

**ATHENS MUNICIPAL WATER AUTHORITY
REGULAR SESSION
NOVEMBER 12, 2013**

The Board of Directors of the Athens Municipal Water Authority ("AMWA") met in Regular Session on Tuesday, November 12, 2013 at 8:30 a.m. in the Council Chambers of the City of Athens with the following members present and constituting a quorum, to-wit:

Charles Elliott
Joe Whatley
Ed Gatlin
Steve Sparkman
Wylie Pirkle, Executive Director
Bill Magee, Lake Inspector
Martin Bennett, AMWA Attorney.

Others present were Tyler Hendrickson, Corey Frentress, Pam Burton, Monty Montgomery, Carol Barton, and other interested persons.

Director Joe Whatley called the meeting to order.

**CONSIDER APPROVING THE MINUTES OF THE OCTOBER 8, 2013
REGULAR SESSION AND THE OCTOBER 16, 2013 SPECIAL SESSION.**

A motion was made by Director Elliott and seconded by Director Sparkman to approve the minutes of the October 8, 2013 Regular Session and October 16, 2013 Special Session as written. The motion carried unanimously.

INSPECTOR'S REPORT

- A. Status Report on Lake Activities.
1. Lake level is 437.30 m.s.l.
 2. Landowner is working on project for erosion issue.

FINANCIAL REPORT

Wylie Pirkle, Executive Director, presented the financial report as prepared by David Hopkins, Director of Finance, for the October financials.

ENGINEER'S REPORT

Tyler Hendrickson of Velvin & Weeks Consulting Engineers reported on the well development program and stated the report has been completed, but no immediate action will be taken on the report. The report calls for the development of water wells and several options as to how they may be developed.

Corey Frentress of Velvin & Weeks Consulting Engineers presented a report on the fence project and stated there has been a preconstruction meeting and that he expected work to begin in the next several days and to be completed in approximately one month.

EXECUTIVE DIRECTOR'S REPORT

Wylie Pirkle stated there were no issues to be presented to the Board as an Executive Director's Report.

DISCUSS/CONSIDER PAYMENT OF STATEMENTS

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

DISCUSS/CONSIDER ESTABLISHING A LINE ITEM ACCOUNT FOR PERSONNEL EXPENSES IN BUDGET

A motion was made by Director Gatlin, which was seconded by Director Sparkman, that a line item account for personnel expenses be included in the budget for AMWA.

DISCUSS/CONSIDER AUTHORIZING \$100,000.00 FOR PERSONNEL IN THIS YEAR'S BUDGET FOR ATHENS MUNICIPAL WATER AUTHORITY

A motion was made by Director Gatlin, which was seconded by Director Elliott, to authorize \$100,000.00 for personnel in the budget for AMWA for the current year.

DISCUSS/CONSIDER OBTAINING OFFICE SPACE FOR ATHENS MUNICIPAL WATER AUTHORITY

A motion was made by Director Gatlin, which was seconded by Director Whatley, that a committee consisting of Wylie Pirkle, Executive Director, Director Sparkman, and Director Elliott be authorized to obtain information on office space for AMWA.

**OPPORTUNITY FOR CITIZENS TO EXPRESS
ITEMS OF CONCERN**

There was no discussion.

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

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

A motion was made by Director Gatlin, which was seconded by Director Sparkman, to return to Regular Session at 10:25 a.m. The motion carried unanimously.

**DISCUSS/CONSIDER ACTION RESULTING
FROM DELIBERATIONS IN EXECUTIVE SESSION
CONCERNING CONTEMPLATED LITIGATION.**

A motion was made by Director Whatley, which was seconded by Director Gatlin, to authorize Director Whatley, as Vice-President of AMWA, to sign the Tolling Agreement and Non-Waiver Agreement in regard to the contract dispute with the City of Athens. The motion carried unanimously.

A motion was made by Director Whatley, which was seconded by Director Gatlin, to attempt to continue to work with the City of Athens to resolve its contract dispute. The motion carried unanimously.

A motion was made by Director Whatley, which was seconded by Director Sparkman, to continue with discussions with the City of Athens in regard to its contract dispute and to appoint Director Gatlin, Director Elliott, Executive Director Wylie Pirkle, and Attorney Martin R. Bennett to participate in those negotiations and to approve of formal mediation with the City of Athens, if necessary. The motion carried unanimously.

ADJOURN

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

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PASSED AND APPROVED ON THIS 10TH DAY OF DECEMBER, 2013.

Joe Whatley, Vice President

ATTEST:

Secretary, Ed Gatlin