

CLAYTON COUNTY WATER AUTHORITY

1600 Battle Creek Road
Morrow, Georgia 30260

Regular Board Meeting, July 2, 2009

Chairman, Pete McQueen, called the meeting to order at 1:30 p.m.

Present at the meeting were: Chairman, Pete McQueen, Vice Chairman, Lloyd Joiner, Secretary/Treasurer, Marie Barber, and Board Members, Wes Greene, John Westervelt, John Chafin and Doug Bonner, General Manager, P. Michael Thomas, Deputy Manager, Mike Bennett, Legal Counsel, Steve Fincher of Fincher, Denmark & Williams, Steve Lavinder of CH2M Hill, other CCWA staff, interns and visitors.

Chairman McQueen called on Jael Fuller of Stormwater Management to give the invocation.

Approval of Minutes: Chairman McQueen called for any omissions or additions to the Regular and Executive Session Board Meeting minutes of Thursday, June 4, 2009. Hearing none, the minutes were approved as presented.

Financial and Statistical Report: Chairman McQueen called on Mike Thomas, General Manager, to give our financial report. Mr. Thomas reviewed the financial information that was given to the Board for the period ending May 30, 2009. Emory McHugh, Finance Director, was absent from the meeting.

Recognition: Chairman, Pete McQueen read a note to welcome the family of fallen soldier SFC John Beale (Crystal Beale, John's wife who works in the CCWA Call Center and his two children Christopher and Calye) and expressed heartfelt sympathy on behalf of the Board and staff of Clayton County Water Authority. He called on John Chafin to read a resolution honoring John Beale for his hard work and dedication to our country and as a CCWA employee. John was a Management Technician for the Stormwater Management division and was killed in Afghanistan while serving in the Georgia Army National Guard on June 4, 2009. Crystal Beale thanked the Water Authority family for all of its support over the past few weeks.

RESOLUTION NO. 2009-03

WHEREAS, Sergeant First Class John Curtis Beale was a man of integrity and honor who had a deep love for his God, his country and his family; and

WHEREAS, John was a dedicated soldier who served in the U.S. Army from 1989-1994 and was a veteran of Operation Desert Storm and Desert Shield; and

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WHEREAS, John was a dedicated husband to his wife Crystal and father to their children, Christopher and Calye; as members of Eagles Landing First Baptist Church, they grew in their faith together as a family; and

WHEREAS, John was a dedicated employee of the Clayton County Water Authority; he began his career at CCWA as a Surveyor in 2000; his hard work and initiative were recognized when he was named “Employee of the Year” for the Engineering Department in 2003; and

WHEREAS, John was promoted to Stormwater Management Technician in January 2007; he was instrumental in setting up inspection procedures for illicit discharges and illegal connections in the newly formed Stormwater Management Section; he also played an integral role in planning the past two Rivers Alive Stream Cleanup events; and

WHEREAS, John was an invaluable member of CCWA’s Public Education Committee and the Metro North Georgia Water Planning District’s Education Technical Coordinating Committee; and

WHEREAS, John’s personal calling to serve his country led him to re-enlist and join the Georgia Army National Guard in 2005; his first assignment was deployment to Gulfport/Biloxi Mississippi after Hurricane Katrina; he then continued with extensive training to prepare for deployment to Afghanistan in January 2009 with the 1st Battalion, 108th Reconnaissance, Surveillance and Target Acquisition Squadron of the 48th Infantry Brigade Combat Team; and

WHEREAS, upon giving the ultimate sacrifice for his country on June 4, 2009, John received a Purple Heart and a Bronze Star; and

WHEREAS, a living memorial will be placed at the Water Authority Headquarters Complex in honor of John’s service; and

WHEREAS, a \$1,000 donation will be made in the name of John C. Beale to the Georgia Association of Water Professionals Building Campaign so that his service to our industry and our country can be recognized in the Association’s new building.

SO RESOLVED this 2nd day of July, 2009.

Pete McQueen, Chairman

Lloyd B. Joiner, Vice Chairman

Marie Barber, Secretary-Treasurer

Wesley E. Greene, Sr., Board Member

John L. Westervelt, Board Member

John M. Chafin, Board Member

Doug Bonner, Board Member

Chairman McQueen called on Ed Durham, Human Resources Director, to introduce and recognize our summer interns. The interns are sponsored through the Youth to Work portion of the 2009 Economic Stimulus Plan organized in Clayton County by Hearts to Nourish Hope. There are eight interns total and they work for various departments throughout the Water Authority.

