

**ATHENS MUNICIPAL WATER AUTHORITY**  
**August 13, 2021**

The Board of Directors of the Athens Municipal Water Authority ("AMWA" or "Authority") met in Regular Session on Friday, August 13, 2021, 8:00 a.m. at the Authority's offices, 5302 FM 2495, Athens, Texas:

Mike Peek, President  
Frank Lunceford, Vice-President  
Don Foster, Secretary  
Marty Lindsey, Board Member  
Dick Grymonprez, Board Member

others present: Ed Gatlin, AMWA Executive Director; Beth McConnell, AMWA Office Manager; Gary Dugan, AMWA Chief of Police; Randy Williams, City of Athens Utility Director; Buddy Hill, Henderson County District Attorney Investigator

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

**CALL TO ORDER**

The meeting was called to order at 8:00 A.M. by President Peek.

**DECLARATION OF CONFLICT OF INTEREST**

No conflicts of interest were declared.

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

Mrs. Lydia Cathey, of Dorsey Estates subdivision, commented that AMWA has recently sold several properties and wants to make sure that AMWA is selling any additional properties for the benefit of taxpayers, and not to just benefit or bring in big business to Lake Athens.

**CONSENT AGENDA**

A motion was made by Director Lunceford, seconded by Director Lindsey, to approve the consent agenda containing:

1. Approval of the minutes of the July 9, 2021 Regular Session
2. Approval of the minutes of the July 27, 2021 Special Session
3. Monthly statements and payment of bills

This motion carried unanimously.

**FINANCE**

A motion was made by Director Lindsey, seconded by Director Lunceford, to open a public hearing hearing regarding the fiscal year 2022 tax rate, at 8:07 A.M. This motion carried unanimously.

Executive Director Gatlin and Office Manager McConnell, went over the no-new revenue and voter-approved tax rates.

Mr. Tom Potthoff asked a question related to the Authorities taxing boundaries.

A motion was made by Director Lindsey, seconded by Director Grymonprez, to close the public hearing for the fiscal year 2022 tax rate, at 8:15 A.M. This motion carried unanimously.

A motion was made by Director Lunceford, seconded by Director Lindsey, to approve a tax rate of \$0.109073/\$100 valuation, for the 2022 fiscal year. This motion carried unanimously.

Executive Director Gatlin and Office Manager McConnell took questions from the Board of Directors regarding the 2022 fiscal year budget draft, version 2.

A motion was made by Director Lindsey, seconded by Director Foster, to schedule a public hearing, regarding the 2022 fiscal year budget, to be held during the September 10, 2021, regular session meeting. This motion carried unanimously.

#### **WATER & WATER DEVELOPMENT**

Randy Williams, City of Athens Utility Director, gave an update regarding operations at the plant and future projects.

A motion was made by Director Foster, seconded by Director Lunceford, to authorize Executive Director to execute Powder River Well Change order #2. This change order would increase the depth of the well to 880 feet, increase the screened sand increment to 145 feet, and increase well capacity by approximately 200-300 gallons per minute. This motion carried unanimously.

#### **EXECUTIVE DIRECTOR'S REPORT**

Executive Director Gatlin gave his monthly report.

#### **LAKE ATHENS RECREATION**

Chief Gary Dugan gave the Inspection and Police Reports.

A motion was made by Director Lunceford, seconded by Director Grymonprez, to deny the requested variance to the *Rules & Regulations Governing Authority Property & Permit Holders of Authority Property*, Article 2, Section 1, Area of a Pier or Boathouse, for Whispering Oaks Phase II, lot 5 (Dunnill). This motion carried unanimously.

A motion was made by Director Lunceford, seconded by Director Lindsey, to deny an appeal of a previously denied Land Use Permit Application for a fence to the water at Zueller Hawley Lots 45B-48 (Chinnock). This motion carried unanimously.

A motion was made by Director Lunceford, seconded by Director Lindsey, to deny an appeal of ingress/egress fees associated with Three Fingers Lots 1A, 1B, 1C, 2A, 2C, and 14. Authority land adjacent to these lots had been under brushed without ingress/egress permits, in violation of *Rules & Regulations Governing Authority Property and Permit Holders of Authority Property*, Article 5, Section 1. This motion carried unanimously.

A motion was made by President Peek, seconded by Director Lindsey, to revoke the ingress/egress permit for Impala South Lot 4 (Ross), due to non-payment, in violation of *Rules & Regulations Governing Authority Property and Permit Holders of Authority Property*, Article 5, Section 1. This motion carried unanimously.

A motion was made by Director Lunceford, seconded by Director Foster, to notify the owner of Double Oaks 29I-4 (D. Henry) that he is in violation of *Rules & Regulations Governing Authority Property & Permit Holders of Authority Property*, Article 4, Improvements/Structures/Infrastructures below the 448 msl. Approximately 1,000 square feet of enclosed improvements, including a dwelling, were found unpermitted below the 448 msl. In the notification the adjacent landowner will be given 60-days, from receipt, to remove all enclosures, however the foundations may remain for now. This motion carried unanimously.

A discussion was had regarding other findings of structures not permitted below the 448 msl.

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A motion was made by Director Lunceford, seconded by Director Foster, to notify the owner of Double Oaks 291-4 (D. Henry) that he is also in violation of *Rules & Regulations Governing Authority Property and Permit Holders of Authority Property*, Article 3, Sanitation, after a septic system was found below the 448 msl. This notification will give the landowner 30-days from receipt, to have a contractor, licensed by the State to perform this kind of work, remove the septic tank and fill it in. The removal must also be inspected by Henderson County's septic inspector. This motion carried unanimously.

**EXECUTIVE SESSION PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551, TEXAS GOVERNMENT CODE**

The Board did not enter into Executive Session.

**ADJOURN**

A motion was made by Director Lindsey, seconded by Director Foster, to adjourn the meeting at 9:47 A.M.

**PASSED AND APPROVED on this 10<sup>th</sup> day of September, 2021.**

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Mike Peek, President

ATTEST:

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Donald A. Foster, Secretary