MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE HELD IN THE DISTRICT OFFICE IN FORT WORTH, TEXAS, ON THE 11TH DAY OF MAY 1936, 3:00 P.M.

The call of the roll disclosed the presence of all Directors,

as follows:

C.	Α.	Hickman	ABSENT
E.	E.	Bewley	
W.	K.	Stripling	W. S. Cooke
Joe	θB	. Hogsett	

Also present were the following:

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A. D. Roach, County Superintendent of Education, Knox Faires, Assistant Auditor of the County, L. E. Gilley; O. L. Kimbrough; R. A. Hayes; and L. E. Moran: All of whom appeared to represent the School Districts of

Tarrant County, as follows:

Dido	No.	2
Wayside	No.	17
Azle	No.	18
Liberty	No.	101

At this meeting C. A. Hickman, President, presided; ". K. Stripling acted in his capacity as Secretary; and at this time and place the following proceedings were had and done, viz

1.

The minutes of the meetings of April 21, 1936, and April 25, 1936, were read, approved and ordered of record.

2.

Messrs. Roach and Faires made a detailed statement concerning the financial condition of each of the above named school districts, explained the difficulty which the Districts were in, with reference to meeting their outstanding bond obligations and, at the same time, carrying forward the

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school work. Mr. Faires made commitment that he would have copied and furnished to the District the detailed statistical data which he had before him. The substantive effect of the contention of these petitioners was: That the water district had acquired such a large proportion of the taxable lands which had afforded the base for the issuance of bonds by the school districts, and thereby withdrawn the required land from the taxing power of the school districts, that it had become impossible, within the limits of the taxing power of the school districts, for them to carry on their educational work, and yet avoid default as to their outstanding bonds. It was explained that default by one school district would cause the State to withhold from all public schools of Tarrant County the usual scholastic per capita allotment of money; that for this reason the County had utilized funds not ordinarily intended for such purpose to protect certain maturities of these bonds. It was admitted that a number of school districts of Tarrant County other than those above named and not affected by the District's land ownership, had fallen into like trouble. It was stated that the County educational authorities desired all aid which the District might lawfully be able to extend, and that in the event it became necessary, they would desire the District to assist them in procuring the Legislature of the State to release the bond indebtedness of the Districts, which was now owned and held by the State Board of Education. It was the sense of the Board that the matter was one which should be referred to the Attorneys of the District for investigation and advice; whereupon, President Hickman assured the petitioners that the matter would have the sympathetic attention of the Directors of the District and that advice of the District's conclusion would be given as soon as possible. The petitioners then retired.

3.

Attached toothese minutes as Exhibit "A," constituting a part here-

of, is a statement showing the financial condition of the District as of this date. This statement shows checks issued since the last regular meeting, being consecutive and inclusive serial numbers 4685 to 4697, for the total sum of \$1,236.59; also showing proposed Voucher-Checks bearing consecutive and inclusive serial numbers 4698 to 4743 for the total sum of \$18,741.45. There was full consideration of each of the proposed checks together with the data to support the same; whereupon, Director Stripling made a motion, seconded by Director Hogsett, that the issuance $\frac{66}{K}$ Voucher-Checks $\frac{44}{16}685-4697$, inclusive do be ratified and confirmed; that the accounts to be paid by checks numbered consecutively and inclusively from $\frac{1698}{1698}$ to $\frac{14743}{1743}$ (omitting only check No. $\frac{14735}{1675}$, payable to Barker Brothers, to be later acted and delivered to the respective persons entitled to receive the same.

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There also came for consideration proposed Voucher-Checks, as follows: No. 4735, payable to Barker Brothers, for the sum of \$15,791.98. This check was issued for work done on Section "A" of the levee in the City of Fort Worth, in accord with the engineers' estimate for partial payment #4, (which is attached to these minutes as Exhibit "B," and hereby made a part hereof), covering the period from April 1, 1936, to April 30, 1936, both inclusive, for the sum of \$15,791.98.

