



Oconee Joint Regional Sewer Authority

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Seneca, South Carolina 29678
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www.ojrja.org

OCONEE JOINT REGIONAL SEWER AUTHORITY Ad-Hoc Reconstitution Committee and Executive Committee December 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.)
- Kevin Bronson (City of Westminster) – Committee Chair
- Chris Eleazer (Oconee Joint Regional Sewer Authority)
- Lawrence Flynn (Pope Flynn - OJRSA Attorney) – *via Microsoft Teams*
- Glenn Hart, Oconee County Councilman
- Joel Jones (Consultant, JonesWater)
- Scott Moulder (City of Seneca)
- Celia Myers (City of Walhalla) - *via Microsoft Teams (arrived 9:45 a.m.)*

Committee Members that were not present:

- Angie Mettlen, (Vice President, Ardurra)

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 – *via Microsoft Teams*
- Ms. Andrea Kelley, The Journal
- Tony Adams, Oconee Co. Citizen

A. Call to Order – Mr. Bronson called the meeting to order at 9:03 a.m.

B. Approval of Minutes

- **Ad Hoc Reconstitution Committee and Executive Committee Meeting of November 13, 2025**

Mr. Moulder made a motion, seconded by Mr. Hart, to approve the November 13, 2025 meeting minutes as presented. The motion carried.

C. Committee Discussion and Action Items

- 1. West Union Update Regarding the Support Resolution and Rate/Valuation Study** – Mr. Eleazer asked Mayor Oliver to give an update on this. Mayor Oliver stated that she signed the resolution and would've turned it in today had she not been under the weather. She reported that the Town Council still has questions including why the town cannot become a member of the new board and what compensation the town will receive for giving the sewer system away. She also stated that the town's attorney, Ms. Mary McCormick, feels it is unfair to pay for the rate study when the town has nothing to do with it and won't get anything from it.

Mr. Bronson stated he feels the Town of West Union's concerns are generally the same as the other members' concerns. He thanked Mayor Oliver for her feedback. He said it will be a process before the answers to these questions are nailed down and asked for continued patience as the process is worked through.

Mayor Oliver asked what other options the town will have. Ms. Amidon replied this will be addressed further in Item 4 of today's meeting.

Mr. Flynn stated he had a very good conversation with Ms. McCormick after she made major changes to the resolution which reflected what Mayor Oliver just said. He agreed that West Union has basically the same questions as the other members have.

In reference to compensation for the system, Mr. Flynn stated that he explained to Ms. McCormick that the OJRSA only has revenue generated from the customers it serves. The idea of paying for the collection systems must either be done on a rate base basis or turned over and administered appropriately. There is no pot of money for distribution. He explained how the Town of West Union has a very small sewer system. He said the cost of capital items or regulatory issues would go back on rate payers and that the town may benefit from being a part of a larger sewer system and not having to pay for these (as well as future maintenance costs).

In reference to becoming a member of the board, Mr. Flynn told Ms. McCormick that the town's system is too small in comparison to the other members. The idea of further diluting the interest of the existing members is not something the original Ad Hoc Committee thought made sense.

In reference to the cost of the Rate Study, he told Ms. McCormick that the request was this organization is going through the reconstitution process and is looking to do the necessary work to figure out where value lies in order to avoid getting left out even if the entity becomes a wholesale customer in the future.

Mayor Oliver asked if the rates would be changing at any point. Mr. Flynn stated he couldn't speak to that; the independent rate consultant would be determining that. He added that there is a requirement that the OJRSA pays for maintaining collection systems, and the only way to pay for it is by obtaining debt. Obtaining debt for capital improvements would raise the rate base, and it wouldn't be realistic to think sewer costs will get cheaper. This is regardless of whether consolidation occurs or not; there is a lot of capital needs to be done which will likely be manifested in the reports from the rate consultants.

