

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD ON THE 29TH DAY OF AUGUST, 1979 AT 4:00 P. M.

The call of the roll disclosed the presence or absence
of Directors as follows:

<u>PRESENT</u>	<u>ABSENT</u>
Wayne E. Newton	J. Oliver Shannon
C. Victor Thornton	Preston M. Geren
Robert Alexander	

Also present were Messrs. Joe B. Hogsett, Honorary Chairman of the Board of Directors; John M. Scott, General Counsel for the District; Robert M. Doby, Manager of Fiscal Affairs for the District; James Strawn, Manager of Planning and Development for the District; Paul Horton from McCall, Parkhurst and Horton; Frank Medanich and Mike Ashford from First Southwest and Ben Hickey, General Manager of the District.

President Newton acted in his capacity as President and Director Thornton acted in his capacity as Secretary, whereupon proceedings were had and done as follows:

1.

On motion duly made and seconded, and with assurance from management that all requirements of law relating to the "open meeting" law had been met, the minutes of the meeting held August 6, 1979 were read and approved by the Directors and it was accordingly ordered that such minutes be placed in the permanent files of the District.

2.

Director Thornton moved and the motion was seconded by Director Alexander and unanimously approved that the following list

of vouchers be approved and paid: Voucher-checks #22931 thru #23043 inclusive, Maintenance Fund, in the amount of \$22,656.62; voucher-checks #7246 thru #7306 inclusive, Revenue Fund, in the amount of \$427,037.05; voucher-checks #4380 thru #4396 inclusive, Cedar Creek Project - Construction Fund, in the amount of \$276,240.48 and voucher-checks #648 thru #650 inclusive, Interest and Sinking Fund, in the amount of \$100,230.62, including voucher-check #22955 dated July 13, 1979 to Jack Williams Chevrolet Company for One (1) new 1979 Chevrolet Sedan.

3.

President Newton presented the following Resolution for consideration of the Directors; whereon Director Thornton, Secretary of the Board of Directors, did read aloud the following, to wit:

RESOLUTION

A Resolution of the Board of Directors of the Tarrant County Water Control and Improvement District Number One describing and announcing the rescission of certain lands heretofore declared as necessary and required for the Richland/Tehuacana Dam and Reservoir Project and directing and making findings as to other matters related to the Project.

PREAMBLE

WHEREAS, the Tarrant County Water Control and Improvement District Number One "DISTRICT", a governmental agency of the State of Texas and a body politic and corporate, duly created under the terms of Article 7880, et seq. Revised Civil Statutes of Texas, as amended, and other enabling legislation, to include but not by way of limitation, Articles 4477-sa and 1435a of Vernon's Texas Civil Statutes and Sections 51.125, 55.161 and 55.163, Chapter 25 and Chapter 5 of the Texas Water Code, is fully authorized in the public interest to Acquire, Construct, Operate and Maintain the water supply, water transmission, recreation, access, flowage and relocation lands and other interests in properties deemed necessary for the implementation of the Richland/Tehuacana Dam and Reservoir, and

WHEREAS, as a consequence of the engineering work and studies which have been made in contemplation of the construction of the Rich-

land/Tehuacana Dam and Reservoir Project, it is now hereby found and determined that certain lands and properties heretofore described as necessary and required for purposes of acquiring and constructing the Project are not now necessary and/or required for said purposes and;

WHEREAS, the Board of Directors of Tarrant County Water Control and Improvement District Number One has determined to delete certain land heretofore decided to be necessary to said project and release from record said lands as not required or necessary for the construction of said project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE that;

It has been determined by the Board of Directors of the DISTRICT that the following lands, properties, or interests therein, located in Freestone County, Texas, more fully described below, are not now necessary for purposes of acquisition and construction of the Tehuacana Project and are hereby declared so and the declaration of the necessity of acquiring such property is in all things amended by deleting with respect to the following described lands and interests therein: (Secretary did not read the many pages of names - a copy of same being attached and will also be recorded in Records of Freestone and Navarro Counties.)

The Secretary, Board of Directors, of the DISTRICT is hereby authorized and directed as soon as possible to file certified copies of this RESOLUTION for record in the County property records and with the County Clerk of Freestone and Navarro Counties, Texas.

