

CLAYTON COUNTY WATER AUTHORITY

Regular Board Meeting
1600 Battle Creek Road
Morrow, Georgia 30260
December 3, 2015

Present at the meeting were: Chairman John Chafin, Secretary/Treasurer John Westervelt, Board Member Marie Barber, Board Member Sophia Haynes, Board Member Elizabeth G. Armstrong, Board Member Dr. Cephus Jackson, General Manager Mike Thomas, Assistant General Manager Bernard Franks, Legal Counsel Steve Fincher, Executive Coordinator Amanda LaPierre, other CCWA staff and visitors. Vice Chairman Rodney Givens was not present.

Chairman John Chafin called the meeting to order at 1:31 p.m.

Invocation

John Chafin introduced Tim Allen to give the invocation.

Adoption of Agenda

UPON MOTION by Marie Barber and second by Dr. Cephus Jackson, to adopt the amended agenda to add item D "Property Donation from Jim Jackson Recommendation" under New Business, it was unanimously

RESOLVED to approve the amended agenda as proposed.

Approval of Minutes

Chairman John Chafin called for any omissions or additions to the minutes of the Regular Board Meeting of November 5, 2015.

UPON MOTION by John Westervelt and second by Dr. Cephus Jackson, it was unanimously

RESOLVED to approve the Regular Board Meeting Minutes of November 5, 2015.

Financial and Statistical Reports

Finance Director Allison Halron reviewed the financial information distributed to the Board for the period ending October 31, 2015.

Recognition

George W. Burke Safety Award – Northeast WRF. Water Reclamation Department Manager Chris Hamilton recognized the Northeast Water Reclamation Facility for receiving the George W. Burke Safety Award from the Water Environment Federation.

Georgia Association of Water Professionals (GAWP) Wastewater Collection System Platinum Award. Assistant General Manager of Operations Bernard Franks recognized the Distribution and Conveyance Department for receiving the Wastewater Collection System Platinum Award from the Georgia Association of Water Professionals (GAWP).

Georgia Association of Water Professionals (GAWP) Distribution System Gold Award. Assistant General Manager of Operations Bernard Franks recognized the Distribution and Conveyance Department for receiving the Distribution System Gold Award from the Georgia Association of Water Professionals (GAWP).

New Business

Annual Flow Monitoring Contract Bid Recommendation: Distribution and Conveyance Department Manager Jeff Jones presented a recommendation on awarding the bid for Annual Flow Monitoring services.

Vendor	Cost
ADS Environmental Services	\$42,140.00
CBI Industries	\$51,600.00

Recommendation: Staff recommended awarding ADS Environmental Services the Annual Flow Monitoring contract. This annual contract is for the time period January 1, 2016 to December 31, 2016. This award is contingent upon the Bidder meeting risk management requirement and executing the contract, as well as the Board authorizing the General Manager to sign the contract with the option to renew for a second and third year with no change in terms, conditions and price.

UPON MOTION by John Westervelt and second by Dr. Cephus Jackson, it was unanimously

RESOLVED to approve staff recommendation to award the bid to ADS Environmental Services in the amount of \$42,140.00 per year contingent upon approval of insurance and

bonds as required and authorizing the General Manager to sign the contract with the option to renew for a second and third year with no change in terms.

Wireless Mobile Device Policy Recommendation: Human Resources Director Ed Durham presented a recommendation to update the Clayton County Water Authority Personnel Policy Manual in regards to mobile devices and their use for the Authority by staff.

XXIX. WIRELESS MOBILE DEVICE POLICY

SECTION 1 DEVICE POLICY

The purpose of this policy is to establish a uniform and comprehensive policy for governing the acquisition, use and administration and control of wireless Mobile Devices, including but not limited to smart phones, tablets, and laptops. ("Mobile Device") This policy will apply to CCWA procured and personal devices utilized for Company business.

- 1) Certain Clayton County Water Authority (CCWA) employees are required to have a Mobile Device to adequately perform their required job duties. To qualify for a Mobile Device the following criteria must be met:
 - a) The job function of the employee requires considerable time outside of their assigned office or work area and it is important to the CCWA that they are accessible by Mobile Device during those times; or
- 2) When the criteria above have been satisfied, CCWA will provide a Company Mobile Device at CCWA's cost. In the alternative, each eligible CCWA employee may choose to provide their own Personal Mobile Device, at their cost, and CCWA will reimburse the employee for a portion of the monthly service based on a set amount as established in Section 2 of this Chapter.
- 3) **Each department manager may submit a request for the acquisition of a Mobile Device(s) based on the job duties and departmental budget funds availability. This request shall be directed to the General Manager for approval and shall specify if the request is for a Company Mobile Device or for an allowance for a Personal Mobile Device.**
- 4) **Each employee is responsible for the security and use of Company or Personal Mobile Devices.** Devices will be given access to corporate content such as email, training manuals and other documents and applications as the need arises. Content will be managed and the access restricted by the IT department to secure the data. Employees are also required to use sensitive data carefully and to protect it under all circumstances. Employees shall report all incidents of loss or theft of the equipment immediately upon the Employee's knowledge of the loss to their supervisor, and to their mobile carrier.

