

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE  
HELD ON THE 11TH DAY OF DECEMBER, 1973 AT 4:00 P.M.

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

PRESENT

Wayne E. Newton  
Clyde A. Penry  
J. Oliver Shannon  
Paul W. Mason  
C. Victor Thornton

Also present were Messrs. Joe B. Hogsett, Honorary Chairman of the Board; John M. Scott, General Counsel for the District and Ben Hickey, General Manager of the District.

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

1.

On motion duly made and seconded, the minutes of the meeting held November 5, 1973 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.

On motion of Director Penry, seconded by Director Thornton, voucher-checks #13793 thru #13925 inclusive, Maintenance Fund, in the amount of \$440,030.15; voucher-checks #3218 thru #3222 inclusive, Construction Fund, in the amount of \$65,610.51; voucher-checks #432 thru #434 inclusive, Interest and Sinking Fund, in the amount of \$430,000.00; voucher-checks #3425 thru #3458 inclusive, Revenue Fund,

in the amount of \$325,891.20 and voucher-checks #3989 thru #4013 inclusive, Cedar Creek Construction Fund in the amount of \$353,144.24 were approved and ordered paid. All Directors voted aye thereon.

3.

It was called to the attention of the Directors that the term of office of three (3) Directors did expire by law in January of 1974; and following a general discussion, and review by General Counsel for the District, it was the unanimous opinion of the Directors and their order that the following be now authorized, to wit:

BY ORDER OF THE BOARD OF DIRECTORS OF TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, notice is hereby given to the qualified voters of Tarrant County Water Control and Improvement District Number One.

BE ADVISED: An election will be held by Tarrant County Water Control and Improvement District Number One on January 8, 1974, for the purpose of choosing Three (3) persons to serve as Directors for the District for the period of Two (2) years next after said date, or until their successors may have been lawfully qualified.

POLLS TO BE OPENED AT 7:00 A. M. and CLOSED AT 7:00 P. M.

Those entitled to vote in said election must be bona fide residents of the District, and duly qualified voters under the laws of Texas as of the day of the election. Voters should attend the proper polling palces prepared to exhibit their Voter Registration Certificate or evidence of exemption for the year 1973. In the absence of other evidence, the voter will be required to make affidavit of qualification.

For the purpose of this election and the conduct of same, the District shall be divided into 20 election precincts designated and numbered on the attached list which shall be composed of one or more county voting precincts as indicated thereon. One polling place shall be provided in each District precinct and the location thereof is shown on the said list. Qualified voters may cast their ballot only at the polling place provided for the voting precinct in which they reside. Absentee Ballots may be cast during normal business, 8:00 A. M. to 4:30 P. M. at the General Office of the District, 800 East North Side Drive, Fort Worth, Texas, from December 19, 1973 through January 3, 1974. All designations of polling places hereinafter contained, unless otherwise indicated, will refer to numbers upon streets in the City of Fort Worth. The Polling Places provided for said election and the names of the officers to hold said election, except insofar as they may be changed or substituted, are as per copy attached hereto; and further that notice of said election be duly executed in the name of the District and that said notice be published in accordance with the law governing such matters; and further that Mr. Ben Hickey, General Manager of the District make all arrangements for the holding of said election and for the payment of expenses and fees of the officers holding the election without further order of the District.

4.

There was presented a tabulation of the sealed bid proposals received on November 16, 1973 for the purchase from the District of certain lots or tracts of land now surplus to the needs of the District. Following a thorough discussion and review of the matter in

which was reiterated that the policy of the District was to employ qualified professional appraisers, using their judgment and recommendations as a basis for the fair market value of the property offered, and that the District had done this by the employing of the Ross Jones Company and the Byron Searcy Company to appraise and report on each tract so offered.

Director Mason made a motion, seconded by Director Shannon and unanimously passed, that the bid proposals, as received on or prior to 2:00 P. M. on Novmeber 16, 1973, on Bid Proposal Forms secured from the District, and being in the amount, or greater, as recommended in the appraisals prepared by Messrs. Jones and Searcy be now accepted, rejecting all other proposals received, all more particularly described on the tabulation list as now presented, to wit:

BIDS RECEIVED BY NOVEMBER 16, 1973

<u>LESSEE</u>	<u>APPRAISED VALUE</u>	<u>BID PRICE</u>
Joan M. Bartay (1/10 cash)	\$ 10,500.00	\$ 10,500.00
Russell L. Betts (1/10 cash)	17,000.00	17,000.00
Donald G. Black (Under bid)	12,000.00	10,000.00
LeRoy E. Brooks (All cash)	10,000.00	10,000.00
Mrs. L. B. Connelley (1/4 cash)	10,000.00	10,000.00
Calvin H. Druxman (1/10 cash)	7,000.00	7,000.00
Robert D. Egler (1/4 cash)	10,000.00	10,000.00
William M. Estes (Donald J. Sabec- Lessee) (All cash)	4,000.00	4,000.00
William M. Estes (All cash)	4,000.00	4,000.00
Dr. Aubrey E. Guthrie II (1/10 cash)	11,500.00	11,500.00
Bobby J. Hampton (Under bid)	10,500.00	7,500.00
B. R. Harper (1/10 cash)	10,500.00	10,500.00
H. A. Hefner (1/10 cash)	10,000.00	10,000.00
William J. Kluge (1/10 cash)	5,500.00	5,500.00
Eldon L. Lewis (1/4 cash)	11,500.00	11,500.00
William K. McComis (1/10 cash)	6,250.00	6,250.00
James E. May (1/10 cash)	11,000.00	11,000.00
Jack Mitchell (1/10 cash)	10,000.00	10,000.00

