

WATER COMMITTEE
SEPTEMBER 27, 2017
MINUTES

MEMBERS PRESENT:

Pete Frisina, Chairman
James Preau, Vice Chairman
Steve Rapson, County Administrator
Lee Pope, Water System Director
Chip Conner
Commissioner Steve Brown

NON-VOTING MEMBERS:

Dennis Davenport, County Attorney
Michael Diaz, CH2M

GUESTS:

William Andrews, Yvonne Smith,
Sandra Wilson, Randy Padgett

STAFF PRESENT:

Matt Bergen, Carrie Gibby
Chief David Scarbrough

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

I. APPROVAL OF MINUTES FROM THE MEETING ON SEPTEMBER 13, 2017.

Commissioner Steve Brown made the motion and Lee Pope seconded, to approve the minutes from the meeting on September 13, 2017. The motion passed unanimously.

II. CASTLE LAKE REQUEST.

Matt Bergen explained that in Tyrone's ordinance the only thing they have doesn't pertain to landscaping, it pertains more to fixtures and structures. He said he walked through the project with the HOA and with Billy from Tyrone. Tyrone is acceptable of the condition that we left the landscaping in. The tree that is in question is starting to get some greenery back on it. He said he does not know if we want to bounce that back to the HOA, if they want us to remove the tree. It may or may not survive, but it does look like there is a gleam of hope. The tree is in Tyrone's right of way.

Dennis Davenport asked what does that mean relating to the invoice in front of us. Mr. Bergen said the decision has to be made whether we are going to replace their ornamental landscaping. He said he is assuming they want it replaced because one side matches the other side exactly as far as the placement of the shrubbery they have placed. From his perspective; he sent them an email on March 28 stating anything that was within the right of way that would conflict would be removed or not be replaced. With the tree, that is a little different issue, if it is a safety hazard, we would remove it, but from our perspective we didn't want to remove a tree until

there was some kind of consensus of are we going to replace the tree, or are we not going to; and whether the HOA wanted us to remove that tree. We would pine straw the area back to make it look acceptable. As far as we are concerned where the infrastructure is, we would not place another tree back there, because of our infrastructure.

Mr. Davenport asked if Tyrone is asking us to put anything back that we took out. Mr. Bergen replied, no. Commissioner Brown commented that the ordinance does not call for it. Mr. Rapson asked if Mr. Bergen is saying if this tree was removed as part of this \$800.00 is removal of plant material or is it the \$750.00 tree. Mr. Pope said that is being delivered and installed. We definitely don't want to put anything back. Mr. Bergen said we can do the removal, if that is what they wish us to do, but, there is some greenery on the tree, and we did not want to remove or do anything until we had the consensus of the Water Committee and Tyrone. Tyrone has stated everything looks good. Mr. Bergen stated he is looking for direction from the Water Committee, do we want to bounce it back to them and ask if they want to look at it again, do you want us to remove the tree, do we want to agree to pay for landscaping.

Commissioner Brown commented that eventually the tree in the right of way is going to be an issue with our infrastructure. He asked if he is right or wrong. Mr. Pope said possibly. Mr. Bergen said possibly, correct. Commissioner Brown suggested looking at getting the tree out of there and telling them it would be prudent to put the tree back on their side of the line.

Mr. Pope said he thinks the question at hand is the invoice. What we have on the invoice from them is to remove certain ornamental landscaping and pay for replacing that. He said he is prepared to make a motion, he thinks we should deny this request. That tree, whether it becomes an issue moving forward, we can decide then whether to remove it, if it dies or starts giving us issues with our infrastructure. We can address that as a separate thing; what we have before us is an invoice to remove and replace ornamental landscaping and that is not what we have done in the past. He said he does not recommend we start doing anything any differently moving forward.

Lee Pope made a motion to deny the request for approval of the invoice in front of the Committee today. Commissioner Steve Brown seconded. The motion passed unanimously.

Mr. Rapson commented we need to write them an official letter saying it was denied by the Water Committee. Mr. Pope agreed to do that.

III. PRIVATE WATER SYSTEM UPDATE.

Mr. Davenport referred to a synopsis he prepared of events that transpired in 2010 to provide some context to the discussion at the last meeting. He

summarized, there were three different meetings back in 2010 on the issue of providing backup support to private water systems; this was discussed at some length. He said those minutes are available for the Committee to look at if they want copies of them. The discussion was whether or not the Water Committee would recommend some type of an emergency ordinance to provide backup support to private water systems. He said it appeared there was a consensus that was going to be the recommendation to the Board of Commissioners. There seemed to be a desire based upon the circumstances at Dix Lee On at the time. It had 186 customers. He referred to the second paragraph where Jack Krakeel was quoted "we have a fundamental responsibility to those citizens and that system would dry up or whatever like the Westbridge system did. We will end up serving it anyway." Mr. Davenport said that is how that discussion went at the Water Committee back in 2010. There was supposedly a draft document to provide the basis for an emergency ordinance. He said he was not able to find that draft document. It seemed to be discussed at the May 26, 2010 meeting with a recommendation to go forward to the Board of Commissioners to add some liability waiver language that was acceptable to the County and implement some sort of solution. He said he looked at the records of the Board of Commissioners subsequent to the May 26, 2010 meeting and could find no record of this ever going before the Board of Commissioners. He said he does not know what happened, all he can tell the Committee is there is a complete absence of documentation to show what action, if any was taken by the Board of Commissioners. He went on to say that if some action was taken or the issue did come up, we would have a record of it.

