

MINUTES OF BOARD MEETING: September 8, 2015 – 8:00 a.m.
HENRY COUNTY WATER AUTHORITY

I. CALL TO ORDER/ATTENDANCE

A regular meeting of the Henry County Water Authority Board, duly advertised, was held on Tuesday, September 8, 2015, at the Authority's Administrative offices located at 1695 Highway 20 West, McDonough, GA. Mr. James C. Carter, Jr., Chairman, called the meeting to order at 8:05 a.m. The following members were present: James C. Carter, Jr., Carlotta Harrell, Mike Barr, and Rick Jeffares.

The following Authority staff and consultants were present:

Lindy D. Farmer, Jr., General Manager
Tony V. Carnell, Deputy Manager
Kim Osborne, Clerk
Roderick Burch, CFO, Division Manager
Scott Sage, Division Manager, Engineering
Pat Hembree, Division Manager, Water & Wastewater
Scott Harrison, Division Manager, Operations
Bill Banks, CIP Coordinator
A.J. Welch, III, Smith, Welch, Webb & White

II. VISITORS None

III. ACCEPTANCE OF AGENDA

Mr. Carter presented the Agenda for approval. Motion was made by Mr. Jeffares and seconded by Mr. Barr to accept the Agenda as presented. The motion carried (4-0).

IV. REPORT OF ATTORNEY

TAVT Issue

Mr. Welch advised that a request was made of the State Attorney General's office to render an opinion concerning the payment of the two mill tax to the Authority from the TAVT collections. Prior to issuing a decision, the State Attorney General has requested information from the County Attorney concerning the County's interpretation of the law. Mr. Welch advised that the Authority has two options: await the Attorney General's opinion on the matter; or the Authority's Board can authorize the filing of a declaratory judgment action in the Superior Court thereby asking the Court to decide the matter. It was Mr. Welch's recommendation that the Authority await the opinion of the State Attorney General prior to taking any action.

Legal Opinion Concerning Waiving Sovereign Immunity

Mr. Welch advised that Mr. Farmer and Mr. Burch had requested a legal opinion concerning whether the Authority should consider a policy whereby the Authority would accept liability for certain action of the Water Authority and its employees, and establish an amount the Authority would pay in the event of damage to private property. It was Mr. Welch's opinion that the Authority cannot waive its protections under the doctrine of sovereign immunity, but rather must receive approval from the General Assembly in the form of a legislative amendment.

V. REPORT OF GENERAL MANAGER

Metro North Georgia Water Planning District (MNGWPD) (Tara Brown)

Mrs. Brown addressed the Board concerning the MNGWPD's proposed action items and the Authority's responses thereto. Shea advised that staff has been working on plan updates for water supply and conservation, waste water and watershed protection. These updates were submitted to EPD on August 24th.

Invoice Cloud (Roderick Burch, CFO)

Mr. Burch addressed the Board concerning the merchant service fees that the Authority incurs each year which are charged when the Authority accepts credit card payments. Last year those fees totaled \$250,000. Mr. Burch advised that the Authority could eliminate this expense by utilizing the services of a third party processor. After reviewing several companies, Mr. Burch advised that Invoice Cloud would best meet the Authority's needs. He is currently negotiating concerning contract terms. He advised, however, that it will take some time to implement the program.

River Road Status Update (Scott Harrison)

Mr. Harrison advised that River Road was closed on Thursday, September 3rd. The cul-de-sacs have been constructed, but have not yet been paved. Photographs were provided to the Board.

Peeksville Road Bridge (fencing)

Mr. Carter requested an update concerning the Peeksville Road Bridge fencing project. Mr. Carnell advised that he has communicated with Neil Schaffer regarding specifications for mounting the fence on the bridge. He hopes to receive the bracket mount detail from Neil Schaffer this week. The Authority's staff has consulted with the fencing contractor who has agreed to honor the pricing previously submitted and approved by the Board. Mr. Carnell stated that approval of the bracket mount is needed from Terry McMickle. However, the County Manger has indicated approval and the Board of Commissioners has also expressed agreement.

East Lake Road Round-About Project

Mr. Sage reported that the Authority's staff has located the Authority's force main. The Authority also offered to the project contractor an alternative source for dirt to alleviate the need to remove dirt from the area where the Authority's force main is located. The Authority is proceeding to relocate its water line this week with a one week time frame to complete the project.

Media Relations Report (Chris Wood, PhD)

Dr. Wood provided a media relations report. He advised that media coverage has been received on the kick-off of the Authority's hunting events as well as the Cubihatcha Kids field trips. Upcoming events include: Model Water Tower Contest (10/23) and Rivers Alive river clean-up (11/7). Dr. Wood advised that the customer newsletter is in production.

VI. PROJECTS

The following projects were presented for approval by the Board:

EXT1406 McCullough Road PVC Abandonment
EXT3362A Upper Camp Creek Sewer Replacement Design
EXT3499 East Lake Road PVC Water Line Abandonment
EXT3450A Lift Station Repair and Rehab Phase III
WATDIST3129B East Henry Water System Improvement Design

Mr. Farmer advised that the projects are in compliance with Authority policy. Mr. Carter opened the floor for further discussion. A motion was made by Mr. Barr and seconded by Mrs. Harrell to approve the projects as presented. The motion carried (4-0).

There were no project adjustments.

VII. APPROVAL OF MINUTES – August 11, 2015 Regular Board Meeting

Mr. Carter opened the floor for discussion and approval of the minutes of the Authority's regular meeting conducted on August 11, 2015. There were no revisions and a Motion was made by Mr. Jeffares and seconded by Mr. Barr to approve the minutes as submitted. The motion carried (4-0).

VIII. OTHER BUSINESS

Ms. Cooper discussed the General Manager's evaluation. She advised that packets will be distributed to the Board by October 1st. Board members will have two weeks to complete the requested documentation. Ms. Cooper requested the Board designate two members to review the results. It was a consensus of the Board that Messrs. Carter and Jeffares be designated for this purpose.

IX. EXECUTIVE SESSION No Executive Session was held.

X. ADJOURNMENT

Motion was made by Mr. Barr and seconded by Mrs. Harrell to adjourn the meeting at 9:03 a.m. The motion carried (4-0) and the meeting was adjourned.

James C. Carter, Jr., Chairman

Kimberly Turner Osborne, Clerk