

# Middle Chattahoochee Regional Water And Sewer Authority Meeting Minutes

Monday, March 18<sup>th</sup>, 2024  
Palmetto Community Center  
595 Main Street, Palmetto, GA 30268

- I. Chairwoman 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 Chairwoman Sonja Fillingame  
The Honorable Mayor Vince Williams                      The Honorable Councilman Brian Jones  
The Honorable Vice-Chair Mario Avery                      The Honorable Board Member J. Clark Boddie  
The Honorable Mayor Teresa Thomas-Smith                      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 February 13<sup>th</sup> 2024 MCRW&SA Meeting Minutes was made by Mayor Williams and seconded by City Manager Phillips. **Vote: 7-0; Motion Carried**

IV. **New Business:**

V. **Discussion and Approval:**

VI. **Reports:**

A. **Water Authority Attorney-**

- **Board Members Checks:** Attorney Davenport distributed a list of checks that were not negotiated for the last several years. The checks were cut and distributed to the appropriate board member as a replacement.
- **Coweta Water Authority:** The Middle Chattahoochee Regional Water & Sewer Authority team met with the Coweta County Water Authority earlier in the month.

Project Manager Benz informed the board that the meeting was a follow-up to discuss a potential partnership and providing water. Attorney Davenport provided a draft MOU for consideration. The idea was to have a partnership with Coweta where both parties would agree that they would investigate what exactly the water service would look like and the infrastructure. There was no commitment to do anything but to look genuinely to see the feasibility and what would be required.

Attorney Davenport stated that there was a positive reaction from everyone in the room. They liked the document. They commented that the MOU was something that their board would execute. Since that meeting, Coweta signed it. The only thing they changed was the supervisor's contact information.

City Manager Phillips asked, "How much would Coweta be supplying water for us?"

Project Manager Benz responded that they would supply 6-MG for this project. Initially, they asked how much water we needed. They will be able to provide it. The anticipated date is 2026. That's

fast-tracking. They're in the process right now of building their intake. That would then take that water withdrawal to the brown reservoir, and it will be coming from that location.

City Manager Phillips asked, "What is the estimated time for them to build their intake?"

Project Manager Benz informed City Manager Phillips that it would be April 2026.

City Manager Phillips stated that the board had no idea of what the infrastructure would cost. So, the board is committing to this without knowing that number. It's early in the process, and he wouldn't expect the project managers to have that number tonight.

Chairwoman Fillingame stated that the whole purpose of this was to conduct an assessment to see what the feasibility is and how much it would take in terms of infrastructure, to be able to pipe onto the Coweta system. Chairwoman Fillingame stated that she's asked that question numerous times, but this is to conduct the assessment.

Project Manager Benz stated that the board has looked at purchasing water from Coweta on numerous occasions in the past to see was this a better alternative for the authority. Sometimes, Coweta didn't have information as to what quantity they could provide or what they would be willing to contract for. There were just several reasons why it couldn't work out. In so there is initial data that was looked at previously in 2017. There has been additional infrastructure in Coweta that has been constructed.

Mayor Avery asked, "How long will it take the project managers to acquire that information?"

Project Manager Benz stated that the board has studies that look at the preliminary engineering done previously. The project completion is based on who the authority chooses to investigate from an engineering perspective. The timeframe was not a discussion. Coweta wanted to make sure that before they started spending additional engineering funds, this board was having serious consideration in purchasing water.

Mayor Williams stated that one of the positive notes when you speak about engineering with Krebs working with Coweta and the authority, would speed the process up because they have numbers. No one would have to go back and start gathering again. But this is encouraging news. It's a MOU, not a commitment to spend any money. So, this is something that the board should be jubilant about, moving forward with some positive information.

