

**Jackson County Water and Sewerage Authority**  
**Board Meeting Minutes**  
**May 13, 2021**

Chairman Wilbanks called the May 13, 2021 Jackson County Water and Sewerage Authority Board Meeting to order at 6:00 p.m.

Members present include: Chairman Dylan Wilbanks, Vice Chairman Chris Nichols, and Board Member Don Clerici, Board Member Pat Bell and Board Member Wade Johnson

Also present: Attorney Paul Smart and Authority Staff: Eric Klerk, Judy Smith, Joey Leslie, Mark Dudziak, Harold Garrison, Karen Johnson, Nathan Hester, Ronna Berrong, Hope Weeks, Miles Glenn, Jordan Waters, Benn Massey and Wesley Colley,

Visitors: Senator Frank Ginn, Kenny Whitworth, William Greer and Johanna Liney

### **Approval of Minutes**

Vice Chairman Nichols made a motion to approve the April 15, 2021 Called Meeting Minutes.

Member Clerici seconded the motion. The motion carried with no objection and all board members present voting.

### **Financials**

Finance Director Smith Presented the Quarterly Financials and Operating Reports.

### **Visitors**

**Kenny Whitworth** – Mr. Whitworth addressed the board regarding his purchase of a tract of land. He said he understands JCWSA's policy regarding lift stations, but is asking the Board to consider an exception and grant him a lift station for this particular tract of land.

Mr. Whitworth presented a letter from JCWSA, dating back 2005. The letter is an intent to provide sewer service. Manager Klerk explained the employee that signed and sent that letter was not authorized to do so.

Chairman Wilbanks said from his perspective he does not feel bound by anything from 16 years ago and would like staff's technical opinion.

Engineer/Assistant Manager Leslie explained the zoning that we would allow exceptions but R1 is not one of those exceptions. He said you can develop R1 with a septic system.

Engineer/Assistant Manager Leslie said the policy would allow for Mr. Whitworth to eliminate the Traditions lift station and move it. He said that would be something we could consider.

Chairman Wilbanks said we tried to capture any people that had applications in process before the policy took effect. He explained why we do not like lift stations including the costs to maintain them and our responsibility to all of our rate payers.

Engineer/Assistant Manager Leslie asked if the lots could be served by septic system. Mr. Whitworth said that would be cost prohibitive.

Member Clerici asked if the one lift station in Traditions was eliminated then moved to the location needed, and it drained into that lift station, would our policy allow that.

Engineer/Assistant Manager Leslie said he believes our policy would allow that. He said the whole point is to not get a net gain. Engineer/Assistant Manager Leslie explained how it could work. He said we would have to determine if the Traditions 1 pump station would need to be upgraded. He said Mr. Whitworths engineers need to meet with JCWSA staff to discuss it.

Chairmen Wilbanks reiterated we do not want to add any new left stations.

## **Old Business**

### *West Jackson Commons Water and Wastewater Preliminary Application*

Manager Klerk said staff recommends approval of this engineering preliminary application.

Vice Chairman Nichols made a motion to approve the West Jackson Commons Preliminary Application based on the Terms of Approval and Conditions as presented.

Member Bell seconded the motion. The motion carried with no objection and all board members present voting with the exception of Member Clerici who abstained from the vote.

### *Emergency Service Radio Towers*

Manager Klerk said we are waiting to hear back from Jackson County regarding our stipulations and waiting on the Intergovernmental Agreement.

## **New Business**

### *Core 5 Northeast 85 Logistics Building Water Preliminary Application*

Manager Klerk said this engineering application is for water only. He said the wastewater taps have been prepaid. He explained this is a standard application with one exception, the addition of Condition P. Manager Klerk said Condition P is a 12-inch water main on Toy Wright Road extended to connect to a water main on Wayne Poultry Rd. so we can close and create a loop. He said this is addressed in our Standards and Specs and would also aid the customer in fire flow service.

William Greer, engineer for the project, addressed the Board with his concern regarding the additional Condition P.

He stated he understands the value of looping a system and eliminating dead-ends but it was his understanding this road would be abandoned. He also explained several other issues he had with Condition P.

Engineer/Assistant Manager Leslie said the sewer taps were approved for both buildings on the prior application that was submitted. He said they were approved for one vault and now they are doubling their vaults and we are getting a lot more demand. He said our standards state to eliminate dead-ends and it makes common sense to extend this line an additional 500 feet. He said staff's recommendation is to require this looping.

The cost of doing this was discussed. Mr. Greer said that Condition P would "hamstring" them.

Member Clerici said the loop makes sense, but he understands the added cost to the project. He asked staff if there was anything they could do to help.

Engineer/Assistant Manager Leslie said we would do all the GDOT permitting. He said we have been making subdivisions do this and feel we are not being unreasonable.

Vice Chairman Nichols said he would be inclined to go with staff's recommendation with staff helping with alternative solutions.

Engineer/Assistant Manager Leslie suggesting approving the application with the current terms of approval and conditions, then Mr. Greer could come back at the next meeting with a new application.

Mr. Greer felt that was an agreeable solution.

Vice Chairman Nichols made a motion to approve the Core 5, 85 Logistics Building Preliminary Application based on the Terms of Approval and Conditions as presented.