Mr. Davenport said on April 5, 2010 a water meter was installed at Dix Lee On. He said he has provided the Water Committee some information with a month to month break down of usage from 2010 current. On the back of the page, it shows the annual breakdown. He said what is significant to him is in 2015 there was 6.7 million gallons for an expense of \$21,900.00 for that particular year. He said he does not know how the meter got installed, he does not know why the meter was installed, the information on the face of the document that he saw had the word temporary written across the top of it. He said he does not know what temporary means. Does temporary mean we are going to put it in temporarily and take it out six months later? Or we are going to put it in and you can use it temporarily. We wind up with a situation where we have one private water system out of however many we have in the county that has a backup system that nobody else has. He said he is not saying it is the right answer, he is not saying it is the wrong answer, he is saying we have done that. The question is, without official sanction is that something the county wants to do; and if they want to do that lets flesh that out and make it work. If it is something the county doesn't want to do, let's correct our problem and go back to where we were before. These issues that come up, we have talked about before; have to do with potential liability for the county. As well as the fiscal issue we spoke of at the last meeting. Everybody that is part of the Water System in Fayette County has paid a tap fee and a meter fee. Those currently total \$1,300.00. They also pay for the actual line that is put in their subdivision. It is paid for by the developer, but it winds up being a cost shared by everybody that

buys a home in that subdivision. There is a hard cost that everybody that is part of the Water System has paid to be part of the Water System. That should be factored in to whatever decision is made; if in fact you are looking at a backup system, just on the fiscal side; not on the liability side. Mr. Davenport stated those are the findings he has been able to uncover, based upon what happened back in 2010. He said to keep in mind, this is also a discussion that occurred knowing that in the late 80's the issue that happened at the Westbridge subdivision up in north county.

Mr. Davenport said Mr. Parrott was here to tell us at the last meeting that the developer of that subdivision, when that system completely failed and left hundreds of homes with no water, that developer had to put in a new system; at the County's standards and deed it over to the County, basically. The County had that system and it is part of the county's water system.

Mr. Pope stated he read through the Westbridge Road documentation in the file. What ended up happening was he (the owner, Jack Jackson) was going to run a waterline to connect to our system and then they were going to sell us the system and we were going to pay him back for that waterline over payments. That did not happen and a year later that system completely failed, we bought the pipe that was delivered, Tony Parrott, as documented in the file, had part of a shipment unloaded at Peachtree Parkway for the laying of that line and the rest of the shipment was unloaded up at Westbridge Road. Jack Jackson installed the line, but we supplied the line, the appurtenances and the hydrants. He said it is his understanding we then took over that system. As far as the system in the Westbridge subdivision there was nothing replaced in there or brought up to our standards.

Mr. Davenport said to keep in mind that is at least an example of what we have done in the past, when we have put somebody on the public water system that was on the private system. There was a cost involved that was documented. That should be factored into whatever discussion you have as well. If there is any issue with respect to other types of water liability or usage issues in a private water system, Mr. Davenport said he would be happy to answer those to the best of his ability. That is just the overall viewpoint of what we have done, what has happened in the past and what he has been able to uncover with respect to documentation.

Mr. Pope stated in regards to Dix Lee On, as far as what happened in 2010, Randy Padgett is here, and he is the owner of the system. He said Mr. Padgett might be able to tell us a little bit about what went on and how he got that connection. Mr. Pope said he has also approached him about wanting to connect some of his other systems. Mr. Pope said, from his chair, we do need to come up some sort of a model of how we address this because, while we have done it in the past, it has been messy. He thinks we need to clean up what we have done in the past and come up with some sort of a model with recommendation to the Board of Commissioners on how they want to address this business moving forward. It is never going to go away until we get all these systems addressed. Derrick Bunch who owns Georgia Water Community is also asking to connect to our system, but we don't have a waterline.

He would have to pay for that extension. Mr. Pope said he thinks that is how we would address those. Randy's system and Rick Jeffares systems are right adjacent to our system. It is a matter of just tapping them on as a customer. We do need to decide how we want to address that. We can say no, as Mr. Davenport has pointed out. We can always just say we don't want to do that. In some way, shape or form we have to figure out how to address these systems. We can say no now, but when those citizens wells go dry or become contaminated and we are approached, then we are going to have to backup and try to come up with a way to connect them at that time. He said he thinks it would be better to have a vision going forward of how we address these. He said it is up to us to come up with a way to address that. He commented that Randy is here if anyone wants to ask him some questions about what happened in 2010.

Mr. Rapson asked what happened at the beginning. It looks like the end of 2014 and 2015, almost for five months we turned the water on. Mr. Padgett said it was exactly five months; he had a tank rupture. He had to do a lot of metal work, and while the system was down he decided to work on both tanks, paint the inside and it took five and a half months to do the work. The bill was about \$5,000.00 a month and he paid the bills. He said thank God he made the emergency tap back when he did; or he would have been seeking help right at that moment.

Mr. Rapson said he would go along with a lot of what Mr. Pope said in regards to the severity of citizens not having water. The bottom line is there is no authorization for this tap that is there. It looks like the tap went in before the discussions from the first Water Committee minutes. Irregardless of how that happened, he does not think it is a good business practice to have that type of a connection with a system without having, maybe, an emergency water ordinance on how we go about doing that. There ought to be some practical way to do that, because his concern is we have liability on two fronts. One is the operational side; which is when I start pushing water into a system, I can no longer control the total quality of that water, because that water is not mine. Then he has issues with pressures and pipes; we have looked at five systems and every one of those systems needs to be replaced. Mr. Rapson went on to say there is no difference in his mind that when a developer has a subdivision, and they do it in three different phases, when he wants to turn over that phase to us, he has to bring those roads and bring those sidewalks or whatever else up to our standards and then we assume responsibility for them. The easy answer is bringing the system up to speed, and then we will take it over. We know how big a "nut" that is with the ones we have looked at. Then, there is also the liability concerns with as soon as I start pushing water; everybody is in a "love fest" when you first do the connection, but then when pipes start rupturing and those type of things, he thinks we assume some responsibility when we start connecting those type of systems.