- 5) **The use of camera phones or other audio or video recording capable devices on CCWA premises may constitute an invasion of the privacy of our employees and customers. The CCWA prohibits unauthorized photography, and audio or video recording of its employees, documents or customers. While all circumstances of unauthorized photography cannot be described or itemized, employees are urged to remember that while on duty, professionalism is expected at all times, and use of photography in an unprofessional, disrespectful, invasive, clandestine, or rude manner will result in discipline.**
- 6) **Employees are allowed limited use of a Company Mobile Device for any non-work related internet usage or non-work related photos; additionally no more than minimal personal communication is authorized on Company Mobile Devices.**
- 7) **Each employee will be held responsible for the cost of replacement or repair to the Company Mobile Device unless the employee can demonstrate that reasonable care to protect and safeguard the Mobile Device was exercised.**
- 8) **Company Mobile Devices and their usage may be randomly audited.**
- 9) **Some or all of the contents of Company and Personal Mobile Device records, e-mail, texts, photographs, videos, all data and the content of its memory may be subject to the Georgia Open Records Act.**
- 10) **Employees should avoid the use of handheld Mobile Devices while driving or operating motorized equipment; provided that such usage is only allowed in emergency situations. Otherwise, all employees are encouraged to use either hands-free accessories or to pull off the road and/or shut down machinery for all Mobile Device usage. Employees are expected to comply with state law prohibiting texting while operating a motor vehicle.**
- 11) **Employees are expected to use their Mobile Device in a manner consistent with the CCWA policies and procedures. Misuse of the Mobile Device in ways inconsistent with CCWA policy or with local, state or federal laws may result in disciplinary action including, but not limited to, immediate loss of a Company Mobile Device or Personal Mobile Device allowance.**
- 12) **Violation of this policy may result in disciplinary action up to and including termination.**

SECTION 2 DEVICE ALLOWANCE POLICY

CCWA offers an allowance for CCWA related Mobile Device usage to employees that are eligible for a Personal Mobile Device under the CCWA Wireless Mobile Device Policy.

- 1) An employee wishing to take advantage of this policy should complete and tender the Wireless Mobile Device Allowance Request Form. The form must be approved by the appropriate Department Manager and forwarded to the General Manager for final approval.
- 2) Employees will be required to monitor their Personal Mobile Device at all times; if so, while minimal outages due to failure of equipment are understandable, prolonged outages are not acceptable. Failure of the employee to thereafter provide an adequate Mobile Device while receiving the allowance may result in withdrawal of the allowance and/or disciplinary action.
- 3) An employee will be required to get prior approval of the CCWA General Manager to return to using a Company Mobile Device.
- 4) The allowance will be approximate to the employee's anticipated business related expenses only. The amount of the allowance will be determined by previous history of each job position. The allowance will be on a monthly basis and at termination of service; the allowance will be prorated depending on the percentage of the month that service was needed.

The allowance amount will be reviewed annually but the amounts established will be the maximum amount paid to the employee regardless of the employee's personal phone bill amount. Management will use the following schedule to determine the appropriate allowance:

- Tier 1: This allowance is for the employee who has light to moderate usage of wireless phone for business purposes (450 minutes or less).
 - Tier 2: This allowance is for the employee who has high usage of the wireless phone and/or data plan for e-mail and other internet activities.
 - If the employee is approved for Tier 2, CCWA IT will need to give prior approval for data plan supporting the employee's phone.
 - The amount of the reimbursement will be determined on a yearly basis based on review of prevailing rates in the area.
- 5) The allowance will be added to each employee's payroll check per IRS regulations.
 - 6) Costs for the Personal Mobile Device and any additional equipment, including cosmetic or technical extras, are the responsibility of the employee. The employee is responsible for the costs, care, security and any necessary replacement of the phone, including equipment insurance, which is advisable.