Mayor Oliver spoke about adding fees to cover the town's maintenance workers for obtaining data for the current monthly flow reports and payments to the OJRSA; she stated she told her council that if the reconstitution occurs, the OJRSA would not put new meters on the town's system, and the town will still have to obtain this information each month. Mr. Eleazer replied that the cost would be placed on the existing customers if the OJRSA had to meter the sewer connections, so we do not foresee doing this.

Mr. Bronson thanked Mayor Oliver again for participating today and told her he hopes she feels better quickly. Mr. Eleazer said he would be happy to answer any questions that the Town of West Union may have after the meeting. Mr. Jones said the OJRSA will be able to provide more information about what a potential wholesale agreement would look like soon. He added that there are options, but they are not desirable options; it's all about who is going to own the risk.

- 2. Oconee County Update Regarding the Support Resolution** – Mr. Bronson welcomed Mr. Hart to the committee. Mr. Hart said it was a pleasure to be here, and he took a moment to thank the Oconee County Council for appointing him to this committee.

Mr. Hart said he wouldn't be here if Oconee County didn't support the resolution; however, he added he cannot make any decisions without talking to the other council members first.

Ms. Amidon asked if Mr. Hart had a copy of the resolution; Mr. Hart replied no. Mr. Eleazer said he will email the resolution to Mr. Hart via his council email address and will also email it to Mr. Phil Shirley (interim Oconee County administrator). Mr. Eleazer added that if there are any questions, Mr. Flynn would be happy to speak to the county's attorney. Mr. Eleazer asked Mr. Hart if Mr. David

Root is still the county's attorney; Mr. Hart replied Mr. Root will continue as the attorney for four (4) more months.

- 3. Update on Amendment to Joint Authority Water and Sewer Systems Act (Exhibit A)** – Mr. Flynn stated that nothing has changed in the language of the Act. The OJRSA wanted to try to get this pre-filed; the pre-filing window is currently open at a month prior to the start of the 2026 season of the second (2nd) year legislative session.

Mr. Flynn said he reached out to Senator Alexander who expressed an interest in participating in the meeting today but ended up having another appointment conflict. Mr. Flynn stated that subsequent to this conversation, the senator's chief administrative drafting liaison reached out to him. Mr. Flynn said he sent a copy of the most up-to-date version of the legislation earlier this week to him and said he would be happy to answer any questions. Mr. Flynn said he assumes the Act will work through the drafting process and be cleaned up to conform with their protocols for introduction.

- 4. Communications with Elected Officials** – Ms. Amidon stated that the original Ad Hoc Committee recommended having a communication plan that will make sure the same messages comes from this committee and the OJRSA to all the council members to keep everyone on the same page. The consulting group (Mr. Jones, Ms. Mettlen, and Ms. Amidon) decided that it would be most valuable if this got started, because it encourages people to participate, and there have been articles coming out in the media that have been informative to the public. It is also beneficial that newly appointed council members that don't really know all that has transpired over the past several years are brought up to speed.

Ms. Amidon drafted the first communication memorandum (*made a part of these minutes*) which contains information that was previously made public; however, the new council members will probably not read the OJRSA Master Plan or Feasibility Study, so this will help communicate this information to them. This memo is a quick background of why the OJRSA is doing these memos, a background of the reconstitution process, the reconstitution recommendations (including the June 16, 2025 meeting that was presented during an OJRSA and Oconee County Council meeting), and some additional background information as to why the OJRSA exists in the first place.

Ms. Amidon asked if the committee supports this initiative, and if so, what process does the committee want to go through to approve the memos before they are made public. She added that, although this first memo is a recap, subsequent memos would include items like "Wholesale Options" (what that means and what it looks like). Ms. Amidon asked the committee to think about how the process should move forward and how to send it out (from the OJRSA board chair, Executive Director, or another person).

Mr. Bronson said he appreciates this being put together. He stated he likes the idea of the memos coming from Ms. Amidon, because she would make sure it's concise and readable. He said he is fine with however the majority of the committee want it communicated.

