

PIONEER RURAL WATER DISTRICT

MINUTES OF THE BOARD MEETING

September 8, 2017 @ 3:00pm..... 5500 West-Oak Highway, Westminster, SC

Board members

Present: Barry Stevenson, Eddie Grant, Mark Holbrooks, and Jerry Barlow.

Others: Terry Pruitt, Heather Bryant, Stan Oliver, Paula Oliver, Ryan Honea and Justin Campbell with the Seneca Journal.

Quorum: Yes

Proceedings

Meeting Called to Order by Chairman, Barry Stevenson at 3:00 pm.

Concerns of the District: None

Approval of Minutes: Eddie Grant made a motion to accept the Board meeting minutes as written from May 11, June 27, July 11 and also Nomination minutes from May 11. Jerry Barlow seconds the motion. All in favor, motion carried.

Jerry Barlow made a motion to enter into executive session to discuss Legal Counsel and Policy changes with Pioneer District's bylaws. Eddie Grant seconds the motion. All in favor, motion carried.

Eddie Grant made a motion to exit out of executive session. Jerry Barlow second the motion. All in favor, motion carried.

Jerry Barlow made a motion to adopt Article six, section five of Pioneer's Bylaws that states a majority of the Board of Directors shall constitute a quorum at any meetings of the Board. Meetings may be held by conference call or other electronic means so long as public access to the proceeding is provided at the District office. A quorum of Directors need not be physically present in a single place. Mark Holbrooks seconds the motion. All in favor, motion carried.

Financial Report/ System Report: Terry Pruitt provided the Board with an up to date profit and loss statement along with LGIP account information. No discussion followed.

Election of Officers: Postpone the election of officers until after the election meeting for territory seat 2 set for September 19, 2017.

Water Treatment Plant Update: Terry Pruitt presented the update progress report from Design South to the Board.

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Old Business: Terry Pruitt read Judge R. Lawton McIntosh's ruling from the trial. The Judge ruled as a matter of law, that because the City of Westminster is not a customer of Pioneer, it has no standing to sue Pioneer as part of this case. The Judge ruled, as a matter of law, that the enabling statute for Pioneer does allow Pioneer to construct and operate a water treatment facility as part of its waterworks system, with or without a showing of necessity; the decision on this point is up to the discretion of the Pioneer Board. Judge McIntosh asked for briefing on two main point which will be due in thirty days. The first was whether the plaintiff was seeking equitable relief or a legal remedy and second Judge McIntosh wants briefings on what impact should Pioneer's technical violations of the notice requirements under the statute have on whether Pioneer can continue to build the water treatment facility and what impact does the subsequent effort to "cure" that original notice defect have on this issue.

New Business: None

Jerry Barlow made a motion to adjourn. Eddie Grant seconds the motion. All in favor, motion carried.



Barry Stevenson, Chairman

Mark Holbrooks, Secretary