

**WATER COMMITTEE**  
**JANUARY 28, 2015**  
**MINUTES**

**MEMBERS PRESENT:** Pete Frisina, Chairman  
James K “Chip” Conner, Vice Chairman  
Lee Pope  
Commissioner Charles Oddo  
Jimmy Preau

**ABSENT:** Steve Rapson

**NON-VOTING MEMBERS:** Dennis Davenport  
Frank Destadio

**STAFF PRESENT:** Russell Ray  
Matt Bergen

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

**I. APPROVAL OF MINUTES FROM THE MEETING ON JANUARY 14, 2015.**

Vice Chairman Chip Conner made the motion and Lee Pope seconded, to approve the minutes from the meeting on January 14, 2015. There was no opposition.

**II. LAKE PEACHTREE UPDATE.**

Frank Destadio reported the project was awarded; the Commissioners accepted the cost from Massana Construction. Massana Construction is the contractor that did the work the last time it was done, when it was a wet dredging. They are familiar with it. He said in his opinion and after talking to Mark Massana, one of the main reasons for it to be as low as it was as compared to the other two bidders that we had was his hauling. Massana Construction has an office in Tyrone and they are also moving, putting in a big yard off of MacDuff Road in Peachtree City. This is where Wieland Homes and another builder are proposed to build some homes for Brent Scarborough. One of the things they suggested to Mark is he take a serious look at getting involved in the dry dredging because he might be able to use that material. As it turns out, he plans on putting the material close by where the homes are going to be built. He will be mixing it with some sand and some loam and will be trying to sell it as topsoil. His hauling cost was about half the hauling costs of the other contractors. Mr. Destadio said we knew going in, there was going to be a big cost in the hauling. He said that he thinks the county turned out good and he got a good deal and everybody turned out fine.

**Mr. Destadio went on to say that we need to try to keep the lake level as low as we can so it dries out. At the pre-construction conference they told them to go ahead and get the bonds and insurance. Once he gets his bonds and insurance and we have done the evaluation based upon his prior submittals with his references, and everything checks out good; they are a good company and have been around a long time. Tyrone is not their only office; they also have an office in Dallas. Mr. Destadio stated this was a good bid, he thinks the design was done well. They are waiting for Peachtree City to decide if they want to do any of the additive alternates. Mark Massana has met with the City to determine why his cost was so much higher and how they could evaluate if they could still use him. It is still a county contract, so the county would probably have to go through and decide how to exchange the dollars. He supposes they can pay directly, they can probably go through the county, and there are a number of ways that Ted Burgess and your County Administrator can decide how that is. It does not affect you at all; he is ready to get started, just as soon as you give him the notice to proceed.**

**Mr. Pope stated that Purchasing is working with Massana to get the bonds and insurance. After that we are ready to go. He is good with the design.**

**Chairman Frisina clarified that the County portion is set as far as dredging goes. Peachtree City will just be added on. Mr. Destadio said there were five or six additive alternates for areas that they wanted things done. Last word he heard was they were not going to remove much soil; they were going to do a lot of vegetation control, because it was going to be less expensive for them.**

### **III. UPDATE ON WATER PLANTS.**

**Mr. Pope reported that we have made significant repairs at the water plants; we have had some issues with the filters which has been ongoing for years. He said that we tried to not do these repairs, because we know we have new filters coming for the upgrade next year. But, we cannot wait that long, so we did some repairs to some valves and controls. We were concerned the plant would not make it through the summer. We have also had some problems with some pumps and CH is assisting us with those issues. We have already had the pre-construction meeting for the liquid lime. Russell Ray will be watching the contractor and will give us an update as things move forward. Allsouth is preparing to move forward, they already have issued some P.O.'s for equipment that was in the bid.**

**Mr. Pope went on to say that he is meeting with CH Friday about the filter design project. He will be making sure what we wanted and make sure that CH understands what we want, and they will finish the design. He hopes to get that complete and out for bid and have that project right behind the liquid lime project. The liquid lime project will not be completed until, at best, August. Our assumption is the kick off for the filter project will probably be in the fall, if things go well. This was a CIP project in answer to the Consent decree the state levied against us.**

**Mr. Pope went on to say that operationally we are reorganizing and have developed a Maintenance group. We now have a Maintenance Manager, Chet Ward who is manager at South Fayette Treatment Plant. He is going to move over and take the head of Maintenance. We are going to move all of our Maintenance people to the day shift, and they will be working Monday through Friday with on call for nights and weekends. It will be mandatory for them to hold on call. On call will consist of things that may happen at the plant, if they have maintenance or break downs at the plant, or emergencies. Also, customer issues; right now our Maintenance group handles customer turn on's and turn off's after hours and weekends, or emergencies the customer may have. If they have a leak in their home, we will have this person on call to try to help the customers walk through that. With that being said, there is a notice that we will be inserting in the water bills during the month of February. We are changing operations, we hope the customers see minimal impact, but if they are impacted we want them to be aware that we have made some operational changes. There will be staff available to take care of our customers; we don't think there will ever be an issue where we can't take care of the customers. We just want them to understand that things may be a little different than what they have seen in the past. We want to educate our customers.**

**Chairman Frisina asked when someone is delinquent how long do we go before we shut their water off. Mr. Pope replied two months behind. Henry County cuts you off two or three days after you are late. Chairman Frisina commented that takes care of something getting lost in the mail.**