The motion to approve the MOU between the Coweta County Water Authority and the Middle Chattahoochee Regional Water and Sewer Authority for the feasibility of provisional water services was made by Mayor Williams and seconded by Councilman Jones. **Vote: 7-0; Motion Carried**

- **General Manager Agreement:** Attorney Davenport presented the proposed extension agreement with the current General Manager, Lindy Farmer.

The MOU terminates on April 1st, and the board agreed at the last minute to waive the 30-day notice requirement so that the authority can discuss and decide at this meeting.

Mayor Avery stated that the board originally gave GM Farmer 6 months. Initially, the term was for two years. Mayor Avery stated that it has taken GM Farmer nearly six months to come up to speed, and he's willing to extend six more months to make a final decision at the end of one year. At that

point, he will have gotten a full year of exposure and research and development. Mayor Avery requested the body to entertain a 6-month extension so that at the end of the one-year mark, he could get a full picture.

Mayor Williams stated that the board knew the ask six months ago. Dealing with a professional, Mr. Farmer could produce the work, if this is what the body chooses to move forward with the contractual agreement. If the board wanted to do it for a year or 14 months, the board should have considered it earlier. Mayor Williams expressed that he was ready to make a decision and stated that he has been very pleased with the work that GM Farmer has done and working with the group to come up to speed with everything.

Mayor Smith asked, “What do we have as tangible benchmarks to show what he has done during the six months he’s been there?”

General Manager Lindy Farmer stated it has been a pleasure to work with the board for the past six months. During the six months, the authority had one foot in and one foot out concerning an engineer. The previous relationship with Gresham Smith went south. The authority had a decision to hire an engineering firm or a general manager. The board went with hiring the owner’s engineer. There were a lot of deliverables but no justification for what the money was spent on. Krebs produced a PER that was approved by EPD, but Gresham Smith changed that based on modifications. The changes were not approved by EPD. Gresham Smith was no longer a part of the authority. GM Farmer didn’t have anything negative to say about Gresham Smith. It takes a period to make that turn. When the authority brought the GM on board, the authority was negotiating with the City of Atlanta. The City of Atlanta had provided a proposal, and the board reviewed it. There were a lot of questions about it. The authority always needed an engineering firm to evaluate the process. The board discussed having a planning session/retreat, but once an engineering firm is hired, the authority can move a lot faster through the process. The authority audits were behind. Now, the authority is current on all audits and that’s a critical component moving forward to secure loans, etc. The MOU that the team worked on is great. Coweta is very receptive and easy to work with, and they see it as a long-term relationship. All meetings were good meetings. It doesn’t seem like a lot, but the team had discussions with Krebs. There are a lot of engineering firms in Atlanta, but when you look at Krebs and what they can bring to the table, there is no conflict of interest. It just happens when two entities share the same firm. GM Farmer met and showed City Manager Phillips the documents, binders, etc. produced by Krebs. Gresham Smith produced invoices with nothing to show for it.

Chairwoman Fillingame asked GM Farmer that basically what he shared is that during his 6-month tenure, he has been vetting, assisted with the city of Atlanta proposal, provided technical assistance, brought Coweta to the table, and worked to get the authority in compliance with the audit?

GM Farmer replied yes to Chairwoman Fillingame.

Mayor Smith stated that when she and GM Farmer met, one of the things GM Farmer mentioned was that the authority needed to start generating revenue. Where is the board on that?

GM Farmer stated that there is a process. The big part of that is an engineering firm so that the authority can nail down the cost, and guidance as to the best options that would be most beneficial for the authority. Until the board has an engineering firm, the authority won’t know. If you look at Krebs numbers and Atlanta numbers, there’s a vast difference. GM Farmer spoke with Senator Ossoff’s office, and they informed him that there are grants available.

Mayor Smith asked, "In the 6 months, are there benchmarks that have been established? How do we know things are progressing if we were to extend a contract?"

GM Farmer stated that the authority is six months into the process, and the board still does not have an engineering firm. That's what is needed.

