

**ATHENS MUNICIPAL WATER AUTHORITY**  
**August 16, 2017**

The Board of Directors of the Athens Municipal Water Authority ("AMWA" or "Authority") met in Special Session on Wednesday, August 16, 2017, 8:00 a.m. at the Athens Municipal Water Authority Headquarters, with the following members present, to-wit:

Mike Peek, President  
Ed Gatlin, Vice President  
Don Foster, Secretary  
Milburn Chaney, Board Member  
Frank Lunceford, Board Member

others present: Bill Casey, AMWA Executive Director; Martin Bennett, AMWA Attorney; Beth McConnell, AMWA Office Manager;

guests of note: Ryan Adams, City of Athens; Barbara Holly, 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 8:00 a.m. by President Peek

**DECLARATION OF CONFLICT OF INTEREST**

No conflicts of interest declared.

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

Mr. Mark Carroll, of the P A Taylor subdivision, believes that the Board should deny the variance requested on today's agenda, for reasons including an AMWA rules violation and the potential economic loss on his property due to the boathouse being constructed.

Mr. Byron Kelley, attorney for Mr. Carroll, also believes that the variance should be denied.

Mr. Rick Rollow, of the P A Taylor subdivision, echoed Mr. Carroll's sentiments, and also quoted a definition of a variance. Mr. Rollow also would like the variance denied as his view of the Lake is blocked.

Mr. Kevin Sutherlin, of the P A Taylor subdivision, questioned the surveyor that Mr. Carroll hired to survey Mr. Sutherlin's property lines and boathouse. Mr. Sutherlin believes that the survey could not be accurate, as the surveyor was not able to go onto Mr. Sutherlin's property.

Mrs. Rebecca Hisey, of the P A Taylor subdivision, stated that the only neighbor who should have any say in the location variance, is her and her husband, as the boathouse may be closer than 15' to their property line and not to Mr. Carroll's. Mrs. Hisey also wanted to implore her neighbors to be neighborly to one another.

**EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, CHAPTER 551, SECTION 551.071  
CONSULTATION WITH THE ATTORNEY FOR THE AUTHORITY, REGARDING THE LEGAL NOTICE RECEIVED ON  
AUGUST 4, 2017, FROM M. CARROLL CONCERNING THE BOATHOUSE CONSTRUCTED AT P A TAYLOR LOT 39**

A motion was made by Director Gatlin, seconded by Director Lunceford, to enter into executive session at 8:19 A.M. This motion carried unanimously.

**DISCUSS AND CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, CHAPTER 551, SECTION 551.071 CONSULTATION WITH THE ATTORNEY FOR THE AUTHORITY, REGARDING THE LEGAL NOTICE RECEIVED ON AUGUST 4, 2017, FROM M. CARROLL CONCERNING THE BOATHOUSE CONSTRUCTED AT P A TAYLOR LOT 39**

A motion was made by Director Chaney, seconded by Director Foster, to return from executive session at 8:52 A.M. This motion carried unanimously.

No Action was taken.

**DISCUSS AND ACT UPON A VARIANCE REQUEST TO THE RULES & REGULATIONS REGARDING LAKE ATHENS, ARTICLE 2, SECTION 5, LOCATION OF A PIER OR BOATHOUSE, REQUESTED BY K. SUTHERLIN, OF P A TAYLOR LOT 39**

A motion was made by Director Lunceford, seconded by Director Gatlin, to grant the location variance, as requested by Kevin Sutherlin. This motion carries four to one, with Director Chaney dissenting.

**ADJOURN**

A motion was made by Director Gatlin and seconded by Director Lunceford to adjourn the meeting at 8:55 A.M.

**PASSED AND APPROVED on this 13<sup>th</sup> day of September 2017.**

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Mike Peek, President

ATTEST:

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Donald A. Foster, Secretary