Mr. Moulder thanked Ms. Amidon for preparing the memo and said he feels the communication memo is an excellent idea to ensure everyone is getting the same information. He feels it is a good idea to have a central point to distribute the information to the mayors and councils but does not feel Mr. Bronson should distribute it as he works for the City of Westminster. Mr. Bronson agreed and said he wouldn't feel comfortable sending information to the other cities' councils; he said it should come from Mr. Eleazer or Ms. Amidon. Mr. Moulder said he felt it was better coming from Mr. Eleazer.

Ms. Amidon said the consulting group would do the legwork on drafting the memos. Mr. Moulder said Ms. Amidon asked if this committee had to approve the memos before they were sent out, and he was fine with that; Mr. Bronson said that the consulting group is working on OJRSA's behalf. Mr. Jones said there is an extra benefit for it coming from Ms. Amidon: It is not the work of the committee but is a summary of events; this committee would not be accountable for any discrepancies. Coming from Mr. Eleazer would make it look like an official document, and it is a lot

to ask this committee to read through the minutes and everything else and then approve the summary.

Mr. Moulder asked if it should be sent out without the committee's approval. Ms. Amidon said she feels good about this first memo, as it's just a recap. For future memos, she stated she would like some level of review to ensure nothing goes to council that isn't true in regard to logistics of how this moves forward. Ms. Amidon said Mr. Flynn or Mr. Eleazer could review it. Mr. Moulder suggested Ms. Amidon send it out to the committee five (5) days before sending it out, and it would be on the committee members to review it and voice any objections that can be brought back to the next committee meeting.

Mr. Bronson asked Mr. Hart if he had any thoughts on this process. Mr. Hart replied that his council told him to "come here and nod yes or no and keep my mouth shut." Mr. Bronson asked Mr. Bentley for his thoughts. Mr. Bentley said it is a good idea to do the memos so the cities can look at them. He said he would chime in more when the valuations are done.

It was agreed that Ms. Amidon would give the committee a five (5)-day heads up to review before it is distributed to the elected officials. Mr. Bronson added that he won't have the contact information for his new council members until after January 1, 2026.

Mr. Eleazer stated it is a public document now and will put it on the OJRSA website. Ms. Amidon stated she would send out a formal email in January, and she asked for all the email addresses.

Mr. Moulder asked if these memos could be sent to other city personnel like the utility directors. Mr. Bronson and Ms. Amidon both replied yes.

Ms. Amidon asked if there were any suggestions for the next memo. Mr. Moulder said the consolidation questions and answers should be in the next one. Mr. Eleazer said it should be grouped together the best it can.

- 5. Update on Financial Studies (Exhibit B)** – Ms. Amidon said she and Mr. Flynn will discuss this in Ms. Mettlen's absence. She stated that Raftelis was contacted and is happy to be part of the process. They feel that with the data that was already made available, it shouldn't be as involved as what they did for MetroConnects. She reminded the committee that it was agreed that sole sourcing would occur with no formal approval vote of the OJRSA board needed. She added that Raftelis will work on developing a Scope Fee and all the data from the Master Plan and Feasibility Study was cataloged and will be given to them. Mr. Flynn stated he spoke to First Tryon; they are up to speed and are ready to be engaged and just need direction on where to go.

Mr. Bronson asked if it would be reasonable to discuss the costs at the January committee meeting. He said it will take three (3) months from now for the City of Westminster to approve the cost. Once the committee learns the cost in January, it will have to be brought to the council meeting later that month, and then the council's decision will be brought back to this committee in February. Mr. Jones said he feels that is aggressive and that February would be more realistic.

Ms. Amidon asked if it was okay to share the catalog of files with Raftelis. Mr. Bronson and Mr. Moulder both said yes.

- D. Committee Member Discussion** – Mr. Moulder and Mr. Eleazer wished a Merry Christmas to everyone. Revisit Meeting Schedule, Oconee County's Long-Term Commitment, & Wholesale Agreement Options – Mr. Jones said that due to several new council members being appointed in January, it may be necessary to revisit the committee meeting schedule. In addition, it is important to get a long-term commitment from Oconee County as to where they want to concentrate on growth and how it relates to the consolidation. Mr. Jones also said it would be beneficial to speak about Wholesale Agreement options. Mr. Bronson asked Mr. Eleazer and Ms. Amidon to have this on the agenda for the January meeting.

