

ADMINISTRATOR'S REPORT Kevin Bronson Office of the City Administrator Westminster, South Carolina

May 8, 2025

GENERAL INFORMATION

FY 2026 Congressional Directed Spending Request (Earmarks)

City staff resubmitted the backup generator for the Water Plant to the Office of Senator Lindsey Graham as an earmark request in the upcoming FY 2026 budget. The City has applied for this same project in the previous two years. The Senator has supported the project through the late stages of the federal budget development and office staff has once again offered their support. It was not approved in the previous two budgets because Congress has used continuing resolutions to operate the government, meaning a single comprehensive budget package was not approved.

This Week in Rec: An Update from Recreation Director Herb Poole

- The first travel baseball tournament will be held Saturday. It's a Saturday only tournament to accommodate Mother's Day.
- WRD has had tremendous success with football signups earlier this week. An anonymous donor is providing for 60 kids to register, 20 in each age division. (8u, 10u, 12u). Most slots are already full. We hope to have registration dates for fall sports soon.
- WRD received donations for our annual Mother's Day Appreciation gifts campaign. The winners of the gifts will be announced on Sunday evening.
- The Oconee County Tournament for softball will begin Monday. Baseball will be held the following week.

SCIIP Sewer Project

Tugaloo/McClam finished installing the new 8" sewer main up the remainder of Spring St and are cleaning the site before moving on to next portion of the project.

The city received several bids on phase II of the project. The City Engineer and Utilities Staff have identified ways to reduce scope and cost and will be presented for award at a coming City Council meeting.

Anderson Park

The concrete parking lot is poured and is curing. Next step for the parking area is stripping after the cure period for the concrete transpires The concrete parking area will sit for three more weeks for the concrete to cure to allow for stripping. City staff began work on the older portion of the park area. The work include removing stumps, smoothing uneven surface areas, removing dead shrubs, etc.

A ribbon cutting is being planned for the re-opening of the park. Details will be provided once plans are confirmed.

Horton Outdoor Recreational Area

The *Invitation for Subcontract Bids* for the concession stand is currently advertised and responses are now due May 20, 2025. On May 8, 2025, Mammoth Sports Construction held a non-mandatory pre-bid meeting. Approximately eleven people attended, representing approximately six local companies. The information for the bids are:

REVSIED DUE DATES: Pre-bid - Thursday May 8th, 10:00 AM Local Time at Westminster City Hall Bid Date: Tuesday May 20th, 2:00 PM More information may be found here: https://westminstersc.org/departments/administration/#bids

Construction resumed in earnest this week. The gravel parking lot is under construction, various drainage components were installed. Next week fencing and other field components are planned to begin being installed. Homeplate locations have been demarcated. Anticipate more truck traffic in to and out of the site as construction components will begin to be delivered at a faster rate.

Heirloom Farms

J&M has finished installing water lines in the subdivision up to the connecting point. The depth of the main has been determined at 9'. Rosier Group is developing a plan to shift the tie down the road to a safer depth. And unfortunately, with trying to coordinate a day with the industrial plants, J&M will have to leave the job and remobilize at a later date for the completion of the project. They have scheduled the tie-in date for Memorial Day.

Sewer is complete.

Long Creek Highway Chauga River Bridge

Bridge girders have been installed. Concrete is scheduled to be poured on May 8th. This will be one continuous pour to complete the bridge deck. Westminster Public Works is still standing by for water line installation. Bridge is on track for summer completion, per Crowder Construction (project contractor).

Westminster Planning Commission

Nothing to report.

OJRSA

The Ad Hoc Feasibility Implementation Committee met May 8, 2025. The Committee discussed its final recommendations for a new governance structure for OJRSA. The agenda is attached.

PMPA

The Executive Committee met May 7, 2025 at 10:00 am, the agenda is attached. The Executive Committee authorized Joel Ledbetter, PMPA General Manager, to sign a *Consent Judgement on Declaratory Judgement* regarding the lawsuit by the City of Greer and the City of Union against PMPA.

