

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

**September 17, 2018 – 3:30 p.m.**

The regular meeting of the Cobb County-Marietta Water Authority was held on September 17, 2018 at 3:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board members present were: James Scott, Dan Buyers, Charlie Crowder, Max Bacon, James Balli, Mike Boyce, and Grif Chalfant.

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The meeting was called to order at 3:30 p.m. by Chair James Scott.

**1. Invocation and Pledge of Allegiance**

Brandon Smith offered the invocation and led the Pledge of Allegiance.

**2. Approval of Minutes of Regular Meeting of August 20, 2018**

Mr. Scott asked for approval of the minutes of the Regular Meeting of August 20, 2018. Mr. Boyce made a motion to approve the minutes as presented. Mr. Buyers seconded the motion; motion passed 7/0.

**3. Approval of Minutes of Executive Session of August 20, 2018**

Mr. Scott asked for approval of the minutes of the Executive Session of August 20, 2018. Mr. Boyce made a motion to approve the minutes as presented. Mr. Balli seconded the motion; motion passed 7/0.

**4. Financial report**

Ms. Becky Watkins, Accountant with the Finance Division, presented a summary of the August 31, 2018 Financial Statement (copy in file). Operating income for August was \$4,423,588, which exceeded expectations by \$555,880. Net income for August was \$4,685,124, which exceeded expectations by \$899,669.

**5. Pension Committee Report**

Mr. Stan Brinkley, Chairman of the Pension Committee, stated that the Pension Committee had met on August 20, 2018, and he made the following report: For the quarter ending June 30, 2018, the Portfolio was up 1.84%, outperforming the Plan's Composite Benchmark of 1.62%. The total value of the trust fund on June 30, 2018 was \$37,552,958. The committee received a legal opinion from the Attorney for the Pension Plan that the Cobb County-Marietta Water Authority Pension Plan is not subject to a Qualified Domestic Relations Order; and that Glenn Page, Cole Blackwell and Patrick Henley are authorized signers on the plan and, therefore, represent the plan.

## 6. Planning Committee Report

Mr. Dan Buyers, Chairman of the Planning Committee, reported that the Planning Committee had met on August 31, 2018, and voted to refer without recommendation to the Board a Task Authorization for Design and Construction Management for a new Clearwell at the Wyckoff Water Treatment Plant under the Demand Services Contract with Engineering Strategies, Inc. of Marietta for the proposed fee of \$396,294.

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Mr. Buyers reported that the Planning Committee had voted to refer without recommendation to the Finance Committee an amendment to the Procurement Policy to allow the General Manager to approve a Task Authorization under an approved Demand Services Contract not to exceed \$200,000 for professional services associated with a budgeted item.

Mr. Buyers reported that the Planning Committee had voted to refer without recommendation to the Finance Committee an amendment to the Procurement Policy to allow staff to negotiate a Task Authorization under an approved Demand Services Contract up to \$500,000 for professional services associated with a budgeted item, to be approved by the Board, when: efficiency and/or schedule is a priority in delivering the work; the Demand Services provider is highly qualified and/or experienced for the proposed work; or when cost savings are anticipated through using this method of procurement.

## 7. Finance Committee Report

Mr. Charlie Crowder, Chairman of the Finance Committee, reported that the Finance Committee had met on September 17 prior to the board meeting. Upon recommendation of the Finance Committee, Mr. Crowder made the motion to approve the addition of Hilltop Securities to the list of approved brokers/dealers. Mr. Buyers seconded the motion; motion passed 7/0.

Upon recommendation of the Finance Committee, Mr. Crowder made a motion for the removal of Wells Fargo Bank and Cetera Investment Services, LLC from the list of approved broker/dealers. Mr. Buyers seconded the motion; motion passed 7/0.

Upon recommendation of the Finance Committee, Mr. Crowder made a motion to approve the addition of East West Bank to the list of approved banks. Mr. Buyers seconded the motion; motion passed 7/0.