**Mr. Pope explained that right now we are short some people, our Maintenance guys are kind of strung out doing repairs so there are times that the customers don't get the response that we would like to give them, anyway. The department has never really had a Maintenance program, we had Maintenance workers. What they did was exactly what you would think; they went out and repaired things when they broke. We really did not do any preventative maintenance. We purchased the SEMS software; we have had to input our entire infrastructure, and all of our capital equipment (assets). We then took the data from those companies and it generates preventative work orders. It was in the owner's manual or the specs for the equipment. As of January 1, when we initiated that software to start, it started kicking out preventative maintenance sheets for workers we did not have yet. We are now a month behind and we have around 200 as of yesterday. He went on to say that a lot of these work orders will be handled by our operators, some of them are simply checking equipment; if the bearings are getting worn or making noises, things they can do. Then some of them are changing oil in equipment, greasing equipment; that is what this Maintenance group will do. The impact will be we will have the longevity of our equipment. Equipment won't break down and if it is breaking down we will foresee that way ahead of time, so that we won't have catastrophic failures where we have to shut the plant down or scramble like we have been doing recently with the filters to get equipment to get us back in service. That is really not how to operate a critical process like water treatment. This will help us foresee things coming.**

**Mr. Pope said he told this story to the Maintenance group the other day when they had a meeting to get it kicked off. Hugh, who was his Maintenance Manager at Rockdale, could always see if they would have had a carbon pump that failed as we did at South Fayette Plant. Hugh would have known it was about to fail and would have had one on the shelf ready to go. When it went out of service he just changed it out. This one failed and we did not feed carbon for several days. We were jumping through hoops trying to get it repaired and get it back on line. We had a vendor that was very responsive and we did get it back in service. That is really not how we should operate. It will help us maintain equipment and prevent us from having breakdowns and hopefully extend the longevity of the equipment. It is not acceptable to put expensive assets in place and just run them to death, and then let them break down and spend big money to fix them. Pumps and things should last for years if they are maintained and taken care of. We should be doing vibration analysis and laser alignments on our large pumps, which we have done some vibration analysis. That is something we should do on a regular basis and you can compare those reports to the previous reports and see if the pump is beginning to have a vibration, and make a plan for a repair.**

**Mr. Destadio commented that another analogy is running your car. Turn it on and keep running it until it drops dead.**

**Mr. Pope referenced a letter that will be inserted in the water bills in February. He said there is going to be an impact the customers will see from us restructuring. We won't have a maintenance employee at night at the plant. He said he does not think that was very efficient anyway because they didn't really have any assignments and they did not have any oversight. You can't just take a person, put them on a shift and say "you are maintenance" and they are just a body trying to respond. This will be a trained Maintenance team. They will be going to pump schools; they will take confined space training, lock out – tag out training. Matt will help us lead the safety to make sure they are safe. They will be able to do some things that are beyond their capabilities now, do them safely and also help us maintain equipment and lower repair cost.**

**Mr. Destadio commented the Maintenance team is a very positive step. He suggested the insert include the restructuring information. Mr. Pope replied we have always informed customers in this manner on how we handle delinquent accounts. Mr. Destadio said the reorganization is not a delinquent account. The reorganization is a positive progressive thing that is being done. It will be upgrading the quality. Mr. Pope explained that has nothing to do with how we are handling delinquent accounts.**

**Mrs. Speegle commented that our focus for this insert is to make sure people that don't pay on time realize it might be longer before their water is turned back on. They are used to getting their water turned on in the middle of the night. We may not be able to do that anymore.**

**Mr. Pope stated that we have had customers, in the past that would be delinquent over two months; they were on the cut off list. They knew, if they called during the day they were going to have to make a payment or resolve the issue in order to get their water cut back on. They would call us at 5:01 or 5:05 when they knew the call would go to the plant and we would send the maintenance guy out. He is not Customer Service, he has no ability to look at accounts; he just went out and cut their water on. They were playing the system. We are trying to keep it within a normal business day, where we can handle them in the best means. If they don't get their bill paid until after 5:00 then they won't receive services until the next day. That is probably going to generate some calls.**

**Mr. Destadio commented that he was thinking we want to do positive good things that are going on, and they ought to be highlighted somehow. Mr. Pope replied that the maintenance program is a positive. We have looked at the numbers and it involves very few customers. We do have a few cutoffs every week that wait until after hours. Chairman Frisina commented that the maintenance program is bigger than just cut offs. Mr. Pope agreed, and said this is going to be what customers will see.**

**Chairman Frisina summarized that basically if you make your late payment after 4:00 you may not get turned back on until the next day. Mr. Pope said that our maintenance team will work until 6:30 or 7:00; we are just working out the hours for them. They will be there after 5:00 and will be there to take care of the customers. If a customer has an emergency, we could page someone in to take care of them.**

**Mr. Destadio said that he understands and he is not saying that is wrong. He suggested doing an article that says we are restructuring and reorganizing for better service. You ought to take advantage of a great opportunity where you are doing another good thing for the customers. Tell them. Chairman Frisina stated that a great way to get that into the newspaper is to make a presentation to the Board. Mr. Destadio said it is a pat on the back, there have been so many other problems, you ought to take advantage of the good things you do. That is a great step forward.**

**Mr. Pope mentioned that something he would like to do is something monthly about what we have going on. Talk about the positive changes; we are about to kick off some construction projects that are going to last a year or more. He thinks we should have some sort of small update in the newspaper. He said that we struggle internally telling staff, there is so much changing in this organization that we fail to let staff know sometimes. We need to definitely let our customers know.**

#### **IV. WHITE LINING.**

**Dennis Davenport updated the committee on this item. He said to put this in context we adopted an ordinance early in 2014, which is our baseline ordinance.**

The big issue with that ordinance was the tolerance zone that we put in place for white lining was 24". At the time, that was the same number the state had, however the state was in the process of considering lessening that number to 18". In fact, they did so; effective July 1 of 2014. Mr. Davenport went on to say we received a lot of push back by having a tolerance zone greater than what the state was going to have. In June of 2014, we passed an amendment to the White Lining Ordinance, one of the changes was to reduce the tolerance from 24" to 18"; we made other changes, but they were not that significant. He said the actual comments that the committee is looking at don't really apply to the ordinance that was adopted in June of 2014; they apply instead to the proposed revisions to the June 2014 ordinance that have never been enacted. He said we felt the prudent course was to make sure everyone was comfortable with them at the Water Committee level before it goes to the Board of Commissioners. He said he even sent these proposed revisions to this attorney for him to review in advance of us adopting. He said some of his comments are not in the ordinance as it exists today. They are in our proposed revisions; this helps us determine whether or not to make those revisions. He said that he knows it is a lot to absorb in a very short period of time and can be very confusing. There are different levels of ordinances here and the comments don't apply to an existing ordinance, but to a proposed ordinance; which may not even be adopted; he does not know.

