

MINUTES OF BOARD MEETING: November 18, 2021
HENRY COUNTY WATER AUTHORITY

I. CALL TO ORDER/ATTENDANCE

A regular meeting of the Henry County Water Authority Board was held on Thursday, November 18, 2021, at the Authority's Administrative Campus, Engineering Conference Room, located at 100 Westridge Industrial Blvd., McDonough, GA. Chair Cletonya Stidom called the meeting to order at 8:00 a.m. She welcomed all in attendance and introduced Pastor Brady Howard of Glenhaven Baptist Church. There were no other visitors present.

The following Board members were present: Cletonya Stidom, Sandra Rozier (arrived at 8:06 a.m.), Siddiqa Gibson, Jimmy Carter, Warren Holder and Fred Mays

The following Authority staff and consultants were present:

Tony Carnell, General Manager	Dan Newcombe, IT Manager
Kim Osborne, Clerk	Andy Welch, Smith, Welch Webb & White
Roderick Burch, CFO	Chris Wood, PhD, JWA Public Relations
Scott Sage, Division Mgr., Eng.	
Scott Harrison, Div. Mgr. Operations	
Allen Rape, Div. Mgr., Customer Support Svcs.	
Tamara Woodie, HR Manager	
Karen Lake-Thompson, Sr. Admin. Asst.	

II. INVOCATION The invocation was given by Pastor Brady Howard, Glenhaven Baptist Church. He expressed appreciation to the Board and Authority staff for their leadership especially during these difficult times.

III. ACCEPTANCE OF AGENDA

Chair Stidom presented the Agenda for approval by the Board. She advised that the Agenda will be amended in order to move Item 8. Executive Session to the beginning of the Agenda as Item 4. There were no further changes. Motion was made by Mr. Carter and seconded by Mr. Holder to accept the Agenda as amended. The motion carried (5-0). (Note: Mrs. Rozier had not yet arrived and therefore did not vote on this item).

IV. EXECUTIVE SESSION

Motion was made by Mr. Holder and seconded by Mr. Carter to enter into Executive Session at 8:04 a.m. in order to discuss personnel matters. The motion carried (5/0).

The Board returned to Regular Session at 8:35 a.m. The motion was made by Mrs. Rozier and seconded by Mr. Carter. The motion carried (6/0).

Upon return to Regular Session the Board took the following action:

Motion was made by Mrs. Rozier and seconded by Mrs. Gibson to approve the General Manager's contract for Mr. Carnell in the form it was written. Chair Stidom opened the floor for further discussion and there was none. Mr. Holder requested a roll call vote on the motion. The Board voted as follows:

District 1	Nay
District 2	Yes
District 3	Nay
District 4	Yes
District 5	Yes
At Large	Nay

The vote resulted in a tie vote. Mr. Holder questioned whether the Chair should vote on the matter, and that the Chair should vote only in the event of a tie, in accordance with Roberts Rules of Order. Chair Stidom requested Mr. Welch to clarify whether the Chair votes or whether Roberts Rules of Order applies. Mr. Welch stepped out of the meeting at 8:40 a.m. to obtain clarification. He returned to the meeting and stated that in accordance with the Authority's legislation, no action can be taken without approval of 4 members of the Board. He further stated that each member of the Board has a vote. He stated that because there is a tie vote concerning the motion on the floor, the Board has the option to reach an alternative agreement with Mr. Carnell; or a member of the Board can make a subsequent motion. He noted that Mr. Carnell has made his requests known.

Mr. Holder made an alternate motion which was seconded by Mr. Carter to accept the contract as written with one exception, that is, to change the term of the contract to 3 years instead of 5. Chair Stidom opened the floor for discussion. Mrs. Rozier expressed her support of a 5-year contract but will vote with the Board.

Mrs. Gibson requested to amend the motion to provide for a 4 year contract term.

Mr. Holder requested a vote on the motion currently on the floor. Chair Stidom clarified whether Mr. Holder is in support of a one year contract renewal, as set forth in the proposed contract, or whether he was in support of a two year contract renewal, which is the same renewal period contained in Mr. Farmer's contract.

