

**ATHENS MUNICIPAL WATER AUTHORITY  
REGULAR SESSION  
August 19, 2015**

The Board of Directors of the Athens Municipal Water Authority ("AMWA") met in Regular Session on Wednesday, August 19, 2015, 8:00 a.m. in the Hart-Morris Conservation Center of the Texas Freshwater Fisheries Center with the following members present, to-wit:

Stephen R. Sparkman, President  
Ed Gatlin  
Mike Peek  
David Thomas

Martin Bennett, AMWA Attorney

others present: Tyler Hendrickson, and Darlene Forshage;

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 Sparkman.

**DECLARATION OF CONFLICT OF INTEREST**

Director Thomas declared a potential conflict of interest pertaining to the Lease of Real Property in regard to the Lake Athens Marina, and affidavits were filed accordingly.

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

No citizens wished to express concern.

**CONSENT AGENDA**

Motion was made by Director Gatlin and seconded by Director Thomas to approve the Consent Agenda which included: approval of the July 8, 2015 Regular Session minutes; approval of the July 23, 2015 Special Session minutes; and payment of monthly statements presented. Noting corrections to be made in the July 23<sup>rd</sup> minutes, this motion carried unanimously.

**COMMITTEE REPORTS**

Committee reports were given as follows:

- a. **Lake Athens:** President Sparkman announced that AMWA continues to accept applications for a new concessionaire at the Lake Athens Marina Complex. To date, no formal discussions have begun with any new prospects. He continued by saying the Lakeside Grill and Bait Shop would be closing on or around September 9<sup>th</sup>, when the existing lease terminates. In closing his report, President Sparkman presented a brief report on the progress being made on the Athens Game & Fish dam and road re-construction of FM 317.
- b. **Finance:** Director Gatlin presented a brief overview of the financial position of the organization. Current account balances for AMWA include: \$3.2M – Revenue Account; \$2.35 – Tax Account; \$3,181 – Office Management Account. Total deposits equal \$5,556,355.97, with another \$20,306.07 outstanding in accounts receivable.
- c. **Water Development:** - Director Foster was absent and this report was deferred for inclusion in the Engineer's Report.
- d. **City/AMWA Relations:** Director Thomas had no report.
- e. **Public Awareness:** President Sparkman deferred this report to Darlene Forshage who announced that during the period July 17 – August 16, 603 individuals visited the website viewing

a total of 1,316 pages. Of these individuals, 553 were new visitors. In all a total of 711 sessions took place. During the month, an additional 3 individuals had enrolled in the Emergency SMS Text Service being offered by AMWA.

- f. **Economic Impact:** Director Peek had no report.

#### **EXECUTIVE DIRECTOR'S REPORT**

Executive Director Casey then presented a report of his monthly activities. Included were reports on: the status of the easement into the Powder River Well Farm; details of a recent boating incident on Lake Athens; update on the maintenance contract for the Lake Athens Dam; announcement of installation of 2015-2016 permit identification tags for property owners; collection methods for accounts exceeding 90 days; and a brief summation of conversations with City Administrator Philip Rodriguez regarding the usage of Well #1.

#### **ENGINEERING REPORT**

Tyler Hendrickson of Velvin & Weeks Engineering reported on the status of all AMWA current and proposed projects.

#### **DISCUSS AND ACT UPON AUTHORIZING VELVIN & WEEKS TO ADVERTISE BIDS ON NURSING HOME SEWER PROJECT**

A motion was made by President Sparkman and seconded by Director Thomas to allow Velvin & Weeks Consulting Engineers the opportunity to open the bidding process to hire a contractor to perform necessary work on the AEDC/Nursing Home Sewer Project. Motion passed unanimously.

#### **VOTE TO PLACE A PROPOSAL TO ADOPT A SPECIFIC TAX RATE ON A FUTURE AGENDA**

In keeping with its desire to lower taxes collected on behalf of the Athens Municipal Water Authority, the board then reviewed several options for proposed tax rates. Following a brief discussion, a motion was made by Director Gatlin and seconded by Director Sparkman to lower the 2015-2016 tax rate from 0.122173 to 0.119729. The motion passed with Directors Sparkman, Gatlin, and Peek voting in favor and Director Thomas against based on his belief that setting a rate was premature to having the 2015-2016 AMWA Budget prepared.

#### **DISCUSS AND ACT UPON VARIANCE TO ARTICLE 2, PIERS AND BOATHOUSES, SECTION 2, LENGTH FOR LOT 106, OAKWOOD SUBDIVISION, AS REQUESTED BY TIMOTHY FISHER (7880 CHARYLA DRIVE)**

Executive Director Casey presented a request by Timothy Fisher that would allow Mr. Fisher to construct a boathouse of 790 sq. ft. connected by a pier of 175 linear feet. Based on Mr. Fisher's lot width and depth, this represents a needed variance of approximately 25% on the boathouse size and 15 feet in the length of the pier.

After discussion during which Executive Director Casey recommended approval of this variance request, a motion was made by Director Gatlin, seconded by Director Peek to approve the variance for Lot 106, Oakwood Addition Subdivision, to allow for a boathouse of 790 total sq. ft. and pier of 175 total linear feet. The motion carried unanimously.

