

**Cobb County-Marietta Water Authority  
Minutes of Regular Meeting**

**January 23, 2012**

The regular meeting of the Cobb County-Marietta Water Authority was held on January 23, 2012 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board present were: David Austin, Max Bacon, Charlie Crowder, Tim Lee, Don Mabry, Van Pearlberg and Earl Smith.

The meeting was called to order at 3:30 p.m. by Chair Max Bacon.

**1. Approval of Minutes of Regular Meeting 12/19/11**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of December 19, 2011. Mr. Crowder made a motion to approve the minutes as presented. Mr. Smith seconded the motion; motion passed 7/0.

**2. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the December financial report. Page 9 of the Accountant's Compilation Report for the one month ending December 31, 2011 reflects an unfavorable variance in net income of \$287,700. Page 10 of the Accountant's Compilation Report for the twelve months ending December 31, 2011 reflects a favorable variance in net income of \$6,113,799.

Ms. Dwyer also presented the Year-end Financial Highlights and the Quarterly Investment Summary Report (copies in file).

**3. Old business**

There was no old business to present.

**4. General Manager's report**

Mr. Page provided the following information and update:

Transmission Division – As a result of the two saddle outlet failures that were experienced in December, the Transmission Division staff is proceeding to: (1) determine if there are any "high-risk" locations of other saddle failures and prioritize removal or replacement; (2) determine the best locations for additional pressure sensors in the system to give operators more reliable and timely indications of problems when they occur.

**5. New business**

There was no new business to present

**6. Executive Session**

There was no need for an Executive Session.

**7. Legal**

1. Mr. Smith made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the

property of HENRY M. PUCKETT AND DIANE C. PUCKETT in Cobb County, Georgia located in Land Lot 449, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. Mr. Crowder seconded the motion; motion passed 7/0.

2. Mr. Mabry made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of FRED BENTLEY AND MARIANNE W. BENTLEY in Cobb County, Georgia located in Land Lot 449, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Austin seconded the motion; motion passed 7/0.
3. Mr. Lee made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of LARRY W. TILLMAN, II AND BRENDA H. TILLMAN in Cobb County, Georgia located in Land Lot 451, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Austin seconded the motion; motion passed 7/0.
4. Mr. Crowder made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of W & P BRAMLETT FAMILY, L.P. in Cobb County, Georgia located in Land Lot 452, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Smith seconded the motion; motion passed 7/0.
5. Mr. Smith made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of LARRY D. FERRELL in Cobb County, Georgia located in Land Lot 452, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion,

including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Mabry seconded the motion; motion passed 7/0.

6. Mr. Mabry made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of STEVEN A. DAVIS in Cobb County, Georgia located in Land Lot 452, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Lee seconded the motion; motion passed 7/0.
7. Mr. Crowder made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of STEVEN A. DAVIS in Cobb County, Georgia located in Land Lot 452, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Lee seconded the motion; motion passed 7/0.
8. Mr. Crowder made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of A SHORE THING TWO, LLC in Cobb County, Georgia located in Land Lot 453, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Austin seconded the motion; motion passed 7/0.
9. Mr. Lee made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of TRUSTEES OF CORNER BAPTIST CHURCH AND VARNER ENTERPRISES, LLLP in Cobb County, Georgia located in Land Lot 453, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Crowder seconded the motion; motion passed 7/0.

10. Mr. Lee made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of A SHORE THING ONE, LLC in Cobb County, Georgia located in Land Lot 453, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Crowder seconded the motion; motion passed 7/0.
11. Mr. Smith made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of POWDER CREEK HOA, INC. in Cobb County, Georgia located in Land Lot 454, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Lee seconded the motion; motion passed 7/0.
12. Mr. Crowder made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of DOROTHY F. WEST in Cobb County, Georgia located in Land Lot 454, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Mabry seconded the motion; motion passed 7/0.
13. Mr. Austin made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of DOROTHY F. SWANSEN in Cobb County, Georgia located in Land Lot 454, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Smith seconded the motion; motion passed 7/0.
14. Mr. Lee made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of MUZETTE RANDALL AND RUSSELL RANDALL in Cobb County, Georgia located in Land Lot 455, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the

Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Mabry seconded the motion; motion passed 7/0.

15. Mr. Lee made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of DAVID R. SCOTT in Cobb County, Georgia located in Land Lot 455, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Crowder seconded the motion; motion passed 7/0.
16. Mr. Mabry made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of JAMES PATRICK KESSEE AND AMBER MICHELLE KESSEE in Cobb County, Georgia located in Land Lot 455, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Smith seconded the motion; motion passed 7/0.
17. Mr. Crowder made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of TRINITY CHAPEL, INC. in Cobb County, Georgia located in Land Lot 456, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Lee seconded the motion; motion passed 7/0. Mr. Lee seconded the motion; motion passed 7/0.
18. Mr. Lee made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of TRINITY CHAPEL, INC. in Cobb County, Georgia located in Land Lot 456, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this

case. The Order Authorizing Condemnation is held by the attorney. Mr. Crowder seconded the motion; motion passed 7/0.

19. Mr. Lee made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of TRINITY CHAPEL, INC. in Cobb County, Georgia located in Land Lot 456, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Smith seconded the motion; motion passed 7/0.
20. Mr. Mabry made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of WKS ENTERPRISES, L.P. in Cobb County, Georgia located in Land Lot 456, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Smith seconded the motion; motions passed 7/0.
21. Mr. Smith made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of WENDELL D. HARDY AND VICTORIA RENE HARDY in Cobb County, Georgia located in Land Lot 456, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Lee seconded the motion; motion passed 7/0.
22. Mr. Crowder made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of TRINITY CHAPEL, INC. in Cobb County, Georgia located in Land Lot 457, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Smith seconded the motion; motion passed 7/0.
23. Mr. Lee made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the

property of REGISTRY AT OLD LOST MOUNTAIN HOA, INC. in Cobb County, Georgia located in Land Lot 457, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Smith seconded the motion; motion passed 7/0.

24. Mr. Smith made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of NEW HORIZONS HOMES, INC. in Cobb County, Georgia located in Land Lot 458, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Lee seconded the motion; motion passed 7/0.
25. Mr. Mabry made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of WERBELL ENTERPRISES, LLLP in Cobb County, Georgia located in Land Lot 459, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Lee seconded the motion; motion passed 7/0.
26. Mr. Crowder made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of WERBELL ENTERPRISES, LLLP in Cobb County, Georgia located in Land Lot 459, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Lee seconded the motion; motion passed 7/0.
27. Mr. Lee made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of WERBELL ENTERPRISES, LLLP in Cobb County, Georgia located in Land Lot 459, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in

this case. The Order Authorizing Condemnation is held by the attorney. Mr. Smith seconded the motion; motion passed 7/0.

28. Mr. Crowder made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of ROBERT LEE AVARY, III in Cobb County, Georgia located in Land Lot 430, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Lee seconded the motion; motion passed 7/0.

29. Mr. Smith made a motion to authorize the attorney for the Cobb County – Marietta Water Authority to file eminent domain proceedings regarding the property of VARNER NLS, LLC AND VARNER 203, LLC in Cobb County, Georgia located in Land Lot 430, District 19<sup>th</sup>, 2<sup>nd</sup> Section of Cobb County, Georgia. The Chair of the Authority, the General Manager of the Authority and the attorney are hereby authorized to sign any and all documents in order to carry out this motion, including the authority to file appeals regarding any rulings in this case. The Order Authorizing Condemnation is held by the attorney. Mr. Lee seconded the motion; motion passed 7/0.

