

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

**December 18, 2023 – 2:30 p.m.**

The regular meeting of the Cobb County-Marietta Water Authority was held on December 18, 2023, at 2:30 p.m., in the Cobb County-Marietta Water Authority's Board Room. Water Authority Board members present were James Scott, James Balli, Dan Buyers, Grif Chalfant, Lisa Cupid, and Corkey Welch. Charlie Crowder was not present for the meeting.

The meeting was called to order at 02:30 p.m. by Chair James Scott.

- 1. Invocation and Pledge of Allegiance**
  - a. Mr. Tom Ginn offered the invocation and led the Pledge of Allegiance.
  
- 2. Approval of Minutes of Regular Meeting of November 20, 2023**
  - a. Mr. Scott asked for approval of the minutes, as revised, of the Regular Meeting of November 20, 2023. Mr. Balli made a motion to approve the minutes as presented. Mr. Chalfant seconded the motion; motion passed unanimously 6/0.
  
- 3. Approval of Minutes of Executive Session of November 20, 2023**
  - a. Mr. Scott asked for approval of the minutes of the Executive Session of November 20, 2023. Mr. Welch made a motion to approve the minutes as presented. Mr. Buyers seconded the motion; motion passed unanimously 6/0.
  
- 4. New business**
  - a. There were no new business items to present.
  
- 5. Financial report**
  - a. Ms. Allison Clements, Director of Finance, presented a summary of the November 30, 2023, Financial Statements (copy in file). Operating income for November was \$2,834,453, exceeding the budget expectation by \$897,864. Net income for November was \$2,935,136 exceeding the budget expectation by \$847,076.
  
- 6. Pension Committee Report**
  - a. The Pension Committee Chair, Mr. Stanley Brinkley, gave the report from the November 20, meeting of the Pension Committee (copy in file).

**7. Second Reading of Proposed 2024 Operations and Capital Improvement Plan Budgets**

- a. Ms. Clements, Director of Finance, presented the second reading of the 2024 Operating Budget and 2024 Capital Improvement Plan and noted no modifications from the first reading at the November 20, 2023, CCMWA Board meeting. Ms. Cupid made a motion to approve the proposed 2024 Operations and Capital Budgets and the 2024-2028 Capital Improvement Plan as presented by staff. Mr. Balli seconded the motion; motion passed unanimously 6/0.

**8. Adoption of the 2024 Board Meeting Schedule**

- a. Mr. Chalfant made a motion to adopt the 2024 Board Meeting Schedule as presented by staff (copy in file). Ms. Cupid seconded the motion; motion passed unanimously 6/0.

**9. Transmission Emergency and On-Call Contracts Extension**

- a. Mr. Cole Blackwell, General Manager, referred to the memorandums in the board package (copy in file). Mr. Balli made a motion to approve a one-year extension of the Emergency and On-Call Construction Contract with Ruby-Collins, Inc., of Smyrna, GA, with a contract-based increase in labor rates of 3% and equipment rates based on current Equipment Watch Blue Book Rates. Mr. Welch seconded the motion; motion passed unanimously 6/0.
- b. Ms. Cupid made a motion to approve a one-year extension of the Emergency and On-Call Construction Contract with Unity Construction Company, Inc., of Powder Springs, GA with a contract-based increase in labor rates of 4.5% and equipment rates based on current Equipment Watch Blue Book Rates. Mr. Buyers seconded the motion; motion passed unanimously 6/0.

**10. Old business**

- a. There were no old business items to present.

