

REGULAR SESSION

JULY 9, 2013

The Board of Directors of the Athens Municipal Water Authority met in Regular Session on Tuesday, July 9, 2013, 8:30 a.m. in the Council Chambers of the City of Athens with the following members present, to-wit:

Mike Stover, President  
Ed Gatlin  
Steve Sparkman  
Joe Whatley  
Charles Elliott

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

others present: Tyler Hendrickson, Corey Frentress, and other interested citizens;

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

Director Stover called the meeting to Order.

ELECTION OF OFFICERS

A motion was made by Director Gatlin, seconded by Director Elliott to appoint Mike Stover as President, Joe Whatley as Vice President and Steve Sparkman as Secretary. The motion carried unanimously.

CONSIDER APPROVING THE MINUTES OF THE MAY 14, 2013  
REGULAR SESSION

A motion was made by Director Gatlin, seconded by Director Sparkman to approve the minutes of the May 14, 2013 Regular Session, as written. The motion carried unanimously.

INSPECTOR'S REPORT

A) STATUS REPORT ON LAKE ACTIVITIES

Bill Magee, Lake Inspector, reported on the following:

- 1) Lake level is 436.86 m.s.l.
- 2) Two (2) docks currently under construction
- 3) Lake was busy on July 4<sup>th</sup>
- 4) Reviewed process for dredging

FINANCIAL REPORT

David Hopkins, Director of Finance, presented the June financials.

DISCUSS/CONSIDER INVESTMENT OF A.M.W.A. FUNDS

Wylie Pirkle, Executive Director, explained that the Investments Committee has reviewed and is recommending the purchase of four (4) Certificates of Deposit ranging from one (1) to two (2) years with Prosperity Bank. A motion was made by Director Whatley, seconded by Director Gatlin to

approve the Investment of A.M.W.A. funds, as recommended. The motion carried unanimously.

**DISCUSS/CONSIDER RENEWAL OF PROPERTY/LIABILITY/WORKERS'  
COMPENSATION INSURANCE**

Haven Cox, Director of Human Resources, explained that A.M.W.A.'s property/liability/workers' compensation insurance renews 10/01/13, recommending renewal with Texas Municipal League. A motion was made by Director Elliott, seconded by Director Whatley to renew property/liability/workers' compensation insurance with Texas Municipal League, effective 10/01/13-09/30/14. The motion carried unanimously.

**DISCUSS/CONSIDER AUTHORIZING SOLUTIENT GEOSCIENCES, INC. TO  
PERFORM ANNUAL SOIL-SLUDGE MONITORING REQUIREMENTS AND  
ANNUAL SLUDGE SUMMARY REPORT**

Glen Herriage, Director of Utilities, explained that this will authorize the annual soil-sludge monitoring requirements and annual sludge summary report, at an estimated cost not to exceed \$3,379.85. A motion was made by Director Whatley, seconded by Director Gatlin to authorize Solutient Geosciences, Inc. to perform annual soil-sludge monitoring requirements and annual sludge summary report at a cost not to exceed \$3,379.85. The motion carried unanimously.

**DISCUSS/CONSIDER AUTHORIZING STAFF TO ADVERTISE FOR  
REMOVAL AND DISPOSAL OF SLUDGE**

A motion was made by Director Elliott, seconded by Director Sparkman to authorize staff to advertise for removal and disposal of sludge. The motion carried unanimously.

**DISCUSS AMENDING RULES & REGULATIONS, ARTICLE 2. PIERS AND  
BOATHOUSES, SECTION 2. LENGTH**

Director Elliott expressed his feelings that it would be proactive to extend the allowed length for boathouses, due to water level issues. After discussion, Mr. Pirkle recommended that an ad-hoc committee be created to review options concerning boathouse length.

**DISCUSS BOATING RESTRICTIONS AROUND PIERS AND BOATHOUSES**

Director Elliott expressed his concerns with wakeboard boats causing silting under boathouses and erosion on shorelines. He recommended that rules be adopted to require wakeboard boats to remain 200 ft. from boathouses. After discussion, it was determined that this item could be reviewed at the same time the ad-hoc committee reviews the length of boathouses.

**DISCUSS/CONSIDER AUTHORIZING STAFF TO ADVERTISE FOR BIDS FOR  
FENCE AND PERIMETER ROAD FOR PART OF A-135, 499-385, 266.4 ACRES  
AND BLOCK 4, DAVID CHERRY LEAGUE, 501-597, 150 ACRES, LOCATED  
BEHIND LAKE ATHENS DAM**

Mr. Pirkle presented a survey of property located on the back side of Lake Athens dam, recommending that the board authorize staff to advertise for bids for a fence and perimeter road to be constructed on the property.

Corey Frentress with Velvin & Weeks Consulting Engineers explained that the existing fence has deteriorated and approximately 6,500 linear feet of fence needs built.

After discussion, a motion was made by Director Elliott, seconded by Director Whatley to authorize staff to advertise for bids for fence and perimeter road for Part of A-135, 499-35, 266.4 acres and

Block 4, David Cherry League, 501-597, 150 acres, located behind Lake Athens Dam. The motion carried unanimously.