Mr. Rapson said his recommendation would be that this Committee needs to work towards the emergency water ordinance and figure out how we get from Point A to Point B, because these thirteen systems are not going to go away. But, in the

meantime he does not think we need to have any connections to anything until we get authorization and walk through their property. The Water Committee is going to weigh in, too.

Commissioner Brown commented that he thinks this also highlights something we maybe look at from a planning perspective, too; in terms of minimum standards for these types of systems. He said he thinks; obviously we are getting into situations where this is happening more and more. As these systems age, this becomes an issue. He said he would love to see if we adopt a set of minimum standards, if you are going to build a system like this. Further discussion pertained to whether we can even do that, pressuring the State for that, Fayette County has our standards, and adding standards to the State standards.

Mr. Davenport said it depends on what you are talking about and what type of authority you have. Some people say you can make things more restrictive than the State, some say you can make them less restrictive than the State. The answer is, yes, you can, it depends on what issue you are talking about and what your regulations are. It is a case by case analysis.

Commissioner Brown said he thinks we should seriously look at it, if you can build something like this. Mr. Rapson commented it would be worth seeing what our standards are and what we can do. Commissioner Brown said, see if we can elevate what the minimum standard is to the point that if we had an emergency situation, that we would essentially be tying into a system that meets our standards that we allow all our water customers to be on. Then, that way, you don't have this situation where there is a good chance we are going to blow them out if we hook in.

Mr. Pope said we did not do that for Brooks. Mr. Rapson said we have an IGA for that. Commissioner Brown said he understands what we have now is what we have. He is talking about future projects, don't dig the hole deeper. Mr. Pope said he has two applications from two separate water systems that are well systems that want to tie into our system.

Mr. Rapson commented that he does not think we have a process to do emergency tie-ins and he would be opposed to doing that until we have a process. He said he thinks that is a legitimate answer back to them. We can say we are starting on that process. Mr. Pope said that is why he is saying we need to address it because we have two current applications for tie-ins. Derrick Bunch, who owns Georgia Water Community, he said he would be here today, wants to do a line extension to get an emergency tap. That is three different systems.

Commissioner Brown commented that he thinks we need to say the point at which they want water to supplement their system and the point that we have to take over their system. He said when you reach an emergency water system they are at the point they may want to consider we take the system over. From his perspective, that does not mean we buy it from them, it means they are in a situation where they give

us the system and we create water customers out of them. Mr. Rapson said keep in mind we have six systems, and of those, basically what we said is those entire systems have to be replaced; so them handing us the keys is like handing over keys to houses that have no windows or foundation. Commissioner Brown commented that was also buying the system. He is not buying anything.

Mr. Rapson said we won't write them a check; we still have a million two or a million three liabilities on each of those systems. Mr. Pope said we have two problems, we have made the decision we don't want to purchase the systems. Giving them an emergency connection so that they can have backup, he thinks that is a whole separate issue. He said he thinks we are going to have to come up with a way to do that. He does not think our elected officials are going to be able to face the issue of 300 customers coming in saying my subdivision is out of water because the wells went dry or it is contaminated; and we have a waterline running right down the road, but we are not going to give them any water. He does not think that will look good from an elected official's seat.

Chief David Scarbrough commented if you are talking about moving forward with planning, you do have an ordinance in place right now. From a planning perspective you could try avoidance of future private systems.

Mr. Rapson said avoiding more private systems is an easier nut to crack, he thinks the issue is EPD has authorized permits for other systems that are on our system, and that is their water service area. For us to get into that water service area, the two people holding the permits have got to come together with EPD's approval and say this is how we are going to go from Point A to Point B. We can't encroach on their system any more than they can go outside their system. What we have are some systems that need some major infrastructure type repairs and we as a board could look at them and say this system costs the least so we are going to; let's make a plan and acquire that system in five years. We can make those type of plans, but it all goes back to who is going to pay for it, what is the fairest way to make them pay for it, there is a benefit to those customers that have been on those systems, and right now they may not have the best pressure, they may not be the best way to treat water today, but they are all also completely within state regulations. None of them have any issues, they all have water. There are no red flags, we would be having a different discussion if we 186 homes that did not have water or had water quality problems or they were getting citations. That is not the environment we are in now.

Commissioner Brown asked what happens when that is the environment. What do you do? Mr. Rapson said we have one example where we had one that happened in the 80's. In that particular one, he thinks EPD at some point came in and said we had to take it over, but the developer had to bring it up to our standards. Mr. Davenport commented that seemed to be a hybrid solution, but it was a defacto solution, which we did because it had to be done at that time; versus a well reasoned thought out approach of this is what we are going to do in the future with these

types of situations and putting in the emergency water ordinance in place to address that issue.

Mr. Rapson said he appreciates Randy being a good actor, because we just as easily could have had somebody that we connected and did all of that, that decided not to pay that bill. That is the situation he got into in Union City. They had a master main connected to a bunch of residents. The residents were paying their bills and then the HOA at the time did not want to pay. It is real easy to say we will just turn the water off. You can't turn water off to customers that are paying. We do not want to be in that situation. Right now, we were in that situation from December to April 2015, we just had good actors so there was no issue.

