

**WATER COMMITTEE**  
**AUGUST 10, 2016**  
**MINUTES**

<b><u>MEMBERS PRESENT:</u></b>	Pete Frisina, Chairman James K “Chip” Conner, Vice Chairman Commissioner Charles Oddo Lee Pope Jimmy Preau
<b><u>ABSENT:</u></b>	Steve Rapson
<b><u>NON-VOTING MEMBERS:</u></b>	Dennis Davenport Alan Bowling
<b><u>GUEST:</u></b>	Stephen Hogan
<b><u>STAFF PRESENT:</u></b>	Russell Ray Chief Marshal Harold Myers

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

**I. APPROVAL OF MINUTES FROM THE MEETING ON JULY 27 , 2016.**

Vice Chairman Conner made the motion and Jimmy Preau seconded, to approve the minutes from the July 27, 2016 meeting. The motion passed unanimously.

**II. APPROVAL OF MINUTES FROM JULY 27, 2016 HOPEFUL PRIMITIVE BAPTIST CHURCH MEETING.**

Vice Chairman Conner made the motion and Lee Pope seconded, to approve the minutes from the July 27, 2016 meeting at Hopeful Primitive Baptist Church. The motion passed unanimously.

**III. UPDATE ON WATER TREATMENT PLANTS.**

Russell Ray reported on the construction at the water treatment plants. He said the majority of the focus for Lakeshore continues to be on the filter rehab one through four. He showed some photos of the concrete work on the under drains, photos of the Filter Magic controls in the filter hall, and the power cabinet. With the latest estimate that was processed the project is 67% paid. A meeting is scheduled with Lakeshore this afternoon. In the next few weeks the chlorine dioxide will be up and running.

#### **IV. DISCUSSION OF CHANGING HOURS ON COUNTY LAKES.**

**Chief Marshal Harold Myers referred to a proposal from Commissioner Brown. Commissioner Brown had indicated he had been approached by some avid fishermen regarding the hours of operation. The chief complaint was that the best fishing hours were before dusk at certain times of the year. Commissioner Brown is proposing that we change the hours of the reservoir to sunrise and sunset. In his proposal, Commissioner Brown mentions dusk, which is a different time than sunrise and sunset. There is actually about a 30 minute difference between when the sun actually goes down below the horizon or rises above the horizon each morning and each afternoon. Dusk, sunset and sunrise are two different things.**

**Chief Myers went on to say that Chairman Brown points out that the hours of the lake right now are 6:30 to 6:00 p.m. EST, and 6:30 to 8:30 p.m. DST. The gates at the lakes are programed to open and close at those times currently.**

**Chief Myers explained that he went through the entire year and charted the times for sunrise and sunset for every day of the year. Specific columns in the spreadsheet he presented indicate the time the gates open, 6:30 year round. Column E is the gain or loss for park visitors. People who come to the park at 6:30 in the morning would gain or lose time based on the park closing at sunrise to sunset. Column H shows the sunset times. They change a minute or two every day of the year. The gate closes at 6:00, so the visitor would lose twenty minutes on January 1. In the afternoon they would lose an hour and twelve minutes in the morning for a net loss of an hour and thirty two minutes.**

**As the days get long you pick up a minute or two if we went to a sunset time, but the morning visitor would lose thirty seven minutes. Chief Myers commented Commissioner Brown's proposal only mentions dusk. He said there are probably equal if not more amount of fishermen who come in the mornings to fish. If we do sunset time, those people that come in the morning are going to suffer.**

**Chief Myers stated the time changes in March. At daytime savings time, the gate closing time is changed to 8:30. Sunset is actually 7:44, so fishermen actually have more time to stay on the lake at the current closing time than they would if we went to closing at sunset. Further discussion pertained to time that would be lost by visitors to the parks by changing the closing time of the parks. Changing the time affects all park visitors, not just the fishermen.**

**Chief Myers stated Clayton County reservoirs Shamrock, Black Rock, J.W. Smith and Shoal Creek; are open March through October only, Wednesday through Sunday, from 7:00 a.m. to 8:00 p.m. In Spalding County; Still Branch and Hidden Creek reservoirs are open from 5:00 to 7:00; Henry County – Tussahaw Creek is open 7:00 a.m. to 7:00 p.m.; Carroll County – no hour restrictions.**

