

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judith K. Spooner, District No. 2

Members: Mr. Phillip Farley, District No. 1
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Dennis L. Fish, District No. 5
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A meeting of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, will be held on **Monday May 9, 2005**, following the meeting of the Committee on Human Services, the Committee on Justice and Public Safety, and the Committee on Finance in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at **6:00 p.m.**

AGENDA

APPROVAL OF MINUTES

April 11, 2005

EXECUTIVE SESSION for the discussion of negotiations incident to proposed contractual arrangements and proposed sale of purchase of property and the receipt of legal advice.

A. Consideration prior to First Reading of a Second Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, Water and Sewer System Revenue Bonds, Series 2005-A, in the principal amount of not exceeding \$150,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.

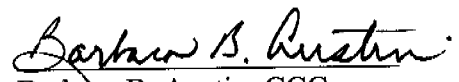
B. Consideration prior to First Reading of a Third Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, Water and Sewer System Refunding and Improvement Revenue Bonds, Series 2005-B, in the principal amount of not exceeding \$80,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.

C. Review prior to Second Reading of Bill No. 05-35, an ordinance providing for the adoption of fiscal year 2005-2006 (**beginning July 1, 2005 and ending June 30, 2006**) budgets for the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by the Berkeley County Water and Sanitation Authority.

D. J. Marc Hehn, Director, Berkeley County Water and Sanitation Authority, Re:

1. Agreement for the collection of payments at the Town of St. Stephen.
2. Agreement with the Berkeley County School District regarding rental of Men Riv School.
3. Grievance Committee appointments:
Jerri Christmas May 25, 2008
Vanderbilt (Tony) Brown May 25, 2008

May 4, 2005


Barbara B. Austin, CCC
Clerk of County Council

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judith K. Spooner, Council Member District No. 2

A meeting of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, was held on **Monday, May 9, 2005**, in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 7:32 p.m.

PRESENT: Mrs. Judith K. Spooner, Council Member District No. 2, Chairman; Mr. Phillip Farley, District No. 1; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. Steve C. Davis, Council Member District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mrs. Nicole Ewing, Deputy County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.

Chairman Spooner called the meeting to order and asked for approval of minutes from the Committee on Water and Sanitation Meeting held April 11, 2005.

APPROVAL OF MINUTES

It was moved by Council Member Farley and seconded by Council Member Fish to approve the minutes as presented. This motion was passed by unanimous voice vote of the Committee.

EXECUTIVE SESSION

It was moved by Council Member Pinckney and seconded by Council Member Fish to enter into Executive Session for the discussion of negotiations incident to proposed contractual arrangements and proposed sale of purchase of property and the receipt of legal advice. This motion was passed by unanimous voice vote of the Committee.

The Committee entered into Executive Session at 7:32 p.m., and returned to Committee Session at 7:58 p.m.

Mrs. Nicole Ewing, Deputy County Attorney, reported that the Committee entered into Executive Session for reasons stated in the motion, and no formal action was taken.

A. Consideration prior to First Reading of a Second Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, Water and Sewer System Revenue Bonds, Series 2005-A, in the principal amount of not exceeding \$150,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.

Mr. David Jennings, Berkeley County Water and Sanitation Authority Attorney, stated that as reflected in the proposed budget, there are significant capital needs. The \$150,000,000 bond issue is for fixed rate bonds and would not exceed that dollar amount. Greater detail in the projects and bonds (fixed rate/variable rate) involved will be provided to Council as the approval process proceeds.

Council Member Steve Davis asked what matters were being delegated to the County Supervisor.

Mr. Jennings responded that in the bond ordinance, there will be language that has been in every bond ordinance adopted by County Council concerning the Berkeley County Water and Sanitation Authority. The ordinance would provide the Supervisor with the authority to execute the multiple documents that are required for closing. Historically, the County Supervisor has done this.

Supervisor Rozier stated that Council would have an opportunity to approve or disapprove that provision in the ordinance.

It was moved by Council Member Charles Davis and seconded by Council Member Mims to approve consideration, prior to First Reading, of a Second Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, Water and Sewer System Revenue Bonds, Series 2005-A, in the principal amount of not exceeding \$150,000,000. This motion was passed by unanimous voice vote of the Committee.

