

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD ON THE 30TH DAY OF MARCH, 1983 AT 9:30 A. M.

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

<u>PRESENT</u>	<u>ABSENT</u>
Wayne E. Newton	Robert D. Alexander
Preston M. Geren, Jr.	
C. Victor Thornton	
Burford I. King	

Also present were Messrs. Ben Hickey, General Manager; Bill Hilliard, Assistant General Manager; James Strawn, Manager of Planning and Development; Robert M. Doby, Manager of Fiscal Affairs and Robert Hardwicke, Attorney for the District

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

1.

On motion 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 meetings held February 23, 1983 and March 4, 1983 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 King moved and the motion was seconded by Director Geren and unanimously approved that the following list of vouchers be approved and paid:

GENERAL FUND: Voucher-checks #2807 thru #2936 inclusive, in the amount of \$1,372,419.47.

DEBT SERVICE: Voucher-checks #227 thru #232 inclusive, in the amount of \$549,092.56.

CAPITAL PROJECTS: Voucher-checks #118 and #119 in the amount of \$459,565.83.

REVENUE FUND: Voucher-checks #1527 thru #1587 inclusive, in the amount of \$4,144,183.15.

RICHLAND-CHAMBERS PROJECT - CONSTRUCTION FUND: Voucher-checks #1871 thru #1948 inclusive, in the amount of \$9,715,677.24.

CEDAR CREEK PROJECT - CONSTRUCTION: Voucher-checks #133 thru #138 inclusive, in the amount of \$345,460.26.

CEDAR CREEK PROJECT - INTEREST AND REDEMPTION FUND: Voucher-checks #126 thru #128 inclusive, in the amount of \$30,515,838.55.

Director King asked Mr. Robert Doby if he consults with the Board member advisor for investments before placing funds in various interest bearing instruments. He stated that he did not but would appreciate the advice and guidance of the Board in these matters. Following discussion it was agreed that the staff will consult with Director Alexander or another Director concerning the placement of District funds into interest bearing instruments.

Director Geren asked that the staff obtain an adjusted schedule of revenue requirements from the H. B. Zachry Company for Contract No. 1, and that projected and actual income data be added to the monthly summary schedule of the Richland Creek Project.

Director King asked that additional information be included in the voucher listing for investment of funds.

3.

Mr. Robert Hardwicke, Attorney for the District, briefed

the Board as to his opinion regarding withholding on construction contracts. The opinion and recommendation of Mr. Hardwicke was expressed in a letter to Ben Hickey dated March 28, 1983. It is now understood that all retainage, if retainage is in excess of five percent (5%), shall be deposited in an interest bearing account. Mr. George Christie's statement that "retainage in excess of 5% must be placed in an interest bearing account", as recorded in the minutes of the 23 February 1983 meeting is incorrect and contrary to the understanding of counsel, staff and the Board.

4.

Mr. Robert Doby reviewed for the Board what is necessary to increase the District's computer's capabilities in order to manage a summary of the Richland Creek project's progress. No additional hardware is required but an additional software package is necessary. The cost of the new program will be \$5,500.00 and approximately ten (10) weeks will be required for implementation. Mr. Doby was asked if the program could handle categories and columns in addition to those known today to which he answered yes.

Following discussion and with recommendation of the General Manager, Director Thornton moved, Director King seconded that the District be now authorized to engage Integrated Computer Systems for the preparation and installation of a software package for project progress and accounting. The cost of said software is not to exceed \$5,500.00. This meeting with the approval of all Directors present, it was so ordered.

5.

(a) Mr. Ben Hickey reviewed the recommendation of Freese and Nichols for the acquisition of pipeline right-of-way for the Richland Creek Project. The recommended 180 feet in width of permanent r.o.w. from Ennis to Richland lake pump was discussed at length. Mr. Bill Hilliard reviewed data he secured from other agencies and independent right-of-way firms concerning the cost differential of fee or easement purchases. He stated that fee could in some instances cost as much as 30% more in rural, agricultural areas. He also said that all those contacted recommend fee purchase in urban or otherwise congested areas.

Following the discussion and with the recommendation of staff Director Geren moved, Director Thornton seconded the motion that the District be now authorized to begin acquisition of the right-of-way from Ennis Booster to Richland Lake Pump. Said r.o.w. to be 180 in width and further that all r.o.w. be purchased in fee simple title unless an easement can be purchased at 80% or less of the fee value. All Directors present voted aye and it was so ordered.

(b) Action on the engineer's recommendation for 50 feet of additional right-of-way from Rolling Hills to Ennis was deferred pending data from Freese and Nichols as to minimum distance the line can drift from a 130 r.o.w. into and out of a 180 r.o.w. without increasing the cost of construction. This is to mean installing the line without point of intersection (pi) requiring thrust blocking or special fabrication.

6.