The lawsuit resulted from a disagreement about the meaning and timing of a provision of the Catawba Project Power Sales Agreement (CPPSA) – section 5(h). The *Consent Judgement on Declaratory Judgement* will end the lawsuit while preserving both sides' future legal rights. A copy of the *Consent Judgement on Declaratory Judgement* is included with the attached agenda.

PLEASE MARK YOUR CALENDARS

May 9, 2025 City offices closed in observance of Confederate Memorial Day

May 13, 2025 at 6:00 pm City Council Meeting at the Westminster Fire Department

May 19, 2025 at 6:00pm Westminster Planning Commission Meeting at Westminster City Hall May 20, 2025 at 8:30 am Operations & Planning Committee at OJRSA

May 22, 2025 at 10:00 am PMPA Board Meeting at PMPA

May 26, 2025 City offices closed in observance of Memorial Day

May 27, 2025 at 9:00 am Finance & Administration Committee at OJRSA

May 29, 2025 at 5:00 pm Special Called City Council Meeting at Westminster City Hall

June 2, 2025 at 4:00 pm OJRSA Board Meeting at OJRSA

June 12, 2025 at 9:00 am OJRSA Ad-hoc Feasibility Implementation Committee at OJRSA

City Council Meeting Schedule:

January 14, 2025		6:00 PM	City Council Meeting
February 11, 2025	4:00 PM	6:00 PM	Budget Workshop/City Council Meeting
March 11, 2025	4:00 PM	6:00 PM	Budget Workshop/City Council Meeting
April 8, 2025	4:00 PM	6:00 PM	Budget Workshop/City Council Meeting
April 29, 2025	4:00 PM		Budget Workshop
May 13, 2025		6:00 PM	City Council Meeting
June 17, 2025		6:00 PM	City Council Meeting
July 8, 2025		6:00 PM	City Council Meeting
August 12, 2025		6:00 PM	City Council Meeting
September 9, 2025		6:00 PM	City Council Meeting
October 14, 2025		6:00 PM	City Council Meeting
November 18, 2025		6:00 PM	City Council Meeting
December 9, 2025		6:00 PM	City Council Meeting

Special Events Calendar

May 17, 2025 Music on Main in Downtown Westminster

Westminster Music Centre presents Music on Main. Car Show will begin at 3:00.

June 19, 2025 Westminster Juneteenth Luncheon at TBD in Westminster

Westminster will host its second Juneteenth luncheon. More details to come.



Ad Hoc Sewer Feasibility Implementation Committee

OJRSA Operations & Administration Building Lamar Bailes Board Room May 8, 2025 at 9:00 AM

This advisory committee was established by the OJRSA Board of Commissioners at its November 4, 2024 meeting to consider recommendations and report to the OJRSA Board and Oconee County as identified in the <u>Regional Feasibility</u> <u>Planning Study</u> as adopted by the OJRSA on September 9, 2024. The committee can neither create policy nor make decisions on behalf of the OJRSA or other wastewater service providers within the area. See the study at <u>www.ojrsa.org/info</u> for more information.

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 <u>www.youtube.com/@OconeeJRSA</u> (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 <u>info@ojrsa.org</u>. 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 Joel Jones, Committee Chair
- **B. Public Comment** Receive comments relating to topics that may or may not be on this agenda. Session is limited to a maximum of 30 minutes with no more than 5 minutes per speaker.

