

REGULAR SESSION

SEPTEMBER 8, 2009

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

Mike Stover  
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, Tyler Hendrickson, Robby Robertson, Thomas Potthoff and other interested citizens;

with the following member absent: Chip Perryman;

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

Director Stover called the meeting to Order.

CONSIDER APPROVING THE MINUTES OF THE AUGUST 11, 2009  
REGULAR SESSION

A motion was made by Director Sparkman, seconded by Director Hawn to approve the minutes of the August 11, 2009 Regular Session, as written. The motion carried unanimously.

PUBLIC HEARING CONCERNING THE BUDGET FOR FISCAL YEAR  
2009-2010

David Hopkins, Director of Finance explained that the budget for fiscal year 2009-2010 was prepared with the tax rate being lowered from .124673 to .120993. There being no discussion and the public hearing was closed.

CONSIDER A RESOLUTION ADOPTING THE BUDGET FOR FISCAL YEAR  
2009-2010

A motion was made by Director Gatlin, seconded by Director Hawn to approve A RESOLUTION ADOPTING THE BUDGET FOR FISCAL YEAR 2009-2010. The motion carried unanimously.

PUBLIC HEARING ON TAX RATE FOR FISCAL YEAR 2009-2010

Mr. Hopkins explained that the tax rate for fiscal year 2009-2010 is being lowered and set at .120993, with there being no discussion. The public hearing was closed.

CONSIDER A RESOLUTION ADOPTING THE TAX RATE FOR FISCAL YEAR  
2009-2010

A motion was made by Director Gatlin, seconded by Director Sparkman to approve A RESOLUTION ADOPTING THE TAX RATE FOR FISCAL YEAR 2009-2010. The motion carried unanimously.

**INSPECTOR'S REPORT  
A) STATUS REPORT ON LAKE ACTIVITIES**

Mose Trimble, Lake Inspector

- 1) Lake is 12" low.
- 2) Lake patrol schedule ended 9/07/09.

**DISCUSS CONCERNS WITH LYNGBYA AND ALGAE IN LAKE ATHENS, AS  
REQUESTED BY LAKE ATHENS PROPERTY OWNERS ASSOCIATION**

Bob Bushnell, Vice President of Lake Athens Property Owners Association expressed the Lake Athens community's concern with lymbya that has returned to Lake Athens, being located between Dorsey Dr. Estates and Timberlake Estates. He presented pictures, discussed his contacts and requested direction in controlling the problem.

Inspector Trimble explained that he has stayed in contact with Texas Parks & Wildlife Inland Fisheries and will be made aware should any possible treatment arise that can be used in a potable water supply. He recommended that the owners aerate the area around their boathouses, explaining the aeration process.

A.M.W.A. Attorney Damon Douglas stated that there is no legal chemical that can be put into Lake Athens to treat lymbya at this time, however, the Board will pursue the issue.

There was a lengthy discussion and the item will be placed on the next agenda.

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

After discussion, the Board expressed their desire to review Tarrant Regional Water District's Rules and Regulations concerning this subject matter, therefore, the item was tabled.

**FINANCIAL REPORT**

David Hopkins, Director of Finance

- 1) Presented August financials.

**DISCUSS/CONSIDER AUTHORIZING ACCEPTANCE OF CREDIT CARDS  
FOR PAYMENT OF A.M.W.A. FEES**

Mr. Hopkins explained that there have been numerous requests to accept credit cards and debit cards for payment of A.M.W.A. fees and the software will now allow for that function. After discussion, a motion was made by Director Gatlin, seconded by Director Hawn to authorize the acceptance of credit cards for payment of A.M.W.A. fees. The motion carried unanimously.

**MARINA REPORT**

**A) CONCESSIONAIRE STATUS REPORT ON MARINA ACTIVITIES**

No report was given.

**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**

No action was taken at this time.

ENGINEER'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Wayne Weeks, Velvin & Weeks Consulting Engineers

- 1) Working on access road to Sunset Park.

CONSIDER A RESOLUTION ADOPTING WATER CONSERVATION PLAN  
FOR A.M.W.A.

A motion was made by Director Gatlin, seconded by Director Sparkman to approve A RESOLUTION ADOPTING WATER CONSERVATION PLAN FOR A.M.W.A. The motion carried unanimously.

EXECUTIVE DIRECTOR'S REPORT

No report was given.

DISCUSS WASTEWATER REUSE PROJECT

Mr. Weeks discussed the future water supply, including possible locations and costs for drilling wells. After discussion, Attorney Douglas recommending pursuing the subject matter diligently. The item will appear on the next agenda.

CONSIDER PAYMENT OF STATEMENTS

A motion was made by Director Hawn, seconded by Director Sparkman to approve the payment of statements. 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 Gatlin 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

A motion was made by Director Gatlin, seconded by Director Hawn to authorize the contract for sale of real property, being described as 31.374 acres located in David Cherry League, A-135, Henderson County, Texas to Thomas Potthoff at a cost of \$550,000 (\$17,530.44 per acres), subject to the terms of the contract. The motion carried unanimously.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

There was no discussion.

ADJOURN

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

PASSED AND APPROVED THIS THE 13<sup>TH</sup> DAY OF OCTOBER, 2009.

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

ATTEST:

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Pam Watson, City Secretary