

WATER COMMITTEE
NOVEMBER 8, 2017
MINUTES

MEMBERS PRESENT: Pete Frisina, Chairman
James Preau, Vice Chairman
Steve Rapson, County Administrator
Lee Pope, Water System Director
Commissioner Steve Brown

ABSENT: Chip Conner

NON-VOTING MEMBERS: Dennis Davenport, County Attorney
Michael Diaz, CH2M

GUEST: Virgil Fludd
Tim Harper
Tony Parrott

STAFF PRESENT: Russell Ray, Matt Bergen, Carrie Gibby
Chief Harold Myers, Vanessa Birrell

The meeting was called to order by Chairman Pete Frisina at 8:00 A.M.

I. APPROVAL OF MINUTES FROM THE MEETING ON OCTOBER 25, 2017.

Vice Chairman Jimmy Preau made the motion and Lee Pope seconded, to approve the minutes from the meeting on October 25, 2017. The motion passed unanimously.

II. TIM HARPER – STARR’S MILL.

Mr. Harper shared information with the committee that included photos of the site. He referred to these during his presentation. He introduced himself saying he owns the property next door to Starr’s Mill at 115 Waterfall Way. He said he purchased it a couple of years ago and he has been working on it trying to get it remodeled, cleaned up and landscaped. He said there was an incident a few months ago with a guy that worked for him that went down and got in an area that he shouldn’t have been. He is no longer working for him. Mr. Harper said he bore the expense of the fine and he did not mind that. He bought the place and it was a wreck, it was nasty, cars everywhere, tractor pieces and he has steadily cleaned it up. He said he owns a construction company and on days that his guys don’t have anything to do he goes out, an hour or two in the afternoon, they take the dump truck and pick up limbs and sticks and tidy the place up. He thought he was doing a good thing, but he doesn’t guess he was. Maybe he went through the wrong order of doing it.

Mr. Harper said there are a couple of things he would like to see if he could work with the Board on doing, do some continuation of cutting the grass, just on his side

of the road, where the Starr's Mill Road comes in off 85. He said he tried to maintain everything to the left hand side of the road and he got a notice from the Marshal's office to halt all operations of maintenance or whatever he was doing wrong there. He said he would like to see if he could work out something with the Water Authority and the Board to maybe continue, not on a regular basis, but if he is there and he cuts his, if he cuts over another twenty or thirty feet, he does not see what that would hurt. He would do that with absolutely no liability to the county.

Mr. Harper said he ordered early in the spring a bunch of fruit trees for his house. He ordered ten or twelve for Starr's Mill and he would like to plant some fruit trees in some bare spots. He said these are highlighted on the photo he provided. They will be coming in the next couple of weeks and he would like to get them in the ground. It is a great planting time. He went on to say he has a place in Senoia that he sold; he has about 1,000 feet of rustic split rail fence. He referenced the picture in the packet he provided. He said he thinks it attracts the same theme that is going on at the mill. He said he has outlined a zigzag area where he would like to take the fence. He said he spent \$12,000 on sod and put it on the bank in front of his house. It is on the county property. He said he talked to the Water Authority before he actually put the sod out and he put it out. He is trying to keep it cut and keep it fertilized and mowed to make it look nice. People just go up in there and they spin around in the cars, and motorcycles, and they have no respect for the park or his property either. He said he would like to see if we could do the zigzag fence and leave an opening every fifty or hundred feet or so, so people could walk through. There is one area where the pipe crosses the road that goes down to the mill, there is a spring head there that has been there for a hundred years. It runs up underneath the road, and there is a little small piece of sewer pipe, 10" sewer pipe, that crosses underneath the road, which is not ample enough to handle the water that comes down through there. He said when he was cleaning up in that area, he was going to put some rock on the banks to keep it from eroding and washing, he has a bunch of weathered black antique looking rocks he wanted to use on the bank, to shore that bank up, to keep it from eroding any worse than what it is. It would be on the left side of the driveway going in. On the right hand side, people run off in the creek just about every day. He said he has pulled a bunch of people out of there, people run off in there and get stuck. If they had a little rock border to let them know where the edge is it would be great to do that. He said he is not here to harm the mill. He loves that place. He had an opportunity to buy it and he bought it and it is a great place. He would like to see it, eventually he knows the county wants, when he gets ready to sell it or if the county gets ready before he does, he is all ears. It is a very nice piece of property. He said he knows it needs to go to the county; it needs to be with the other part that is there.

Mr. Rapson told Mr. Harper that he thinks there are lots of things that he wants to do that we could work with him on. He said he likes the planting of the trees and stuff; but a lot of the stuff he is talking about is within the State waterways. He suggested Mr. Harper getting with the Staff and figure out what kind of improvements could we do that would meet our requirements for the State

waterways. He said he thinks some of that has to be mitigated based on all the stuff that went to court, anyway.