Mr. Davenport referenced the document that includes the comments from Philip Siegel. Item #1 has to do with pot holing; what we did in June of 2014 is we added a definition of pot holing. In our definition we say that it means a digging near the locate marks to verify the utility location. He said Mr. Siegel's comment has to do with our use of the word near. The ordinance says "on, digging on the locate mark", the proposed ordinance says "digging near the locate marks". Mr. Siegel has two issues. We should not use the word near because it invites litigation, and near is a relative term. Mr. Davenport said what is near to you might be far to me, he does not know. Mr. Siegel also contests our focusing in on pot holing as the sole method for excavating. In our existing ordinance what we say when we use the term pot holing is "that all contractors shall utilize pot holing methods to determine facility locations prior to excavating. Pot holing basically is trying to determine where the facility is located using other than mechanized equipment, so you are not going to damage the facility as you uncover it and then you mark it and start using mechanized equipment elsewhere. Mr. Davenport said that is the way he understands it.

Mr. Davenport explained that part of Mr. Siegel's problem is that the state in State Law 2598 says when excavating is to take place within the tolerance zone, the excavator shall exercise reasonable care for the protection of the facility, including permanent markers and paint, etc. This protection shall include, but not be limited to, at least one of the following based on geographical and climate conditions: hand digging, pot holing, soft digging, vacuum excavation methods, pneumatic hand tools, or other technical methods that may be developed with the permission of the facility owner. He commented that his point is state law says you have several different

methods you can use other than pot holing, if you want to. We say you can only use pot holing. He has a good point; Mr. Davenport said the reason is we go on to say if we find out that you are digging and there is no evidence of pot holing, you are violating our ordinance. A question for us to think about is are we married to pot holing, is that something we want to keep in place or are these other methods acceptable to us. He said that he strongly encourages thinking long and hard about this, because what we will be doing in our ordinance is going to conflict with state law. It is one thing to conflict with the regulations; it is another thing to conflict with state law. He asked Mr. Bergen to weigh in on pot holing as a method as compared to the other methods he just talked about.

Mr. Bergen explained the definition actually did change with the law because pot holing prior was listed as pot holing. He said he has no problem with us mirroring their definition that has been updated for this. Mr. Davenport said he looked under the definitions; there is minimally intrusive excavation method. He asked if this is what Mr. Bergen is referring to. Mr. Bergen said yes. Mr. Davenport read that methods of excavation that minimize the potential for damage to utility facilities, examples include but are not limited to air entrainment, vacuum extraction systems, water jet evacuation systems. It does not say the work pot holing, but does say other methods as determined by the Public Service Commission, but it does not use the term pot holing.

Mr. Destadio asked why can't our ordinance say that whichever method you are going to propose to use has to be cleared by the water department. Mr. Davenport commented that is too much. Mr. Bergen said that is micro managing and we can't do that. Mr. Davenport said the state says you can do 1, 2, 3, 4, 5, any one of those. We are saying you can do one and Mr. Bergen is saying he is probably okay with the minimally intrusive excavation methods.

Mr. Bergen recommended changing the reference to the state law as long as they are in compliance with that code; then we will recognize the same thing. Mr. Davenport commented rather than have the word pot holing in our first section for definitions; he does not think we need to define pot holing. He said that he thinks all we need to do is when we get down to the area where we use the term pot holing, we just mirror the state law. Whenever excavating within the tolerance zone, you shall take reasonable care for the protection of facility, this protection shall include but not be limited to at least one of the following based on geographical climate conditions, hand digging, etc. Put that in place, it mirrors state law and you don't have any issue. He said that would take care of their first comment.

Chairman Frisina asked if you could just reference that passage of state law, what if the law changed in the future. Mr. Davenport explained when the law changes in the future and you reference the state law; your reference to the state law does not include the future change. It includes only the state of the law as it was at the time you referenced it.

**Mr. Davenport explained the next comment has to do with sufficient particularity. You can read it and not really know what it means; it kind of makes sense if you think about it. The way that he understands this and the way that Mr. Bergen explained it to him, is if you are required as the contractor to describe an area with sufficient particularity; and as long as you describe the area with sufficient particularity, you don't need to white line. The problem is we did not know what sufficient particularity meant so we asked people, what does it mean. The state law says refer to GUFPA or whoever you have to refer to. You go there, all they have are items of language that dance around the issue, but never tell you what it means. It uses the term, but it doesn't tell you what it means. What you have is a situation where everybody knows you are supposed to have sufficient particularity to be exempt from white lining, but what does it mean. The problem is if the contractor takes the position "I have described this with sufficient particularity", he then does not have to white line, he notifies 811 that he is going to do something and you have 48 hours in order to make sure that you protect your facilities. If you don't know where the project is specifically, you have to white line everywhere. You have to locate everything. If you knew a sufficient particularity you would have a definite area that you would have to mark your facilities. He said that he and Mr. Bergen talked about this before, and he said there has to be some mechanism in place that we require the contractor to have a confirmation from us that we understand with sufficient particularity what you are doing. The sufficient particularity isn't as to the contractor it is as to the owner of the facility. If the contractor takes the position that it was adequately described, therefore I don't need to white line, but the owner of the facility doesn't know what the contractor is talking about; we are back at square one, we just don't know what to do. We are trying to build something in to have a give and take. That is going to be next to impossible to do. He said he does not have a good answer for this other than to say when they look at this; they look at our section 28-231(c). In our 28-231(c) that we adopted in June 2014, basically it says electronic white lining is not an acceptable or recognized method. That is one of the things they had a problem with before.**