Mr. Bronson said it would be helpful to know what needs to be answered for the critical path forward. Mr. Jones said the viable options should be discussed and questions answered.

Ms. Amidon said that there were conversations with Anderson County a couple years ago and asked Mr. Hart if these were still ongoing at the county level, and she asked Mr. Bentley if this is part of the 208. Mr. Bentley said the job of the 208 plan is to set up how regional services are provided and designate the regional providers. The Appalachian Council of Governments (ACOG) is the regional planner designated by the state management agencies. ReWa and OJRSA are established through that plan. If a new facility is being put in place, ACOG will determine who will be the provider and who will be the management agency, what it is going to serve, if it impacts anyone else from an environmental standpoint, and the economics of it (will it undermine the existing service of a provider by taking away a territory that they were expecting or receiving revenues from). From a plan standpoint, the principals won't support the idea. It depends on how it pans out. He added that he advocates for consolidation.

Mr. Eleazer said he asked Weston & Sampson and Bolton & Menk to look at a plant option at the southern part of the county that would serve Anderson County and another one at the eastern part of the county that would take some load off the Coneross plant. It was determined that the most economical option was to bring all the flow to the Coneross plant (even from the interstate). Ms. Amidon added that the receiving waters at the southern end of the county cannot handle a very large plant.

Mr. Hart said he received an email from the engineer on Exit 4 who said they are looking for one more permit for the SCDOT before they can do any more work. Mr. Eleazer said this has to do with the Master Plan to serve the parcel near Exit 4 to bring sewer to the existing infrastructure (Phase II). He said he provided the letter to Mr. Shirley at the SCDOT the other day saying the OJRSA is willing to do the operation and maintenance for the system.

Mr. Eleazer asked about the agreements Mr. Jones referred to earlier. Mr. Jones asked what the alternatives were. He said that West Union is currently not a member; their only option is to be a stand-alone entity. There are some questions with Seneca as well. These could be a wholesale agreement that needs a rate structure. There are a lot of things to go into it, and it does not have a simple answer to it.

Last Meeting Request - Ms. Amidon said it was requested at the last meeting to provide expected outcomes for the Feasibility and Collection System Rate studies, and she said it was agreed to get Raftelis and First Tryon going forward. She asked if the committee members need to review this with their respective councils and provide feedback on the outcomes. Mr. Bronson said the main question is what the cost is, and he will share this information with his council. He said that's enough for now.

Ms. Myers apologized for being late to the meeting and said she will share the information with her council and allow them to provide feedback. The city is still moving forward as of right now. Mr. Moulder asked Mr. Eleazer to email Ms. Myers and fill her in about the communication process since she missed the discussion in the meeting.


Award – Mr. Bronson congratulated Mr. Flynn and Pope Flynn on the recent award they received.

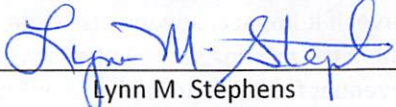
E. Adjourn – The meeting was adjourned at 9:59 a.m.

Upcoming Meetings

1. **Finance & Administration Committee** – Tuesday, December 16, 2025 at 9:00 a.m.
2. **Operations & Planning Committee** – Thursday, December 18, 2025 at 8:30 a.m.
3. **Board of Commissioners** – Monday, January 5, 2026 at 5:00 p.m. *(Note: Special time and location: Walhalla Depot, 211 South College Street, Walhalla)*
4. **Annual Members' Meeting** – Monday, January 5, 2026 at 6:00 p.m. *(Note: Special time and location: Walhalla Depot, 211 South College Street, Walhalla)*
5. **Reconstitution Committee & Executive Committee** – Thursday, January 8, 2026 at 9:00 a.m.

(SIGNATURES ON FOLLOWING PAGE)

Approved By:  Date Approved: 2/12/26
Kevin Bronson
Committee Chair

Approved By: 
Lynn M. Stephens
OJRSA Secretary/Treasurer

Notification of the meeting was distributed on December 5, 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
December 11, 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.