- 7) CCWA requires that employees utilize service from a provider that has adequate service coverage in Clayton County. If the employee does not provide equipment and a carrier with reliable service the allowance will be terminated and the employee may be subject to disciplinary action.
- 8) The Personal Mobile Device and its related service will be personally owned by the employee, and therefore may be used for both personal and business calls. The employee must determine the best wireless plan based on service usage and must make the Personal Mobile Device available for business use so long as the allowance is in place. An employee with Mobile Device allowance must maintain an active Mobile Device at all times while receiving the allowance, and must provide the phone number to the staff of CCWA.
- 9) A copy of the completed Wireless Communications Allowance Request Form will be maintained by the CCWA.
- 10) The employee's supervisor is responsible for an annual review of the business need for a Personal Mobile Device allowance to determine if allowance should continue. An employee may be required to periodically submit their Mobile Device bills showing proof of service. 11) If an employee is transferred or becomes ineligible for a Personal Mobile Device allowance, the employee's supervisor should submit a revised Mobile Device Allowance Request Form to Human Resources and the Help Desk noting "Discontinue Allowance as of XX/XX/XX" in the business justification section of the Form.
- 12) The employee's use of the personal device as contemplated herein carries specific risks for which the employee assumes full liability including, but not limited to, an outage or crash of any or all of the Clayton County Water Authority's network, programming and other errors, bugs, viruses, and other software or hardware failures resulting in the partial or complete loss of data or which render the smart device inoperable.

SECTION 3 WVC DEVICE MODIFICATION POLICY

All Mobile Devices, whether Company or Private, which are intended to be utilized in the service of the CCWA may have installed therein by CCWA staff certain software applications that are designed and intended to facilitate in the protection of CCWA information, proprietary software, and other sensitive data.

Your device only allows for the remote wipe of Clayton County Water Authority data. This means your personal data is still vulnerable.

Employees shall be required to call the Clayton County Water Authority's Help Desk for any technical support relating to such software applications. Some devices may be incompatible with the program and may be denied support.

CCWA reserves the right to, without prior notice, to disable or disconnect some or all services related to the connection of a Mobile Device to the company's network. This includes but is not limited to blocking access to company email, internal documents or un-enrolling the device from the AirWatch Container Agent or any other CCWA system.

Employees are not permitted to remove or alter any applications that may be installed with the AirWatch Container agent enrollment or any other CCWA system. Any attempt to violate or bypass the AirWatch Container agent implementation or any other CCWA system will result in an immediate activation of a compliance policy or disconnection from all resources and a wipe of all corporate data, and there may be additional consequences in accordance with Clayton County Water Authority's security policy.

Clayton County Water Authority expressly disclaims, and the employee releases Clayton County Water Authority from, all liability for any loss, cost, or expense of any nature whatsoever sustained by the employee in connection with the privilege afforded the employee under the terms of this Agreement.

UPON MOTION by Dr. Cephus Jackson and second by John Westervelt, it was unanimously

RESOLVED to approve staff's recommendation to update the Clayton County Water Authority Personnel Manual in regards to mobile devices and their use by staff as outlined above.

Hardship Assistance Program Revision Recommendation: Customer Accounts Director Teresa Worley presented a recommendation to revise the Hardship Assistance Program in the Clayton County Water Authority Law and Policy Manual to reflect a maximum of \$200.00 in assistance during a twelve month period.

STATE OF GEORGIA
COUNTY OF CLAYTON

RESOLUTION NO. 2015-05

WHEREAS, Georgia Laws 1955, page 3334, created the Board of the Clayton County Water Authority;

WHEREAS, the Clayton County Water Authority Board of Directors ("Board") has adopted a Clayton County Water Authority Law and Policy Manual; and

WHEREAS, the Board wishes to update the Clayton County Water Authority Law and Policy Manual.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED THAT:

Section 20. Hardship Assistance. That Chapter 8 is hereby amended of the Clayton County Water Authority Law and Policy Manual to read as follows:

Funds, not to exceed sixty percent (60%) of cell phone tower revenues received in the prior calendar year may, at the sole and complete discretion of the Board, be reserved in an account at the Authority to be made available to assist applicants demonstrating hardship with water and sewer bills to the Authority. Board approved vendor shall receive, as consideration for performing this service, a fee equal to twenty percent (20%) of the amounts paid by the Authority. Eligibility determinations shall be administered by and through Board approved vendor. The maximum assistance available to any applicant shall be one hundred fifty dollars (**\$200**) in a twelve-month period. Once an applicant's hardship request for assistance has been approved by Board approved vendor, Board approved vendor will notify the Authority, at which time funds may be transferred from the Hardship for Board approved vendor revenue account for the satisfaction of customer charges.

