

UPPER OCONEE BASIN WATER AUTHORITY  
NORTHEAST GEORGIA REGIONAL COMMISSION  
E.H. CULPEPPER CONFERENCE ROOM  
JANUARY 28, 2015  
9:30 A.M.

MINUTES

Members Present:

Melvin Davis, Chairman  
Elton Collins  
Erick Klerk  
Gary Duck  
Chris Thomas  
Randy Dowling  
Pat Graham  
Amrey Harden

Alternates Present:

Harry Sims\*  
Blaine Williams  
Mark Saxon  
Joey Leslie

\*Representing Nancy Denson

Others Present:

Jim Dove, NEGRC Executive Director  
Mott Beck, NEGRC Executive Assistant  
Evans Brinson, NEGRC Comptroller  
Chip Ferguson, Atkinson Ferguson  
Bob Snipes, Owner's Representative  
Brad Lanning, Jacobs  
Mark Beardsley, Mainstreet Newspapers

CALL TO ORDER AND APPROVAL OF NOVEMBER MEETING MINUTES

Chairman Melvin Davis called the meeting to order at 9:30 a.m. He asked for a motion to approve the minutes of the November meeting. ***Such a motion was made by Mr. Elton Collins and seconded by Commissioner Harry Sims. The motion passed unanimously.***

FINANCIAL REPORT

At this time, NEGRC Comptroller Evans Brinson gave the financial report. The total liabilities and fund balance for the month ending December 31, 2014 were \$58,277,309. ***A motion to approve the financial report as presented was made by Mr. Collins and seconded by Mr. Chris Thomas. The motion passed unanimously.***

FINANCE COMMITTEE REPORT

Mr. Collins advised that the Finance Committee met on January 13<sup>th</sup> to consider potential refunding of the Authority's Series 2005 Revenue Bonds. It is the Committee's opinion that the potential savings to Barrow, Jackson, and Oconee Counties warrant actions to potentially refund the Bonds. However, discussions with the proposed Bond Underwriter, Bond Counsel, and Authority Counsel have made it clear that any refunding prior to resolution of the legal issues between the Authority and Jackson County could be problematic. However, it is felt

that the Authority should move ahead with plans to refinance by retaining appropriate professionals and having all necessary documents prepared in order to allow the transaction to move forward as soon as possible upon settlement of the litigation. After Owner's Representative Bob Snipes provided information on efforts related to this effort, ***a motion was made by Commissioner Pat Graham and seconded by Mr. Amrey Harden to approve the following, based on recommendation from the Finance Committee:***

- 1. To pursue refunding of the Series 2005 Bonds, that the Bond Underwriter and Bond Counsel be engaged, that engaged professionals and Authority staff develop appropriate documents to allow the refunding transaction, and that the refunding transaction not be completed until such time as the legal matters between Jackson County and the Authority are resolved.**
- 2. To retain the firm of Stifel, Nicolaus & Company (formerly Merchant Capital) as the Bond Underwriter for refunding of the Series 2005 Revenue Bonds and that Chairman Davis be authorized to execute the related engagement letter on behalf of the Authority.**
- 3. To retain the firm of Gray, Pannell, & Woodward as the Bond Counsel for refunding of the Series 2005 Revenue bonds and that Chairman Davis be authorized to execute the related engagement letter on behalf of the Authority.**
- 4. To give Chairman Davis authorization to approve the Underwriter's Counsel and related fee structure.**

***The motion passed unanimously.*** Fees associated with the professional services of the Bond Underwriter, Bond Counsel, and Underwriter's Counsel are all contingent upon the successful completion of the refunding transaction.

### **OWNER'S REPRESENTATIVE REPORT**

Section 2(k) of the Professional Services Contract between the Upper Oconee Basin Water Authority and Bobby M. Snipes, P.E. calls for the Chairman of the Authority and Mr. Snipes to jointly provide the Authority a good faith annual report showing the cost savings and other positive results achieved as a result of work efforts associated with the contract. A copy of this document was forwarded to Authority members prior to the meeting. Chairman Davis expressed appreciation to Mr. Snipes for the outstanding job he is doing and pointed out how much more efficient operations are since he began his tenure as Owner's Representative.

At this time, Mr. Snipes gave his report and began with an update on efforts related to the Drought Management Plan. Jacobs has begun work on the project and has proposed a schedule for key dates for project activities. Potential meeting dates for the Engineering/Operations Committees to consider elements of the plan update will be scheduled within the next few days. The current schedule calls for a recommendation to be available for consideration by the Authority at the July 22<sup>nd</sup> meeting.

Mr. Snipes gave an in-depth update on the procedure for acquiring grounds maintenance services at the Bear Creek Reservoir and Water Treatment Plant. His complete report regarding this issue is included in the Memorandum dated January 15, 2015 attached to these minutes.

Mr. Snipes also gave an extensive report regarding the management and use of Authority owned vehicles. The process for acquisition of these vehicles is covered by the Purchasing Policy which was adopted by the Authority on September 10, 2014. However, there has never been a policy in place regarding use of the vehicles, and Mr. Snipes recommends the following:

- 1) The Authority adopts a policy that Authority owned vehicles may only be used by a Jacobs' employee for the following purposes:
  - a) Performing on-site and off-site work related tasks while the employee is on duty.
  - b) Travel to work related training when such use has been determined to be the less expensive and the most appropriate means of travel and when approved by the contractor's representative (currently Brad Lanning) for such limited use.
  - c) Travel to and from an on-call employee's place of residence when:
    - 1) The on-call employee may need to respond to a location other than their normal place of work, the drive home vehicle has special equipment and/or tools that may be needed in such a response, and the use of such vehicle will significantly decrease the response time to the location of an after-hours emergency; or
    - 2) When it has been determined by the Authority, based upon a recommendation by the Contractor's Representative (currently Brad Lanning) and/or the Owner's Representative (currently Bob Snipes) that such use is an appropriate additional compensation which is necessary to fully compensate an employee relative to other similar positions and that the use of an Authority vehicle for travel between the employees residence and the work site is financially advantageous to the Authority. All such use of Authority vehicles should be specifically approved by the Authority on an annual basis (with the renewal of each contract period with Jacobs), should be specific to a named individual(s), and should note the justification for such approval.
- 2) The use of an Authority owned vehicle for home to work and work to home travel by the Maintenance Supervisor, or any other employee, be reviewed as a part of the next contract renewal with Jacobs and that any and all such use after the contract renewal date be specifically approved by the Authority; and
- 3) Jacobs create and maintain in each vehicle a vehicle use log book and the driver of each vehicle record in such log book the date, the beginning odometer reading, the ending odometer reading, the trip destination, and the trip purpose each time the vehicle is driven outside of the treatment plant site.

***A motion to accept this recommendation was made by Commissioner Sims and seconded by Mr. Thomas. The motion passed unanimously.***

## **OPERATIONS AND MANAGEMENT**

Operations of the facility are normal and in compliance with EPD rules and regulations. The reservoir remains at full pool, and the treatment plant pumped an average of 7 MGD, compared to 6.8 MGD at the same time last year. There have been no major maintenance issues, and staff completed cleaning the filter basin during last month.

## **PUBLIC COMMENT**

There were no public comments.

## **EXECUTIVE SESSION**

There was no Executive Session.

## **OTHER BUSINESS**

The next meeting will be held on March 25<sup>th</sup>.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:10 a.m.

Respectfully Submitted,

Martha "Mott" Beck  
UOBWA Secretary