

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE  
HELD ON THE 1ST DAY OF MAY, 1989 AT 10:00 A.M.

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The call of the roll disclosed the presence of all the  
Directors as follows:

Present

Burford I. King  
George W. Shannon  
Victor W. Henderson  
Hal S. Sparks III

Absent

Charles B. Campbell, Jr.

Also present were James M. Oliver, General Manager; Alan Thomas, Assistant General Manager; Woody Frossard, Environmental Manager; Steve Christian, Real Property Manager; and Wayne Owen, Administrative Coordinator.

Also in attendance were George Christie, legal counsel; Robert M. Doby, Viola Ohr, Jack Garner, Alan Stevens, Dick Siegle et al representing boat owners on Eagle Mountain Lake.

With the assurance from management that all requirements relating to the "open meetings" law had been met, Director King convened the meeting.

1.

On a motion made by Director Henderson and seconded by Director Shannon, the Directors unanimously voted to approve the minutes from the meeting held March 30, 1989. It was accordingly ordered that such minutes be placed in the permanent files of the District.

2.

Jack Garner, owner of Harbor One Marina at Eagle Mountain Lake presented to the Board of Directors concerns of boat owners due to possible restrictions on the permitting and use of buoys on Eagle Mountain Lake. The presentation was in response to a prior presentation by home owners around the lake concerning the alleged problems associated with boats congregating on buoys in sloughs adjacent to homes.

The Board recommended that the staff of the District communicate with both boat owners/buoy permittees and home owners concerning the District's effort to solve the apparent conflict between both interests. The Directors stated the buoy owners should take full responsibility for the use or abuse of their buoys and that to better enforce same, a list should be maintained as to which persons may utilize permitted buoys. The staff was instructed to consider the development of a buoy card to identify owners and persons eligible to utilize a given buoy. The Board further recommended that the staff additionally investigate the need or lack thereof for numerical limits on how many boats may tie up to a specific buoy.

3.

The President and presiding officer next called an executive session under section 2e of the Texas Open Meetings Act to consider pending litigation.

4.

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

5.

With the recommendation of management, Director Shannon moved to authorize the reduction of retainage from \$1,041,000 to \$85,000 on the contract between the District and Green/Sieben Joint Venture for the construction of Section IV of the Richland-Chambers Pipeline contingent upon the consent of Surety. Director Henderson seconded the motion and the vote in favor was unanimous.

6.

Consideration of the selection of an audit firm to perform the annual audit for the year ending September 30, 1989 was postponed.

7.

The Board of Directors next reviewed policies concerning the investment of District funds. The staff was instructed to conform investment policies to the practical construction of the Depository Agreement between the District and Texas American Bank as it relates to certificates of deposit.

8A.

With the recommendation of management Director Henderson moved to accept the bid from General Electric Supply Company in the amount of \$13,396.83 for braking systems for three 20

horsepower double shaft motors to be included as part of the rehabilitation of the original spillway hoists at Eagle Mountain Lake. Director Sparks seconded the motion and the vote in favor was unanimous.

8B.

With the recommendation of management, Director Shannon moved to accept the low bid from Cyclone Fence/USX Corporation in the amount of \$31,488.80 for the relocation of approximately 3,640 linear feet of fence and gates at the Ennis and Richland Pump Stations. Director Sparks seconded the motion and the vote in favor was unanimous.

9.

With the recommendation of management, Director Sparks moved to authorize the District to participate with the City of Fort Worth in a public auction on June 10, 1989 for the purpose of selling surplus equipment to the highest bidder. Director Henderson seconded the motion and the vote in favor was unanimous.

10.

With the recommendation of management, Director Shannon moved to ratify the settlement of the condemnation suit completed within the guidelines established by the Board of Directors on December 13, 1988 concerning Cause #243-87, Tarrant County Water Control and Improvement District Number One vs. Dan R. Newman et al; District Tract #49, Ben Cochran Survey, A-142 and S. L. Johnson Survey, A-421, Navarro County, Texas. The settlement for

602.19 acres in fee and 9.15 acres in easement was \$485,752.00. Director Henderson seconded the motion and the vote in favor was unanimous.

11.