Following the reading of the Resolution, Director Thornton moved, with recommendation of Management of the District, that the Resolution be adopted by the District, this was seconded by Director Alexander and unanimously approved.

4.

President Newton stated that a copy of a proposed contract, heretofore furnished the Directors for their consideration, prepared by Bond Counsel, Financial Advisors and Management of the District, a copy of same being attached to these minutes and made a part thereof, was now presented for consideration of the Directors; whereon Director Thornton moved, seconded by Director Alexander and unanimously approved, that the following Resolution - that he (Director Thornton) orally

presented, be adopted and certified, to wit:

RESOLUTION

AUTHORIZING AND DIRECTING THE EXECUTION OF THE "TARRANT COUNTY REGIONAL WATER SUPPLY FACILITIES CONTRACT"; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE EFFECT OF SAID RESOLUTION

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE:

SECTION I

That, for and on behalf of Tarrant County Water Control and Improvement District Number One, the President of the Board of Directors of the District is hereby authorized and directed to sign, deliver, and otherwise execute, and the Secretary of the Board of Directors of the District is hereby authorized and directed to sign, attest, and seal the "Tarrant County Regional Water Supply Facilities Contract" in substantially the form and substance attached to this Resolution and made a part hereof for all purposes.

SECTION 2

That, upon its execution, said Contract shall be binding upon the District in accordance with its terms and provisions.

SECTION 3

That should any part, portion, section, or part of a section of this Resolution be declared invalid or inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion, or judgment shall in no way affect the remaining portions, parts, sections, or parts of sections of this Resolution, which provisions shall be, remain, and continue to be in full force and effect.

SECTION 4

That this Resolution shall take effect and be in full force and effect from and after the date of its adoption and it is so resolved; and all resolutions of the District in conflict herewith are hereby amended or repealed to the contracts or agreements authorized thereby, shall be of no further force or effect upon execution of the Contract attached hereto and made a part hereof, except as otherwise specifically provided in said Contract attached hereto.

5.

Management of the District requested authority to sell the following tract of land now surplus to the requirements of the District, to wit:

<u>NAME</u>	<u>DESCRIPTION</u>	<u>APPRAISED VALUE AND CONSIDERATION</u>
Woodmen of the World, Eagle Mountain Lodge #4522	3-878/1000 ac. more or less, D.T. Flores Survey Abst. #510, Tarrant Co., Texas	\$ 9,592.93

Following a discussion and upon the recommendation of management and its assurance that the land had been properly advertised and that the price as listed above had been appraised by a reputable appraiser; Director Alexander moved, seconded by Director Thornton and unanimously approved, that as recommended by management, the District now be authorized to sell the above listed tract at not less than the appraised price as shown and upon terms and conditions heretofore adopted by the District.

6.

A copy of a letter addressed to the District from Freese and Nichols, Inc. Consulting Engineers for the District, dated June 19, 1979 was exhibited, a copy previously furnished the District, requesting the District's consideration for an adjustment to the existing contract for design projects executed in 1969 for engineering services relating to the design and construction of the Cedar Creek Pipeline and original pump stations; whereon Mr. Robert Doby, Fiscal Manager of the District, presented a detailed breakdown of the matters referred to in the letter. Following a general discussion, and with

recommendation of management of the District, Director Alexander moved, seconded by Director Thornton and unanimously approved that the proposed changes and amendment to the existing contract be approved as outlined in the letter, a copy of same being attached to these minutes and made a part thereof.

7.

President Newton stated that copies of District's Financial Report for the month of July, 1979 had heretofore been furnished the Directors for their study; whereon Director Alexander moved and the motion was seconded by Director Thornton and unanimously carried that the report be accepted and placed in the District's Files.

8.

It was called to the attention of the Directors that as outlined in Sec. 10-A of the now authorized "Tarrant County Regional Water Supply Facilities Contract" each Contracting Party annually shall appoint a voting member, representing said contracting party, to the Advisory Committee, all as set forth in said Sec. 10-A of the Contract.

Following a general discussion, Director Thornton moved, seconded by Director Alexander and unanimously approved, that Ben Hickey, General Manager of the District, be so appointed to the Advisory Committee.

9.

There being no further business before the Board of Directors, the Meeting Adjourned.


Secretary


President