

Middle Chattahoochee Regional Water And Sewer Authority Meeting Minutes

Tuesday, June 13th, 2023
Union City- City Hall
5047 Union St, Union City, GA 30291

- I. Chairman J. Clark Boddie 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 Chairman Mayor J. Clark Boddie
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 Honorable City Manager Tony Phillips

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

III. **Approval of Water Authority Minutes:**

The motion to approve the May 9th 2023 Amended MCRW&SA Meeting Minutes was made by Mayor Avery and seconded by Mayor Williams. **Vote: 7-0; Motion Carried**

IV. **New Business:**

V. **Discussion and Approval:**

- Discussion of the General Manager Proposed Agreement

During the May 9th meeting, Attorney Davenport informed the board that he would work with Mr. Lindy Farmer to prepare an agreement for the general manager position. Page two reflects a pay rate of \$275.00 per hour and a 40-hour working week. The term is for 2 years with a 1-year renewal, to the extent the board would like to continue the relationship; it would take an affirmative vote.

The third paragraph on page 2 requests the monthly deadline for the invoices, and exhibit A reflects its general job duties and responsibilities.

Councilman Jones stated that he was curious about the working hours. He mentioned that a 40-hour-a-week work schedule for \$275 is expensive given that the authority doesn't know which direction it will be going in. He further asked if the work hours are a straight 40 hours or based upon when work is received.

Mr. Farmer informed the board that he didn't intend for the agreement to read "40 hours" straight. He's not looking for a job because he's in retirement.

Mayor Williams stated that each Mayor has a council to work with. He asked Mr. Farmer what a work week from an hour perspective would be.

Mr. Farmer stated that he plans to be successful. Initially, there's a lot of learning required. He has numerous questions and people he would like to spend time with, including the board members individually. He wants to learn what the authority's objectives and priorities are. Mr. Farmer is interested in meeting all council members for each city along with the city managers.

City Manager Phillips stated that he believes the authority should look at a 90–100-day period, assuming 40 hours a week, to allow Mr. Farmer to come in and get an initial operational understanding as to where the authority is as an authority and then determine what it looks like moving forward. The authority will be paying half a million dollars a year once you calculate the figures. The board should allow Mr. Farmer an opportunity to get in and use his experience. The board can look at 3-4 months and then revisit once he has had time in the position to assess what he thinks this will look like.

Mayor Avery reminded the board that the council members have been inquiring about the water authority. If he presents the 40-hour working schedule for \$275 an hour to the full council, then it will spark the conversation to another level.

City Manager Phillips concluded by saying it is an onboarding period, and hopefully, the board can look at it and make a long-term decision later.

Vice-Chair Fillingame stated that she understands the agreement is for 2 years with a 1-year renewal option. She inquired about the termination process if one of the parties would like to terminate the contract.

Attorney Davenport informed the board that there is language to include the termination portion. The agreement is subject to amendment as long as both parties agree. It will take both parties to do so, otherwise the authority must stick with the original contract. Based on what Mayor Avery expressed, Attorney Davenport suggested that the board do a trial period for July, August, and September. By the time the authority meets in October, they can reevaluate the relationship with Mr. Farmer.

Mayor Williams stated he brought up the 40-hour schedule and the \$275 pay because other expenses in the agreement are justifiable. The secretarial, out-of-pocket, etc. are warranted. As elected officials, the board must be ready to give an account when the information is presented to their full council. Mayor Williams agrees with the reevaluation process.

Attorney Davenport will include the language regarding the amended document and the reevaluation period timing for October. He will distribute it at the July meeting.

The motion to approve the General Manager Contract with Lindy Farmer conditioned upon the Authority's Attorney amending same to reflect a reevaluation of the payment terms at the Authority's October 2023 meeting and for providing language allowing the parties to amend the contract was made by City Manager Phillips and seconded by Mayor Avery. **Vote: 7-0; Motion Carried**

Mr. Farmer thanked the board for their consideration.

VI. Reports:

A. Water Authority Attorney-

B. Financial Report-

Attorney Davenport presented requisition #248 in the amount \$5,788.15 and requisition #249 (interest payment) in the amount of \$514,487.50.

Motion to approve Req #248 in the amount of \$5,788.15 was made by Mayor Avery and seconded by Councilman Jones. **Vote: 7-0; Motion Carried**

Motion to approve Req #249 in the amount of \$514,487.50 was made by Mayor Williams and seconded by Mayor Avery. **Vote: 7-0; Motion Carried**

C. Project Managers-

The project managers reminded the utility directors to submit their water loss control program reports by the July 27th deadline. Once the project managers receive the items, they will compile them and send them to EPD.

The follow-up meeting with Commissioner Browning is Thursday, June 15th.

The project managers are assisting Mr. Farmer by bringing him up to speed with what's occurring with the authority.

Funding- The Project Managers are receiving funding and grant opportunities from EPA. Once all audits are collected from the cities, the authority can move forward with discussing the right funding opportunities that will best suit the authority.

Mitigation- The project managers are still awaiting the releases. The most recent decision was made on Thursday, June 1st. The supreme court came out with a decision redefining what is a jurisdictional wetland. The property that the authority owns must be reassessed to see if the wetlands are jurisdictional. The supreme court took the opinion that wetlands must have a continuous surface connection to a relative waterway to be jurisdictional. Wetlands that are slightly different or have a connection via groundwater are no longer jurisdictional. The white house is disappointed in the ruling.

Other Business- The board charged Secretary Davis with searching for archive services to store the authority's records.

VII. The motion to adjourn the meeting at 7:28 pm was made by Councilman Jones and seconded by Vice-Chair Fillingame. **Vote: 7-0; Motion Carried**



Vice-Chair Sorja Fillingame



J. Davis
Jessica Davis, Secretary