Mr. Harper said it would all be hand work; it would be nothing, no machines. Mr. Rapson commented that some of the stuff he wants to do, we would probably embrace, some of it we probably wouldn't. He suggested figuring out what we can embrace and then come back to this group and say here are the things that we can embrace, what we want to do as a Board, that type of thing. Mr. Rapson asked Ms. Birrell if that would be the best approach.

Ms. Birrell commented this was not just a couple of months ago, it was back in March and at that time when we were called out there to look at the pipe size issue under the road, that is when we discovered that the creek that runs from the spring that feeds the creek running from Mr. Harpers property to our property that whole State water buffer has been raised. At that time we said no more work, this is State waters. She said to Mr. Harper she thinks he would remember her saying this is State waters, you need to cease and desist, and no more. Mr. Harper said he did remember. Ms. Birrell said we then had an incident happen again mowing in that buffer, the buffer is supposed to grow up, it is supposed to be natural; the trees that were taken out were really large trees. They probably blocked his view from his house to the mill.

Ms. Birrell confirmed she is talking about when they met on March 10, and she has pictures of the state it was in. Mr. Rapson suggested Mr. Harper get with staff; figure out what he can do, because the zig zag line he has drawn runs close to our property line. Mr. Harper said it is about 30 feet above that. Mr. Rapson said we typically, as a general rule, don't allow anybody to do anything with our property any more than he would want us to do stuff with his property.

Mr. Harper commented it is strictly cosmetic, but it does not matter. Mr. Rapson said he understands and it may make sense to do some of that because he agrees he wants people staying on the road. Right now, people don't always stay on the road. Ms. Birrell commented they would have stayed on the road if the trees had not been taken out. Mr. Rapson said we can talk about all that, and then we can figure out if there are things he wants to do that are beyond what staff is comfortable doing in State waters and we can come back to the Board and they can make a determination.

Commissioner Brown asked if a 10" culvert is working under that road as it is. Mr. Pope commented he was not aware of a problem with the flow coming from his property down; he knows there is a problem when we have flooding. Ms. Birrell said there is an erosion problem because all the brush that was around that springhead has been taken out, now there is more water coming down and it is soaking in and the buffer isn't acting as it should soaking up water. Mr. Rapson said he is sure there are mitigation issues you would like him to do with vegetation is why he thinks we need to have that discussion.

Mr. Harper said he will be glad to do whatever you all recommend and whatever he can do to make up for the damage that has been done, he will be glad to do that.

Commissioner Brown commented that he likes the split rail fence idea. One of the things he sees is you have people parking in the grass and on the sides. Mr. Harper said he put millstone up on the mound; he dug it up out of the dirt and it is setting up on the mound and he has some rocks he would like to put around that, but he doesn't want to do anything until we go through the proper channels.

Mr. Rapson said he would set a meeting up to talk about what we are comfortable with him doing and then we can go from there. In the meantime, he said he does not see any problem with him planting fruit trees and all of that because that benefits the park. Ms. Birrell commented if we are going to mitigate it we are going to do it to the State standard. Further discussion pertained to tree planting, buffer replacement mitigation, culvert needs, grasses to plant, erosion, ordinance requirements, split rail fence, and Leland cypress. Mr. Pope suggested coming up with an ongoing master plan for that piece of property, communicate with the neighbor, get input from the neighbor and welcome his participation, and get the stream bank restored.

Commissioner Brown commented that the interesting thing about this site is a lot of people think that Mr. Harper's property is actually part of the park and part of the mill site. If we can improve the sight lines and everything from his property and our property going in his direction, if we can come up with a win-win solution, restore the buffer and figure out what we want to do, he thinks it works for everybody. Let's figure out a good way to improve the site. Get it back to where it needs to be, get it good looking on both sides of the property line. It makes our park look better.

Mr. Harper said he has plenty of the rail fence and he will do all the work and labor, and installation. He said it needs to be moved in the next month. Mr. Rapson suggested having a meeting the week after Thanksgiving so we can meet his time table and have a response back to the Board. The meeting would be Mr. Harper, Mr. Rapson, Ms. Birrell and Mr. Pope.

Mr. Harper brought up the criminal trespass notice that he got. He said he understands that, he understands what he means. He is by no means a criminal and he would like to have that rescinded if he could get the Board to consider that. Mr. Rapson said once we have a plan, he thinks that all gets wrapped in together. At that point, we have a plan, and if he requires some temporary easements, we would work with Mr. Davenport to make sure all that is in place as well.

Mr. Harper thanked the Water Committee for their time and said he appreciated the consideration. He said if he can help in any way, just let him know.