Household Hazardous Waste Amnesty Day Summary: Chairman McQueen called on Kevin Osbey, Stormwater Manager, to present the Household Hazardous Waste Amnesty Day Summary.

On Saturday, April 25, 2009, the Clayton County Water Authority sponsored a household hazardous waste collection event. This effort provided residents of Clayton County a means to dispose of a variety of household items. These items included, but were not limited to latex and oil-based paints, cleaners, pesticides, strippers, motor oils, anti-freeze, chemicals, etc.

CARE Environmental, from Valdosta, GA was selected as the contractor that would collect and properly dispose of these household items. Part of the selection criteria was costs that were based on unit pricing for items collected.

CCWA prepared a Request for Proposal (RFP) which included the listing of items that would be collected along with an estimated quantity of each item. This estimated quantity was not binding thus could increase or decrease based on the volume of material collected.

There were twenty-two (22) classifications of materials that could be collected. Each classification was given an estimated quantity, in pounds, of material that was expected to be collected. All contractors that submitted proposals provided Unit Pricing for each classification. Based on quantities collected last year, \$42,000 was budgeted for this year's event.

On the day of our event, CARE Environmental serviced 525 vehicles. Once all the material was collected, manifested, and disposed of, CARE Environmental determined they had processed over 117,000 pounds of materials. This resulted in a cost of \$33,314 from CARE Environmental this year. Last years' cost from CARE was \$26,850.

Items (pounds)	April 2008	April 2009
Latex Paint	7,000	22,000
Oil Paint	33,000	45,000
Aerosols	1,100	3,000
Pesticides/Herbicides/Poisons	3,300	4,000
Acids	2,300	8,000
Solvents/Cleaners/Flammable	17,000	9,000
Motor Oil/Anti-Freeze	4,500	17,000
Lights and Mercury	0	2,000
Car & Home Batteries	2,000	7,000
Waste Generated(pounds)	70,200	117,000
Vehicles serviced (each)	402	525

Stormwater Project Summary – Nogales Drive Improvements: Chairman McQueen called on Kevin Osbey, Stormwater Manager, to present the Nogales Drive Improvements Project Summary.

Clayton County Water Authority (CCWA) received a complaint from a resident on Nogales Drive in the Amberwood Estates Sub-Division in Rex on May 13, 2009. Upon arrival, CCWA observed a large sinkhole in the resident’s backyard. The sinkhole was from a 48” corrugated metal pipe (CMP) that not only corroded but disintegrated and left a void that nearly engulfed the resident’s storage shed.

The 48” CMP had been identified by Clayton County Transportation & Development SPLOST program inventory as one of many segments of pipe in the Amberwood Estates S/D that was in poor condition. The SPLOST inventory was performed in 2005.

CCWA staff used contractors currently under our Annual Service program to perform the removal, replacement and restoration activities. These activities were expected to take 4 weeks to complete at an estimated cost of \$72,000. Repairs began on May 26, 2009.

Pipe and structure replacement was performed by Tom Davidson & Sons. This repair consisted of removing and replacing 280’ of CMP with HDPE Pipe. This work included the replacement of two catch basins that captures road drainage. Davidson was able to complete their activities slightly earlier than expected and under their original estimate.

The project was completed nearly one week ahead of schedule and is expected to be \$4,000.00 less than what was estimated.



Sewer Televising Equipment Purchase Recommendation: Chairman McQueen called on Herbert Etheridge, Distribution and Conveyance Department Manager, to present the Sewer Televising Equipment Purchase Recommendation.

The Wastewater Maintenance Section currently uses two CCTV units to perform inspections of our Collection System to address issues as they arise in our system. In 2001 the CCWA purchased a traditional van mounted CCTV Camera and Transporter system that provides access to mains within, and immediately adjacent to paved areas. In 2003 the CCWA purchased a portable system that is mounted on a 6 wheel drive All Terrain Vehicle for accessing Sewer mains along stream banks and wooded areas.

The CCTV Camera and Transporter purchased with the Van unit in 2001 is developing issues on a more frequent basis and is nearly obsolete as frequently we rely on the manufacturer to locate spare used parts to repair this unit. Our recommendation is to replace this Camera and Transporter by trading in the existing unit.

The CCTV Operating System purchased for the ATV Unit was purchased as a portable system that functioned well for our needs at that time. During the past year we have upgraded our software to enhance our ability to collect and transfer data electronically to our GIS Mapping System and to our Cityworks Maintenance Management Program. Due to the limits of the capabilities of the original CCTV hardware/software we are lacking some of the enhanced capabilities on this portable unit. Our recommendation is to upgrade the hardware/software on this unit.