C. Approval of Minutes

- Ad Hoc Sewer Feasibility Implementation Committee Meeting of April 10, 2025
- D. Committee Discussion and Action Items Joel Jones, Committee Chair, unless otherwise noted
 - 1. **Review Draft Recommendations for Reconstitution and Discuss Next Steps** Review the revised draft reconstitution memo with the next steps outlined for reconstitution of the Joint System and conveyance of the Members' collection systems to the Joint Authority and discuss next steps
 - Discuss District Boundary Options Reconstitution of a new sewer authority will require defining a service area for proposed management purposes and appointing board members. Options for this will be presented and discussed.
 - 3. **Review Committee Member Support for Proposed Recommendation** A successful recommendation will need the support of all stakeholders party to this process. Discussing their willingness to endorse the recommendation is an important step in finalizing the recommendation.
 - 4. **Committee Action Items** Discussion among committee members regarding making final recommendations for steps forward towards reorganization, consolidation, and other matters relevant to this committee.
 - 5. Consider posting meeting minutes to the OJRSA website upon approval by the ad hoc committee Chris Eleazer, Committee Member
- E. Public Comment Following Committee Discussion and Action Items Session is limited to a maximum of 30 minutes with no more than 5 minutes per speaker.
- F. Upcoming Meetings All meetings to be held in the Lamar Bailes Board Room unless noted otherwise.
 - 1. Operations & Planning Committee May 21, 2025 at 8:30 AM
 - 2. Finance & Administration Committee May 27, 2025 at 9:00 AM
 - 3. Board of Commissioners June 2, 2025 at 4:00 PM
 - 4. Ad Hoc Sewer Feasibility Implementation Committee June 12, 2025 at 9:00 AM
- G. Adjourn



Memorandum

To: Scott Moulder, Kevin Bronson, Celia Myers From: Allison McCullough AM CC: Bob Faires, Scott Parris, Laramie Hinkle, Chris Eleazer

With the upcoming recommendations from the Ad Hoc Sewer Feasibility Implementation Committee, and discussions with each City Administrator, progression on the respective Corrective Action Plans will be placed on a minimal stand still until the direction of the sewer systems have been determined. It is highly probable that consolidation of sewer systems will be proposed and in the best interest of current and potentially future sewer system holders that proceed with corrective action plans be placed on hold until the OJRSA Board of Commissioners vote on the recommendations. Once the recommendations have been presented to the OJRSA board and a vote for implementation is considered, then the Corrective Action Plans review will be revisited.

> 623 Return Church Road Seneca, South Carolina 29678 Phone (864) 972-3900 WWW.OJRSA.ORG

Piedmont Municipal Power Agency



121 Village Drive Greer, SC 29651 www.pmpa.com (864) 877-9632 (864) 879-2122 fax (877) 236-3547 toll free

Executive Committee Via Teams May 7, 2025 10:00 am

AGENDA

1. Call to Order and declaration of quorum

Old Business

- 2. Approval of Minutes January 29, 2024 (Attached)
- 3. Approval of Minutes August 15, 2024 (Attached)

<u>New Business</u>

- 4. Discussion and approval of **Consent Judgment On Declaratory Judgment**. Civil Action No.: 2023-CP-23-03809, City of Greer and City of Union vs. Piedmont Municipal Power Agency (Attached)
- 5. Adjourn

DRAFT MINUTES EXECUTIVE COMMITTEE MEETING



Name:	PMPA Executive Committee
Date:	Monday, 29 January 2024
Time:	10:34 am to 11:54 am (EST)
Location:	PMPA Office, 121 Village Drive, Greer, SC 29651
Committee Members:	Blake Stone (Committee Chair), Donnie Hardin, Jimmy Bagley, Tim Baker, Tom Brooks
Attendees:	Joel Ledbetter, Joe Nichols, Marc Regier, Mike Richard, Steve Bratton
Apologies:	Mayor Brian Ramey, David Vehaun, Eric Goodwin, Mayor Foster Senn, John Young, Keith Wood, Kevin Bronson, Lance Davis, Ronnie Roth, Tim Hall

1. Call to Order

1.1 Declaration of Quorum

A quorum was declared and the meeting was called to order at 10:34 am.

2. Approval of Minutes

2.1 January 11, 2024

Motion was made to approved the minutes of the Executive Committee of January 11, 2024.

Approved.

Decision Date:	29 Jan 2024
Mover:	Tom Brooks
Seconder:	Jimmy Bagley
Outcome:	Approved

3. Items for Discussion

3.1 Draft Policy for PMPA Committees

The Draft policy for PMPA Committees was discussed.

The Executive Committee recommended that the requirements for being an officer or a member of the Executive Committee was membership on the Board of Directors of PMPA a minimum of 2 years, and for other committee the required length of service on the Board be 1 year. For purposes of committee membership, a person is named as a member of a committee not a participant city.