III. CASTLE LAKE REQUEST FOR REIMBURSEMENT.

Mr. Pope explained that Virgil Fludd is here. He said we talked about this at several meetings in the past, made some decisions, made Matt go do some research and come back, had some input from Mr. Davenport how we should have handled this. He said Mr. Fludd has not had an opportunity to speak, so he is here today to talk about their side of the story.

Mr. Fludd said thank you for giving him the opportunity to speak and also he wanted to thank the Water Authority for the upgrades to their water main system. They have historically had some significant problems with their water system. Over the last number of months their system has been replaced with minimal disruption or interference with the comings and goings of the neighbors. It has been a very productive and positive experience. He said they appreciate the effort and the work that has gone into making sure the neighbors in Castle Lake has the kind of experience with the Water Authority that it should.

He said their sense is that during the installation of the waterline the contractor inadvertently, he is sure, caused a number of their plants to be destroyed. He said they have pictures. Their interest is, two things, it is part of a broader longer term upgrade and repair, replacement strategy for the entire community; they are doing things with the lake, they are dredging the lake. They also want to upgrade the front entrance façade because as time has gone on the trees at the front entrance now are large enough that they have become an obstruction to people turning in and out of the subdivision, either direction going left or right. It gives them an opportunity, by replacing the trees that are on the right side of the stop sign on the right side of the entrance, to also replace the ones that are on the left so they will match. What they are asking is that the County would replace those that were damaged and Castle Lake would replace the ones that were not damaged to make sure they are consistent on the other side of the entrance. He said they had gotten a bid. He said he was not privy to the discussion but if there are questions, he may be able to address them.

Mr. Rapson explained after we looked at this we are being advised that any invasive plant removed in the right of way will not be replaced because we are protecting our facilities. That is the short version of all the research we did; we looked at Tyrone's ordinances. Mr. Pope commented we had to go to Tyrone because it is actually their right of way.

Mr. Davenport stated one issue is the invasive plant, if in fact there is a potential for a root system to impact our waterline that is an issue. The second thing is any material that is in the right of way legally should not be in the right of way. There is no duty on the part of the governing authority to replace anything that is in its right of way because it maintains the right of way from limit to limit. In this case it is probably a sixty foot right of way. Mr. Bergen stated it is eighty feet at the entrance. Mr. Davenport stated then it is eighty feet at the entrance and sixty feet as

you go in. Anything that is in that right of way is on town property. We asked, from Matt Bergen's perspective, to Public Works of Tyrone, what their policy was with respect to plantings in the right of way. He deferred to Matt to how that conversation went.

Mr. Bergen said the only thing they require is curbing and things of that nature have to be replaced if we have obstructions. We had a few incidents where we did get into some curbing and we did that replacement. As far as the landscaping portion of it, they don't have anything in writing specific to that, but they did agree, when the walk through was done that they did not see any issues with replacing or not replacing. That judgement was left up to us. With the tree, we did go through the root zone and that is not something we are denying; we have seen some green on it. It may or may not survive, but if it doesn't survive, he thinks we are okay with doing the removal, but we did not want to do the removal because of the sensitive nature of the way it looks in the front.

Mr. Davenport commented generally if a county or a city has a prescriptive easement, meaning they have rights to have the road there, but the adjacent property owner has an underlying property interest, there is a legal mechanism to work with each other to make sure that if something is damaged to the underlying property owner, then the governing authority has some responsibility. When a governing authority owns the property in fee simple and something comes off that property, government property is what it is viewed as. The converse of that is if the government tries to go in and replace those things there is an issue with something called a gratuities clause, that if we don't have any duty to pay anybody any money and we pay them money without any duty, we run the risk of running afoul of the gratuities clause. He said those are the issues we talked about. Because it is right of way, and because we talked with Tyrone and Tyrone basically has said they would not replace those plantings if it was them. He said he is just paraphrasing what Mr. Bergen's conversation was with Billy. We took the same position to be consistent with Tyrone as far as that was concerned because there was no legal duty for the Water System to do anything. The plants were in the right of way, and the right of way was fee simple.

Mr. Fludd said he heard two things. One is the town has a right of way that extends eighty feet from the edge of the street? Mr. Davenport stated it is from the center line, forty feet in each direction. Mr. Fludd said forty feet from the center line into the side of the street. Anything that is damaged within that forty foot area is essentially not the governing body's responsibility. Mr. Davenport said it is their property. Mr. Fludd then asked anything beyond those forty feet, what happens there? Mr. Davenport said it depends on who owns the property. If it is private property or if it is common property.

Mr. Fludd said he did not measure the distance where the plants are damaged. He asked if all the plants that are damaged are within the forty feet. Mr. Bergen said forty foot is actually behind the monument fencing. The forty feet is probably eight

feet behind that fencing. Mr. Fludd asked how they would then be advised in terms of, essentially if they were to take the responsibility and replace the plants because they are dead, that makes sense to have dead plants at their front entrance. Are they then violating any ordinance by the town to have plants there, because now a question has been brought up of invasive plants and the potential they may damage?