There being no further business to come before the Board, the Regular Meeting was adjourned.



Becky Mixon  
Assistant Secretary



A. Max Bacon  
Chair

**Cobb County-Marietta Water Authority  
Minutes of Regular Meeting**

**February 20, 2012**

The regular meeting of the Cobb County-Marietta Water Authority was held on February 20, 2012 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board present were: David Austin, Max Bacon, Charlie Crowder, Tim Lee, Don Mabry, Van Pearlberg and Earl Smith.

The meeting was called to order at 3:30 p.m. by Chair Max Bacon.

**1. Approval of Minutes of Regular Meeting 01/23/12**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of January 23, 2012. Mr. Lee made a motion to approve the minutes as presented. Mr. Smith seconded the motion; motion passed 7/0.

**2. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the January financial report. Page 9 of the Accountant's Compilation Report for the one month ending January 31, 2012, 2011 reflects a favorable variance in net income of \$63,755.

Ms. Dwyer reported that the annual audit will be presented at the April Board meeting.

**3. Bid results – Highway 41 Water Main Relocations at Canton Road and Bells Ferry Road**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Pearlberg made a motion to award the contract for construction of Highway 41 Water Main Relocations Project at Canton Road and Bells Ferry Road to John H. Pruet Construction Company, Inc. of Marietta for the low bid price of \$2,072,921.97. Mr. Smith seconded the motion; motion passed 7/0.

**4. Engineering Contract Modification for DOT Projects – Highway 41 Water Main Relocations at Canton Road and Bells Ferry Road**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Smith made a motion to approve staff to execute Contract Modification No. 9 with Atkins for Design and Construction Engineering Services for Water Main Relocations Relating to Cobb County and /or Georgia DOT Roadway Improvements at an estimated fee of \$179,396. Mr. Austin seconded the motion; motion passed 7/0.

**5. Renewal of Intergovernmental Agreement with Macon Water Authority for Land Application of Residuals**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Smith made a motion to approve a one-year extension to the Intergovernmental Agreement with Macon Water Authority for Land Application of Residuals from the water treatment process under the renewal provisions of the existing agreement. Mr. Crowder seconded the motion; motion passed 7/0.

**6. Engineering Demand Services Contracts Extension**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Pearlberg made a motion to approve the contract extensions with Hazen and Sawyer, P.C. and Civil Engineering Consultants, Inc. for one year under the renewal provisions in the existing contracts. Mr. Austin seconded the motion. Mr. Pearlberg amended the motion to approve contract extensions with Hazen and Sawyer, P.C., Civil Engineering Consultants, Inc. and River to Tap, Inc. with the direction to staff to give priority to firms in CCMWA's service area in future projects. Mr. Austin seconded the amended motion. Motion passed 7/0.

**7. Sole Source request for EIM Actuators**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Lee made a motion to approve Rodney Hunt Company to be the sole provider of seven electric actuators manufactured by EIM Controls, Inc. for the Hickory Log Creek SCADA Project at a negotiated price not to exceed \$100,000. Mr. Mabry seconded the motion; motion passed 7/0.

**8. Recommendation of Award for Electrical Improvements to the Factory Shoals Pump Station**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Smith made a motion to approve issuance of a purchase order to Excel Electrical Technologies, Inc. of Kennesaw under the Intergovernmental Agreement for Cooperative Purchasing with Cobb County to provide electrical services to complete the Electrical Improvements Project at the Factory Shoals Pump Station for the proposed cost of \$117,000. Mr. Austin seconded the motion; motion passed 7/0.

**9. Old business**

There was no old business to present.

**10. General Manager's report**

Mr. Page reported to the Board that two members of the Water Authority family had passed away: Paul Parker, a retired employee and Suzanne McClure, wife of Eddie McClure. Mr. Mabry asked that a standing resolution of condolences be developed.

**11. New business**

Mr. Page reminded the Board that travel for any members must be approved before that travel is taken. Mr. Austin made a motion to approve registration and travel expenses for Mr. Bacon and Mr. Crowder to attend the AWWA Annual Conference in Dallas, TX June 10-14, and to approve the AWWA registration fee for Mr. Haynie. Mr. Mabry seconded the motion; motion passed 7/0.

**12. Executive Session**

There was no need for an Executive Session.

**13. Legal**

- 1) Mr. Smith made a motion to approve the Intergovernmental Agreement and Joint Water Line Contract between the Cobb County-Marietta Water Authority and Cobb County, Georgia. Mr. Austin seconded the motion; motion passed 7/0.
- 2) Mr. Mabry made a motion to approve the Intergovernmental Agreement and Joint Water Line Contract between the Cobb County-Marietta Water Authority and the Marietta Board of Lights and Waterworks. Mr. Smith seconded the motion; motion passed 7/0.
- 3) Mr. Lee made a motion to approve the Assignment Agreement regarding Wyckoff Regulatory and Operational Improvements Project which assigns the contract from CH2M Hill, Inc. to CH2M Hill Engineers, Inc. Mr. Pearlberg seconded the motion; motion passed 7/0.

There being no further business to come before the Board, the Regular Meeting was adjourned.



Becky Mixon  
Assistant Secretary



A. Max Bacon  
Chair

**Cobb County-Marietta Water Authority  
Minutes of Regular Meeting**

**March 19, 2012**

The regular meeting of the Cobb County-Marietta Water Authority was held on March 19, 2012 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board present were: David Austin, Max Bacon, Charlie Crowder, Tim Lee, Don Mabry, Van Pearlberg and Earl Smith.

The meeting was called to order at 3:30 p.m. by Chair Max Bacon.

**1. Approval of Minutes of Regular Meeting 02/20/12**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of February 20, 2012. Mr. Lee made a motion to approve the minutes as presented. Mr. Smith seconded the motion; motion passed 7/0.

**2. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the February financial report. Page 9 of the Accountant's Compilation Report for the one month ending February 29, 2012, reflects a favorable variance in net income of \$307,582. Page 10 of the Accountant's Compilation Report for the two months ending February 29, 2012, reflects a favorable variance in net income of \$371,337.

Ms. Dwyer reported that a new corporate VISA card is being issued to CCMWA by Bank of North Georgia, a division of Synovus Bank. This VISA account with a credit limit of \$30,000 and up to 30 authorized CCMWA users will not require the personal guarantee of the General Manager of the Authority.

**3. Pension Committee report**

Mr. Page noted that the Pension Committee report had been placed at the Board members' seats (copy in file), and reported that the Pension Committee met on February 20, 2012 and elected officers for the year. Shelia Buckner will continue to serve as Chair and Stan Brinkley as Vice Chair. Vonna McClung continues to serve as Secretary.

The Committee recommends for approval a cost of living adjustment for pensioners on December 30, 1992 who continue to receive benefits under the plan, as provided in Article 3, paragraph 3.07(a) of the retirement plan. Mr. Smith made a motion to authorize a Cost of Living increase of 2.9% retroactive to January 1, 2012 for Roland A. Castellanos and Waurgia Simmons. Mr. Mabry seconded the motion; motion passed 6/0/1 with Mr. Pearlberg abstaining.

Mr. Bacon requested that staff provide information about a cost of living adjustment to be applied to all pensioners.

**4. Bid Results – Brush Mountain Tank Painting**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Smith made a motion to approve award of the Surface Preparation and Painting of the Interior and Exterior Surfaces of Brush Mountain Tank to Llamas Coatings,

Inc. of Smyrna, Georgia for the low bid price of \$452,728. Mr. Crowder seconded the motion; motion passed 7/0.