**Mr. Davenport explained that in our proposed revisions of 28-231(c) what we are saying now is electronic virtual white lining shall be clearly marked on submitted documentation within a twenty foot tolerance zone of the proposed excavation site. That is us trying to communicate to the contractor what it means to us to be sufficiently particular for us to know where the excavation is going to occur. We are trying to define our own sufficient particularity to the extent that this is what the contractor has to do. We believe it is workable; this is something that item 2 comments on saying you can't do this because all that we are required to do is to file a sufficient particularity. That only begs the question of what does that mean. Mr. Davenport said that he does not see any reason that we should change this, but replying back to them by saying no one can tell us what sufficient particularity means, this is our way of making sure we are aware of the excavation site and since we are allowing virtual white lining to be a substitute for real white lining, it should not be a problem. Mr. Davenport asked Mr. Bergen if he concurs with that. Mr. Bergen said yes, the main thing with the electronic white lining that we had issue**



with is if you go on google maps, you can white line way beyond what you need. You are not visiting the site, you don't know the conditions, you don't know what facilities you have out there and you just submit it, one we had that he likes to use as an example is our South Fayette Plant. When they ran the cable in there for the internet they called in the entire parcel. They needed probably 40 foot marked out at the road; we had to mark almost 800 feet. That is not good use of our resources. This is why we are pushing to get them to assist us with this process. The electronic, right now, they do not have the technology to submit that through Georgia 811, so at this time, he guesses they are trying to get ahead of the curve on it. We are trying to get ahead of it as well so when they do have the technology they will know they can't just mark the entire parcel and say we are working over the entire parcel because if they do that we mark the entire parcel, then we have to monitor them when they don't dig on the entire parcel. Then we have to take all the evidence, and then we have to submit all the documentation to the Public Service Commission and go through that whole process. We don't want to waste time on that, we would rather educate them on the front side, get them to comply where we can make good use of our resources.

Mr. Davenport commented that we really don't see any common ground there. We would probably recommend at this point that we need something, if not this language something substantially similar so we can at least have a foot hold as to defining what sufficient particularity means because nobody else is doing it. He made the comment that this could be challenged, but he does not know that it will be challenged. It depends on how unworkable it becomes in Fayette County. He said he does not think it will be, it should be very workable the way Mr. Bergen has described it.

Mr. Davenport moved on to the next item, 28-231(d) (1) Exceptions to White Lining; he said this goes to our large projects that we talked about before. One of the things we said was if a contractor has 5 damages, they have to white line the large projects. If they did not have 5 damages in their history, they would not have to white line large projects. Mr. Bergen said that is correct. Mr. Davenport stated that we have reduced that number from 5 to 3 in the proposed changes. This is not 5 damages in their history; it is 3 damages within Fayette County. If you damage 3 facilities within Fayette County...the question was asked over what period. Mr. Davenport said he does not think there is a period in there. It used to say within a 90 day contract period.

Mr. Bergen explained that basically a large project is defined out as a 90 day contract between the contractor and the facility owners; that is what we are looking at. We had an incident in Peachtree City where an AGL contractor had 27 documented damages within 90 days. Then, they had another 17 that were not documented. We are trying to avoid having these guys come through tearing everything up, upsetting all the customers, they are not getting the phone calls; we are.

**Mr. Davenport clarified what Mr. Bergen was saying; the 90 day contract period was in there and he took that to be another definition of the large project itself, which it is not. If you look at the 90 day period as being the time period to mark whether or not there were 3 damages. He asked Mr. Bergen if this is what he is saying and Mr. Bergen said that is right. Mr. Bergen said when we sign that contract with them; it is good for 90 days. If they have 3 damages within that 90 days under that contract, that is what we are looking at. If they only have 2 damages, and they re-stake that ticket and do another contract with us, then it resets from that point.**

**Mr. Davenport stated that if he is the contractor and he comes to you to do a large project, how would it kick into where I have to do white lining of the large project, if I had 3 damages within the last 90 days? Mr. Bergen said it would be within 90 days of that contract period. If you started a contract with us January 1 and it went to March 31, any 3 damages within that time frame; that is where it would be.**

**Mr. Davenport stated that you don't have to white line it until you show you are butchering the project. Mr. Bergen said that is correct. Mr. Davenport said that it does not matter that you have had 6 damages 90 days ago on a different project. Mr. Bergen said that is correct. Mr. Davenport stated that nobody has to white line on a large project initially; however, if during the prosecution of that large project, there are 3 damages within that large project, you have to white line. Mr. Bergen said that is right and it needs to state and clarify at fault damages. If we have mis-marked it, we can't hold them accountable for that.**

**Commissioner Oddo asked if somebody has damaged our utilities, why does it reset, wouldn't it make sense to say if somebody has damaged, then they have to white line the next time they get a contract from us. Mr. Davenport said that is a different issue. We are talking about within a specific contract. He said what he is hearing is once you start a contract for a large project with Fayette County, it does not matter what your history is. Mr. Bergen stated that is right, the reason we are looking at it that way is mainly, when they give us that contract, they are telling us specifically on these dates, these are the areas we are going to be in. Once they get through that area, then we are basically clear from that point. We can pursue it either way, he said he is trying to define it in a manner that is not going to throw up red flags for them.**