Mr. Rapson commented that most of the time if you are going to plant something in the town's right of way, you would have to get the town's blessing on what those things were before you present that. Mr. Davenport stated that is correct. Mr. Rapson told Mr. Fludd he would literally take whatever list he is going to plant, go to Tyrone and say "are you okay with me planting these types of plants at this entrance?" Mr. Davenport said to keep in mind; this is going to be a two-step process because the real issue here is not just the placement of something in the town's right of way, but the real issue is the potential impact of the plantings to the infrastructure below ground. You would need buy in from the Water System as well, with respect to the types of plants that you put in place and where do you put them, as it relates to the placement of the infrastructure. You would need two different levels of approval; the town approval, because it is their right of way and Water System approval because it is their infrastructure.

Mr. Fludd asked what has been the precedent in terms of the Water System allowing planting. Mr. Pope stated we are trying to remove trees as much as we can when they are in the right of way. Mr. Bergen said we are always on the responding end of it. We are not notified when people want to do tree lined streets and things of that nature because we do have that issue throughout the county. He said he has actually had to address the committee board pertaining to that with all of our large projects that have come up. We have issues with access to meters, hydrants and things of that nature that are pertinent to us protecting our infrastructure. We see these after the fact. People don't reach out and say hey this is what we are thinking, this is what we are going to plant. We are always in the reactive stage, because we run across a tree and it has broken our main because of the root system. Then the tree just has to go, there is not a situation to approach the homeowner and say "by the way, we have to remove this tree so we can restore your water". We just have to go in and respond to the incident.

Mr. Rapson commented the short version is, you get with Mr. Bergen and he can tell you how close you can plant what you are planting to the infrastructure. It is not that you don't allow it; it is that you want to be able to control where it is going. This is a proactive step we can take. It is not that we would say you can't plant anything in the right of way at the front of the entrance, but we are concerned with where physically you are going to put it where our pipes are.

Mr. Davenport said there is probably a list, if not a list some experiential knowledge about the types of plantings that we would not want to see because of the invasive nature of the root system, whereas there are other plants that we would be okay with because of the shallow depth of their root system. That is information we could

provide as well. Mr. Rapson said he would assume in this entranceway we would be more concerned than Tyrone, so once they get our blessing, Tyrone would basically, probably bless what we are doing. Mr. Pope said he does not think Tyrone would give them a hard time.

Mr. Fludd asked what their duty to do anything is. Mr. Rapson said as the president of the HOA, that is his call. He said he does not think he has a duty to replace an entranceway. Mr. Fludd said there is this concern about they are in the town's right of way, they are close to the waterline, are they obligated to do anything? Commissioner Brown asked in terms of planting something? Mr. Fludd said or leaving what is there, there other than the cosmetics. Mr. Bergen said he does not think there is necessarily an obligation, he thinks it is more of an understanding that you understand you paid the money for that, but if we need to go in to do maintenance, then understand if we take it out, we are not going to replace it.

Mr. Rapson said they are an older established neighborhood for the most part. We just replaced your line, so our ability of having to do something is probably remote in the next ten or fifteen years. But, if you were another HOA and we decided to put a pipe in and we decided to put our pipe within ten feet of that back of the forty feet, then we could very well be going right through landscaping you just planted. We could come, ten years from now, come back and you would have to rip out all your landscaping because we need to move our pipe, because of widening the road or something like that. He said he does not think anything like that is going to happen with their entrance because what we have done is probably all we are going to do in the next ten or fifteen years. He said he does not think they have a lot of risk if they plant something they are going to come back later and say you have to rip it out, if that is your concern. He said he thinks, as the HOA president, it is one of aesthetics. What do you want to plant, what is going to look nice and what will we allow you to plant and where. He said he thinks all of that can be worked out with a site visit of your landscaper and Mr. Bergen standing on the ground saying here's our pipes, we just marked them and you can't be within "X" number of feet and this is where you would have to plant whatever you want to plant.

Mr. Fludd expressed his appreciation for Mr. Pope making the effort. Mr. Pope said we have worked hard for their community and we do care about those citizens. He does not want them to think we just glossed this over and we didn't care, we did. We thought about this long and hard. Mr. Rapson said whatever we can do to work with Mr. Fludd to move this forward, if he decides to move it forward, we will certainly do that. Mr. Fludd thanked the committee and exited the meeting.

