

**ATHENS MUNICIPAL WATER AUTHORITY**  
**December 13, 2017**

The Board of Directors of the Athens Municipal Water Authority ("AMWA" or "Authority") met in Regular Session on Wednesday, December 13, 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: Ed McCain, City of Athens Councilmember; Ryan Adams, City of Athens; Tyler Hendrickson, Velvin & Weeks Consulting Engineers; Corey Frentress, Velvin & Weeks Consulting Engineers

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 President Peek.

**DECLARATION OF CONFLICT OF INTEREST**

Director Lunceford declared a conflict of interest for item 7.a.ii. ("Discuss and act-upon variance requests to the *Rules & Regulations Governing Lake Athens*, Article 2, Section 1 Area of a Pier or Boathouse, for Oakwood Lot 98) as he is the property owner and requestor.

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

No citizen wished to express an item of concern.

**CONSENT AGENDA**

A motion was made by Director Gatlin, and seconded by Director Lunceford to accept the minutes of the November 8, 2017 Regular Session Board Meeting and the December 4, 2017 Special Joint Session 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 Gatlin and seconded by Director Chaney for payment of those bills. This motion carried unanimously.

**DISCUSS AND ACT UPON MATTERS RELATED TO THE JOINT METING HELD WITH THE ATHENS CITY COUNCIL  
ON DECEMBER 4, REGARDING WATER TREATMENT PLANT "TREATIBILITY AND DISINFECTION STUDY", AS  
PRESENTED BY GARVER ENGINEERING**

On December 4, 2017 (see minutes), the Board of Directors and the Athens City Council were given a presentation by a contracted engineering firm of the City of Athens, regarding potential treatment changes at the Water Treatment Plant.

Multiple members of the Board expressed their reluctance to participate or fund the recommended changes, due to the high cost, and that those changes could not guarantee the changes would prevent high haloacetic acid levels in the future.

After discussion, a motion was made by Director Gatlin, seconded by Director Chaney, for the Authority to not move forward or participate in any of the changes recommended by Garver Engineering. This motion carried unanimously.

**DISCUSS AND ACT UPON VARIANCE REQUESTS TO THE RULES & REGULATIONS GOVERNING LAKE ATHENS,  
ARTICLE 2, SECTION 1: AREA OF A PIER OR BOATHOUSE**

Impala Point Lots 9A & 10B, as requested by Russ Walker: A motion was made by Director Chaney, seconded by Director Gatlin, to approve this variance request. This motion carried unanimously.

Oakwood Lot 98, as requested by Frank Lunceford: A motion was made by Director Gatlin, seconded by Director Foster, to approve this variance request. This motion carried 4-0, with Director Lunceford abstaining, as he had filed a conflict of interest for this item.

P A Taylor Lot 19, as requested by Mark Gunnin: A motion was made by Director Chaney, seconded by Director Lunceford, to approve this variance request. This motion carried unanimously.

**DISCUSS AND ACT UPON REVISIONS TO THE POLICY AND PROCEDURE MANUAL TO GO IN EFFECT  
JANUARY 1, 2018**

Executive Director Casey explained that since the Authority now has group health insurance, as well as vision insurance, the policy manual must be updated. Additionally, a section regarding jury duty was added.

A motion was made by Director Gatlin, seconded by Director Foster, to approve the changes to the *Policy and Procedure Manual* as presented. This motion carried unanimously.

**DISCUSS AND ACT UPON LAKE ADJACENT PROPERTY OWNERS IN VIOLATION OF THE RULES & REGULATIONS  
GOVERNING LAKE ATHENS, ARTICLE 2, SECTION 8: MAINTENANCE OF PIERS AND BOATHOUSES**

Executive Director Casey explained that the *Rules & Regulations* stipulate that if a boathouse/pier is a safety hazard or public nuisance, the Authority can compel the owner to repair or remove the boathouse/pier that is in violation of the *Rules & Regulations*. If the owner makes no move to repair or remove the violation, the Authority can remove the boathouse/pier and bill the cost back to the owner.

