

# Middle Chattahoochee Regional Water And Sewer Authority Meeting Minutes

Tuesday, July 11<sup>th</sup>, 2023  
Union City- City Hall  
5047 Union St, Union City, GA 30291

- I. Vice-Chair Sonja Fillingame called the meeting to order at 7:00 pm.
- II. Roll Call was taken by Secretary Jessica Davis with the following board members present:

The Honorable Vice-Chair Sonja Fillingame	The Honorable Councilwoman Tara Miller
The Honorable Mayor Vince Williams	The Honorable Councilman Brian Jones
The Honorable Mayor Mario Avery	

The following members were absent:  
The Honorable Chairman Mayor J. Clark Boddie  
The Honorable City Manager Tony Phillips (Arrived at 7:02 pm)

The attendance of the board constituted a quorum and the meeting proceeded.

### III. Approval of Water Authority Minutes:

The motion to approve the June 13<sup>th</sup> 2023 Amended MCRW&SA Meeting Minutes was made by Mayor Williams and seconded by Councilman Jones. **Vote: 6-0; Motion Carried**

### IV. New Business:

#### ▪ Discussion of the General Manager Proposed Agreement

- Attorney Dennis Davenport informed the board that they voted to approve the general manager agreement subject to two issues needing to be resolved. One issue is to have language that the number of hours worked per month, would be reviewed at the October meeting to determine if they were at a level the board expects or wants fewer hours. The other issue is that there should be sufficient language to allow amendments to be made to the document. Attorney Davenport informed the board that the language added to the document was located at the bottom of page 2 and top of page 3. It targets the October meeting for the body to view their relationship with the general manager to determine the work product, the number of hours meeting the board's expectation, or if there needs to be some changes. There is also language that will allow any other amendment to be considered or made during that time, given the unique arrangement of the authority not ever having a general manager before. The language was inserted, and Attorney Davenport emailed it to Mr. Lindy Farmer. As far as the authority is concerned, the board members have approved the document already unless there is someone who believes these changes did not meet the conditions that were given.

Mayor Williams stated that the board discussed the number of changes and requested another 30-day table because he doesn't feel comfortable with the amount due to the credibility of the body. The agreement references 40 hours a week, and the board must look at what's being paid in a month and a year. As an elected body and an appointed body as well, the board members are held to a higher standard, and as the city that pays the largest sum of what this authority does, Mayor Williams can't in good conscious not have a real conversation around what is going to be the best compensation for Mr. Farmer and the duties. Most of his initial duties will be coming up to speed with the authority that's been in existence for over 20 years, and that will cause some additional payments to go out to the consultants, and project managers, who will

have to bring him up to speed as to where we are. As the city that pays the biggest weight, the authority must be very cautious because the spotlight will not only be shined on Union City but Fairburn and Palmetto as well. Mayor Williams reiterated that 30 days is a good place to make sure every member of the body is present to make the decision. He suggested having a mayor's meeting with Mr. Farmer to discuss what it will take to bring him up to speed with the authority. Mayor Williams expressed his support for bringing Mr. Farmer on board and concluded by saying that it has nothing to do with Mr. Farmer at all but with the taxpayers' money.

Attorney Davenport informed the board that they were not here to vote on the actual agreement itself because they voted on it and approved the agreement at the last minute. The only thing that was subject to be reviewed were the changes that he put forward with the board's direction. It would be better if the board made a motion to table those changes for 30 days until the board is comfortable with the changes. That direction was provided by the board and Attorney Davenport stated that he interpreted that direction. He concluded by informing the board that if they need more time to become comfortable with that, it could be that the 30-day window changes that language to the extent it addresses amount, hours, etc.

Mayor Williams appreciated Attorney Davenport's comment and stated he thinks that one of the biggest discussions concerning the changes was the dollar amount. It has stayed the same, and he's not comfortable with the amount. Therefore, he would like the item to be tabled for 30 days.

Attorney Davenport stated that they're having the actual document held in advance due to the changes that are not being ratified by this evening. He further stated that's why he asked if there were any objections because if so, the board could get the changes right. The changes could be expanded or restricted.

Mayor Williams addressed the issue of bringing on a secretary when the body has someone acting in that administrative capacity. He asked why should the authority hunt for another individual if we have someone who can serve in that capacity. Those are concerns that he has.

City Manager Phillips stated that he seems to recall that Vice-Chair Fillingame requested some clarity around the termination in the agreement, and he didn't see that change in the agreement.

Attorney Davenport stated that was the whole point of highlighting October 10th as the date for other changes that would be made to allow the body to address those issues in total rather than trying to throw something out there that the board didn't discuss. This allows bringing the changes back by the October meeting, but that doesn't have the sense of urgency that Mayor Williams' issue has because that goes to the heart of the matter concerning the number of hours and the total payment paid out. He concluded by stating that he was comfortable that the meetings of August and September would produce enough information to put that termination language together that will satisfy both parties.

