

ATHENS MUNICIPAL WATER AUTHORITY
January 16, 2019

The Board of Directors of the Athens Municipal Water Authority ("AMWA" or "Authority") met in Regular Session on Wednesday, January 16, 2019, 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, Office Manager; Tyler Hendrickson, Velvin & Weeks Consulting Engineers, Gary Dugan, AMWA Lake Patrol/Inspector

guests of note: Randy Williams, City of Athens Utility Director

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 were declared.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

Mr. Richard Griffin, of Impala South, informed the Board that the Lake Athens Property Owner's Association formed a committee to discuss and address what they deemed an over population of Canadian geese. They believe that the population of Canadian geese could double in five years if growth is left unchecked. This is due to the geese on Lake Athens do not migrate. The LAPOA committee is requesting the ability to addle goose eggs, aiming to reduce the growth rate.

Dr. Marc Abadie, of Oakwood subdivision, spoke on potential health issues regarding geese, including potential coliform bacteria in drinking water. Dr. Abadie also mentioned a patient that broke their ankle, slipping on goose fecal matter.

Mr. Rick Rollow, of P A Taylor, presented the Board with photos of boathouse lighting near his home. He feels that the Authority should regulate the wattage, color and placement of lights on boathouses.

CONSENT AGENDA

A motion was made by Director Chaney, seconded by Director Foster, to approve the minutes of the December 12, 2018, Regular Session meeting. This motion carried unanimously

COMMITTEE REPORTS

Director Gatlin presented the financial statements, including the quarterly investment report.

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

PRESENTATION OF 2018-19 FISCAL YEAR FUND BUDGETING

Executive Director Casey explained that a change in how income and expenses are classified is occurring this year, to get a better account for what responsibilities of the Authority money is being spent. Executive Director Casey explained that previously all of the Director and Office Manager's salaries were being expensed to administration, while the Patrol/Inspection Officer was being expensed to Police Department/Lake Athens. However, now, 51% of the Director's salary and 50% of the Office Manager's salary would be expensed to the Police Department and Lake Athens, respectively. Additionally, one-third of expenses involved in operating the Authority's headquarters would be expensed to the Police Department.

Executive Director Casey explained that this new fund accounting would allow for more transparency. Additionally, this would allow for tax payers of Athens to not be responsible for Lake Athens recreational expenses and Lake Athens residents to not be responsible for water development expenses.

Budgeting and classifying these expenses will also allow the Board to make better informed decisions with regard to adjusting tax rates and Lake Athens service fees.

DISCUSS AND CONSIDER CHANGES TO THE RULES & REGULATIONS GOVERNING LAKE ATHENS

Executive Director Casey explained the proposed changes to the *Rules & Regulations*, after this item was tabled during the December 12, 2018, Board meeting.

A motion was made by Director Gatlin, to accept the proposed changes to the *Rules & Regulations Governing Lake Athens*, as presented, with the following changes:

- a) Remove the requirement for all boathouses to have reflectors
- b) Leave the requirement to have all boathouses 50' in length or more to have dusk-to-dawn dock lighting, but to move the requirement to the safety provision.

This motion was seconded by Director Foster, and carried unanimously.

DISCUSS AND ACT UPON A VARIANCE REQUEST TO THE RULES & REGULATIONS GOVERNING LAKE ATHENS, ARTICLE 2, SECTIONS 1 & 2, AREA AND LENGTH OF A PIER OR BOATHOUSE, FOR PERRYMAN POINT LOTS 27-28 (MACLEAN)

Executive Director Casey explained that the request was for 254 additional square feet in area and 10 additional feet in length. He further explained that the neighbors have expressed support. Inspector Dugan surveyed the proposed length and found that the property would not have 48" if water depth at the standard 60' length, but would at 70' in length.

A motion was made by Director Lunceford, seconded by Director Foster, to approve the variance for both size and length. This motion carried unanimously.

DISCUSS AND CONSIDER GRANTING PERMISSION FOR THE LAKE ATHENS PROPERTY OWNER'S ASSOCIATION MEMBERS TO CONDUCT ACTIVITIES UNDER THEIR FEDERAL FISH & WILDLIFE PERMIT FOR MIGRATORY BIRD DEPREDATION (TO SELECTIVELY CONTROL THE GOOSE POPULATION BY RENDERING GOOSE EGGS ON THE 448' "UNHATCHABLE")

Executive Director Casey explained that LAPOA had registered with the Federal Fish & Wildlife Service to use corn oil on Canadian goose eggs, so that they do not hatch. Executive Director Casey further explained that he reached out to Texas Parks & Wildlife to ensure they have no objections, and reached out to the Federal Fish & Wildlife Service, but did not receive a response due to the ongoing federal government shutdown.

A motion was made by Director Chaney, seconded by Director Lunceford, to allow LAPOA members to conduct activities under the Federal Fish & Wildlife permit for migratory bird depredation. This motion carried unanimously.

DISCUSS AND CONSIDER A RESOLUTION OUTLINING THE STIPULATIONS THAT THE LAPOA MEMBERS MUST ADHERE TO WHILE PERFORMING ACTIVITIES UNDER THE FEDERAL FISH & WILDLIFE PERMIT FOR MIGRATORY BIRD DEPREDATION

A motion was made by Director Gatlin, seconded by Director Chaney, to approve a resolution outline the stipulations that the LAPOA members must adhere to while performing activities under the Federal Fish & Wildlife permit for migratory bird depredation. These stipulations include:

1. Activities may be conducted from March 1 to June 30, 2019
2. LAPOA members who wish to conduct said activities may only do so on Authority property that they pay ingress/egress fees on
3. The Authority assumes no risk or liability for injury or loss of person or property
4. LAPOA must turn a copy of the federal report to the Authority by November 1, 2019, that shows the number of nests and eggs destroyed
5. The Authority may revoke permission for these activities at any time.

This motion carried unanimously.

DISCUSS 5/10 YEAR AUTHORITY WATER DEVELOPMENT PLAN

Executive Director Casey explained that this item will be on every agenda, as we work through a water plan for the Authority.

EXECUTIVE DIRECTOR REPORT

Executive Director Casey gave his report as Executive Director.

EXECUTIVE SESSION: PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551, TEXAS GOVERNMENT CODE: SECTION 551.072 – DELIBERATIONS REGARDING THE PURCHASE, EXCHANGE, LEASE OR REAL VALUE OF PROPERTY – SUNSET PENINSULA

A motion was made by Director Gatlin, seconded by Director Foster, to enter into Executive Session at 9:04 A.M. This motion carried unanimously.

President Peek exited the meeting at 9:20 A.M.

A motion was made by Director Gatlin, seconded by Director Lunceford, to return from Executive Session at 9:21 A.M. This motion carried unanimously.

DISCUSS AND CONSIDER ACTION RESULTING FROM EXECUTIVE SESSION: PURSUANT TO THE OPENMEETINGS ACT, CHAPTER 551, TEXAS GOVERNMENT CODE: SECTION 551.072 – DELIBERATIONS REGARDING THE PURCHASE, EXCHANGE, LEASE OR REAL VALUE OF PROPERTY – SUNSET PENINSULA

A motion was made by Director Gatlin, seconded by Director Chaney, to authorize Executive Director Casey to seek a new appraisal on the land known as Sunset Peninsula. This motion carried unanimously.

ADJOURN

A motion was made by Director Gatlin, seconded by Director Lunceford, to adjourn the meeting at 9:23 A.M.

PASSED AND APPROVED on this 13th day of February, 2019.

Mike Peek, President

ATTEST:

Donald A. Foster, Secretary