

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE  
HELD ON THE 14TH DAY OF DECEMBER, 1982 AT 9:30 A.M.

---

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

PRESENT

Wayne E. Newton  
C. Victor Thornton  
Robert D. Alexander  
Burford I. King

ABSENT

Preston M. Geren, Jr.

Also present was Messrs. Ben Hickey, General Manager; Bill Hilliard, Assistant General Manager and Alex Pope, Attorney for the District.

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

1.

President Newton stated that the open meeting would now be closed for discussion of pending litigation - Navarro County.

2.

President Newton stated that the executive or closed meeting would now be open, stating that during the closed session Mr. Alex Pope, Attorney for the District, briefed Directors on the status of the Spillway Damage Claims suit in Navarro and Henderson Counties. He also addressed specific questions raised by Directors at the December 3, 1982 meeting.

Mr. Pope advised the Board to settle the suit rather than litigate this action in Navarro and Henderson Counties. Staff concurred with Mr. Pope and recommended settlement. On a motion by Director Thornton, seconded by Director King, all those Directors present voted to authorize management and counsel to

settle the case for Navarro and Henderson County claimants. Within the same resolution the Board instructed management to draft a letter to Mr. Jack K. Smith, Attorney, expressing the Districts confidence and appreciation of his efforts to resolve this sensitive issue.

3.

Mr. Bill Hilliard presented to the Board draft contracts for Rone Engineers and Mason Johnston and Associates for laboratory/testing services and geotechnical consultant at the Richland Creek Project respectively. He stated that all questions and requests of the Board concerning terms and conditions have been answered and satisfied save one. The contribution for retirement was still at issue. Mr. Hilliard stated that both firms had agreed to install defined benefit pension plans to replace profit sharing plans, but the inclusion of this item as a burden on salary subject to the multipliers is still not acceptable to Directors.

Following discussion it was recommended that the District recognize no more than 11% (ceiling of 10% for retirement, 1% for administration) of salaries be contributed for retirement benefits. This contribution/payment will be made following the companies declaration of contribution to the retirement plans. This will allow both companies to retain their existing plans without modification. Simply stated, the multiplied contribution, (for profit) has been eliminated for this one item. Management agreed to this approach and recommended approval.

Director Thornton made a motion, seconded by Director King that the District enter into contract for services with both

Rone Engineers and Mason Johnston and Associates subject to the firm's acceptance of the 11% ceiling on retirement benefits. This meeting with the approval of all Directors present it was so ordered.

4.

Management of the District requested authority for the District to enter into contract for the purchase of the following described tracts of land required for Program E - Richland Creek Project, on the following basis for payment to wit:

- I. 7.75 acres in fee @ \$750.00 per acre; 7.33 acres in easement @ \$500.00 per acre from Mrs. Gayle Sutton, Navarro County, Texas - Tract No. 245.
- II. 95 acres in fee @ \$700.00 per acre from Mrs. Billies Pritchett Willis, Navarro County, Texas - Tract No. 332.
- III. 4.9 acres in fee @ \$675.00 per acre; 12.87 acres in easement @ \$450.00 per acre from Mrs. Snead Hamilton, Navarro County, Texas - Tract No. 259.
- IV. 53 acres in fee @ \$650.00 per acre from Lois Bradford and Mollie Rhoie, Navarro County, Texas - Tract Nos. 307, ~~314~~
- V. 13.09 acres in fee @ \$675.00 per acre; 1.76 acres in easement @ \$450.00 per acre from Elmer D. Haynes and Vernon Haynes, Freestone & Navarro Counties, Texas - Tract No. 27.
- VI. 1.47 acres in fee @ \$675.00 per acre; 1.84 acres in easement @ \$450.00 per acre from Eula C. Woodard, Navarro County, Texas - Tract No. 244.
- VII. 18.364 acres in fee @ \$1,000.00 per acre from Sam Belt and wife Josie Belt, Navarro County, Texas - Tract No. 296.
- VIII. 2.73 acres in fee @ \$675.00 per acre from Christine Tucker and Bessie Bryant, Navarro County, Texas - Tract Nos. 240, ~~238~~

Following a detailed presentation of the tracts, and upon recommendation of management of the District, Director Thornton moved, seconded by Director Alexander, that the District

be now authorized to enter into contract for the purchase of the above described tracts and on the basis as shown. This meeting with the approval of all Directors present it was so ordered.

5.

There being no further business before the Board of Directors, the meeting adjourned.

  
Secretary

  
President