

REGULAR SESSION

NOVEMBER 8, 2011

The Board of Directors of the Athens Municipal Water Authority met in Regular Session on Tuesday, November 8, 2011, 8:30 a.m. in the Council Chambers of the City of Athens with the following members present, to-wit:

Mike Stover
Ed Gatlin
Steve Sparkman
Joe Whatley

Wylie Pirkle, Executive Director
Pam Burton, City Administrator
Pam Watson, City Secretary
Glen Herriage, Director of Utilities
David Hopkins, Director of Finance
Bill Magee, Lake Inspector
Martin Bennett, A.M.W.A. Attorney

others present: Carlon Dowell, Tyler Hendrickson and other interested citizens;

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

Director Stover called the meeting to Order.

DISCUSS/CONSIDER DECLARING A VACANCY ON THE A.M.W.A. BOARD OF DIRECTORS

Director Stover explained that Chip Perryman has provided a letter of resignation as Director on the Athens Municipal Water Authority. After discussion, a motion was made by Director Gatlin, seconded by Director Sparkman to accept the resignation of Chip Perryman and declare a vacancy on the A.M.W.A. Board of Directors. The motion carried by the following vote: Ayes: Directors Gatlin, Sparkman, Stover. Nays: None. Director Whatley abstained.

DISCUSS/CONSIDER APPROVING BOND FOR DIRECTOR

A motion was made by Director Gatlin, seconded by Director Sparkman to approve the Bond for recently appointed Director Joe Whatley. The motion carried unanimously.

CONSIDER APPROVING THE MINUTES OF THE OCTOBER 11, 2011 REGULAR SESSION AND OCTOBER 18, 2011 SPECIAL SESSION

A motion was made by Director Sparkman, seconded by Director Whatley to approve the minutes of the October 11, 2011 Regular Session and October 18, 2011 Special Session, as written. The motion carried unanimously.

INSPECTOR'S REPORT

A) STATUS REPORT ON LAKE ACTIVITIES

Bill Magee, Lake Inspector

- 1) Lake level is a record low at 434.44 m.s.l.
- 2) Boat ramps remain operational.
- 3) Various dock maintenance and dredging is ongoing.
- 4) Replacement buoys have been ordered.

FINANCIAL REPORT

David Hopkins, Director of Finance presented the October financials.

PUBLIC HEARING CONCERNING TAXATION OF GOODS IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS PROPERTY TAX CODE, SECTION 11.253

Mr. Hopkins explained that the Legislature has amended the Goods In Transit exemption in the Texas Property Tax Code which now requires a public hearing and adoption of a new Resolution to continue allowing the taxing of goods that are in transit. After discussion, a motion was made by Director Gatlin, seconded by Director Sparkman to close the public hearing. The motion carried unanimously.

CONSIDER A RESOLUTION APPROVING TAXATION OF GOODS IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS PROPERTY TAX CODE, SECTION 11.253

A motion was made by Director Gatlin, seconded by Director Whatley to approve A RESOLUTION APPROVING TAXATION OF GOODS IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS PROPERTY TAX CODE, SECTION 11.253. The motion carried unanimously.

DISCUSS/CONSIDER WAIVING PORTION OF LATE FEES FOR LOTS 1 & 2, P.A. TAYLOR SUBDIVISION (ACCOUNT #W3-177), AS REQUESTED BY CARLON DOWELL (5288 FM 2495)

Carlton Dowell appeared before the Board and requested that the 2010 portion of late fees in the amount of \$613.48 for property that he recently purchased be waived, offering to pay the 2011 portion in the amount of \$705.50. He expressed his feelings that A.M.W.A. should have collected this from the previous owner or either a Lien or an Affidavit of Debt should have been filed on the property. After discussion, a motion was made by Director Gatlin, seconded by Director Stover to deny waiving a portion of late fees for Lots 1 & 2, P.A. Taylor Subdivision. The motion carried unanimously.

DISCUSS/CONSIDER AUTHORIZING BUDGET ADJUSTMENT FOR FISCAL YEAR 2010-2011

Mr. Hopkins explained that this budget adjustment is for the recent purchase of property located in Powder River Ranch at a cost of \$562,000. A motion was made by Director Gatlin, seconded by Director Whatley to authorize a budget adjustment in the amount of \$562,000, as presented. The motion carried unanimously.

DISCUSS/CONSIDER AUTHORIZING IMPLEMENTATION OF GASB STATEMENT 54

A motion was made by Director Sparkman, seconded by Director Whatley to authorize the implementation of GASB Statement 54. The motion carried unanimously.

DISCUSS/CONSIDER AUTHORIZING AGRICULTURAL LEASE WITH JOHNSON FAMILY PARTNERSHIP LP

Wylie Pirkle, Executive Director explained that the 200 acres located in Powder River Ranch that was recently purchased by A.M.W.A. was previously leased by Dr. Johnson and he would like to continue to lease the property. He explained that this will be a one (1) year lease with Dr. Johnson

providing upkeep on the property and there being no fee for the lease. After discussion, a motion was made by Director Gatlin, seconded by Director Stover to authorize the Agricultural Lease with Johnson Family Partnership LP. The motion carried unanimously.

**DISCUSS/CONSIDER AUTHORIZING STAFF TO ADVERTISE FOR BIDS FOR
CONSTRUCTION OF FENCE ON RECENTLY PURCHASED PROPERTY**

Tyler Hendrickson, Velvin & Weeks Consulting Engineers presented aerial photo of the Power River Ranch Tract that was recently purchased by A.M.W.A., defining the area that will require fencing. After discussion, a motion was made by Director Gatlin, seconded by Director Whatley to authorize staff to advertise for bids for construction of fence on recently purchased Powder River Ranch Tract, dropping the bonding requirement. The motion carried unanimously.

ENGINEER'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Chris Weeks, Velvin & Weeks Consulting Engineers

- 1) Filter Rehab Project will begin Monday.

Wylie Pirkle, Executive Director

- 1) Designing of production wells is progressing and plans should be ready in January.

EXECUTIVE DIRECTOR'S REPORT

Wylie Pirkle, Executive Director

- 1) Lake level is below Stage 2 of the Drought Contingency Plan, feeling that the Board should wait until next week for implementation.
- 2) Working on preparation of Policies, defining issues and gathering samples.

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.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

There was no discussion.

ADJOURN

A motion was made by Director Sparkman, seconded by Director Whatley to adjourn. The motion carried unanimously.

PASSED AND APPROVED THIS THE 13TH DAY OF DECEMBER, 2011.

A.M.W.A. President

ATTEST:

Pam Watson, City Secretary