B. Consideration prior to First Reading of a Third Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, Water and Sewer System Refunding and Improvement Revenue Bonds, Series 2005-B, in the principal amount of not exceeding \$80,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.

Mr. Jennings stated that the bonds involved with this proposed supplemental ordinance were variable rate bonds, and the amount of the bonds was not to exceed \$80,000,000.

It was moved by Council Member Crosby and seconded by Council Member Pinckney to approve consideration, prior to First Reading, of a Third Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, Water and Sewer System Refunding and Improvement Revenue Bonds, Series 2005-B, in the principal amount of not exceeding \$80,000,000. This motion was passed by unanimous voice vote of the Committee.

C. Review prior to Second Reading of Bill No. 05-35, an ordinance providing for the adoption of fiscal year 2005-2006 (beginning July 1, 2005 and ending June 30, 2006) budgets for the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by the Berkeley County Water and Sanitation Authority.

It was moved by Council Member Charles Davis and seconded by Council Member Crosby to approve review, prior to Second Reading, of Bill No. 05-35. This motion was passed by unanimous voice vote of the Committee.

Mr. Lee Moulder, Deputy Director of Administration, Berkeley County Water and Sewer Authority, submitted copies of the proposed Berkeley County Water and Sanitation Authority 2005-2006 Budget to the Committee for their review. *(A copy of the presentation is attached hereto and by this reference, made a part hereof.)* The proposed budget highlights no rate increases.

No additional action was required of the Committee.

D. J. Marc Hehn, Director, Berkeley County Water and Sanitation Authority, Re:

1. Agreement for the collection of payments at the Town of St. Stephen

Mr. Hehn stated that an agreement had been made with the Mayor of St. Stephen to pay the town \$500.00 per month for the first year.

It was moved by Council Member Pinckney and seconded by Council Member Crosby to approve the agreement for the payment to the Town of St. Stephen in the amount of \$500.00 per month for the first year. This motion was passed by unanimous voice vote of the Committee.

2. Agreement with the Berkeley County School District regarding rental of MenRiv School

Mr. Hehn stated that the Authority proposed paying \$5,000.00 per month for the use of the school building. The School District was asking for \$10,000.00, but would settle for \$7,500.00 per month.

Supervisor Rozier stated that the building is empty, and Berkeley County would be restoring and maintaining it, and would pursue further negotiation with the School District.

Mr. Hehn stated that the contract would be for two full school years.

It was moved by Council Member Crosby and seconded by Council Member Mims to send the Agreement to Berkeley County Council without recommendation. This motion was passed by unanimous voice vote of the Committee.

3. Grievance Committee appointments:

Jerri Christmas	May 25, 2008
Vanderbilt (Tony) Brown	May 25, 2008

Mr. Hehn recommended Jerri Christmas and Vanderbilt (Tony) Brown to be appointed to the Grievance Committee.

It was moved by Council Member Fish and seconded by Council Member Crosby to appoint Jerri Christmas and Vanderbilt (Tony) Brown to the Berkeley County Water and Sanitation Authority Grievance Committee. This motion was passed by unanimous voice vote of the Committee.

It was moved by Council Member Farley and seconded by Council Member Crosby to adjourn the Committee on Water and Sanitation. This motion was passed by unanimous voice vote of the Committee.

The meeting ended at 8:23 pm.

June 13, 2005

Date Approved



Annual Budget

for the year ending
June 30, 2006

Highlights

Sewer Fund No Rate Increase

Water Fund No Rate Increase

Solid Waste Fund No Rate Increase

2004 Budget Summary

(in thousands)

	Sewer	Water	Solid Waste	Total
Revenues	\$ 18,789	5,701	9,874	\$ 34,364
Operating Expenditures	9,125	3,097	5,613	17,835
Capital Outlay	2,827	500	2,040	5,367
Debt Service and Reserve	6,837	2,104	2,221	11,162
Total Expenditures	\$ 18,789	5,701	9,874	\$ 34,364

Sewer Budget Cuts

	Requested	Approved	Reduced
Operating Expenses	9,299,867	9,125,423	174,444
Capital Outlays	3,159,954	2,827,644	332,310
Debt Service	6,835,933	6,835,933	-
Total	19,295,754	18,789,000	506,754