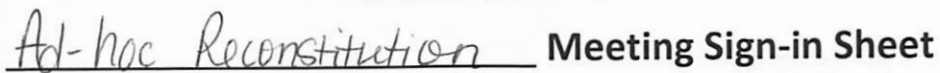
Agenda

- A. Call to Order** – Kevin Bronson, Committee Chair
- B. Approval of Minutes**
 - Ad Hoc Reconstitution Committee and Executive Committee Meeting of November 13, 2025
- C. Committee Discussion and Action Items**
 1. West Union update regarding the support resolution and rate/valuation study – Chris Eleazer, Committee Member/OJRSA Director (or Linda Oliver, West Union Mayor, if present)
 2. Oconee County update regarding the support resolution – Glenn Hart, Committee Member/Oconee County Council
 3. Update on amendment to Joint Authority Water and Sewer Systems Act (Exhibit A) – Lawrence Flynn, OJRSA Counsel
 4. Communications with elected officials – Katherine Amidon, Committee Facilitator
 5. Update on financial studies (Exhibit B) – Angie Mettlen, Committee Facilitator
- D. Committee Member Discussion** – Led by Kevin Bronson, Committee Chair
Discussion can be related to matters addressed in this meeting or for future consideration by the Board or Committee. Voting is not permitted during this session.
- E. Adjourn**

Upcoming Meetings

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

- Finance & Administration Committee – December 16, 2025 at 9:00 AM
- Operations & Planning Committee – December 18, 2025 at 8:30 AM
- Board of Commissioners – January 5, 2026 at 5:00 PM *Note special meeting time. Meeting to be held at Walhalla Depot, 211 South College Street, Walhalla*
- Annual Members' Meeting – January 5, 2026 at 6:00 p.m. *Note special meeting time. Meeting to be held at Walhalla Depot, 211 South College Street, Walhalla*
- Reconstitution Committee and Executive Committee – January 8, 2026 at 9:00 AM



NAME (Print)

ORGANIZATION

Bulhan J. Mark

Oconee County

Jones Water

Jones Water

ACOG

Wolfram

The Juma

Συνολικά

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~~ 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.



AD HOC RECONSTITUTION COMMITTEE

December 2025

Financial Feasibility Study: Expected Outcomes for Entities

Overall Outcomes

Based on a scope similar to the MetroConnects/Sewer Districts Financial Feasibility Study provided to the Committee as an example, the following overall outcomes can be expected for each entity if participating in a similar study. It would be expected that only the initial phase of the study would be completed at this time. The actual deliverables will be based on the negotiated scope after discussions with the selected consultant.

Below are the expected outcomes that each entity could expect from a similar study:

Strategic Financial Roadmap: Clear understanding of debt capacity, affordability, and long-term capital planning.

Decision Support: Data-driven insights to guide prioritization of projects and potential mergers/consolidations.

Enhanced Governance: Transparent communication tools for boards, committees, and stakeholders.

Example Phase I: Financial Analysis & Consolidation/Merger Evaluation

Planning Work Deliverables

- Financial Condition & Debt Portfolio Analysis
- Detailed report on current financial health, credit profile, and debt obligations.
- Identification of strengths, risks, and opportunities in existing financing.
- Capital Planning Model
- A comprehensive, customized financial model projecting debt capacity and affordability.
- Scenario testing for different project timelines, funding structures, and revenue sources.



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- Sensitivity analyses to show how changes in assumptions (revenues, costs, growth) affect affordability.

Consolidation/Merger Evaluation Deliverables

- Comparative analysis of existing and proposed cash flows for entities under consideration.
- Impact assessment on financial ratios, coverage levels, and long-term sustainability.
- Pro forma projections to evaluate merger/consolidation feasibility.
- Stakeholder Engagement
- Participation in board meetings, workshops, and committees to refine assumptions.
- Presentation materials to communicate findings clearly to governing boards and staff.

