

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD ON THE 28th DAY OF OCTOBER, 1975 AT 4:00 P. 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>
Wayne E. Newton	C. Victor Thornton
Clyde A. Penry	
J. Oliver Shannon	
Paul W. Mason	

Also present were Messrs. Joe B. Hogsett, Honorary Chairman of the Board of Directors; John M. Scott, General Souncel 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 September 23, 1975 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 Mason, voucher-checks #16646 thru #16780 inclusive, Maintenance Fund, in the amount of \$130,748.50; voucher-checks #4548 thru #4594 inclusive, Revenue Fund, in the amount of \$350,699.35; voucher-checks #496 thru #499 inclusive, Interest and Sinking Fund and voucher-checks #3459 thru #3469 inclusive, Construction Fund, in the amount of \$7,430.94

were approved and ordered paid. All Directors present voted aye thereon.

3.

The following recommendations were presented to the Directors for their consideration, to wit:

(a) Recommendation for Purchase of Two New Sedans:

<u>COMPANY</u>	<u>PRICE FOR ONE</u>	<u>TOTAL PRICE</u>
Bruce Lowrie Chevrolet	\$4,693.54	\$9,387.08
Jack Williams Chevrolet	4,739.69	9,479.38
Bill McKay Chevrolet	4,749.54	9,499.08

Following a discussion and with recommendation of management of the District, Director Mason made a motion, seconded by Director Penry and unanimously approved, that the low bid of Bruce Lowrie Chevrolet, in the amount of \$4,693.54 each be accepted.

(b) Recommendation for Purchase of New NCR Accounting Machine:

Management of the District recommended that the District purchase a NCR 299-100 Processor W/50 totals and 63 Program Steps at a cost of \$9,619.54 for the following reasons:

The present machine is thirteen (13) years old and NCR has discontinued the production of this machine, and effective January 1 1976 we will be unable to obtain a service contract. The new NCR 299-100 is built with transistors which will speed up and enable us to expand if necessary our accounting procedures and operations.

Following a discussion, Director Mason made a motion, seconded by Director Penry and unanimously approved, that the NCR

Machine, in the amount of \$9,619.54 be purchased.

4.

The Directors were presented the Monthly Financial Report regarding Receipts and Disbursements for Program "A", "B" and "D" and Cedar Creek Project, for the month of September, 1975, from the Auditor of the District, which was ordered accepted and placed in the District's files.

5.

Management of the District presented, and recommended, the following Resolution prepared by Council for the District, to wit:

WHEREAS this District owns land lying between elevation 322 feet msl and 325 feet msl on the margins of Cedar Creek Lake in Henderson and Kaufman Counties, Texas;

WHEREAS in addition to the lands owned outright by the District between said elevations above mean sea level, the District has an interest in or joint ownership in other lands lying between said elevations above mean sea level; and

WHEREAS it is to the best interests of the District and of the persons who own the land abutting Cedar Creek Lake that such persons have the right to construct sea walls in order to prevent erosion of property and the depositing of material in the reservoir;

NOW THEREFORE, be it RESOLVED by the Board of Directors of Tarrant County Water Control and Improvement District Number One:

1. The Board hereby consents to the construction of sea walls by abutting owners in and on land owned by Tarrant County Water Control and Improvement District either outright or in the joint ownership with others insofar as said land lies between elevation 322 msl and elevations 325 msl on the margin of Cedar Creek Lake in Henderson and Kaufman Counties, Texas, and within the extended lot lines of such abutting owner, provided that before construction of such improvements the party desiring to construct same shall submit plans for such construction to the duly authorized representatives of this District for approval, and further provided that the parties constructing such improvements shall enter into a contractual undertaking with this

District to save and hold this District harmless from any claims of damage in any way arising out of the construction or maintaining of the said improvements.

Following a general discussion, Director Penry made a motion, seconded by Director Mason, and unanimously approved, that the above Resolution be adopted.

6.