With the recommendation of management, Director Sparks moved to adopt a resolution granting R. Steve Christian the authority to act for Tarrant County Water Control and Improvement District Number One in executing documents necessary for the sale of property from the District to Eddy Holland, Jr. and wife, Peggy Holland situated at Lot 12, Block 2 of the Water Board-Eustace-Hill-Stanfield Subdivision in Tarrant County, Texas. Director Henderson seconded the motion and the vote in favor was unanimous.

12.

With the recommendation of management, Director Shannon moved to authorize the settlement of the condemnation suit between the District and Lance M. Dubois et al; 8.66 acres in easement, J. White Survey, A-818, Navarro County, Texas, District Tract #436 for an offer of up to \$5,000 over the Commissioner's award of \$5,200, thus, a settlement not to exceed \$10,200.00. Director Sparks seconded the motion and the vote in favor was unanimous.

13.

Woody Frossard updated Directors on oil well plugging at Richland-Chambers Reservoir.

14.

Woody Frossard next updated the Directors on the District's involvement in Regional Wastewater Planning around the City of Azle.

15.

With the recommendation of management, Director Sparks moved to approve the following list of vouchers for the month of February, 1989:

Capital Projects Fund: Check numbers 2060 thru 2063, the total expenditure being \$343.75.

Debt Service Fund: Check numbers 2081 thru 2082, the total expenditure being \$5.33.

General Fund: Check numbers 24620 thru 24908, the total expenditure being \$2,647,024.50

Interest & Redemption Fund: Check numbers 2047 thru 2053, the total expenditure being \$21,500,242.05.

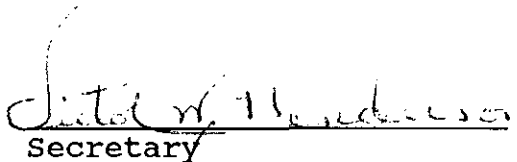
Richland-Chambers Construction Fund: Check numbers 12818 thru 12900, the total expenditure being \$3,343,191.80.

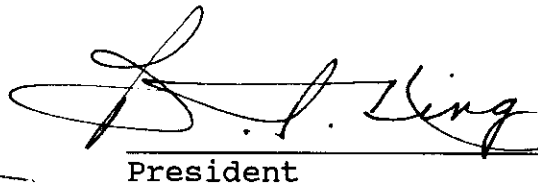
Revenue Fund: Check numbers 10032 thru 10157, the total expenditure being \$23,034,645.41.

Director Henderson seconded the motion and the vote in favor was unanimous.

16.

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

  
Secretary

  
President

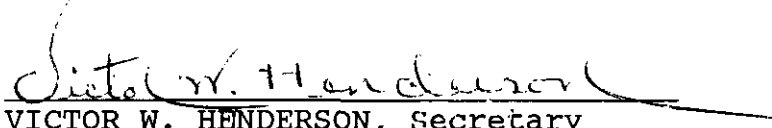
RESOLUTION OF TARRANT COUNTY WATER  
CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE

I, VICTOR W. HENDERSON, do hereby certify that I am the duly elected and qualified Secretary of Tarrant County Water Control and Improvement District Number One; that a Meeting of the Board of Directors of the District was duly convened and held on the 1st day of May, 1989, at which Meeting a quorum of Directors was present and voting throughout; and that at said Meeting the Directors present duly adopted the following Resolution:

RESOLVED, that R. Steve Christian is hereby authorized to act for Tarrant County Water Control and Improvement District Number One and to execute the Warranty Deed, Closing Statement and all other documents necessary to close the sale of that certain real property owned by Tarrant County Water Control and Improvement District Number One to Eddy Holland, Jr. and wife, Peggy Holland, such real property being legally described as Lot 12, Block 2, WATERBOARD-EUSTACE-HILL-STANFIELD SUBDIVISION in Tarrant County, Texas, according to the Plat recorded in Volume 388-61, Page 24, Plat Records, Tarrant County, Texas.

I hereby further certify that the foregoing Resolution has not been altered, amended or rescinded and is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of Tarrant County Water Control and Improvement District Number One on this 1st day of May, 1989.

  
VICTOR W. HENDERSON, Secretary