Water Budget Cuts

	Requested	Approved	Reduced
Operating Expenses	3,156,176	3,097,226	58,950
Capital Outlays	500,000	500,000	-
Debt Service	2,103,383	2,103,383	-
Total	5,759,559	5,700,609	58,950

Solid Waste Budget Cuts

	Requested	Approved	Reduced
Operating Expenses	5,866,648	5,612,906	253,742
Capital Outlays	2,474,006	2,039,719	434,287
Debt Service	2,221,425	2,221,425	-
Total	10,562,079	9,874,050	688,029

Total Funds Cut From Budgets

	Requested	Approved	Reduced
Operating Expenses	18,322,691	17,835,555	487,136
Capital Outlays	6,133,960	5,367,363	766,597
Debt Service	11,160,741	11,160,741	-
Total	35,617,392	34,363,659	1,253,733

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Mr. William E. Crosby, District No. 3
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Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A **Workshop meeting** of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, will be held on **Monday May 23, 2005**, in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at **3:00 p.m.**

AGENDA

INVOCATION

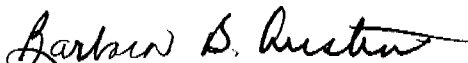
PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Workshop and review of the following budget:

A. Review of Bill No. 05-35, an ordinance providing for the adoption of fiscal year 2005-2006 (beginning July 1, 2005 and ending June 30, 2006) budgets for the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by the Berkeley County Water and Sanitation Authority.

B. Proposed change to Section Twelve – Section 65-561(a) (5) of the Berkeley County Code.

May 18, 2005


Barbara B. Austin, CCC
Clerk of County Council

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judith K. Spooner, Council Member District No. 2

A **workshop meeting** of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, was held on **Monday, May 23, 2005**, in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 3:17 p.m.

PRESENT: Mrs. Judith K. Spooner, Council Member District No. 2, Chairman; Mr. Phillip Farley, Council Member District No. 1; Mr. William E. Crosby, Council Member District No. 3; Mr. Dennis L. Fish, Council Member District No. 5; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. James H. Rozier, Jr., Supervisor, ex officio and Ms. Barbara B. Austin, Clerk of County Council. Mr. Charles E. Davis, Council Member District No. 4; Mrs. Judy C. Mims, Council Member District No. 6; and Mr. Steve C. Davis, Council Member District No. 8 were excused from the meeting.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.

Chairman Spooner called the meeting to order. Council Member Pinckney led in the Invocation, and Council Member Fish led in the Pledge of Allegiance to the flag of the United States of America.

Workshop and review of the following budget:

A. Review of Bill No. 05-35, an ordinance providing for the adoption of fiscal year 2005-2006 (**beginning July 1, 2005 and ending June 30, 2006**) **budgets** for the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by the Berkeley County Water and Sanitation Authority.

Chairman Spooner asked in Section 13, what is the minimum number of lots to support a pump station.

Christy McMichael, Internal Auditor, explained that if a development has 200 residential houses then there is no penalty. There is a cost of \$5,600 per pump station for operation and maintenance. The 1.20 factor provides for overhead costs.

Mr. Hehn stated that the average for a three bedroom house is 230 gallons/day. DHEC averages 400 gallons/day.

Committee Member Crosby asked for an explanation of the Sewer System Capacity Reservation Fee.

Mr. Hehn stated that this fee would be for all developments that must obtain a sewer construction permit from SCDHEC. A Willingness and Ability letter has to be submitted and a letter presented for a blank number of gallons of capacity and there is a charge for that. This is typically for a developer. An individual would only pay an impact fee.

Mr. Hehn stated that the proposed change to Section 12 would raise the number of taps from 150 to 300 in an area designated as a PDMU. This would accommodate both our needs in a comprehensive plan to develop an area.

Mr. Hehn stated that Council Member Davis called and asked if Spiers Circle is included in this project. It is included. Also asked about Project #10, Oakley Road. This project would be included in the bond issue. Public water service is being extended to any project that is within five miles of the landfill. The project on Horseshoe Road in Bonneau is not included in the bond issue. The estimated cost is \$300,000.

Mr. Hehn stated that Supervisor Rozier and Council Member Pinckney had asked about the Cross project. It will include all of the paved roads and the area north of Cross.