Voucher-Check No. 4744, payable to Arilla Evans and C. E. Farmer, who is attorney of record for Arilla Evans, in Cause No. 14213-A on the Docket of the District Court of Tarrant County, Texas. The check is given as consideration for the deed conveying certain easements for levee work to be done by the District, executed by Arilla Evans on May 11, 1936, for the sum of \$250.00.

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Upon consideration of these items Director Stripling made a motion, seconded by Director Hogsett, that each of said checks do be approved for payment; that they be delivered to the respective persons entitled to receive the same and further that, the District pay all cost, including the cost of dismissal, incurred in said proceeding, Cause No. 14213-A on the Docket of the District Court of Tarrant County, Texas, wherein Arilla Evans is Plaintiff and this District is Defendant, as is provided for in the deed from Arilla Evans to the District. Upon a vote being taken, the motion was carried, and it was so ordered.

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4.

Mr. O. P. Leonard appeared before the Directors and presented his written proposal of May 11, 1936, whereby he proposes to lease from the District the borrow-pit and the land between the borrow-pit and the river, below Eagle Mountain Dam, for the purpose of placing in the pit raised wall dams, to lie in successive spaced locations throughout the extent of the pit, for the purpose of raising fish. It was explained that he proposed to include in his consideration for the privilege, the delivery and use of water in a quantity adequate to carry on his intended purpose. It was explained that the water would be kept continuously running through the fish tanks and that it would be returned to the river at the head of Lake Worth, in a quantity little diminished. It was also explained that all work would be done under the approval of the engineers for the District. It was orally explained that he also desired to have the privilege of placing on the District's property a care-taker's cottage of five or six rooms, and that: in case he did not retain use of the property later than December 31,

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1938, he would desire to remove all pipe or water mains provided by him to flow water to the tanks and also to remove the care-taker's house or other auxiliary structures which he might place on the property. He stated that, in case he remained in possession of the property for the full term of thirteen years (as proposed by him) he would not desire the privilege of removing anything from the property and would agree that all improvements placed by him should become the property of the District at the end of the term. There was full discussion of this matter, and the sense of the Directors was: They desired counsel to give advice as to whether or not the Directors of the District would be held to have the power to execute a lease and a contract for the delivery of water for a period exceeding one year; whereupon, counsel gave oral advice, as follows: That if the Directors deemed it important to avoid having the borrow-pit develop into a swampy willow-thicket, and to be maintained in a desirable and sanitary condition, without cost to the District, it would be permissible for the District, in order to avoid expense, to procure the desirable result of sanitation by means of the proposed lease. However, counsel were of the opinion that the period of the lease could not lawfully exceed a "reasonable time," which in the opinion of counsel, probably could be sustained to cover ten years; and that, it probably would be difficult to sustain a lease for a longer period of time. Having advice of counsel, the Directors of the District were of the opinion that the matter should be held for further consideration, but it was tentatively determined that the contract should, among other things, provide for: Daily use of water (to be delivered through the District's eight inch valve in the conduit) not to exceed 250,000 gallons per day; the lease consideration to be, as follows:

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To January 1,	193 7	\$100.00
For the year	1937	200.00
For the year	1938	200,00

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For the years 1939-1945,

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both inclusive, per year \$500.00

It was understood that the contract could be terminated by Mr. Leonard at the end of the year 1938, or then firmly established to continue to December 31, 1945. It was further the sense of the Directors that the Land Committee should be authorized to continue negotiations with Mr. Leonard in an endeavor to see if an accord might be reached, and it was so ordered. Reference is hereof made to the written proposal of Mr. Leonard in the file records of this District.

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There was presented to the Directors the report of the District's auditor's report covering the month of March 1936, and the year toothis date. Each of the Directors had received a copy of this report at a prior time and were familiar with the contents thereof. It was the sense of the Directors that the report did not require any action at this time and that same should be received and filed: It was so ordered.

6.

