

MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
THE FRANKLIN COUNTY WATER DISTRICT

HELD: September 15, 1969

THE STATE OF TEXAS

FRANKLIN COUNTY WATER DISTRICT

COUNTY OF FRANKLIN

ON THIS the 15th day of September, 1969, the Board of Directors of the Franklin County Water District met in regular session at the regular meeting place thereof in their office located in the courthouse in Mount Vernon, Texas, with the following members present:

W. C. NEWSOME	PRESIDENT
HORRIS MORRIS	SECRETARY
LANDON RAMSAY	VICE PRESIDENT
A. J. LAWS	DIRECTOR
K. P. LESTER	DIRECTOR

and with the following absent: NONE

Also present were Messrs. Woodrow Edwards, Attorney for the District, and Arthur E. Postel, Austin, Texas.

The President called the meeting to order and announced the Board was ready to transact business.

Mr. Newsome discussed the Board's relationship with Mr. Arthur E. Postel, then called upon Mr. Postel for any remarks he would like to present to the Board. Mr. Postel gave a summary of his activities and relationship with the Franklin County Water District. He read a copy of a letter he had received from the Franklin County Water District, mailed out over the signature of W. C. Newsome, President of the Board, addressed to The Texas Water Development Board and the Texas Water Rights Commission, which letter reads as follows: "Please be advised that Mr. Arthur E. Postel, Austin, is no longer authorized to represent Franklin County Water District before your Board or your Staff". All persons present took part in a lengthy discussion as to the future relationship between Mr. Postel and the Franklin County Water District.

The President then called for a motion ratifying or disapproving the action taken by the Executive Committee in writing the letter to the Texas "Water Development Board and the Texas Water Rights Commission.

Motion was made by HORRIS MORRIS, and duly seconded by LANDON RAMSAY, to approve and ratify the action taken by the Executive Committee in writing the above mentioned letter to the Texas Water Development Board and the Texas Water Rights Commission advising them of the fact that Mr. Postel was no longer authorized to represent the Franklin County Water District before their Boards or their Staffs. On the question being put by the President, and after discussion, all members present voted "AYE". None opposed.

A Resolution was presented to the Board for its consideration to request Mr. Arthur E. Postel to mutually terminate his contract with the Franklin County Water District. It was moved by K. P. LESTER, and duly seconded by HORRIS MORRIS, that the same be passed. Thereupon, the question being called for, and after full discussion

and deliberation, the following Directors voted "AYE": Messrs. Newsome, Ramsay, Morris, Laws and Lester. None voted "NO". The President announced that the motion had carried and that the Resolution had been duly adopted. A copy of said Resolution is attached to these Minutes and made a part thereof. A copy will also be mailed to Mr. Postell at his request.

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Mr. Postel was orally requested officially to mutually terminate his contract with the Franklin County Water District. He replied that he refused to do so under the conditions stated.

The trip to Austin to appear before the Texas Water Development Board to make presentation of the Vilbig Change Order No. 2 for approval, and to request more money with which to widen the dam to 44 feet instead of the 19 feet heretofore planned, was set for September 18th. The President, Vice President and Woodrow Edwards will attend, together with Walter F. Hicks, Jr., Engineer for the District.

Mr. Edwards announced that due to the illness of Judge Morris Ralston, the Solon King injunction suit could not be heard on the 19th of September as had been scheduled. Judge Wear of Paris will be in Mount Vernon on October 1, 1969 at 10 o'clock AM to hear the suit.

Mr. Edwards submitted the following appraisals made by Mr. L. J. Flanagan, Appraiser for the District:

NANNIE CATES ESTATE, 19.293 acres out of 69.824 acre tract in the J. E. Hopkins Survey, Abst. 217, being \$150.00 per acre, total amount \$2,894.00.

MRS. RUTH CAMPBELL, 27.484 acres out of a 48.270 tract in the B. Brooks Survey, Abst. 55, being \$160.00 per acre, total amount \$4,397.00.

W. D. LOVELACE HEIRS, 42.529 acres out of a 70.834 acre tract in the B. Brooks Survey, Abst. 55, being \$135.00 per acre, total amount \$5,742.00.

P. R. and ZEANE CATES, 82.622 acres out of 201.391 acres in the J. E. Hopkins Survey, Abstract No. 117, being \$150.00 per acre, total amount \$13,143.00 which includes damages to pecan trees, being 75 trees @\$10.00 per tree.

R. M. FRY LUMBER COMPANY and CLEVE STORY, owners of a timber interest on the W. L. Smith estate land, 90.071. acres @ \$17.00 per acre, being a total amount of \$1531.21.

W. L. SMITH ESTATE, 90.071 acres of land @ \$108.00, total amount \$9,727.67; being said 90.071 acres being a part of the G. Fee survey, Abst. 175, and Abst. 452 of the A. Starns Survey.

Motion was made by Landon Ramsay, and duly seconded by A. J. Laws, to accept and approve the appraisals made by Mr. L. J. Flanagan. The question being put by the President, and discussion had thereon, all members present voted "AYE". None opposed.

Mr. Edwards stated that Mrs. Ruth Campbell; the R. M. Fry Lumber Company, Inc. and Cleve Story; and the W. L. Smith estate were ready to convey their interest to the Franklin County Water District. Eminent Domain Proceedings had previously been filed against the L. Smith estate but will be dismissed. Checks were executed by the President and the Secretary, as follows:

Ruth Campbell and R. P. Campbell	\$4,397.00
Mary Lena Smith, Phillip K. Smith, Mary Jordan, Bernice Cates	9,727.67
R. M. Fry Lumber Company, Inc. & Cleve Story	1,531.21
Total	\$15,655.88

There came on the discussion and action by the Board the matter of setting the tax rate of the District for calendar year 1969. A. J. Laws moved the 1969 tax rate be set a .50¢ per \$100.00 valuation of property in the District. Horris Morris seconded the motion. After discussion and the question being put, all directors of the Board voted "AYE". None opposed.

Motion was made by LANDON RAMSAY, and duly seconded by K. P. LESTER, to approve and pay the bills, which are as follows:

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Trinity Engineering Testing Corporation	2,020.00
W. R. Boyd, Inc. – clearing	24,721.20
L. E. Bryant, Co. Clerk, Eminent Domain Proceedings, G. D. GILBERT, #973	5,407.36
W. C. Newsome, Director's pay	60.00
Landon Ramsay, Director's pay	60.00
Horris Morris, Director's pay	60.00
A. J. Laws, Director's pay	60.00
K. P. Lester, Director's pay	60.00
L. E. Bryant, County Clerk, 44 Zerox Copies @25¢	11.00
General Telephone of the Southwest	59.85
Woodrow Edwards, Attorneys fees	1,222.25
Vilbig Construction Company -reservoir construction	59,910.08
Wisembaker, Fix & Associates-engineering fee	1,817.35
	88,469.09

Total amount for land purchase	\$15,655.88
Total other expenses	88,569.09
Total spent 9-15-69	\$104,124.97

The question being put by the President, all members present voted "AYE". None opposed.

There being no further business, the meeting was adjourned.

MINUTES APPROVED this the 15th day of September, 1969.

W. C. Newsome, President
Board of Directors
Franklin County Water District

Landon Ramsay, Vice President

Horris Morris, Secretary

A. J. Laws, Director

K. P. Lester, Director