

REGULAR SESSION

AUGUST 14, 2012

The Board of Directors of the Athens Municipal Water Authority met in Regular Session on Tuesday, August 14, 2012, 8:30 a.m. in the Council Chambers of the City of Athens with the following members present, to-wit:

Mike Stover  
Ed Gatlin  
Joe Whatley  
Steve Sparkman  
Charles Elliott

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

others present: Tyler Hendrickson, Sarah Conway 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

This item was removed from the agenda.

CONSIDER APPROVING THE MINUTES OF THE JULY 17, 2012 REGULAR SESSION

A motion was made by Director Gatlin, seconded by Director Whatley to approve the minutes of the July 17, 2012 Regular Session, as written. The motion carried unanimously.

INSPECTOR'S REPORT

A) STATUS REPORT ON LAKE ACTIVITIES

Bill Magee, Lake Inspector

- 1) Lake level is 336.98 m.s.l.
- 2) Stolen jet ski has been recovered

DISCUSS/CONSIDER VARIANCE TO ARTICLE 2. PIERS AND BOATHOUSES, SECTION 2. LENGTH FOR LOT 64 & PART OF LOT 63, PENINSULA POINT SUBDIVISION, AS REQUESTED BY JOHN AND MAGGIE GRAHAM (6040 PENINSULA POINT)

Casey Jones, representative of John and Maggie Graham, stated that a 8 ft. length variance is being requested to allow the boathouse to extend out to 68 ft. He explained that although additional depth will not be obtained, the variance will allow the boat to float so that it can be pushed out into the Lake.

After discussion, a motion was made by Director Gatlin, seconded by Director Whatley to authorize a 8 ft. length variance for Lot 64 & part of Lot 63, Peninsula Point Subdivision, contingent upon receiving written approval from the adjoining landowners. The motion carried unanimously.

DISCUSS/CONSIDER OPTIONS CONCERNING ARTICLE 11. PUMPING OF  
WATER FOR DOMESTIC USE, SECTION 5. PRIVATE USE

Wylie Pirkle, Executive Director, reminded the Board that Sarah and Stan Conway requested a variance at the September meeting to allow for watering of their 3-acre yard for cutting and hay baling purposes, with the item being tabled. He explained that the Board has the following three (3) options concerning the variance request: 1) Keep the Rules and Regulations as currently adopted and deny variance; 2) Amend Rules & Regulations to consider individual cases; or 3) Change definition of yard to a fixed size. Mr. Pirkle recommended that the Board keep the Rules and Regulations as currently adopted and deny the variance request.

After discussion, a motion was made by Director Gatlin, seconded by Director Sparkman to deny the variance requested by Sarah & Stan Conway to allow watering of their 3-acre yard for cutting and hay baling purposes and for the Rules and Regulations, Article 11. Pumping of Water for Domestic Use, Section 5. Private Use, to remain as currently adopted. The motion carried unanimously.

FINANCIAL REPORT

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

DISCUSS/CONSIDER APPOINTMENT OF AUDITOR

Mr. Hopkins recommended the appointment of Smith, Lambright & Associates as Auditor for fiscal year ending 9/30/12. A motion was made by Director Elliott, seconded by Director Whatley to appoint Smith, Lambright & Associates as Auditor for fiscal year ending 9/30/12. The motion carried unanimously.

DISCUSS/CONSIDER AWARDED BID FOR REMOVAL AND DISPOSAL OF  
SLUDGE

Glen Herriage, Director of Utilities, informed the Board that three (3) bids were received, recommending low bidder, Terra Renewal LLC, at a cost of .037 per gallon. A motion was made by Director Whatley, seconded by Director Sparkman to award the bid for removal and disposal of sludge to Terra Renewal LLC at the cost of .037 per gallon. The motion carried unanimously.

ENGINEER'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

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

- 1) Transmission Line from Water Treatment Plant Well to Clearwells Project, should be ready to advertise for bids next month
- 2) Monitoring Wells Project, all drilled and currently testing
- 3) Water Treatment Plant Well & Test Well Project
- 4) Filter Rehab Project
- 5) Bore Hole and Electric Log for T.F.F.C. Project

EXECUTIVE DIRECTOR'S REPORT

Wylie Pirkle, Executive Director updated the Board on the status of the Diversion Permit with Texas Commission on Environmental Quality concerning Texas Freshwater Fisheries Center. He also informed the Board that he has a meeting with T.F.F.C. on 8/24/12 concerning well development.

CONSIDER PAYMENT OF STATEMENTS

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

DISCUSS BUDGET FOR FISCAL YEAR 2012-2013

Mr. Pirkle explained that the preliminary budget for fiscal year 2012-2013 has been approved by the Finance Committee.

Mr. Hopkins explained that the current tax rate is .124673, with .134603 being the rollback tax rate. He reviewed the proposed budget for fiscal year 2012-2013, with the Tax Fund totaling \$1,127,750 and the Revenue Fund totaling \$89,886.

Glen Herriage, Director of Utilities, reviewed operational line items.

Mr. Pirkle reviewed the Professional Services, Repair & Maintenance, Inspector and Public Facilities budgets.

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

A motion was made by Director Gatlin, seconded by Director Elliott to place a proposal to adopt the tax rate of .124673 on a future agenda. The motion carried unanimously.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

There was no discussion.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE,  
SECTION 551.074. PERSONNEL MATTERS; 1) EVALUATION OF  
EXECUTIVE DIRECTOR

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

A motion was made by Director Gatlin, seconded by Director Elliott to return to Regular Session. The motion carried unanimously.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE  
SESSION CONCERNING EVALUATION OF EXECUTIVE DIRECTOR

A motion was made by Director Elliott, seconded by Director Gatlin to increase the salary for Executive Director Wylie Pirkle to \$3,500 per month, effective immediately. The motion carried unanimously.

Director Elliott expressed his feelings that A.M.W.A. is still saving a considerable amount of money because an employee with Mr. Pirkle's expertise is worth considerably more.

ADJOURN

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

PASSED AND APPROVED THIS THE 11<sup>TH</sup> DAY OF SEPTEMBER, 2012.

ATTEST:

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David M. "Mike" Stover, President

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Pam Watson, City Secretary