IV. PRIVATE WATER SYSTEM EMERGENCY ORDINANCE DISCUSSION.

Mr. Davenport explained that he tried to capture the discussion in an organized fashion and to make sure that we hit all of the issues that we talked about. This was not for an intension to be adopted today, it was for the intension of making sure that we are capturing everything and to provide comments or if not today, at

the next meeting after having a chance to look over the entire document. It is laid out with just the headings. He said he wanted to provide a reason for why we are doing this, because when you start out your ordinance with something like that, at least people have a better understanding of why you are doing what you are doing, because you are trying to limit it as well. He said what he heard is you wanted to limit this to just an emergency basis only. An emergency meant no water. He said he wanted to try and clarify that as best he could. He said he also listed the private water systems from the handout Mr. Pope provided at the last meeting.

Mr. Rapson said he thought there were more than eleven. Mr. Davenport said there were eleven we were aware of that are permitted in Fayette County. Mr. Rapson said he is talking about the eighteen we identified when we looked at it. He said he knows some of that were us, some of that was Brooks, there were some golf courses. Mr. Davenport said we are concerned about people, systems that have individuals receiving potable water that is what we are concerned about.

Commissioner Brown said the golf course is a water customer. Mr. Davenport said to the extent that there are more, we can supplement this list; it is not hard and fast, but we understood from our discussions that this is more than likely a closed list. It is not going to grow. Putting that list in here, he thought, was very informative at least for the people that were part of the subdivisions if they had knowledge of this ordinance, it would create some good area of discussion for them to make sure they knew what was going on. He said he defined the emergency as we talked about. He said what it is not, it is not low pressure, it is not contaminated water. The reason we agreed it wasn't contaminated water is if it is a contaminated water issue then that is an issue that is to be resolved by the private water system owner. It has nothing to do with water supply. It had to do with water treatment.

Mr. Davenport said that we did not talk about this but as he was going through all the issues, he thought it would be good to require every system to enter into a water supply agreement with the county because each system is going to be unique. You want to make sure that you capture all those unique qualities of that system and address them. He said his biggest concern is payment. He said he wants to be able to get some type of a personal guarantee on top of everything else that is in our ordinance so that in the event that somebody does have to go to the emergency supply and we bill them \$10,000.00 and they don't pay, we have a way of going after that \$10,000.00. The water supply agreement, to him, seems to answer that and it will be a requirement of every private water system to have such an agreement. He said he put the vault requirement with enough general information to let people know that if you fit within these parameters or the threshold of a 6" or greater diameter infrastructure pipe size then you will be required to have a vault. He said he didn't put what the cost was. The cost is going to be whatever it is. We are the ones to say where the vault goes. It is going to go as close to the private system as we can put it. But that doesn't mean that is where the ultimate connection is going to be. The ultimate connection could be half a mile down the road. That is a line they are going to have to run as well. He said he put in the concept of an emergency

activation fee. It is not enough to buy the meter and to pay for the vault, which is a subjective expense in and of itself but if you ever need us to supply you water, you don't go out there and flip a switch, you call us, we go out there and flip a switch. You call us, we go out there, we activate that valve and the activation of that valve carries with it an emergency activation fee.

Commissioner Brown asked what is to keep them from just going in there and turn the valve on. Mr. Pope said we can lock it or remove the meter and have it where we actually have to install the meter. Mr. Davenport explained we will take adequate measures to make sure that we are the ones doing the valve turning and the presence of a vault makes it easier for that to occur. Even without a vault we could still take measures to do that. It could be that you don't really have to do a whole lot, unless you find out somebody has been turning that valve. Once you find out, then you do more. Currently, they just turn it on whenever they want to. Mr. Davenport said this is to clarify, that is not something you can do. This is going to be a county obligation and a county duty. In addition to the emergency activation fee we talked about emergency water rates and the concept of we don't really want to be a backup water supply, we don't want this to be a matter of convenience. We want this to be almost punitive in nature because we don't want you to use this water. We want you to get back on your water as soon as possible. We are going to charge more for the water by factor of "X", whatever that factor is.

Mr. Pope said all those will be an adoption to our rate ordinance. We will have to change our old rate ordinance. That is why we didn't talk about any fees yet. Mr. Rapson said he would like to see it to be a percent over and above. Mr. Davenport said that is what he is referring to. He also says there is a time limit, there is a duration. We understand you are having an emergency, but this emergency does not last you two years. At some point in time, you don't have an emergency any more, you are just depending on us to supply you water. What is that point in time? Is it ten days? Is it twenty days, thirty days? Whatever it is we believe is the right reasonable amount of time. Then we will put a tickler in, once you get to half that or two thirds that, then you need to demonstrate to us why you need more time as opposed to this number of days. If you don't demonstrate that to us adequately, we will take whatever measure we need to take.

Commissioner Brown mentioned if you had a catastrophic failure where their tanks were no longer good and they weren't going to replace them, including going to EPD possibly and advocating for the homeowners. How does that work?

