

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

HELD: August 3, 1970

THE STATE OF TEXAS
COUNTY OF FRANKLIN

FRANKLIN COUNTY WATER DISTRICT

ON THIS the 3rd day of August, 1970, the Board of Directors of Franklin County Water District convened in regular session at their regular meeting place in their office located in the courthouse, Mount Vernon, Texas, and the following members were present:

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

And with the following absent: K. P. LESTER.

Also present were Woodrow Edwards, Attorney for the District, and James T. Bass, Editor and Publisher of the Mt. Vernon Optic-Herald.

The President called the meeting to order, declared a quorum present, and that the meeting was duly convened and ready to transact business.

Mr. Edwards informed the Board that application had been made to Texas Water Rights Commission seeking a permit to amend No. 2231 (Application 2423) to authorize the diversion of an additional 300 acre-feet of water per annum from Lake Franklin County, Cypress Creek Basin, said water to be used for municipal purposes; and asking for the authorization to release 18,000 acre-feet of water per annum for industrial use (thermal electric power generation), said water to be released into Cypress Creek for use downstream. He also stated that said Application No.2423-A was accepted for filing by the Texas Water Rights Commission of July 20, 1970, and a hearing thereon will be held by the Commission in the Sam Houston State Office building at Austin, Texas, on September 9, 1970, at 10:00 a. m. Mr. Edwards stated that before the hearing is held, a Notice of Hearing on said application must be published in the Mt. Vernon Optic-Herald for two weeks, a copy of which is attached hereto and made a part of these Minutes.

Motion was made by LANDON RAMSAY, and duly seconded by HORRIS MORRIS, to publish Notice of Hearing on Application No. 2423-A in the Mt. Vernon Optic-Herald at Mt. Vernon, Texas, for two weeks, beginning August 6, 1970. The President put the question and all members present voted "AYE". None opposed.

The President reported his conversation with Mr. Jesse G. Majors wherein the Franklin County Water District offered to purchase his land for \$200.00 per acre. Mr. Majors referred the matter to M. D. Carlock, his attorney, and Mr. Carlock stated he would notify the President of their decision. A letter was then read, dated July 28, 1970, addressed to W. C. Newsome, President, and signed by M. D. Carlock, stating they would not accept the offer of \$200.00 per acre.

Discussion was had in regard to the acreage recovered by Jesse G. Majors et ux from Franklin County Water District in Cause No. 5337, which land had been designated as containing 38.980 acres of land. It had been brought to the attention of the Board that the State of Texas had acquired a right of way for road purposes through the said 38.980 acres of land. Mr. John Cowan, Surveyor for the District, at the request of the Board, made a re-survey of the acreage, deleting the said roadway, leaving 34.855 acres of land. The Board discussed the importance of the said 34.855 acres to the Franklin County Water District and the necessity of acquiring it for public recreation facilities, including public parks and camping area, to construct necessary access roads around and to the Surface area of the reservoir, and to maintain sanitary standards on the land and water areas as a part of and adjacent to such recreation area.

WHEREUPON a Resolution was submitted to employ eminent domain proceedings against Jesse G. Majors et ux for the 34.855 acres. Said Resolution was passed, adopted and approved and is attached hereto and made a part of these Minutes.

MOTION was made by LANDON RAMSAY, and duly seconded by A. J. LAWS, to pay bills now due. The President put the question and all members present voted "AYE". None opposed.

The bills are as follows:

<u>Check No.</u>		
715	Wisembaker, Fix & Associated – Eng. & Inspection fee	2,002.00
716	Trinity Engineering Testing Corp. – Soil testing	2,020.00
717	Sam Halyard – Travel expenses as witness in Majors’ case	35.00
718	L. J. Flanagan – 2 days witness fees – Majors’ case @ \$75	150.00
719	W. B. Meek – 1 day witness fee – Majors case	75.00
720	Thomas Joe Davis – 1 day witness fee- Majors case	75.00
721	L. E. Bryant, County Clerk – Recording fees and Xerox copies	16.75
722	Mt. Vernon Optic-Herald –Office supplies	7.09
723	Smith, Johnson & McDowell – Legal services – Majors’s case	816.00
724	Woodrow Edwards, Legal services	1,600.00
725	L. E. Bryant, County Clerk –Filing Fees EMD #1015 –Majors	35.00
726	Berniece E. Meek – July salary	298.10
727	L. E. Bryant, County Clerk – Special Commissioners’ Fees Eminent Domain Proceedings #1014 –Pynes estate	45.00
728	J. Solon King, Tom A. King, Jacob Solon King, Jr. and Earl Sharp their Attorney (Being \$10.00 an acre for 2,481.524 acres as extra compensation as set out in Judgement in Cause No. 5345, J. Solon King et al vs. Franklin County Water District in District Court, Franklin County, Texas.	<u>24,815.24</u>
Total checks written		31,990.18

There being no further business the meeting was adjourned.

MINUTES APPROVED THIS AUGUST 3, 1970.

- W. C. Newsome, President
- Landon Ramsay, Vice President
- Horris Morris, Secretary
- A. J. Laws, Director
- K. P. Lester, Director