discussing the cost sharing for the actual work and how it should be broken up based on the spreadsheet she provided earlier. Ms. Mettlen said Mr. Flynn has some ideas on that as well.

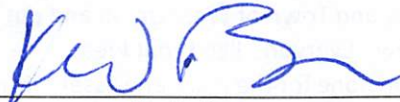
Mr. Bronson asked if anyone had anything else to add today. Mayor Oliver said she has not heard anything more about the resolution that was amended, as the Town of West Union is not currently a member. Mr. Flynn said he thought it was already adopted. Mr. Bronson said the resolution was adjusted and sent to Mr. Flynn to confirm it was okay for Mayor Oliver to sign it. Mr. Flynn asked for someone to resend the adjusted resolution to him, and he would review it and let Mayor Oliver know.

D. Adjourn – The meeting was adjourned at 9:50 a.m.

Upcoming Meetings

1. **Operations & Planning Committee** – Thursday, October 23, 2025 at 8:30 a.m.
2. **Finance & Administration Committee** – Tuesday, October 28, 2025 at 9:00 a.m.
3. **Board of Commissioners** – Monday, November 3, 2025 at 4:00 p.m.
4. **Ad-Hoc Reconstitution Committee** – Thursday, November 13, 2025 at 9:00 a.m.

Approved By:

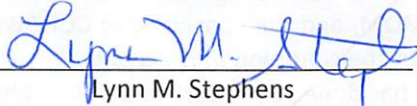


Kevin Bronson
Committee Chair

Date Approved:

11/13/25

Approved By:



Lynn M. Stephens
OJRSA Secretary/Treasurer

Notification of the meeting was distributed on September 11, 2025 to *Upstate Today*, *Anderson Independent-Mail*, *Westminster News*, *Keowee Courier*, WGOG Radio, WSNW Radio, City of Seneca Council, City of Walhalla Council, City of Westminster Council, Oconee County Council, SC DHEC, www.ojrsa.org, and posted at the OJRSA Administration Building.



Ad Hoc Reconstitution Committee and Executive Committee

OJRSA Operations & Administration Building
Lamar Bailes Board Room
October 9, 2025 at 9:00 AM

This advisory committee was established by the OJRSA Board of Commissioners at its August 4, 2025 meeting to consider the reorganization recommendations as identified in the [Ad Hoc Sewer Feasibility Implementation Committee Final Recommendations](#) report. This committee can neither create policy nor make decisions on behalf of the OJRSA or other wastewater service providers within the area. The recommendations are available at www.ojrsa.org/info.

OJRSA commission and committee meetings may be attended in person at the address listed above. The OJRSA will also broadcast meetings live on its YouTube channel at www.youtube.com/@OconeeJRSA (if there is a technical issue preventing the livestreaming of the meeting, then a recording will be published on the channel as soon as possible). For those not able to attend in person, then the OJRSA Board or Committee Chair will accept public comments by mail (623 Return Church Rd, Seneca, SC 29678) or at info@ojrsa.org. Comments must comply with the public session instructions as stated on the meeting agenda and will be received up until one hour prior to the scheduled meeting. If there is not a public session scheduled for a meeting, then comments shall not be accepted.

Agenda

- A. Call to Order** – Kevin Bronson, Executive Committee Chair
- B. Approval of Minutes**
 - Ad Hoc Reconstitution Committee and Executive Committee Meeting of September 11, 2025
- C. Committee Discussion and Action Items**
 1. Consider updated master plan recommendations and consider action items listed in the new review summary section (pages 1-3) (Exhibit A) – Katherine Amidon, Committee Facilitator
 2. Update on discussion with Oconee County attorney regarding County Ordinance 34 - Utilities – Lawrence Flynn, OJRSA Attorney
 3. Update on outstanding municipal sewer debt – Lawrence Flynn, OJRSA Attorney
 4. Consider approving draft of recommended revisions to South Carolina Code of Laws Title 6 Chapter 35 (Joint Authority Water and Sewer Systems Act) and submitting to Oconee County Delegation for consideration (Exhibit B) – Lawrence Flynn, OJRSA Attorney
 5. Receive responses to questions and comments from the municipalities and county – Lawrence Flynn, OJRSA Attorney
 6. Consider initial and revisions to Corrective Action Plan and capital improvement plan updates as submitted to OJRSA by the cities beginning in 2024 for determining needs for technical and financial evaluation of systems – Kevin Bronson, Committee Chair
- D. Adjourn**

Upcoming Meetings

All meetings to be held in the Lamar Bailes Board Room unless noted otherwise.

- Operations & Planning Committee – October 23, 2025 at 8:30 AM
- Finance & Administration Committee – October 28, 2025 at 9:00 AM
- Board of Commissioners – November 3, 2025 at 4:00 PM
- Reconstitution Committee and Executive Committee – November 13, 2025 at 9:00 AM



Ad-hoc Reconstitution

Meeting Sign-in Sheet

Date: 10/9/25

Time: 9am

Location: WWTP Board Room

NAME (Print)

POSITION/TITLE

ORGANIZATION

Angie Mettlen

Director

Ardurra

Katherine Anderson

Planner

Bot. Mark

① Dick Mangan

Reporter

WGOE

Scott Monahan

BOARD

Seneca

Hinda Oliver

Visitor

West Union

Chip Bentley

~~ACOG~~ Visitor

ACOG

Celia Myers

admin

Walhalla



Oconee Joint Regional Sewer Authority

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CORRECTED COPY

OCONEE JOINT REGIONAL SEWER AUTHORITY Ad-Hoc Reconstitution Committee and Executive Committee September 11, 2025

The Ad-Hoc Reconstitution Committee and Executive Committee meeting was held at the Coneross Creek Wastewater Treatment Plant.

Commissioners/Committee Members that were present:

- Katherine Amidon (Environmental Planner, Bolton & Menk)
- Chip Bentley (Appalachian Council of Gov'ts.)
- Amanda Brock (Oconee County) – *via Microsoft Teams*
- Kevin Bronson (City of Westminster) – Committee Chair
- Chris Eleazer (Oconee Joint Regional Sewer Authority)
- Lawrence Flynn (Pope Flynn - OJRSA Attorney) – *via Microsoft Teams*
- Joel Jones (Consultant, JonesWater)
- Angie Mettlen, (Vice President, Ardurra)
- Scott Moulder (City of Seneca)
- Celia Myers (City of Walhalla)

Committee Members that were not present:

- None. All members were present.

OJRSA appointments and staff present were:

- Lynn Stephens, Secretary/Treasurer to the Board and Office Manager

Others present were:

- Mayor Linda Oliver, Town of West Union
- Robert Royer, AQD
- Ms. Dixie Meeks, Town of West Union Councilwoman

A. Call to Order – Mr. Bronson called the meeting to order at 9:00 a.m.

B. Moment of Silence to Honor the Memory of the Victims, Remember the Heroism of First Responders, and Reflect Upon the Lasting Impact of the Events of September 11, 2001 – Mr. Bronson asked everyone to stand and observe a moment of silence.

Mr. Bronson stated that Mr. Flynn is attending the meeting via Teams meeting; Mr. Eleazer reported that Ms. Brock is also attending the meeting via Teams meeting.

Mr. Bronson introduced Mayor Linda Oliver and Councilwoman Dixie Meeks, both from the Town of West Union, who attended today to discuss their questions and concerns about the possible consolidation of the sewer systems.

Mr. Bronson asked Mayor Oliver what would help the Town of West Union the most. Mayor Oliver stated that the town's attorney edited the resolution, because it stated that the Town of West Union was a member of the board and it is not. She provided a copy of the reworded document to make sure it is sufficient for the town to sign.

Mayor Oliver said the attorney also had some questions: 1) What would be the advantage to West Union of joining the OJRSA? 2) Will the ownership of the system be transferred to the OJRSA? and 3) Who would operate and maintain the system, or would the town still be responsible for that?

Mr. Bronson asked if the questions could be answered later in the meeting when the questions from the Member Cities are answered, as some may be the same questions that can be answered at the same time.

Mr. Flynn said the recommendation of the Ad-Hoc Implementation Committee was that all collection systems for all current members, which would include West Union as a wholesale provider, be turned over to the OJRSA as the operator; therefore, that would be part of the consideration and part of the request. He added that, regarding the benefit question, analysis still needs to be done by the consultants, but sewer operates more efficiently on a larger scale; even though the systems are not fully interconnected, there is cost efficiency associated with having a single operator as opposed to a small system running a collection system.

Mayor Oliver asked if the town would be compensated for the OJRSA taking over the system. Mr. Flynn answered that Westminster had the same question, and there is not a "magic pot of money" that will pay anyone. The systems are made up of the members participating in this organization, and the way revenue is generated is from the rate base for the customers the cities have. It is a question of figuring out what the financial value is, which will be part of the analysis provided by the financial consultants. Mr. Flynn added that he doesn't feel it's feasible for a windfall payment to any of the cities for acquisition of the systems.