City Manager Philips stated that wasn't quite what he understood the request to be, and he acknowledges Mayor Williams' concerns relating to compensation. He further stated that this issue is separate which he understood; but the clarity around standard termination language is not subject to what the board may observe between now and October, which isn't; but he specifically asked that the authority have a trial date to evaluate.

Mayor Williams made a motion to table the agreement for 30 days for additional work as it relates to the changes in the general manager agreement document (specifically compensation). The second was made by Mayor Avery. **Vote: 6-0; Motion Carried**

**V. Discussion and Approval:**

▪ **Archive Services for Authority Records**

- Secretary Davis informed the board that currently, the authority's archive records are at the city of Palmetto and various locations. She was able to locate a vendor known as Office Depot. They offered two different services. They have Secured Storage which is billed monthly and allows you to store the documents, and to access them, you will have to schedule an appointment. With this option, the board can house 1-80 boxes at \$89.99 a month. The second option is Secure Storage & Unlimited Access which allows the board to store 81-250 boxes for \$349.99 a month, and it allows the use of a flash drive.

City Manager Phillips asked if the access for the Secured Storage has restrictions on how often you can access the files.

Secretary Davis stated that if the board chooses Secured Storage, the appointments must be scheduled during normal business hours.

Vice-Chair Fillingame asked if there were any other options explored such as entities that worked with government, boards, and bodies like Iron Mountain.

Secretary Davis stated that Iron Mountain works with Office Depot. They will gather the items and store them at the Office Depot location.

Mayor Williams informed Secretary Davis that some cities utilize the archive storage and requested that the cities provide her with their companies' contacts (if any).

**VI. Reports:**

**A. Water Authority Attorney-**

Attorney Davenport stated that his report was the report presented on the general manager's agreement.

**B. Financial Report-**

Attorney Davenport presented requisition #250 in the amount \$10,642.57.

Motion to approve Req #250 in the amount of \$10,642.57 was made by City Manager Phillips and seconded by Mayor Williams. **Vote: 6-0; Motion Carried**

**C. Project Managers-**

Project Manager Laura Benz and Andrea Gray began their report by reminding the board members that the water loss control program updates are due July 27th. The project managers sent reminders to the cities and asked that they be emailed to the project managers. They haven't received anything back.

Vice-Chair Fillingame stated that she received the email and followed up with the Union City team. They're working to gather that information and should have it sent by the deadline.

Mr. John Martin City of Fairburn Utilities Director informed the project manager that he submitted the city of Fairburn's water loss audit to Project Manager Laura Benz. She confirmed that she has it.

Mitigation Credits: There haven't been any releases. The court has been on hold because of the May 25th ruling. Once those are released, the board should start receiving royalty payments again.

2022 Water Resource Management Plan: Required New Code Requirements. The emails were sent out. If need them, please contact the managers.

Rick Dunn is no longer the director of EPD, he moved back to OPD. David Dubb is the interim director of EPD. He's been serving as the governor's executive attorney for several years.

City of Atlanta Meeting- June 15th – The City of Atlanta put in a lot of effort in their presentation. There were a lot of assumptions made and putting together the plans. They looked at what is the authority's project cost if the authority goes into a loan. The second option was Atlanta's plan for Atlanta going on its own and the third option was what if Atlanta and the authority work together, what it looks like from an infrastructure standpoint and cost standpoint. The project managers have a lot of questions looking at the mapping they have an unfinished water main in between two finished mains. The project managers would like to receive the board's blessing and have some of the questions clarified.

City Manager Phillips requested that the Project Managers present to the board a detailed assessment consisting of what are the relevant questions, unclarified issues, and plans for the next steps.

The project manager's goal was to come back to the board with questions for the city of Atlanta. They requested an agenda in advance but never received it.

Mayor Avery asked Mr. Farmer what the most problematic issue was.

Mr. Farmer stated that there were 22 people at the Zoom meeting. The City of Atlanta engaged its in-house engineers and outside source engineers. He further stated that the authority must have a technical review. He also saw that it was dated 2032 and wonders if that plays into their CIP projects. They have experts such as Krebs Engineering.

Vice Chair Fillingame stated that the consensus of the body is to conduct additional exploratory work and research that we need for the project managers to come back and brief the board.

The Project Managers informed everyone that they're able to provide information up to a certain point because a technical review is needed.

Mr. Farmer suggested that as the board is looking for an engineer, they may want to consider Krebs.

Mr. Martin stated that the main question is who will have primary ownership.

Mayor Williams stated that once we have those discussions, we can ask ourselves, what appetite do we have in relationship to Atlanta?

VII. The motion to adjourn the meeting at 7:35 pm was made by Mayor Avery and seconded by Mayor Williams. **Vote: 6-0; Motion Carried**



Vice-Chair Sorja Fillingame



J. Davis  
Jessica Davis, Secretary