City Manager Phillips stated that he and GM Farmer have had several extensive conversations as it relates to Gresham Smith. One of the things that they discussed in significant detail was how he was at a loss to understand how the authorities paid Gresham Smith, and they had nothing to show for it. It's a processing issue. The board needs a different process, otherwise, the authority will be in the same condition again. That connects to Mayor Smith's point about benchmarks. That's something the board needs to get a little clarity on as it relates to everything that is done. The board needs to make it a priority to ensure a benchmark and process is moving forward. We must have some deliverables that are tangible and benchmarks as we move forward.

General Manager Farmer stated that the authority received some jar testings and underwent an RFP process. When looking at the process, the board spent \$38,000.00 to have a professional go through it.

Chairwoman Fillingame asked, "There are two different modules, correct?"

Project Manager Benz stated yes, there were two options. One was to hire a general manager (the board wasn't ready at the time). The idea was that the board would hire an owner's engineer. The owner's engineer did not report to the project team. The owner's engineer reported directly to the board. Therefore, the project managers were not copied or consulted about anything submitted. They did not see the invoices. Everything was directed at the board. The project managers did not know what would be presented to the board until the meeting.

City Manager Phillips stated that there was a flaw in the process, and no one on the board was able to validate those invoices.

Project Manager Gray stated that they were supposed to take the approved PER and go back and reassess the elements of the PER. They were hired to do the RFP for the design aspect of the firm and manage the engineering firm that was obtained by the board. The authority ended up pausing when there were concerns about the cost, and the board wanted to go back and revisit the cost before moving forward with the actual design element. The scope changed, and that is where the board pivoted.

Mayor Williams stated that the board cannot get caught up with the occurrences of the past. The board worked with Gresham Smith and paid the invoices received. Certainly, the board must have better mechanisms and tools to measure the work moving forward. That is the purpose of having Lindy Farmer as the General Manager. He has been a professional for over 40 years, and it's a bit disrespectful to think he would not work with the board to make sure those necessary benchmarks that are needed are in place. He further stated that with no disrespect towards Mayor Smith, that she's been here several months, however, what GM Farmer has done within the past six months, he has met the criteria that this body has asked of him. The board needs to move forward with whatever decision relating to the relationship with Mr. Farmer. Also, the board needs to ensure that as a body, they get together to sit down and start thinking about their wants and how they must be done. The past is behind us now. The authority has exhausted millions of dollars and it's time for us to start moving forward. The authority is now beginning to get positive feedback from a partner that can help move the body to where it wants to go. The audits are finally up to speed.

Project Manager Benz stated that some of the members weren't present when the discussion regarding the board having pended GEFA applications. There was money ready to be distributed but couldn't because of the underwriting. GEFA stated that as soon as the board is ready, the authority can coordinate a meeting to discuss the authority's project and what piles of money they can fund. The city of Palmetto was mentioned, and portions could be funded by USDA funds. GEFA has already committed to helping the authority find financing. Senator Ossoff is willing to aid the authority as well. The board didn't have the financial accounting to pass that type of underwriting, that's why everything got placed on hold.

Mayor Avery stated that he agreed with Mayor Smith. He doesn't believe that GM Farmer can't do the job, but the authority must get to a position where they can see. The board talked about Gresham Smith receiving \$150,000.00 and nothing to show for it. Mayor Avery asked GM Farmer after he looked at the information, did he had ever spoken to any board member regarding the issue.

Project Manager Benz stated that that was the contract that the board signed as to what the deliverables were going to be, which was presented as the amount of each task. So, the board approved the amount of money for each of those tasks. It was the board's discretion as to what finances they were allocating to each task.