The following addition to the Rules and Regulations relating to the Cedar Creek Reservoir and appurtenances were presented to the Directors for their consideration; to wit:

WHEREAS the Tarrant County Water Control and Improvement District Number One owns, maintains and operates Cedar Creek Reservoir located in Henderson and Kaufman Counties, Texas, and the spillway structure located in Henderson County, Texas, including the channel from the spillway structure to the Trinity River, and the bed and banks of said channel, said channel, bed and banks being described as follows:

The description of the property described herein is based on the horizontal and vertical monumented control placed on the ground for Tarrant County Water Control and Improvement District Number One during the year 1960. Said monumented control is based on the Texas Co-ordinate System, North Central Zone, hereinafter referred to as "T.C.", in compliance with Art. 5300a of V.A.T.S. and expanded from United States Coast and Geodetic Survey stations "Tool", "Sanders", "Sand", "Lake", "Trinidad", "Malakoff", "Tarrant", "Clear", "Stockard", "Twin", "Mabank", "Lacy", "Cedar" and "Kemp".

DESCRIPTION: -- A portion of the Sharp Whitley Survey, Abstract No. 798 in Henderson County, Texas and being a portion of the tract conveyed to TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, hereinafter referred to as DISTRICT, and described as "First Parcel" by deeds of record in Vol. 493, Page

620; and Page 628; and Page 588 of the Deed Records of said Henderson County, and described herein as "RESTRICTED AREA UPSTREAM"; and a portion of the Sharp Whitley Survey, Abstract No. 798, the H. Beets Survey, Abstract No. 1032 and the John Hallmark Survey, Abstract No. 292 all in Henderson County, Texas and being a portion of the tracts conveyed to said District, and described as "First Parcel" and "Second Parcel" by deeds of record in Vol. 493, Page 620; and Page 628; and Page 588 of said Deed Records; and a portion of the tract conveyed to said District, and described as "Second Parcel" by a deed of record in Vol. 533, Page 297 of said Deed Records; and a portion of the tract conveyed to said District by a deed of record in Vol. 517, Page 343, of said Deed Records and a strip of land situated under the bridge on State Highway No. 274, the five tracts being contiguous one to the other are considered herein as one tract and described herein as "RESTRICTED AREA DOWNSTREAM."

RESTRICTED AREA UPSTREAM: -- Commence at a concrete monument with a brass cap in the top marked "T.C.W.C. & I.D. No. 1 No. 198" set at the southeast corner of the J. Crabb Survey, Abstract No. 181 and the most easterly northeast corner of said Beets Survey and at the west line of said Whitley Survey, said monument having "T.C." North 211,708.50 and East 2,418,907.50, and run south 81 degrees 28 minutes east 1145-3/10 feet to the beginning point of the hereinafter described tract, said beginning point having "T.C." North 211,538.70 and East 2,420,040.14.

Thence South 29 degrees 31 minutes East, at 109-05/100 feet passing a concrete monument with a brass cap in the top marked "T.C.W.C. & I.D. No. 1" set at the north end of the Cedar Creek Spillway and at 590-95/100 feet passing a concrete monument with a brass cap in the top marked "T.C.W.C. & I.D. No. 1" set at the south end of said Spillway, in all a distance of 700 feet to a corner.

Thence North 60 degrees 29 minutes East 600 feet to a corner.

Thence North 29 degrees 31 minutes West 700 feet to a corner.

Thence South 60 degrees 29 minutes West 600 feet to the place of beginning and containing nine and six-tenths (9-6/10) acres more or less.

RESTRICTED AREA DOWNSTREAM: -- Beginning at the

west corner of the hereinabove described "Restricted Area Upstream", having "T.C." North 211,538.70 and East 2,420,040.14.

Thence South 60 degrees 29 minutes West 1490 feet to the beginning of a curve to the left, having a radius of 3788 feet.

Thence Southwesterly, along said curve to the left, a distance of 1660 feet to a point.