Mr. Padgett commented that he has more to say. He commented he owns two systems in the county, but he is also a citizen of the County. In the water industry we all abide by state and federal regulations. You either do or you don't. Private, municipality, whatever, just about every county and every city has emergency backup to another county. As far as what he wanted back in 2010 and what he is seeking for the other system is the same thing; a backup, emergency backup. He does not want a \$5,000.00 bill every month. There is no need for him to be there if he is going to do that. He is a citizen of Fayette County, too, and he is a business owner. When he came to Tony and he gave him a check for \$2,500.00, every check he writes he makes a copy of it, so he can bring that if he needs to. He went on to say he then did the work, because that was the requirement. Matt brought him the meter and the backflow preventer, everything else he paid for. With the emergency Water Committee, or whatever you want to call it, we are all playing the EPD game. We abide by their rules, not ours. He said he runs his system and he runs a good one, and he will pay his bills, regardless if it is to the power company, Fayette County Water, he pays his bills. Basically he did not come begging to sell himself. He owns them, but they own him. Is he ready to get rid of them, yes, but he did not come having to sell them. These two systems he has are fifty years old. Fayette County, Coweta County, Spalding County, everybody has wells that might go dry. That is out of man's control, man has no control over that. He said he is seeking a temporary connection. He said he knows Fayette County, he used to work for Fayette County, he was a plant operator in '79, he has been licensed in water treatment and distribution since '79. We used to have go up on 74 and physically open that valve, it is automated now. He said he knows Fayette County brings in water from other counties. He said he does not know how many. That is water they treat, you don't know anything about the characteristics of it, but they have to abide by the state and federal regulations. Just like all of us.

Mr. Pope commented that what keeps him awake at night is that we have citizens from Newton Plantation here today, that have been at several of our BOC meetings that are concerned about fire protection. He said he thinks they are really concerned about that. His concern is now they have expressed it to us. We have a waterline there that we could actually attach and probably give them a constant flow today; he said he thinks David has a pre-plan now, but definitely his pre-plan

would not be as good as us having constant supply to that subdivision in an emergency instance. He is scared to death something is going to happen up there, and we know about it and we haven't come up with a way to connect to that system to supply them with constant water in the event of an emergency. He said he thinks those citizens are really scared and concerned; he does not think they are seeking anything else, and he thinks as government we can work together to come up with a solution that would let those citizens sleep well at night so that they know, in the event of an emergency David can either open a valve manually or whatever, if he went in there to fight a fire and protect those citizens homes. It does not mean they would not have a fire, it doesn't mean they would not lose their home, but God forbid they lose life or home, at least we would know we have done everything possible to give them constant flow to protect them. That is what he worries about. He said he thinks we can do something.

Mr. Rapson said he thinks the first place we start is we start on an emergency water ordinance and walk through all those particular problems. It is easy to say we will do a connection, and it is easy to say we are helping the situation by doing that connection, but if the pipes are not able to handle any more pressure, then all we are doing is ... Commissioner Brown asked if they all understand under that scenario, if you all have a fire, and our fire personnel or somebody goes up there they turn that crank on and the water is now streaming into your system and the pipe explodes in your subdivision, your house still burns down with no water. He asked if they understand, that is the dilemma we are facing. If it was running into a system that was the standard to which we say everybody needs to build our water system attached into, and then it is really not that big of an issue, but the system you have, there is still a chance your house burns completely down if the pressure blows the piping system out. It is a Catch 22, he said he would rather see a solution where eventually we just take over the system, but he is not willing to pay top dollar for a fifty year old water system that doesn't meet our standards and we have to replace all the piping. He said that is what we have to try to figure out.

Mr. Andrews commented all he sees in the reports is cost factors, 30, 35, 40 years are covered. Human lives are much more important than the cost. He said on his tax bill he has property tax and fire service, about six or seven percent you are paying. He said he is not getting fire services here because those things are dummies, they don't work. The fire truck goes in there, there is a fire and they hook up their hose to the hydrant, no water, no nothing, who is responsible, people are paying county taxes for that service, but they are not getting it. Who is responsible, he said he realizes it is a private water system, but he thinks the county government has the clout that they can put the pressure on the owner to get the system up to par, but he does not think that is being done.

Commissioner Brown said this system is a really old system. In the fire tax, you are paying for pumper trucks that we are using specifically for your subdivisions, for this fire fleet. We are buying trucks that specifically have the tankers in them to carry the water to your system, just for that, because they are not needed in areas

where we have fire hydrants on our water system. Your money is being used to supply vehicles that will fight fires in your subdivision.

