

**BOARD OF COMMISSIONERS'  
RESOLUTION**



Mauldin Road WRRF Bioreactor No. 2 Aeration System Improvements  
Engineering Services Contract Amendment

WHEREAS, the Mauldin Road WRRF Bioreactor No. 2 Aeration System Improvements consists of replacing the aeration blowers, aeration diffusers, submersible mixers, and other ancillary equipment and instrumentation in Bioreactor No. 2; upgrading the associated electrical infrastructure and support facilities; and completing structural repairs to the basin; and

WHEREAS, Hazen and Sawyer, DPC has previously been awarded \$149,300 for performing study phase services for the project; and

WHEREAS, Staff has negotiated a fee not to exceed \$1,422,663 for design, bidding, and construction administration services;

NOW, THEREFORE, BE IT RESOLVED that Renewable Water Resources does hereby amend the contract with Hazen and Sawyer, DPC and authorize the Chief Executive Officer and/or his designee to execute an amendment to bring the total contract to a not-to-exceed amount of \$1,571,963.

The above Resolution, upon motion duly made, was passed and approved by the Board of Commissioners of Renewable Water Resources at a regular meeting held on the 25<sup>th</sup> day of September 2023.

  
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R. L. FOGLEMAN, JR., CHAIRMAN

ATTEST:

  
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CLINTON J. THOMPSON, SECRETARY/TREASURER

**BOARD OF COMMISSIONERS'  
RESOLUTION**



Sewer Easement for MetroConnects

WHEREAS, ReWa owns a +/-23.1-acre parcel (TM# M012040101203) near Loblolly Circle Ext. in Greenville, SC; and

WHEREAS, Renewable Water Resource's (ReWa) has determined a 3502 SF portion of the property is available to grant a permanent sewer easement and 1402 SF portion of the property is available to grant a temporary sewer easement for MetroConnects;

NOW, THEREFORE, BE IT RESOLVED that Renewable Water Resources does hereby approve future plat developments and the granting of a 0.08-acre permanent easement and 0.03-acre temporary easement to MetroConnects and authorizes the Chief Executive Officer and/or his designee to execute the easement agreement, conditioned upon and subject to the following:

1. MetroConnects acceptance.
2. MetroConnects compliance with the terms and conditions set forth in the easement agreement.

The above Resolution, upon motion duly made, was passed and approved by the Board of Commissioners of ReWa at a regular meeting held on the 25<sup>th</sup> day of September 2023.

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R. L. FOGLEMAN, JR., CHAIRMAN

ATTEST:

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CLINTON J. THOMPSON, SECRETARY/TREASURER

**BOARD OF COMMISSIONERS'  
RESOLUTION**



Brushy and Welcome Creeks Gravity Sewer Upgrade Right of Way Acquisition

WHEREAS, the Brushy and Welcome Creeks Gravity Sewer Upgrade Project consists of upgrading approximately 5.4 miles of sewer with the downstream portion starting south of I-85 and continuing northward along Brushy Creek before ending at McArthur Street, and also approximately 3.0 miles starting downstream at Chanticleer and continuing upstream to Highway 81 for the Welcome Creek Gravity section ; and

WHEREAS, Staff and Renewable Water Resource's (ReWa) consulting engineer, Black and Veatch Corporation, have determined it is necessary to acquire right of way either by way of gift, purchase, or by the exercise of eminent domain in accordance with ReWa procedures.

WHEREAS, ReWa is a body politic under the laws of the State of South Carolina and has rights under the Eminent Domain Procedure Act;

NOW, THEREFORE, BE IT RESOLVED that the Chief Executive Officer and/or his designee are directed to proceed with this project and acquire through gift, purchase, or by exercise of eminent domain, rights of way and/or land over properties needed to construct, operate, and maintain the proposed infrastructure. This authority is to include, but not be limited to, the institution of any and all other actions reasonably associated with acquiring the necessary rights of way for construction.