#### **DISCUSS AND ACT UPON THE FUTURE DEVELOPMENT OF THE WATER WELL FARM**

Following a brief discussion regarding the current usage of Well #1 and the perceived intentions of the City of Athens for its continued usage, a motion was made by Director Thomas and seconded by

Director Gatlin authorizing the Executive Director to proceed with development. Motion carried unanimously.

**DISCUSS AND ACT UPON THE CONTINUED PARTNERSHIP  
WITH OAKWOOD PROPERTY OWNER'S ASSOCIATION**

Executive Director Casey reported that Oakwood Property Owner's Association President Bobby Fletcher has indicated the desire of the POA to begin Phase II of a project previously committed to and approved by the AMWA board of directors. In Phase II, the POA would be allowed to construct four boat slips for use by their residents. Because this construction was committed to in a contract with the Oakwood Property Owner's Association, no action was needed at this time by the AMWA board of directors.

Mr. Fletcher also indicated that the POA would like to begin development of Sunset Island. A motion was made by Director Thomas and seconded by Director Gatlin to table these discussions until such time that a formal presentation for the development of Sunset Island can be presented to the AMWA board for consideration. Motion carried unanimously.

**DISCUSS AND ACT UPON THE RENEWAL OF PROPERTY/LIABILITY/WORKER'S COMPENSATION INSURANCE**

Executive Casey then explained that until September 30, 2015, the City of Athens maintains all insurance records for AMWA. This being the case, City of Athens Human Resources Director Haven Cox had submitted a notice to the board informing them of the premiums required by the Texas Municipal League (current carrier) for property/liability/worker's compensation coverage in 2016. A motion was made by Director Thomas and seconded by Director Gatlin to renew the policies as they currently exist. Motion carried unanimously.

**APPOINTMENT OF AUDITOR FOR FISCAL YEAR ENDED SEPTEMBER 30, 2015**

Following a brief discussion, a motion was made by Director Sparkman and seconded by Director Gatlin to appoint the accounting firm of Smith, Lambright & Associates as the auditor of choice for AMWA in fiscal year 2015, providing that the firm can provide similar services and rate as had been provided in 2014. Motion carried unanimously.

**EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.072  
DELIBERATIONS ABOUT LEASE OF REAL PROPERTY IN REGARD TO THE LAKE ATHENS MARINA, AND  
TEXAS GOVERNMENT CODE, SECTION 551.071, CONSULTATION WITH ATTORNEY**

**EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.074  
DELIBERATIONS ABOUT PERSONNEL MATTERS INCLUDING  
THE EVALUATION OF THE EXECUTIVE DIRECTOR AND OFFICE MANAGER POSITIONS,  
AND TEXAS GOVERNMENT CODE, SECTION 551.071, CONSULTATION WITH ATTORNEY**

The board then adjourned to Executive Session at 9:14 a.m. for the purpose of discussing matters as described above.

**CONSIDER AND ACT UPON MATTERS RESULTING FROM  
EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.074  
DELIBERATIONS ABOUT PERSONNEL MATTERS INCLUDING  
THE EVALUATION OF THE EXECUTIVE DIRECTOR AND OFFICE MANAGER POSITIONS,  
AND TEXAS GOVERNMENT CODE, SECTION 551.071, CONSULTATION WITH ATTORNEY**

Returning from Executive Session at 10:25 a.m., President Sparkman made a motion to hire Bill Casey in a permanent full-time position as Executive Director and Chief of Police effective September 1, 2015. The motion was seconded by Director Thomas. Motion passed unanimously.

**CONSIDER AND ACT UPON MATTERS RESULTING FROM  
EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.072  
DELIBERATIONS ABOUT LEASE OF REAL PROPERTY IN REGARD TO THE LAKE ATHENS MARINA, AND  
TEXAS GOVERNMENT CODE, SECTION 551.071, CONSULTATION WITH ATTORNEY**

President Sparkman then explained that during this portion of the Executive Session, Director Thomas had been excused due to a cited Conflict of Interest. He then made a motion to appoint Bill Casey as the primary contact for all future negotiations pertaining to the Lake Athens Marina Complex concessionaire. The motion was seconded by Director Gatlin. The motion passed with Directors Sparkman, Gatlin, and Peek voting in favor and Director Thomas abstaining.

**DISCUSS AND ACT UPON RESOLUTION ADOPTING REVISIONS TO EXISTING INVESTMENT POLICY**

A motion was made by Director Gatlin and seconded by Director Thomas to appoint Bill Casey as the Investment Officer for AMWA and approve all suggested red-line changes presented to the existing Investment Policy. Motion passed unanimously.

**DISCUSS AND ACT UPON DISPOSITION OF FUNDS  
CURRENTLY HELD IN TWO SEPARATE TEXPOOL INVESTMENT ACCOUNTS**

A motion was made by Director Thomas and seconded by Director Peek to table this action item until such time that the Executive Director could make recommendations on the placement of the funds in question. Motion passed unanimously.

**ADJOURN**

Motion was made by Motion was made by Director Peek and seconded by Director Thomas to adjourn. The motion carried unanimously.

**PASSED AND APPROVED on this \_\_\_\_ day of \_\_\_\_\_, 2015.**

\_\_\_\_\_  
Stephen R. Sparkman, President

ATTEST:

\_\_\_\_\_  
Donald A. Foster, Secretary