Mrs. Smith asked how long you guys have been commissioners. When her house burned down there were seven or eight fire trucks there. They used what they had and went over to the hydrants; she understands we did not find out about this until February of this year. Why is it, you guys never knew about it until February of this year, when you are supposed to come out and check the pressure there. All she is hearing is you have the tankers. Did they have tankers in 2007? David Scarbrough replied "yes, ma'am". Mrs. Smith went on to say what happened, the reason why her house, the fire was very, very limited, when you first got there. But the house burned down, everyone, all those trucks, stood back and the fire department just stood there and looked at it burning and said to her, is everybody out? They just watched it burn. You had tanker trucks then, right? But, the house burned down. The whole inside went down, so you mean to tell me that I am supposed to feel good because of your tanker trucks and pay this kind of money. No, she is not, because why are we paying money when we are not getting the service. She said she came to a meeting with you guys, and she talked about the fact with the Fire Marshal. She said she talked to him about checking the pressure on those hydrants to see if Rick Jeffares had brought this up. That is what we can do. He told her he was not allowed to do that, the Commissioners pay my salary. Everybody called him back and said the Fire Chief said he did not say that. Okay, he says he didn't do it, but you heard about it and you sent someone out to check the pressure; why not. That is the problem she has, and the problem she has is coming to these meetings and see all ya'll sitting around here talking about what is what, because it wasn't your house. You did not lose things that you could never replace. Clothing is something you can always get, but there are things that she had you can't replace it. So, you are telling me now, I should feel good, knowing that this is fifty years old? She said she is 82 years old, and there are certain parts of her that wear out. Everything wears out, and when you go to EPD, here she had a meter that runs and stops, runs and stops, they watched it. Jeffares knows that; and he said they never wear out. Like Hell they don't. They wear out, they need to be repaired. Things need to be done and you guys sit here, why not sit before EPD and have them here. What is the issue here, why do you keep telling them that this is up to par and this is what it is. He is a resident up here, he is a citizen and has wells and is trying to do. Jeffares doesn't do anything with his. If you can have one of the residents to put the chemicals in, you will not say here is the record that he has been trained. She said she has said this before, have any of you called to find out is that true; if they have that? Did anybody do that? She said she is not coming to any more of your meetings because, guess what, she is not paying the bill, she does not know about anybody else, but if you have a tanker truck in 2007, she had from the Fire Marshal and the Fire Chief, it was a very little fire when she called. As a matter of fact, because it was great, she was going downstairs, all she saw was smoke. When you guys got there, there was only smoke. That was all there was. But, there was no water, your tankers didn't do anything; so, do not tell her about those tankers. That is the last thing she wants to hear. She said she wants to hear

where there is additional water where you can have a fire hydrant that will help even if the tanker runs out. That is exactly what the Fire Department did, when the tanker ran out, they went over to the fire hydrant.

Commissioner Brown asked if she understands our dilemma is if we attach that pipe down there and run the pipe, and the pipe in the subdivision breaks, not only do you not put out the fire, but no one in your subdivision has water. Mrs. Smith said that tells her that you guys have not been doing your job; because something about this should have been checked. Commissioner Brown commented he was not on the Board of Commissioners fifty years ago when her subdivision was built. Mrs. Smith said maybe you weren't there fifty years ago, but she is sure he was there in 2007, or 2006 or whatever the case may be. She said she really does not care, when or whoever was there. All she can see is money like the stormwater runoff. You all issued that for us to pay and people was paying that. No one can tell her what happened. Where did the money go for the stormwater. She stopped paying it because no one could explain to her why we are paying it. She said there are so many things that are wrong here and when she is looking at everybody, no one is sitting around this table looks like her. Everybody sitting on the other side has issues that look like her with this water. She does not like that very much. She said she thinks it is wrong. She thinks it is her home and anybody else's home, her home was not the only one. You had that tanker two years later, another resident's house burned down. Why? So, you can say you didn't learn anything from my house, the reason it was burning down and do anything about it. Yet, you want to add to the property tax, \$187.00 for her to pay, for what? For that tanker that doesn't work that much. If it happens in 2007, turn back around and it happens again in 2010, 2011, tell me what did you guys do?

Commissioner Brown asked if the pipe breaks in your subdivision, who are you angry at? Mrs. Smith said she is angry at you guys who are sitting around waiting and not doing what you need to do. Commissioner Brown asked if it breaks in your subdivision, what do we do.

Mr. Andrews asked who the engineer is. Mr. Pope pointed out Michael Diaz and said he is our engineer. Mr. Andrews asked if the county has some kind of schematic or blueprint as to how the pipes are laid in that subdivision. He would have thought, rather than taking a chance and putting the pressure in the old, can't you dig maybe parallel to those lines rather than, like you said, you might rupture over there. You must have some kind of a print for the gas line is here, this line is here, so you will move the line over "x" number of inches or feet. Would that be more cost effective? To put your new pipe in. Commissioner Brown said that is right, it would be. Mr. Rapson mentioned that is what is in the study that he has. Commissioner Brown said every home owner who is connected to the Fayette County Water System paid to have their water connected to the system. You are asking us to just lay pipe. Every home owner, including him and several people at the table, who are on Fayette County water, paid to have the water brought to our house. Mr. Andrews said maybe Mr. Rapson could give a projected cost as to the

cost of the new pipe. He said you cannot pay for safety, plus you have kids. We cannot think of just today, you have kids and grandkids and future generations. He said he thinks it can be worked out. You don't want to take the chance of breaking the pipes.

Commissioner Brown asked if we can supersede the existing water system in there. Mr. Pope said no, you cannot. Mr. Rapson said they would have to relinquish their permit. Mr. Davenport explained it is their property right. We can't take that from them. It is up to them, if they want to give it to us, that is one thing. If they want to sell it to us, that is something else, we can't take it. Mr. Rapson said what you are referencing is going to be a natural discussion point that is going to have to be discussed prior to putting in an emergency water ordinance, because the natural progression of these things would be, we put in a temporary emergency connection for the individual who owns the permit now, and then eventually that individual is going to decide, if his son or grandson does not want to do it, at some point that system would migrate to the county. We would have to take that into consideration. One of the things we have to figure out is what the most equitable way is; if you are going to replace the system, who pays for it, how is it paid for. Is that something that is isolated to the individuals that you replace the system to, is that an additional system cost? Those are issues this Board would have to weigh and decide. The first step was figuring out where are we today. That is what the report is, it shows you. Mr. Rapson said he thinks Mr. Andrews eloquently put exactly what that report did. If we know where the lines are, we wouldn't do anything with those lines, because they have to be replaced. We would simply put pipes on top of those lines and go through the same structure and bring it up to our standard. The cost of that is what is in that report.