Mr. Holder amended his motion and moved that the Board approve the proposed employment contract with Mr. Carnell as written, however, changing the term to a 3 year term with a 2 year automatic renewal period. Mr. Carter requested clarification concerning the 90 day notice provision as it relates to the automatic extension of the contract. Mr. Welch further explained the notice provision and advised that unless the Board takes action to terminate the contract during the 90 day period, the contract will automatically renew upon the expiration of the 3 year term. Chair Stidom called for any further discussion. Mr. Carter indicated his support and seconded Mr. Holder's motion. Mrs. Gibson inquired whether there would be any action a new Board could take to make the contract/renewal void. Mr. Welch advised there would be no action a new Board could take to void the automatic renewal. He noted that 2025 would be the earliest time period that the Board could potentially see a change of membership in 3 districts, however, this change would not affect the renewal of Mr. Carnell's contract. Chair Stidom clarified that if the Board takes no action prior to the expiration of the contract on December 31, 2024, the contract would

automatically renew before 2025. Mr. Welch confirmed and stated that if the new board decided not to renew the contract, they would be required to give the 90-day notice prior to the end of 2025, and if they did so, the contract would end. However, if they do not give the required notice, the contract would continue. Chair Stidom called for any further discussion. There being none, she requested a roll call vote on Mr. Holder’s motion. The members of the Board voted as follows:

District 1	Yay
District 2	Yay
District 3	Yay
District 4	Yay
District 5	Yay
District 6	Yay

The motion carried unanimously (6/0).

V. REPORT OF ATTORNEY (Andy Welch, Smith, Welch, Webb & White)

GDOT – Acquisition of Property from HCWA (Highway 81/Jackson Lake Road) – Resolution No. 2021-16

Mr. Welch advised that the Authority had been contacted by the Georgia Department of Transportation regarding a need for GDOT to acquire property from the Authority for improvements to the round-about located on Highway 81 @ Jackson Lake and Snapping Shoals Roads. Their request is to acquire 0.643 acres of property which is a part of the Authority’s Walnut Creek LAS. Mr. Welch noted that GDOT’s initial offer for this property was \$23,200.00 (\$3,537.00 for the 0.643 acres and \$19,570.00 to replace the fencing and the gate). However, on July 9, 2021, staff requested GDOT consider including the cost of the water line relocation work as part of its road improvement project and to absorb the relocation costs into the road project. If GDOT had agreed to this proposal, the Authority would have donated to GDOT the 0.643 acres it needed from the Authority for the road improvement project. Mr. Welch advised that GDOT rejected the offer, and a subsequent counteroffer of \$48,000.00 was made to the Authority by GDOT on October 12, 2021. Mr. Welch provided a break-down of how the counteroffer was calculated and stated that Authority staff recommends acceptance of this offer. Mr. Holder noted that the Authority is settling for \$48,000 and will incur relocation expenses of \$200,000. He emphasized that it is important that the Authority acquire easements in the future. Motion was made by Mrs. Rozier and seconded by Mr. Holder to adopt resolution No. 2021-16 authorizing the acceptance of GDOT’s offer of \$48,000 for the SR81/Jackson Lake Road/Snapping Shoals Road right-of-way acquisition; and further authorizing the Chair and/or General Manager to execute all documents necessary to effectuate the transaction. There was no further discussion and the motion carried (6/0).

VI. REPORT OF GENERAL MANAGER

Right of Entry Agreement between Fayette County and HCWA

Mr. Carnell explained that the Authority has a 24” sewer line along Reeves Creek with plans in the next few years to extend that line across I-75. However, a developer has been looking at property east of I-75 and has approached the Authority about an extension of the sewer line. Mr. Carnell noted that since the original line was installed, Fayette County has acquired the property on which it crosses and has put that property in mitigation. He stated that in order to extend this 24” line the Authority will need to acquire a permit amendment from Fayette County. He stated that the Authority has requested Fayette County’s approval of an amendment, but Fayette County staff was initially not interested in working with the Authority. However, Authority staff was finally able to meet with Fayette County staff, and they agreed to give the Authority access to the property for the purpose of collecting data and performing surveying and other activities. Mr. Carnell noted that normally the Authority would place this responsibility on the developer, however, Fayette County has indicated it would rather work with the Authority. Mr. Carnell referred to the Right-of-Entry Agreement contained in the Board’s agenda packet and recommended the Board’s approval of the agreement. Chair Stidom opened the floor for further discussion. There being none, a motion was made by Mr. Holder and seconded by Mrs. Rozier to approve the Right-of-Entry Agreement with Fayette County, and to authorize the Chair to execute the agreement. The motion carried (6/0).