**Mr. Davenport asked what Mr. Bergen means by reset the contract. Mr. Bergen explained after the 90 day period through Georgia 811, you have to re-stake it. They would then get an additional 90 days, but with that additional 90 days, they have to provide us a new marking schedule.**

**Mr. Davenport asked if the new marking schedule would include requiring them to white line since you are starting a new 90 day period, if they had 3 damages in the first 90 day period. Mr. Bergen said not necessarily, because they may not be working in the same area.**

**Mr. Davenport commented that he needs to make sure the language specifically says the number 3 is contained within a specific 90 day period. If a project has to be re-staked because it is greater than 90 days, that count will go back to -0-. Further discussion pertained to the 90 day period and re-staking.**

**Mr. Davenport stated they are still going to object to it because we have the 3 damages in there and they are going to say we don't have the ability to do that. He said that he understands that.**

**Mr. Bergen said in the regulations through the state we do have an option in this state for white lining to be more stringent on white lining. Prior to this he said he many conversations with Kelly Cole with the Public Service Commission, he sent every draft up to her to get feedback. That was initially the one he sent to the Water Committee and the Commissioners and she told him she thought it was a great document.**

**Mr. Davenport then addressed 232 (a) (3) Utility Markings. He said in the June ordinance, it basically says location marks shall be 4 to 12" in length and at intervals of 5 to 10 feet. That is how we locate the facilities; if the facility to be marked has a greater diameter than 12", the size of the facility shall be indicated if known. If the size is not known, then the mark shall be greater than 12". We are proposing to add facilities 6" and above can be marked from each outside edge of the facility with a line in the middle to indicate the facility location. He said that seems innocuous enough, but, again, this is their attorney stating that we don't believe you have the authority to do that because it is one thing to say you can make white lining more stringent, it is another thing to make facility location requirements more stringent or even to make them different that they are in state law or the regulations. He said that he understands his argument, he does not necessarily agree with it. He asked Mr. Bergen what is it about this facility 6" and above that is helpful.**

**Mr. Bergen said if we mark the outside edges rather than the middle, then since our tolerance zone went from 24" to 18", that actually allows us more prevention for damages because then you have 2 marks instead of 1. The 18" would actually start from our outside marks. Mr. Davenport stated that the way the wording is before the change is made, "location marks shall be 4 to 12" in length, if the facility to be marked has a greater diameter than 12" the size shall be indicated." He asked what is it about that language that says you can't mark it on the outside edge. Where do you presume the mark is going to be without this new language?**

**Mr. Bergen replied that normally it is top dead center of the facility. Mr. Davenport said when you have used your equipment and used your information, the mark you are making is center line and everybody understands that to be the case. Mr. Bergen said that is correct. Mr. Davenport went on to say that all Mr. Bergen is saying is if it is an 8" line, 12" line or 24" line; you want to mark on either side to**

increase your tolerance zone from 18 inches from those marks in either direction. Mr. Bergen responded that is correct. Mr. Davenport said he can understand how they have a problem with that, because you now have increased that 18" tolerance zone to 24 inches or greater, which is what it used to be and the state said 24 down to 18. If you have an 18" pipe or 24" pipe you have to label 24 and since you have to use a minimally intrusive method to start the excavation to begin with you should be able to understand where you are. He asked if this is something Mr. Bergen feels so strongly about that he wants this to stay in there. He stated it is a red flag.

Mr. Bergen commented if it is that large of a red flag he does not have an issue with it, the problem that we get is when we do these, they don't do their minimally intrusive excavation, then we are going out there on a damage. We are out there on a damage; we are spending time on investigating, taking pictures, filing reports. We are just trying to look at a way to get them to be a partner with us rather than us having to be the bad guy after they damage the facility.

Mr. Davenport explained that what he is saying is he would call this operating through the back door what we could not do through the front door. We are in effect increasing the tolerance zone indirectly by putting this language in there. That, he thinks, is a big red flag. It is incumbent upon us to put 24, if it is a 24" pipe, so somebody that sees that center line knows they have 12 inches on either side and then the 18 inch tolerance zone; which is the same thing as putting lines on either side of it.

Mr. Bergen said they should know that. He is still running into contractors that don't know they need to call 811. Mr. Davenport said if you run into that contractor with those two lines out there, they are going to say which one do I use? It is going to be specific just to Fayette County, nowhere will have this in there. He said that he thinks the more uniform we can be, the better off we are.

Mr. Bergen said under those circumstances, he does not want this to be something that goes to litigation; he wants it to be something that we can come together and agree on, even though he knows we are not going to get a hundred percent buy in from GUCA, but he wants it to be close enough where we can still accomplish our goals.

Mr. Davenport stated that his goal is not to give in on anything for the sake of giving in, but if he sees something that is going to be a problem for us, he would much rather give in on that just to show in good faith we are trying to work with them. He went on to say this will be a problem, he can see it. Mr. Bergen agreed.

Mr. Bergen explained the other thing we are trying to do with large projects, we ran into this issue in Peachtree City – same project, they renewed and re-staked their large project ticket, but they did not give us a new marking schedule. Then, with all the other locates that come in, they are calling us stating – hey, we are working on this road, we need it marked by the end of the day today. It doesn't work like that;

what we are trying to do is get them to give us a start and a complete date for each section they submit to us. Apparently, there is heartburn, because they don't want it to be open and closed because that was the whole concept for the large projects. For us to mark and be able to schedule the work, we can't get past that point, get a mile down the road on the project and then they come back and say "Oh, by the way, we need to put services in now, we need you to re-mark that whole thing", even though the marking dates that we had initially agreed to, all those dates have passed. He explained when those dates pass they are supposed to give us another marking agreement. That did not happen with that project.

