

REGULAR SESSION

FEBRUARY 9, 2010

The Board of Directors of the Athens Municipal Water Authority met in Regular Session on Tuesday, February 9, 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  
C.A. Hawn  
Steve Sparkman

Wylie Pirkle, Executive Director  
Bill Magee, Lake Inspector  
Pam Watson, City Secretary  
David Hopkins, Director of Finance  
Pam Burton, City Administrator  
Melvin Bateman, A.M.W.A. Attorney

others present: Wayne Weeks, Peter Gould, Thomas Potthoff 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 JANUARY 12, 2010  
REGULAR SESSION

A motion was made by Director Stover, seconded by Director Hawn to approve the minutes of the January 12, 2010 Regular Session, as written. The motion carried unanimously.

CONSIDER A RESOLUTION ORDERING THE MAY 8, 2010 A.M.W.A.  
GENERAL ELECTION FOR THE PURPOSE OF ELECTING TWO (2)  
DIRECTORS

City Secretary Pam Watson explained that this Resolution will Order the election for the May 8, 2010 General Election for the purpose of electing two (2) Directors, with the terms of Chip Perryman and Ed Gatlin expiring. A motion was made by Director Gatlin, seconded by Director Perryman to approve A RESOLUTION ORDERING THE MAY 8, 2010 A.M.W.A. GENERAL ELECTION FOR THE PURPOSE OF ELECTING TWO (2) DIRECTORS. The motion carried unanimously.

INSPECTOR'S REPORT  
A) STATUS REPORT ON LAKE ACTIVITIES

Bill Magee, Lake Inspector

- 1) Lake level is 6" to 8" above full.
- 2) Updated on permits.
- 3) Having boulders removed from A.M.W.A. property that were brought in by Lake Athens property owner.

FINANCIAL REPORT

David Hopkins, Director of Finance

- 1) Presented January financials.

DISCUSS/CONSIDER C.P.I. ADJUSTMENT TO LAKE ATHENS  
CONCESSIONAIRE'S LEASE

Mr. Hopkins explained that the C.P.I. Adjustment of 2.7% to the Lake Athens Concessionaire's Lease, as allowed by contract, will increase the current payment from \$932 to \$957 per month, beginning with the February 1, 2010 payment. A motion was made by Director Hawn, seconded by Director Gatlin to authorize the C.P.I. Adjustment to Lake Athens Concessionaire's Lease, as presented. The motion carried unanimously.

#### DISCUSS/CONSIDER C.P.I. ADJUSTMENT TO FEE STRUCTURE

Mr. Hopkins explained that the Board did not authorize a C.P.I. Adjustment in 2009 due to the increase being minimum, therefore, the total C.P.I. Adjustment from December 2007 to December 2009 will be 2.8%. After discussion, a motion was made Director Hawn, seconded by Director Sparkman to authorize the 2.8% C.P.I. Adjustment to the Fee Structure. The motion carried unanimously.

#### MARINA REPORT

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

Peter Gould stated that the Marina business is pretty good for this time of year. He also informed the Board that the boat docks will need major repairs within the next two (2) months.

#### ENGINEER'S REPORT

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

Wayne Weeks, Velvin & Weeks Consulting Engineers

- 1) Filter Rehabilitation Plans should be ready for next meeting.
- 2) Drilling of all three (3) wells for Groundwater Study have been completed, with the well at the sludge site being very good.

Wylie Pirkle, Executive Director stated that the well at the sludge site appears to be a major producer and there could be a possibility of adding another well at this location. He stated that the well at the dam was bad and the well at the water treatment plant was better, but not as good as the well at the sludge site.

#### CONSIDER PAYMENT OF STATEMENTS

A motion was made by Director Stover, seconded by Director Gatlin 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 Gatlin, seconded by Director Hawn 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

A motion was made by Director Gatlin, seconded by Director Hawn to authorize Wylie Pirkle to negotiate and draft a document with Peter Gould to allow him to continue the lease of 3.095 acres (Area #3) and submit the lease to the Board on a future agenda. The motion carried unanimously.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

There was no discussion.

ADJOURN

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

PASSED AND APPROVED THIS THE 9<sup>TH</sup> DAY OF MARCH, 2010.

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

ATTEST:

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Pam Watson, City Secretary