**11. General Manager's report**

- a. Mr. Blackwell provided the following updates to the published General Manager's Report (copy in file):
- i. Blackjack Mountain Pipeline
    1. Contractor, Garney, continues project cleanup, grassing, paving, and punch list items.
    2. The pipeline should be placed in service in January 2024. The pipeline is waiting on the Blackjack Mountain tank to be placed in service at the same time as the pipeline.
    3. The contractual substantial completion date is January 30, 2023.
    4. The project is anticipated to finish within contract value.
  - ii. 2023 Critical Valve Replacements

1. The 2023 CVR project consists of replacing existing butterfly valves at three locations near the intersection of Callaway and Austell Roads.
  2. Contractor, Ruby-Colling Inc., mobilized mid-October.
  3. Contractor, Ruby-Colling Inc., completed installation of all three 24-inch gate valves within the project scope.
  4. Construction is expected to be completed in December 2023, with overall project completion in early 2024.
- iii. Maner Road 36-inch Pipeline Replacement
1. Contractor, JDS Inc., mobilized in early November 2023 and began surveying, clearing, pipe removal, and installed access points required for the project.
  2. Contractor, JDS Inc., installed erosion control, began utility coordination, completed clearing, continued to receive material, and began removal of existing water main piping.
  3. Staff anticipates installation of the new FRP pipe will begin in early 2024.
  4. This pipeline will remain out of service until construction is substantially complete.
- iv. Regulatory Update
1. Lead & Copper Rule Revisions (LCRR)
    - a. EPA placed the LCRR in effect on December 16, 2021, with the compliance deadline set for October 16, 2024.
    - b. Regulatory changes include:
      - i. Development of a lead service line inventory
      - ii. Lead service line replacements
      - iii. Changes in regular sample locations and technique
      - iv. Creation of a trigger level of 10 ppb
      - v. Public and individual notification of lead sampling results
      - vi. Sampling of all schools and daycare facilities
      - vii. Evaluation of the current lead and copper control strategy
    - c. CCMWA began evaluation of its lead and copper control strategy in 2018 and as a result, will begin using orthophosphate in January 2024.
  2. Lead and Copper Rule Improvements (LCRI)
    - a. EPA released the proposed LCRI on November 30, 2023. EPA proposes to have this new rule in effect by October 2024.
    - b. LCRI contains five major provisions:
      - i. Removal of all lead services lines within 10 years
      - ii. Regularly updating the lead service line inventory improved sampling procedures

- iii. Reducing the Lead Action Level from 15 µg/L to 10 µg/L and eliminating the trigger level established in LCRR
    - iv. Updated requirements for systems that exceed the lead action level
  - c. Staff have begun reviewing the proposed LCRI to determine what steps, if any, CCMWA will need to take to comply before the new rule goes into effect on October 16, 2024.
- 3. Disinfection Byproduct Regulations
  - a. The EPA has regulations in place to limit the amount of disinfection byproducts that can be formed in the water after leaving the water plant.
  - b. There is a balance of providing adequate disinfection without forming Disinfection Byproducts (DBPs).
  - c. EPA is in the process of reviewing DBP regulations and moving toward a revision of them.
  - d. Of the ideas being discussed, the one that will most impact CCMWA deals with requirements governing the wholesaler and its consecutive systems concerning the level of DBPs.
  - e. Other ideas are focused on improving water quality in premise plumbing by better design and management of these systems.
- 4. Cybersecurity Regulation
  - a. EPA issued a rule on March 3, 2023, directing state authorities, such as the Georgia Environmental Protection Division (EPD), to include cybersecurity when conducting periodic water system audits.
  - b. On April 17, 2023, a petition for review challenging the rule was filed in the U.S. Court of Appeals.
  - c. On October 11, 2023, EPA issued a memorandum withdrawing the rule.
  - d. CCMWA staff continue to monitor regulations related to cybersecurity, while continuing to strive to meet or exceed recommended standards provided by AWWA and other industry-recognized sources such as the National Institute of Standards and Technology (NIST).
- v. Quarles Chemical Building Replacement Project
  - 1. Overall Cost Estimate at 30% is \$86,474,500.
  - 2. Overall Cost Estimate at 60% is \$83,700,000.
- vi. Hickory Log Creek Reservoir Pipeline Use Request by the City of Canton
  - 1. The City of Canton met with the Georgia Environmental Protection Division on November 30<sup>th</sup> to discuss the feasibility and possible ramifications of moving their withdrawal permit to the reservoir.