**5. Old business**

There was no old business to present.

**6. General Manager's report**

Mr. Page announced that a tour to see the construction progress of the Wyckoff Operational and Regulatory Project is scheduled for Wednesday, March 28, at 10:00 a.m.

Mr. Page reported that Canton City Council approved the condemnations that are required to complete the mitigation for the 404 Permit. However the Council declined to approve advertising for bid the construction of the Reservoir Management Office that will house the SCADA system. Staff and Mr. Haynie will be exploring options for next steps.

**7. New business**

There was no new business to present.

**8. Executive Session**

Mr. Smith made a motion to go into Executive Session to discuss potential litigation. Mr. Austin seconded the motion; motion passed 7/0.

Mr. Austin made a motion to return to Regular Session. Mr. Smith seconded the motion; motion passed 7/0.

**9. Legal**

There were no legal items to present.

There being no further business to come before the Board, the Regular Meeting was adjourned.

  
Becky Nixon  
Assistant Secretary

  
A. Max Bacon  
Chair

**Cobb County-Marietta Water Authority  
Minutes of Regular Meeting**

**April 16, 2012**

The regular meeting of the Cobb County-Marietta Water Authority was held on April 16, 2012 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board present were: David Austin, Max Bacon, Charlie Crowder, Don Mabry, Van Pearlberg and Earl Smith. Mr. Lee had notified staff that he would not be attending.

The meeting was called to order at 3:30 p.m. by Chair Max Bacon.

**1. Approval of Minutes of Regular Meeting 03/19/12**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of March 19, 2012. Mr. Smith made a motion to approve the minutes as presented. Mr. Crowder seconded the motion; motion passed 6/0.

**2. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the March financial report. Page 9 of the Accountant's Compilation Report for the three months ending March 31, 2012 reflects a favorable variance in net income of \$114,471. Page 10 of the Accountant's Compilation Report for the three months ending March 31, 2012 reflects a favorable variance in net income of \$665,158.

Ms. Dwyer also presented the Quarterly Investment Report for the Quarter ended March 31, 2012 (copy in file).

Mr. Smith, Finance Committee Chair, made a motion to approve Community & Southern Bank to be added to the list of banks eligible to hold CCMWA funds. Mr. Mabry seconded the motion; motion passed 6/0.

**3. Presentation of 2011 Audit**

Mr. Adam Fraley, Mauldin & Jenkins, presented the 2011 Annual Audit (copy in file).

**4. Pipeline Contractor Prequalification**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Smith made a motion to approve the recommended contractors (noted below) to be retained on CCMWA's Prequalified Pipeline Contractors List in the proposed size categories listed.

**Category 1 (24-inch and smaller)**

Astra Grading & Pipe, LLC (Woodstock, GA)  
Heavy Constructors, Inc. (Marietta, GA)  
K.M. Davis Contracting Co., Inc. (Marietta, GA)  
Ronnie D. Jones Enterprises, Inc. (Newnan, GA)  
Site Engineering, Inc. (Atlanta, GA)  
Tippens Construction Co., Inc. (Marietta, GA)

**Category 2 (36-inch and smaller)**

Gordy Construction Co. (Fortson, GA)  
John H. Pruett Construction Co., Inc. (Marietta, GA)  
Strickland and Sons Pipeline, Inc. (Gainesville, GA)

**Category 3 (48-inch and smaller)**

Mid-South Builders, Inc. (Lithonia, GA)  
Strack, Inc. (Fairburn, GA)

**Category 4 (unlimited size)**

Garney Companies, Inc. (Kansas City, MO / Alpharetta, GA)  
John D. Stephens, Inc. (Lawrenceville, GA)  
Reynolds, Inc. (Mission Woods, KS / Fairburn, GA)  
Rockdale Pipeline, Inc. (Conyers, GA)  
Ruby-Collins, Inc. (Smyrna, GA)  
Thalle Construction Co., Inc. (Hillsborough, NC)  
Unity Construction Co., Inc. (Powder Springs, GA)  
Western Summit Constructors, Inc. (Englewood, CO / Norcross, GA)

Mr. Austin seconded the motion; motion passed 6/0.

**5. Coatings Maintenance Program Proposals**

Mr. Page referenced the memorandum in the Board package (copy in file). Mr. Austin made a motion to award the 2012 Coatings Maintenance Program to the Brock Group of Houston, Texas at the hourly rates submitted in their proposal received April 4, 2012. Mr. Crowder seconded the motion; motion passed 5/1 with Mr. Mabry opposed.

**6. Old business**

Mr. Page reported, in response to a question at the March meeting, that CCMWA's pension consultants, BHA Consulting, LLC, stated that a Cost of Living Adjustment (COLA) could be added for current pensioners for approximately \$17,000 per year. BHA Consulting, LLC further recommended that a COLA not be given in years when the Plan's return was below actuarial assumptions.

**7. General Manager's report**

Mr. Page provided the following updates:

- Cobb and Paulding counties have "abnormally dry" conditions with over 8 in. deficit from normal to date in 2012. Streamflows statewide are all in the lowest 25% of historically observed values.
- The Pension Committee had a special called meeting April 16 to approve a request from Harold G. Estes for retirement benefits commencing May 1, 2012.
- Hickory Log Creek
  - The City of Canton did not approve the design for the Reservoir Management Office. The Mayor appointed a committee of Council members to review the design and make recommendations of changes. The committee will meet with our Reservoir Operator, Heath Lee, on April 17 to review the design and discuss needs.
  - SCADA System – City Council has been requested to approve the sole-source acquisition of actuators from Rodney Hunt Co. and approve the project going to bid.
  - Mitigation Monitoring Contract with Mulkey Engineers – City Council has been asked to approve and sign the contract that has been signed by CCMWA and is a requirement of the 404 Permit.

**8. New business**

Mr. Mabry made a motion to approve Engineering Contract Modification #3 with Atkins for the Austell-West Side Connector for \$73,748.33. Mr. Austin seconded the motion; motion passed 6/0.

Mr. Page reported that this increase in construction inspection fees for the Austell-West Side Connector will be paid through assessment of liquidated damages for delays from the contractor, Gary's Grading & Pipeline Co., Inc.

**9. Executive Session**

There was no need for an Executive Session.

**10. Legal**

A. Mr. Mabry made a motion to approve the First Amendment to Access Easement Agreement between Forestar Real Estate Group, Inc. and the Cobb County-Marietta Water Authority and the City of Canton (copy in file). Mr. Smith seconded the motion; motion passed 6/0.

B. Mr. Mabry made a motion to approve the final settlement agreement in the case of Cobb County-Marietta Water Authority and the City of Canton v. Tyler Nelson Crafton, Paul Martin Crafton and Preston Crafton for a total compensation in the amount of \$930,000.00. Mr. Smith seconded the motion; motion passed 6/0.

C. Mr. Austin made a motion for CCMWA Chair Bacon to respond to Mayor Hobgood's letter of March 20, 2012. Mr. Mabry seconded the motion; motion passed 6/0.

There being no further business to come before the Board, the Regular Meeting was adjourned.



Becky Mixon  
Assistant Secretary



A. Max Bacon  
Chair

**Cobb County-Marietta Water Authority  
Minutes of Regular Meeting**

**May 21, 2012**

The regular meeting of the Cobb County-Marietta Water Authority was held on May 21, 2012 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board present were: David Austin, Max Bacon, Tim Lee, Don Mabry, Van Pearlberg and Earl Smith. Mr. Crowder had notified staff that he would not be attending.