**Attorney Davenport asked how a fluctuating time would work with the gate programming. Chief Myers explained that the gates have to be programmed manually to open and close at specific times. The timers we have on the gates right now allow us to open and set the times for a one week period. It would mean Building & Grounds would have to go down there every Monday. Right now the gate times are changed when the time changes.**

**Chief Myers stated the Marshals go by all four reservoirs every night to be sure people are out. If someone is in the park when the gate closes, they can still leave; the gate will open to let them out. Chief Myers said whenever there is a vehicle in the park after hours or after closing time, they cannot leave the reservoir until they locate that person.**

**Commission Chairman Oddo asked about the ramifications of just changing the closing time to a later time. The committee discussed at length the effects of changing the gate closing time to a later time. Discussion included opening the park 24/7, but we are not staffed for that. These are drinking water reservoirs, not recreation lakes. The Marshals cannot leave the park until all vehicles have left. If someone is on a boat, or in a kayak or canoe after dark, it is very dangerous. When they find a truck with a boat trailer or a car with straps on it, they start a process of trying to identify who owns the vehicle, they look up telephone numbers; if they live within Fayette County they will get one of the jurisdictions to go by and make contact with somebody at that house. If they can't, then the Marshals are forced to launch their boat and search for this person.**

**Attorney Davenport commented for public safety purposes an 8:30 stop time helps the Marshals because they have some daylight to work with. Chief Myers agreed; he said it also gives them the opportunity, if they leave Lake McIntosh and get that person off the lake and then they go to Lake Horton and they have a boater there, then that process starts all over again. Typically there is one Marshal on duty at a time and they work until 11:00 p.m. Over a full year, changing the gate closing time would be a net loss of 69 hours for park visitors. The most you would gain in the month of June would be 22 minutes.**

**If someone is on the lake after hours (after park closing at 8:30) the Marshals have to stay there until that person comes in. The officer can cite the citizens, depending on whether there is a legitimate reason for them to still be there, such as a battery going dead on the boat. The Marshal will take that into consideration, but if they are just out there fishing and it is way after hours, they usually are cited.**

**Chief Myers commented that most people who are out there after dark do not have boats that are equipped with lighting. It is state law that you have to have lighting. Kayaks and canoes, those types of things are not equipped for the time close to or after dark.**

**Commission Chairman Oddo commented that the hours we have set already emulate sunrise to sunset, we are just giving a specific time. We are not gaining anything by doing this. Attorney Davenport pointed out we are taking hours away by changing the time. Commission Chairman Oddo said there is a safety concern. Mr. Pope commented he only knows of one or two requests.**

**Commissioner Oddo stated the lakes are not intended for recreation right now, they are intended for reservoirs. It is a benefit they get by having it. Mr. Pope said when you put people on a lake in the dark, then you put your staff out there, that is a lot of risk he does not think we want to assume, just to give people a few more minutes of fishing a day.**

**Chief Myers said considering the citizens of Fayette County that are more than just fishermen that visit the park; looking at the results of what happens sunrise to sunset time he thinks the citizens are losing hours and opportunity to visit the lake on both ends. To make the change and automate, it new timers will be needed; the ordinance will need to be changed, and probably need to adjust the work time of the Marshals or add staff. After looking at this, fishermen are not really gaining a whole lot by changing the time. He said his recommendation is to not change the hours.**

**Lee Pope made a motion, based on the information presented by Chief Myers that there is no benefit in changing the hours, there is more negatives to our operations and to the safety of our citizens for use of our lakes. He made this motion as a recommendation to the Board of Commissioners to leave the park hours at the reservoirs the same as they are now. Vice Chairman Chip Conner seconded. The motion passed unanimously.**

#### **V. DISCUSSION OF MINIMUM AGE FOR SOLO PADDLING.**

**Lee Pope explained he is concerned about the state law; he does not think we want to go outside of what state law says about age limits. Attorney Davenport said he thought we had changed it because of state law. Chief Myers stated in February of 2015 we changed it from 14 to 12 to be in line with state law. Why the signs still say 14 he said he cannot explain that. Those signs have now been changed to reflect the minimum age of 12 years old.**

**Mr. Pope said the thought was that when it changed we put something over it and added the 12 and maybe it fell off. Chief Myers said what was probably done rather than having an entire new board of rules made up; we added stickers and put that over the 14. Those have all been updated now to reflect 12 years old.**

**Commission Chairman Oddo asked for clarification on what the memo was asking for. Chief Myers stated Commissioner Brown had two proposals; number one was to allow the children age 12 and up to operator a canoe, kayak, standup paddle**

board and so on. That is already in effect. The ordinance was changed in February, 2015. The sign has now been updated and should be reflected at the reservoirs now.