Council Member Pinckney asked about Mudville Road. Currently, 48 homes on one end of Mudville Road will be served. There is no grant for the remainder of the road.

Mr. Hehn stated that water plant capacity expansion was needed because when 85% capacity is reached on a peak day, planning needs to be done. The peak day for the entire authority should occur around 2010. It takes three years to build an expansion. The bond issue will start work on the basins. With the equipment, the total is around 18 million. The authority is projecting a 30% growth rate.

Council Member Fish stated that based on the current usage, the costs and the rates today, when is it anticipated for any future increase to cover this growth.

Mr. Hehn replied in approximately two years. Increases on wastewater treatment need to be spread to everyone. Additional capacity needs to be paid for by the developer. The treatment level is increased by DHEC and it will cost more to treat what is already in the system.

Council Member Pinckney asked what grants are pending?

Mr. Hehn stated that a grant is in for Jedburg Road. There is a project for water on Highway 176 that Congressman Clyburn did not include in the EPA projects. The over sized lines for Cross were not included in this project. Congressman Brown was asked for four million to assist with Cross with the Water Resources Development Act.

B. Proposed change to Section Twelve – Section 65-561(a) (5) of the Berkeley County Code (Discussed earlier in workshop) and a copy of proposed change is attached and by this reference made a part hereof.

It was moved by Council Member Pinckney and seconded by Council Member Crosby to adjourn the Committee on Water and Sanitation Meeting. The motion passed by unanimous voice vote of the Committee.

Meeting adjourned at 4:03 p.m.

June 13, 2005

Date Approved

SECTION TWELVE

Section 65-561(a) (5) of the Berkeley County Code is amended to read as follows:

(5) Sewer system capacity reservation fee. The Authority shall charge a sewer system capacity reservation fee to all developments that must obtain a sewer construction permit from SCDHEC. This fee shall equal one thousand six hundred seven (\$1,607.00) dollars per lot or residential dwelling unit and one thousand six hundred seven (\$1,607.00) dollars for each additional ERU or part thereof and must be paid prior to the issuance by the Authority of its capacity reservation letter to SCDHEC. For all projects that are not Planned Development Mixed Use (PDMU) developments, no capacity reservation shall be valid for more than one hundred fifty (150) units and for longer than thirty (30) months from the date of the capacity reservation letter to SCDHEC. Prior to issuing additional taps, fifty (50%) percent of the prior issuances must be connected to the Authority's sewer system and in use. For all developments that comply with all requirements set forth by Berkeley County for a PDMU, no capacity reservation shall be valid for more than (300) three hundred units and for longer than 30 months from the date of the capacity reservation letter to SCDHEC. Prior to issuing additional taps, the contracts associated with the capacity reservation must be satisfied. Furthermore, no sewer capacity may be assigned to a project requiring an SCDHEC construction permit until the Applicant has signed a Sewer Contract with the Authority agreeing to the administrative regulations of the Authority.

(6) Water system capacity reservation fee. The Authority shall charge a water system capacity reservation fee to all developments that must obtain a water construction permit from the SCDHEC. This fee shall equal one thousand one hundred twenty eight (\$1,128.00) dollars per lot or residential dwelling unit and one thousand one hundred twenty eight (\$1,128.00) dollars for each additional ERU and must be paid prior to the issuance by the Authority of its capacity availability letter to SCDHEC. For all projects that are not Planned Development Mixed Use (PDMU) developments, no capacity reservation shall be valid for more than one hundred fifty (150) units and for longer than thirty (30) months from the date of the capacity reservation letter to SCDHEC. Prior to issuing additional taps, fifty (50%) percent of the prior issuances must be connected to the Authority's water system and be in use. For all developments that comply with all requirements set forth by Berkeley County for a PDMU, no capacity reservation shall be valid for more than (300) three hundred units and for longer than 30 months from the date of the capacity reservation letter to SCDHEC. Prior to issuing additional taps, the contracts associated with the capacity reservation must be satisfied. Furthermore, no water capacity may be assigned to a project requiring a SCDHEC construction permit until the Applicant has signed a Water Contract with the Authority agreeing to the administrative regulations of the Authority.