

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

**January 25, 2010**

The regular meeting of the Cobb County-Marietta Water Authority was held on January 25, 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 and Van Pearlberg.

Mr. Olens and Mr. Smith had notified Staff that they would be unable to attend.

The meeting was called to order at 3:30 p.m. by Chair Don Mabry.

**1. Approval of minutes of regular meeting 12/14/09**

Mr. Mabry asked for approval of the minutes of the regular meeting of December 14, 2009. Mr. Austin made a motion to approve the minutes as presented. Mr. Bacon seconded the motion; motion passed 5/0.

**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, 2009 reflects a favorable variance in net income of \$1,383,830. Page 10 of the Accountant's Compilation Report for the twelve months ending December 31, 2009 reflects a favorable variance in net income of \$6,252,261.

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

**3. Hickory Log Creek Reservoir Dam and Pump Station SCADA Project  
Engineering Contract Recommendation**

Mr. Page referenced the memorandum that was included in the Board package (copy in file). Staff recommended that the Board award the Engineering Contract to design and provide construction services for the SCADA system to operate the HLC Dam and Pump Station to Engineering Strategies, Inc. of Marietta for the proposed fee of \$109,590. Mr. Pearlberg made a motion to approve Staff's recommendation. Mr. Austin seconded the motion; motion passed 5/0.

**4. Macon Soils Residuals Land Application Contract Renewal**

Mr. Page referenced the memorandum that was included in the Board package (copy in file) and noted that this is the final year of a five-year contract with Macon Soils and that bids for a new contract for 2011 through 2015 will be sought in the second half of the year. Staff is recommending extending the contract as allowed under the 2006 contract documents. Mr. Austin made a motion to approve Staff's recommendation to extend the Land

Application Contract with Macon Soils, Inc. for the 2010 calendar at the current unit cost of \$16.91/cy for hauls up to 30 miles and \$25.34 for hauls from 30 to 40 miles. Mr. Crowder seconded the motion; motion passed 5/0.

Mr. Page noted that Cobb County Manager David Hankerson initiated a possible opportunity to reduce some of the cost through an arrangement to haul and spread as much of the material as possible on Cobb County property recently acquired for parks. It also may be possible for Cobb County to use its equipment to both haul and spread some of the material, further reducing some of the costs. Staff will coordinate with Cobb County to include this land in our program, potentially reducing our 2010 contract cost.

#### **5. HLC Mitigation Contractor Prequalification**

Mr. Page referenced the memorandum in the Board package (copy in file). Staff recommends Board approval of the following six teams for prequalification to perform mitigation construction on Hickory Log Creek mitigation areas.

1. C.S. Britton, Inc. / Blount Construction, Inc.
2. PBS&J / Peter Brown Construction, Inc. / River Works
3. J.M. Wilkerson Construction Company, Inc.
4. Environmental Services, Inc. / Meanders Construction, Inc.
5. Aquascape Environmental / W.E. Contracting, Inc.
6. Georgia Developmental Partners / Ecological Solutions, Inc.

Mr. Page noted that other firms will be allowed to bid when the actual projects are advertised, but a complete prequalification package will have to be submitted with the bid. Any deviation from what is requested, or an incomplete package, will render the bid non-responsive. Mr. Pearlberg made a motion to approve Staff's recommendation to approve the listed six teams for prequalification to perform mitigation construction on Hickory Log Creek mitigation areas. Mr. Mabry seconded the motion; motion passed 5/0.

#### **6. Old Business**

Administration Building status – Mr. Page distributed information about a building at 1170 Atlanta Industrial Drive and commented that renovation would be minimal compared to any buildings previously considered. Mr. Page requested that discussion continue during Executive Session.

#### **7. General Manager's Report**

Mr. Page reported that the granite memorial bench for R.L. Jacobs will be ready for installation at the Blockhouse Day Use Area around mid-April. Staff is coordinating with the family to set a time for an unveiling in late April or early May.

**8. Legal**

Mr. Bacon made a motion to approve the Directors' Resolution adopting Flexible Benefits Plan for Cobb County-Marietta Water Authority (copy in file). Mr. Pearlberg seconded the motion; motion passed 5/0.

Mr. Crowder made a motion to approve the engagement letter for WilmerHale to represent the Water Authority in the Tri-State Water Rights Litigation (copy in file). Mr. Mabry seconded the motion; motion passed 4/1 with Mr. Bacon opposed.

Mr. Haynie noted that a similar engagement letter has been sent to the other governing authorities involved in the litigation and that fees are paid through the Intergovernmental Agreement.

Mr. Haynie reported that Mr. Bobby Dyer has been appointed the City Attorney for the City of Canton, and that Mr. Scott Wood is the new City Manager.

**9. New Business**


Mr. Mabry appointed Mr. Crowder to be a member of the Personnel Committee.


**10. Executive Session**

Mr. Pearlberg made a motion to go into Executive Session to discuss property acquisition and potential litigation. Mr. Bacon seconded the motion; motion passed 5/0.

Mr. Bacon made a motion to return to Regular Session. Mr. Pearlberg seconded the motion; motion passed 5/0.

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

  
Becky Mixon  
Assistant Secretary

  
Don Mabry  
Chair