

REGULAR SESSION

DECEMBER 14, 2010

The Board of Directors of the Athens Municipal Water Authority met in Regular Session on Tuesday, December 14, 2010, 8:30 a.m. in the Council Chambers of the City of Athens with the following members present, to-wit:

Chip Perryman  
Mike Stover  
Ed Gatlin  
Steve Sparkman  
C.A. Hawn

Wylie Pirkle, Executive Director  
Pam Watson, City Secretary  
Glen Herriage, Director of Utilities  
David Hopkins, Director of Finance  
Martin Bennett, A.M.W.A. Attorney

others present: Tyler Hendrickson, Chris Weeks, Max Ciccarelli and other interested citizens;

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

Director Perryman called the meeting to Order.

CONSIDER APPROVING THE MINUTES OF THE NOVEMBER 9, 2010  
REGULAR SESSION

A motion was made by Director Stover, seconded by Director Hawn to approve the minutes of the November 9, 2010 Regular Session, as written. The motion carried unanimously.

INSPECTOR'S REPORT

A) STATUS REPORT ON LAKE ACTIVITIES

No report was presented.

FINANCIAL REPORT

David Hopkins, Director of Finance

- 1) Presented November financials.
- 2) Updated on delinquent fees.
- 3) Preparing for Audit.

DISCUSS/CONSIDER REQUEST TO CLEANUP DORSEY DR. COVE, AS  
REQUESTED BY LAKE ATHENS AREA PROPERTY OWNERS

Max Ciccarelli, 6398 Dorsey Dr., appeared before the Board and explained that he has provided approximately thirteen (13) requests to cleanup Dorsey Dr. Cove. He expressed his feelings that A.M.W.A. should make the person accountable for dumping dirt, concrete, asphalt and trees into the Cove and that the Board should step up and take action to put Lake Athens back into good condition.

Glen Herriage, Director of Utilities stated that a sonar was mounted onto the A.M.W.A. Lake Patrol boat and Bill Magee, Lake Inspector patrolled the area and found nothing dangerous projecting out of the water in the main travel area other than three (3) tree tops, with the sonar detecting no large chunks of concrete or asphalt. He stated that Mr. Magee placed a "No Wake" buoy in the Cove as a precaution and most debris has gone against the shoreline and nothing remains in the main travel area except the tree tops.

Director Hawn clarified that this is concerning the dam that washed out on the Hurley property.

Jim Cathey, 6414 Dorsey Dr., stated that he was issued a dredging permit last month and spent a lot of money dredging to achieve 6 ft. of water and with the amount of sediment that washed into Lake Athens from the dam breakage, he now only has 1½ ft. of water.

Wylie Pirkle, Executive Director expressed his feelings that there was a tremendous amount of damage resulting from the dam breakage, however, the main issue is to determine how to proceed.

A.M.W.A. Attorney Martin Bennett explained that the cause of action would be against the owner of the Hurley property. He expressed his feelings that owners suffering damage to their boat docks have standing to file a claim against the owner of the Hurley property, however, the Cove issue will probably require a claim and lawsuit to be brought by A.M.W.A. He expressed concern with there possibly already being numerous judgements against the owner of the Hurley property. He stated that the Board will have to determine if they want to take action to remediate any problems that have occurred and whether to file litigation.

Director Perryman discussed the damage to Mr. Ciccarelli's dock which resulted from a culvert that was washed into the Lake from the County Road, with Mr. Herriage stating that it is his understanding that the County plans to have the culvert removed.

Mr. Ciccarelli stated that his issue is below the 448 m.s.l. and feels that the Board must take action.

Director Hawn expressed concern with the Hurley dam not being repaired and heavy rains possibly washing additional silt into Lake Athens.

Director Gatlin discussed the fact that should A.M.W.A. apply to the Corp of Engineers for a permit to dredge the Cove, it could take approximately one (1) year to obtain a permit.

Director Perryman recommended researching and determining the dollar amount of existing liens that have been filed on the owner of the Hurley property to determine if the sum of all existing liens exceeds the value of the property.

Mr. Pirkle recommended possibly delaying litigation and subsidizing the homeowners in individual dredging, due to the time that will be required for A.M.W.A. to obtain a dredging permit.

Mr. Ciccarelli asked that the tree stumps be removed now due to the danger.

Director Perryman expressed his feelings that the Board needs to assess the damages and costs to remediate the damages.

After discussion, a motion was made by Director Hawn, seconded by Director Gatlin to authorize Glen Herriage to remove debris located below the 440 m.s.l. in Dorsey Dr. Cove, due to the Hurley dam failure, at a cost not to exceed \$10,000. The motion carried unanimously.

#### ENGINEER'S REPORT

##### A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Chris Weeks with Velvin & Weeks Consulting Engineers informed the Board that a preconstruction meeting was held with the Contractor for work at Water Treatment Plant and work will begin after 12/20/10.

Wylie Pirkle updated the Board on the Groundwater District Meeting concerning future well permitting.

CONSIDER PAYMENT OF STATEMENTS

A motion was made by Director Hawn, seconded by Director Stover to approve the payment of statements, as presented. The motion carried unanimously.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

A concerned citizen questioned if A.M.W.A. has the power to make sure other dams are stable.

ADJOURN

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

PASSED AND APPROVED THIS THE 11<sup>TH</sup> DAY OF JANUARY, 2011.

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W.C. "Chip" Perryman, III, President

ATTEST:

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Pam Watson, City Secretary