Mr. Davenport asked when are they supposed to, is that because of the 90 day rule or is there another rule. Mr. Bergen said it is in the same rule, if they make any changes to the schedule, one, they are supposed to notify Georgia 811 and then they have to have another meeting with all the utilities and give us the updated marking schedule.

Mr. Davenport clarified that any objective change in the marking schedule needs additional approval from Georgia 811. Mr. Bergen said it is required to be submitted through Georgia 811 so all the utilities are notified there is going to be a new marking schedule.

Mr. Davenport said taking that as the first step, the prior language we used about sufficient particularity, wouldn't they first have to go through us before they go to Georgia 811 if we have that sufficient particularity language in place, to change the markings.

Mr. Bergen replied there is flexibility with the marking schedule; however they are supposed to notify Georgia 811. They can notify us first of the change, but they still are required to notify Georgia 811, even within the 90 day period.

At this point there was a lengthy discussion pertaining to changes in marking schedules, white lining in large projects, and notifications to Georgia 811.

Mr. Davenport explained the language he is seeking to add is: The large project marking agreement must describe the scope of the project. The large project marking agreement must divide the project into sections and assign locate by and excavation by dates for each section. Changes to the large project marking agreement must be in writing, hard copy, or email.

Mr. Davenport commented this is different from the rule of PSC and because it is different the attorney is going to argue you can't do that. He said that he sees why you need to do that, this may be one we say we appreciate the fact that you think we can't do that, but we need it done this way because it is causing us a problem in Fayette County. If you have a better way to suggest it, we are open to suggestions. The PSC stands with us for the most part. Mr. Davenport said that he does not think we have submitted the most recent revisions, but everything we have

submitted to PSC so far, their analysis is based upon is this going to better protect the facility. If the answer to that question is yes, they are going to agree with it. This will better protect the facility. However, the other side of the coin is, but to what end, you can't put so much protection on that facility that you are conflicting with state law. He said he understands that aspect as well. If you conflict with the rule that is one thing; if you conflict with state law, you have a problem. Even in conflicting with the rule does not mean you can. But, we have an argument that says we can because there is language in another rule that says we can put in more stringent procedures. However, they would argue that is to white lining only, and it does not apply to large projects like this and marking agreements because this is not white lining. That is what they would say.

Mr. Bergen commented that we basically need to decide what modifications we are going to make, whether we want to meet with them or send them the information. He said he has already spoken with Phil Mallon about our permitting process. We are looking at adopting a permitting process similar to what DOT does. Anything that gets cut out of this ordinance that we feel is important enough, can be put into our permitting process which actually falls outside of these guidelines.

Mr. Davenport recapped the issue. On one we are changing; that change is going to be agreeable to them. On two, that has to do with the timing with respect to the sufficient particularity. That is something we are going to have a difference of opinion on. We are not going to be able to change their mind and they are probably not going to change our mind, but can they live with it. That is for them to decide. Number three, on the exceptions to white lining; that is the large project 5 and 3, and he thinks once we show them what we mean by the 3, it is more palatable. Yes, it is still something they probably would object to, but it is the kind of objection that is not as strong, for example as number four; which would be a conflict with state law. Three, he said he is not putting words in their mouth; they could probably live with three, if they understand it better. He said he is understanding it now for the first time, all the ins and outs you are having to face. Number four, we are going to remove. Number five; again, we are trying to do something to better protect the facility, two of the five we are doing what they want us to do. The remaining three, we are softening one, we have a difference of opinion on another, and the last one is for the benefit of Fayette County the facility.

Mr. Davenport said he does not think we want to go back and have a discussion with them because we know what their position is. He said he thinks what he would do is if this committee thinks what we have proposed here today is something you can sign off on, recommend it to the Board of Commissioners, then what he would do is put together an email and send back to their attorney to let them know this is what the committee is proposing to do as far as revisions to our current white lining ordinance and then the Board of Commissioners will be taking it up at a meeting. We can adjust when that meeting is going to occur to give them an opportunity to comment one more time if they choose to do so. Or, if you wanted to wait until a future meeting, and think about this some more, or have him put together

something in writing to look at that encapsulates this discussion. He said he would be happy to do that. He said he is not trying to put any urgency to this; he wants to make sure the committee is comfortable with it and has deliberated to the point where they are ready to go to the next step. He said that he is open to suggestions on how the committee wants to handle it.

Mr. Bergen mentioned there are three offenders that caused us to initiate this ordinance; one has been run off, and the other two are white lining now. Our damages are down; we have already made an impact. We have other municipalities and counties that are closely watching what we are doing. He said he gets lots of phone calls about where he is on it. Once you have something like this in place, and they can replicate it, then it can go state wide much quicker.

Chairman Frisina suggested the changes from today be made, then send them back out to their attorney to see what reaction we get. Then bring it back to the Water Committee. Get a reaction from them and see what happens. They are not going to agree with us on some things and some things they may agree, but we don't know that. He asked about the urgency of this issue.

Mr. Bergen said it would be urgent if we had a contractor that comes and we have problems. We currently don't. Mr. Davenport said the comments that are being made are not in the ordinance, some of them are proposed.

Chairman Frisina said that it sounds like there was an organization that pushed those changes that the legislature agreed they needed some relief. We have to live with that and it tempers everything we do from here on out. If we want to step outside of that, we take the risk that we could be challenged. Hopefully, if we are, we would win.