3.2 Establishment of Committees and Committee Membership



Slate of committees and members. Abolishment of existing Supplemental Power Supply Committee.

The Executive Committee recommends to the Board of Directors that the following committees be established with the members as listed. A member of the Executive Committee will serve as chairman of each of the committees.

Finance Committee Donnie Hardin - Chairman Andy Sevic David Vehaun Kevin Bronson Power Supply/Transmission Jimmy Bagley - Chairman Keith Wood Joe Nichols Legislative Tom Brooks - Chairman John Young Foster Senn **Brian Ramey** Mike Richard Training/Technical Advisory Tim Baker - Chairman Other members of the Training/Technical Advisory committee are to be named by the Board from participant cities.

Decision Date:	29 Jan 2024
Mover:	Tom Brooks
Seconder:	Jimmy Bagley
Outcome:	Approved

3.3 Discussion of Continuing to allow Option for Virtual Board Mtg Attendance



Recommendation of Policy on Virtual Board Meetings

Executive Committee instructed the General Manager to draft a policy on virtual attendance of Board of Directors meetings and Committee meetings. Policy to be reviewed by Executive prior to presentation to full Board.

Decision Date:	29 Jan 2024
Outcome:	Not Approved

4. Close Meeting

4.1 Close the meeting

Next meeting: No date for the next meeting has been set.

Motion made by Tom Brooks to adjourn the meeting with a second by Tim Baker. Motion passed unanimously.

Signature:_____

Date:_

Executive Committee Meeting Piedmont Municipal Power Agency August 15, 2024 Via Zoom

Voting Directors Present	Blake Stone Tom Brooks Jimmy Bagley Donnie Hardin Tim Baker	Abbeville Clinton Rock Hill Gaffney Newberry
Others	Joel Ledbetter Julianne London Mike Frazier Marc Regier Steve Bratton Joe Nichols Lance Davis	PMPA PMPA PMPA Greer Gaffney Union Union
Call to Order	Chairman Stone called to order at 10:02 am.	the meeting of the Executive Committee to
Approval of Minutes	Donnie Hardin made a motion to approve the minutes of the Executive Committee meeting of January 11, 2024 and July 12, 2024, with a second by Tom Brooks. The motion passed unanimously.	
Virtual Attendance Policy	A Virtual Attendance Policy for Board meetings was distributed and discussed. This item was last discussed at the January 2024 Committee meeting. The Committee requested a breakdown between in-person and virtual attendance at Board meetings for the last two years. The Commission also requested a legal review of the proposed policy. Jimmy Bagley made a motion with a second by Donnie Hardin that his item be placed on the September 2024 Board agenda. The motion passed unanimously.	
Power Conference Evaluation	The 2024 Power Conference evaluation summary and comments were reviewed and discussed. This item was taken as information only.	
Fitch Ratings	PMPA's outstanding of Rating (IDF) for PMPA	assed the annual review of Fitch Ratings of debt. Fitch withdrew its Issuer Default A at this review. This withdrawal will not t on PMPA. This item was taken as

- Power DeliveryPMPA's policy for Tie-line construction and Delivery Point
Station construction was reviewed. Participants have have had
discussion with PMPA on using both. Since both transmission tie-
lines and delivery points are considered supplemental power costs;
the terms of any projects contructed under these policies will
terminate with the Supplemental Power Supply Agreement. In
addition, the Delivery Point policy was adopted in 1991 and needs
to be updated to comply with current PMPA agreements. A
Delivery Point Policy with recommended changes was provided to
the Committee. The Committee referred the modified policy to the
Power Supply Committee.
- Santee Cooper Two proposals from Santee Cooper for supplemental power supply after 2028/29 was provided to the Committee. One proposal was Santee Cooper's ML-25 Municipal service rate. The second proposal was a schedule for construction of additional generation at Santee Cooper's Cherokee. This item was referred to the Power Supply Committee.
- Capacity Markets in
the SoutheastThe Committee was given a summary of the Integrated Resource
Plans submitted by utilities in the Southeast. This overview was
to inform the Committee of the potential available generation and
plans for capacity additions in the future. This information will be
provided to the Board.