Upon recommendation of the Finance Committee, Mr. Crowder made a motion to approve an Amendment to the Procurement Policy to modify the General Manager's approval threshold for Task Authorizations under approved Demand Services Contracts by revising Section 5.2 as follows: "*Contracts in excess of \$100,000 and task authorizations under an approved Demand Services Contract in excess of*



*\$200,000 must be presented to the Board for approval. The Board may authorize the Chairman, General Manager, or any other designated authority to sign the contract.”*  
Mr. Buyers seconded the motion; motioned passed 7/0.

Upon recommendation of the Finance Committee, Mr. Crowder made a motion to approve an Amendment to the Procurement Policy to clarify exemption of preapproved Demand Services Contracts up to \$500,000 from the competitive bidding process by revising Section 4.1.6.8 as follows: *“Subject to Section 5.2, preapproved Demand Services Contracts up to \$500,000 for professional services associated with a budgeted item, when: efficiency and/or schedule is a priority in delivering the work; the Demand Services provider is highly qualified and/or experienced for the proposed work; or when cost savings are anticipated through using this method of procurement.”* Mr. Buyers seconded the motion; motion passed 7/0.

**8. Sole Source Request - Gas Chromatograph and Mass Spectrometry Detector**

Mr. Page referred to the memorandum in the Board package (copy in file).  
Mr. Balli made a motion to authorize sole-source procurement of an Agilent 7890B Gas Chromatograph/5977B Mass Spectrometry Detector for the quoted price of \$94,084.05. Mr. Boyce seconded the motion; motion passed 7/0.

**9. Engineering Services – Wyckoff Water Treatment Plant Clearwell No. 3**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Page clarified that the memorandum was in error regarding the recommendation from the Planning Committee, and Mr. Bacon requested that the memorandum be amended to state the recommendation was from staff. Mr. Balli made a motion to approve a Task Authorization valued at \$396,294 through the Demand Services Contract with Engineering Strategies, Inc. of Marietta for Design and Construction Management Services for Wyckoff Water Treatment Plant Clearwell No. 3. Mr. Buyers seconded the motion; motion passed 7/0.

**10. Bid Results – 2018 Blow-off Replacements**

Mr. Page referred to the memorandum in the Board package (copy in file). Mr. Boyce made a motion to award the 2018 Blow-off Replacements Project to Ruby-Collins, Inc. of Smyrna, Georgia for the verified low bid of \$829,920. Mr. Balli seconded the motion; motion passed 7/0.

**11. Old business**

Mr. Page stated that CCMWA staff and City of Canton staff had met with Georgia EPD on September 11 regarding renewal of the Hickory Log Creek Withdrawal Permit. EPD has granted a 120-day extension for CCMWA and Canton to agree on

language desired in the permit, which will likely require amending the Joint Project Agreement for the Hickory Log Creek Reservoir. Discussion of desired changes to the Joint Project Agreement is being added as an agenda item to the September 28 Hickory Log Creek Board of Managers Meeting.

Mr. Page stated that staff had met with Paulding County on July 19 for contract discussions. Paulding County reported back today that they are updating their financial model to evaluate financial impacts of new contract terms, and that their attorney is reviewing contract.

## **12. General Manager's report**

Mr. Page provided the following updates to the published General Manager's Report (copy in file):

Mr. Page noted an error in "Other Updates" regarding the Taste and Odor Event. Data should reflect parts per trillion, not parts per billion.

Budget preparation is on schedule for the first reading at the November Board Meeting. Committee meetings will be scheduled to help finalize development of the budget.

The Legacy Award Luncheon will be held on November 1 at the Embassy Suites in Kennesaw.

## **13. New business**

Mr. Scott proposed changing the meeting time to 2:30 p.m. for Board Meetings beginning with the October 15, 2018 Board Meeting. Mr. Balli made a motion to approve changing the meeting time to 2:30 p.m. for Board Meetings beginning with the October 15, 2018 Board Meeting. Mr. Buyers seconded the motion; motion passed 7/0.