Member Clerici seconded the motion. The motion carried with no objection and all board members present voting.

#### *Seefried Valentine Farms Water and Wastewater Preliminary Application*

Manager Klerk said a standard application for water and wastewater was submitted from Seefried Industrial Properties. He said staff is recommending approval.

Vice Chairman Nichols made a motion to approve the Seefried Valentine Farms Preliminary Application based on the Terms of Approval and Conditions as presented.

Member Johnson seconded the motion. The motion carried with no objection and all board members present voting.

#### *Skelton Road Subdivision Water and Wastewater Preliminary Application*

Manager Klerk said a standard application for water and wastewater was submitted from Meritage Homes. He said staff is recommending approval.

Vice Chairman Nichols made a motion to approve the Skelton Road Subdivision Preliminary Application based on the Terms of Approval and Conditions as presented.

Member Johnson seconded the motion. The motion carried with no objection and all board members present voting.

#### *Discussion of Madison County IDA Wholesale Water Agreement*

Manager Klerk explained the agreement with Madison County has become convoluted primarily because of Upper Oconee Water Basin Authority. UOWBA is requesting that the first right of refusal be offered to members since the water would be sold outside of the four-county membership. He said if we don't offer first right of refusal to member counties, we could have a lawsuit filed against us.

Chairman Wilbanks said we can rescind the contract with Madison County since they have not signed the agreement yet.

Senator Frank Ginn addressed the Board asking them to "sit tight" for now. He said he has Madison County council looking at the agreement to give his opinion. He stated he would like to work this out between JCWSA and UOWBA. He said the last thing he would want is for Madison or JCWSA to get involved in any type of frivolous litigation.

Answering Member Bell's question, Attorney Smart said he doesn't think the agreement says they would have to run a pipe to our proposed connection location.

Engineer/Assistant Manager Leslie said UOWBA's attorney, Chip Ferguson, was going to get a list of all the steps to get this approved by UOWBA.

Senator Ginn suggested the Board withdraw the contract and work through all the details.

Member Bell made a motion to rescind the Madison County Wholesale Water Agreement.

Vice Chairman Nichols seconded the motion. The motion carried with no objection and all board members present voting.

#### *Award of Resources Study Update*

Manager Klerk said we have been looking at other water sources. He said Golder Associate, Inc. have done a lot of preliminary work for us on potential reservoirs as part of a water resources study in the past. He said staff would like to award the project to update our water resources master plan to Golder.

Finance Director Smith said \$200,000 was approved in the 2020 capital budget for this project.

Engineer/Assistant Manager Leslie went over the proposal and said the contract is for \$98,429.

Vice Chairman Nichols made a motion to award the water resources update to Golder in the amount not to exceed \$99,000.

Member Bell seconded the motion. The motion carried with no objection and all board members present voting

*Discussion of New Developments Regarding Jackson County School system Exchange of Property for Tap Fees*

Manager Klerk said an agreement that was being worked out with Jackson County School System has gotten complicated. He said the agreement was, JCWSA would reduce the cost of taps fees by \$50,000 for the school system, in return for a piece of property that would serve as a new water tower tank site. He said when we requested a deed for the property, we found out that realignment of the road the County is upgrading, would be bisecting that property.

Engineer/Assistant Manager Leslie said Jackson County wants to realign Skelton Road right through our tank site. He stated he asked for the property to be deeded to JCWSA but it never was. He said we have had many meetings with both entities and no resolution at this time.

Engineer/Assistant Manager Leslie said if the road were moved 100 feet it would miss our tank site. He said there are several options.

Option 1: we could withdraw our offer and the school board would pay all fees.

Option 2: honor the original agreement but move the road 100 feet and move our tank but keep the same elevation.

Member Clerici said the Board of Education wants to honor the original agreement and said the road was originally located on the other side of the proposed water tower.

Engineer Leslie said in order to not incur additional costs, we could move the tank but keep it at same elevation. The road would have to move as well.

Chairman Wilbanks said to give this more time to work the details out.

Manager Klerk asked Chairman Wilbanks to add an item to the agenda – The purchase of mobile devices for the new work order system. He said the total cost is \$11,500 which requires Board approval since it is over his spending limit.

Vice Chairman Nichols made a motion to approve the purchase of mobile devices for the Cartagraph work order system in the amount not to exceed \$11,500.

Member Bell seconded the motion. The motion carried with no objection and all board members present voting.

## **Executive Session**

Vice Chairman Nichols made a motion to go into Executive Session at 7:45 pm.

Member Bell seconded the motion. The motion carried with no objection and all board members present voting.

Member Bell made a motion to come out of Executive Session at 8:53 pm.

Vice Chairman Nichols seconded the motion. The motion carried with no objection and all board members present voting.

No action was taken.

### **Managers' Report**

- Letter from the City of Hoschton to the Authority Manager and Board members asking for an upgrade to the Authority's Jackson Trail water connection. – Manager Klerk will meet with the City of Hoschton. Authority staff recommends against leasing any property or equipment to Hoschton. Additionally, 400,000 gallons per day appears to be the Authority's limit in terms of capacity.

With there being no further business to discuss, the meeting was adjourned at 9:02 pm.

Karen Johnson,  
Board Secretary