The meeting was called to order at 3:30 p.m. by Chair Max Bacon.

**1. Approval of Minutes of Regular Meeting 04/16/12**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of April 16, 2012. Mr. Smith made a motion to approve the minutes as presented. Mr. Lee seconded the motion; motion passed 6/0.

**2. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the April financial report. Page 9 of the Accountant's Compilation Report for the four months ending April 30, 2012 reflects a favorable variance in net income of \$812,992. Page 10 of the Accountant's Compilation Report for the four months ending April 30, 2012 reflects a favorable variance in net income of \$1,249,151.

Mr. Smith made a motion to approve the Modification of Promissory Note and Loan Agreement between the Cobb County-Marietta Water Authority, and the Georgia Environmental Finance Authority (copy in file). Mr. Mabry seconded the motion; motion passed 6/0.

**3. Old Business**

There was no old business to present

**4. General Manager's report**

Mr. Page provided the following updates:

- Recognitions:
  - The Quarles and Wyckoff Plants received Gold Awards from the Georgia Association of Water Professionals recognizing their 100% compliance for the year 2011.
  - Quarles received a Certificate of Achievement from the Georgia Association of Water Professionals for its high score (over 90%) in the Water Plant of the Year competition.
  - Staff received a letter of recognition of efforts of John Lamica to assist Cobb-Galleria Centre in locating a source of water at its parking deck.
  
- Drought conditions:

NOAA has extended the expectation of drought conditions to persist or increase through the end of July for all but extreme northwest Georgia. The ACF composite storage has slipped into Zone 4, and the Corps has begun drought operations to conserve storage.

- Transmission events:
  - April 19 - Latex Construction, contractor for AGL struck and damaged a 36-inch ductile iron pipe at I-285 ramp onto U.S. 41. Line had been appropriately marked, and repairs were made at AGL contractor expense on the same day.
  - April 30 - Directional drilling by a subcontractor for a cable provider hit a 20-inch PCCP line on Six Flags Drive between Factory Shoals Tank and I-20. This incident was only the second in over a decade that our facilities were not sufficiently marked, resulting in CCMWA bearing the expense. Repairs to the pipeline were completed within 24 hours, but road and sidewalk repairs, performed by a Cobb DOT contractor, were not completed until May 11.
  
- Projects:
  - Hickory Log Creek: The deadline for completion of all work for the 404 Permit is May 31. Legal staff from Haynie, Litchfield, Crane & White, along with Canton's attorney Bobby Dyer and Laura Benz from Tommy Craig's office are working to complete required documentation for land acquisition and coordinating for prompt Corps review.
  
  - Wyckoff Regulatory & Operational Improvements: The significant construction activity over the past month is the demolition of Basins 1-3. Reconnection of the 60-inch raw water main has brought the production capacity of the plant back to approximately 63 mgd, which was a goal for summer operation.

**5. New business**

There was no new business to present.

**6. Executive Session**

There was no need for an Executive Session.

**7. Legal**

- A. Mr. Haynie provided a brief discussion of H.B. 397 – Open Records Act. One of the requirements of the act is to appoint an Open Records Officer. Mr. Austin made a motion to appoint Becky Mixon as the Open Records Officer. Mr. Lee seconded the motion; motion passed 6/0.
  
- B. Mr. Mabry made a motion to approve an additional \$5,000.00 in compensation to acquire Hite parcel (\$192,000.00 previously paid into the court and \$88,000.00 previously authorized for additional settlement). Mr. Smith seconded the motion; motion passed 6/0.
  
- C. Mr. Pearlberg made a motion to accept the Executor's Easements from Robert Lee Avary, III Estate (copy in file). Mr. Smith seconded the motion; motion passed 6/0.

- D. Mr. Smith made a motion to move forward with a letter to Mayor Gene Hobgood advising the Mayor of CCMWA's agreement for the City of Canton to proceed with negotiations with Cherokee County Water and Sewerage Authority as a potential partner in the project, and a second letter to Mayor Hobgood declaring that CCMWA is prepared to bid and install the SCADA system at the dam and bill Canton for 25% of the costs. Mr. Mabry seconded the motion; motion passed 6/0.

There being no further business to come before the Board, the Regular Meeting was adjourned.



Becky Nixon  
Assistant Secretary



A. Max Bacon  
Chair

**Cobb County-Marietta Water Authority  
Minutes of Regular Meeting**

**June 18, 2012**

The regular meeting of the Cobb County-Marietta Water Authority was held on June 18, 2012 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board members initially present were: David Austin, Max Bacon, Charlie Crowder, Don Mabry, Van Pearlberg and Earl Smith.

The meeting was called to order at 3:30 p.m. by Chair Max Bacon.

**1. Approval of Minutes of Regular Meeting 05/21/12**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of May 21, 2012. Mr. Smith made a motion to approve the minutes as presented. Mr. Crowder seconded the motion; motion passed 6/0.

Mr. Lee entered the meeting at this time.

**2. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the May financial report. Page 9 of the Accountant's Compilation Report for the one month ending May 31, 2012 reflects a favorable variance in net income of \$947,127. Page 10 of the Accountant's Compilation Report for the five months ending May 31, 2012 reflects a favorable variance in net income of \$2,426,278.

**3. Pension Committee report**

Mr. Page referenced the written Pension Committee Report that was placed at members' seats prior to the meeting (copy in file). Mr. Page reported that the Committee approved a Death Retirement Benefit for Janet Honea, wife of Jim Honea, who passed away in May after a long disability.

**4. Pipeline Contractor Prequalification**

Mr. Page referred to memorandum in the Board package (copy in file). Mr. Mabry made a motion to approve two additional contractors to the Prequalified Pipeline Contractor list as recommended by staff:

Reeves Contracting Company (Sugar Hill)	Category 1 (24-inch and smaller)
Wade Coots Company, Inc. (Austell)	Category 2 (36-inch and smaller)

Mr. Smith seconded the motion; motion passed 7/0.

**5. Old Business**

Mr. Page updated the Board on the status of the SCADA project for Hickory Log Creek, noting that he had copied the Board with a letter from Mayor Hobgood to Mayor Bacon with an email dated June 8. Mr. Page stated his concerns that the SCADA Project is essential for safe and efficient operation of the project, and noted that it has been included in project descriptions since prior to 2008. Because the

SCADA project is desired to be operational by June 1, 2013, the project needs to advertise in July for an August award of the contract.

Mr. Smith made a motion to authorize the Chairman to send a letter to Canton formally requesting that the City authorize approval of the SCADA system prior to the July meeting of the Board. Mr. Austin seconded the motion; motion passed 7/0.

**6. General Manager's report**

Mr. Page provided the following updates:

- The City of Marietta has appointed City Councilman Grif Chalfant as its representative on the Board. Mr. Chalfant's 4-year term will begin August 15, 2012.
- ACF – The Supreme Court is scheduled to meet June 21 to discuss whether to hear the appeal by AL, FL and SeFPC.
- Distributed the letter from Corps of Engineers Mobile District Commander Roemhildt referred to in written GM Report. Staff is reviewing a draft response.
- Distributed copies of the Executive Summary of "Buried No Longer" report recently published by AWWA.
- Quarles raw water pump #4 is out of service. The motor is being rebuilt/rewound for \$57,000. Replacement cost is estimated at \$250,000.
- The 54" High Service line leaving Wyckoff and delivering water south along U.S. 41 has been out of service during plant construction for about 6 months. It has been refilled and flushed, and is being disinfected. Staff expects to return it to service the week of June 25.

**7. New business**

There was no new business to present.

