

**Minutes of the South Fulton Municipal Regional Water And
Sewer Authority Meeting Held on April 14th, 2020,
VIA Teleconference
Dial in: (712) 432-6148
Passcode: **788568#****

BOARD MEMBERS PRESENT: Vince R. Williams, J. Clark Boddie, Elizabeth Carr Hurst, Shayla J. Nealy, Sonja Fillingame, Laura Mullis and James Whitmore

BOARD MEMBERS ABSENT: None

Consultants Present: Dennis Davenport, Dan Post, Laura Benz and Andrea Gray

Others Present: Other unknown persons

Call To Order: Chairwoman Shayla J. Nealy called the meeting to order at 7:01 PM.

Approval Of The Minutes: A motion was made by Laura Mullis to approve the minutes of the February 11th, 2020 meeting, seconded by Sonja Fillingame. A vote was taken, the motion passed unanimously.

New Business: None

Old Business: None

Reports:

Legal – Dennis Davenport had nothing to report this month

Finance – Dan Post reviewed with the Board:

1. The February and March 2020 financial statement.
2. Requested approval for draw number 203 in the amount of \$27,489.14 from the construction account.

Vince R. Williams made a motion to approve draw number 203 in the amount of \$27,489.14 from the construction account seconded by Elizabeth Carr Hurst. A vote was taken, the motion passed unanimously.

Project Managers – Laura Benz and Andrea Gray reviewed with the Board:

See attached memorandum for details

1. EPD
 - a. Minimum instream flow
 - b. Comment responses
2. District Audit
3. Water Withdrawal Application Process:
 - a. Treatability Analysis
 - b. Swap
 - c. Draft Permit
4. Mitigation Credits
 - a. Compensatory Mitigation

Legal – Dennis Davenport stated that there is no new news from the legislators concerning the Authorities name change and advertising process.

Executive Session: None

Vince R. Williams made a motion to adjourn the meeting, seconded by J. Clark Boddie. A vote was taken, the motion passed unanimously.

The meeting adjourned at 7:19 PM

Shayla J. Nealy, Chairwoman

May 12th, 2020

Date Minutes Approved by Board

MEMORANDUM
TELEPHONE CONFERENCE – DISTRIBUTED BY EMAIL

To: S. Fulton Municipal Regional Water & Sewer Authority Member Cities Councils
(Fairburn, Palmetto and Union City)

From: Laura Benz & Andrea Gray

Date: April 14, 2020

Re: S. Fulton Authority Project Update

Water Withdrawal Application/Process:

Minimum Instream Flow: By email correspondence EPD agreed that the alternative NDF was not materially different from the prior contemplated flow requirements and would be incorporating it within the draft permit. This will allow the Authority to meet its full 13.25 mgd need 365 days per year. The Authority’s consultants continue to follow-up with EPD regarding issuance of approval.

Comment Responses: The comment responses were submitted to EPD on January 30, 2020. EPD confirmed receipt of the documents and are in the process of reviewing the submittal and preparing its responses for the administrative record. EPD has determined it will issue another 30-day public comment period and will simultaneously publish the response to comments received in the last public comment period. EPD will provide the Authority an opportunity to see the draft permit prior to publication for comments.

District Audits: The Atlanta Regional Commission (“ARC”) and the Metropolitan North Georgia Water Planning District (“MNGWPD”) aid communities in completing audit documentation. Fairburn, Palmetto, and Union City representatives met with ARC and MNGWPD representatives and revised audits were submitted on January 14, 2020. EPD provided comments to Union City on January 30, 2020, Palmetto on January 31, 2020 and Fairburn on February 18, 2020. Prior to the COVID-19 pandemic restrictions, all three cities planned on submitting updated plans by the end of March. On April 1, 2020, EPD auditor Dillon Rodenbaugh emailed each City requesting an update and offered additional time to respond given the COVID-19 pandemic. Palmetto submitted its updated plan on April 1st, Fairburn anticipates submittal this week and Union City plans to submit by April 17th.

Treatability Analysis: An engineering report will be required as a part of the Water System Permit (a separate permit required to operate the system which is issued upon construction of the facilities).

SWAP: A copy of the SWAP was provided to Authority members for review and comment, with all comments being forwarded for incorporation into the final document on March 27, 2020. The Authority’s consultants will be provided a final copy and will distribute it to the Authority.

Next Steps: Coordinate with EPD regarding the draft permit, update the engineering RFP for the preliminary engineering work and refine the budget and cost estimates accordingly and evaluate sources of funds including additional GEFA loans.

Compensatory Mitigation

Site Specific Sites: The closing has been modified to be on or before December 31, 2020 and the Authority has received its payment of \$5,000.00 for the extension.