Mr. Flynn said the question each entity will wrestle with is can you continue to run your system and operate it at the level of health and public safety standards that are necessary for running a public sewer system on the revenues that you currently receive. If the system is fully depreciated, or some of the improvements have not been made to the system, there is going to be a time and place where the depreciated book value of the system will mean there is more improvement necessary to be able to keep it operational than there is value of the lines.

Mr. Bronson explained that Ms. Mettlen and Mr. Jones will walk this committee through a discussion about doing a financial and technical analysis of the systems during item #5 of this agenda. Mr. Bronson said everyone is turning over something of value, but does the asset value exceed the liability value, and how is this calculated? This committee endeavors to determine that, and there are copies of studies that were done before. Mr. Bronson added that the purpose of this agenda today and for future meetings is to discuss this and sort it out.

Mr. Bronson agreed with Mr. Flynn that there isn't a pot of money at the OJRSA to pay for the lines; however, he added that there are other mechanisms that can be utilized that will help compensate the communities back such as the possibility of charging a franchise fee which would allow the cities to be compensated over time for the system. Mr. Bronson explained how OJRSA pays Pioneer Water based on the meter readings for water (for the I-85 sewer system).

Mayor Oliver said that if the system is taken over, her concern is that this will be a budget item that she won't be able to work with anymore to pay her employees, and it will have to be compensated elsewhere. She asked if the customers would be billed directly from the OJRSA. Mr. Eleazer replied that it will continue the way it is now where West Union bills the customers and then sends the flow information and user fee check to the OJRSA and that the OJRSA wouldn't want to spend money to buy sewer meters for each customer.

Mr. Eleazer stated that Pioneer bills their customers for OJRSA and provides the flow information and fees to the OJRSA; they don't get a franchise fee, but the OJRSA pays them a \$4.00 per month per meter administrative fee for handling the billing and cost of water meters. Ms. Meeks asked, with keeping the maintenance department going in changing meters and reading the meters, if the administrative fee was negotiable as their system is very small. Mr. Eleazer replied that Pioneer only has two (2) sewer customers currently on the system and is collecting \$8.00 per month, and although any administration or franchise fee is negotiable, any franchise fee would subsequently be charged to

the sewer customers. He also said that he would like a universal rate that all the entities would charge their customers. Mr. Flynn agreed that it was recommended to have a universal rate base.

Mr. Eleazer also stated that he read an article today that alluded to the Town of West Union having a guaranteed seat on the board. He said this is not necessarily the case, and he already discussed this with Mayor Oliver. He added there is a possibility of West Union being on the five (5)-member board, as there is one (1) seat for each of the cities, one (1) seat for Oconee County, and there will be one (1) at-large seat.

Mr. Bronson asked if there were any other concerns Mayor Oliver had; she replied she didn't have anything further. Mr. Eleazer told her to feel free and have Ms. Mary McCormick (Town of West Union attorney) reach out to Mr. Flynn if she had any questions. Mr. Bronson asked that Mayor Oliver get a copy of the minutes to keep her in the loop.

C. Approval of Minutes

- **Ad Hoc Reconstitution Committee and Executive Committee Meeting of August 14, 2025**

Mr. Eleazer made a motion, seconded by Mr. Bentley, to approve the August 14, 2025 meeting minutes as presented. The motion carried.

D. Committee Discussion and Action Items:

1. **Review of Master Plan Recommendations and Project Costs (Exhibits A & B)** – Ms. Amidon asked if everyone had read the Oconee County & Western Anderson County Sewer Master Plan Recommendations Review (Exhibit A), and everyone said they had read it. She said the purpose today is to check in on the status of the recommendations. She added that these items were not mandatory but were for consideration by the OJRSA, the Member Cities, Oconee County, and the Reconstitution Committee. Ms. Amidon said there are several items that are in progress or complete and may not require discussion today, and there are items that are not complete but with the reconstitution make sense to put them on the backburner.

Ms. Amidon said the goal for today is to find out from this committee's consultant/facilitator team which items (out of the ones she put priority on) **the consultant team will need** to identify a plan for execution. Once there is a plan, this committee can review and scrutinize it and decide whether to move forward.

➤ Item #1D: Auditing property taxes across county with some grandfathered at agricultural base rate potentially diminishing revenue for capital improvement projects (including sewer). She asked if this has been thought about, and should it be considered.

Ms. Brock replied that Oconee County audits tax millage annually when taxes are done. Ms. Amidon asked if Ms. Brock felt there were no properties that were grandfathered at the agricultural base rate. Ms. Brock said the properties that are grandfathered are agricultural, and if there is a change in use type, it triggers the system to notify. She added that anyone can build something, and Oconee County isn't aware, but Oconee County is required to do a rate assessment every four (4) years. The audit happens on an annual basis, because Oconee County doesn't reassess the entire county in a one-year period. Oconee County prefers to reassess one-quarter of the properties every year with a wrap-up on the last year. This doesn't mean there are no errors, but they are few.

Ms. Amidon replied that this isn't an effort worth undertaking at this time. Ms. Brock replied that this is an effort that Oconee County consistently does.

➤ Item #1F: Code of Ordinances (2024) on the website showing old sewer use ordinance language causing confusion to the general public. Ms. Amidon said the county's website is still showing the old OJRSA Sewer Use Regulation (SUR) language which requires connection within three hundred feet (300') of the property line. She asked if it was possible to update the language with the current OJRSA SUR for consistency or remove it altogether.

Ms. Brock replied that Oconee County's attorney, Mr. David Root, was uncomfortable with removing it because of ordinances in place at the time it existed, but Oconee County does not have jurisdiction over the OJRSA. Ms. Brock said the County may be able to make a notation on it.

Ms. Amidon asked if Oconee County regulates its sewer by the old OJRSA regulation, or will it be regulated based on the new OJRSA regulation. Ms. Brock replied that the County does not regulate the sewer because the OJRSA is the regulatory agency.

Mr. Moulder asked if Oconee County could update the regulations in the Code of Ordinances with the current regulations. Ms. Brock replied they cannot update the County ordinance, because the County does not have a sewer ordinance.

Ms. Eleazer said the OJRSA has received questions before saying the County's regulation is contradictory to the OJRSA's because of the language on the website. Ms. Brock said she doesn't mind asking Mr. Root if a notation could be added. She said the County does not remove old ordinances; they are just updated over time, so people can do research.

Mr. Moulder said the bigger question is can Oconee County update the Code of Ordinances to reflect the most current approved language. Ms. Brock replied that since it is not a county ordinance, then probably not. Mr. Root's recommendation was to add a notation that it is not applicable after the date the SWAG agreements were signed.

Ms. Brock added that Oconee County does have regulatory language for standardized lot size for anything that can connect to sewer, but it does not regulate the number of feet away from sewer. If it's one-quarter acre density, you can tap into the sewer line, but if it's one-half acre density, you cannot.

Mr. Moulder asked if Mr. Root could just add a notation that to view the most recent language, please visit OJRSA website. Ms. Brock said they will not add that to a Code of Ordinances, but there may be a notation on there that it is not regulated by Oconee County.

Mr. Flynn asked if it would be okay for him to reach out to Mr. Root to discuss this and find a solution. Ms. Brock replied yes. Mr. Jones added that if there is no consistency, the developers will continue making the requests. Mr. Bronson asked Mr. Flynn to report back to this committee at the next meeting (after he speaks with Mr. Root).

➤ Items 1G, 2A, and 2B: Land use regulation adoption or defining areas to remain rural and/or on septic, current zoning and future land use guidelines, and future land use plan collaboration. Ms. Amidon stated this is the long-term goals for growth and that **good survey feedback has already been received** from the master plan and from the public. Ms. Amidon said that initiatives have been made, including Westminster developing its own growth plan and looking beyond their immediate boundaries to determine what future annexation would look like. She stated that Oconee County is mostly zoned as control-free. Ms. Amidon thought Walhalla didn't want to annex, but Ms. Myers stated Walhalla just adopted the annexation ordinance.

Ms. Amidon said the challenges moving forward are where infrastructure should or should not go, as growth needs to be accommodated. She said there are some recommendations that articulate different ways of thinking about the land use regulation, which doesn't have to be zoning but could be urban growth boundaries (which Westminster essentially has done) and coming up with a regional approach. She added this is not unique to this area; Beaufort and Jasper Counties are currently **having these same conversations**.

Ms. Amidon asked if this committee would like to see the consulting group come up with a list of action items that could be undertaken for consideration. Mr. Bronson said he would like to see it.

Mr. Moulder said Seneca had discussions with Oconee County about a regional approach, and it would be the pilot program for all the Member Cities to have some beyond municipal, jurisdictional, and urban land development boundaries. The planning department has talked about how to manage the growth in the non-city boundaries (in the immediate properties around the city). If the city cannot provide land development control outside the city in the immediate areas, that is putting

a lot of stress and demands on the cities for utilities, roads, schools, etc. He added that he is not sure how far these discussions have gotten, but these discussions need to continue.