**8. Executive Session**

There was no need for an Executive Session.

**9. Legal**

There were no legal items to present.

There being no further business to come before the Board, the Regular Meeting was adjourned.



Becky Mixon



A. Max Bacon

**Cobb County-Marietta Water Authority  
Minutes of Regular Meeting**

**July 16, 2012**

The regular meeting of the Cobb County-Marietta Water Authority was held on July 16, 2012 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board members initially present were: David Austin, Max Bacon, Charlie Crowder, Don Mabry, Van Pearlberg and Earl Smith.

The meeting was called to order at 3:30 p.m. by Chair Max Bacon.

**1. Approval of Minutes of Regular Meeting June 18, 2012**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of June 18, 2012. Mr. Mabry made a motion to approve the minutes as presented. Mr. Pearlberg seconded the motion; motion passed 6/0.

Mr. Lee entered the meeting at this time.

**2. Recognition of Mr. Pearlberg's service**

Mr. Bacon voiced his and the Board's gratitude for Mr. Pearlberg's service on the Board from 2008 to 2012 and presented Mr. Pearlberg with a plaque of appreciation.

**3. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the June financial report. Page 9 of the Accountant's Compilation Report for the one month ending June 30, 2012 reflects a favorable variance in net income of \$780,206. Page 10 of the Accountant's Compilation Report for the six months ending June 30, 2012 reflects a favorable variance in net income of \$3,206,484.

Ms. Dwyer also presented the Mid-Year Financial Highlights (copy in file) and the Quarterly Investment Summary (copy in file).

Ms. Dwyer reported that the Water Authority has received its final reimbursement from the Georgia Environmental Finance Authority (GEFA) for the Hickory Log Creek Reservoir project and will begin repayment on the final phase of the loan in August 2012. The total of funds received from GEFA was \$59,580,533.00.

**4. Engineering Services for Quarles Plant and Intake Backup Power Generation**

Mr. Page referenced the memorandum in the Board package. Mr. Pearlberg made a motion to approve Jacobs Engineering Group, Inc. to provide Engineering Services for the Quarles Plant and Intake Backup Power Generation Design-Build Project for the proposed fee of \$712,900. Mr. Mabry seconded the motion; motion passed 7/0.

**5. Old Business**

Mr. Page reported that Canton's City Council did not take up approval of the SCADA system on June 21 or July 5, and, to date, the posted agenda for the July 19 meeting does not include a related item. Mr. Page reported that he is attempting to contact the City Manager to discuss the issue.

Mr. Page also reported that he attended a meeting on July 11 between the Cherokee Water & Sewerage Authority (CCWSA) and the Canton City Council to again discuss the possible consolidation of water and wastewater services, with the acquisition of some or all of Canton's shares in the reservoir as either a part of the consolidation or a stand-alone item. CCWSA indicated that there are many questions to be answered before CCWSA is willing to make an offer to Canton. As a result of a motion and unanimous vote, CCWSA requested Canton to have an engineering consultant write a proposed scope of services for a complete system evaluation and provide that scope to CCWSA for comment. While Canton said it may request participation by CCWSA in the evaluation work, no decisions were made. Comments on both sides indicated a mutual belief, at least by some members present, that CCWSA should be the sole provider of water and wastewater services in Cherokee County. There was no mention by CCWSA of any concerns with CCMWA retaining the right of first refusal.

Mr. Haynie reported that he met with Mr. Bobby Dyer, the City of Canton's attorney to discuss possible ways to move forward. Mr. Haynie and Mr. Dyer will meet again in a couple weeks for further discussion.

**6. General Manager's report**

Mr. Page provided the following updates:

Asset Management: Woodard & Curran, a consulting engineering firm, was tasked to perform a gap analysis on the asset management program and make recommendations for making the program more comprehensive and effective. Interviews have been held with many staff members, and reviews of our GIS and Maintenance Management systems have been performed. A draft report is anticipated in late August/early September.

ACF: Water Supply Providers will be meeting with Jud Turner, Director of GA EPD, on July 19 to discuss next steps in moving the Corps' now-confirmed authorization to operate Lake Lanier for downstream water supply from a legal opinion to actual allocation.

Status of work on the CIP for Planning Committee review: Staff is still waiting on results of hydraulic analysis for pipeline inputs, and just received a preliminary cost estimate for the next phase of work at the Wyckoff Plant. Staff anticipates the need for a for a Planning Committee meeting late Labor Day week

(September 6 or 7), and will coordinate through the Planning Committee Chairman, Mr. Mabry. Staff does not expect that changes to the CIP will create a need to deviate from the current rate program.

**7. New business**

Mr. Mabry made a motion for Mr. Haynie to draft a resolution thanking the General Manager for his outstanding service to the Water Authority. Mr. Austin seconded the motion; motion passed 7/0.

**8. Executive Session**

There was no need for an Executive Session.

**9. Legal**

There were no legal items to present.

There being no further business to come before the Board, the Regular Meeting was adjourned.



Becky Nixon



A. Max Bacon

**Cobb County-Marietta Water Authority  
Minutes of Regular Meeting**

**August 20, 2012**

The regular meeting of the Cobb County-Marietta Water Authority was held on August 20, 2012 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board members present were: David Austin, Max Bacon, Grif Chalfant, Charlie Crowder, Tim Lee, Don Mabry, and Earl Smith.

The meeting was called to order at 3:30 p.m. by Chair Max Bacon.

**1. Approval of Minutes of Regular Meeting July 16, 2012**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of July 16, 2012. Mr. Smith made a motion to approve the minutes as presented. Mr. Crowder seconded the motion; motion passed 7/0.

**2. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the July financial report. Page 9 of the Accountant's Compilation Report for the one month ending July 31, 2012 reflects a favorable variance in net income of \$789,145. Page 10 of the Accountant's Compilation Report for the seven months ending July 31, 2012 reflects a favorable variance in net income of \$3,995,629.

**3. Appointment of Nominating Committee for Board Officers**

Mr. Bacon appointed the Nominating Committee for Board officers: Don Mabry, Chair, Earl Smith and Grif Chalfant.

**4. Old Business**

There was no old business to present.

**5. General Manager's report**

Mr. Page provided the following updates:

Customer Credit: The Quarles Plant had a calibration error with one of its high service meters in July. Repairs have been made and staff will be reviewing the production data for the past three months prior to the August billing date. A credit of approximately \$350,000, including surcharge amounts, is anticipated to be due CCWS, and will be applied to their August bill.

On Sunday, July 29, the Corps of Engineers, in error, reduced releases from Lake Lanier significantly, resulting in conditions that threatened both the Quarles Plant and the two Atlanta Water Treatment Plants that rely on releases from Lanier. In order to meet the downstream requirements for water quality, Georgia Power drained Bull

Sluice Lake (Morgan Falls Dam) by approximately 9 feet. Chattahoochee River levels at Peachtree Creek fell to below the 750 cfs water quality requirement for over 12 hours, and the Quarles Plant experienced low river levels at the intake that threatened the ability to pull water from the river, as well as drastically increased turbidities that threatened water quality. Operations staff made adjustments as necessary and the system averted both water quantity and quality problems.

ACT: At the June 29 hearing in Birmingham, Judge Bowdre ordered Georgia and Alabama to jointly submit a proposed schedule for the one remaining issue in the case, Alabama's challenge to the 404 Permit for Hickory Log Creek. To date, this has not occurred, as the two sides disagree on the approach to the case. AL now has asked for discovery, including a deposition of Mr. Page and possibly others. Georgia opposes this process, and simply wants to brief the case as has been done on all other claims. A status conference is scheduled in Birmingham on August 28 before the judge.