Mr. Davenport said one of the things that he believes we are going to benefit from by having this water supply agreement is he would like to build in that catastrophic option. If these things are happening, you no longer have a viable water system and this water system is going to be replaced by the county and you commit to "XYZ". Get them to sign off on that and give their personal guarantee. It is a condition to getting emergency water supply. If they don't want to sign off on that, they don't have the option for the emergency water supply.

Commissioner Brown said he would much rather get that done ahead of time. Have everybody on the same page ahead of time instead of when it happens. Mr. Rapson asked if we envision passing this resolution and then having individual contracts with all eleven of these systems. Mr. Davenport said yes. He said you also see an absence of indemnification and hold harmless language. You don't really need that in the ordinance itself. That will be in the individual agreements. He said he thinks the individual agreements are really where you are going to have your biggest bang for the buck. This puts people on notice that if we are going to provide water on an emergency basis, but there are certain conditions you have to meet to be eligible for the provision of this water. What that does, it eliminates that argument from the state, because what happens is these people will come to us, we say no, they go to the state, the state says okay, county, you have to supply them water. We say we are prepared to supply them water. We told them five years ago; all you have to do is "XYZ". They refused to do "XYZ". The state goes back to them and says do "XYZ" and you have water.

Mr. Pope commented we are being proactive, setting the terms up front. If they don't want to abide by those terms, when they go to the state we can say we made the terms. Commissioner Brown commented this will help incredibly. Mr. Davenport said to keep in mind he is kind of traveling in the dark; there is really nothing to go by. This is just our discussions and we are putting this together in some logical fashion of the issues that we believe could occur. He is looking for input because there is no model. Basically, jurisdictions say we are not going to supply water to private water systems, which is what we have said for years. If we are going to take this approach there is nothing for us to go by, we are doing the best we can with our discussions and if you can think of something else, we need to put that in there.

Mr. Rapson said he thinks when you list the systems; we should list the permit as well, because all of them are tied to a permit number. He said he also thinks that we ought to have a sample contract. Eventually it will go to the Board, when it does, they will approve the ordinance and they will approve a sample contract. The contract should be the same for all of them.

Mr. Davenport said he understands why Mr. Rapson wants a sample contract, but there may be enough reason on the other side of the argument not to do a sample contract. He said he does not think this is a one size fits all for all these systems. He thinks we need to look at it individually, look at the number of customers they have, and look at the age of their system. Further discussion pertained to how generic to make the contract and the individual nature of all the systems. The ordinance is generic, but the contract is more specific.

Commissioner Brown asked about Wendell Coffey as a sole user, could we make him a water customer? As opposed to an entity that is servicing multiple houses. Mr. Davenport remarked we show him serving multiple houses. There are 25. He

said we need to confirm that. The question came up about Corinth Drive not being on the list. It is a separate system. Mr. Rapson said there are three missing; they are us, Fayetteville and Brooks. He said he agrees these should be missing.

Mr. Pope said he thinks Corinth Drive may have their permit listed in Clayton County, but it is in our water service district. Mr. Davenport asked for that to be confirmed so he would know whether to add it or not. Commissioner Brown asked that Wendell Coffey be verified. Mr. Pope said we would contact all the systems to verify the size of actual customers.

Mr. Davenport said he envisions, once we get that information together as far as number of customers, system size, etc in this process, we can also get communication out to every one of these private system owners to let them know that we are in the process of putting together an emergency water supply ordinance and it is going to be handled at this meeting, please come to this meeting to provide your input; so they can't say they didn't know anything about it. Let them come and tell what they want to have. That will be part of your recommendation to the Board of Commissioners. At the same time once that has been developed and we have established that line of communication, then once the ordinance is adopted, he will follow back and send them out information. Okay, we have this adopted, we need to get together and put together a water supply agreement and go forward from there.

Commissioner Brown commented catastrophic failure would be the only thing he would say let's make sure we've got something on. Mr. Davenport agreed, he said that and payment.

Mr. Rapson said a lot of people are asking these questions about their water systems and this helps answer how we are going to approach that. Mr. Pope commented that he thinks it is very proactive. Mr. Davenport explained he did not put anything in there about fire supply; he does not think fire supply is an issue we need to be working with. Mr. Rapson said it is not. Mr. Davenport asked if there is something he has missed and we have talked about it and it is not in there, bring it to his attention.

Chairman Frisina mentioned under definition of emergency there is experiencing low pressure and no water available. How do we quantify low pressure and no water available? At what point do I turn the tap on and I am still getting a drip of water. Mr. Davenport said we are saying if you go below 20, we are not here to help you out because you have a pump issue, we are here to help you out because you have a water supply issue. He said he thinks that does need to have some more specifics to flesh that out, but the concept is, we are not going to help you in low pressure, we are going to help you when you are out. But at what point does low pressure become I am out.

Mr. Rapson asked about eliminating the first sentence - If the private water system is experiencing low pressure. Discussion followed about the two instances of low

pressure and contaminated water and whether or not you get emergency water. If the well is dry and there is absolutely no water, that is when we will step in.