Ms. Amidon asked Mr. Moulder if he felt this should be discussed as a group, or would he prefer to continue the discussion on the outside. Mr. Moulder said Seneca will continue the discussions from a city standpoint, but the Oconee County representative was intended for all the cities. What was being worked on was supposed to be a model for each of the cities and all the towns.

Ms. Myers stated that Walhalla had also met with Ms. Brock and some of the council members about the same thing but was allowing the Seneca project to go first, so there could be that pilot project before moving on to the new one.

Ms. Amidon said she is going to amend these three (3) items in this review to "in progress," as it sounds like it's been discussed.

➤ Items 1C and 1H: Recommunicating the SUR change to the public and incentive for infill development. Ms. Amidon said it would be helpful if the reconstitution process was near completion; then this can be reviewed and a communications plan can be developed based on the reconstitution process.

➤ Item 3A: Septic tank age. Ms. Amidon said there was an attempt to address this during the Master Plan, but the SC Department of Environmental Services (SCDES, formerly SCDHEC) was unable to provide data regarding septic tank age within the system. There could be some additional analysis performed using assessor data, age of the system, and when replacements were made. The only thing that cannot be obtained is when maintenance has occurred, although GIS data may identify some hot spots of failing septic.

Mr. Moulder asked Ms. Brock if Friends of Lake Keowee Society (FOLKS) kept data for failing septic tanks. Ms. Brock replied yes, but only when a permit was required and information could be obtained. She said the Lake Keowee Water Source Protection Advisory Committee also tracks this data after the fact. She added that SCDES does not require a permit for septic system repairs, and people don't generally replace a septic system unless they have to. Mr. Moulder said he had heard FOLKS speak about failing septic data and wasn't sure if the OJRSA could obtain some of their information.

➤ Item 4A: Public outreach explaining pros and cons of septic or public sewer. Ms. Amidon said there is a lot of data out there, and the entities listed on this item should be visited to see what information they have to offer. Then a strategy should be developed to determine future capital investment of where lines should go to take failing septic areas.

Ms. Mettlen asked Mr. Flynn if the legislation that was introduced this past session by a representative in the Clover area prohibiting utilities from requiring connections, was still alive and is going into the next session. Mr. Flynn replied the second year of the two-year cycle is about to begin, and he believes it still has some traction and is alive. Ms. Mettlen told Ms. Amidon she would provide that information. Mr. Flynn researched it and said it was referred to the Agricultural Committee in the house and has been sitting there since March 2025.

Mr. Royer stated that Duke provided approximately \$1,000,000 for failing septic systems while they were working on the various power systems, so they have a list of who and where this was done. Mr. Moulder asked if Duke administered that program. Mr. Royer said it was administered through a committee, but Duke sits on that committee.

Ms. Amidon said the question for the committee is if there is interest in thinking more about this topic and how to proceed. Mr. Moulder said the objective of the conversation would be to determine capital line expansions to get to those areas, and he asked if the OJRSA was prepared to talk about expansion of existing systems beyond taking care of the existing systems. He said he feels this conversation is for down the road and for the new board to discuss. Mr. Bronson agreed and said the priority should be for what shows up today and taking care of that and letting the new board work on expansion. Mr. Moulder told Mr. Eleazer that the new board members may be

inexperienced with sewer, so consultants may need to be engaged to work with them to move forward.

Mr. Eleazer said he considers this item to be complete, because the focus of this committee is to improve what we have, addressing the consent order items, and getting the plant to where it is 100% operational, and where the funding is coming from to do it.

Mr. Jones said the Sewer Authority should not be the land development authority. A decision needs to be made on what authority is going to make the decision on land use and let the sewer support that decision.

- 2. Receive Updates from the Cities, County, and OJRSA Regarding the Support Resolutions –** Mr. Bronson stated that the Westminster Council approved it and gave a list of eight (8) questions to ask which included many that Mayor Oliver and some other council members had.

Ms. Myers said there was a discussion at the last meeting, and some of the questions they had have already been shared with Mr. Flynn. She said most of the questions were related to the technical and financial evaluations. The resolution is on the schedule for next Tuesday, and she believes it will be approved based on the discussion from last month.

Mr. Moulder stated that the resolution passed through today, and the council asked him to come up with the questions. The questions are basically the same as everyone else has asked.

Ms. Brock said the questions were similar to everyone else's. The questions included: how this is going to work, how much it will cost, what the rates will be, will the rates be equitable across the county, will there be zones, how will future infrastructure be considered, and how the cost right now will affect the County.

Ms. Mettlen asked if the County approved the resolution. Ms. Brock replied no; it will be considered at the October 7, 2025 council meeting. Ms. Brock will email the questions as well.

It was decided that Mr. Moulder would email Seneca's questions to Ms. Amidon, Ms. Mettlen, Mr. Jones, and Mr. Flynn. Ms. Mettlen said all the questions will be consolidated into a single document. Mr. Flynn will answer them and review his answers with Ms. Mettlen, Ms. Amidon, and Mr. Jones. Then the answers will be presented at the next committee meeting.

Mr. Moulder asked if any of the cities had debt associated with the sewer systems. No one else mentioned that they had any. Mr. Flynn said the debt question would take some research. Any entity who issued debt secured by combined utility revenues (like Seneca has water and electricity) will have to work with the bond counsel to decouple that. That will take some analysis.

Mr. Bronson told Mr. Flynn to begin to look at this. Mr. Flynn said he would reach out to Mr. Mike Burns at Burr Forman Law Firm (Seneca's and Westminster's bond counsel) and Mr. Mike Kozlarek at King Kozlarek Root Law Firm (Walhalla's and Oconee County's bond counsel) to let them know the process is starting up and to see what it would look like if the cities decoupled the sewer from the other utilities.

Mr. Moulder said Seneca has RIA debt. Mr. Bronson stated that Westminster has USDA debt. Mr. Flynn said the SRF and RIA debt will be easier to work with and are aware of the reconstitution process; the USDA may be a bit harder. Mr. Flynn said he would have no problem starting this process if everyone agreed to do it. Mr. Jones asked if a scope needed to be developed for this. Ms. Mettlen replied to let Mr. Flynn speak to them first and then develop the scope, because this may have to be done in phases.

Mr. Bronson said he feels like Mr. Flynn should proceed, because it will be January 1, 2026 before we know it, and the cities will be doing their next year's budget and possibly obtaining more debt. Mr. Bronson told Mr. Flynn that it should also be discussed how it should be structured with this reconstitution in mind if the cities required more debt. Mr. Flynn replied that future debt could be secured only by water or electric revenues, which would be a diminished lien status, but could be brought back to parity when the sewer system is sold.

The committee took a 5-minute break at this time.

3. **Consider Reorganization and Consolidation Comments from the Cities, County, and OJRSA Governing Bodies** – Mr. Bronson said this was already covered; Mr. Flynn, Ms. Mettlen, Ms. Amidon, and Mr. Jones will answer them. The answers will be presented at the next committee meeting.

4. **Approval of Draft Legislation to Amend the Joint Authority Water and Sewer Systems Act (Exhibit C)** – Mr. Bronson asked if anything had changed since it was presented before. Mr. Flynn said this covered everything that was discussed previously, but it is subject to thoughts at legislative drafting.

Mr. Flynn stated Senator Alexander is aware that this is a working draft, and the legislative delegation has seen some of the language from prior versions. The prior versions had provisions around the elected members which are no longer in there.

Mr. Flynn said he feels it is beneficial to get it over to them, so it can be introduced into legislative drafting and have some comments back and forth in advance of it being refiled before the legislative cycle starts up in January 2026. Mr. Flynn added if everyone is comfortable with this, it is okay to move forward, and he can get it over there and get it in queue.

Mr. Bronson said he feels that he, Mr. Eleazer, Senator Thomas Alexander, Representative Bill Whitmire, and Representative Adam Duncan should have one (1) more meeting to remind them where this committee is and to make sure they don't have any issues with it. Mr. Flynn said he will wait and take directions from this meeting.

5. **Present Considerations for Financial and Technical Evaluations** – Ms. Mettlen said she likes to build off successful things that others have done. She said while the study was being done, she spoke with Mr. Jones (who was at ReWa at the time and had gone through this process) and Ms. Carol Elliott at MetroConnects (collection system entity in Greenville that went through a major consolidation project around 2020).

Ms. Mettlen asked Ms. Elliott to share the scopes of work for the different pieces of the evaluation on that consolidation, and she received them yesterday. They first did the technical evaluations (high-level assessment without popping every manhole - which informed on cost estimates). Then they brought in a financial advisor (looking at the debt pieces and the consolidation efforts). Then they brought in a rate consultant (looking at a unified consistent rate across the board). It was a thirty (30)-year plan, and they have been successful in getting appropriations through federal and state money.

The good news is that the OJRSA already had some of this done with the study, and the OJRSA also had each of the cities do a Capital Improvement Plan.