Example Phase II: Financial Transaction Support

This phase will come at a later date if consolidation moves forward and will not be a part of the initial scope. However, this is provided as information for the Committee to understand the expected outcomes of this work should it be necessary.

Transaction Execution Deliverables

- Plan of Finance Document
- Tailored financing strategy aligned with short- and long-term objectives.
- Recommended structures (fixed vs. variable rate, term lengths, call provisions).
- Credit Package
- Comprehensive lender/bond counsel package including financials, projections, and supporting schedules.
- Quantitative Schedules
- Sources and uses of funds.
- Debt service schedules.
- Escrow cash flow projections.

Financing Calendar Deliverables

- Detailed timeline of milestones (board approvals, hearings, closing dates).



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- Market Advisory Report
- Current bond market conditions and interest rate outlook.
- Timing recommendations for issuance.
- Closing Documentation
- Coordinated checklist of closing requirements.
- Drafts of legal documents prepared with counsel.
- Final executed agreements.
- Board/Stakeholder Presentation
- Clear explanation of financing terms, risks, and expected outcomes.
- Visuals to support decision-making.

Post-Closing Support Materials

- Closing summary report.
- Q&A documentation for staff and stakeholders.



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Collection Systems Rate Study: Expected Outcomes for Entities

Overall Outcomes

Based on a scope similar to the MetroConnects/Sewer Districts Collection Systems Rate Study provided to the Committee as an example, the following overall outcomes can be expected for each entity if participating in a similar study. It would be expected that this rate study would follow the Financial Feasibility Study and utilize its results combined with capital improvements information from each entity and developed through the OJRSA Regional Feasibility Planning Study. In addition, if any entity has undertaken a recent rate study, that information will also be used in this effort. The actual deliverables will be based on the negotiated scope after discussions with the selected consultant.

Below are the expected outcomes that each entity could expect from a similar study:

Clear Understanding of Financial Needs: Insight into revenue requirements for both individual subdistricts and a consolidated system.

Equitable and Sustainable Rate Structure: Rates aligned with industry best practices and financial objectives.

Customer Impact Transparency: Analysis of how proposed changes affect affordability and fairness.

Decision Support Tool: A robust model to guide future rate adjustments and capital planning.

Strategic Recommendations: Guidance on policy considerations, economies of scale, and long-term financial sustainability.

Example Rate Study Key Deliverables

Detailed Data Request and Collection Task

- A comprehensive list of required data (budgets, billing data, financial reports, growth forecasts, ordinances, contracts).
- Organized and validated datasets for analysis.



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Revenue Requirement Forecast Task

- Multi-year projections of operating and maintenance costs, capital costs (including debt service), and reserve requirements.
- Separate forecasts for each subdistrict and an aggregated forecast for the entire system.

Billable Units of Service Forecast Task

- Analysis of customer demand using water usage and GIS data.
- Five-year forecast of billable units based on growth assumptions.

Rate Calculations Task

- Proposed rate structures for each subdistrict and consolidated system.
- Annual rate projections for the forecast period.
- Customer impact analysis to show how changes affect different customer classes.

Financial Model Task

- A customized, Excel-based interactive rate model.
- Ability to test scenarios, perform sensitivity analyses, and update assumptions easily.
- Dashboard for visualizing financial and operational metrics.

Recommendations & Presentation Task

- Summary report with findings, recommended rate structures, and financial strategies.
- One formal presentation to stakeholders (with potential for additional sessions if needed).



AD HOC RECONSTITUTION COMMITTEE

Reconstitution Process Communication Memorandum #1

Date: December 10, 2025

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

From: Ad Hoc Reconstitution Committee

Purpose:

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

Reconstitution Process Background:

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

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

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

Reconstitution Recommendations:

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



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

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



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Additional Background Information

OJRSA Background:

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

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

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

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

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

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

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



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

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

Public Sewer Today:

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

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

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

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

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

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

⁶ Owned by the State of South Carolina.



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

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

Table 1. Foundational Documents for Sewer in Oconee County

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

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



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

Private Sewer Today:

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