Macland Road Pipeline Replacement: The project has been advertised to bid on August 31. The current Engineer's Estimate of the project value is \$7.1 million and the construction budget is \$8.665 million.

Hickory Log Creek Reservoir - Mitigation: Earlier this year, the Corps of Engineers gave an extension of the 404 Permit until 12/31/2012 due to their staff's inability to review submitted mitigation documents in a timely manner. Staff has learned that the primary reviewer has been promoted and moved from the Savannah office and her immediate supervisor has left the Corps. Staff is attempting to discover who in the Corps will be the reviewer and a proposed timeframe for the result of the review.

Hickory Log Creek Reservoir:

- SCADA: At the August 16 Canton City Council meeting, the Council tabled discussion of the SCADA project.
- Reservoir Managers Office: In the 2013 proposed operating budget, \$25,000 was included for housing the reservoir operator. Canton's City Manager indicated that he would not support that line item and suggested installing toilet facilities at the pump station. After a visit by the City Inspector, the reservoir operator was told that he would no longer be able to use the pump station as an office because of safety concerns.
- At the request of the City of Canton, Mr. Page met with Jim Carpenter, representing the City and Tom Heard, General Manager of the Cherokee County Water and Sewerage Authority to discuss potential avenues of moving forward with purchase of the City's shares of Hickory Log Creek. Mr. Page is evaluating the proposal and expects to make a recommendation at the September meeting.

## **6. New Business**

Mr. Page reminded Mr. Bacon that the Planning Committee is meeting September 5, 9:30 a.m. and asked if he would appoint another board member to replace Mr.

Pearlberg. Mr. Mabry asked that Mr. Bacon also appoint another board member to replace Mr. Pearlberg on the Personnel Committee. Mr. Page requested a brief meeting of the Personnel Committee prior to the September board meeting. Mr. Bacon said he would provide that information to staff right away.

**7. Executive Session**

There was no need for an Executive Session.

**8. Legal**

Mr. Mabry made a motion to approve the Sharp Mountain Creek Hunt Club lease that was included in the board package. Mr. Lee seconded the motion; motion passed 7/0.

Mr. Smith made a motion to accept the change of name of pre-qualified pipeline company Reynolds, Inc. to Layne Heavy Civil, Inc. (documents attached). Mr. Crowder seconded the motion; motion passed 7/0.

There being no further business to come before the Board, the Regular Meeting was adjourned.



Becky Mixon



A. Max Bacon

**Cobb County-Marietta Water Authority  
Minutes of Regular Meeting**

**September 17, 2012**

The regular meeting of the Cobb County-Marietta Water Authority was held on September 17, 2012 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board members initially present were: David Austin, Max Bacon, Grif Chalfant, Charlie Crowder, Don Mabry, and Earl Smith.

The meeting was called to order at 3:30 p.m. by Chair Max Bacon.

**1. Approval of Minutes of Regular Meeting August 20, 2012**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of August 20, 2012. Mr. Smith made a motion to approve the minutes as presented. Mr. Mabry seconded the motion; motion passed 6/0.

Mr. Lee arrived at this time.

**2. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the August financial report. Page 9 of the Accountant's Compilation Report for the one month ending August 31, 2012 reflects a favorable variance in net income of \$258,233. Page 10 of the Accountant's Compilation Report for the eight months ending August 31, 2012 reflects a favorable variance in net income of \$3,895,948.

**3. Nominating Committee report**

Mr. Mabry, Nominating Committee Chair, presented the following slate for the Board's consideration: Max Bacon, Chair; David Austin, Vice Chair; Charlie Crowder, Secretary; and Becky Mixon, Assistant Secretary. Mr. Mabry made a motion to approve the proposed slate of officers. Mr. Lee seconded the motion; motion passed 7/0.

**4. Pension Committee report**

The Pension Committee report of August 20, 2012 was distributed to the Board (copy in file).

**5. Personnel Committee report**

Mr. Page referred to the Personnel Committee report in the Board package (copy in file). Mr. Crowder, Personnel Committee Chair, made a motion to authorize the General Manager to make available a one-time buy-out of up to one week of accumulated vacation pay at the present base pay rate to any employee so electing prior to October 31, 2012. Mr. Mabry seconded the motion; motion passed 7/0.

**6. Planning Committee report and presentation of Capital Improvement Program for 2013-2017**

Mr. Page referred to the memorandum and proposed Capital Improvement Program in the Board package (copy in file). Mr. Page presented updates on the current program, 2013-2017 program considerations, and a summary of the proposed Capital Improvement Program. Board discussion included directing staff to continue discussions with Paulding County regarding Paulding's future water demands and proposed reservoir, and to investigate all possible avenues to minimize the currently programmed 8% rate increase.

Mr. Mabry made a motion to approve the Capital Improvement Program for 2013-2017 as discussed. Mr. Smith seconded the motion; motion passed 7/0.

**7. Bid Results – Macland Road Water Main Relocation**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Austin made a motion to award the Macland Road Water Main Relocation project to Unity Construction Company, Inc. of Powder Springs, Georgia for the verified low bid of \$5,032,221.30. Mr. Lee seconded the motion; motion passed 7/0.

**8. Old Business**

There was no old business to present.

**9. General Manager's report**

Mr. Page provided the following updates:

Hickory Log Creek:

- The SCADA project has been advertised for an October 5, 2012 bid date.
- Indications from Canton City Council are that the Reservoir Manager's Office will be approved to advertise for bids after final plan preparation is complete.
- Staff is working on a framework to discuss a partial or complete buyout of Canton's shares in the reservoir. Mr. Page requested that the Chairman appoint one or more Board members to review and advise, and to attend any meetings that include elected City officials to discuss this matter.
- To staff's knowledge, the required Corps reviews of the documentation required on mitigation land to meet the terms of the 404 Permit are not being done at this time. Staff is discussing with counsel strategies for the Corps to expedite this review to prevent yet another time extension.

Valve Maintenance Program: The program is underway with Chris Beck, Transmission Division, leading the effort.

Quarles Reservoir:

- Staff received a notification dated September 7 from EPD Director Jud Turner of a reclassification of the dam around the Quarles Raw Water Reservoir to a Category I (High Hazard) dam.
- Jim Parsons and Stan Brinkley met with Joe Monroe, region manager for Schnabel Engineering on site to review the dam and determine if CCMWA should appeal the new designation. Mr. Monroe recommended not filing an appeal. Mr. Brinkley will be submitting the required application to operate a Category I dam.

Letter from Corps re Allatoona: On September 11, Mr. Page received a letter from Col. Roemhildt of the Army Corps of Engineers, Mobile District, stating that the Corps will not make any changes from its traditional accounting methods (to include credits for wastewater return flows or releases from Hickory Log Creek Reservoir) until such time as a broader, national review of policy is completed by the Assistant Secretary of the Army (Civil Works). It is likely that CCMWA's storage will continue to drop from the 37% level that was calculated at the end of August. Staff is working with Mr. Haynie and King & Spalding on the proper action and response to Col. Roemhildt's most recent letter.

**10. New Business**

Mr. Mabry made a recommendation that the Board's By-laws be modified to provide term limits for Board officers.

**11. Executive Session**

There was no need for an Executive Session.

**12. Legal**

Mr. Haynie requested that the previously distributed Conflict of Interest Questionnaire be completed and returned to Ms. Mixon.

There being no further business to come before the Board, the Regular Meeting was adjourned.