Thence South 57 degrees 03 minutes East 700 feet to a point in a curve to the right whose radius line to the point of intersection bears south 57 degrees 03 minutes east 3088 feet.

Thence Northeasterly, along said curve to the right, a distance of 1340 feet to the end of said curve.

Thence North 60 degrees 29 minutes East 1490 feet to the south corner of the hereinabove described "Restricted Area Upstream".

Thence North 29 degrees 31 minutes West, along the southwest line of the hereinabove described "Restricted Area Upstream", at 109-05/100 feet passing a concrete monument with a brass cap in the top marked "T.C.W.C. & I.D. NO. 1" set at the south end of said Cedar Creek Spillway and at 590-95/100 feet passing a concrete monument with a brass cap in the top marked "T.C.W.C. & I.D. NO. 1" set at the north end of said Spillway, in all a distance of 700 feet to the place of beginning and containing forty-eight (48) acres more or less.

AND WHEREAS the Spillway structure does upon occasion discharge large quantities of water from the Cedar Creek Reservoir into the spillway channel, and

WHEREAS such discharges of water are dangerous to any persons who might be found within the spillway channel area, including its bed and banks, and

WHEREAS signs advising the public of the danger and that entry upon such land is forbidden have been ignored, and

WHEREAS the Board of Directors of Tarrant County Water

Control and Improvement District Number One deems it necessary and advisable to exercise the powers conferred on it by the provisions of the Texas Water Code, Title 4, Chapter 51, Section 51.127, 51.128, 51.129, 51.130 and 51.131 to regulate and prohibit entry upon such lands and fishing and hunting in said channel area on land owned or controlled by Tarrant County Water Control and Improvement District Number One,

NOW, THEREFORE, the Board of Directors of Tarrant County Water Control and Improvement District Number One does hereby establish the following rules and regulations to apply to the land hereinabove described:

Regulation 1. No person shall enter upon the above described land without the written permission of the official designated by the General Manager of this District as custodian of the Cedar Creek Reservoir in Henderson and Kaufman Counties, Texas.

Regulation 2. No person shall engage in fishing with any line, hook, net, pole, rod, reel, or any other device of any kind or character whatsoever in the stream of water located on the land described hereinabove.

Regulation 3. No person shall transport, use, or discharge any firearm on the land hereinabove described.

Regulation 4. A violation of any of the regulations established hereby shall constitute an offense and shall be punished by the imposition of a fine of not more than

\$200.00, or by imprisonment for not more than 30 days, or both.

BE IT FURTHER RESOLVED by the Board of Directors of Tarrant County Water Control and Improvement District Number One that a substantive statement of the rules and regulations and the penalties for their violation hereinabove adopted be published once a week for two consecutive weeks in one or more newspapers with general circulation in Henderson and Kaufman Counties, Texas, in which the property hereinabove described is located.

The notice shall state that a breach of the regulation will subject the violator to penalty and that the full text of the regulations are on file in the principal office of the District in Henderson County, Texas, and also in the principal office of the District in Tarrant County, Texas, where the regulations and penalties may be read by any interested person.

Following a general discussion and with the recommendation of management and council of the District, Director Mason made a motion that the above listed regulations be adopted by the District; whereon Director Penry seconded the motion with all Directors voting aye and it was so ordered.

7.

Management of the District recommended to the Directors that certain corrections or additions be made of the Minutes of a meeting of the Directors held on June 27, 1972 that in substance

related to "Disposal of Wastes From Watercraft" to wit:

FROM MINUTES OF JUNE 27, 1972:

SEC. 2: "It shall be unlawful for any person to own, operate or maintain any boat or other watercraft upon the waters of the District unless same is equipped with marine toilet facilities.....etc."

SEC. 3: "Any marine toilet located on or within any boat or other watercraft operated or maintained upon the waters of the District must be anelectric incinerating toilet equal to 'incinolet' toilet, Model TR-M manufactured by Research Products Mfg. Company of Dallas, Texas, or such marine toilet shall have securely affixed to the discharge outlet or holding tank located on the boat.....etc."

