

**ATHENS MUNICIPAL WATER AUTHORITY**  
**June 21, 2017**

The Board of Directors of the Athens Municipal Water Authority ("AMWA" or "Authority") met in Regular Session on Wednesday, June 21, 2017, 8:00 a.m. at the Athens Municipal Water Authority Headquarters, with the following members present, to-wit:

Ed Gatlin, Vice President  
Don Foster, Secretary  
Frank Lunceford, Board Member

absent: Mike Peek, President; Milburn Chaney, Board Member

others present: Bill Casey, AMWA Executive Director; Martin Bennett, AMWA Attorney; Beth McConnell, AMWA Office Manager; Corey Frentress, Velvin & Weeks Consulting Engineers; Jim Anderson, Velvin & Weeks Consulting Engineers

guests of note: Monte Montgomery, City of Athens Mayor; Mike Finney, City of Athens; Ryan Adams, City of Athens

constituting a quorum at which time the following proceedings were enacted to wit:

**CALL TO ORDER**

The meeting was called to order at 8:02 a.m. by Director Gatlin.

**DECLARATION OF CONFLICT OF INTEREST**

No conflicts of interest declared.

**OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN**

Mr. Bob Bushnell, of the Rose Pointe subdivision, spoke on the inundation of lily pads in that cove, and the belief that TPWD should let them remove them. He showed photos of the cove to the Board.

Mrs. Jane Nettune, of the Impala South subdivision, echoed Mr. Bushnell's sentiments. Mrs. Nettune also spoke on how if the Board suspends the *Rules & Regulations* regarding no camping at the Marina, it would start a precedent of other groups requesting the same suspension of rules. She feels that if the Board allows the Boy Scouts to camp at the Marina, the Board would not be able to say no to any future requests.

**CONSENT AGENDA**

A motion was made by Director Foster, and seconded by Director Lunceford to accept the minutes of the May 10, 2017 Regular Session Board Meeting, as presented. This motion carried unanimously.

**COMMITTEE REPORTS**

Director Gatlin presented the financial statements.

Director Gatlin presented the monthly bills for payment. A motion was made by Director Lunceford and seconded by Director Foster for payment of those bills. This motion carried unanimously.

**DISCUSS AND ACT UPON TEMPORARY SUSPENSION OF THE RULES & REGULATIONS GOVERNING LAKE ATHENS, ARTICLE 6, SECTION 6, NO CAMPING PERMITTED ON AUTHORITY PROPERTY, FOR BOYSCOUTS WEEKEND, OCTOBER 20-21, 2017 (W.C. PERRYMAN)**

Mr. Perryman was not in attendance to answer any questions of the Board. After a brief discussion regarding the precedent allowing the Boy Scouts to camp would set, a motion was made by Director Lunceford, seconded by Director Foster, to *not* suspend the no camping rules for the Boy Scout weekend. This motion carried unanimously.

**DISCUSS/CONSIDER REVISIONS FOR THE RENEWAL OF THE RAW WATER CONTRACT WITH LAKE ATHENS PARTNERS, LLC AND AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE SAID CONTRACT WITH ANY APPROVED REVISIONS**

A motion was made by Director Foster, seconded by Director Gatlin, to approve a contract renewal with no revisions, and for Executive Director Casey to execute the contract renewal. This motion carried unanimously.

**DISCUSS AND ACT UPON RESOLUTION 2017-0621, REGARDING ALLOWABLE LAKE ATHENS SERVICES FOR LAKE ATHENS PARTNERS, LLC**

Executive Director Casey explained that this resolution was in reference to a discussion had at the May 10, 2017 Board meeting, to allow Lake Athens Partners to receive permits for five ingress/egress of over 500', and to be able to construct up to five 2500' square foot boathouses.

A motion was made by Director Foster, seconded by Director Lunceford, to execute resolution 2017-0621 for Lake Athens Partners, LLC and the services they will be allowed on Lake Athens. This motion carried unanimously.

**DISCUSS AND ACT UPON VARIANCE REQUEST TO RULES & REGULATIONS REGARDING LAKE ATHENS, ARTICLE 2, SECTION 2, LENGTH OF A PIER OR BOATHOUSE**

Mr. Adam Piper, The Pointe Lot 11, requested a variance to extend his new boathouse to 85 feet (for a 25 foot variance), as his neighbor's boathouse is at 85' in length. A motion was made by Director Lunceford, seconded by Director Foster to approve the length variance. This motion carried unanimously.