Becky Mixon



A. Max Bacon

**Cobb County-Marietta Water Authority  
Minutes of Regular Meeting**

**October 15, 2012**

The regular meeting of the Cobb County-Marietta Water Authority was held on October 15, 2012 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board members present were: David Austin, Max Bacon, Grif Chalfant, Charlie Crowder, Don Mabry, and Earl Smith. Mr. Lee was unable to attend the meeting.

The meeting was called to order at 3:30 p.m. by Chair Max Bacon.

**1. Approval of Minutes of Regular Meeting September 17, 2012**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of September 17, 2012. Mr. Austin made a motion to approve the minutes as presented. Mr. Smith seconded the motion; motion passed 6/0.

**2. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the September financial report. Page 9 of the Accountant's Compilation Report for the one month ending September 30, 2012 reflects a favorable variance in net income of \$290,346. Page 10 of the Accountant's Compilation Report for the nine months ending September 30, 2012 reflects a favorable variance in net income of \$4,186,294.

Ms. Dwyer also presented the Quarterly Investment Summary Report for the quarter ending September 30, 2012 (copy in file).

**3. Bid Results – Hickory Log Creek SCADA Project**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Smith made a motion to award the Hickory Log Creek Reservoir SCADA project to Lanier Contracting Company for the low bid price of \$934,700.00. Mr. Mabry seconded the motion; motion passed 6/0.

**4. Richland Creek Reservoir**

Mr. Mike Jones, Paulding County Administrator, along with Mr. Michael Carter, Paulding County Water System Director, provided a presentation on the proposed Richland Creek Reservoir in Paulding County and how its purpose relates to CCMWA's long-range water supply plan.

**5. Old Business**

Mr. Haynie reported that the resolution the Board requested commending Mr. Page for his leadership was complete and placed in his file.

**6. General Manager's report**

Mr. Page provided the following updates:

ACT: Staff will be sending a letter Col. Roemhildt, District Commander of the Army Corps of Engineers in Mobile, responding to recent correspondence regarding

CCMWA's storage balance in Allatoona, and officially requesting an increase in allocation from Allatoona. Another letter is being sent requesting conversion of the 50-year water supply contract to permanent storage status.

A Personnel Committee meeting is scheduled for October 23 to discuss the personnel line items in the 2013 Operating Budget. Because open enrollment begins November 1, staff requests authorization of the Personnel Committee to approve any modifications of the health insurance benefit program that will be presented to the Committee. It is anticipated that the Authority's portion of the benefit will increase by approximately 20%. Mr. Smith made a motion to authorize the Personnel Committee to approve any modifications of the health insurance benefit program. Mr. Austin seconded the motion; motion passed 6/0.

Staff will be requesting a meeting of the Finance Committee before the November Board meeting to review the proposed 2013 Operating Budget.

**7. New Business**

There were no items of New Business to present.

**8. Executive Session**

There was no need for an Executive Session.

**9. Legal**

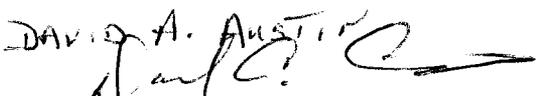
Mr. Smith made a motion to approve the First Amendment to the Technical Assistance Intergovernmental Agreement with Atlanta Regional Commission, DeKalb County, and Atlanta-Fulton County Resources Commission (copy in file). Mr. Crowder seconded the motion; motion passed 6/0.

Mr. Haynie reported the notice of a proposed Amendment to the By-Laws amending Section 6.2 of the By-Laws of the Water Authority establishing a two-term limit for the term of office for the officers of the Cobb County-Marietta Water Authority. The Amendment may be voted upon during the November 19, 2012 Board meeting (copy in file).

Mr. Mabry made a motion to approve the Assignment of Lease on Property known as 1190 Atlanta Industrial Drive from Imerys Kaolin, Inc. to E.C.C.A. Calcium Products, Inc. (copy in file). Mr. Austin seconded the motion; motion passed 6/0.

There being no further business to come before the Board, the Regular Meeting was adjourned.

  
Becky Mixon

~~A. Max Bacon~~  
  
David A. Austin

**Cobb County-Marietta Water Authority  
Minutes of Regular Meeting**

**November 19, 2012**

The regular meeting of the Cobb County-Marietta Water Authority was held on November 19, 2012 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board members initially present were: David Austin, Max Bacon, Grif Chalfant, Charlie Crowder, Don Mabry, and Earl Smith.

The meeting was called to order at 3:30 p.m. by Chair Max Bacon.

**1. Approval of Minutes of Regular Meeting October 15, 2012**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of October 15, 2012. Mr. Smith made a motion to approve the minutes as presented. Mr. Austin seconded the motion; motion passed 6/0.

**2. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the October financial report. Page 9 of the Accountant's Compilation Report for the one month ending October 31, 2012 reflects a favorable variance in net income of \$523,674. Page 10 of the Accountant's Compilation Report for the ten months ending October 31, 2012 reflects a favorable variance in net income of \$4,715,150.

CCMWA has received a proposal from Legacy Financial Services, LLC to continue providing investment services for the Authority. The proposal is for one year with two additional years renewal possible based on annual review. Mr. Smith made a motion to approve the proposed annual investment services contract with Legacy Financial Services, LLC for 2013, renewable annually through 2015, for the lump sum during the first year of \$71,300. Mr. Crowder seconded the motion; motion passed 6/0.

**3. Personnel Committee report**

Mr. Page referenced the Personnel Committee Summary that was previously distributed (copy in file). Mr. Crowder made a motion to approve a 1.7% market adjustment to the Water Authority's pay grade. Mr. Mabry seconded the motion; motion passed 6/0.

Mr. Lee arrived at this time.

**4. Proposed Procurement Policy**

Mr. Page referred to the memorandum and proposed policy included in the Board's financial package (copy in file). Mr. Page noted that the policy was developed to be consistent with the purchase order system created last year and the new financial software being implemented by the Authority. Mr. Smith noted that the policy establishes procedures and thresholds for various spending levels for purchases and contracts, and has been reviewed by the Finance Committee. Mr. Smith made a motion to approve the proposed procurement policy as presented. Mr. Crowder seconded the motion; motion passed 7/0.

**5. Bid Results – Process Chemicals for 2013**

Mr. Page referred to the memorandum included in the Board package (copy in file) and noted that the prices were included in the 2013 operating budget. Mr. Smith made a motion to approve the lowest priced, responsive, responsible and conforming process chemical bids as depicted in the table in the referenced memorandum. Mr. Mabry seconded the motion; motion passed 7/0.

**6. Presentation of 2013 Operating Budget**

Mr. Page referenced the memorandum included in the Board's financial package (copy in file). Cole Blackwell, Interim Finance Director, presented highlights of the 2013 Operating Budget. Mr. Smith, Finance Committee Chair, made a motion to approve the 2013 Operating Budget as presented. Mr. Crowder seconded the motion; motion passed 7/0.

**7. Engineering Contract for Existing Process Facilities Assessment**

Mr. Page referred to the memorandum included in the Board package (copy in file). Mr. Austin made a motion to award the Contract for Engineering Services for the Existing Process Facilities Assessment Project to the Hazen & Sawyer team (includes Jacobs Engineering Group and Engineering Strategies) for a not-to-exceed fee of \$350,000. Mr. Smith seconded the motion; motion passed 7/0.

Mr. Bacon left the meeting at this time. Vice-Chair Austin presided over the remainder of the meeting.