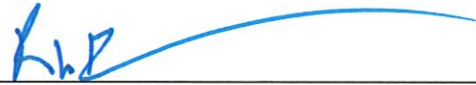
BE IT FURTHER RESOLVED that in the event the rights of way cannot be acquired by gift or purchase, the Chief Executive Officer and/or his designee shall cause to be instituted condemnation proceedings to exercise ReWa's right of eminent domain under the provisions of S.C. Code Ann. Section 28-2-10, *et seq.* by way of trial as set forth in S.C. Code Ann. Section 28-2-240, as amended.

BE IT FURTHER RESOLVED that the Chief Executive Officer and/or his designee are authorized to negotiate special terms and conditions with property owners as part of such acquisition, where appropriate, which are not inconsistent with the needs of ReWa.

BE IT RESOLVED that should any lien holder, existing or otherwise, attempt to take any action or make any claims which would interfere with ReWa's right to construct, operate and maintain the Project, ReWa has rights under the law to counteract such interference, including the Right of Eminent Domain, pursuant to Title 28, Chapter 2 of the Code of Laws of South Carolina 1976, as amended, including Section 28-2-90, and ReWa affirms that it will take any such action necessary to counteract such interference.

RENEWABLE WATER RESOURCES  
BOARD OF COMMISSIONERS' RESOLUTION

The above Resolutions, upon motion duly made, were passed and approved by the Board of Commissioners of ReWa at a regular meeting held on the 25<sup>th</sup> day of September 2023.



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R. L. FOGLEMAN, JR., CHAIRMAN

ATTEST:

  
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CLINTON J. THOMPSON, SECRETARY/TREASURER

**BOARD OF COMMISSIONERS'  
RESOLUTION**



Towns of Pelzer and West Pelzer Sewer Improvements Right of Way Acquisition

WHEREAS, the Towns of Pelzer and West Pelzer Sewer Improvements Project consists of repairing, replacing or relocating portions of its approximately 100,000 LF of pipe, 600 manholes, and 4 pump stations system; and

WHEREAS, Staff and Renewable Water Resource's (ReWa) consulting engineer, CHA Companies, have determined it is necessary to acquire right of way either by way of gift, purchase, or by the exercise of eminent domain in accordance with ReWa procedures;

WHEREAS, ReWa is a body politic under the laws of the State of South Carolina and has rights under the Eminent Domain Procedure Act;

NOW, THEREFORE, BE IT RESOLVED that the Chief Executive Officer and/or his designee are directed to proceed with this project and acquire through gift, purchase, or by exercise of eminent domain, rights of way and/or land over properties needed to construct, operate, and maintain the proposed infrastructure. This authority is to include, but not be limited to, the institution of any and all other actions reasonably associated with acquiring the necessary rights of way for construction.

BE IT FURTHER RESOLVED that in the event the rights of way cannot be acquired by gift or purchase, the Chief Executive Officer and/or his designee shall cause to be instituted condemnation proceedings to exercise ReWa's right of eminent domain under the provisions of S.C. Code Ann. Section 28-2-10, *et seq.* by way of trial as set forth in S.C. Code Ann. Section 28-2-240, as amended.

BE IT FURTHER RESOLVED that the Chief Executive Officer and/or his designee are authorized to negotiate special terms and conditions with property owners as part of such acquisition, where appropriate, which are not inconsistent with the needs of ReWa.

BE IT RESOLVED that should any lien holder, existing or otherwise, attempt to take any action or make any claims which would interfere with ReWa's right to construct, operate and maintain the Project, ReWa has rights under the law to counteract such interference, including the Right of Eminent Domain, pursuant to Title 28, Chapter 2 of the Code of Laws of South Carolina 1976, as amended, including Section 28-2-90, and ReWa affirms that it will take any such action necessary to counteract such interference.

RENEWABLE WATER RESOURCES  
BOARD OF COMMISSIONERS' RESOLUTION

The above Resolutions, upon motion duly made, were passed and approved by the Board of Commissioners of ReWa at a regular meeting held on the 25<sup>th</sup> day of September 2023.



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R. L. FOGLEMAN, JR., CHAIRMAN

ATTEST:



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