Mr. Davenport asked if he is saying we are going to be in limbo until we hear back from them on what we want to change. Chairman Frisina suggested asking them to give us a response within a reasonable amount of time. The committee agreed to discuss this item at the first meeting in March (March 11) and Mr. Davenport would ask for their response in time for that meeting.

## **V. SEA QUEST INFORMATION.**

Mr. Pope reported that Sea Quest is a new phosphate that we are looking at. Back in the 70's and 80's we protected infrastructure using the Langlier index which was a pH adjustment, basically how we prevented corrosion in our distribution systems. In the late 90's we started introducing phosphates to the water treatment industry and that was to do two things, one, sequester any metals like iron and manganese that may enter our system and also protect the pipes that were already in place. That started when our infrastructure was probably thirty or forty years old. That is what we are doing today. We are feeding phosphate. The problem is we are feeding phosphate and we don't have any coupon analysis to tell

us if we are feeding the correct phosphate. In the distribution system you have what is called a coupon tree; it is normally installed in different areas within your distribution system. When you put a raw metal in there, such as zinc or copper and water trickles over those coupons, over a period of time, generally every quarter you would pull those, with rubber gloves, so you don't contaminate them and send them off to have them analyzed to look at the mills of corrosion that is built up on them. With that you would adjust your phosphate feed, so that you are sure you have the proper amount of phosphate going into your distribution system. You would strategically place these so you would have a snap shot of your distribution system. We will probably put three or four of them in place next year when we start this new phosphate feed. You can feed different phosphate blends. Right now, we are feeding a 50/50 blend; 50 ortho and 50 poly. Poly sequesters, it maintains any iron and manganese that is in the water, it does not let it oxidize out and stain the pipes or give people stained water. Ortho coats the pipes, protects the infrastructure, a 50/50 blend.

Mr. Pope explained with coupon analysis we will make the decision do we need to go to an 80/20 blend, 60/40. We have no method out there to analyze our phosphate in our distribution system. We will be putting that out there as we rotate to our new phosphate next year. We will put it out for bid, just like we do every year. He said this is a different phosphate; it not only sequesters and coats, but will also remove any iron and manganese in our distribution system.

Mr. Pope explained when things change chemically you generally cannot change them back. For example, when a house burns, it changes chemically and turns into ash, we have carbon powder left after a house burns. You can't unburn a house. When you boil an egg, an egg changes; on the inside it is soft and then it gets hard after you boil it over five minutes or so. You can unboil an egg. There are some things that we can reverse chemically. In the Water System that is what we are looking at doing. One thing we have done here is change our treatment process at the plant. To put out a better quality of water, that is to prevent staining in our distribution system, cloudy water, stained water, any corrosion in our distribution system in the pipes. We started feeding a chemical called sodium permanganate, it oxidizes the iron and manganese away from the water molecules so it becomes a separate particulate in the water so we can take it out through our coagulation process. If any of that doesn't take place, if we don't feed enough permanganate so there are still a few water molecules out there that has the iron and manganese riding along with it through the treatment process and it gets to the filters. Now, we have the ability to feed filter chlorine, which is a process he changed within a month when he first came here. It gives us the ability to do that last step of oxidation, if there is any iron and manganese left attached to that water molecule. If it gets past us there, right now it is not. He said he thinks we are getting triple zeros on most of our manganese; which is how we measure it. We measure it down to the thousands.

Mr. Pope said we are putting out a cleaner quality of water; but if any iron or manganese were to get through the treatment process, then what phosphate would



do is it would keep it sequestered so it didn't corrode in our system or so that people did not have nasty stained water, like we faced about a year and a half ago. That is why we want to put phosphate in our distribution system, and we are doing that. The other thing is if there is any iron and manganese out in our distribution system chlorine, which is an oxidant, we add it to the filters to do that last step of oxidation; if there is any iron and manganese in our distribution, it will oxidize it. Or we will have nasty stained water in our distribution system.

Mr. Pope explained that what Sea Quest does is it prevents it from doing that and if there is any iron and manganese that is stained in our distribution system right now, and it is brown and nasty, it changes it back. It basically reverses that oxidation process.

Mr. Pope showed a demonstration video to the committee showing how Sea Quest works. The video shows three bottles of water with ferric sulfate (iron) so you can see the reaction when Sea Quest is added. Chlorine is added to the bottles and you can see the iron oxidation. Sea Quest basically reverses the oxidation process.

Mr. Pope stated that several counties in Georgia have started feeding Sea Quest. He passed around some photos of before and after of waterline pipes. You can see where it has actually cleaned the pipes in the distribution system. Obviously, it is not going to clean a completely clogged pipe. We have some infrastructure out there that is going to have to be replaced. It can actually clean up some of the pipe and infrastructure that is out there now. The biggest thing for him is to prevent stained water calls. Customers should not have stained water. When we tell people, when they see stained water, it is really nothing in there that is harmful to you, but who wants to drink nasty water. That is the whole thing with Sea Quest. It not only sequesters and protects our infrastructure, but it will also convert any that is in our system, instead it oxidizes the brown nasty water and we have to go out and flush it, it will convert it back into the known particulate where it is safe to drink and it is clear.

Vice Chairman Conner asked what happens to the Sea Quest. Mr. Pope said that Sea Quest is a phosphate and you can drink it. Phosphate is not going to hurt you, it is not going to make you sick. If we overfeed it, it won't hurt you. If we underfed it, we might have some stained water. That is the reason for doing the coupon tree in the distribution system, to make sure we are feeding the right amount. Phosphates are not cheap. Sea Quest is not cheap, but we are already paying for phosphates. Once we start doing this, we will be able to minimize some of the chemicals we are using at the plant because we will have this in our distribution system. He said he is hoping there will be an off set on the savings.