(Reference minutes of May 4, 2006 Page 3304, June 3, 2010 Page 4322, August 5, 2010 Page 4351)

Section 2. General Authority. From and after the adoption of this Resolution, the Board and the proper members, agents and employees of the Board are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the intent of this Resolution.

Section 3. Actions Ratified, Approved, and Confirmed. All acts and doings of the members of the Board which are in conformity with the purposes and intents of this Resolution shall be, and the same hereby are, in all respects ratified, approved, and confirmed.

Section 4. Recordation. This Resolution shall be recorded in the minutes of the Board.

Section 5. Severability of Invalid Provisions. The sections, paragraphs, sentences, clauses, and phrases of this Resolution are severable, and if any phrase, sentence, paragraph, or section of this Resolution shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such an illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Resolution.

Section 6. Repealing Clause. All resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 7. Effective Date. This Resolution shall become effective upon its adoption.

SO RESOLVED this 3 day of December 2015.

Clayton County Water Authority:

John Chafin, Chairperson

Attest:

John Westervelt, Secretary/Treasurer

APPROVED AS TO FORM:

Steven M. Fincher, Attorney for
Clayton County Water Authority

UPON MOTION by Sophia Haynes and second by Dr. Cephus Jackson, it was unanimously

RESOLVED to approve staff's recommendation to revise the Hardship Assistance Program in the Clayton County Water Authority Law and Policy Manual to reflect a maximum of \$200.00 in assistance during a twelve month period as outlined above.

Property Donation from Jim Jackson Recommendation: General Manager Mike Thomas presented a recommendation to accept a donation of land from Mr. Jim Jackson. The property consists of 182.4 acres adjacent to existing CCWA property.

UPON MOTION by John Westervelt and second by Dr. Cephus Jackson, it was unanimously

RESOLVED to approve staff's recommendation to accept a donation of land from Mr. Jim Jackson.

Executive Session

UPON MOTION by Marie Barber, second by John Westervelt it was unanimously

RESOLVED to enter Executive Session to discuss legal and personnel matters.

Approval of Executive Session Minutes

UPON MOTION by Dr. Cephus Jackson, second by Elizabeth G. Armstrong it was unanimously

RESOVLED to approve the Executive Session minutes of December 3, 2015.

UPON MOTION by John Chafin, second by Marie Barber it was unanimously

RESOLVED to exit the Executive Session.

UPON MOTION by John Westervelt, second by Marie Barber it was unanimously

RESOLVED to appoint Maureen Malone as the Board's Hearing Officer for a pending personnel hearing.

Updates from the Board Members and General Manager

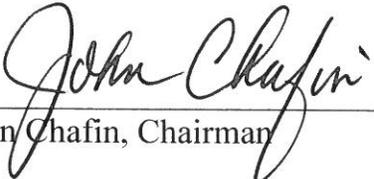
There was general consensus to use CCWA's insurance company appointed attorney for pending personnel hearing.

General consensus vote to waive late penalties for government agencies. In favor: John Westervelt, Sophia Haynes, Dr. Cephus Jackson. Opposed: Marie Barber, Elizabeth G. Armstrong. Abstained: John Chafin.

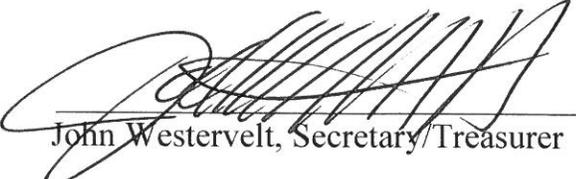
Adjourn

UPON MOTION by Marie Barber and second by John Westervelt it was unanimously

RESOLVED to adjourn the Board Meeting at 4:25 p.m., there being no further business to come before the Board of Directors.



John Chafin, Chairman



John Westervelt, Secretary/Treasurer

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COUNTY OF CLAYTON**

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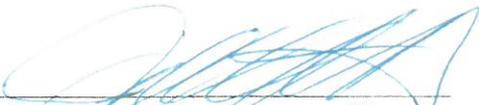
SO RESOLVED this 3 day of December 2015.

Clayton County Water Authority:



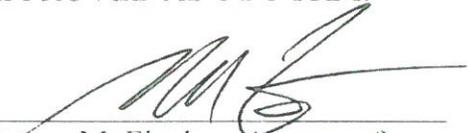
John Chafin, Chairperson

Attest:



John Westervelt, Secretary/Treasurer

APPROVED AS TO FORM:



Steven M. Fincher, Attorney for
Clayton County Water Authority