Mr. Davenport stated putting language in that the private water system owner needs to demonstrate that low pressure is not a pumping issue, it is more of a source issue. That would transform a low pressure to a no water issue. More discussion pertained to failing to meet state mandated standards for drinking water. If you have a treatment issue the state needs to force you to do what you are supposed to do to treat the water to the standard that is required. You have water, but are not treating it properly.

Mr. Rapson stated if anyone has any comments send them back to him and Mr. Pope, and they will send it back to the rest of the group. He said to think about how to answer the blanks in the document Mr. Davenport has prepared.

V. WATER TREATMENT PLANT UPDATE.

Michael Diaz reported that Lakeshore has made headway in getting a lot of the piping retouched at the Crosstown Water Treatment Plant. They will be working on one final repair coupling that has to be installed today. That should complete all the work. The subcontractor is going to be going back to do a final coating on the floor, then we should be able to close the project. We are right around the corner and potentially looking for the committee to have a meeting at some point at Crosstown so that everybody can have an opportunity to see all the improvements.

Mr. Rapson mentioned that he appreciates they think they are done, but he sent Mr. Pope about thirty photos of a field trip he took when he was at his last conference and he is sure there are some things Mr. Pope will be recommending they do. Some pretty cool stuff. Mr. Diaz agreed there is some room for improvement. That is why it will be a good opportunity for everybody to see where the plant is now and definitely where there are still some areas that need improvement. He described where he had seen an area of entire glass where you can walk through on a tour and see everybody while they are working. This was a 23 million dollar facility.

Mr. Diaz said nothing major has come up in the filter study at South Fayette. A kick off meeting for the chemical system improvements starts later this morning at South Fayette. He said they will start pushing ahead on the chlorine dioxide system; improvements for the permanganate systems and also the carbon system are all moving ahead. They definitely have some potential additional work up ahead doing the specs details manual for Matt and a few other things that is coming down the pipeline. He said they need to have some additional discussions on the water tanks to get that on the street.

Mr. Pope commented they are testing the Delpac which is a special coagulant; and we will be placing an order for a tanker today because the testing so far has gone extremely well. It looks like we will reduce our chemical cost in our solids

production at that plant. We are trying to get some numbers sometime today. He said he will try to have that information at the next meeting to let the committee know how that is going. Basically we are changing our primary coagulant at that plant.

Mr. Diaz said that ISC and Filter Magic have gotten their systems integrated. Now they will start collecting data. We think there is significant improvement in the amount of water that is being utilized to what it was before. We want to start collecting the data to be able to look at financially how much the savings really are. Potentially looking at doing a presentation next year at GAWP.

Mr. Rapson commented that at some point we should go to EPD and tell them we can push the water across the filters quicker. Mr. Diaz said right now the system is set up where we can collect data, pretty much everything is throughput, looking at efficiencies as you do the backwash and so forth. It is a great sight.

VI. SPECIAL EVENT APPLICATIONS AT WATER RESERVOIRS.

Mr. Pope explained that Anita is not able to attend this morning, Harold is here. He said he asked for this to be placed on the agenda for discussion. He said he thinks when we approve special event applications we need to give them some sort of a list of things they can and cannot do, do's and don'ts. The last event was the Sailboat Regatta, and they had generators and golf carts and all that out on the peninsula, out in the wetlands. They had never been told they couldn't do that, so in their defense, they didn't know. He said he does not think they were trying to do anything malicious. It created a tense moment for the Marshals to have to go tell them to remove all that stuff when they had no idea they couldn't. He said he thinks we need to let everybody know up front what is and is not approved, what the buffer is and what they can and can't do in the buffer. Mr. Rapson said a simple map showing where you can and cannot go. Commissioner Brown said if they want to do a generator, what are the generator requirements, can you have it on the far side of the parking lot, or whatever it is, if you are going to have an event where you need the electricity. Just what are the parameters and have a diagram that shows this area in the red is where you can have a generator and that kind of stuff.

Mr. Rapson commented we have a meeting Monday with Georgia Power to talk about providing a transformer and electrical on site which would do away with all those generators. Mr. Diaz said to keep in mind you can get solar power generators, so you are not dealing with fuel. He said he has one he uses for tailgating and so forth.

Chief Myers mentioned that Anita has a pretty comprehensive application for Recreation Parks that we are trying to incorporate.

VII. APPROVAL OF WATER COMMITTEE MEETING DATES FOR 2018.

Steve Rapson made a motion to approve the 2018 meeting schedule. Commissioner Steve Brown seconded. The motion passed unanimously.

