

**ATHENS MUNICIPAL WATER AUTHORITY
SPECIAL SESSION
OCTOBER 16, 2013**

The Board of Directors of the Athens Municipal Water Authority ("AMWA") met in Special Session on Wednesday, October 16, 2013 at 2:00 p.m. in the Council Chambers of the City of Athens with the following members present and constituting and quorum, to-wit:

Mike Stover, President
Charles Elliott
Joe Whatley
Ed Gatlin
Steve Sparkman
Wylie Pirkle, Executive Director
Martin Bennett, AMWA Attorney.

Director Stover called the meeting to order.

A motion was made to go into Executive Session to discuss contemplated litigation matters. The motion carried unanimously.

**EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT
CODE, SECTION 551.071 - CONSULTATION WITH ATTORNEY;
CONSULTATION REGARDING CONTEMPLATED LITIGATION.**

The Board adjourned to Executive Session at 2:00 p.m.

(Joe Whatley leaves meeting at 2:55 p.m.)

The Board returned to Regular Session at 3:10 p.m.

A motion was made by Ed Gatlin, seconded by Charles Elliott, and unanimously carried, to:

- a. Fund possible litigation concerning the contract between the City of Athens and AMWA with \$250,000.00 from the revenue fund of AMWA.
- b. Authorize Executive Director, Wylie Pirkle, and attorney, Martin R. Bennett, to conduct and negotiate matters involving possible litigation involving the contract between the City of Athens and AMWA; and

A.M.W.A. Regular Session
October 16, 2013
Page 2

- c. Authorize legal counsel for AMWA to send a notice of default to the City of Athens concerning breaches of the contract between the City of Athens and AMWA.

A motion was made to adjourn the session which carried unanimously.

Meeting adjourned at 3:15 p.m.

PASSED AND APPROVED ON THIS 12th DAY OF November, 2013.

Joe Whatley, Vice President

ATTEST:

Secretary, Ed Gatlin