

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

December 13, 2010

The regular meeting of the Cobb County-Marietta Water Authority was held on December 13, 2010 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, Charlie Crowder, Don Mabry, Earl Smith and Van Pearlberg. Mr. Lee had notified staff that he would be unable to attend.

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

1. Approval of Minutes of Regular Meeting 11/15/10

Mr. Bacon asked for approval of the minutes of the Regular Meeting of November 15, 2010. Mr. Austin made a motion to approve the minutes. Mr. Crowder 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, 2010 reflects a favorable variance in net income of \$448,962. Page 10 of the Accountant's Compilation Report for the eleven months ending November 30, 2010 reflects a favorable variance in net income of \$5,944,676.

Mr. Gordon Mortin of Knox Wall, a division of Morgan Keegan, reported that the Georgia Environmental Financing Authority (GEFA) is selling Georgia Fund loans through bonds via the Georgia Environmental Loan Acquisition Corporation (GELAC), a subsidiary of GEFA, which includes a Water Authority loan.

3. Finance Committee Report

Mr. Smith, Finance Committee Chair, made a motion to approve the Investment Policy and Procedures Update of Appendix C subject to State Bank & Trust providing the appropriate documentation (copy in file). Mr. Crowder seconded the motion; motion passed 6/0.

4. Pension Committee Report

Mr. Page presented the Pension Committee Report (copy in file).

5. Bid Results – Austell-West Side Connector 24” Water Main – Project 29101

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Smith made a motion to award the Austell-West Side Connector 24” Water Main to Gary's Grading and Pipeline Co., Inc. for the low bid price of \$2,616,038.50. Mr. Bacon seconded the motion.

Mr. Pearlberg made a substitute motion to award the Austell-West Side Connector 24" Water Main to Unity Construction Co., Inc. for the bid price of \$2,676,597.90. Mr. Austin seconded the motion.

Mr. Smith made a motion to table the award of the Austell/West Side connector 24" Water Main Project. Mr. Crowder seconded the motion; motion passed 6/0.

6. Reschedule January 2011 meeting to January 24, 2011 due to Martin Luther King, Jr. Holiday

Mr. Mabry made a motion to reschedule the January 2011 meeting from January 17 to January 24 due to the Martin Luther King, Jr. Holiday. Mr. Pearlberg seconded the motion; motion passed 6/0.

7. Old business

Mr. Mabry, Chair of the Ad Hoc Land Application Committee, reported that he had received the memo from Mr. Page and distributed it to committee members, Mr. Austin and Mr. Crowder. Mr. Mabry noted that the detail in the memo emphasized the size and depth of the program and that it appears to be more cost efficient to outsource the services.

Mr. Mabry made a motion to award the land application program to Macon Soils, Inc. under an intergovernmental agreement with Macon Water Authority, and negotiate a 1-year contract renewable up to 5 years. Mr. Smith seconded the motion; motion passed 6/0.

8. General Manager's report

Mr. Page reported the following items:

- Quarles Reservoir Rehabilitation - dredging completed.
- Wyckoff Roof – nearing completion
- Wyckoff Storage Yard – nearing completion
- Wyckoff R&O Project - Unsuitable soils and rock have been encountered in area near stream relocation, which will tap into the owner-directed allowances on the project.
- Mr. Austin and Mr. Page recognized the Cobb County and Paulding County middle school winners and their parents at the waterSmart waterArt calendar contest at Big Shanty Art Station on December 2.

9. New business

There was no new business to present.

10. Executive Session

Mr. Pearlberg made a motion to go into Executive Session to discuss real estate and legal business. Mr. Austin seconded the motion; motion passed 6/0.

Mr. Smith made a motion to return to Regular Session. Mr. Pearlberg seconded the motion; motion passed 6/0.

Mr. Smith made a motion to remove from the table the award of the Austell/West Side Connector 24" Water Main Project. Mr. Mabry seconded the motion; motion passed 6/0.

Mr. Smith made a motion to award the Austell/West Side Connector 24" Water Main Project to Gary's Grading and Pipeline Co., Inc. for the bid price of \$2,616,038.50. Mr. Bacon seconded the motion; motion passed 5/1 with Mr. Pearlberg opposed.

11. Legal


Mr. Haynie presented a Memorandum of Understanding between the Georgia Department of Community Affairs (DCA) and the Cobb County - Marietta Water Authority to formalize the WaterFirst Community Designation. Mr. Smith made a motion to approve the Memorandum of Understanding between the Georgia Department of Community Affairs and the Cobb County - Marietta Water Authority (copy in file). Mr. Mabry seconded the motion; motion passed 6/0.

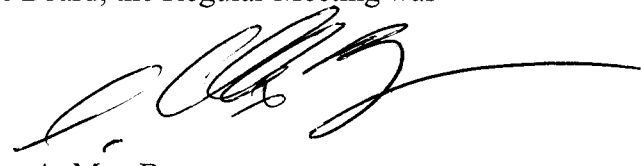
Mr. Mabry made a motion to approve presentation of proposed legislation which will stagger terms of office for members of the Water Authority appointed by the Cobb County Delegation. Mr. Smith seconded the motion; motion passed 6/0.

Mr. Austin made a motion to approve the Authorizing Resolution related to the existing loan with the Georgia Environmental Financing Authority to be used to collateralize bonds to be issued by the Georgia Environmental Loan Acquisition Corporation (copy in file). Mr. Smith seconded the motion; motion passed 6/0.

Mr. Haynie reported on the issue of lending by the Water Authority.

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


Becky Nixon
Assistant Secretary


A. Max Bacon
Chair