Both of our CCTV units were obtained from Cues, Inc. which uses propriety hardware and software. Therefore to continue using this software this purchase will need to be from a sole source provider. Our recommendation is to purchase this CCTV hardware and upgraded software from Cues, Inc. in the amounts listed below. These purchases were budgeted in FY 2009 in the amount of \$53,000.00

Cues U-Shorty Transporter	\$8,850.00
Cues OZ II CCTV Camera	\$18,800.00
Cues K2 PCU Operating System & Monitor	\$21,130.00
Panasonic Toughbook Laptop w/ Software loaded	\$5,720.00
Total Cost	\$54,500.00
Less Trade in of Nightowl CCTV Camera	-\$2,500.00
Net Cost	\$52,000.00

UPON Motion by Wes Greene and seconded by John Chafin it was unanimously

RESOLVED: to award the Sewer Televising Equipment Purchase Recommendation to Cues, Inc. for the amount as outlined above.

Third Party Payment Proposal Recommendation: Chairman McQueen called on Karen Riser, Risk Manager, to present the Third Party Payment Proposal Recommendation.

Since December 2005, CCWA has been accepting customer payments via credit cards, debit card and electronic check from the web and IVR (interactive voice response). These services have been provided by a third party payment processing services company, Fiserv (formally BillMatrix) with an original customer convenience fee of \$3.95 per transaction and since January 2009 with a customer convenience fee of \$3.25 per transaction along with a \$500 payment limit per convenience fee.

Due to the fact that our current contract with Fiserv expires December 2009, CCWA put these services out for proposal in June 2009. CCWA solicited seven vendors and received proposal from four vendors. A summary of proposed customer convenience fee costs per vendor are presented below.

Vendor	Regular Billing Convenience Fee per Transaction	Deposit Convenience Fee per Transaction
Fiserv (formerly BillMatrix)	\$2.95	\$2.95
Paymentus	\$2.75	\$2.75
SunTrust Banks Inc./FirstData	Non- Responsive*	Non- Responsive*
Western Union Payment Services	\$2.50	\$3.25
CSI, Inc.	No Proposal	No Proposal
Elavon Merchant Services	No Proposal	No Proposal
Metavante	No Proposal	No Proposal

* This proposal was deemed “non-responsive” as this vendor did not propose an all inclusive single convenience fee instead they proposed a partial flat convenience fee along with varying percentages based on the form of payment.

A team comprised of five CCWA employees completed an evaluation of the proposals based on cost (50%), proposed solution and functional requirements (10%), vendor financial stability (10%), documentation (5%), implementation support and training (5%), contract terms and conditions (5%), quality and clarity of proposed presentation (5%), and reference (10%). After the initial evaluation by the team a short-list of the top two ranked vendors based on the costs and qualifications of the criteria noted above was determined to be Paymentus and Western Union. A follow-up evaluation was completed for the two short-listed vendors.

Paymentus was the highest rated vendor by our staff based on the following reasons:

- 1) A saving of \$0.50 on the current convenience fee both on regular and deposit payments (proposed \$2.75 per transaction while the current convenience fee is \$3.25 per transaction).
- 2) Paymentus is a certified business partner of our Customer Information System vendor Harris NorthStar thus we will gain full integration with our existing CIS software which will provide for “real time” account balances and “real time” pending payments on the customers account versus our current once a day batch processing.
- 3) Paymentus is already being used by the Clayton County Tax Commissioner’s office for payment of tax bills. Additionally, Paymentus is being used by Fayette County Water System along with 165 other entities in 31 states.
- 4) Implementation of the Western Union solution would have some unknown implementation costs for the “real time” integration described above and CCWA would be responsible for those costs and services.

Therefore CCWA Staff recommends that the Board approve the award to Paymentus for a customer convenience fee of \$2.75 per transaction per \$500 payment for a three year contract with no implementation costs to CCWA.

UPON Motion by Lloyd Joiner and seconded by John Westervelt it was unanimously

RESOLVED: to approve the Third Party Payment Proposal Recommendation to Paymentus for the amounts as outlined above.

FY 2008 Services During Construction Task Order Summary: Chairman McQueen called on Mike Buffington, Program Management Engineer, to present the FY 2008 Services During Construction Task Order Summary.

It includes program management and services during construction provided by CH2M Hill during Fiscal Year 2008 (May 1, 2008 through April 30, 2009). Services provided include program management; construction management and inspection for Northeast WRF Expansion and Upgrade project, Huie Phase 4 Constructed Wetlands, and Tank Painting; and other miscellaneous projects.