Mr. Pope said number 2 is what he is concerned about. Chief Myers explained that in number 2 Commissioner Brown made a proposal that an exemption be created for the children below the age of 12 participating in the ROW America Peachtree Rowing Program as long as the children are under the direct supervision of a certified instructor. Mr. Pope commented that he thinks that conflicts with state law and Attorney Davenport may want to research and get back with the committee on that.

Chief Myers commented that state law says no persons under the age of 12 years old shall operate a Class I, II, or III vessel or a personal watercraft in the waters of Georgia. Classes of boats are Class A, which is below 16 foot; Class I, II, and III are all longer than 16 foot. The state law says no persons under 12 can operate...

Attorney Davenport asked if this is also part of our Reservoir Management Plan. Does it go into this kind of specifics as far as the use? Chief Myers said what Commissioner Brown is asking for is an exception, in his opinion, to the state law. Mr. Pope said he felt that, too. Chief Myers said state law says under 12 years old cannot operate a Class I, II, or III boat by themselves. ROW America boats (skiffs) minimum length is 23 foot long. The number of people on it varies. It is not legal unless they are accompanied by an adult. Accompanied means in the boat with them. Under direct supervision means (according to the state definition) within 400 feet or. ROW America does use the safety boats that follow around with the trainees. That is direct supervision.

Further discussion pertained to state law, minimum age requirement, length of vessel, boating education course completion, ROW America program boat length, accompanied by an adult definition and operation of the boat.

Lee Pope made a motion to table this item until the next meeting to give Attorney Davenport time for review. Commission Chairman Oddo seconded. The motion passed unanimously.

## **VI. PUBLIC COMMENT**

No public comment.

## **VII. MILLER POND BRIEFING BY STEPHEN HOGAN.**

Stephen Hogan explained that Peachtree City Water and Sewerage Authority has 275 acres off of Georgia 85; which the 4H Shotgun Club has an area. In late July a gate lock was cut and the gate was laid open and they found someone was traversing the area. They secured the gate, and notified 4H; now the gate has been cut again as of Monday or Tuesday of this week. He said they have notified the

**Sheriff's Department and are notifying the Marshals Office as of today, and have notified 4H. They have not, as of yet, found anything missing but they do know things have been moved around. He said they have been back in the property itself and have seen signs that appears they are scouting it for deer hunting and/or fishing and likewise. Just because of the management aspect of the property they do not allow any fishing or hunting or that type of exercise on their property at the Miller Farms. He asked if anyone sees anything, please let them know. Chief Myers said the day he went down there, the gates were locked at that time. Mr. Hogan said they have secured the gate and they can provide access by adding a lock for the Marshals. Now they refer to this as the red gate, they have painted the post red so everyone knows which one they are talking about.**

**Mr. Hogan stated their concern is obviously trespassing and taking of game they don't want to be taken; theft or vandalism of the 4H building. The Sheriff's Department runs the dogs down there and uses it for the dog training. They have not been down there in the facility. He said to be aware that there is someone utilizing the property that they don't want utilizing it, making unlawful entry. They will be addressing these issues. In the meantime, he said please feel free to give him a call on the cell phone if there is any contact or problem.**

#### **VIII. ADJOURNMENT.**

**Vice Chairman Chip Conner made a motion to adjourn the Water Committee August 10, 2016 meeting. Jimmy Preau seconded. The motion passed unanimously.**

**There being no further business, Chairman Pete Frisina adjourned the meeting at 8:45 A.M.**

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**Peter A. Frisina**

**The foregoing minutes were approved at the regular Water Committee meeting on the 24th day of August, 2016.**

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**Lisa Speegle**