RECOMMENDED CORRECTION:

SEC. 2: "It shall be unlawful for any person to own, operate or maintain any boat or other watercraft, equipped with toilet facilities uponthe waters of the District unless same is equipped with marine facilities.....etc."

SEC. 3: "Any toilet located on or within any boat or other watercraft operated or maintained upon the waters of the District shall be a marine toilet having securely affixed to the discharge outlet a holding tank located on the boat.....etc."

Following a discussion and with the recommendation of management and council for the District, Director Penry made a motion, seconded by Director Mason and unanimously approved, that the Minutes of June 27, 1972 be corrected and ammended as hereinabove

described.

8.

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

J. P. Shannon.
Secretary

Wayne E. Newton
President

An ORDINANCE enacted by the Board of Directors of TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE adopting rules and regulations for the disposal of wastes from watercraft operated or maintained upon the waters in reservoirs owned and controlled by the District; requiring such watercraft to be licensed by the District; and declaring the violation of such rules and regulations to be unlawful and prescribing penalties therefor.

BE IT ENACTED BY THE BOARD OF DIRECTORS OF TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE:

Section 1. - The following definitions shall apply in the interpretation and enforcement of these regulations:

1. District means the Tarrant County Water Control and Improvement District Number One.
2. Boat means any vessel or other watercraft, whether moved by oars, paddles, sails, or other power mechanism, inboard or outboard, or any other vessel or structure floating upon the waters of this District, whether or not capable of self-locomotion, including, but not limited to, cabin cruisers, houseboats, barges, marinas, and similar floating objects.
3. Marine Toilet means any toilet on or within any boat. # 114
4. Sewage means all human body wastes.
5. Holding Tank means a tank to be used for receiving and retaining sewage.
6. Waters of the District means all streams, lakes, reservoirs, water courses, and all other bodies or accumulations of water,

natural or artificial, which are contained within the reservoirs owned and controlled by the District.

7. Septic Action means sewage undergoing putrefaction under anaerobic conditions.

Section 2. - It shall be unlawful for any person to own, operate, or maintain any boat or other watercraft, equipped with toilet facilities upon the waters of the District unless same is equipped with marine facilities complying with the minimum standards imposed by this District.

Section 3. - Any toilet located on or within any boat or other watercraft operated or maintained upon the waters of the District shall be a marine toilet having securely affixed to the discharge outlet a holding tank located on the boat, provided so as to meet the following specifications:

1. The holding tank shall be so constructed as to prevent the removal of the sewage held therein except by pumping therefrom by onshore facilities.
2. The holding tank shall be constructed of material which will withstand the corrosion effects of the sewage and the disinfecting chemical used. It shall be so located as to minimize the possibility of rupture.
3. The holding tank shall be properly vented to the outside of the boat in such a manner as not to defile the interior of the boat structure.
4. The contents of holding tanks shall be discharged only to onshore facilities

constructed, operated, and maintained
so as to prevent possible entrance of
waste materials into the waters of the
District.

Section 4. - Refuse, including garbage, rubbish, and litter,
shall be deposited onshore in approved type recep-
tacles, which are maintained properly, with ultimate
disposal in such a manner as to prevent the creation
of a public health nuisance, as well as prevent
possible entrance into the waters of the District.

Section 5. - It shall be unlawful for any person to own,
operate, or maintain any boat or watercraft upon
the waters of this District unless such boat or
watercraft shall have been licensed by the District.
Compliance with these rules and regulations will be
considered as meeting standards for the issuance of
a license.

Section 6. - Ownership, operation, or maintenance of any
watercraft on waters of the District in violation
of the provisions of this Ordinance shall constitute
a misdemeanor, and upon conviction thereof shall be
punishable by a fine not to exceed Two Hundred
Dollars (\$200.00).