Commissioner Oddo asked what is special about Sea Quest that we can't get from any other phosphate. Mr. Pope explained that it actually has the ability to reverse the chemical process. Most other phosphates either sequester or coat, and that is their limitations. Sea Quest can actually reverse the oxidation process.

**Commissioner Oddo said, just to be sure, Sea Quest phosphate is not exactly the same as other phosphates, whatever the difference is, is not harmful to our health? Mr. Pope said no, it is NSF approved and the state will have to approve. We will have to get the state to allow us to test it. We are asking them to do that now. Other counties are already using it, so he is pretty sure they are going to give us the approval for us to start testing. Just like they did with ferric sulfate, the permanganate, and moving the filtered chlorine feed. We have to have the states approval to make any kind of chemical changes to our processes. They are familiar with Sea Quest; they are just not allowed to promote any one vendor over another. They are not going to come in and tell you; yes Sea Quest is the one you should go with. They can tell you if there is a problem with it.**

**Mr. Pope explained the reason he wants to do the coupon tree in the distribution system, which we should have already been doing is so we make sure we are feeding the right amount, because it is expensive. It is not a cheap chemical, but it will take better care of our infrastructure and it will be better for our customers. It will also, hopefully, lower some of our treatment cost.**

**Mr. Davenport asked if Sea Quest is the only known phosphate on the market that does reverse the oxidation process; there aren't any others? Mr. Pope replied that the Purchasing Department will help us research that. He added they are being used in the UK, and they are pretty much all over. They are based in Atlanta, Georgia.**

**Mr. Pope stated that he would let the committee know what the state says about us testing. Maybe have the vendor come in and do a presentation.**

**Commissioner Oddo asked if this could be covering up any problems that might be evident if we weren't using it. Mr. Pope said no, everybody feeds phosphate to prevent corrosion and iron and manganese problems. Commissioner Oddo asked if you would miss something that might be happening that the color change would indicate. Mr. Pope said what it will prevent is THM problems. The reason we are having THM problems now is because some of the water in our distribution system is changing chemically after the treatment process. We put THM analyzers in the plants; we are the first in the state. We have the first two in the state of Georgia. A lot of people are coming to see them because they want to get them. We are preventing THM issues in the plant, but now we have to do something in the distribution system.**

**Mr. Pope said that he will be talking to the committee about automatic flushers (smart flushers) that are going to help us monitor THM's in the distribution system. We are already doing some things that other people are not doing with the THM analyzers, but Sea Quest is not something that other people are not doing, it is just expensive. That is the reason other people are not doing it. In Covington, they do not have a THM problem so they just feed a normal ortho poly phosphate, about 80/20 blend. They have actual samples in their distribution system that come back**

all zeros. There would be no benefit for them to use this product. We have an issue here; over time if that issue goes away, we may switch to another product. Right now, we want to give our customers the best quality of water possible.

## **VI. HIGHWAY 54 WATERLINE RELOCATION.**

Mr. Pope asked to add this item to the agenda and the committee agreed. Mr. Bergen explained that the widening project from McDonough Road to 1941 in Clayton County is scheduled to be let next month. He said that we have been scrambling because this project went from a District 3 project to a District 7; District 7, since we are not on their radar, has not given us updates. Now we are basically caught up and to the point that we need to ask for the money to actually complete this project. Even though they show a contingency of 10% (at the bottom of the document) for fluctuation and material prices, he recommends asking for 1.3 million dollars. This is 20% over the estimate; in case we encounter unsuitable soils, or have any problems with the relocations out there. We can accommodate for that rather than having to stop the whole project and try to wait to go through the process to ask for additional funding; if we run into issues on the project that we need to go ahead and give them the go ahead to keep them moving.

Mr. Pope stated that Mallett Engineering started this process, so it was a lot easier to go ahead and let them finalize this; they had to basically drop everything they were doing and meet a December 19 deadline. They were able to do that for us, and we certainly appreciate Mallett being as responsive as they were to allow us to meet this deadline. This will not be a CH2M Hill project; this will be something that Mallett will be doing. He said that Mr. Rapson has approved Mallett's work so far.

Mr. Bergen explained this will all be in the new right of way and almost 95% of the facilities that we have, have to be relocated. Unfortunately, including our 24" transmission line which is going to have to be scheduled; the timing for us could not have been worse. It looks like they are going to have us going through the summer months. They have already been notified, if we need to do any work on the 24", it needs to be done at the beginning of the project.

Further discussion pertained to the prices. They are Shockley's prices right now. Mr. Bergen said what we are hoping is, since it is going in on the DOT bid, we hope to come in under these prices; but we want to be prepared either way. The funds will come out of the Renewal & Extension fund.

Lee Pope made a motion to recommend to the Board of Commissioners approval of the funds in the amount of \$1,300,000.00 for the Highway 54 East relocation of the waterline due to the DOT road widening project. Vice Chairman Chip Conner seconded and there was no opposition.

**Mr. Bergen commented that on Camp Southern Ground 104 cubic feet of rock ended up costing \$11,000.00. Mr. Pope gave Mr. Bergen kudos for keeping an eye on projects; he does a good job of that. It will not be wasted, for sure.**

**Mr. Bergen explained that the original quantities came from the survey work that he did and then sent over to Mallett. DOT has reviewed it and we know we are in line.**

#### **WATER SYSTEM LOGO**

**Mr. Pope showed the Water Committee two new samples of the logo. The Committee agreed on one sample to move forward on.**

#### **VII. PUBLIC COMMENT.**

**There was no public comment.**

**There being no further business, Chairman Pete Frisina adjourned the meeting at 9:20 A.M.**

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**Peter A. Frisina**

**The foregoing minutes were approved at the regular Water Committee meeting on the 11th day of February, 2015.**

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**Lisa Speegle**