**8. Surveying Contract for Blackjack Mountain Supply Line Easements**

Mr. Page referenced the memorandum included in the Board package (copy in file). Mr. Smith made a motion to award the surveying contract for the Blackjack Mountain Supply Line easements to TerraMark Land Surveying, Inc. of Marietta for the estimated fee of \$101,325. Mr. Mabry seconded the motion; motion passed 6/0.

**9. Old Business**

There was no old business to present.

**10. General Manager's report**

Mr. Page presented photographs and a discussion of a fast-track pipe replacement near Maner Road as a result of corrosion. The on-going problem is being addressed by using bonded joints and sacrificial anodes to protect the pipe.

Mr. Page noted that the waterSmart waterArt calendars that were placed at the Board members' seats are the result of our joint conservation education effort with Cobb County Water System, Cobb County School System, Paulding County Water System and Paulding County School System. Mr. Lee and staff from CCMWA, Cobb County Water System and Paulding County Water System participated in the waterSmart waterArt calendar award presentations on November 15.

**11. New Business**

Mr. Page reported that Board members were notified by email last week of a request to be made today for employees electing the High Deductible Health Plan during Open Enrollment. Staff is asking the Board to consider conversion of up to 2 weeks accrued vacation and/or sick leave to fund a Health Savings Account. Over 50% of the employees have selected this plan option. If all selecting this plan chose to convert available time, the accrued liability for vacation and sick leave would drop by approximately \$107,000. Mr. Smith commented that this action would reduce the Sick Leave and Annual Leave liability that is carried on the financial statements. Mr. Smith made a motion to approve employees selecting the High Deductible Health Plan option to convert up to 2 weeks accrued vacation and/or sick leave, up to the maximum amount allowed by law, to contribute to a Health Savings Account. Mr. Lee seconded the motion; motion passed 6/0.

Mr. Mabry suggested that a study committee be appointed to review how other agencies deal with sick leave and annual leave accruals.

**12. Executive Session**

Mr. Lee made a motion to go into Executive Session to discuss potential litigation, real estate and personnel. Mr. Smith seconded the motion; motion passed 6/0.

Mr. Smith made a motion to adjourn from Executive Session and return to the Regular Meeting. Mr. Mabry seconded the motion; motion passed 6/0.

**13. Legal**

Mr. Mabry made a motion to approve the extension of the General Manager's Employment Agreement pursuant to the recommendation of the Personnel Committee to include additional performance pay. Mr. Smith seconded the motion; motion passed 6/0.

Mr. Mabry made a motion to approve the Amendment to Section 6.2 of the By-Laws of the County-Marietta Water Authority to allow for term limits for Board offices (copy in file). Mr. Smith seconded the motion; motion passed 6/0.

There being no further business to come before the Board, the Regular Meeting was adjourned.



Becky Nixon  
Assistant Secretary



A. Max Bacon  
Chair

**Cobb County-Marietta Water Authority  
Minutes of Regular Meeting**

**December 17, 2012**

The regular meeting of the Cobb County-Marietta Water Authority was held on December 17, 2012 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board members initially present were: David Austin, Max Bacon, Grif Chalfant, Charlie Crowder, Don Mabry, and Earl Smith.

The meeting was called to order at 3:30 p.m. by Chair Max Bacon.

**1. Approval of Minutes of Regular Meeting November 19, 2012**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of November 19, 2012. Mr. Mabry made a motion to approve the minutes as presented. Mr. Smith seconded the motion; motion passed 6/0.

**2. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the November financial report. Page 9 of the Accountant's Compilation Report for the one month ending November 30, 2012 reflects a favorable variance in net income of \$613,133. Page 10 of the Accountant's Compilation Report for the eleven months ending November 30, 2012 reflects a favorable variance in net income of \$5,328,284.

Ms. Dwyer presented the updated CCMWA Investment Policy and Procedures (copy in file). Mr. Austin made a motion to approve the revised Investment Policy and Procedures document. Mr. Smith seconded the motion; motion passed 6/0.

**3. Finance Committee report**

Mr. Smith, Finance Committee Chair, reported the Finance Committee is reviewing Financial Policies that the Finance Division has proposed as part of bringing accounting and finance in-house. The Financial Policies will establish procedures for conducting financial operations at CCMWA. It is anticipated that the Finance Committee will meet again prior to the January Board meeting to consider a motion to recommend these policies and procedures to the Board at the January Board meeting.

Mr. Lee arrived at this time.

**4. Emergency and On-Call Construction**

Mr. Page referenced the memorandum in the Board package (copy in file). Mr. Mabry made a motion to approve a one-year extension of the Emergency and On-Call Construction Contract with Unity Construction Co., Inc. of Powder Springs with a contract-based increase in labor and equipment rates of 0.31%. Mr. Smith seconded the motion; motion passed 7/0.

**5. Hickory Log Creek Reservoir Dam and Pump Station SCADA Project Engineering Contract Modification**

Mr. Page referred to the memorandum in the Board package. Mr. Smith made a motion to approve a contract modification to the Hickory Log Creek Reservoir Dam and Pump Station SCADA Project Engineering Contract with Engineering Strategies, Inc. in the amount of \$37,272, bringing the total contract cost to \$146,862. CCMWA's portion of these amounts is 75%, which is \$27,954 and \$110,146.50, respectively. Mr. Crowder seconded the motion; motion passed 7/0.

**6. Sole Source Procurement of seepex Sludge Pumps**

Mr. Paged referred to the memorandum in the Board package. Mr. Haynie has concurred that the procurement of these items through a sole-source purchase to match existing equipment is a legitimate use of the Board's ability to authorize a sole-source purchase. Mr. Lee made a motion to approve the purchase through sole-source procurement two seepex Model BN130-6LS pumps for a total price of \$76,408. Mr. Smith seconded the motion; motion passed 7/0.

**7. Reschedule January 2013 meeting to January 28, 2013 due to Martin Luther King, Jr. Holiday**

Mr. Smith made a motion to reschedule the January 2013 meeting from January 21 to January 28 due to the Martin Luther King, Jr. Holiday. Mr. Lee seconded the motion; motion passed 7/0.

**8. Old Business**

There was no old business to present.

**0. General Manager's report**

Mr. Page presented the following updates:

Water production: In late November Douglasville/Douglas County Water and Sewer Authority notified CCMWA that they planned to begin purchasing water with a projected demand of 6 MGD because their reservoir was dropping.

Meter replacement complete: The 6-year program to replace and update all meters to all customers except Cobb County is complete. The previous meters were replaced with touch-read meters eliminating safety hazards of entering the meter vault.

Brush Mountain Tank Painting: Staff estimates approximately 7 days remaining to complete all painting and curing. The Transmission staff plans to begin disinfection of the tank after the holidays and have the tank back in service in early January.

Hickory Log Creek Land: Daniel White with Haynie, Litchfield, Crane and White reports that the property acquisition process is nearly complete and expects CCMWA to meet the December 31 deadline.

**11. New Business**

There was no new business to present.

**12. Executive Session**

There was no need for an executive session.

**13. Legal**

Mr. Smith made a motion to approve a Corporate Resolution for banking purposes authorizing banking activities for the Investment Advisors (copy in file). Mr. Mabry seconded the motion; motion passed 7/0.

Mr. Lee made a motion to approve a Corporate Resolution for banking purposes authorizing banking activities for the General Manager, Director of Finance and Director of Operations (copy in file). Mr. Austin seconded the motion; motion passed 7/0. See attached.

There being no further business to come before the Board, the Regular Meeting was adjourned.



Becky Mixon  
Assistant Secretary



A. Max Bacon  
Chair