

REGULAR SESSION

MARCH 8, 2011

The Board of Directors of the Athens Municipal Water Authority met in Regular Session on Tuesday, March 8, 2011, 8:30 a.m. in the Council Chambers of the City of Athens with the following members present, to-wit:

Chip Perryman  
Mike Stover  
Ed Gatlin  
C.A. Hawn

Wylie Pirkle, Executive Director  
Pam Watson, City Secretary  
Glen Herriage, Director of Utilities  
David Hopkins, Director of Finance  
Bill Magee, Lake Inspector  
Martin Bennett, A.M.W.A. Attorney

others present: Marlin Smith, Jon Humphries, Tyler Hendrickson and other interested citizens;

with the following member absent: Steve Sparkman;

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

Director Perryman called the meeting to Order.

CONSIDER APPROVING THE MINUTES OF THE FEBRUARY 8, 2011  
REGULAR SESSION

A motion was made by Director Stover, seconded by Director Gatlin to approve the minutes of the February 8, 2011 Regular Session, as written. The motion carried unanimously.

DISCUSS/CONSIDER AUDIT REPORT FOR FISCAL YEAR ENDING  
SEPTEMBER 30, 2010

Marlin Smith with Smith, Lambright & Associates presented the Audit Report for fiscal year ending 9/30/10, stating that the financial records are fairly presented, Athens Municipal Water Authority is in excellent financial condition and has maintained excellent bookkeeping. A motion was made by Director Hawn, seconded by Director Gatlin to accept the Audit Report for fiscal year ending 9/30/10. The motion carried unanimously.

INSPECTOR'S REPORT

A) STATUS REPORT ON LAKE ACTIVITIES

Bill Magee, Lake Inspector

- 1) Lake is 5" low
- 2) Working on replacing buoys
- 3) Updated on construction

DISCUSS/CONSIDER VARIANCE TO ARTICLE 2. PIERS AND BOATHOUSES,  
SECTION 1. AREA FOR LOT 97, OAKWOOD SUBDIVISION, OWNED BY BOBBY  
FLETCHER (7965 CHARLYA DR.)

Mr. Magee explained that Mr. Fletcher is requesting an additional 96 sq. ft. area variance to allow him to increase his existing boat dock to accommodate a larger boat, with both adjoining property owners having no objection. After discussion, a motion was made by Director Gatlin, seconded by Director Stover to approve a 96 sq. ft. area variance for Lot 97, Oakwood Subdivision, to allow for a 1,292 total sq. ft. boat dock. The motion carried unanimously.

## FINANCIAL REPORT

David Hopkins, Director of Finance presented the February financials.

## DISCUSS/CONSIDER RESERVING FUND BALANCE

Mr. Hopkins explained that A.M.W.A. has a total of \$3.2 million in unrestricted and undesignated fund balances, recommending that the Board reserve \$2 million from the Tax Fund and \$700,000 from the Revenue Fund for future capital projects, with the difference remaining undesignated. A motion was made by Director Gatlin, seconded by Director Stover to reserve \$2 million from the Tax Fund and \$700,000 from the Revenue Fund for future capital projects. The motion carried unanimously.

## DISCUSS/CONSIDER FUTURE WATER SUPPLY

Wylie Pirkle, Executive Director reviewed the cost estimate prepared by Freese & Nichols concerning the Dallas Pipeline, recommending that A.M.W.A. not participate in the Pipeline Project and pursue the option of wells for future water supply.

Director Perryman expressed his feelings that the water well strategy is the best option, however, he recommended that Freese & Nichols edit their first draft of the "Feasibility Study to Use the Dallas/TRWD Integrated Pipeline for Water Supply" and prepare it as a final document for future reference. Director Gatlin recommended that a price be obtained to complete the document, with Director Perryman offering to contact Freese & Nichols and inform them that A.M.W.A. will not be pursuing this option and obtain a price to complete the document.

After discussion, Director Gatlin asked Mr. Pirkle to perform due diligence regarding future water wells.

## ENGINEER'S REPORT

### A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Glen Herriage, Director of Utilities informed the Board that the Water Plant Project is complete.

## DISCUSS/CONSIDER AWARDING BID FOR EMBANKMENT AND SPILLWAY MAINTENANCE FOR LAKE ATHENS DAM

Tyler Hendrickson with Velvin & Weeks Consulting Engineers informed the Board that bids for Embankment and Spillway Maintenance for Lake Athens Dam were opened on 3/03/11, recommending the bid be awarded to low bidder, Page Construction at a cost of \$236,442. A motion was made by Director Hawn, seconded by Director Stover to award the bid for Embankment and Spillway Maintenance for Lake Athens Dam to Page Construction at a total cost of \$236,442. The motion carried by the following vote: Ayes: Directors Hawn, Stover, and Perryman. Nays: None. Director Gatlin abstained.

## CONSIDER PAYMENT OF STATEMENTS

A motion was made by Director Stover, seconded by Director Hawn to approve the payment of statements, as presented. The motion carried unanimously.

## OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

Sam Whitten, President of Lake Athens Property Owners Association expressed his feelings that the online minutes are helpful, questioning the time-frame for publication.

## EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.071 CONSULTATION WITH ATTORNEY; CONSULTATION CONCERNING CONTEMPLATED LITIGATION

The Board did not enter into Executive Session.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE  
SESSION CONCERNING CONTEMPLATED LITIGATION

No action was taken.

ADJOURN

A motion was made by Director Perryman, seconded by Director Stover to adjourn. The motion carried unanimously.

PASSED AND APPROVED THIS THE 12<sup>TH</sup> DAY OF APRIL, 2011.

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W.C. "Chip" Perryman, III, President

ATTEST:

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Pam Watson, City Secretary