VIII. PUBLIC COMMENT.

Commissioner Steve Brown announced at Thursday's Board of Commissioners meeting the Water Guardians will be recognized. The Water Guardian meal sponsor, CH2M and some of the people behind the scenes like Carrie and some of the other folks who constantly have to do the work as they are scrambling to get things done and nobody ever gives them any recognition; he said they will get the recognition Thursday. He said if you can come, they would love to have you.

He said Tim Harper reminded him of this when he was talking. He said Mr. Harper was very disgruntled when he called him, he was very angry; he said to him "why don't you try working with us and see how that works". It is a pretty good group of folks. Much to his credit, he wants to have that conversation and hopefully we will do something really nice with him. During his discussion about the bridge, he reminded him that we need to do something in terms of a letter; maybe send a letter from the chair, just a reminder to DOT; can you give us an understanding of where you are with the bridge and if we asked to have something that gave some of that historical character that would blend with that historical site in terms of appearance of the bridge.

Mr. Pope asked if they would let us see what their concept is. Commissioner Brown said they will let you in on that stuff. They are early in design but he thinks we need to send something reiterating the point that here are all the things that we have done to protect the historical character of that area through our zoning ordinances. Here are the improvements we are making to the park and the things we are doing. This is the importance of having a bridge that works with that site; if we could put something together like that for Eric to sign off on.

Mr. Rapson said he thinks we need to do that and maybe have one from Pete from the Water Committee going out, attach what we already sent from the Board of Commissioners, then maybe later have Eric send another letter. The more we can contact them, the better. Commissioner Brown listed the Commissioner, the Planning Director and copies to all of our State legislative delegation on the correspondence, too. Just so they know we are keeping them in the loop. We definitely need a letter with Eric's signature on it. Pete could send one to the District Engineer personally saying if he has any questions the Water Committee would be glad to respond. The more they know you are really thinking about this, the better the design can possibly be for us.

Michael Diaz asked if any of the surrounding property owners had been included in any of the meetings. Commissioner Brown explained essentially what we have done is a resolution saying that we want this; saying we are looking for something aesthetically matching our property and we talked about the historical significance of the property. They do have, through the federal government, a mandate on them

to pay attention to context sensitivity, especially in historical sites. We are just trying to get them to say please keep this in mind and see what you can do.

Mr. Diaz asked about public meetings and outreach. Mr. Rapson said they are probably too far away from doing that, but at some point they will; when they start developing it. Mr. Diaz said even before that having people attending stakeholder meetings. Commissioner Brown said we need to keep it going very early in the process. Chairman Frisina commented we sent them the resolution we passed, they have record of us sending that. Commissioner Brown said the District Engineer has recognized it was sent to them. The more we cleared out some of the brush, and clean that area up, that bridge is very visible. It would be so nice to have something; we have given them some examples of some arching spans, things that you see in older bridges across the country,

Mr. Rapson made a motion that the Water Committee requests the Chairman of the Board of Commissioners send a letter to GDOT reference the bridge design for the bridge being replaced on Highway 85 at Starr's Mill. Mr. Pope seconded. The motion passed unanimously.

NO MEETING NOVEMBER 22, 2017.

Mrs. Speegle reminded the committee there is no meeting on November 22, 2017.

EAGLE SCOUT PROJECT AT STARR'S MILL.

Mr. Pope mentioned Daniele Mattesco will be working on his Eagle project Saturday November 11. He will be working on his bench at Starr's Mill.

PEACHTREE CITY ROWING CLUB

Mr. Rapson commented Peachtree City Rowing Club is having classes at Lake McIntosh. The gate is opening and closing so much, and with it being on solar they are having issues with it operating when it gets darker. They have requested from us if we would allow their organization to stay past the park hours since the gates are closing at 6:00. They have kids in there and they are trying to get out as late as 8:00. They are requesting while their program is ongoing that we allow them to be in the park until 8:00 and have that gate opened; only secured. He said he told them we could put some cones up so nobody else comes into the park. He said he is not sure how that is going to work out. He said he is going to let Harold work that out, but he wants to get Water Committee's approval. Chief Myers explained we have an option working with Anita to see if there is a room over at Kiwanis that they can use to put their machines in. There will be people in tents down there and they will have to have temporary lights and he does not know what they are doing for heat. It would be through the end of February.

Mr. Rapson made a motion to allow the Peachtree City Rowing Club to stay in the park until 8:00 at night until the end of February or until we can co-locate their equipment to Kiwanis. If that is the case, we will leave the park closed at 6:00. Mr. Pope seconded. The motion passed unanimously.

IX. ADJOURNMENT.

Commissioner Brown made a motion to adjourn the meeting. Steve Rapson seconded. The motion passed unanimously.

There being no further business, Chairman Pete Frisina adjourned the meeting at 9:10 A.M.

Peter A. Frisina

The foregoing minutes were approved at the regular Water Committee meeting on the 13th day of December, 2017.

Lisa Speegle