

The special Commission meeting of the SJWD Water District was held at 307 Spartanburg Highway, Wellford, South Carolina with the following present:

**Commissioners:** *Buddy Carlton, Wanda Fowler, Barry Frost, Brian Leonard, and Frank Nutt.*

**Staff:** *Kim Fortner, Billy Cothran, Larry Christopher, Julie Gillespie, and Jeff Diaz .*

**Guest:** *Angie Mettlen with WK Dickson and Company*

The agenda for the meeting was emailed to WSPA TV and the *Spartanburg Herald-Journal* and posted in the lobby and on SJWD's website.

Buddy Carlton called the meeting to order at 9:08 a.m.

### **RECEIVE PUBLIC COMMENT**

Buddy Carlton opened the floor for public comment. There was none.

### **PRESENTATION OF UPDATED COMMISSIONER'S HANDBOOK BY ANGIE METTLEN WITH WK DICKSON AND COMPANY**

### **PRESENTATION OF UPDATED PROCUREMENT POLICY BY ANGIE METTLAN WITH WK DICKSON AND COMPANY**

Angie Mettlen began the presentation by informing the commission of the need for reviews and updates. SJWD was awarded \$10 million in SCIIP funds by the RIA. This is a federally funded program and there are federal requirements that must be followed, or the funding could be jeopardized. These policies also impact the Commissioner By-Laws and Handbook. The review process included a review considering federal requirements, general funding agency requirements, state law and regulatory requirements and general guidance and recommendations.

A summary of the recommended modifications for each policy was presented. They were as follows:

#### **PROCUREMENT POLICY**

- Consideration of the updated federal simplified acquisition threshold of \$250,000
- Alignment of records retention between 'Emergency Procurement' and other forms of procurement
- Updated some language for 'Competitive Sealed Bidding' to ensure alignment with federal, SRF & SCIIP requirements
- Updated some language for 'Competitive Sealed Proposals' to ensure alignment with federal, SRF & SCIIP requirements

- Added a section for 'Request for Qualifications for Professional Services' to ensure alignment with federal, SRF & SCIP requirement
- Addition of 'catch all' language with regard to state & federal requirements when necessary

#### CONFLICT OF INTEREST POLICY

- Changed 'insiders' to 'covered individuals'
- Added language that will allow the identification of other 'covered individuals' on a case-by-case basis
- Added language providing some potential COI examples
- Added 'Article VI' to cover gifts with reference to the SC Ethics Reform Act and the potential requirement to file a Statement of Economic Interest with the SC Ethics Commission
- Suggested having a certification form that new employees and commissioners sign stating that they have read and understand the COI Policy

#### COMMISSION BY-LAWS

- Added SC law and regulatory citations for the Ethics Reform Act and the Freedom of Information Act
- Added a statement that upon appointment Commissioners will certify that they have read & understand the COI policy
- Added a SC law citation regarding the removal from office of officials appointed by the Governor
- Added language about the public notification of regular Board meeting dates at the beginning of each calendar year
- Added 'Section 7. Meeting Minutes' under 'Article VI – Meetings'
- Added SC law citations covering compensation for Special Purpose District Commissioners

#### COMMISSIONERS HANDBOOK

- Provided review of a number of elements of the handbook for consideration
- Added a description of the Personnel Policies Manual to 'Chapter 1 – 1.02 Overview of Basic District Documents' (Item C)
- Added SC law citation and language regarding annual budget and public notice requirements to 'Chapter 1 – 1.02 Overview of Basic District Documents' (Item E)
- Added language about fiduciary duty/Commission role with regard to Financial Reports, Master Plan & CIP to 'Chapter 1 – 1.02 Overview of Basic District Documents' (Items F, G & H)
- Added a description of the Procurement Policy to 'Chapter 1 – 1.02 Overview of Basic District Documents' (Item I)
- Added a description of the Investments Policy to 'Chapter 1 – 1.02 Overview of Basic District Documents' (Item J)

- Added a description of the Policy and Procedures for Water Service to 'Chapter 1 – 1.02 Overview of Basic District Documents' (Item K)
- Added SC law citations covering Special Purpose Districts in 'Chapter 2 – Board of Commissioners General Power and Responsibilities
- Added language about Absence of Commissioners to 'Chapter 2 – Board of Commissioners General Power and Responsibilities' (Item 2.04)
- Added language about Resignation/Death of Commissioners to 'Chapter 2 – Board of Commissioners General Power and Responsibilities' (Item 2.05)
- Added language about Removal of Commissioners to 'Chapter 2 – Board of Commissioners General Power and Responsibilities' (Item 2.06)
- Added language about Board Compensation to 'Chapter 3 – Financial Matters' (Item 3.01)
- Added SC law and regulatory citations concerning open meeting requirements under the Freedom of Information Act throughout 'Chapter 4 – Communications'
- Added reference to the COI Policy to 'Chapter 5 – Conflicts of Interest, Appearance of Fairness Doctrine, and Liability of Elected Officials' (Item 5.01)
- Added SC law citation regarding filing of an Economic Interest Report to SC Ethics Commission to 'Chapter 5 – Conflicts of Interest, Appearance of Fairness Doctrine, and Liability of Elected Officials' (Item 5.01.F)
- Added language about liability of Commissioners to 'Chapter 5 – Conflicts of Interest, Appearance of Fairness Doctrine, and Liability of Elected Officials' (Item 5.02)
- Added SC law citations regarding the Freedom of Information Act to 'Chapter 6 – Interaction with District Staff/Officials' (Item 6.02)
- Added SC law citations regarding the Freedom of Information Act to 'Chapter 7 – Board Meetings'

**DISCUSS STRATEGIC PLAN**

Billy Cothran presented to the commission a summary of the strategic planning process and a list of projects that are now on the 3-year strategic plan. The commission asked questions but were generally pleased with the proposed plan.

**DISCUSS FYE2024 BUDGET/CIP**

Larry Christopher gave the commission a general summary of the budget informing them the largest increase is proposed in personnel, benefits, and chemicals. Larry informed the commission of the current head count and the number of additional employees that are proposed in the budget and the main driver behind the increase in personnel.

**MISCELLANEOUS ADMINISTRATIVE MATTERS**

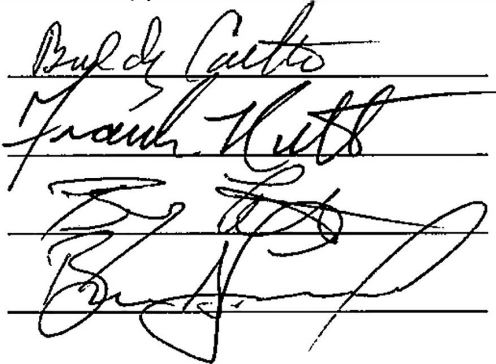
The following Upcoming Events were discussed:

- John Sexton Rock Dedication – May 16, 2023 at 9:00 a.m.

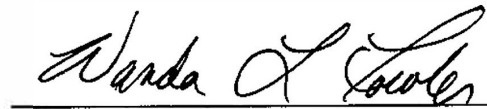
At 12:46 p.m., Frank Nutt made a motion, which was seconded by Brian Leonard, to adjourn the meeting. The motion was approved.

The next regular meeting is Tuesday, May 16, 2023 at 9:30 a.m.

Read & Approved

Three handwritten signatures are written on three horizontal lines. The first signature appears to be 'Buddy Carter', the second is 'Frank Nutt', and the third is 'Brian Leonard'.

Wanda Fowler  
Secretary

A handwritten signature, likely 'Wanda Fowler', is written on a single horizontal line.