Ms. Mettlen said she is of the opinion that this committee should do this in smaller steps: 1) Once Mr. Flynn talks to the bond counsels about the debt, someone could come on board to work on that piece of it; 2) In the meantime, the capital needs can be synthesized, and then someone on the financial side look at that; and 3) Then a rate consultant looks at the rates. Mr. Bronson asked Ms. Mettlen to give the committee a list of the process. Ms. Mettlen said this committee has control of it now where it can be affordable without spending a lot of money. The money needs to be on the back end to do a lot of the work.

Mr. Eleazer suggested, since some of this was done as part of the Corrective Action Plan as part of the Consent Order, that he and Ms. Mettlen go through the submittals from the Member Cities, and it can be brought back to the next meeting as to what needs to be done. Ms. Mettlen was good with that.

E. Upcoming Meetings

1. **Operations & Planning Committee** – Tuesday, September 23, 2025 at 8:30 a.m.
2. **Finance & Administration Committee** – Tuesday, September 23, 2025 at 9:00 a.m.
3. **Board of Commissioners** – Monday, October 6, 2025 at 4:00 p.m.
4. **Ad-Hoc Reconstitution Committee** – Thursday, October 9, 2025 at 9:00 a.m.

F. Adjourn – The meeting was adjourned at 10:28 a.m.

Approved By: _____

Kevin Bronson
Committee Chair

Date Approved: _____

Approved By: _____

Lynn M. Stephens
OJRSA Secretary/Treasurer

Notification of the meeting was distributed on September 10, 2025 to *Upstate Today*, *Anderson Independent-Mail*, *Westminster News*, *Keowee Courier*, WGOG Radio, WSNW Radio, City of Seneca Council, City of Walhalla Council, City of Westminster Council, Oconee County Council, SC DHEC, www.ojrsa.org, and posted at the OJRSA Administration Building.



RECONSTITUTION COMMITTEE

Oconee County & Western Anderson County Sewer Master Plan Recommendations Review

REVIEW SUMMARY

The following is a summary of the status of each recommendation as of September 2025 based on feedback from the September 11, 2025, ad-Hoc meeting.

Next Steps: These recommendations were requested for consideration in concert with the reconstitution process.

1) Policy:

- 1f - Oconee County Code of Ordinances Update
 - *Discussions are underway between OJRSA's and Oconee County attorneys for the best path forward to avoid confusion between the two publicly available ordinances.*
- 1g - Land Use Regulation
 - *See also 2a and 2b*
 - *Oconee County and the City of Seneca are currently working on a pilot project to develop a plan for future land use regulation to acknowledge potential growth and annexation. The impact of disparate land-use regulations discourages development and creates confusion.*
 - *Proposed potential next steps:*
 - **Baseline Analysis:** *Review of current overlay zones, zoning, and future land use across the region to identify current challenges that exist. Acknowledge recent real examples to be used as an educational tool across all councils.*
 - **Peer Best Practices Review:** *Review similar jurisdictions for land use regulation tactics. Summarize findings including potential pros and cons to each strategy and provide to each municipality, Oconee County, and their councils for consideration.*
 - **Develop Regional Future Land Use:** *Continue efforts already begun with the City of Seneca and Oconee County pilot project or approach the full region to develop an agreed upon future land use map with supporting complimentary ordinances.*

2) Land Use Regulations:

- 2a Zoning and Future Land Use
 - *See 1g above*
- 2b Future Land Use Plan

- See 1g above
- 3) Failing Septic and Connections to Existing Development
 - None
- 4) Communications
 - None
- 5) Infrastructure Recommendations
 - 5e Conveyance System Optimization
 - *Suggest that this effort remains on-going throughout the reconstitution process and beyond. The immediate needs and associated estimated costs should be included as part of the valuation process.*
 - 5g Capital Improvements
 - *This is ongoing*
- 6) Future Assessment Considerations

Revisit After Reconstitution: These recommendations should be revisited for consideration after the reconstitution is complete. Many of these items could be included in a communication plan as part of the rollout for the reconstitution to the public. *Note, some of these items could require research about the baseline incentives/policies in place, as well as reviewing peer municipal/utility policies so that when decisions need to be made this work is complete. These items have an *asterisk next to them. The ad-Hoc Committee should determine if they would like to proceed with any of these items internally or solicited facilitator support.*

- 1) Policy:
 - 1b Sewer Planning Committee
 - 1c Sewer Use Regulation Communication
 - *Suggest adding this to any future communication to reiterate this change with the public.*
 - 1e Industry Recruitment Collaboration*
 - 1h Infill Incentivizing*
 - 1i Future Gravity for New Developments Policy*
- 2) Land Use Regulations:
 - 2c Annexation Policies*
- 3) Failing Septic and Connections to Existing Development
 - 3a Failing Septic Tanks
 - *Some members of the ad-Hoc committee felt that this should be addressed after the land use regulation work is complete and the reconstitution is complete. A review of what analysis has already been considered could take place today in preparation for future work.*
 - 3b Incentive Plan for Sewer Transition*
 - 3c Capacity Analysis
 - *This should be considered as needed during OJRSA expansion to new areas.*
- 4) Communications
 - 4a Educational Campaign – Types of Sewer Solutions
 - 4b Educational Campaign – Sewer and Growth
 - *This will be critical to the communication plan as a result of the reconstitution process.*
- 5) Infrastructure Recommendations
 - 5a Systemwide Routine Maintenance Strategy

- 5b, 5d, 5f Coneross Creek Improvements
- 5c Checkbook Calibration
 - *This was completed in 2023, will need to be revisited periodically as needed.*
- 6) Future Assessment Considerations
 - 6a Master Plan Update
 - 6b Public Sewer Stakeholder Committee

Complete or Ongoing: These recommendations do not require additional effort at this time

- 1) Policy
 - 1a Update Recommendations
 - 1d Oconee County Tax Audit

MASTER PLAN SECTION 7.0 RECOMMENDATIONS AND CONCLUSIONS

Note: Text in blue is from the original 2024 master plan. Text in orange represents draft comments based on the status of each recommendation as of August 2025.

These recommendations are based on the analysis completed, stakeholder conversations, and public engagement results for consideration for next steps. The results of the Feasibility Study will need to be considered as those may affect the recommendations made herein.

Items assigned to a specific entity are proposed and highlighted in yellow. Ownership could be delegated to another entity, committee, or consultant as appropriate; these are suggestions for conversation.

Items with an “*INCOMPLETE*” next to them denote items that are not complete.

Items with an “*IN-PROGRESS*” next to them denotes items that have begun.

Items with a “*COMPLETE*” next to them denote items that have been addressed.

1. Policy:
 - a) Implement the recommendations of the Feasibility Study and adjust the recommendations from this study accordingly using a stakeholder driven process. *Currently underway with the reconstitution committee*, adjustments to other recommendations noted herein are included in the text in orange under each recommendation. *IN-PROGRESS*
 - b) Consider developing a sewer planning committee for collaboration across the municipalities within the study area to align sewer development goals and develop/revise policies that comply with the results of this study to avoid contradictory policies. This should include coordination with the municipalities on sewer-related Comprehensive Planning goals. It is recommended that **OJRSA** revisit this upon the reconstitution of the board. Prior to the development of a committee an audit could be performed to identify current contradictory policies and a review of any updated Comprehensive Plan goals revisited to provide a committee with a starting point. *INCOMPLETE*
 - c) Consider communicating the recent OJRSA Sewer Use Regulation change to the public. As sewer infrastructure implementation occurs and existing septic users have the opportunity to connect onto new sewer, apply enforcement equitably across the county. This was completed via an OJRSA Board meeting. *COMPLETE*. **OJRSA** could develop a one-page tool to share with the

public should any citizens approach OJRSA with concern about having to connect. *INCOMPLETE*

- d) Consider asking **Oconee County** to audit property taxes across the county. Many properties are grandfathered at the agricultural base rate, which potentially diminishes potential revenue for all types of capital improvement projects, including sewer. The County audits tax mileage annually by reviewing a quarter of the parcels; thus, every four years the full county has been reassessed.
- e) When recruiting industries and other desired economic development projects, as part of “their” incentive packages, consider providing funding to OJRSA for plant and/or conveyance system improvements so these costs do not fall entirely on the system’s ratepayers. The reconstitution team is not aware if this has been considered. The reconstitution committee should clarify. *INCOMPLETE*
- f) **Oconee County** should remove or make note on their Code of Ordinances (2024) website that the old sewer use ordinance language as being invalid as this continues to be a source of some confusion for the general public. As of August 2025, Sec. 34-143. Of Oconee County’s code of ordinance has the old OJRSA Sewer Use Regulation language in municode requiring connection within 300 feet of the property line: Code of Ordinances. This is contrary to the current OJRSA Sewer Use Regulation. *INCOMPLETE*
- g) If land use regulations are not adopted to aid in informing sewer growth, OJRSA should work with **Oconee County** and the **municipalities** within the county to define areas to remain rural and on septic at a minimum for capital improvement investment. Although some individual jurisdictional efforts have been made, there is not a regional land use approach to growth within Oconee County. Consideration of urban growth boundaries and a revised future land use map could be reviewed using prior public feedback and potential additional public feedback. Recent developments in the region have been contentious, and a unified land use plan could be one potential tactic for consideration. Education to all jurisdictions councils could be needed. Some municipalities have been in conversation with Oconee County regarding this matter. *IN-PROGRESS*
- h) Consider an incentive for infill development with **each municipality**. The reconstitution team is not aware if this has been considered. The reconstitution committee should clarify. *INCOMPLETE*
- i) Consider developing a policy for consideration to future gravity sewer infrastructure needs when new developments are proposed and permitted. The reconstitution team is not aware if this has been considered. The reconstitution committee should clarify. **OJRSA** would develop this policy. *INCOMPLETE*

