

**ATHENS MUNICIPAL WATER AUTHORITY**  
**July 13, 2016**

The Board of Directors of the Athens Municipal Water Authority ("AMWA") met in Regular Session on Wednesday, July 13, 2016, 8:00 a.m. in the Hart-Morris Conservation Center of the Texas Freshwater Fisheries Center, with the following members present, to-wit:

Ed Gatlin, Vice President  
Don Foster, Secretary  
Milburn Chaney, Board Member

absent: Mike Peek, President; Frank Lunceford, Board Member

others present: Bill Casey, AMWA Executive Director; Martin Bennett, AMWA Attorney; Corey Frentress, Velvin & Weeks; Beth Flach, AMWA

guests of note: Gary Whittle, City of Athens; Lawrence Cutrone, City of Athens Interim Director of Public Works

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

**CALL TO ORDER**

The meeting was called to order at 8:01 a.m. by Director Gatlin.

**DECLARATION OF CONFLICT OF INTEREST**

No conflicts of interest declared.

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

Mrs. Jane Nettune of Impala South, expressed concern regarding the speed and number of boats during fishing tournaments. She also expressed concern regarding a near accident as the boater was texting and boating at a high speed.

Mrs. Peggy Gould, of Impala Point, expressed concern regarding the speed and number of boats on the Lake at one time. Mrs. Gould suggested that AMWA look into limiting the number of boats during fishing tournaments.

Mr. Todd Garrett, of Oakwood, informed the crowd of the "Skiing with the Galilean" event to be held on Lake Athens. This is an event held since 1999, benefiting children with special needs and orphans.

**CONSENT AGENDA**

A motion was made by Director Foster and seconded by Director Chaney to accept the minutes of the June 8, 2016 Regular Session Board Meeting, as presented. This motion carried unanimously.

**DISCUSSION ON THE IMPLEMENTATION OF RULES & REGULATIONS CONCERNING RECREATIONAL ACTIVITIES CONDUCTED UPON LAKE ATHENS**

Following Mrs. Mondini expressing her concern regarding the boating traffic on Lake Athens during fishing tournaments, during the June 8, 2016 Board meeting, General Counsel Martin Bennett, began researching whether AMWA could legally limit the number of vessels on Lake Athens at any given time.

Citing TPWD Code 39.092 and Texas Attorney General's opinion 98-064, it is, in Counsel's opinion, not possible for AMWA to legally limit the number of vessels on Lake Athens. AMWA would have to prove that limiting the number of vessels was in the interest of public safety, and for no other reason. Also

citing TPWD Code 39.092 and Texas Attorney General's opinion 98-064, AMWA is not legally able to charge a fee for the use of the public boat ramps or Lake Athens in general.

#### COMMITTEE REPORTS

Director Gatlin presented the financial statements.

At this time, Director Gatlin presented the monthly bills for payment. A motion was made by Director Chaney and seconded by Director Foster for payment of those bills. This motion carried unanimously.

A motion was made by Director Foster and seconded by Director Chaney to authorize Executive Director Casey to countersign the 2016-17 tax collections agreement with the Henderson County Tax Assessor/Collector. This motion carried unanimously.

The Board of Directors then reviewed the prepared first draft of the 2016-17 fiscal year budget, as prepared by staff.

A motion was made by Director Chaney and seconded by Director Foster, to schedule a public hearing for the 2016-17 tax rate, during the August 10, 2016, Board meeting with a proposed tax rate of 0.119729/\$100 valuation (identical to 2015-16 tax rate). This motion carried unanimously.

Director Gatlin gave the investment report, as presented to the Board by Executive Director Casey.

Office Manager McConnell then presented a report on the collections of lake services fees and the previous month's public relations activities.

A motion was made by Director Gatlin and seconded by Director Foster to accept the proposed committee structure with the following committees and committee chairs:

Finance & Budget Committee	Director Gatlin
Rules & Administration Committee	Director Chaney
Water & Resources Committee	Director Foster
Infrastructure & Engineering Committee	Directors Lunceford & Foster
Partnerships & Community Relations	President Peek

This motion carried unanimously.

#### EXECUTIVE DIRECTORS REPORT

Executive Director Casey gave an update on AMWA and the AMWA Police Department. He also spoke on the retirement of Patrol Officer Bill Magee.

Executive Director Casey also informed the Board and the public regarding the recently received Lake Athens Vegetation Report, as prepared by the Texas Parks and Wildlife Department's Tyler field office. Executive Director Casey relayed that all aquatic vegetation management, both chemical and manual/mechanical, had to be approved by TPWD.

#### ENGINEER'S REPORT

Corey Frentress of Velvin & Weeks Engineering Consultants gave an update on the various projects that are in development, including the dam maintenance, the new building, etc.

#### ADJOURN

A motion was made by Director Foster and seconded by Director Chaney to adjourn the meeting at 8:47 A.M.

PASSED AND APPROVED on this 10th day of August, 2016.

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Mike Peek, President

ATTEST:

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Donald A. Foster, Secretary