South Ola Road SPLOST Project – Bond Savings Allocation (Resolution No. 2021-17)

Mr. Carnell reminded the Board that it had previously approved the South Ola Road SPLOST project. He noted that SPLOST did not have enough funds to cover the waterline relocation which is necessary for the construction of the project. Commissioner Wilson had requested that up to \$52,000 be utilized from his bond savings allocation towards the cost of the waterline relocation. Mr. Welch has prepared a resolution for the Board’s approval to formalize the requested use of funds. Mr. Welch noted that if the costs exceed \$52,000, Commissioner Wilson may request additional funds from his allocation to cover those costs, or SPLOST will have to secure the additional funding. Mrs. Rozier inquired how the Authority can be protected so that SPLOST cannot request additional funds. Mr. Welch replied that by adopting a resolution specifying the amount designated for the project, if there is a funding short-fall someone else will need to make the decision on how the short-fall is covered. Mr. Holder indicated his support of the resolution and stated that these types of projects are what the allocations should be used for. Motion was made by Mr. Holder and seconded by Mrs. Rozier to approve and adopt Resolution No. 2021-17 as presented. The motion carried (6/0).

HCWA Organizational Structure

Mr. Carnell recognized members of the Authority’s Executive Management team and noted their position of responsibility as well as tenure with the Authority.

Public Relations Update (Chris Wood, PhD, JWA PR)

Dr. Chris Wood gave a media relations report. A clip file was provided to the Board in the Agenda packet. Dr. Wood noted that media coverage was received on the following topics: fall hunting events; hurricane relief efforts; General Manager’s retirement; Imagine a Day Without Water art contest; model water tower competition and River’s Alive stream clean-up event. Dr. Wood advised that the customer newsletter for the year-end will be coming out soon. Mr. Holder

commented that it is good to see families coming out to participate in the hunting events, enjoying the outdoors and fellowshiping with one another. He expressed his appreciation to staff and stated this is one of the best events promoted by the Authority. Mr. Harrison noted that the last hunting event coming up on November 20th will be for veterans. He stated they are so appreciative of all that is done for them and noted that the oldest veteran participating in last year's hunt was 85 years old. Chair Stidom also noted that Nash Farm is being revitalized to provide fishing and archery opportunities and that other activities are planned for the future.

VII. PROJECTS AND ADJUSTMENTS

The following projects were presented for the Board's approval:

New Projects: EXT2893A	Upper Birch Creek Sewer Ext. Design
MTRUPG3572D	East Lake Monopole & AMI Base Station

Developer Projects: NONE

Mr. Sage provided information concerning the Upper Birch Creek project. Mr. Rape explained the meter upgrade project. There was no further discussion of either project by the Board. Motion was made by Mr. Carter and seconded by Mrs. Gibson to approve the projects as presented. The motion carried (5/0). (Note: Mrs. Rozier departed the meeting at 9:13 a.m. and therefore did not vote on this item).

Budget Adjustments: EXT3280	Rock Quarry Road PVC Replacement
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Mr. Sage provided information concerning this budget adjustment. He noted that additional expenses were incurred for blasting and removal of rock in the construction area. There was no further discussion by the Board and a motion was made by Mrs. Gibson and seconded by Mr. Mays to approve the budget adjustment as presented. The motion carried (5/0).

VIII. APPROVAL OF MINUTES

The minutes of the October 14, 2021 meeting and Executive Session; along with minutes of the November 2 and 3 Called Meetings and Executive Sessions were approved as moved by Mr. Holder and seconded by Mr. Carter. There was no further discussion by the Board and the motion carried (5/0). (Note: Following the adjournment of the meeting, Mr. Welch reviewed the minutes of the November 2 and 3 meetings and provided suggested revisions. The Clerk will implement the recommended changes and will present the amendments to the Board for approval at its December meeting.)

IX. OTHER BUSINESS

Chair Stidom announced that the next meeting of the Board is scheduled for December 9, 2021, at 8:00 a.m. and will be held in the Engineering Conference Room.

Chair Stidom also advised that she will communicate with Mr. Farmer concerning potential dates to schedule his retirement reception.

X. ADJOURNMENT

Motion was made by Mr. Holder and seconded by Mr. Mays to authorize Chair Stidom to execute the Affidavit concerning Execution Session matters. The motion carried (5/0). Motion was then made by Mr. Carter and seconded by Mr. Mays to adjourn the meeting at 9:37 a.m. The motion carried (5-0) and the meeting was adjourned.

Cletonya Stidom, Chair

Kim Osborne, Clerk