

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

**October 18, 2010**

The regular meeting of the Cobb County-Marietta Water Authority was held on October 18, 2010 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board members initially present were: David Austin, Max Bacon, Charlie Crowder, Don Mabry and Van Pearlberg. Mr. Smith had informed staff that he would be unable to attend the meeting.

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

**1. Approval of Minutes of Regular Meeting 09/20/10**

Mr. Bacon asked for approval of the minutes of the Regular Meeting of September 20, 2010. Mr. Austin made a motion to approve the minutes. Mr. Crowder seconded the motion; motion passed 5/0.

**2. Financial report**

Ms. Joanne Dwyer, Legacy Financial Services, presented the September financial report. Page 9 of the Accountant's Compilation Report for the one month ending September 30, 2010 reflects a favorable variance in net income of \$1,105,020. Page 10 of the Accountant's Compilation Report for the nine months ending September 20, 2010 reflects a favorable variance in net income of \$4,921,347.

Mr. Lee arrived at this time.

Ms. Dwyer also presented the Quarterly Investment Summary Report for the Quarter Ended September 30, 2010 (copy in file).

**3. Bid Results – Wyckoff Water Treatment Plant Sedimentation Basins 5 & 6 and Filter Valves Replacement**

Mr. Page referenced the memorandum in the Board package (copy in file). Mr. Page confirmed that the bid documents were clear that the award would be made on the basis of the low bid for Division 1 of the project. Mr. Pearlberg commented for the record that he has appointed Don Gillis, Vice President of Archer Western, to serve on the City of Marietta's Planning Commission. Mr. Lee made a motion to approve the award of the Wyckoff Water Treatment Plant Sedimentation Basins 5 & 6 and Filter Valves Replacement Project to Archer Western Contractors, Ltd. of Atlanta for the total bid price of \$2,398,708 and that, if possible, this work be incorporated into Archer Western's current contract for the Wyckoff Regulatory and Operational Improvement Project as a Change Order. Mr. Austin seconded the motion; motion passed 5/1 with Mr. Mabry opposed.

**4. Bid Results – Quarles Raw Water Intake and Pump Station Maintenance Improvements**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Pearlberg made a motion to approve the award of the Quarles Raw Water Intake and Pump

Station Maintenance Improvements Project to Heavy Constructors, Inc. of Marietta for the low bid price of \$739,818. Mr. Mabry seconded the motion; motion passed 6/0.

**5. Amendment No. 3 to Agreement for Consulting Services with RLH Group, LLC**

Mr. Page referenced the memorandum in the Board package (copy in file). Mr. Austin made a motion to authorize staff to execute Amendment No. 3 to the Agreement for Consulting Services with RLH Group, LLC, extending the period of the contract by 18 months and increasing the contract limit by \$95,000. Mr. Lee seconded the motion; motion passed 6/0.

**6. Old Business**

There was no Old Business to present.

**7. General Manager's report**

Mr. Page provided the following update on the rupture of the 36-inch prestressed concrete cylinder pipe (PCCP) on Paul Samuel Road on October 2:

- This pipe was manufactured prior to the generation of pipe that was the subject of the 1980s settlement with Interpace, and had no history of failure. The explosive-type rupture experienced was a result of elevation, and CCMWA had not experienced a failure of this type since 2003, when 3 occurred over a 15-month period on Shallowford Road.
- Travelers Insurance, CCMWA's General Liability carrier, initially denied claims related to private property damage. After discussion with Mr. Haynie and Bill Smith, Sr. of Little & Smith, CCMWA's insurance advisor and broker, Travelers has reopened the claim. CCMWA will be seeking reimbursement for repairs to private property, as well as to the road and to the 12-inch pipeline belonging to Cobb County Water System.

Mr. Page distributed and presented a review of the Hickory Log Creek Reservoir project status (copy in file).

**8. New business**

Mr. Bacon appointed Mr. Mabry to Chair the Planning Committee and as a member of the Personnel Committee.

Mr. Pearlberg noted that the Personnel Committee will meet Wednesday, October 27, 10:00 a.m. at the Administration Office.

Mr. Crowder proposed initiating work sessions, with specific agendas, to provide an opportunity to discuss in detail proposed projects. Mr. Page will proceed with coordinating a schedule and developing an agenda for the first work session.

Mr. Page noted that it has been suggested to move the December 20, 2010 Board Meeting to December 13, 2010. Mr. Austin made a motion to move the December meeting to December 13. Mr. Mabry seconded the motion; motion passed 6/0.

Mr. Page stated that he anticipates a Financial Committee meeting the first week in November and will be contacting the committee members for their availability to meet.

**9. Executive Session**

There was no need for an Executive Session.

**10. Legal**

Mr. Austin made a motion to deny the claim by Andrew Moore and Robin Miller (ante litem notice attached). Mr. Crowder seconded the motion; motion passed 6/0.

Mr. Mabry made a motion to approve the Georgia Environmental Finance Authority (GEFA) loan modification (copy in file). Mr. Lee seconded the motion; motion passed 6/0.

Mr. Lee made a motion to approve a letter agreement with the Georgia Environmental Finance Authority Loan Acquisition Corporation (copy in file). Mr. Crowder seconded the motion; motion passed 6/0.

Mr. Austin made a motion to authorize a suit against Nasir Enterprises, LLC for relief and damages due to the encroachment of a sign in the Water Authority's easement along Jiles Road (copy in file). Mr. Pearlberg seconded the motion; motion passed 6/0.

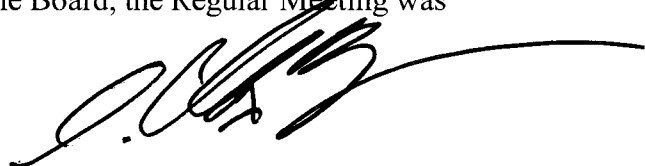
Mr. Pearlberg made a motion to authorize the General Manager and Authority Attorney to obtain any and all necessary appraisals, surveys or other items needed to complete purchases/condemnations for the Hickory Log Creek Reservoir Project. Mr Lee seconded the motion; motion passed 6/0.

Mr. Haynie asked that the Board complete and return the annual Conflict of Interest Questionnaire that Ms. Mixon distributed.

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



Becky Mixon  
Assistant Secretary



A. Max Bacon  
Chair