2. Land Use Regulations:

- a) Consider working with the **municipalities** to revisit the current guidelines for the **Oconee County** overlay districts along with the current zoning and future land use such that it supports the type of development and growth by location within the study area based on the public feedback. Consideration to similar surrounding county’s regulations for lessons learned could be a starting point for this effort. Different types of land use regulation including minimum lot sizes for septic

tank developments should be considered. Additional public feedback that is coupled with land use regulation education and examples is recommended. Similar feedback to the comment provided under 1.g. Some municipalities have been in conversation with Oconee County regarding this matter. Reconstitution does not need to be complete for this effort to be considered. A regional land use plan that reflects the constituent's growth desires and complements the supporting infrastructure growth needs (not just wastewater, but water, roads, police, fire, schools) could be considered. *IN-PROGRESS*

- b) Most of the respondents support growth with specific caveats, most of which revolve around land use regulations. Although not all respondents were in favor of zoning specifically, many want to see responsible growth; this also came up during the stakeholder meetings. Based on public and stakeholder comment, we recommend Oconee County and the municipalities collaborate on a future land use plan that can help better inform all the local utilities and the development community of what type of growth and where that growth should occur that is both desired and community supported. A regionalized supported land use plan will greatly increase the thoughtful allocation of funds for sewer rehabilitation and expansion. Similar comments to 1.g. and 2.a. Some municipalities have been in conversation with Oconee County regarding this matter. *IN-PROGRESS*
- c) There have been multiple, recent, large parcel subdivision developments proposed, permitted, or built in Oconee County that have met opposition by the public and council members. A regionalized approach that the municipal stakeholders support could be considered for how sewer is used as an incentive, as an annexation tool, and how developers could assist in the funding for sewer expansions. The reconstitution team is not aware if this has been considered. The reconstitution committee should clarify. This does not have to be applied uniformly across the region but is good for consideration for each municipality within Oconee County. Walhalla recently passed an ordinance around this topic. *INCOMPLETE*

3. Failing Septic and Connections to Existing Development:

- a) Although information about failing septic tanks is not readily available, it would be beneficial to work with SCDES to further understand where failing septic systems within the study area may be located for a more proactive approach to sewer connections or septic repair/replacement. The reconstitution team is not aware if this has been considered. The reconstitution committee should clarify. *INCOMPLETE*
- b) Develop an incentive plan for those that could transition onto public sewer through implementation of this master plan.
 - i) Should it be determined that the financial burden is unattainable for some residents, Oconee and Anderson County could consider an annual stipend or grants that provide assistance for residents to apply as an offset to the costs to connect to sewer. This could be beneficial to Oconee County as they are currently required to subsidize the operation and maintenance of the retail sewer in the county if OJRSA is not able to receive enough revenue from the connected users to offset these expenses. If more customers are connected, especially in areas where gravity sewer is already available, then more revenue is likely achieved and costs for each user should be reduced. Other funding mechanisms and grants should be researched as well. The reconstitution team is not aware if this has been considered. The reconstitution committee should clarify. There are examples across the

state of programs that other utilities utilize to help with the financial burden to connect. The reconstitution committee could ask for a review of best management practices in this space for consideration. This should accompany a study to understand where pockets of failing septic tanks could be located for optimal outreach. OJRSA after the reconstitution may want to consider implementing a program for these efforts in partnership with the appropriate jurisdiction. *INCOMPLETE*

- c) Analysis should be performed to determine at each stage of sewer expansion if the wastewater system itself has the capacity to handle all the potential volume from property owners that could connect. This is to be completed as needed by project by OJRSA. *INCOMPLETE*

4. Communications:

- a) Public opinion was predominately in favor of growth, but their opinions were divided between strong opposition and strong support for where that investment should take place. There was also a clear divide between responders' opinions about which wastewater solution, septic or public sewer, was better for the environment. We suggest a partnership with other public entities including the Army Corps of Engineers, SCDES, Clemson University Center for Watershed Excellence, Oconee County, Lake Keowee Source Water Protection Team, Lake Hartwell Partners for Clean Water, Friends of Lake Keowee, and Upstate Forever for public outreach explaining the pros and cons to both, including publicly available supporting data. This could potentially be funded by a grant. The reconstitution team is not aware if this has been considered. The reconstitution committee should clarify. Many of the entities identified about could be interested in a more targeted educational campaign about this topic. *INCOMPLETE*
- b) There are many misunderstandings of the public's understanding of who controls or does not control growth and sewer. Additional outreach is recommended. The Project Team suggests providing a document with Frequently Asked Questions on OJRSA's website to clarify these misconceptions. As of August 2025, it does not appear that an FAQ page has been added to OJRSA's website. The reconstitution committee should weigh in on recent public comments received and reconsider this recommendation after a clear path forward for reconstitution is decided upon to avoid additional public confusion. A communications package should be developed by OJRSA that is approved by each jurisdiction and used throughout the region to provide clear direction for the next steps to the public and the press. *INCOMPLETE*

5. Infrastructure Recommendations:

- a) A formal plan and budget for routine maintenance items for all sewer collection and treatment providers should be put in place to avoid future disagreements about upgrades and repairs to the existing system. This should also help avoid future consent orders within the system both internal and external to OJRSA's infrastructure. This should still be addressed by OJRSA even if full consolidation occurs. This is a critical component to the valuation process as debt needs to be evaluated. Each system throughout this reconstitution process should determine what infrastructure improvements need to be made immediately, prior to consolidation as part of their consent orders. Delaying this work for the consolidation to take place is not recommended. *INCOMPLETE*

- b) The Project Team recommends OJRSA proceed with the improvements included in Scenario 4, which involves upgrading the Coneross Creek WRF and rerouting the Martin Creek Force Main directly to the plant. Constructing new plants at either Martin Creek or Beaverdam Creek do not appear to be the most optimal solution for treatment within the system during the 20-year study window. This recommendation is still valid at this time. OJRSA should begin the process of a plant upgrade as the flow demands increase. *INCOMPLETE*
 - c) Work with SCDES to recalibrate permitted flow Checkbook. This effort could enable OJRSA to delay the need for a treatment plant upgrade 1-2 years. This was recently assessed, and an adjustment was made in August 2023. An estimated 340,000 gallons per day were recaptured at this time. Recalibration can be revisited periodically with SCDES. Reduction with I&I will also assist with this as well which will allow for capacity to be recaptured due to the reduction in rainwater treatment. *COMPLETE*
 - d) Begin a Preliminary Engineering Report for an upgrade at Coneross Creek WRF within the next 12 months. One component of the analysis (that could be done prior to the PER) would be to review the SCDES water quality model for the plant to confirm that their assumptions are reasonable and appropriate. This has not begun, focus on addressing the consent order and O&M has remained priority for OJRSA. *INCOMPLETE*
 - e) Work with Member Cities to minimize the length of time (residence time) that wastewater travels through the conveyance system. Seneca Light & Water especially has many pump stations operated in series, in addition to ones OJRSA owns in the same area. This can cause long residence times that increases hydrogen sulfide concentrations that can be a significant safety hazard to OJRSA and Member City staff as well as a source of corrosion that increases O&M issues for staff and can require costly repairs. Where reduction or elimination of hydrogen sulfide issues is not possible from pumping modifications, chemical feed systems or some other means of hydrogen sulfide control should be considered for use. The reconstitution team is not aware if this has been considered. The reconstitution committee should clarify. This could be included as part of the evaluation of the system which will help identify some system optimization and potential O&M reduction. *INCOMPLETE*
 - f) Consider an engineering assessment to seek cost effective solutions that may present options for gaining additional treatment capacity without needing an upgrade. Upgrades to plant operations could be considered in the future for plant upgrades at a later date, but currently the focus for OJRSA is to address the consent order and O&M has remained priority. *INCOMPLETE*
 - g) The capital improvements identified and recommended within this study are intended to be high level and useful for budgeting purposes. It is recommended that the assumptions and flow projections for individual projects be reviewed and updated as necessary prior to detailed design being initiated. This should be completed as needed by OJRSA. Prioritization of projects has separately been identified – see separate supporting document. Additionally, identification of funding and allocation of funds needs to be determined. *IN-PROGRESS*
6. Future Assessment Considerations:
- a) At a minimum, this plan should be revisited every three years or after a major change to the area such as a catalyst project or development. This should be completed as needed by OJRSA. Any significant efforts made to the land use regulation recommendations, consolidation, or

large projects could influence an update. *IN-PROGRESS*

- b) We also recommend that the substantial stakeholder group established by this planning process continue to meet twice a year for a facilitated conversation regarding sewer to maintain the positive momentum and open lines of communication established during this project. It is recommended that the stakeholder group is reconvened by **OJRSA** after clear direction for consolidation is reached and a communications plan is established. Empowering this original group with the same information about the reconstitution process will be critical. *INCOMPLETE*

TO AMEND CERTAIN PROVISIONS OF TITLE 6, CHAPTER 25 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, TO AUTHORIZE CERTAIN CLARYIFYING AMENDMENTS REGARDING COMMISSIONERS, RECONSTITUTION, BOND APPROVAL AND DURATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 6-25-20 shall be amended to add the following defined terms:

§ 6-25-20. Definitions.