Resale of Mitigation Credits:

Monastery: Since the last update in March, the Authority received payment for the sale of 22.32 wetland credits for \$435,240.00 and 8.96 credits for \$174,720.00 for a total of \$609,690.00. An additional sale of 5.28 credits closed and payment to the Authority in the amount of \$110,880.00 is pending. There are credit reservations for 1.23 credits with the Authority having an additional 1.07 wetland credits available. Correspondence releasing the Authority's interest in the 34.96 wetland credits was submitted to the USACE.

Blue Creek: No additional Statement of Credit Availability forms have been executed.

South Fulton Municipal Regional Water & Sewer Authority Mitigation Credit Sales

updated 3-10-2020

Stream Credits from Blue Creek Mitigation Bank

Total Credits Purchased by Authority	108,532.55
Base Value Paid by Authority per credit	\$18.50
Royalty Amount	8%
Credits sold or reserved as of 2/11/2020	746.17

<i>Purchaser Name</i>	<i>Stage</i>	<i>Number of Credits</i>	<i>Price Per Credit</i>	<i>Total Purchase Price</i>	<i>Refund at \$18.50/credit</i>	<i>Royalty at 8%</i>	<i>Total Revenue</i>	<i>Payment Received</i>	<i>Credit Release Sent to Corps</i>
Genesse Subdivision	Closed	629.91	\$35.00	\$22,046.85	\$	11,653.34	\$1,763.75	12/20/2019	Feb 2 2020
Fulton Industrial Park Phase 1	Closed	116.26	\$45.00	\$5,231.70	\$	2,150.81	\$418.54	12/20/2019	Feb 2 2020
Totals		746.17			\$	13,804.15	\$2,182.28		
Balance of Credits Remaining		107,786.38							

Wetland Credits from Monastery of the Holy Spirit

Total Credits Purchased by Authority	42.54
Base Value Paid by Authority per credit	\$12,000.00
Royalty Amount if \$50K/credit or less	15%
Royalty Amount if over \$50K/credit	20%
Credits sold or reserved as of 2/11/2020	41.47

<i>Purchaser Name</i>	<i>Stage</i>	<i>Number of Credits</i>	<i>Price Per Credit</i>	<i>Total Purchase Price</i>	<i>Refund at \$12,000/credit</i>	<i>Royalty at 15% or 20%</i>	<i>Total Revenue</i>	<i>Payment Received</i>	<i>Credit Release Sent to Corps</i>
SAIA Motor	Reserved	0.88	\$ 50,000.00	\$ 44,000.00	\$	10,560.00	\$ 17,160.00	Credits Reserved	Pending closing and payment
Brandy Lane Realignment and Pipe Replacement	Closed	3.68	\$ 50,000.00	\$ 184,000.00	\$	44,160.00	\$ 71,760.00	Paid	April 14 2020
Storage Unit		0.35	\$ 50,000.00	\$ 17,500.00	\$	4,200.00	\$ 6,825.00	Credits Reserved	Pending closing and payment
Forsyth County	Closed	22.32	\$ 50,000.00	\$ 1,116,000.00	\$	267,840.00	\$ 435,240.00	Paid	April 14 2020
City of Gainesville	Closed	8.96	\$ 50,000.00	\$ 448,000.00	\$	107,520.00	\$ 174,720.00	Paid	April 14 2020
GDOT PI # 0008430	Closed	5.28	\$ 60,000.00	\$ 316,800.00	\$	63,360.00	\$ 110,880.00	Pending	Pending closing and payment
Totals		41.47			\$	497,640.00	\$ 816,585.00		
Balance of Credits Remaining		1.07							



South Fulton Municipal Regional Water & Sewer Authority

P.O. Box 190 • 509 Toombs Street • Palmetto, GA 30268

April 14, 2020

VIA EMAIL: justin.a.hammonds@sas02.usace.army.mil

Mr. Justin Hammonds
US Army Corps of Engineers
CESAS-RD
PO Box 528
Buford, Georgia 30515

**Re: South Fulton Municipal Regional Water & Sewer Authority
Mitigation Bank Credit Release**

Dear Mr. Hammonds,

The South Fulton Municipal Regional Water and Sewer Authority (hereinafter the “Authority”) has received payment, as identified below, for the re-marketing of compensatory mitigation credits previously purchased in its pursuit of the Bear Creek Reservoir. As requested, the Authority hereby releases any and all interest and shall have no further claim and/or interest in 34.96 wetland credits from the Monastery of the Holy Ghost Mitigation Bank (SAS-960004000).

As agreed, the Authority will continue to provide documentation releasing its interest in the previously purchased credits upon satisfaction of contractual terms between the parties. If you have any questions or need any further documentation, please do not hesitate to contact us.

Sincerely

Laura W. Benz
Authorized Agent of the Authority

Andrea P. Gray
Authorized Agent of the Authority

cc: Mr. Matt Peavy, Blueway (matt@mitigationcredits.com)