Mr. Andrews asked Commissioner Brown if he paid for that, Commissioner Brown said that is right. Mr. Andrews said you pay your taxes, if you put new pipe in there... Commissioner Brown said that is not taxes, they are a private cost. Mr. Rapson said it is a rate payer cost. Commissioner Brown explained when he bought his house, the developer paid to lay those lines in and run those to his house, but he paid for that in the cost of his home.

Mr. Andrews commented when Mr. Jeffares built the Newton water the residents paid for that. Commissioner Brown said it was for that private system. That does not go to the County Water System; it is money in Mr. Jeffares pocket.

Mrs. Smith commented that Mr. Jeffares owns the system and they pay him. She said she noticed in the report he is asking for \$220,000.00 for purchase of that. She said she agrees to see that Mr. Jeffares can be made to bring this up to par. It will cost him more money to do this, if someone would work with them and EPD. She said EPD is not doing their job. She said she tells them that. She said her plans are to let Mr. Jeffares know he can either pay this or this is what we are going to do; demand he bring this up to par. Why pay him \$220,000.00 for a system that is not working, and then have to go in and pay to fix it to have it done. She said she had

an engineer come out and he showed her what it would do for the price they have to pay for the connection to the pipes and things like that. She said she does not have a problem with that. That means that she can feel good and safe there. Rick Jeffares should not just walk away and get \$200,000.00 and you don't have anything working. You can't find the last time he did anything; she has tried to get the reports. He hasn't done anything but collect money. One month her water bill was \$40.00. The next month her bill was a hundred and something dollars, the next month it was more than that. She said she lives alone. This meter is not working; she knows, she goes out and the hands are turned. Someone said she has a leak. Just last week, it was on his side. The young man came out and did a quick fix, this is not right. Rick Jeffares should be held accountable in some way from the county. Where are the Fire Marshal or the Fire Department and then paying him a water bill. Something is wrong with this picture, there is too much money. She said she does not mind paying that money if she is coming to the county and this is what they are doing for us. She asked if they are understanding what she is saying. Someone needs to work with Rick Jeffares and let him know enough is enough. She said she is doing exactly that, enough is enough. She said from the beginning she would not give him that kind of money for something that is broken, really broken, including the meters that have never been replaced. He said they never break down. That is not true. She said we need your help to get this done. She said she is sick and tired of this; and she would hate to think of a child getting burned up in a house where there is a fire and the tanker doesn't work. She said that would bother her that should bother any of you here. This is wrong. She said they are paying their water bill, he is getting that money, he makes plenty of money, she said she understands he is a millionaire. She said it is up to you guys to help us, she said it before, and EPD needs to change. Someone in authority at EPD needs to say this is not enough. This is the only thing you require? This is wrong, it is a dead end. She said she feels like meeting with you guys is a dead end. Mr. Rapson has this thing with the money and funds, but nobody comes down and say for your part, you will need to pay thus and so. This is what Mr. Andrews is talking about, where does it lead to? We are not going to take on the whole responsibility of this. Someone should be held accountable besides them.

Mr. Rapson said to her point on the fire hydrants he assured her none of his Commissioners directed the Fire Marshal to not flow fire hydrants. The reason we can't check those fire hydrants is, and we talked about this on the 20th, is the fact that those are not our fire hydrants. That is in a private system. He said he called Rick Jeffares after they spoke and asked him if he had checked the pressures. There have been concerns, you know Yvonne, and she has talked to you. Mr. Rapson said Mr. Jeffares was aware of Mrs. Smith, he said he had just had EPD check the pressures for you (Mrs. Smith), and his concern was, he also sent a letter to the Chief, because we went out to turn some meters to see if we could flush some of the system and immediately got a letter from Mr. Jeffares saying you can't touch his system. Mr. Jeffares said his system has pressure issues. He is aware of it; the minimum pressure he has to have is 20, his system is right at about 25, and it goes up to 87. He said in Mrs. Smith's particular case it tested at 53, so he is within the

regs for EPD. Mr. Rapson said when we talk to EPD, EPD will tell us this is not your system, you are not the permit holder. You have no jurisdiction. Mr. Rapson said he gets the frustration, but we are the county, we can't make EPD do something on a permit that is not our permit. We are having conversations with Mr. Jeffares, we do follow up with questions she asks, but we are limited in regards to what we can with a system we don't own. He said he knows she doesn't like to hear that answer, but that is where the county is.

Mrs. Smith said she understands that, but why in God's name does she need to pay the Fire Department and pay Rick Jeffares and nobody does anything. She said they are not the only ones, she said she is not going to do this. She knows Rick Jeffares can be held accountable for this, but from the Commissioners this is not a good old boy thing here. Everybody is sitting around here like it is okay it doesn't happen to me. It can happen to anyone in that complex. In her subdivision that can happen to anyone, there are children there. She said what she is hearing you guys say is there is no answer to this. Nothing can be done. Why are we here? Because, this to her is very, very frightening. Her next move is somebody is going to hear from her. This is definitely a safety issue, she has already been told that. This is a basic issue, this is not all about money. With the stormwater runoff, nobody told them about it, she just ended up getting a bill in the mail that says you have to pay thus and so, but when she came and asked the county, nobody gave her any answers. She gave them a letter telling them the only way she would pay is the judge would have to pay it. The only way she will pay this off her taxes, the judge will have to tell her to pay it. It is for her to upgrade her home, for safety issues, it doesn't mean a darn thing. She can press that button all day and what do you think is going to happen, you are going to come with a tanker and the same thing will happen to her like it happened to the other residents and no one knows what we are going to do about it. She said, ya'll have a great day.