(14) "Legislative Delegation" means all members of the South Carolina Senate and South Carolina House representing any county where a joint system is located.

(15) "Governor" means the Governor of the State of South Carolina.

SECTION 2. Section 6-25-50 shall be amended and restated as follows:

§ 6-25-50. ~~Agreement as to number of commissioners each member may appoint;~~ Application filed with Secretary of State; corporate certificate.

(A) The governing bodies of the members of a joint system shall form an agreement specifying the number of commissioners ~~each member may appoint to a commission created to govern the joint system pursuant to Section 6-25-60.~~

(B) ~~Two or more commissioners~~ The proposed members of a joint system shall jointly file an application with the Secretary of State ~~an application signed by the commissioner or each proposed member setting forth:~~

(1) ~~the names of~~ number of proposed members of the joint system, the number of proposed commissioners, and their respective appointed commissioners the method of appointment pursuant to Section 6-25-60(B);

(2) ~~(a) the a~~ a certified copy of a resolution of each member determining it is in its best interest to participate in the proposed joint system; and

~~(b) the resolution appointing the member's commissioner;~~

(3) the desire that the joint system be organized as a public body corporate and politic under this chapter;

(4) the name which is proposed for the joint system; and

(5) the purpose for creation of the joint system.

The Secretary of State shall file the application if after examining it and determining that it complies with the requirements in this section and that the proposed name of the joint system is not identical with that of any other corporation of the State or any agency or instrumentality or so nearly similar as to lead to confusion and uncertainty.

After the application has been filed, the Secretary of State shall issue a corporate certificate that must be filed with the application, and the joint system then must be constituted a public body corporate and politic under the name proposed in the application. The corporate certificate shall set forth ~~the names of all voting member and~~ the name of the joint system. There also must be stated upon the corporate certificate the purpose for which it has been created, as set forth in the application. Notice of the issuance of such corporate certificate must be given to all members of the joint system by the Secretary of State.

In any suit, action, or proceeding involving the validity or enforcement of, or relating to, contract of a joint system, the joint system in the absence of establishing fraud shall be conclusively

considered to have been established in accordance with the provisions of this chapter upon proof of the issuance of the certificate by the Secretary of State. A copy of the certificate, duly certified by the Secretary of State, is admissible in evidence in any suit, action, or proceeding and is conclusive proof of the filing and contents.

SECTION 3. Section 6-25-60 shall be amended and restated as follows:

§ 6-25-60. Joint system to be managed and controlled by commission; appointment of commissioners; oath; records; seal; quorum; vacancies; expenses.

(A) The management and control of a joint system is vested in a commission that may consist of no fewer than five members and no more than eleven members. A commissioner has one vote and may have additional votes as a majority of the members of the joint system determines. Notwithstanding the provisions of this subsection requiring the commission managing a joint system to have no fewer than five members and no more than eleven members, a joint system in existence on this section's effective date and having fewer than five members or more than eleven members on this section's effective date may continue to maintain the number of members serving on the section's effective date and may add additional members as its commissioners determine.

(B) As contemplated by the initial application to the Secretary of State, commissioners serving on the commission may be appointed under one of the following procedures:

(1) Appointment by member. The governing body of each voting member of a joint system shall appoint one or more a commissioner, ~~pursuant to Section 6-25-50(A),~~ to serve as a commissioner of the joint system. ~~A commissioner has one vote and may have additional votes as a majority of the members of the joint system determines.~~ A commissioner serves at the pleasure of the governing body by which he was appointed. A commissioner, before entering upon his duties, shall take and subscribe to an oath before a person authorized by law to administer oaths to execute the duties of his office faithfully and impartially, and a record of each oath must be filed with the governing body of the appointing authority.

~~Notwithstanding the provisions of this subsection requiring the commission managing a joint system to have no fewer than five members and no more than eleven members, a joint system in existence on this section's effective date and having fewer than five members or more than eleven members on this section's effective date may continue to maintain the number of members serving on the section's effective date and may add additional members as its commissioners determine.~~ Further, and notwithstanding the appointment requirements above, in the event there are an even number of members of a joint system (i.e. 4, 6, 8, 10), the project contract, bylaws or other similar agreement for the joint system may authorize one additional member of the commission; such additional commissioner shall be recommended by the legislative delegation from each county where the joint system is located, and upon receipt of such recommendation, such additional commissioner shall appointed by the Governor. Any gubernatorial appointment shall be for a term of four years and shall serve until a duly appointed successor is appointed and qualified. Any commissioner appointed by the Governor hereunder must reside within a household receiving utility services from the joint system or a member of the joint system. Any vacancy of such member must be filled for the remainder of the unexpired term in the same manner as the original appointment. If a new member of a joint system is added under the provisions hereof such that there becomes an odd number of members of a joint system, any gubernatorial appointed commissioner shall be deemed to automatically vacate his position as a commissioner as of the date of the admission of such new member of a joint system and their respective appointment of a new commissioner.

(2) Appointment by Governor. The commissioners may be appointed by the Governor in accordance with the following procedures:

(a) The Governor, based upon the recommendation of the legislative delegation from each county that the joint system operates, shall appoint each commissioner. Each appointed commissioner must reside within a household receiving utility services from the joint system or a member of the joint system. In making such appointments, there shall be at least one commissioner appointed by the Governor from the service area of each member of the joint system.

(b) Excepting the initial appointments as necessary to create a staggered commission which may be two or four years, respectively, each commissioner must be appointed and serve for a term of four years and until his successor is appointed and qualified, provided that the terms of the commissioners must be staggered such that approximately one-half of the total members appointed by the Governor must be appointed or reappointed every two years. A vacancy must be filled for the remainder of the unexpired term in the manner of the original appointment. Respecting the initial commission appointed herein, the minority portion of the staggered membership, representing those authorities with the lowest number of customers of the joint system, shall serve for an initial two-year term.

~~(B)~~ (C) The commissioners of the joint system shall annually, or biennially, if provided in the bylaws of the joint system, elect, with each commissioner having one vote, one of the commissioners as chairman, another as vice chairman, and other persons who may, but need not be commissioners, as treasurer, secretary and, if desired, assistant secretary. The office of treasurer may be held by the secretary or assistant secretary. The commission may also appoint such additional officers as it deems necessary. The secretary or assistant secretary of the joint system shall keep a record of the proceedings of the joint system, and the secretary must be the custodian of all books, records, documents, and papers filed with the joint system, the minute book or journal of the joint system, and its official seal.

~~(C)~~ (D) A majority of the commissioners of the joint system shall constitute a quorum. A vacancy on the commission of the joint system shall not impair the right of a quorum to exercise all rights and perform all the duties of a joint system. Any action taken by the joint system under the provisions of this chapter may be authorized by resolution at any regular or special meeting held pursuant to notice in accordance with bylaws of the joint system, and each resolution shall take effect immediately and need not be published or posted. Except as is otherwise provided in this chapter or in the bylaws of the joint system, a majority of the votes which the commissioners present are entitled to cast, with a quorum present, shall be necessary and sufficient to take any action or to pass any resolution. No commissioner of a joint system shall receive any compensation solely for the performance of duties as a commissioner, but each commissioner may be paid per diem, mileage, and subsistence expenses, as provided by law for state boards, committees, and commissions, incurred while engaged in the performance of such duties.

(E) All commissioners shall hold the qualifications of an elector.

(F) Commissioners appointed under subsection (B)(2) above may not be an officer or employee of a member of a joint system, and no commissioner shall be permitted to serve on an ex officio basis. Separately, for commissioners appointed under subsection (B)(1) above, the members of the joint system may include a restriction in the project contract, bylaws or other agreement for the joint system that no commissioner may be an officer or employee of a member of a joint system, and no commissioner shall be permitted to serve on an ex officio basis.

