

MINUTES OF REGULAR MEETING OF COMMISSIONERS
OF LANCASTER COUNTY WATER & SEWER DISTRICT

A regular meeting of the Board of Commissioners of Lancaster County Water & Sewer District (LCWSD) was held at Lancaster County Water & Sewer District's Administrative Office in the Conference Center Board Room at 6:30 p.m., on Thursday, January 18, 2024, after due notice of the time, place, and purpose of such meeting.

Members Present: Gerald White, Doc Steele, Larry Hammond, Robert Harris, Stephen White, and RJ Clyburn.

Members Absent: Robert Barr, Mike Williams and Jimmy Deaton

In addition, there were present: Brad Bucy, District Manager; Wes Carter, Operations Manager; Margaret Flow, Business Manager; Jim Sheedy and Susan Driscoll, District Legal Counsel.

Gerald White called the meeting to order at 6:30 p.m. and chaired the meeting.

Approval of Minutes

Gerald White asked if there were any questions about or proposed changes to the November 21, 2023 Commission Meeting Minutes. Hearing none, he then asked for a motion to approve the November Meeting Minutes. Robert Harris made a motion to approve. Larry Hammond seconded. All approved.

Gerald White requested a motion to amend the agenda to change item five to the "Approval" of the Town of Kershaw Service Area and Non-Payment Agreement. Robert Harris made the motion to amend. Stephen White seconded.

Public Comment as Needed

There were no Public Comments. There was general discussion about establishing a time limit for Public Comments. Robert Harris made a motion to limit the public comment period to five (5) minutes per speaker. Doc Steele seconded. All approved.

Election of Officers

Brad Bucy identified the need to elect officers of the Board of Commissioners. Gerald White asked if there were any recommendations. Robert Harris made a motion recommending LCWSD continue with the current slate of officers. Larry Hammond seconded. All approved.

Approval of Amendment to the CRWSP Joint Venture Agreement to Allow a Cash Shortfall Account

Brad Bucy reviewed the terms of a proposed amendment which has been previously recommended by the CRWSP Board to be adopted by LCWSD and Union County. The amendment would allow a Cash Shortfall Account (CSA) to be created to minimize the use of capital contributions or the Capital Reserve Fund (CRF) for operating deficits during or at the

end of the Fiscal Year. Current procedures require CRWSP to zero-out at the end of the year so public monies are not retained from year to year.

There was general discussion. Doc Steele made a motion to approve an Amendment to the CRWSP Joint Venture Agreement to Allow a Cash Shortfall Account. This approval is conditional subject to Union County's approval of the same. Stephen White seconded. All approved.

Approval of Town of Kershaw Service Area and Non-Payment Agreement

LCWSD was approached about serving a development of approximately 70 units just north of the Town of Kershaw city limits. LCWSD already serves this area with water. LCWSD has no sewer customers in this area. The Town of Kershaw currently serves sewer customers and has a Wastewater Treatment facility with available capacity. Both staffs for LCWSD and Kershaw recommend LCWSD serve the development with water and the Town of Kershaw will serve the development with sewer. The discussion identified the need to capture the existing water and sewer service areas through agreement as identified on a map. In addition, there are inherent problems with enforcing non-payment on sewer customers when water service is furnished by a different provider. Therefore, the proposed agreement also allows LCWSD to cut-off water service to Town of Kershaw sewer customers in the interest of public health if sewer bills are not paid.

RJ Clyburn made a motion to approve the Town of Kershaw Service Area and Non-Payment Agreement. Robert Harris seconded. All approved.

Approval of the Identity Theft Prevention Program

Margaret Flow took over the meeting to review the required updates to the Identity Theft Prevention Program. This program is intended to identify, protect, and respond to potential fraud related to customer accounts. Margaret Flow reviewed the changes, which were administrative in nature.

Stephen White made a motion to approve the Updates to the Identity Theft Prevention Program. Larry Hammond seconded. All approved.

Approval of Procurement Ordinance Amendment – Small Purchase Agreement

The existing small purchase threshold of \$150,000 in the Procurement Ordinance was set in February of 2012. Staff has requested an increase to \$200,000 based upon increases in construction industry pricing over this period. A higher small purchase threshold is advantageous because smaller projects can become more expensive and time consuming under a competitive public bid requirement due to the additional time investments by staff and contractors and by the volatility of market pricing and contractor availability.

Robert Harris made a motion to approve the Procurement Ordinance Amendment – Small Purchase Agreement. Doc Steele seconded. All approved.

Executive Session

RJ Clyburn made a motion to enter Executive Session at 7:18 p.m. to receive legal advice on Pending Litigation, Contractual Agreement and/or Personnel Issue as identified below. Larry Hammond seconded. All approved.

CRWSP Treatment Discussion – Fluoridation

City of Lancaster – Annexation

Use of 1403 Kershaw Camden Hwy

Larry Hammond made a motion to come out of Executive Session at 8:04 p.m. Robert Harris seconded. All approved.

Robert Harris made a motion to request a House Member Appropriation of \$500,000 to be used to offset local funding for the LCWSD Riverside Road Regional Water Transmission Project. LCWSD will agree to donate property at 1403 Kershaw Camden Highway, including the lake there, to the Arras Foundation or the City of Lancaster to make the site a park for public use. This donation is to be contingent upon securing the House Member Appropriation Request for the fair value of the property. Doc Steele seconded. All approved.

Adjourn

RJ Clyburn made a motion to adjourn at 8:06 p.m. Stephen White seconded. All approved.



Robert Barr, Secretary