**DISCUSS/CONSIDER AUTHORIZING CONTRACT WITH JDS EQUIPMENT SERVICE FOR CLEANUP OF 2.43 ACRES, LOCATED IN DAVID CHERRY LEAGUE, A-135, OAKWOOD SUBDIVISION**

Mr. Pirkle informed the Board that he has received a proposal from JDS Equipment Service for the cleanup of 2.43 acres located in Oakwood Subdivision at a cost of \$9,480. After discussion, a motion was made by Director Elliott, seconded by Director Whatley to authorize a contract with JDS Equipment Service for cleanup of 2.43 acres, located in David Cherry League, A-135, Oakwood Subdivision. The motion carried unanimously.

**ENGINEER'S REPORT**

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

Tyler Hendrickson, Velvin & Weeks Consulting Engineers, updated on the following:

- 1) Water Treatment Plant Well Project (Miller Contract)
- 2) Transmission Line Project (AAA Contract)

Mr. Pirkle stated that they have been working with Thornhill Group to determine the implementation of wells.

**EXECUTIVE DIRECTOR'S REPORT**

Wylie Pirkle, Executive Director, reported on the following:

- 1) Drought Contingency Plan, Stage 1, implemented on 7/08/13
- 2) Henderson County Commissioners Court conducting meeting concerning utilities in County right-of-ways. Director Whatley expressed his feelings that there should be no concerns for A.M.W.A.
- 3) No action taken by Texas Freshwater Fisheries Center concerning future water concerns

**CONSIDER PAYMENT OF STATEMENTS**

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

**EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.072 DELIBERATION REGARDING REAL PROPERTY; DELIBERATION REGARDING THE VALUE OF REAL PROPERTY**

A motion was made by Director Sparkman, seconded by Director Whatley to adjourn to Executive Session. The motion carried unanimously.

The Board returned to Regular Session at 9:48 a.m.

**CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION REGARDING REAL PROPERTY**

No action was taken.

**DISCUSS/CONSIDER DECLARING LAND OWNED BY ATHENS MUNICIPAL WATER AUTHORITY AS EXCESS ACREAGE, BEING DESCRIBED AS 2.878 ACRES (AREA 2), LOCATED IN A.M. BUTLER SURVEY, A-94, HENDERSON COUNTY, TEXAS (FIELD NOTES ATTACHED AS "EXHIBIT A")**

A motion was made by Director Whatley, seconded by Director Elliott to declare land owned by Athens Municipal Water Authority as excess acreage, being described as 2.878 acres (Area 2), located in A.M. Butler Survey, A-94, Henderson County, Texas. The motion carried unanimously.

DISCUSS/CONSIDER AUTHORIZING APPRAISAL OF 2.878 ACRES (AREA 2), LOCATED IN A.M. BUTLER SURVEY, A-94, HENDERSON COUNTY, TEXAS

A motion was made by Director Whatley, seconded by Director Elliott to authorize appraisal of 2.878 acres (Area 2), located in A.M. Butler Survey, A-94, Henderson County, Texas. The motion carried unanimously.

DISCUSS/CONSIDER DECLARING LAND OWNED BY ATHENS MUNICIPAL WATER AUTHORITY AS EXCESS ACREAGE, BEING DESCRIBED AS 3.095 ACRES (AREA 3), LOCATED IN A.M. BUTLER SURVEY, A-94, HENDERSON COUNTY, TEXAS (FIELD NOTES ATTACHED AS "EXHIBIT B")

A motion was made by Director Sparkman, seconded by Director Whatley to declare land owned by Athens Municipal Water Authority as excess acreage, being describe as 3.095 acres (Area 3), located in A.M. Butler Survey, A-94, Henderson County, Texas. The motion carried unanimously.

DISCUSS/CONSIDER AUTHORIZING APPRAISAL OF 3.095 ACRES (AREA 3), LOCATED IN A.M. BUTLER SURVEY, A-94, HENDERSON COUNTY, TEXAS

A motion was made by Director Whatley, seconded by Director Gatlin to authorize appraisal of 3.095 acres (Area 3), located in A.M. Butler Survey, A-94, Henderson County, Texas. The motion carried unanimously.

DISCUSS/CONSIDER DECLARING LAND OWNED BY ATHENS MUNICIPAL WATER AUTHORITY AS EXCESS ACREAGE, BEING DESCRIBED AS 16.451 ACRES (AREA 5), LOCATED IN A.M. BUTLER SURVEY, A-94, HENDERSON COUNTY, TEXAS (FIELD NOTES ATTACHED AS "EXHIBIT C")

A motion was made by Director Gatlin, seconded by Director Whatley to declare land owned by Athens Municipal Water Authority as excess acreage, being described as 16.451 acres (Area 5), located in A.M. Butler Survey, A-94, Henderson County, Texas. The motion carried unanimously.

DISCUSS/CONSIDER AUTHORIZING APPRAISAL OF 16.451 ACRES (AREA 5), LOCATED IN A.M. BUTLER SURVEY, A-94, HENDERSON COUNTY, TEXAS

A motion was made by Director Sparkman, seconded by Director Gatlin to authorize appraisal of 16.451 acres (Area 5), located in A.M. Butler Survey, A-94, Henderson County, Texas. The motion carried unanimously.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

There was no discussion.

ADJOURN

A motion was made by Director Gatlin, seconded by Director Whatley to adjourn. The motion carried unanimously.

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PASSED AND APPROVED THIS THE 13<sup>TH</sup> DAY OF AUGUST, 2013.

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David M. "Mike" Stover, President

ATTEST:

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Pam Watson, City Secretary