

Minutes of The Regular Weekly Meeting of  
Tarrant County Water Control and Improvement  
District Number One, Held in Its Office at  
10 A.M. On Wednesday, November 16, 1927.

President A.L. Baker presided.

There were present the following Directors: W.H. Slay, H.M. Hightower, L.C. Abbott. W.E. Bideker, Secretary of the Board was absent from the City. President Baker appointed Director Hightower to serve as Secretary at this meeting.

There were also present S.M. Freese, Engineer for the District, and Ireland Hampton, as Attorney for the District, Messrs. Wm. J. Bailey, and David Boaz were also present.

Thereupon, the following proceedings were had and taken visibly:

FIRST: President Baker asked that the minutes of the meeting of November 9th, be read. They were read. Thereupon, Director Slay moved, and Director Abbott seconded the motion that the minutes as read be approved, and ordered of record: It was so done. President Baker then asked the tax payers present to present anything that they might desire. Mr. Bailey stated that he wished to present one matter which he believed important: Mr. Boaz stated that he was interested in the same matter which Mr. Bailey wished to present. Thereupon, Mr. Bailey called attention to the fact that the City's new conduit from Lake Worth

Page #2.

would soon be complete and use of the old conduit abandoned. He stated that in his opinion maintenance of the old conduit in good condition was well justified for the purpose of having an emergency conduit in case of an accident to the new conduit. Further, that if the old conduit were permitted to remain empty for any great length of time the excessive expansion and contraction would very much impair the water tightness of it; Further, that he understood the City had a tentative plan to take up this line and use the pipe for sewers in other locations; That the cost to salvage this pipe would wipe out much of the economy anticipated; That the pipe was good pipe, and that the present leaks in it were occasioned by faulty workmanship in making joints; That practically all of the faulty pipe would be found within 2 1/2 miles; That there were man-holes every 500 feet; That when the conduit was empty, needed repairs could be made for not to exceed \$5,000.00; That he understood that there had been a tender to remedy defective joints at a cost of \$4,000.00; That in his opinion this conduit, when relieved from City duty, could be converted to duty for this District, and made to carry water for irrigation between Lake Worth and the City Limits; That water for this purpose could be released by the District to Lake Worth to offset water taken from Lake Worth for irrigation; That this would enable the District to develop the use of irrigation water quickly and at small cost.

Page #3.

Upon discussion by the Board it was the sense of the Board that the suggestion was one of value, and that an effort should be made to work out an equitable plan to preserve the usefulness of the old conduit as the same is now located. The Chair, without formal motion, thereupon appointed Director Abbott and Engineer Freese as a committee to negotiate with the City, and to report back to the Board some plan for this use.

SECOND: President Baker asked Director Abbott to report for the committee heretofore appointed to present a plan for the rendition, assessment and equalization of taxes for the year 1928. Director Abbott stated that Director Bideker had been continuously out of town, but that he, together with Ireland Hampton, had devoted a great deal of time to the study of the law under which the levies must be made; that he would, therefore, for the sake of time, request Mr. Hampton to explain the specific requirement of the law under which the District was operating.

Mr. Hampton, thereupon, stated that in his opinion Section #33 of Chapter 25 of the Acts of the 39th Legislature related only to the levy and collection of taxes to retire preliminary bonds and to the expense of the operation of a District during its period of investigation; that final plans for the construction of works now having been adopted and the voters having authorized the <sup>insurance</sup>~~assurance~~ of bonds to provide the works, did end the period of preliminary operation; that for that reason in the year 1928 the District would be governed in its tax matters by the provisions of Sections 54 to 74

Page #4.

both inclusive, of said Chapter # 25. Further, that as renditions should be taken from this time forward it was important that the District do at once appoint a Tax Assessor who must also be the collector, as provided by Section No. 54; that the District could not appoint the County and City Tax Assessors or Collector due to the constitutional inhibition against the holding of more than one office or place of public trust by the same person; that Section No. 54 provided that the Assessor and Collector might discharge other duties, Further, that the Assessor could be given deputies; that by this means the District Assessor and Collector could deputize someone in the County Tax Assessor's office to receive renditions for the District, and also by the same means be furnished with rolls as the same are made up for County or City use, thereby effecting the same economy that has been heretofore effected by adoption of the County rolls and assessments; that if this was not promptly arranged the economy could not be effected, and might later occasion the District heavy expenditure.