There was presented to the Directors a letter written on May 9th, 1936, by Mr. Dan Priest, wherein he suggested that fishing for Lake Worth, could be better promoted by keeping the water level of Lake Worth uniform "the-year round." It was urged that the frequent release of large quantities of water at inopportune times very much interfered with successful fishing Lake Worth. It was the sense of the Directors that the letter of Mr. Priest should be acknowledged and he be given assurance of the desire of the Directors to do everything possible to promote fishing in Lake Worth, provided it could be done without affecting a number of considerations which the District was under need to observe: It was so ordered. President Hickman in his capacity presented land leases, as follows:

PROPOSAL OF	FOR LEASE OF LAND FURCHAS ED FROM MORE	TRACT NO.	APPROX. ACRES	TOTAL CON- SIDERATION	AMOUNT ACCOMPANYING FROPOSAL CASH -CHECK	BALANCE
W. H. Norton	W. N. Younger	306	220.06	\$126 . 00	(10.00 87.09 (28.91	
W. H. Lasater	R. A. Hudson	295	34•76	15.00	15.00	

8.

No further business was presented and the meeting was adjourned.

Whith As Secretary -

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APPROVED

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C As President

EXHIBIT "A" May 11, 1936, 3:00 P.M.

TARRANT CJUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE

VOUCHER-CHECKS ISSUED APRIL 8, 1936, TU MAY 2, 1936, INCLUSIVE

NO. <u>46</u> 85 4686	ISSUED TO Hawley & Freese J. W. Price	COVERING Payment on Engineering Land Purchase, Section "A," Levee Improv.	<u>AMOUNT</u> \$ 750.00 225.00
		CONSTRUCTION CUSTODIAN'S RESIDENCE, E.M.:	
4687 4688 4690 4691 4692 4693 4694 4695 4697	M.S. Carr Roy Allen Ted Vautrin Frank Young M.S. Carr T.N. Elliott Ted Vautrin Ft. Worth Sand & Gravel Co. Roy Allen E.C. Splawn Roy Irby	Carpenter-Contractor W/E 4/25/36 Labor W/E 4/25/36 Labor W/E 4/25/36 Labor W/E 4/25/36 Carpenter-Contractor W/E 5/2/36 Carpenter W/E 5/2/36 Labor W/E 5/2/36 182. cu. yds. Concrete Labor W/E 5/2/36 6 yds. Gravel Payment on A/C, Rock Foundation	15.00 7.00 4.20 1.40 34.12 28.43 9.27 120.25 6.12 10.80 25.00
		TOTAL	\$1,236.59

DISTRIBUTION OF VOUCHER-CHECKS #4685 TO #4697 INCLUSIVE

Engineering Levee Improvement, Section "A"	\$	750.00 225.00
Construction Custodian's Residence	E.M.	261.59
TOTAL	\$1	,236.59