Mr. Padgett commented that he has a couple more things to say. He said all counties and cities have old mains. You hear about it on the TV all the time, lines rupture; but he has laid new water mains. You can have a brand new water main leak, actually rupture. That being said, on a common sense plane, we live on a planet that spins over a thousand miles an hour, sits on its axis 23.5 degrees. If it tilted a half degree either way we would burn up or freeze to death. Man doesn't control that and thank God we don't live in the earthquake zone, which they do register here. Waterlines would rupture everywhere. One of the worst main breaks he has been on was in Wynnmeade in Peachtree City back around '79. He and Charles Hayes fixed it and it was cold! To say all that, American Water Works Standards is between 20 and 60 psi. All your fixtures in your house, your ice maker, your faucets, your flush valves, they are built on those standards. That is the reason if you are on a county with high pressure; you have to have a pressure regulator. You can't have too much pressure because you will tear up everything in your house. As far as fire protection, back in 2008, he had a house that burned up in LaFayette. They did not run out of water, but they did their job, they did the best they could, but they did not run out of water. Houses burn sometimes and they are

out of control; out of man's control. He said he does not know about Mrs. Smith situation and he does not know about today, but on 279 the county pressure was 55. He said he maintains 70 to 75. Dix Lee On and LaFayette; just because you get county hookup, it doesn't mean it is going to blow your mains out; it doesn't mean you are going to have more than you have. You will have better volume. He said that is basically Randy's Rambling.

Mrs. Smith said she understands what he is saying; it is like you have the tanker truck. Mr. Padgett said they have them, but they don't just have them for private systems, maybe a brush fire. Mrs. Smith said her whole point is, the tanker trucks run out, there are no fire hydrants, and the insurance goes up. Some of them are now thinking they will not be able to get any insurance because they have no fire hydrants at all. That is a big issue with them. Mr. Padgett said he is sure the county has a fire hydrant on 314. Mrs. Smith said undoubtedly they did not know it was there, because they sat around with seven trucks and said is everybody out and let it burn. The Fire Marshal himself and about fifteen some odd people standing around saying it is not that much, why is it burning? We don't have any water, that is exactly what they did. She said that is her problem right now. She said that everything changes, everywhere you go, and things are changing. Look at what is happening now with all the hurricanes things like that. She said she can understand that, but this was something that should not have happened. Then, when it did happen to her, it happened to someone else, there should have been checks and balances. She said she knows that most of the time when something happens she has to call the county and it is always a quick fix, no matter what it is. She said you guys know what I am talking about, because that is why you had to do the highway there. Their street, it was a quick fix, water was standing everywhere when there is rain. There have to be issues here, that other than sitting around talking about it, if there is a fee they need to pay, Steve Rapson, you know about that, then let the residents know this is what it is going to be. She said she has lived in a lot of different places, to just see a house burn down for lack of water, that is not doing very much. That is not saying very much. A home to burn down for lack of water.

Mr. Andrews said he has a question for the engineer, he asked if there are "x" number of people using the system should it be maintained at 20 because he knows when his wife takes a shower and he takes a shower, there is no 20 psi there. Mr. Diaz said, yes, he will be on the low end.

Mrs. Smith said she had the EPD man to come out in the morning time and they know what it was. He asked why it was so low and she told him it was because of people going to work.

Commissioner Steve Brown made a motion for staff to review the standards, create a draft ordinance and bring the document back to the Committee for review, and then send the document to the Board of Commissioners for their review and approval. Steve Rapson seconded for discussion.

Further discussion pertained to reviewing the states standards and our system standards, to see if there is any difference. Private systems come about because there are no water mains in the area. Mr. Padgett pointed out that if you bought a main fifty years ago or you buy it today, it is made to the same specs. Mains being put in today, subdivisions being put in today, and fifty years from now, you will have a fifty year old main.

Mr. Padgett asked about the county buying his water systems. He said that is all he wants is for somebody to tell him, we started two and half years ago, he does not care, if you don't buy them, that's fine. He just wants an answer; we have been through two fiscal budgets and no answer. Mr. Rapson commented that if he needs the answer today, the answer is definitely no. Commissioner Brown commented the problem we are looking at is we have a connection that the Board never approved. Mr. Padgett said he does not know how that happened. Mr. Bergen commented the meter was installed on April 5, 2010. Mr. Davenport said two years later it was changed out. Commissioner Brown said this is setting precedent and that is the problem. The change out was for the transponder to go to radio read.

Commissioner Brown said this has set a precedent the Board has no policy on or have even had a Board discussion on it. Now, you have other people saying you did it for them.

Chairman Frisina called for the vote. The motion passed unanimously.

Steve Rapson made a motion to direct staff to create a draft ordinance for an emergency water ordinance specifically with the focus to figure out how we can do emergency backup for private systems, for the Water Committee to review and then recommend to the Board of Commissioners. Chip Conner seconded.

Mr. Rapson told Mr. Padgett he is not proposing doing anything with his connection at this point, but it will eventually evolve up to what we do. Mr. Davenport clarified it will be part of the package once it gets to the Board of Commissioners and address this issue at the same time.

