

**ATHENS MUNICIPAL WATER AUTHORITY
REGULAR SESSION
DECEMBER 10, 2013**

The Board of Directors of the Athens Municipal Water Authority ("AMWA") met in Regular Session on Tuesday, December 10, 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:

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

Others present were Tyler Hendrickson, Corey Frentress, Monty Montgomery, Carol Barton, Elaine Jenkins, Donald Foster (who later in the meeting was named a Board Member), and other interested persons.

Director Joe Whatley called the meeting to order.

DECLARATION OF CONFLICT OF INTEREST

No conflict of interest was presented.

**DISCUSS/CONSIDER DECLARING A VACANCY OF THE AMWA
BOARD OF DIRECTORS.**

A motion was made by Director Gatlin, which was seconded by Director Elliott, to declare a vacancy for the position on the AMWA Board of Directors that was held by Mike Stover, who recently died. The motion carried unanimously.

APPOINTMENT MADE TO AMWA BOARD OF DIRECTORS

A motion was made by Director Gatlin, which was seconded by Director Sparkman, to appoint Donald Foster to fill the vacancy left by Mike Stover on the Board of Directors. The motion was carried unanimously. Oath of Office was made by Donald Foster who then signed his Oath of Office and Statement of Elected/Appointed Officer.

**CONSIDER APPROVING THE MINUTES OF THE NOVEMBER 12, 2013
REGULAR SESSION.**

A motion was made by Director Gatlin, which was seconded by Director Sparkman, to approve the minutes of the November 12, 2013 Regular Session as written. The motion carried unanimously.

INSPECTOR'S REPORT

A. Status Report on Lake Activities.

1. Lake level is 438.34 m.s.l.
2. Report was made on construction activity on lakefront properties.

FINANCIAL REPORT

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

ENGINEER'S REPORT

Tyler Hendrickson of Velvin & Weeks Consulting Engineers reported on the permits approved by the Texas Commission on Environmental Quality.

Corey Frentress of Velvin & Weeks Consulting Engineers presented a report on the fence project and delays that were being caused by the wet weather.

DISCUSS/CONSIDER AUTHORIZING CONTRACT LABOR

A motion was made by Director Gatlin, which was seconded by Director Elliott, to approve the Executive Director Wylie Pirkle's suggestion of obtaining contract labor under the terms of the budget that has been approved to begin transferring responsibilities for the administration of AMWA from the City of Athens to AMWA. The motion carried unanimously.

**DISCUSS/CONSIDER FUTURE BOARD MEETING LOCATION
FOR AMWA**

A motion was made by Director Sparkman, which was seconded by Director Foster, to conduct future board meetings for AMWA at the Cain Center, 915 S. Palestine St., Athens, Texas 75751. The motion carried unanimously.

DISCUSS/CONSIDER LEASE OF OFFICE SPACE

A motion was made by Director Elliott, which was seconded by Director Foster, to approve the leasing of office space on North Palestine St., Athens, Texas for an amount of \$600.00 per month, this being the same place that is currently occupied by the Executive Director, Wylie Pirkle. The motion carried unanimously.

DISCUSS/CONSIDER PAYMENT OF BILLS/CHANGE ORDER

A motion was made by Director Gatlin, which was seconded by Director Elliott, to approve a change order to approve of AAA Sanitation to install a flush line for the well at the Water Treatment Plant for a cost of \$8,730.00. The motion was carried unanimously.

DISCUSS/CONSIDER LAKE ATHENS TRIATHLON AS REQUESTED BY LISA HARDIN

A presentation was made by Lisa Hardin in regard to her request to approve of a triathlon to be conducted with the swimming portion to take place in Lake Athens. No motion was made for approval of this event, but further information was requested.

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

None.

**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 Elliott, to return to Regular Session at 10:10 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 Elliott, to approve a purchase order system for approval of payment of bills due to the ongoing dispute with the City of Athens and possible litigation involving that issue. The motion carried unanimously.

A motion was made by Director Whatley to proceed with mediation with the City of Athens due to the breach of contract by the City of Athens, which was not seconded and, therefore, died.

A motion was made by Director Whatley, which was seconded by Director Gatlin, to approve litigation to be filed against the City of Athens due to a breach of contract of the agreement between the City of Athens and AMWA. The motion carried unanimously.


DISCUSS/CONSIDER PAYMENT OF STATEMENTS

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

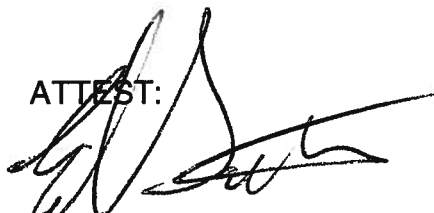
ADJOURN

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

PASSED AND APPROVED ON THIS ____ DAY OF _____, 2014.



Joe Whatley, Vice President

ATTEST:


Secretary, Ed Gatlin