

**ATHENS MUNICIPAL WATER AUTHORITY**  
**September 11, 2020**

The Board of Directors of the Athens Municipal Water Authority ("AMWA" or "Authority") met in Regular Session on Friday, September 11, 2020, 8:00 a.m. at Authority Headquarters, 5302 FM 2495, with the following members present, to-wit:

Mike Peek, President  
Frank Lunceford, Vice-President  
Don Foster, Secretary  
Mark Carroll, Board Member

absent: Marty Lindsey, Board Member

others present: Ed Gatlin, AMWA Executive Director; Beth McConnell, AMWA Office Manager; Gary Dugan, Athens Municipal Water Authority Chief of Police; Randy William, City of Athens

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

**CALL TO ORDER**

The meeting was called to order at 8:01 A.M. by President Peek.

**DECLARATION OF CONFLICT OF INTEREST**

No conflicts of interest were declared.

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

No concerns were presented at this time

**CONSENT AGENDA**

A motion was made by Director Lunceford, seconded by Director Carroll, to approve the consent agenda, including:

- a. Approval of the August 14, 2020 Regular Session minutes
- b. Approval of the August 14, 2020 Special Session minutes
- c. Monthly statements

The motion carried unanimously.

**FINANCE**

Office Manager McConnell gave a presentation on the 2020-2021 fiscal year budget proposal.

A motion was made by Director Lunceford, seconded by Director Foster, to open the public hearing regarding the 2020-2021 fiscal year budget, at 8:12 A.M. This motion carried unanimously.

No citizen wished to speak during the public hearing

A motion was made by Director Carroll, seconded by Director Foster, to close the public hearing at 8:13 A.M. This motion carried unanimously.

A motion was made by Director Lunceford, seconded by Director Carroll, to set the 2020-2021 fiscal year budget. This motion carried unanimously.

A motion was made by Director Foster, seconded by Director Lunceford, to approve budget adjustments for the 2019-2020 fiscal year. This motion carried unanimously.

A motion was made by Director Lunceford, seconded by Director Foster, to renew the maturing emergency work fund certificate of deposit with Prosperity Bank. This motion carried unanimously.

A motion was made by Director Foster, seconded by Director Lunceford, to name Smith Lambright as the 2019-2021 auditor, if available. This motion carried unanimously.

#### **WATER/WATER DEVELOPMENT**

A motion was made by Director Carroll, seconded by Director Foster, to authorize the Executive Director to execute a professional services agreement with S.D. Kallman Engineering, L.P. for the engineering and design of auxiliary power stations at the raw water intake and water treatment plant. This motion carried unanimously.

#### **EXECUTIVE DIRECTOR REPORT**

Executive Director Gatlin gave his report.

#### **LAKE ATHENS RECREATION**

Chief Dugan gave his Police and Inspection reports.

President Peek appointed Directors Carroll and Lunceford to lead a committee to study the impact recreational watercraft have on Lake Athens, focusing on watercraft size, maximum weight, and power.

Chief Dugan and Office Manager McConnell gave a brief presentation regarding some of the violations of the *Rules & Regulations Concerning the Quality of Water and Use & Enjoyment of Lake Athens* that are currently occurring on Lake Athens properties.

Lorri Lancashire, of Viewpoint Lot 12, spoke regarding her alleged violation of Article 17-Destruction of Authority Property.

It is alleged that no fewer than two trees that were 10 inches or more in circumference were removed or destroyed without a permit.

After an extensive discussion between Authority Board members, staff and Ms. Lancashire, a motion was made by Director Carroll, seconded by Director Foster, that the property owner at Viewpoint Lot 12 construct silt fences that are both appropriate in location and quantity within 10 days, and to present a full erosion plan to Authority staff within 30 days. The erosion plan must also include replacement of some trees with native species. This motion carried unanimously.

It is alleged that Peninsula Point Lots 56A - 58 is currently in violation of Article 2, Section 10-Permit Procedures, Subsection B. Chief Dugan explained that he has not been able to perform a final inspection on this boathouse, as it is not complete and the permit extension expired July 20. Authority staff sent the permit holder a letter stating the boathouse must be completed by August 31, but construction is still on going.

Office Manager McConnell read a letter from the contractor stating that he will have the boathouse ready for the final inspection on September 20. The letter explained that the delays were from the coronavirus lockdowns, and several of the crew having to quarantine after exposure.

A motion was made by Director Lunceford, seconded by Director Foster, that the boathouse must be ready for the final inspection no later than the morning of September 21, if the homeowner chooses to

complete the boathouse. If the homeowner chooses to complete the boathouse and it is not ready for final inspection on the morning of September 21, then the following civil restitution fees will apply:

Days 1-15 with no completed final inspection: \$100 per day  
Days 16-30 with no completed final inspection: \$200 per day  
Days 31-45 with no completed final inspection: \$400 per day

This motion carried unanimously.

Chief Dugan explained that PR 7706 Tract 4A2 has two alleged violations to be discussed by the Board of Directors:

- a) Violations of Article 9, Section 1, Subsection B – Size of Firepits, the homeowner constructed a firepit 23.6% larger than allowed in the Rules and Regulations.
- b) Violations of Article 9, Section 1, Subsection D, and Article 27-Land Use Permits, the homeowner constructed a 12-foot-wide road, turnaround, and walking path without a permit from the Authority

A motion was made by Director Carroll, seconded by Director Lunceford, to require the homeowner of PR 7706 Tract 4A2, to submit two variance requests: one for the oversized firepit and one for the road, turnaround, and walking path. These variances must be submitted to Office Manager McConnell by September 18, so that proper notifications to neighbors can be made, and the variances can appear on the October 9 agenda. If the variances do not appear on the October 9 agenda, civil restitution fines will be levied beginning October 10. This motion carries unanimously.

A motion was made by Director Carroll, seconded by Director Foster, to authorize staff to notify Lake residents that are currently in violation of Article 2, Section 15-Boats in Lifts or Slips, and give them 120-days from the date of the notice to comply. This motion carried unanimously.

#### **ADJOURN**

A motion was made by Director Foster, seconded by Director Lunceford, to adjourn the meeting at 10:17 A.M.

**PASSED AND APPROVED on this 9<sup>th</sup> day of October, 2020.**

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Mike Peek, President

ATTEST:

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Donald A. Foster, Secretary

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