<u>LESSEE</u>	<u>APPRAISED VALUE</u>	<u>BID PRICE</u>
Jay H. Needham (All cash)	\$ 10,500.00	\$ 10,500.00
W. C. Northern, Jr. (1/10 cash)	10,500.00	10,500.00
S. M. Page (1/10 cash)	11,500.00	11,500.00
Paul H. Pewitt (Under bid)	138,000.00	57,000.00
Prairie Creek Marina, Inc. (1/10 cash)	28,750.00	29,000.00
J. T. Rawlings & T. J. Rasbury (1/10 cash)	8,500.00	8,500.00
Harold B. Robinson (1/10 cash)	8,000.00	8,000.00
Garland Tiner (1/10 cash)	8,500.00	8,500.00
Wilton Dale White (Down payment \$3,000. & balance in one yr.)	5,000.00	5,000.00
Gary D. Wood (1/10 cash)	12,500.00	12,500.00
Bernice Ray Woods	9,500.00	
James M. Young (1/4 cash)	11,000.00	11,000.00

and further that management and officers of the District be now authorized, subject to approval of General Counsel of the District to convey title of said lots or tracts upon the terms and conditions as stated in the sealed bid proposals so accepted.

5.

Management of the District requested, and recommended, authority to purchase five (5) lots located in the Sycamore Creek Area as shown on a map exhibited, explaining that the said lots were located within the flood plain area of Sycamore Creek, as reflected in the Flood Control Bond Issue approved in 1950 by voters of this District, and were inadvertently omitted from acquisition by the District at that time.

Following a detailed discussion, Director Thornton made a motion, seconded by Director Shannon and unanimously passed, that the District be now authorized to purchase Lots 5, 6, 7, 8 and 9 of the Glenwood Heights Addition to the City of Fort Worth, in fee, at the price of \$250.00 per lot.

There was also presented a request to make a settlement

in the amount of \$2,500.00 to Cody Hellums, et al in Suit No. 96-14314-72 vs the District regarding rights-of-way and damages on the Cedar Creek Pipeline; following a discussion it was the unanimous opinion of the Directors and their order, upon the recommendation of management and counsel for the District, that the District be now authorized to pay TWENTY-FIVE HUNDRED DOLLARS (\$2,500.00) to Cody Hellums, et al in full settlement.

6.

A letter from Mr. H. Clayton Brants, Jr. developer of the Greenway Park Industrial Addition, with attached map of the addition and dedication instrument, requesting the District to join in the dedication of the Addition, in as far as said Addition would affect land owned by District.

Following a detailed discussion of the proposal in which management of the District explained that the proposed addition affected only a small portion of land surplus to needs of the District, more particularly described in the permanent records of the District, with a roadway to be constructed by the developer that would afford District maintenance vehicles ingress and egress to the levee in that area; also that the land was now used for grazing purposes and with development of an industrial addition revenue from taxes would be greatly increased to the District. Whereon Director Penry made a motion, seconded by Director Mason, that upon the recommendation of management of the District, the Plat and Dedication Instrument as presented be executed by the District. Upon a vote taken all Directors voted aye and it was so ordered.

7.

Authority was requested by management of the District to advertise for bid proposals from parties interested in leasing for oil, gas and other minerals on certain lands located in Tarrant, Parker and Wise Counties, consisting of 9000 acres more or less. Following a thorough discussion, Director Shannon made a motion, that was seconded by Director Mason and unanimously passed, that management of the District be now authorized to advertise for bid proposals and the leasing for oil, gas and other minerals on lands situated in Tarrant, Parker and Wise Counties, all described by a metes and bounds description as filed in the permanent records of the District.

8.

A general discussion was held regarding the salary classifications and pay schedule of employees of the District in which was brought out by management that classifications and the rate of pay schedule was comparable to private industry and others; however, the question of "the cost of living" had far out stripped the last salary increase granted; whereon Director Thornton made a motion that all employees of the District be granted, effective January 1, 1974, an increase, as allowed by the current laws governing such matters, of FIVE AND ONE-HALF (5½%) PERCENT of their current salary schedule. Whereon Director Mason seconded the motion with all Directors voting aye and it was so ordered.

9.

The Directors were presented the Monthly Financial Report

regarding Receipts and Disbursements for Program "A", "B" and "D" and the Cedar Creek Project, for the month of October, 1973, from the Auditor of the District, which was ordered accepted and placed in the permanent files of the District.

10.

President Newton presented a letter addressed to Mr. Ben Hickey, General Manager, and signed by Mr. William M. Brown, Counsel for the District, informing him that the Supreme Court of Texas had now ruled in favor of the District in the law suit Maude Ansley, et al vs. Tarrant County Water Control and Improvement District Number One in Henderson County, Texas, thereby marking the end of litigation in which the Plaintiff's originally sought to recover two and a half million dollars in damages. President Newton, in reviewing the matter, stated that the outstanding presentation during the trial by Counsel for the District, Mr. William M. Brown and Mr. Ardell Young, in the District Court at Athens, Texas was obviously so well prepared and presented that the District Jury awarded nothing for the plaintiffs, with that decision being upheld through the Supreme Court; and while this potential amount of 2½ million was great - a still larger amount probably could have been collected by comparable parties along that other sector of the river that would have claimed comparable damages - if the jury award had been against the District.

Following a general discussion in which everyone present expressed their admiration and appreciation for the excellent job performed by District Counsel, it was the wholehearted, enthusiastic opinion of all Directors, and their order, that the Director's



appreciation and recognition of the excellent work of Counsel was to be spread upon the minutes of this meeting and further that Mr. Hickey, General Manager express to Counsel personally the feelings of the Directors.

11.

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

J. C. Skannan  
Secretary

Wayne E. Newbo  
President