

MINUTES OF THE MEETING OF  
THE BOARD OF DIRECTORS OF THE  
FRANKLIN COUNTY WATER DISTRICT  
HELD: OCTOBER 9, 1970

SPECIAL CALLED MEETING

THE STATE OF TEXAS  
COUNTY OF FRANKLIN

FRANKLIN COUNTY WATER DISTRICT

ON this the 9<sup>th</sup> day of October, 1970, the Board of Directors of the Franklin County Water District convened in a SPECIAL CALLED MEETING held in lieu of the regular meeting which was postponed; said meeting being held in the regular meeting place thereof in their office located in the courthouse at Mount Vernon, Texas, with the following members present:

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

and with the following absent: HARRIS MORRIS.

Also present was Woodrow Edwards, Attorney for the District.

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 presented a corrected lease agreement between Franklin County Water District and J. Solon King et als, said corrected lease agreement showing the acreage surveyed and shown in Exhibit "A" attached thereto to be 98 acres, more or less, instead of the 95 acres, more of less, shown in the lease agreement heretofore executed on June 30, 1970, by all parties concerned.

Whereupon, K. P. Lester moved adoption of the following Resolution:

"RESOLVED that the "Corrected Lease Agreement" by and between Franklin County Water District and J. Solon King et al be approved, and that the President and Secretary have authority to execute the same in behalf of Franklin County Water District."

The second was made by Landon Ramsay, and after discussion, and the question being put by the President, all members present voted "AYE". None voted "NO".

A copy of the Lease Agreement is attached hereto and made a part of these Minutes.

Discussion was had in the Arthur E. Postel matter. Mr. Edwards announced that Martin Harris had notified him that oral depositions would being in Austin on the 19<sup>th</sup> of October, 1970, with Mr. Postel being schedule first to give his oral deposition. Next on the schedule will be members of the Texas Water Development Board, with Franklin County Water District being schedule for the latter part of the week. Mr. Edwards and Mr. Newsome will leave for Austin Sunday, October 18<sup>th</sup>, and will plan to stay until the depositions are complete. Other members of Franklin County Water District Board will be subject to call, with the exception of Horris Morris who has been excused due to the advise of his Doctors. Mr. Morris has had back surgery and is unable to travel or give oral or written depositions at this time.

Mr. Edwards discussed the Majors case. He stated that the judgement had been filed or record but he has not given Notice of Appeal, which will have to be made by October 15<sup>th</sup>, 1970.

Also discussed were the other suits now pending in District Court, to-wit:

S. A. Rhoades, 3.711 acres; Mary Mullinax Willett, 166.251 acres;  
 G. D. Gilbert, 31.347 acres; Sallie A. McClung, 90.062 acres;  
 A. L. Stocks, 7.634 acres; Lowell T. Miller, 54.776 acres; Claude Ray  
 Stafford, 40.929 acres.

These are addition to the Jesse G. Majors suit concerning 272.238 acres.

WHEREUPON, Landon Ramsay moved that the following Resolution be adopted:

“RESOLVED that Woodrow Edwards be authorized to do the following:

1. Offer all parties to suits now pending the “King Formula”.  
 If they do not accept, then
2. Pursue the cases through the court.
3. Appeal the Jesse G. Majors case, and to incur expenses necessary  
 to the appeals such as all costs of court, court reporter and  
 District Clerk’s fees, provided it cannot be settled.”

The second was made by A. J. Laws. After discussion, and the question being put by the President, all members present voted “AYE”. None voted “NO”.

Mr. Dan Mize of Bonham, Texas, had requested an interview with this Board in regard to the position of Lake Manager. A meeting was set for Thursday, October 15<sup>th</sup>, 1970, at 3:00 o’clock P. M. in the office of Franklin County Water District.

The President announced that the Amendment to Water Permit No. 2231-A had been approved, filed of record in the County Clerk’s office and notice of said filing, together with date, Volume and Page numbers given to Texas WaterRights Commission. Said Amendment authorizes Franklin County Water District to divert and use 14,000 acre-feet of water per annum from the reservoir for industrial purposes; provided that until December 1, 1974, Franklin County Water District is authorized to divert and use 18,000 acre-feet of water per annum from the reservoir for industrial purposes. A copy of the Amendment to Water Permit No. 2231-A is attached hereto and made a part of these Minutes.

Motion was made by Landon Ramsay, and duly seconded by K. P. Lester, to pay the current bills now due. After discussion, the question was put by the President and all members present voted “AYE”. None opposed.

The bills are as follows:

Check No.	
764 Vilbig Construction Company – Payment No. 24, Contract #854	\$58,861.06
765 W. R. Boyd, Inc. – Payment No. 8, clearing #855	14,021.28
766 Trinity Engineering Testing Corp. – soil testing	562.00
767 Wisenbaker, Fix & Associates – Eng. & Insp. fee #855	642.52
768 Wisenbaker, Fix & Associated – Eng. & Insp. fee #854	1,633.91
769 John Cowan & Associates – Surveying work	298.20
770 Mt. Vernon Optic-Herald – Office equipment & supplies	314.10
771 M. L. Edwards & Company – Office supplies	3.29
772 Berniece E. Meek – salary for September	298.10
773 L. E. Bryant, County Clerk – Recording fees & Xerox	10.50
774 Woodrow Edwards – Attorney’s fees and Xerox	769.50
775 General Telephone Company of the SW – Monthly bill	<u>39.77</u>
Total expenditures	\$77,454.23

Copies of Resolutions adopted by Texas Water Development Board on the 21<sup>st</sup> day of May, 1970, have been received in the office of Franklin County Water District, as follows “NO. 70-18) Resolution approving The Texas Water Development Board’s Financing its Share of a Construction Cost Overrun in The Franklin County Dam and Reservoir Project and the Board's Acquiring an Additional Undivided Interest in that Project." "(No. 70-19) Resolution of The Texas Water Development Board Expressing the Board's Willingness to Allow Franklin County Water District to Sell Board Water from the Franklin County Dam and Reservoir to The Industrial Generating Company." The said copies are attached hereto and made a part of these Minutes.

There being no further business, the meeting was adjourned.

MINUTES APPROVED THIS, the 9<sup>th</sup> day of October, A. D. 1970.

W. C. Newsome, President

Landon Ramsay, Vice President

A. J. Laws, Director

K. P. Lester, Director