Southeast Energy An overview of the Southeastern Energy Exchange Market (SEEM) was given to the Committee. SEEM provides another avenue where surplus Catawba generation could be sold. The Energy Authority would be PMPA's agent into the SEEM market. This item will be placed on the Aug. 22, 2024 Board agenda for consideration.

- Pre-payment of
UtilitiesThe Committee was given a presentation on the structure and
operation of utility pre-payment contracts. This mechanism has
been implemented to save cost on utility supply contracts. The
Committee requested a informational presentation be made to the
Board at a future meeting.
- Additional Operations Technology Employee A discussion was held about the need for an additional employee in the Operations Technology department. The skill set of the employee would be similar to that of an Information Systems Administrator. Tom Brooks made a motion to approve the addition with a second by Jimmy Bagley. The motion was unanimous. This item will be placed on the August 22, 2024 Board agenda.
- **Executive Session** A motion was made by Jimmy Bagley, seconded by Tom Brooks, to enter into Executive Session to discuss contractual and legal matters. The motion passed unanimously. All attendees not a

	member of the Executive Committee were asked to leave for the Executive Session. Marc Regier expressed disagreement with a Board member being asked to leave a committee meeting. After discussion everyone in attendance was allowed to attend the Executive Session of the meeting.
Return to Public Session	A motion was made by Donnie Hardin and, seconded by Tom Brooks, to return to Public Session. The motion passed unanimously. No action was taken in Executive Session.
Adjourn	With no other business to discuss a motion was made by Jimmy Bagley, seconded by Tom Brooks, to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 12:01 pm.

Respectfully submitted,

Joel D. Ledbetter Board Secretary

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

CITY OF GREER and CITY OF UNION, Plaintiffs,

VS.

PIEDMONT MUNICIPAL POWER AGENCY,

Defendant.

IN THE COURT OF COMMON PLEAS THIRTEENTH JUDICIAL CIRCUIT CIVIL ACTION NO: 2023-CP-23-03809

CONSENT JUDGMENT ON DECLARATORY JUDGMENT

THIS MATTER is before the Court on the request of Plaintiffs City of Greer ("Greer") and City of Union ("Union") (Greer and Union are collectively "Plaintiffs"), and Defendant Piedmont Municipal Power Agency's ("PMPA"). Plaintiffs and PMPA (collectively the "Parties") jointly seek entry of this Consent Judgment on Declaratory Judgment Action (the "Consent Judgment") and dismissal of this action pursuant to Rule 41 of the South Carolina Rules of Civil Procedure.

In support of this Consent Judgment, the Parties show and the Court finds as follows:

1. Greer and Union are members and participants of PMPA, as that term is defined in the CPPSA defined below.

2. Plaintiffs and PMPA executed certain contracts in August 1980, known as the Catawba Project Power Sales Agreement ("CPPSA") and the Supplemental Power Sales Agreement ("SPSA").

3. The SPSA between Greer and PMPA will expire on December 31, 2028.

4. The SPSA between Union and PMPA will expire on December 31, 2029.

5. The CPPSAs between Plaintiffs and PMPA are scheduled to expire and terminate on July 31, 2035.

6. Section 2 of the CPPSAs provides that "Neither termination nor expiration of this

Agreement shall affect any accrued liability or obligation hereunder, including, but not limited to,

the cost of decommissioning the Catawba Project."1

7. Section 5(h) of the CPPSAs provides that:

At the earliest reasonable time after the termination of this Agreement, PMPA shall prepare, date and on such date mail to the Participant a final accounting statement showing the remaining obligations and liabilities for which PMPA is responsible with respect to the Bonds and the Catawba Project under the Bond Resolution and the Project Agreements and the costs to PMPA of discharging and satisfying the same. The final accounting statement shall credit to the Participants, and deduct from any amount otherwise chargeable to them, the fair market value of any assets related to the Catawba Project then retained by PMPA. If the final accounting statement shows that such obligations and liabilities exceed such credits after application by PMPA of all other funds available for such purpose, the Participant shall pay PMPA a sum determined by multiplying the amount shown to be due in such accounting statement by the Participant's Catawba Share. If the final accounting statement shows that such obligations and liabilities are less than such credits after application by PMPA of all other funds available for such purpose, PMPA shall pay the Participant a sum determined by multiplying the amount of the excess credit by the Participant's Catawba Share, unless otherwise directed by the Participant with respect to the application thereof. The final accounting statement shall be mailed, and amounts due thereunder shall be paid, in the same manner and under the same terms and conditions as is provided with respect to Billing Statements.