Executive Director Casey showed a presentation with photos of the boathouses/piers that staff have identified as potential safety hazards/public nuisances, and asked that the Board potentially act on each one as to whether that boathouse/pier is in violation of *Rules & Regulations Governing Lake Athens*.

Beaver Paradise Lot 4B: A motion was made by Director Lunceford, seconded by Director Gatlin, to find this pier in violation of the *Rules & Regulations*. This motion carried unanimously.

Beaver Paradise Lot 4D: A motion was made by Director Chaney, seconded by Director Foster, to find this pier in violation of the *Rules & Regulations*. This motion carried unanimously.

Lake Athens Lot 1: A motion was made by Director Gatlin, seconded by Director Lunceford, to find this pier in violation of the *Rules & Regulations*. This motion carried unanimously.

Lakefront Shores Lot 8: A motion was made by Director Gatlin, seconded by Director Chaney, to find this boathouse in violation of the *Rules & Regulations*. This motion carried unanimously.

P A Taylor Lots 30-32: A motion was made by Director Chaney, seconded by Director Gatlin, to find this boathouse in violation of the *Rules & Regulations*. This motion carried unanimously.

Timber Lake Estates Lot 18: A motion was made by Director Gatlin, seconded by Director Lunceford, to find this pier in violation of the *Rules & Regulations*. This motion carried unanimously.

Timber Lake Estates Lot 53-54: A motion was made by Director Gatlin, seconded by Director Chaney, to find this pier in violation of the *Rules & Regulations*. This motion carried unanimously.

Viewpoint Lot 11: A motion was made by Director Gatlin, seconded by President Peek, to find this pier in violation of the *Rules & Regulations*. This motion carried unanimously.

Viewpoint Lot 15: A motion was made by Director Gatlin seconded by Director Foster, to find this pier in boathouse of the *Rules & Regulations*. This motion carried unanimously.

Wes Gibbs Lot 3: A motion was made by Director Gatlin seconded by Director Lunceford, to find this pier in violation of the *Rules & Regulations*. This motion carried unanimously.

Zueler Hawley Lot 29: A motion was made by Director Gatlin, seconded by Director Chaney, to find this pier in violation of the *Rules & Regulations*. This motion carried unanimously.

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

Executive Director Casey gave his Executive Director and Chief of Police reports, including the water report. This information included that the City of Athens pumped more from WTP Well #1 than from Lake Athens during the month of November.

Executive Director Casey discussed with the Board any changes they would like to see regarding the procedures on variance and permit requests.

#### **EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, CHAPTER 551**

A motion was made by Director Gatlin, seconded by Director Lunceford, to enter into Executive Session, at 8:40 A.M., to discuss the below. This motion carried unanimously.

a. Section 551.071: Consultation with the attorney of the Authority – City of Athens contract negotiations.

b. Section 551.074: Discussing personnel – deliberate the employment contract of the Executive Director.

At 9:14 A.M., a motion was made by Director Gatlin, seconded by Director Foster, to re-enter into Regular Session.

A motion was made by Director Lunceford, seconded by Director Gatlin, to accept the amended contract with the City of Athens, and authorize President Peek to execute the contract. This motion carried unanimously.

A motion was made by Director Gatlin, seconded by Director Chaney, to enter into the employment contract with Executive Director Casey, effective today for a term of two years. Additionally, the current fiscal year budgeted salary and six months of severance should be included in this contract. This motion carried unanimously.

**ADJOURN**

A motion was made by Director Gatlin, seconded by Director Foster, to adjourn the meeting at 9:17 A.M.

**PASSED AND APPROVED on this 10<sup>th</sup> day of January 2018.**

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Mike Peek, President

ATTEST:

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Donald A. Foster, Secretary