

MINUTES OF THE MEETING OF  
THE BOARD OF DIRECTORS OF THE  
FRANKLIN COUNTY WATER DISTRICT  
HELD: February 16, 1970

THE STATE OF TEXAS

FRANKLIN COUNTY WATER DISTRICT

COUNTY OF FRANKLIN

On this the 16<sup>th</sup> day of February, 1970, the Board of Directors of the Franklin County Water District convened in regular session at the regular meeting place thereof in their office located in the courthouse at Mount Vernon, Texas, with the following members present:

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

and with the following absent: NONE.

Also present were the following: Woodrow Edwards, Attorney for the District; Mr. John Cowan, Surveyor for the District; Mr. Bill F. Allen of Tyler, Texas; Mr. and Mrs. Frank Daugherty, landowners from Cleveland, Ohio; and Mr. Jack McKay of Winnsboro, Texas.

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

The President then announced that the Board would dispense with the reading of the Minutes and consider the business at hand.

A Resolution was submitted and adopted authorizing a change in the rate of payment to John Cowan & Associates, and authorizing the President and Secretary to make payment upon the presentation of his statement for services rendered. Said Resolution is attached to these Minutes and made a part thereof.

Woodrow Edwards discussed the King suits which are to be heard March 2, 1970, and stated that compromise offers had been tendered to him by the Attorneys for the Kings. They had requested \$15.00 per acre more for the acreage heretofore condemned by the Franklin County Water District plus 15% of the shore line. Mr. Edwards thought there might be a possibility of settling for \$10.00 per acre more and 10% of the shore line.

Motion was made by K. P. Lester, and duly seconded by A. J. Laws, that Woodrow Edwards be authorized to submit the proposal of \$10.00 per acre more and 10% shore line to the Attorneys for the Kings. After discussion, the President put the question and the vote was as follows: K. P. LESTER and A. J. LAWS VOTED "AYE". LANDON RAMSAY and HORRIS MORRIS voted "NO". President Newsome broke the tie by voting "AYE" and he announced the Motion was carried.

The President reported that Walter F. Hicks, Jr., Engineer for the District, had requested that some members of the Board contact Commissioner Coy Veasey about securing oil and placing same on the new road that replaces the road which will be elinated by construction of the service spillway. After discussion, Woodrow Edwards was appointed as Spokesman to see Mr. Veasey

A letter from Traylor Russell, Attorney for American Petrofina Pipe Line Company, was read in which he stated that completion had been made on the installation and testing of the relocated pipes through the lake basin; that the oil had been cleaned out of the oil line, it was filled with water and sealed at both ends. Also, he enclosed a bill for \$38,157.18, stating it was the amount due Petrofina by the District for their part of the installation, which was the amount set out in the contract entered into between Petrofina and District. No action was taken on the payment of this amount due to the fact the statement was not signed by the Americam Petrofina official; also further investigation is to be made as to the disposition of the old pipes

before payment is made. Mr. Edwards stated he would contact Traylor Russell about this matter.

Mr. Edwards also discussed the letter received from Arthur E. Postel dated February 12, 1970, in which he still refuses to accept the unilateral termination of the contracts and contends that the District will owe him certain amounts of money for services being performed by him. After discussion, a Resolution was submitted authorizing Woodrow Edwards to write Mr. Postel a letter advising him that he is to refrain from representing the District in any manner before and person, Board or Corporation, and that he will receive no more money from the District except under a final judgement of a competent court. The Resolution is attached to these Minutes and made a part thereof.

Due to weather conditions which have prevented the Contractor from making normal progress with his clearing work, there is a necessity that a change be made in the completion date and a time extension be granted in Contract No. 855 between Franklin County Water District and W. R. Boyd, Inc. Whereupon, a Resolution was submitted authorizing and approving an extension of time in Contract No. 855, and authorizing the President of the Franklin County Water District to execute Change Order No. 1. Said Resolution is attached to these Minutes and made a part thereof.

Motion was made by Landon Ramsay, and duly seconded by A. J. Laws, to pay the current monthly bills. After discussion, the President put the question and all members present voted "AYE". None voted "NO". The bills are as follows:

L. E. Bryant, County Clerk – Recording fees and 32 copies of Zerox	\$ 15.00
General Telephone Company of the Southwest – monthly bill	57.27
Wisembaker, Fix & Associates – Engineering and Inspection fees	1,187.16
Vilbig Construction Company – Payment No. 16 - January services	8,294.40
John Cowan & Associates – Additional surveying ) Balance due)	1,558.47
John Cowan & Associates – Balance due under contract	<u>28,174.15</u>
TOTAL BILLS PAID	<u>\$39,286.45</u>

There being no further business, the meeting adjourned.

MINUTES APPROVED THIS, the 16<sup>th</sup> day of February, 1970.

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