(G) Any commissioner appointed hereunder shall be deemed to forfeit his respective position if such person (1) lacks, at any time during his term of office, any qualifications for the office prescribed by general law and the Constitution, or (2) is convicted of any crime, other than civil infractions or misdemeanors for which no imprisonment is imposed.

SECTION 4. Section 6-25-70 shall be amended and restated as follows:**SECTION 6-25-70.** Change in membership of joint system.

(A) After the creation of a joint system, any other authority may become a member of the joint system upon:

(1) adoption of a resolution or ordinance by the governing body complying with the requirements of Section 6-25-40 including publication of notice;

(2) submission of an application to the joint system; and

(3) approval of the application by resolution of the governing body of each member of the joint system except in the case of a joint system organized for the purpose of creating a financing pool, in which case the application must be approved by resolution of the commission.

(B) A member may withdraw from a joint system by resolution or ordinance of its governing body. A contractual right acquired or contractual obligation incurred by a member while it was a member remains in full force and effect after the member's withdrawal.

(C) Notice of a change in membership must be filed in the Office of the Secretary of State. No change is final until this filing occurs. The filing is not required if a joint system is organized only for the purpose of creating a financing pool.

(D) If a new member of the joint system is added hereunder, the approval documentation required under subsection (A)(3) above shall determine whether any new commissioners shall be added to the commission as necessary to support such new member of the joint system. If a new commissioner is added, either by the member of the joint system or the Governor, as applicable, each such commissioner shall be appointed immediately.

SECTION 5. Section 6-25-80 shall be amended and restated as follows:**§ 6-25-80.** Dissolution of system.

Whenever the commission of a joint system and the governing body of each of its members shall by resolution or ordinance determine that the purposes for which the joint system was formed have been substantially fulfilled and that all bonds issued and all other obligations incurred by the joint system have been fully paid or satisfied, the commission and members may declare the joint system to be dissolved. On the effective date of the resolution or ordinance, the title to all funds and other income and property owned by the joint system at the time of dissolution must be disbursed to the voting members of the joint system according to its bylaws.

In the discretion of the members of a joint system for the proper and efficient operation of any joint system, an existing joint system may be reconstituted by following the procedures for the creation of a new joint system, mutatis mutandis.

SECTION 6. Section 6-25-110 shall be amended and restated as follows:**§ 6-25-110.** Authorization to incur debt and issue bonds.

A joint system may incur debt for any of its purposes and may issue bonds pledging to the payment as to both principal and interest the revenues, or any portion, derived or to be derived from all or any of its projects and any additions and betterments or extensions or contributions or advances from its members or other sources of funds available to it. A joint system may not undertake a project required to be financed, in whole or in part, with the proceeds of bonds without the approval of the governing bodies of each member which is obligated or to be obligated under any contract for the payment of amounts to be pledged as security therefore and a favorable vote of two-thirds of all commissioners. Notwithstanding the foregoing, when a commission is

appointed under Section 6-25-60(B)(2), no separate approval of the governing bodies of each member shall be required for the issuance of any bonds, and such bonds shall be authorized and approved by a simple majority of the commissioners. Any project may be preauthorized, preapproved or otherwise permitted under the terms of the project contract for the joint system, and such authority, approval or permission shall constitute all necessary approval of the respective governing bodies of each member herein. A joint system formed only for the purpose of creating a financing pool may issue notes in anticipation of the issuance of bonds by its members to the government.

SECTION 7. Section 6-25-128 shall be amended and restated as follows:

§ 6-25-128. Contracts between authority and joint system; duration.

An authority may contract to buy from the joint system water required for its present or future requirements, including the capacity and output, or a portion or share of one or more specified projects. An authority also may contract for the collection or treatment of wastewater, including present or future capacity, or a portion or share of another project. The creation of a joint system is an alternative method whereby an authority may obtain the benefits and assume the responsibilities of ownership in a project, so a contract may provide that the authority forming the contract is obligated to make a payment required by the contract whether or not a project is completed, operable, or operating notwithstanding the suspension, interruption, interference, reduction, or curtailment of the output of a project or the water contracted for, and that the payments under the contract are not subject to reduction, whether by offset or otherwise, and are not conditioned upon the performance or nonperformance of the joint system or any other member of the joint system under the contract or any other instrument. A contract with respect to the sale or purchase of capacity or output, or a portion or share of them, of a project entered into between a joint system and its member authorities also may provide that if an authority or authorities default in the payment of its or their obligations with respect to the purchase of the capacity or output, or a portion or share of them, in that event the remaining member authorities which are purchasing capacity and output under the contract are required to accept and pay for and are entitled proportionately to and may use or otherwise dispose of the capacity or output which was to be purchased by the defaulting authority.

A contract concerning the sale or purchase of capacity and output from a project may extend for a period not exceeding fifty years from the date of the contract and may be renewable and extended upon terms as the parties may agree for not exceeding an additional fifty years; and the execution and effectiveness is not subject to any authorizations or approvals by the State or any agency, commission, or instrumentality or political subdivision of them. Additionally, the contract may further provide that bonds or other indebtedness of the joint system may exceed the term of an initial or existing contract between or among the joint system and the respective members of the joint system, and in such event the contract, or at least the payment obligations of each member, shall be automatically extended to a period commensurate with the term of the bonds or other indebtedness.

Payments by an authority under a contract for the purchase of capacity and output from a joint system may be made from the revenues derived from the ownership and operation of the water system of the authority or from such other sources of funds as may be available, including any amounts received as payments in lieu of taxes. An authority may not pledge its full faith, credit, and taxing power to secure its obligations to the joint system or the bonds of the joint system. An authority is obligated to fix, charge, and collect rents, rates, fees, and charges for water or sewer services, facilities, and commodities sold, furnished, or supplied through its water or sewer system sufficient to provide revenues adequate to meet its obligations under any contract and to pay any

and all other amounts payable from or constituting a charge and lien upon the revenues, including amounts sufficient to pay the principal of and interest on general obligation bonds, if any, heretofore or hereafter issued by the authority for purposes related to its water or sewer system.

An authority that is a member of a joint system may furnish the joint system with money derived from the ownership and operation of its water or sewer system or facilities and provide the joint system with personnel, equipment, and property, both real and personal, and from any other sources legally available to it for such purposes. An authority also may provide services to a joint system.

A member of a joint system may contract for, advance, or contribute funds derived from the ownership and operation of its water or sewer system or facilities or from another legal source to a joint system as agreed upon by the joint system and the member, and the joint system shall repay the advances or contributions from the proceeds of bonds, operating revenue, or other funds of the joint system, together with interest as agreed upon by the member and the joint system.

SECTION 8. This act takes effect upon approval by the Governor.



REGIONAL SEWER FEASIBILITY STUDY RECONSTITUTION QUESTIONS & ANSWERS AD HOC RECONSTITUTION COMMITTEE

Background

During the process of resolution adoption by the individual municipalities and the County, each council and staff were encouraged to ask questions. The original questions (unedited) and draft responses are provided below (in red).

Westminster

1. What happens after this fall's municipal elections if there is a change in the support of the three city councils? At this time, each council has considered and approved the support resolution. However, the support resolution is not binding and does not commit any participant to a particular course of action. If a participant chooses to opt out, they would not be admitted as a member of the reconstituted authority (the "New Authority"), would not have representation on the Board, and would most likely become a wholesale customer of the new Authority.
2. There are concerns a new board without ties to the city council will approve rates for city customers beyond what the city council believes is appropriate. How will rates be kept "in check?" Sewer service is a business, and rates must be set a level that covers all necessary operating expenses and capital expenses. However, if the new legislation is adopted and a gubernatorial appointment is permitted, board members must reside in a household receiving service from the New Authority. As a result, any rate decisions will have a direct bearing on the financial situation of the member. This may actually be a better result than the current board as many of the current members do not actually receive service from the joint system, and often vote solely on the basis of the benefits to the member-city, rather than fulfilling their fiduciary obligation to the organization.
3. They want to see the outcome of a technical and financial evaluation. Yes, that is a prerequisite, and those persons/firms should be engaged by December 14, 2025 (120 days approval by Board of the ad hoc committee report).
4. They want to know the cost for Westminster to participate in the technical and financial evaluation. Planning level costs for these evaluations are currently being developed, including a methodology for apportionment. The intent is to keep costs as low as possible by using data and analysis from the previous corrective action plans to prepare a system status assessment and a high-level capital improvement analysis for each system.