Further, stressing the necessity for independent assessment Mr. Hampton called attention to the various provisions in the Sections above designated distinctly require that Districts operating under Chapter No. 25 must assess property both real and personal at the "market and real value thereof". He especially called attention to Sections No. 56 and No. 64. These provisions are peculiar to this act. He stated that due to the provisions of Section 59 of Article 16 of the constitution required that all taxes assessed by a District organized under that provision must equitably distribute its

Page #5.

taxes. This provision is especially set out in Section No. 6 of said Chapter 25. As to rural lands this would require consideration of the direct or remote benefit to any particular tract of land by reason of the construction of the proposed works; that by reason of this the District could not follow the values fixed by the County in equalizing taxes. Thereupon, Director Abbott stated that he had reluctantly reached the conclusion that the District should at once appoint its own Tax Assessor and collector, who should be charged with the duty of working out the possible economies through co-operation with the Tax Assessors of the County and City. Further, that he was of the opinion that the proper man could discharge the duties of Assessor, and also begin to work out record, filing, and accounting systems for the District. Further that he could assist the Land Department, both in the field and in the office; that he therefore, did not feel that there was any true economy in delaying the appointment of the Assessor and Collector. President Baker thereupon stated that he had an application for appointment to some position with the District by Ed B. Cheatham; that Mr. Cheatham had served as tax assessor and collector for the City; that he had served as Auditor for the City; that his history was good and his capabilities unquestioned; that he had hoped, however, that it would not be necessary at this time to incur the expense; that he was of the opinion that Mr. Cheatham's services could be procured at a cost of \$2,400.00 per year, or \$200.00 per month. There was full discussion of this matter. Thereupon, Director Abbott made a motion that the Chair do be directed to enter into contract with Ed B. Cheatham for rendition of service by him

Page #6. *his compensation to be \$200.00 per month*  
 as Tax Assessor and Collector for the District, and that  
 employment should begin on November 21st, 1927, and continue  
 from month to month so long as his service might be required  
 and satisfactorily performed by Mr. Cheatham; that Mr. Cheatham's  
 employment should contemplate the discharge of any and all  
 duties which the District might find for him to perform, either  
 in the office or in the field, and that the employment should in  
 no event extend beyond November 21st, 1928. Further, that the  
 President do report back to the Board in this matter in order  
 that there might be formal appointment of a Tax Assessor and  
 Collector. This motion was seconded by Director Slay, and  
 upon vote it was unanimously carried; It is so ordered.

Director Slay, Chairman of the Committee on Employment of  
 Counsel, stated that his committee were not ready to make  
 final report; that the committee had firmly agreed <sup>by</sup> ~~to record~~  
 the employment of Ireland Hampton as Attorney, in accordance  
 with the terms of his tender of service made by letter of  
 date October 31st, 1927; that they had not fully agreed upon  
 the employment of other counsel. He stated that the committee  
 had been delayed by the absence from the City of Mr. S.L. Samuels.  
 He stated that the committee had, however, reached the con-  
 clusion that Mr. Samuels should undertake the performance of  
 all legal service required by the District other than that to  
 be performed by Mr. Hampton, Mr. Samuels to receive as total  
 compensation the sum of \$5,000.00 per year, this to be dependent  
 however, upon the ability of Mr. Samuels to make ~~xxx~~ <sup>satisfactory</sup> arrangements  
 with Mr. Wm. McLean to render service to the District in the sole  
 matter of trial of condemnation proceedings, which might be  
 necessary to be tried between now and November 1st, 1928.

Page #7.

That the committee contemplated the compensation to Mr. McLean must be met by Mr. Samuels out of the \$5,000.00 salary to be paid to Mr. Samuels. He stated that he believed upon the return of Mr. Samuels the whole matter could be promptly worked out, and the work of the Legal Department put in definite form; that he and Mr. Abbott carefully considered splitting up the work, especially with reference to placing the examination and correction of land titles with other attorneys; that in the opinion of the committee no economy was possible by so subdividing the work, and that such a plan would have the further fault of scattering responsibility. In this report Director Abbott concurred. After discussion it was the sense of the Board that the committee should at once work out final plans and report back to the Board in order that the work of the District might go forward in a definite way. It was so ordered.

THREE: Acting Secretary Hightower thereupon presented accounts payable by the District as follows:

- |   |        |
|---|--------|
| 1. Babcock Printing Co., for letterheads and envelopes for the District | 19.00  |
| 2. Mrs. Williams, 4 days stenographic work at \$3.00 per day            | 12.00. |

The foregoing accounts were verified and ordered paid by formal voucher.

There being no further business presented to the Board *until 10 am on November 23rd, 1927.* the president declared adjournment, ~~subject to call.~~

H M Hightower  
Acting Secretary.

APPROVED:

A. L. Baker  
President.