City Manager Phillips stated that he wanted to be clear that his focus was moving forward and not back. He's not concerned about anything that has already happened. As a manager, he questions things. When the \$150,000.00 was spent, no one knew what happened. His instinct was to ensure that that didn't happen again. Benchmarking is important so the effort is to look forward not back. He and GM Farmer had some good meetings. He believes GM Farmer is doing a good job and doesn't want GM Farmer to think that he was being disrespectful during the conversation. City Manager Philips further stated that he asks questions, but they're not intended to be disrespectful to anyone. He just wants to make sure that the authority gets the outcome needed to move forward. The city of Fairburn has an urgent situation, and he can only speak for Fairburn. They've had two water outages in the last 7 days. He must report back to his councilmembers, and citizens, about what the authority is doing to meet some very immediate issues in the short term, as well as making sure that the investment they're making in this effort is tangible. So, that's the point of the question, which is to make sure that the board has a solid process moving forward.

Chairwoman Fillingame stated that she wanted to make sure that the board understands the two different modules. One was for project managers to provide technical assistance for the authority to navigate through all the options that were presented before the board. The other module was an engineering firm. Some things were done but it did not work out and it wasn't in alignment with the board's direction and that's why the result of that was to dissolve that relationship. She believes everyone agrees with benchmarking. GM Farmer had a job description as well.

Mayor Williams expressed that he has been pleased with the work that has been done within the 6 months, and the amount of work each member must do individually for cities and collectively as an authority.

The Motion to approve the two-year agreement with Mr. Lindy Farmer as the General Manager for the Middle Chattahoochee Regional Water & Sewer Authority beginning April 1<sup>st</sup> was made by Mayor Williams and second by Board-member Boddie. **Vote: 6-1; Motion Carried**

***The following board member(s) opposed the motion: Vice-Chair Mario Avery***

The motion to approve the agreement with Krebs Engineering as the authority's owner's engineer was made by Mayor Williams and seconded by Councilman Jones. **Vote: 7-0; Motion Carried**

City Manager Phillips stated that he would like to make a provision to add to the MOU that Krebs will perform engineering work and will not have any role relating to the negotiations between the authority, Coweta, or anyone else. That should be very clear, and it will be beneficial.

Attorney Davenport assured City Manager Phillips that Krebs would not be negotiating with anyone concerning anything. They will take the direction of the board only. But he will add the language to the MOU.

#### **B. Financial Report-**

Attorney Davenport presented requisition #259 in the amount of \$36,874.50.

Motion to approve Req #259 in the amount of \$36,874.50 was made by Board Member Boddie and seconded by Mayor Williams. **Vote: 7-0; Motion Carried**

#### **C. Project Managers-**

- Project Manager Gray began by informing the board about the summary of the most recent history as to where the authority is going. She also congratulated GM Farmer and was pleased to be working with Coweta. She further stated that now is the time to get the authority's business in order as they gear up to be eligible for grants to assist with funding. The authority must be up to date to be eligible for any state funding. Each of the three cities had some missing items listed.

#### **D. General Manager-**

GM Farmer stated that he has enjoyed his first 6 months, and he appreciates the board's support.

City Manager Phillips stated that he wanted to reengage the discussion from the previous meeting regarding some type of strategic planning effort. He asked the GM to schedule meetings with each of the three cities to talk about what each city sees as a priority for that planning effort. Once received, he would like him to bring all that information together and work with Chairwoman Fillingame to start formulating what that type of strategic planning effort could include. He would like the plan to be executed before the summer.

Chairwoman Fillingame stated that now that the authority has an engineer, some of the data could be used to assist with discussion points that could aid with some of the inquiries that the board members may have.

Councilman Jones responded to City Manager Phillips by stating that he anticipated that the retreat was for the whole body to be in the room.

City Manager Phillips replied to Councilman Jones by informing him that the individual meetings were to prepare for the retreat.

#### **VII. Other Business:**

- VIII.** The motion to adjourn the meeting at 7:47 pm was made by Mayor Williams and seconded by Councilman Jones. **Vote: 7-0; Motion Carried**

  
Vice-Chair Mario Avery

  
Jessica Davis, Secretary