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5. Will the new entity be a public entity that will allow for public attendance and participation in meetings and committee meetings? **Yes. The new entity will be created under the same statutory framework as the existing authority, which is the “Joint Authority Water and Sewer System Act”, as codified at Title 6, Chapter 25 of the Code of Laws of South Carolina 1976, as amended. The New Authority will be reconstituted under the act as a public body politic and corporate and subject to FOIA and similar open government laws.**
6. They would like to see a customer rate schedule for the rates under a new Authority. **This will be part of the recommendations from the evaluation process. According to the ad hoc committee report “[a] unified and equitable rate structure will be developed and deployed as part of the governance documents of the reconstituted Authority.” The schedule calls for the rate schedule to be developed within 18 months of the approval of the plan, so approximately February 2027.**
7. What happens if a city decides not to participate? **Nothing can make a city participate, but State regulators (including RIA) have public advised that something must be done. If a city decides not to participate, they will likely be left out of the new organization and required to separately negotiate a wholesale treatment contract with the New Authority for sewer treatment services.**
8. They want to be sure the city is fairly compensation for any assets they may turn over to the new Authority. As a quick point of reference, the city received a \$5 million SCIIP grant to rehabilitate sewer collection lines and the construction is underway. **There will be a technical review, and the consultants will also conduct an analysis to determine the depreciation of each system and estimate the significant capital investments required to bring the systems into regulatory compliance. Even if the third-party financial consultant concludes that a system’s value exceeds its liabilities (for example, the cost to fully rehabilitate it), it is unlikely that any cash proceeds would be available for the acquisition of existing collection systems. Generally, the acquisition of these systems is viewed as relieving each participant of financial and operational liability, rather than generating revenue. However, there may be an opportunity to establish a franchise fee within each city’s municipal boundaries, with those funds remitted back to the respective city in consideration of the use of public rights-of-way.**



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Walhalla

1. Current condition of the Walhalla sewer system. As the current owners and operators of their respective collection systems, each city is in the best position to provide information about the operating condition of its system. That information can be further supported by the recent CMOM (Capacity, Management, Operation, and Maintenance) and Corrective Action Plan (CAP) reports, as well as by the upcoming technical review to be completed by the consultants.
2. Estimated upgrades needed to the sewer system. To be determined based upon recent CMOM/CAP and technical review by consultants.
3. Current valuation (financial) of the sewer system. Will look to current asset values in audited financial statements, as well as technical review. Compensation, if any, will be considered as described in "Westminster #8."
4. Estimated cost to upgrade the sewer system. To be determined based upon recent CMOM/CAP and technical review by consultants.

West Union

1. What is the advantage to West Union to joining OJRSA? It is not contemplated that West Union will become a member of the new Authority. It is expected to remain a treatment customer-only or, alternatively, they will be acquired in whole by the New Authority. Under either scenario, West Union would benefit from regionalized management and long-term planning for wastewater treatment, ensuring compliance with regulatory requirements and improving system reliability. If the system were acquired, West Union would be relieved of the financial and operational responsibilities associated with owning and maintaining the system, including future capital improvements and regulatory compliance obligations.
2. Would ownership of the West Union system transfer to OJRSA? While West Union would not be a member, the new Authority would consider the acquisition of the West Union collection system.
3. Who would operate, maintain, and insure the West Union system after it was transferred? The New Authority.
4. What will happen to West Union public works employees after the transfer? Would they work for OJRSA? Additional staff may be needed, and if so, the Authority will entertain the employment of the best and most qualified service members.



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5. Would West Union be compensated for the value of the assets taken over by OJRSA? **Probably not. See answer to “Westminster #8” above.**
6. How much will the funding of operational costs of OJRSA add to West Union customer rates/bills? **Unknown at this time. To be determined based upon recent technical review by consultants, and development of rate study. See “Westminster #6” above.**
7. If West Union were to participate in OJRSA, what weight vote would it have? An equally weighted vote? Or a vote based on some other basis, such as volume, linear feet of lines, number of customers, or revenue? **West Union will not be a member of the New Authority. As a result, it will not have any voting rights. It will only be a customer, unless it elects to turn over its collection system to the New Authority whereupon rates and other costs will be solely determined by New Authority board.**
8. Who would bill for sewer? (West Union has and reads its own water meters.) **Assuming the New Authority acquires the West Union collection system, West Union would bill for the New Authority’s sewer service on the respective West Union water bill. Arrangements would be necessary to provide water flow data to the New Authority in order to ensure the appropriate amount is billed.**
9. Is revenue shared with members? If it is calculated on a percentage of revenue basis, how frequently is that updated? **While this has happened in the past, it is bad business practice and strongly discouraged. No revenue will be directly distributed from the New Authority’s operating accounts. However, it is possible for a participant city to charge a franchise fee, which will be imposed within its municipal limits. See “Westminster #8” above.**
10. Who would install new taps? And how much would that cost new users in West Union? **The entity that owns and operates the sewer collection system, whether it remains the respective city or is transferred to the New Authority, would be responsible for coordinating and installing new service connections. The cost for new users would reflect the actual cost of installation, along with any applicable capacity or connection fees. Even if ownership of the sewer collection system is transferred to the New Authority, each city would continue to own and operate its respective water utility system. This allows the cities to retain an important role in managing and directing future growth and development within their service areas through their continued role as water providers.**
11. Who would pay for expansion of sewer service and collection lines within West Union to support future growth? **If West Union’s collection system is acquired by the**



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New Authority, then this would be the responsibility of the New Authority. Additionally, as noted in Question #10 above, each city would continue to own and operate its water utility system, allowing it to play an ongoing role in managing and guiding growth through its control over water service extensions.

12. Can you provide us with or direct us to a map of current sewer service areas in the County? **To be provided.**
13. Also, what is the monthly/annual overhead for the costs of operating OJRSA? And, how is that allocated among the members? **Each year, the authority presents a balanced budget for consideration and approval. The budget is based on the anticipated costs of maintaining the system. For Fiscal Year 2026, the projected O&M expenses are \$6,759,426. Rates are structured to cover these operating expenses, including minor capital projects required to address issues identified in the 2021 consent order issued by the South Carolina Department of Environmental Services. The authority no longer uses the "pro rata model". Instead, rates are administered under a "base, plus volume" system, similar to standard water customer billing practices. Under this rate methodology, the authority charges a base charge, which is a fixed amount to recover each participant's share of system costs, administrative and maintenance, and a volume charge, which is a variable amount based on the actual amount of wastewater discharged to and treated by the authority.**
14. Finally, is Anderson County involved in OJSRA? **No. Anderson County is not involved, and any future conversations with Anderson County, or any Anderson sewer providers will be exclusively performed on a contract basis.**

Seneca

1. What is the official plan, will OJRSA run all of the sewer? **Yes. That is the overarching goal of consolidation. Finding #1 of the ad hoc committee was that "[t]he collection systems of the current Authority members and Oconee County should be consolidated into a one combined system – owned, operated, and maintained by the reconstituted Authority."**
2. How will future development be handled, both in the interim before the plan goes through, and after OJRSA takes over? **Expansion would occur as growth**



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develops and where sufficient system capacity and appropriate funding is available.

3. What will the assets be valued at? When will more information be provided about this process? **To be determined based upon recent CMOM/CAP and technical review by consultants.**
4. Will L&W maintain any control over its sewer system after the plan goes into effect? **No. The plan is for the entirety of the Seneca sewer system to be conveyed to the New Authority. However, the New Authority will need to work in concert with L&W for growth, system maintenance and other utility functions within the City of Seneca and all other members.**
5. Will L&W employees become OJRSA employees? Will they be contract labor? **Potentially, see "West Union #4".**
6. How will the easements that L&W has or had be transferred to OJRSA? **These land rights will be transferred to the New Authority as part of the conveyance process. Title work will need to be performed to identify all sewer system assets. Where individual easements are available, they will be assigned and all other ROW will be generally conveyed under a master ROW conveyance document. Also, personal property will be conveyed under master Bill of Sale for both fixed and non-fixed assets.**
7. Will there be major rate increases once this occurs? **Unknown until the rate evaluation is completed. See "Westminster #6" above.**
8. Will the customers who are currently inside city limits be charged the same as those who are outside city limits? **Best practice, and a stated goal of the ad hoc committee, is to establish a uniform and consistently applied rate structure for all users. The specifics of that rate schedule will not be known until the ongoing rate evaluation is completed. However, with the creation of a consolidated regional system, it would be difficult to justify maintaining separate in-city and out-of-city rate differentials.**
9. Can the city have its own treatment plant? **While the city can theoretically propose to build and operate its own treatment plant, it is highly unlikely that such a project**



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would be approved. From a regulatory perspective, DES has a stated goal of consolidating service, and the construction of a new facility would raise significant permitting challenges given discharge impacts and the existence of the current treatment plant. It would also be cost prohibitive and face major hurdles under the 208 planning process. Most importantly, because Seneca represents the majority of the flow to OJRSA, diverting that flow and revenue to a separate facility would significantly undermine the financial and operational stability of the existing regional system. Under the 208 Plan's "do no harm" principle, regulators are unlikely to approve a new plant that disrupts or diminishes the public's investment in existing infrastructure. For these reasons, construction of a new plant is not a recommended or realistic path.

10. Should L&W hold off on any sewer projects? Yes, but only major construction. Basic maintenance and updates to the system to comply with OJRSA consent order requirements as well as other system support should continue as necessary to maintain the system in good utility condition. All other members should conform to this advice.

Oconee County

No formal questions were submitted or received, as staff indicated the County's questions have been addressed in the foregoing.