



Henry County Water Authority
BOARD MEETING
MINUTES
August 18, 2022

Attendance:

HCWA Board: Cletonya LaGrand, Chair; Sandra Rozier, Vice Chair (attended remotely); Siddiqa Gibson, Secretary/Treasurer; Jimmy Carter, Member; Warren Holder, Member; Fred Mays, Member-At-Large

HCWA Staff: Tony V. Carnell, General Manager; Kim Osborne, Clerk; Karen Lake-Thompson, Deputy Clerk; Roderick Burch, CFO; Dan Newcombe, IT Manager; Travis Jackson, Strategic Coordinator, Division Managers (Pat Hembree, Water & Wastewater; Scott Sage, Engineering; Allen Rape, Customer Support Services)

HCWA Counsel: Andrew Welch, III, Smith, Welch, Webb & White, LLC

Visitors: Pastor John Dewberry

1. CALL TO ORDER/WELCOME VISITORS

Chair LaGrand called the meeting to order at 8:30AM and welcomed all in attendance.

2. INVOCATION Pastor John Dewberry gave the invocation.

3. ACCEPTANCE OF AGENDA

Chair LaGrand advised that the Agenda will be amended in order to table discussion of The Grove @ Talmadge Farm under "Report of Attorney." Motion was made by Mr. Carter and seconded by Mr. Holder to accept the Agenda with the noted amendment. The motion carried (6/0).

4. PUBLIC COMMENT None

5. REPORT OF ATTORNEY

JDN Enterprises, LLC - Request to Amend the Bethlehem Bottoms Sewer Agreement (as previously approved by the Board – Resolution No. 2022-07)

Mr. Welch addressed the Board concerning a request from JDN Enterprises, LLC to amend its agreement with the Authority for the construction of the Bethlehem Bottoms Sewer Line project

which was previously approved by the Authority's Board by Resolution No. 2022-07. He gave a brief over-view of the project which involves extending a sewer line to serve several industrial properties east of I-75 and north of the City of Locust Grove. Mr. Welch advised that JDN Enterprises has requested to change the date on page 3 of the agreement from September 1, 2022 to October 1, 2022. He stated that the reason for the requested change was due to JDN not being able to close on the property prior to the previous September 1, 2022, date. He noted that there are no other changes to the agreement, and that he has emphasized to JDN that this will be the last extension approved by the Authority because any further extension will impact cost models resulting in higher overall project costs. He also noted that if JDN does not close by on the property by October 1, 2022, the agreement will expire and the Authority will have no further obligation under the agreement.

Following a brief discussion, motion was made by Mr. Holder and seconded by Mrs. Gibson to repeal Resolution No. 2022-07; and to adopt Resolution No. 2022-09 authorizing the execution of an amended agreement with JDN Enterprises, LLC, for the construction of the Bethlehem Bottoms Sewer Line project. The motion carried unanimously (6/0).

DOT v. 0.07 Acres of Land – CA No. 22CV1855DR

Mr. Welch advised that he had just received information concerning a lawsuit filed by the Georgia Department of Transportation (DOT v 0.07 Acres of Land - #22CD1955DR) in which the Authority is a named defendant. He requested the Board amend the agenda in order to include discussion of the lawsuit. Motion was made by Mrs. Gibson and seconded by Mrs. Rozier to approve an amendment to the agenda to include discussion of the suit as requested by Mr. Welch.

Mr. Welch advised that the Authority has been named as a defendant in a lawsuit filed by the Georgia DOT because it has a water line easement located within the property that the DOT must acquire for its project. He noted that the easement may not be impacted by the project but because the Authority's easement is located in the acquisition area the Authority will receive compensation from GDOT which will allow the Authority to recover the cost of relocating the line if necessary. Mr. Welch requested authorization from the Board to file an answer on behalf of the Authority. There was no further discussion and a motion was made by Mr. Carter and seconded by Mrs. Rozier to authorize Mr. Welch to file an answer to the lawsuit on behalf of the Authority. The motion carried unanimously (6/0).

6. REPORT OF GENERAL MANAGER

Intergovernmental Agreement – Stormwater/Watershed Protection Plan Cost Sharing

Mr. Carnell reported the approval at the August 2nd Henry County Board of Commissioners meeting to adopt two Intergovernmental Agreements between the Authority and the Henry County BOC. One was for the cost sharing of water quality monitoring expenses and the other was to exempt the Authority from certain stormwater fees assessed by the County. The Georgia Environmental Protection Division (GA EPD) and North Georgia Water Planning District (Metro District) requires that HCWA & the County to develop, operate and maintain a Watershed Protection Plan (WPP) to perform water quality monitoring, watershed assessments and stream monitoring. HCWA performing these services on behalf of the County and sharing the costs of these services, saves the County money and duplication of services. Mr. Carnell thanked both

HCWA and County staff who worked together to bring about these agreements. The water quality monitoring agreement goes into effect January 1, 2023. The exemption from stormwater fees becomes effective immediately.