VOUCHER-CHECKS #1698 TO #1743 INCLUSIVE

4698 4699 4700 4701 4702 4703 4703 4704 4705 4706	C. A. Hickman E. E. Bewley W. K. Stripling Joe B. Hogsett W. S. Cooke V O I D Ireland Hampton E. B. Cheatham Marjorie Rowell	Director's Fees Director's Fees Director's Fees Director's Fees Director's Fees V O I D Legal Services Salary Salary 4/6/36 to 4/30/36 (Engineering & Supervision: (Month of April, E.M.	\$100.00	30.00 30.00 20.00 30.00 30.00 VOID 500.00 200.00 54.17
4707	Hawley, Freese & Nichols	(Month of April, B.P.	100.00	200.00
4708	C. L. McNair	(Salary Custodian, B.P. (Allowance (Salary Custodian, E.M.	100.00 7.50 100.00	107.50
4709	B. W. Bintliff	(Allowance	7.50	107.50
4710 4711 4712 4713 4713 4714 4715 4716 4717	Sidney L. Samuels C. L. Worley Leo Warner The Babcock Co. Wm. Capps Building Co. G. W. Duke Alex Henderson C. A. Hickman Home Telephone & Electric Co.	Legal Services Labor, B.P. Labor B. P. 500 - 8 ^L / ₂ x 14 Blank Paper Office Rent, May Commissions on Land Rentals (2 tons Petrified Wood, (Custodian's Residence, E.M. Traveling Expense Phone Service, E.M.		333.33 1.00 7.10 2.65 40.00 141.60 8.00 7.50 7.50
4718 47 1 9 4720 4721	Home Telephone & Electric Co. The Southwest Telephone Co. Southwestern Bell Telephone Co. Texas Power & Light Co.	Phone Service, B.P.	- <i>i</i> ,	10.95 10.65 14.26
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4 72 2	J. M. Axtell, Temporary Trustee,	6 - 2" Blk. Cplgs. B.P.	•93
4723	Axtell Co. The Gaither Oil Co. Bryan Henderson Tire Co.	110 Gal. Gas, For Truck Hauling Rock, E.M. 2 Tires & Tubes, Custodian's Truck, E.M.	12.10 28.50
4724 4725	Nash Hardware Co.	(Works Supplies, B.P. \$7.03	14•58
4726 4727	J.W. Shelton, County Clerk H. D. Young, Postmaster	(Works Supplies, E.M. 7.55 Recording Deeds, Section "A" Levee Impvts. Postage Stamps	2•25 4•00
4728 4729	The Goodyear Tire & Rubber Co. Guaranty Abstract & Title Co.	2 Tires & Tubes, Custodian's Auto, B.P. List of owners & lien Holders, Section "B"	21.24 40.00
4730 4731	Cyclone Fence Co. Southwestern Laboratories	Levee Improvements Construction Fence & Gate, Spillway, E.M. Testing Materials, Levee Improvements Dubientian "Nation to Piddows " Section "P"	388.00 9.36
4732	Texas Contractor	Publication "Notice to Bidders," Section "B" Levee Improvements	29.80
4733	VOID	VOID	VOID
4734	John Bourland, Tax Assessor & Collector	Payment Due 5/15/36, on Contract	250. 00
4735 4736	Barker Bros. Vera, Reynolds & Co.	Payment #4, Levee Improvements, Section "A"\$19 Premium, Bond of B. W. Bintliff as	••
4737	Mrs. H. E. Turbeville	Deputy Sheriff Payment on Account, Core Drilling, B.P.	10.00 124.00
4191		CONSTRUCTION CUSTODIAN'S RESIDENCE, E.M.	
4738 4739 4740	M. S. Carr C. H. Elliott W. E. Smith	Carpenter-Contractor, W/E 5/9/36 Carpenter, W/E 5/9/36 Carpenter W/E 5/9/36	24.00 20.00 18.75
4741 4742 4743	Ted Vautrin Roy Irby E. C. Splawn	Labor W/E 5/9/36 Payment on Rock Foundation, W/E 5/9/36 10 yds. Sand & Gravel, W/E 5/9/36	5.25 35.00 18.00
		<u>TOTAL</u>	8,741.45

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DISTRIBUTION OF VOUCHERS #4698 TO #4743 INCLUSIVE

Directors Legal Office	. .	147.50 833.33 311.47
Eagle Mountain Dam: Engineering and Supervision Custodian's Salary and Allowance Phone Service Tires & Tubes for Custodian's Auto Bond of Custodian as Deputy Sheriff Works Supplies Construction Fence & Gate At Spillway	\$100.00 107.50 7.50 28.50 10.00 7.55 388.00	649•05
Bridgeport Dam: Engineering and Supervision Custodian's Salary and Allowance Phone Service Electric Service Labor Works Supplies Tires & Tubes for Custodian's Auto	100.00 107.50 10.95 .14.26 8.10 7.96 21.24	270.01
Land Department Assessing & Collecting Taxes Core Drilling B.P. Construction Custodian's Residence, E.M. Levee Improvements, Section "A" Levee Improvements, Section "B"		141.60 2 59 .00 124.00 141.10 15,803.59 <u>69.80</u>
	TOTAL	\$18,741.45

