

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE  
HELD ON THE 6TH DAY OF SEPTEMBER, 1988 AT 9:30 A.M.

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

<u>Present</u>	<u>Absent</u>
Burford I. King	George W. Shannon
Victor W. Henderson	Charles B. Campbell, Jr.
Hal S. Sparks III	

Also present were James M. Oliver, General Manager; Alan Thomas, Director of Administration and Operations; Woody Frossard, Environmental Manager; Steve Christian, Real Property Manager; Wayne Owen, Administrative Analyst; George Christie and Stan Harrell, legal counsel for the District.

In addition, R. A. Thompson III, John King and John Cook of Freese and Nichols; Richard Sawey, Lee Bradley, Frank Crumb and Mike Matthews of the City of Fort Worth; Phil Yerby and Frank Honeycutt of Chaing-Patel; Danny Shannon of Camp-Dresser-McKee; and Viola Ohr were in attendance.

1.

On motion made by Director Sparks and seconded by Director Henderson and with the assurance that all requirements of law relating to the "open meetings" law had been met, the Directors unanimously voted to approve the minutes from the meeting held August 1, 1988. It was accordingly ordered that such minutes be placed in the permanent files of the District.

2.

Mr. Richard Sawey, Director of the Fort Worth Water Department, presented an update on the development of the Eagle Mountain Lake Water Treatment Plant Project. Mr. Danny Shannon of Camp-Dresser-McKee presented a review of the site options for the Intake Structure/Pump Station as well as the treatment plant itself. Mr. Phil Yerby of Chang-Patel discussed the feasibility and cost considerations that impact the various sites and configurations. Mr. Robert Thompson of Freese and Nichols advised the Board that the proposed sites would not impact Eagle Mountain Lake Dam.

3.

The President called an executive session under Section 2(e) of the Texas Open Meetings Act to consider litigation.

4.

Upon completion of the executive session, the President reopened the meeting.

5.

Mr. Woody Frossard, George Christie and Stan Harrell presented the Board of Directors a proposal for the establishment of a policy on mineral estate acquisitions at Richland-Chambers.

After a thorough discussion by the General Counsel, the Directors and the Staff, and upon motion duly made by Director Henderson, and seconded by Director Sparks, the Board of Directors unanimously voted to acquire by either negotiation or eminent domain the mineral/royalty interests owned by all persons who file any type of lawsuit against the District claiming damages for inverse condemnation or damages on any theory related to a contention that the District has damaged or taken their property unconstitutionally without payment of just compensation. The Board of Directors specifically authorized legal counsel to immediately proceed with condemnation of all mineral/royalty interests owned by all of the Plaintiffs in the cause styled "W. M. Montgomery, et al vs. Tarrant County Water Control and Improvement District Number One", pending in the District Court of Navarro County, Texas.

6.

With the recommendation of management, Director Sparks moved to grant a Marina Construction Permit to Bill Perkins and Don Davis for the construction of Phase One of Oak Harbor Marina on Davis Point at Eagle Mountain Lake with the stipulation that Phase One not exceed 320 slips. Director Henderson seconded the motion and the vote in favor was unanimous.

RESOLUTION OF THE BOARD OF DIRECTORS

OF

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT  
DISTRICT NUMBER ONE

ESTABLISHING A POLICY ON MINERAL ESTATE ACQUISITIONS AT THE  
RICHLAND-CHAMBERS RESERVOIR

WHEREAS, THE DISTRICT, has pursued the construction and development of the Richland-Chambers Reservoir Project in Navarro and Freestone Counties; and

WHEREAS, THE DISTRICT, has pursued the acquisition of all necessary properties to facilitate the development of the Richland-Chambers Reservoir Project; and

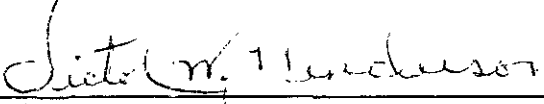
WHEREAS, THE DISTRICT, has acquired properties through good faith negotiation and condemnation as provided for by the laws of the State of Texas V.T.C.A., Water Code, Chapter 51; and

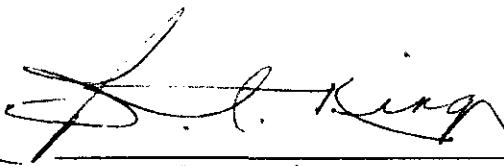
WHEREAS, THE DISTRICT, has compensated all owners of properties for the sale, separation or limitation of use of that property through independently appraised fair market values or arbitration as a result of condemnation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Tarrant County Water Control and Improvement District Number One that the District shall acquire by either negotiation or eminent domain the mineral/royalty interests owned by all persons who file any type of lawsuit against this District claiming damages for inverse condemnation or damages on any theory related to a contention that the District has damaged or taken their property unconstitutionally without payment of just compensation. The Board of Directors specifically authorizes legal counsel to immediately proceed with the condemnation of all mineral/royalty interests owned by all of the plaintiffs in the cause styled "W.M. Montgomery, et al vs. Tarrant County Water Control and Improvement District Number One", pending in the District Court of Navarro County, Texas.

PASSED AND APPROVED this 6th day of September 1988.

ATTEST:

  
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Victor W. Henderson  
Secretary

  
\_\_\_\_\_  
Burford I. King  
President

7.

With the recommendation of management, Director Henderson moved to authorize the acquisition of 0.720 acre in fee for the appraised value of \$1,000 per acre and 0.344 acre in easement for the appraised value of \$500 per acre from Don Thompson out of the John White Survey A-819, Navarro County, Texas, District Tract #443. Director Sparks seconded the motion and the vote in favor was unanimous.

8.

With the recommendation of management, Director Sparks moved to approve the Additional Party Raw Water Contract between the District and the City of Azle. Director Henderson seconded the motion and the vote in favor was unanimous.

9.

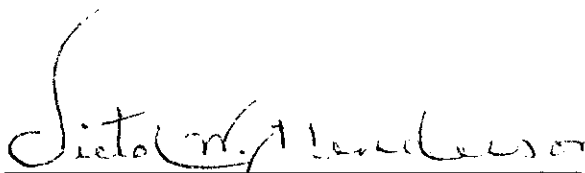
At this time there was a brief discussion concerning the proposed General and Revenue Fund Budgets. No action was taken at this time.

10.

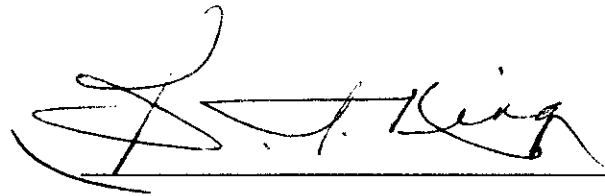
Wayne Owen next briefed Directors on a proposed policy directed toward withdrawing the District from regulating duck hunting on District Reservoirs. This policy would eliminate the placement of permanent duck blind structures on District reservoirs. No action was taken at this time.

11.

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

Handwritten signature of Dieto W. Henderson in cursive script.

Secretary

Handwritten signature of R. P. King in cursive script.

President