Discussion – The Grove @ Talmadge Farm TABLED

Resolution (2022-10) GEFA Loan Application – Walnut Creek WRF Expansion

Mr. Burch addressed the Board concerning a resolution to authorize the filing of a loan application with GEFA to fund the expansion of the Walnut Creek Water Reclamation Facility. He proposed that the Authority borrow \$100 million from SRF (State Revolving Loan Funds) and advised that GEFA has committed to this amount but will only make the loan in \$50 million dollar increments. Mr. Burch stated the resolution being presented for the Board's approval authorizes the Authority's staff to apply for the first \$50 million loan. He stated that the rate of interest for the loan is 1.92% with a 20 year loan term. Mr. Burch also noted that because the Authority has received the designation as a Water First Community, under a program operated by DCA, we qualify for a 1% loan discount. Without this designation, the Authority would be paying 2.92% interest on the loan. Motion was made by Mrs. Rozier and seconded by Mr. Carter, to authorize HCWA to apply for the GEFA loan, the motion carried unanimously (6/0).

Walnut Creek WRF Expansion

Mr. Hembree provided an update on the bid status of the Walnut Creek WRF Expansion project, adding that the bid due date was pushed back six (6) weeks to September 22, 2022 to encourage more participation. He noted that if the bid date was not extended from the original advertised date of August, 2022, there would have been a very limited number of contractors submitting bids. He stated that this delay was beneficial to the Authority as there have been a few more contractors interested in bidding on the project, however, it does push the project back six weeks.

Cubihatcha Kids

Mr. Carnell informed the Board of the upcoming Cubihatcha Kids event being held at the Cubihatcha Outdoor Education Center during the weeks of September 12 – 16 and September 26-30. Cubihatcha Kids is an annual event that is offered to all third graders in the Henry County Schools district in partnership with the Board of Education, and other businesses to provide STEM (Science, Technology, Engineering & Math) focused learning activities to students. Mrs. Rozier requested that consideration be given for students attending private schools as well as home-schooled students.

Other Discussion

Mr. Carnell reported concerning a special report he had seen on the news concerning write-offs by metro counties. Mr. Burch commented that during the past fiscal year, the Authority's write-offs totaled 0.02% of its revenues giving credit to Allen Rape and his staff for this accomplishment. Mrs. Gibson stated that this is something that we must continue to monitor and was glad the matter was presented to the Board. Mr. Rape discussed the Authority's policy for collecting

deposits on new accounts. He answered questions from the Board including what constitutes a write-off and whether the Authority's Charitable Assistance Program could be used in these situations. Mr. Rape advised that help is available, but customers must apply for it. Mrs. Rozier noted that this is an opportunity for the Authority to do outreach on this program.

7. PROJECTS AND ADJUSTMENTS

Mr. Sage gave a brief description of each project and noted that all projects are in compliance with the Authority's policy.

The following new projects were presented to the Board for approval:

EXT1137A 4175 Peeksville Road, W/L Ext.
EXT3775S 368 & 375 Foster Drive, W/L Ext.

Motion was made by Mr. Carter and seconded by Mrs. Gibson to approve the new projects as presented. There was no further discussion and the motion carried (6/0).

The following developer projects were presented to the Board for approval:

DEV3802 Hearn Road Subdivision
DEV3808 Gardner Farm Subdivision

Motion was made by Mrs. Rozier and seconded by Mr. Holder to approve the developer projects as presented. There was no further discussion and the motion carried (6/0).

Budget Adjustments: None

8. APPROVAL OF MINUTES

Motion was made by Mr. Holder and seconded by Mrs. Rozier to approve the minutes of the July 14, 2022 Regular Meeting of the Board as presented. The motion carried unanimously (6/0).

9. EXECUTIVE SESSION None

10. ADJOURNMENT

There being no further business, motion was made by Mr. Carter and seconded by Mr. Mays to adjourn the meeting at 9:29AM. The motion carried (6/0).


Cletonya LaGrand, Board Chair

Karen Lake-Thompson, Deputy Clerk