Services included general program management assistance; construction management and administration; document management; site coordination; project controls; field inspection; shop drawing and samples review and approval; monthly pay request approval; design clarifications; preparation of as-built documents; start-up services; operator training; and closeout of each completed construction project.

Project Managers:

- CH2M Hill, Engineers – Dave Goddeyne/Chris Cranmer
- Clayton County Water Authority – Mike Buffington

Task Order Summary:

- Original Task Order Amount – \$550,000 (not to exceed amount)
- Final Task Order Amount – \$549,802.96

Funding:

R&E Funds

Chairman McQueen stated that CH2MHill and other engineering staff, including Mike Thomas, General Manager, Mike Bennett, Deputy Manager, Mike Buffington, Program Management Engineer, and other engineering staff have done a fantastic job in their engineering efforts for the Water Authority. The Board and the Water Authority have been very fortunate to have them on board.

Proposed Revisions Health & Welfare Benefits Plan: Chairman McQueen called on Ed Durham, Human Resources Director, to present the Proposed Revisions to the Health & Welfare Benefits Plan.

Each organization is responsible for maintaining a Health and Welfare Benefits Plan Document to provide guidelines for administration of their various benefit programs. This document is commonly referred to as a Wrap Document and is necessary to keep our programs compliant with federal guidelines enforced by the Department of Labor, IRS and other applicable agencies. Included in this document are Summary Plan Descriptions that each employee receives as summaries of their various benefits.

Our current Health and Welfare Benefits Plan document was adopted in 2004 but since that time there have been several changes in regulations or plan designs previously approved by the Board. Regulatory changes include new HIPAA privacy regulations.

Benefit plan additions include Flexible Spending Accounts for tax savings on health and dependant care expenses and the Health Reimbursement Arrangement for deductibles. Clarifications to the Plan include language regarding our rehire and reenrollment policies and explanation of the continuation of benefits for non-Family Medical Leave absences.

In order to provide consistency between the CCWA Personnel Policy Manual and the Health & Welfare Benefits Plan, a change to the Personnel Policy Manual will be required. The change is related to continuation of benefits for non-Family Medical Leave absences.

RESOLUTION NO. 2009-04

WHEREAS, the Clayton County Water Authority (the “Authority”) maintains the Clayton County Water Authority Health and Welfare Benefits Plan (the “Plan”);

WHEREAS, the Authority maintains the Clayton County Water Authority Healthcare Flexible Spending Account, and the Dependent Care Flexible Spending Account (collectively, the “FSAs”);

WHEREAS, the Authority wishes to establish as part of its group health plan offered under the Plan a health reimbursement arrangement to qualify as an accident and health plan within the meaning of Code Section 105(e) (the “HRA”);

WHEREAS, the Authority, acting as in its capacity as Plan Administrator, has the authority to amend the Plan pursuant to Section 7.01 of the Plan;

WHEREAS, the Authority wishes to merge the FSAs into the Plan;

WHEREAS, the Authority wishes to amend and restate the Plan in order to ease Plan administration, make desired clarifications and amendments, and to make necessary updates required by law, in the form attached hereto as Exhibit A;

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED THAT: The Authority hereby officially establishes the HRA as part of its group health plan under the Plan, effective July 2, 2009; and be it

FURTHER RESOLVED THAT: The Authority hereby officially merges the FSAs into the Plan, effective July 2, 2009; and be it

FURTHER RESOLVED THAT: The Authority hereby officially amends and restates the Plan in the form attached hereto as Exhibit A effective July 2, 2009.

SO RESOLVED this 2nd day of July, 2009.

ATTEST:

CLAYTON COUNTY WATER
AUTHORITY

Marie Barber, Secretary

Pete McQueen, Chairman

APPROVED AS TO FORM:

Steven M. Fincher, Attorney for
Clayton County Water Authority

Due to these needed updates, staff recommends approval of the 2009 amended CCWA Health and Welfare Benefits Plan Document as outlined above.

UPON Motion by Marie Barber and seconded by John Chafin it was

RESOLVED: to accept the Proposed Revisions to the Health & Welfare Benefits Plan as written.