CONDITION OF FUNDS

- · · · · · · · · · · · · · · · · · · ·	CONSTRUCTION FUND	MAINTENANCE FUND	INTEREST AND SINKING FUND
BUOK BALANCE: April 8, 1936 Receipts: Taxes, Penalty, Etc.	\$98 , 949 .7 2	\$34,889.80 285.87	\$ 167,498.76 10,005.32
Interest on Collector's D/B Interest on Bank D/B Land Rentals Miscellaneous	23•54	•36 7•57 201,00 <u>1.60</u>	12.13 34.10
	\$98,973.26	\$35 , 386 <u>,</u> 20	\$ 177,550.31
Disbursed: 4/8/36 to 5/2/36, Vo. #4685 to #4697, Inc.	1,236.59		
	\$97,736.67	\$35,386.20	\$ 177, 550.31
Disbursed: By Vo. #4698 to #4743, Inclusive	16,526.49	1,964.96	250.00
BUOK BALANCE MAY 11, 1936	\$81,210,18	\$33,121,24	\$ 177,300.31

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JOHN B. HAWLEY S. W. FREESE M. C. NICHOLS H. A. HUNTER

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EXHIBIT "B" ^May 11, 1936, 5:00 P.M.

HAWLEY, FREESE AND NICHOLS CONSULTING ENGINEERS 407-410 CAPPS BUILDING FORT WORTH, TEXAS

May 5, 1936

P.W.A.Docket No.5984

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SEVVAGE TREATMENT

FLOOD CONTROL APPRAISALS

URIFICATION

Dr.C.A.Hickman, President, Tarrant County Water Control and Improvement District No.1 Fort Worth, Texas.

Dear Sir:

We hand you herewith Periodical Estimate for partial payment No.4, for the work done during the month of April, 1936, by Barker Bros., General Contractors on Levee Improvement project, P.W.A.Docket No. 5984-Texas.

Approved: Βv

Yours very truly,

HAWLEY & FREESA Resident Engineer

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	ril 1, 1936		6, inclusive.	j i	
	rth, starrant Count			Levee Improv Symbol No. 41	
	Improvement 1	District Number		Contract No.	
Contractor's name an	nd address Barl For	t Worth, Texas.			t, \$, <u>\$ 98,466.37</u>
Item No. Units or lu	- I.	<u> </u> [ER OF UNITS (Quantity)		Estimated physical percent completed
	Detailed estimate	This estimate	To date	Uncompleted	Period To date Percent Percent
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5 Cu.	Yd 800	0	1,938	0	0 100
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7 L. 3	3. 1		100%	0	100 100
8 L.S			95%	5%	73 95
9 L.S			100%	0	0 100
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priated	by this joi	int resolution, or any set	rvices or real or personal pr	operty acquired thereunder,	or who knowingly, by mean	is of any fraud, force, threat	, intimidatio	n, or boyco:	tt
deprives	any nerso	n of any of the benefits t	to which he may be entitled	under the provisions of this	joint resolution, or attempts	so to do, or assists in so doit	ng, shail be c	icemed guil	ty
of a mis	demeanor	and shall be fined not n	nore than \$2,000 or impriso	ned not more than 1 year, o	r born.				
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and co	nditions	f the corresponding	construction contract	documents between	Parrant Co. Wate	(Borrower's name)). Dist	#1 ar	iċ
and co	incirci 0116					(Borrower's name)			
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Section 9 of the Emergency Relief Appropriation Act of 1935, reads as follows:

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Section 35 of the Criminal Code, as amended, provid is a penalty of not more than \$10,000 or imprisonment of not more than 10 yea s, or bot 1, "Any person who knowingly and with intent to defraud the United States makes any false statement in connection with any application for any project, employment, or relief aid under the provisions of this joint resolution, or diverte, or attempts to divert, or assists in diverting for the benefit of any person or persons not emitted thereto, any moneys appro-printed by this joint resolution, or any services or real or personal property acquired thereauder, or who knowingly, by means of any fraud force, threat, intimidation, or boycott, deprives any person of thy of the benefits to which he may be emitted hadder that have the benefit of any provingly or attempts so to do, or assists in so doing, shall be deemed guilty of a misterment total or provide that not more than sy, out ampiration and is that a train it year, and the form

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