Mr. Padgett asked about the mention of the legal. He said they meet all the standards. Commissioner Brown explained if we send into your system, and something happens, something goes wrong inside your system. He said Mr. Padgett seems to be a nice guy, you have worked for the Water System, you have paid all your bills, and we get that. But what if it is somebody who now says to the homeowners, wait a minute, that's Fayette County, they caused that problem when they put the water into the system. They added too much pressure. Then we have liability issues, we have homeowners who are in a pickle between their private vendor and us, and because we are not going to say it is our fault, because all we are doing is putting water into your system. He said Mr. Padgett is a reputable guy, he is doing the right thing and he has been straight up with us. We appreciate that, but

the other guy might not be that way. That is the problem we have to face. That is a liability issue.

Mr. Rapson said those are issues this Board will be discussing if we go through this process. He told Mr. Padgett we would get his input.

Mr. Padgett commented that Dix Lee On and LaFayette are tied together. He has six inch mains that run all through there. He said he made a two inch emergency Fayette County tap. That two inch adequately supplies him. But it is not going to blow out his main. It is not going to blow out the service lines, either. But, if it did, he has turned the valve on when he needs it and he turns it off. He said Lee mentioned something about a PRV, he said he prefers not to have that on his systems, because if he has a main break, until he gets there, he is driving up his county bill and the wells are running wide open. He would rather control it himself; know what he has and what he doesn't have.

Mr. Rapson commented we would rather control it ourselves. Those are the issues, there are legal issues and there are operational issues. All of that needs to be finalized so when we come to you and say this is what we are willing to do in regards to emergency connection, you can make a decision. You can say I am not going to do it, or I will do it. We will develop standards. Commissioner Brown commented there are no procedures on how to do this.

Mr. Padgett explained it is the middle of the night and there is a main break. Mains don't call us up and say "hey". It is a while before he gets a call and everything is running wide open. Commissioner Brown agreed it is a complicated situation. We are going to look and hopefully, when we get a draft and we feel we can bring something to the Board, then we will do it.

Mr. Padgett said his customers on these two systems are citizens of Fayette County and they deserve the same service that we all do as citizens of Fayette County. Mr. Rapson said to keep in mind, while we are moving this way, we could have just as easily have said, that is not our system, it is your system, not our concern, your concern; and we are trying to bridge that gap. Because we understand those residents, while they are on your system, are residents in our county. That is what we will think about as we walk through this process.

Mr. Pope commented that what Mr. Padgett has talked about is utilities traditionally help each other out. Atlanta helps. Mr. Padgett commented that Coweta County buys a bulk of their water from Spalding County. How would we feel, he said he is a Director in Senoia, he takes care of the water, sewer and all that down there. How would you feel if you needed a sister county's help and they said no? Mr. Rapson said that is why he made the motion. Commissioner Brown said you have to remember when you are talking about large county entities, and helping other large county entities, that is a whole other thing. When you have a small private contractor, it is a whole different thing entirely. You have to deal with

somebody who may or may not be there the next day. The government is going to be there. That is the assurity you get when working with a neighboring government, they are not going anywhere. That private contractor could be gone the next day.

Mr. Padgett stated he understands the water board coming up with something for future new development that might need to put in a private system and you would deny them to build; these systems have been established, and have been there. Mr. Padgett asked about the next meeting. Is there a private meeting he would not be able to attend? The next meeting will be October 11. Mrs. Speegle agreed to notify Mr. Padgett of the next meeting so he could attend. Mr. Davenport stated there would be a draft document ready at the October 11 meeting. If it is in the shape of a final draft it will then go to the Board of Commissioners.

Mr. Padgett explained the reason he is seeking another emergency tap for Rolling Meadows, Old Senoia Way; about two years ago, they had a power failure. It stayed out two days. It did not affect one of the wells, so he had to rig up a generator to send signal voltage down to feed the people off that well. It worked, he made it happen. If he had had total power failure, they would have been without water. This other Monday, when the hurricane made it up here, Dix Lee On lost power totaling for 28 hours; he was able to open the county valve. That is the reason he sought emergency backup before and now.

Chairman Frisina called for the vote. The motion passed unanimously.

IV. WATER TREATMENT PLANT UPDATE.

Mr. Diaz reported Lakeshore is at Crosstown looking through the punch list trying to get that completed. At South Fayette, there is a task order that is going to BOC tomorrow night to start the next move on the Chemical Systems Improvements similar to what was done at Crosstown with the Chlorine Dioxide and the Carbon system. They are trying to figure out what fiscal year they will roll into construction.

Mr. Pope commented the task order for Chemical Systems Improvements is going before the Board. Mr. Rapson said also the USGS agreement, too.

V. PUBLIC COMMENT.

There was no public comment.

EXECUTIVE SESSION:

Chip Conner made a motion to adjourn to Executive Session for one item of land acquisition and review of Executive Session minutes. Lee Pope seconded and the Committee adjourned to Executive Session.

Steve Rapson briefed the Committee on one item of land acquisition.

Commissioner Brown made a motion to withdraw from Executive Session. Steve Rapson seconded and the Committee adjourned back to regular session.

Lee Pope made a motion to approve the Executive Session minutes from the Executive Session on September 13, 2017. Commissioner Steve Brown seconded. The motion passed unanimously.

Steve Rapson made a motion to adjourn the Water Committee meeting. Commissioner Brown seconded and the committee adjourned.

There being no further business, Chairman Pete Frisina adjourned the meeting at 9:16 A.M.

Peter A. Frisina

The foregoing minutes were approved at the regular Water Committee meeting on the 11th day of October, 2017.

Lisa Speegle