PERSONNEL POLICY MANUAL AMENDMENT

COMES NOW the Board of Directors of the Clayton County Water Authority, and hereby adopts this amendment to the CCWA Personnel Policy Manual by

(a) Amending Chapter XV, Section 7, by deleting the existing language in its entirety, and inserting in lieu thereof the following:

SECTION 7 EMPLOYEES CHARGED WITH CRIMES

- 1) Employees Charged with Crime(s): Except as provided below, Employees arrested or charged with a crime or crimes may continue in their jobs until the resolution of the charge. However, the commission of some crimes is inconsistent with continued employment with the Authority. Any Employee arrested, indicted, convicted of, or pleading nolo contendere, Alford, or first offender to the following crimes will be subject to immediate dismissal from employment with the Authority:

- a) Employees charged with a felony;
- b) Employees charged with significant crimes involving the performance of their duties, or crimes inconsistent with the continued performance of their duties; or
- c) Crimes involving serious moral turpitude.

Employees are expected to report any arrest or indictment for such crimes to their immediate supervisor. Failure to so report shall be grounds for termination.

Depending on individual circumstances, and at the sole discretion of the General Manager, employees charged with crimes may be reassigned, or suspended from duty pending resolution of the charge. If an employee is so suspended, insurance benefits shall be terminated once employee is in an unpaid status. An employee so suspended, who has lost his or her insurance benefits, may participate in the COBRA program.

- 2) Absences: Absences from work due to incarceration and/or court appearances may be charged against any available annual leave balances. Any absence not so charged may be considered unexcused.

And:

(b) Amending Chapter XIII. Section 14 by deleting the existing language in its entirety, and inserting in lieu thereof the following:

ATTENDANCE AND LEAVE, SECTION 14 FAILURE TO RETURN TO WORK

If an Employee has exhausted all available leave, and does not thereafter return to work, unless other arrangements have been made by the Employee and the Authority, the Authority shall consider the Employee as having abandoned his or her job and thereafter, deem the position held by the Employee to be vacant.

If the employee fails to return to work at the end of his/her approved leave, unless otherwise provided herein, the employee shall forfeit all rights to his employment, pay and benefits, except as provided under the Consolidated Omnibus Budget Reconciliation Act (COBRA) and other applicable laws at the time.

SO ADOPTED THIS 2nd DAY of July, 2009

CLAYTON COUNTY WATER AUTHORITY

Chairman, Pete McQueen

Staff recommends approval of the Personnel Policy Manual Amendments as outlined above.

UPON Motion by Lloyd Joiner and seconded by John Westervelt it was

RESOLVED: to approve the Personnel Policy Manual Amendments as outlined above.

Upon Motion by Marie Barber and seconded by John Chafin it was unanimously

RESOLVED: that the Board adjourn into executive session for land, legal, and personnel issues. The Board reserves the right to return to open session.

The Board returned to open session. The following items were discussed:

Mr. Thomas, General Manager, stated that the fountain will be removed and will be replaced with a tree and plaque monument in the rear of headquarters building in honor of fallen soldier and former employee, SFC John Beale.

Mr. Thomas, General Manager, stated that the cleaning and re-lining of cast iron pipe has been scheduled in Jonesboro and Forest Park. Herbert Etheridge, Distribution and Conveyance Manager, has expressed the need to clean and re-line additional cast iron piping in Riverdale. Mr. Etheridge initially budgeted \$190,000 from the R & E Fund for the Riverdale/Jonesboro project which was approved by the Board. Mr. Thomas would like to recommend approval to add \$50,000 additional funding to that line item in the not to exceed amount of \$240,000 in order to complete 9,000 feet of cast iron pipe relining in Riverdale under the existing services contract.

UPON Motion by Lloyd Joiner and seconded by John Chafin it was

RESOLVED: to approve the additional funding of \$50,000 to complete the cast iron pipe relining in Riverdale in the not to exceed amount of \$240,000 under the existing services contract with Fletcher Creamer.

Mr. Thomas provided an update about Rivers Edge Golf Course. There have been discussions about the County purchasing the golf course.

Mr. Thomas stated that the Huie Wetlands Phase 4 site is progressing really well and should be complete by the end of summer. He would like to plan a dedication for October this year.

Mr. Thomas provided an update on the upcoming rate adjustments. He met with Chairman Bell of the Clayton County Commissioners Office to inform him of the rate adjustment and drafted a letter to be sent to the Commissioners of the county. The customer newsletter as well as the company's website will contain information about the rate adjustment. There will also be press releases to announce the rate adjustments.

Upon Motion by John Chafin and seconded by Lloyd Joiner it was unanimously

RESOLVED: to adjourn the regular session board meeting.

There being no further business to come before the open meeting, the meeting was adjourned.

Pete McQueen, Chairman

Walter Marie Barber, Secretary/Treasurer