2. The Georgia Environmental Protection Division recommended that the city conduct a safe yield analysis of Hickory Log Creek Reservoir based on the new drought of record (2007 – 2008).
  3. On December 14<sup>th</sup>, CCMWA staff and Chairman Scott met with the Mayor of Canton and the Canton City Manager. The city manager stated they are only in the due diligence phase of planning for a replacement water treatment plant and said the city plans to hire an engineering firm to explore all options for replacing their water treatment plant and using the reservoir before moving forward.
- vii. Georgia/Alabama ACF Litigation Agreement
1. In 2017, the Corps adopted an updated Water Control Manual for the ACF Basin and approved water supply storage contracts at Lake Lanier.
  2. The updated manual and storage contracts collectively ensure the Corps will meet Metro Atlanta’s long-term water supply needs.
  3. Alabama and several environmental groups challenged the Corps’ decision. Georgia prevailed in the district court; appeals are pending before the 11th Circuit Court of Appeals.
  4. After a lengthy mediation, Alabama, Georgia, the Water Supply Providers, and the Corps reached an agreement to resolve Alabama’s claims. The compromise is very good for all parties.
  5. Metro Atlanta’s water supply is fully protected, and downstream flows for Alabama are guaranteed at Columbus, Georgia, and Columbia, Alabama.
  6. However, the Corps cannot agree to flow objectives without first taking public comment and conducting an environmental review. This process is expected to take less than one year.
  7. Alabama’s appeal before the 11<sup>th</sup> Circuit Court of Appeals will be stayed while the Corps conducts its review.
  8. The agreement is limited to the ACF Basin.
    - a. It does not affect Alabama’s challenges to water supply in the Alabama-Coosa-Tallapoosa (ACT) Basin, which are pending in federal district court in Washington, DC.
    - b. It also does not address the environmental groups’ claims in the 11th Circuit, which will continue progressing and includes the reallocation of Allatoona Lake and the recognition of made-inflows.

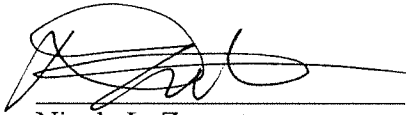
**12. Executive Session**

- a. Mr. Balli made a motion to go into Executive Session to discuss Pending & Potential Litigation and Cybersecurity. Mr. Welch seconded the motion; motion passed unanimously 6/0.
- b. Mr. Welch made a motion to return to the Regular Meeting. Mr. Balli seconded the motion; motion passed unanimously 6/0.

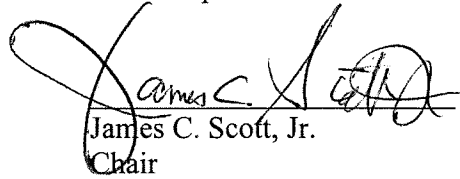
13. **Legal**

- a. Mr. Doug Haynie, Board Attorney, presented an Engagement Letter with Smith, Currie & Hancock, LLP (copy in file). Mr. Welch made a motion to approve the Engagement Letter with the law firm of Smith, Currie & Hancock, LLP. Mr. Buyers seconded the motion; motion passed unanimously 6/0.
- b. Mr. Haynie presented an easement for the purpose of the Mars Hill Church Road to Pine Mountain – 36 Inch Water Main Replacement (copy in file). Mr. Balli made a motion to approve the easement instrument between Cobb County and Cobb County-Marietta Water Authority for the Mars Hill Church Road to Pine Mountain – 36 Inch Water Main Replacement Project. Mr. Chalfant seconded the motion; motion passed unanimously 6/0.

There being no further business, the meeting was adjourned at 03:36 p.m.



Nicole L. Zvanut  
Assistant Secretary



James C. Scott, Jr.  
Chair