## **14. Election of Officers**

Mr. Scott reported that the Nominating Committee's recommendations for Board officers are: Chair – James Scott, Vice-Chair – Dan Buyers, Secretary – Charlie Crowder and Assistant Secretary – Pat Tibbitts.

Mr. Boyce made a motion to approve Pat Tibbitts as Assistant Secretary. Mr. Chalfant seconded the motion; motion passed 7/0.

Mr. Boyce made a motion to approve Charlie Crowder as Secretary. Mr. Balli seconded the motion; motion passed 7/0.

Mr. Boyce made a motion to approve Dan Buyers as Vice Chair. Mr. Crowder seconded the motion; motion passed 6/1 with Mr. Balli opposed.



Mr. Boyce made a motion to approve James Scott as Chair. Mr. Balli seconded the motion; motion passed 7/0.

Mr. Scott proposed appointment of committees as follows:  
Finance Committee – Charlie Crowder (Chair), Max Bacon and Mike Boyce;  
Personnel Committee – James Balli (Chair), Dan Buyers and Charlie Crowder;  
Planning Committee – Dan Buyers (Chair), James Balli and Grif Chalfant; Pension Committee – Cole Blackwell, Mike Boyce, Stan Brinkley, Grif Chalfant, Patrick Henley, Glenn Page, and Terry Wilson; and Rates & Contracts Committee – Grif Chalfant (Chair); Dan Buyers and Charlie Crowder. Mr. Boyce made a motion to approve the proposed slate of committee members. Mr. Chalfant seconded the motion; motion passed 7/0.

#### **15. Executive Session**

Mr. Boyce made a motion to go into Executive Session to discuss real estate, litigation and potential litigation. Mr. Buyers seconded the motion; motion passed 7/0.

Mr. Bacon left the meeting at 5:00 p.m.

Mr. Boyce made a motion to return to the Regular Meeting. Mr. Balli seconded the motion; motion passed 6/0.

#### **16. Legal**

##### **Easement Encroachment Agreement between Cobb County-Marietta Water Authority and Cobb County, Georgia – Barrett Parkway Utility Relocation**

Mr. Balli made a motion to approve an Easement Encroachment Agreement between Cobb County-Marietta Water Authority and Cobb County, Georgia for the Barrett Parkway Utility Relocation. Mr. Buyers seconded the motion; motion passed 5/0/1 with Mr. Boyce recusing himself.

##### **Easement Encroachment Agreement between Cobb County-Marietta Water Authority and Cobb County, Georgia – Macedonia Road Bridge Replacement**

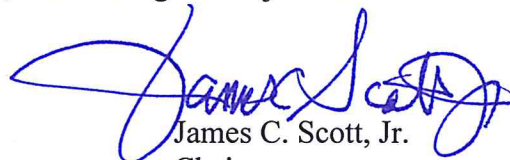
Mr. Balli made a motion to approve an Easement Encroachment Agreement between Cobb County-Marietta Water Authority and Cobb County, Georgia for the Macedonia Road Bridge Replacement. Mr. Crowder seconded the motion; motion passed 5/0/1 with Mr. Boyce recusing himself.

**Easement Encroachment Agreement between Cobb County-Marietta Water Authority and “CH SS Fund – Taylor/Theus Atlanta Terrell Mill, LLC” for Terrell Mill Road Extra Space Storage**

Mr. Boyce made a motion to approve an Easement Encroachment Agreement between Cobb County-Marietta Water Authority and “CH SS Fund – Taylor/Theus Atlanta Terrell Mill, LLC” for Terrell Mill Road Extra Space Storage. Mr. Chalfant seconded the motion; motion passed 5/0/1 with Mr. Balli recusing himself.

There being no further business, the meeting was adjourned.

  
Pat Tibbitts  
Assistant Secretary

  
James C. Scott, Jr.  
Chair