(a) Mr. Robert Doby submitted a quotation for public official liability insurance coverage for consideration and action. The policy recommended is for three (3) years and in the amount of ten (10) million dollars of coverage from Alexander and Alexander of Texas, Inc. through International Surplus Lines Insurance Company. Discussion and questions followed Mr. Doby's presentation resulting in a motion by Director King, seconded by Director Thornton and approved by all Directors present, to purchase public officials liability insurance coverage for the members of the Board of Directors as recommended.

(b) A discussion of the merits of retaining an "agent of record" for the District's group hospitalization insurance was conducted. Mr. Doby stated that in his opinion this arrangement would be a great help in tailoring coverage and seeking competitive quotations. The staff recommended that Mr. Gene Smyers be designated "agent of record" for the group hospitalization coverage. Director King so moved, Director Thornton seconded the motion and all Directors present voted aye.

7.

Mr. James Strawn reviewed the March 3, 1983 meeting of the Tarrant County Water Supply Project Advisory Committee for the Directors. Following discussion the Board considered the resolution of the advisory committee adopted at the March 3 meeting, to wit:

RESOLUTION
OF THE
TARRANT COUNTY WATER SUPPLY PROJECT
ADVISORY COMMITTEE

WHEREAS, the Tarrant County Water Control Supply Project Advisory Committee (hereinafter called "Committee") has reviewed the findings and recommendations of the report entitled "Tarrant County Water Control and Improvement District Number One - Report on the Use of Lake Benbrook for Regulating Storage" and

WHEREAS, because the rapidly urbanizing nature of the project area may preclude future construction of the conveyance facilities necessary to connect Lake Benbrook with the rest of the System without acquiring right-of-way for the project at this time, the Committee believes that the District should proceed with the necessary right-of-way acquisition to protect the future of the project at this time.

Now Therefore, Be It Resolved By The Tarrant County Water Supply Project Advisory Committee:

That the Committee recommends to the Board of Directors of the District that it proceed immediately with acquisition of the necessary right-of-way for future construction of the Lake Benbrook pipeline.

/s/ Danny Vance
Chairman

/s/ John F. Kubala
Secretary

Management had no objections to the recommended action and advised the Directors that bond counsel had issued an opinion that Richland Project funds can be used for the Benbrook Project. Director King moved to authorize the District to commence acquisition of right of way for the Benbrook pipeline. Director Thornton seconded the motion and all Directors present voted aye.

8.

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. Tract No. 243 - 3.65 acres in fee @ \$675.00 per acre; .98 acres in easement @ \$450.00 per acre from Billy Allen, et al, Navarro County, Texas.
- II. Tract No. 305 - 529.88 acres in fee @ \$650.00 per acre from John Milton Prines, et al, Navarro County, Texas.
- III. Tract No. 347 - 1 acre in fee & 1 acre of surplus property plus \$6,000.00 in relocation assistance; move and level dwelling at new lot, from Myrtle L. Winston, a widow, Navarro County, Texas.
- IV. Tract No. 310 - 24.24 acres in fee @ \$675.00 per acre; .35 acre in easement @ \$337.50 per acre from Othea Hill, et al, Navarro County, Texas.

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

(b) Mr. Ben Hickey presented a .526 acre tract for sale to the adjoining owner Mr. Charles N. Renfro and wife Mary Renfro. The tract is the remainder of a now closed public road. Mr. Hickey stated that the tract had been surveyed, appraised and all necessary notices had been made. Mr. and Mrs. Renfro bid \$2,291.26 which is the appraised market value of the property. Director King made a motion to approve the sale of land on the basis presented. Director Geren seconded the motion and the measure carried three (3) ayes and Director Thornton abstaining.

9.

Mr. Hilliard presented an amended bid from Prenalder Iron and Metal

Company to replace the bid submitted and rejected by the Board along with all bids at the (January 12, 1983) meeting of the Board. Mr. Hilliard stated conditions for removal of the abandoned pipeline; a defined time period for removal; establishment of a minimum 9,000 feet @ \$4.15 per foot to be paid in advance and the basis for final payment under the agreement had been accepted by Prenalger. It was the recommendation of management to accept Prenalger Iron's amended bid for the purchase of approximately 12,000 feet of 20 inch steel pipe at the Richland Dam site. Director King moved to award the sale to Prenalger Iron on basis presented. With Director Geren seconding the motion and all Directors present voting aye it was so ordered.

(b) Director King submitted a memorandum and photopgraphs to the General Manager concerning certain encroachment on the building restriction right-of-way along the Clear Fork of the Trinity River. With the consent of the other Directors he asked that the staff investigate the situation and report to the Board at the next meeting.

10.

President Newton stated that copies of the Financial Report for the month of February, 1983 have previously been furnished the Directors.

11.

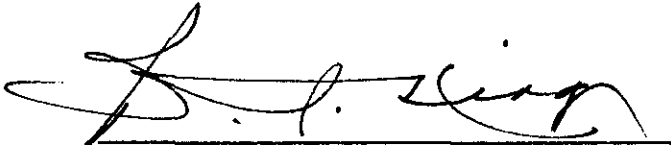
Close Meeting.

Open Meeting.

Discussion of possible and pending litigation was conducted but no action taken.

12.

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


Secretary


Vice - President