

REGULAR SESSION

AUGUST 11, 2009

The Board of Directors of the Athens Municipal Water Authority met in Regular Session on Tuesday, August 11, 2009, 8:30 a.m. in the Council Chambers of the City of Athens with the following members present, to-wit:

Ed Gatlin  
C.A. Hawn  
Steve Sparkman

Pam Watson, City Secretary  
David Hopkins, Director of Finance  
Glen Herriage, Director of Utilities  
Mose Trimble, Lake Inspector  
Damon Douglas, A.M.W.A. Attorney

others present: Wayne Weeks, Thomas Potthoff and other interested citizens;

with the following members absent: Director Perryman, Director Stover;

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

Director Gatlin called the meeting to Order.

CONSIDER APPROVING THE MINUTES OF THE JUNE 30, 2009 SPECIAL  
SESSION-TOUR AND JULY 14, 2009 REGULAR SESSION

A motion was made by Director Hawn, seconded by Director Sparkman to approve the minutes of the June 30, 2009 Special Session-Tour and July 14, 2009 Regular Session, as written. The motion carried unanimously.

INSPECTOR'S REPORT  
A) STATUS REPORT ON LAKE ACTIVITIES

Mose Trimble, Lake Inspector

- 1) Lake is 6" low.
- 2) Updated on construction.
- 3) Richard Ott with Texas Parks & Wildlife Inland Fisheries inspected the vegetative growth in Lake Athens and issued a good report.

DISCUSS/CONSIDER PLACEMENT OF GEOTHERMAL HEAT PUMP WITH  
LAKE LOOP IN LAKE ATHENS, AS REQUESTED BY MARC ABADIE, M.D.

After discussion, this item was tabled and will be placed on the next agenda.

DISCUSS/CONSIDER ENTERING INTO CONTRACT FOR SALE OF REAL  
PROPERTY, BEING DESCRIBED AS 31.374 ACRES LOCATED IN DAVID  
CHERRY LEAGUE, A-135, HENDERSON COUNTY, TEXAS (FIELD NOTES  
ATTACHED AS "EXHIBIT A") WITH THOMAS POTTHOFF

Thomas Potthoff requested that this item be tabled.

FINANCIAL REPORT

David Hopkins, Director of Finance

- 1) Presented the July financials.

DISCUSS/CONSIDER APPOINTMENT OF AUDITOR FOR FISCAL YEAR  
ENDING SEPTEMBER 30, 2009

Following Mr. Hopkins recommendation, a motion was made by Director Gatlin, seconded by Director Hawn to appoint Smith, Lambright & Associates as Auditor for fiscal year ending September 30, 2009. The motion carried unanimously.

MARINA REPORT

A) CONCESSIONAIRE STATUS REPORT ON MARINA ACTIVITIES

No report was given.

DISCUSS/CONSIDER AWARDED BID FOR REMOVAL AND DISPOSAL OF  
SLUDGE

A motion was made by Director Gatlin, seconded by Director Sparkman to award the bid for removal and disposal of sludge to low bidder, Magna Flow Environmental at a cost of .045 per gallon, as recommended by Glen Herriage, Director of Utilities. The motion carried unanimously.

ENGINEER'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Wayne Weeks, Velvin & Weeks Consulting Engineers

- 1) Discussed groundwater supply, including the drilling of wells.

DISCUSS/CONSIDER AUTHORIZING VELVIN & WEEKS CONSULTING  
ENGINEERS TO ADVERTISE FOR BIDS FOR ACCESS ROADWAY BERM  
AT SUNSET PARK IN OAKWOOD SUBDIVISION

A motion was made by Director Gatlin, seconded by Director Hawn to authorize Velvin & Weeks Consulting Engineers to advertise for bids for access roadway berm at Sunset Park in Oakwood Subdivision. The motion carried unanimously.

EXECUTIVE DIRECTOR'S REPORT

No report was given.

DISCUSS WASTEWATER REUSE PROJECT

There was no discussion.

CONSIDER PAYMENT OF STATEMENTS

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

DISCUSS BUDGET FOR FISCAL YEAR 2009-2010

Mr. Hopkins explained that the current tax rate is .124673 and the rollback tax rate is .120993, recommending that the Board adopt the rollback tax rate which would result in the loss of \$23,777 in revenue. He presented the proposed budget for fiscal year 2009-2010, with the Tax Fund totaling \$519,200 and the Revenue Fund totaling \$117,763. Mr. Herriage stated that there are no major changes in the operation line items.

VOTE TO PLACE A PROPOSAL TO ADOPT A SPECIFIC TAX RATE ON A  
FUTURE AGENDA

A motion was made by Director Hawn, seconded by Director Sparkman to vote to place a proposal to adopt a tax rate of .120993 on the next agenda. The motion carried unanimously.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE,  
1) SECTION 551.072 DELIBERATION REGARDING REAL PROPERTY;  
DELIBERATION CONCERNING THE PURCHASE, EXCHANGE, LEASE AND  
VALUE OF REAL PROPERTY

A motion was made by Director Hawn, seconded by Director Sparkman to adjourn to Executive Session. The motion carried unanimously.

A motion was made by Director Gatlin, seconded by Director Hawn to return to Regular Session. The motion carried unanimously.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE  
SESSION REGARDING REAL PROPERTY; DELIBERATION CONCERNING  
THE PURCHASE, EXCHANGE, LEASE AND VALUE OF REAL PROPERTY

No action was taken.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

1. Sam Whitten, representative of Lake Athens Property Owners Association presented the Board with information concerning lynngbya and requested that the item be placed on a future agenda.

ADJOURN

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

PASSED AND APPROVED THIS THE 8<sup>TH</sup> DAY OF SEPTEMBER, 2009.

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

ATTEST:

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Pam Watson, City Secretary