8. The Parties dispute when the date or existence of a condition that constitutes "at the

earliest reasonable time after the termination of the CPPSA" will occur such that PMPA must

prepare the "final accounting statement" as set forth Section 5(h) of the CPPSAs.

9. The Parties wish to resolve this Declaratory Judgment action by entering this

Consent Judgment, while also reserving their rights and claims as to when the date or existence of

a condition that constitutes "at the earliest reasonable time after the termination of the CPPSA"

¹ As the term "Catawba Project" is defined in the CPPSA.

will occur such that PMPA must prepare the "final accounting statement" as set forth in Section 5(h) of the CPPSAs.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED BY CONSENT OF THE PARTIES as follows:

1. The Parties agree and affirm they shall comply with the terms of the CPPSAs, including but not limited to Section 5(h) of the same.

2. Section 5(h) obligates PMPA at the earliest reasonable time after the termination of the CPPSA on July 31, 2035, to prepare, date and on such date mail to each of the Plaintiffs a final accounting statement containing the information described above in Paragraph 7.

3. The Parties reserve their rights and claims as to when the date or existence of a condition that constitutes "at the earliest reasonable time after the termination of the CPPSA" will occur such that PMPA must prepare the "final accounting statement" as set forth in Section 5(h) of the CPPSAs.

4. This Consent Judgment does not establish a specific date or existence of a condition that constitutes "at the earliest reasonable time after the termination of the CPPSA" will occur such that PMPA must prepare the "final accounting statement" as set forth in Section 5(h) of the CPPSAs.

5. The entry of this Consent Judgment does not preclude the Parties from asserting any position regarding when the date or existence of a condition that constitutes "at the earliest reasonable time after the termination of the CPPSA" will occur such that PMPA must prepare the "final accounting statement" as set forth in Section 5(h) of the CPPSAs.

3

6. Nothing in this Consent Judgment alters or amends the CPPSAs between Plaintiffs and PMPA.

7. Pursuant to Rule 41 of the South Carolina Rules of Civil Procedure, the Parties stipulate to dismissal of this action with prejudice and with each party bearing its own costs and attorneys' fees.

IT IS SO ORDERED.

CIRCUIT JUDGE

, 2025 Greenville, South Carolina

CONSENTED TO BY:

/s/Sarah L. DiFranco Sarah L. DiFranco POYNER SPRUILL S.C. State Bar No.: 79830 301 S. College Street, Suite 2900 Charlotte, North Carolina 28202 Telephone: (704) 342-5250 Email: sdifranco@poynerspruill.com

/s/ J. Nicholas Ellis J. Nicholas Ellis POYNER SPRUILL P.O. Box 353 Rocky Mount, NC 27802 Telephone: (252) 446-2341 Email: <u>Jnellis@poynerspruill.com</u> Admitted Pro Hac Vice Attorneys for Plaintiffs <u>/s/Marc Regier</u> Marc Regier General Manager Greer Commission of Public Works *Plaintiff*

<u>/s/ Joe Nichols</u> Joe Nichols City Administrator City of Union *Plaintiff*

/s/Thomas P. Gressette, Jr. Thomas P. Gressette, Jr. Walker Gressette & Linton, LLC 66 Hasell Street Charleston, South Carolina 29401 Telephone: (843) 727-2249 Email: gressette@wglfirm.com Attorneys for Defendant

<u>/s/Joel D. Ledbetter</u> Joel Ledbetter General Manager Piedmont Municipal Power Agency **Defendant**