**DISCUSS AND ACT UPON DECLARING 0.260 ACRES, F M TRIMBLE SURVEY, ABSTRACT 766, EXCESS PROPERTY, AND CONSIDER THE SALE OF THE SAME TO JAMES & CAROLYN RAY**

Executive Director Casey and Counsel Bennett explained that the property in question is owned by the Authority due to a surveying error when the properties to construct Lake Athens were being purchased, in the early 1960s. In the Bear Creek Circle subdivision, the Authority's property extends beyond the 448' msl line. In the instance of the property that James & Carolyn Ray have requested to purchase, the Authority owns up to 454.5' msl line (the Ray's current property line). The Authority would vote to declare this property as excess this month, and vote to sell the property at the next Board meeting.

A motion was made by Director Lunceford, seconded by Director Foster, to declare 0.260 acres in the F M Trimble Survey, Abstract 766 as excess property, and to consider the sale to James & Carolyn Ray at the next regularly scheduled Board meeting. This motion carried unanimously.

**DISCUSS AND ACT UPON EXECUTING A 15' EASEMENT WITH TRINITY VALLEY ELECTRIC COOPERATIVE FOR PROPERTY ADJACENT TO LAKE ATHENS SPILLWAY**

Executive Director Casey explained that this is the 15' easement that Mr. Tom Potthoff requested last month, however Counsel Bennett determined that the easement would need to be with TVEC.

A motion was made by Director Gatlin, seconded by Director Lunceford, to execute the easement with TVEC. This motion carried unanimously.

**EXECUTIVE DIRECTOR'S REPORT**

Executive Director Casey gave his Executive Director and Chief of Police reports.

Executive Director Casey updated the Board of Directors on correspondence received from TCEQ in May, regarding violations at the Water Treatments Plant. TCEQ had identified six violations during an inspection in December 2015, that the City of Athens had not yet corrected, and enforcement actions (fines) were about to be taken against the Authority, and Executive Director Casey met with TCEQ and requested an enforcement extension. Due to the nature of the contract between the Authority and the City of Athens, the City of Athens was notified that they are to be required to resolve the violations.

Failure to Operate in Accordance with an Approved CT Study: Executive Director Casey hand-delivered the CT Study dated 09/22/16 to TCEQ to resolve this violation.

Failure to Protect Water System from Actual or Potential Cross Connections: TCEQ explained that a new RPZ was needed. During the water treatment plant inspection, Mike Finney (City of Athens Water Superintendent) gave Executive Director Casey documentation that the RPZ was installed. Executive Director Casey forwarded this to TCEQ to resolve the violation.

Failure to have a Flash Mix: During the water treatment plant inspection Mike Finney produced documentation showing a new motor and gear box were installed by an outside contractor. Executive Director Casey forwarded this to TCEQ to resolve the violation.

Failure to have a Nitrification Action Plan (NAP): During the water treatment plant inspection, Mike Finney produced a NAP with both the City of Athens and Authority water systems combined. Within an hour of concluding the inspection, Mr. Finney forwarded Executive Director Casey a NAP relating to just the Authority's water system. Executive Director Casey forwarded this to TCEQ to resolve the violation.

Failure to Develop and Maintain a System Monitoring Plan and Failure to have an Adequate Plant Operations Manual: Ryan Adams (City of Athens Managing Director of Administrative Services) informed Executive Director Casey that the City of Athens' contract engineering firm, Garver, would have both of these items complete by December of this year. Executive Director Casey informed him this would be unacceptable to TCEQ as the monitoring plan has been written as a violation by TCEQ since 2011. City of Athens Mayor Monte Montgomery held a special session of the City Council, where it was decided that Garver would move the monitoring plan and plant operations manual to the highest priority. The Authority is expecting to receive these and be able to resolve these two violations within the next few weeks.

Executive Director Casey then went on to explain the water treatment plant inspection. He praised both Mr. Adams and Mr. Finney for their cooperation and professionalism, during the process. During the inspection, Executive Director Casey and the Authority's water consultant, identified seven items that the City of Athens needed to repair or replace per the October 9, 2014 contract. The City will be notified officially of these items after this meeting.

Executive Director Casey and the water consultant also identified several items where he believes that the Authority would need correct, and will be budgeting for these items in subsequent budgets.

**ENGINEER'S REPORT**

Executive Director Casey showed a slide show of the start and finish of the dam toe drain and maintenance project. This project is finished.

**ADJOURN**

A motion was made by Director Foster and seconded by Director Lunceford to adjourn the meeting at 8:50 A.M.

**PASSED AND APPROVED on this 12<sup>th</sup> day of July 2017.**

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Mike Peek, President

ATTEST:

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Donald A. Foster, Secretary