

MINUTES OF THE MEETING OF  
THE BOARD OF DIRECTORS OF THE  
FRANKLIN COUNTY WATER DISTRICT  
HELD: September 12, 1988

THE STATE OF TEXAS

FRANKLIN COUNTY WATER DISTRICT

COUNTY OF FRANKLIN

ON THIS the 12<sup>th</sup> day of September, 1988, the Board of Directors of the Franklin County Water District convened in REGULAR SESSION at their office located at 114 North Houston Street on the East side of the square in Mount Vernon, Texas, with the following members present:

|                 |                |
|-----------------|----------------|
| ELWYN CARR      | PRESIDENT      |
| KENNETH JAGGERS | VICE PRESIDENT |
| EDSON REYNOLDS  | SECRETARY      |
| BILLY M. JORDAN | DIRECTOR       |

and with the following members absent: O. R. Henry.

Also present were Bill Elliston, Scott Welch, Lillie Bush; John Rainey, Ron Barker, Cass Taliaferro, E. C. Withers, and Shirley Maples.

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

NOTICE of this meeting was given, stating the time, place, and purpose, all as required by Vernon's Ann. Civ. Statutes, Article 6252-17.

Invocation was given by Billy Jordan.

MINUTES of August 8, were read and approved.

MOTION was made by Billy Jordan, and SECONDED by Edson Reynolds, to ratify action taken in paying bills since the last meeting. The President put the question and, after full discussion and deliberation thereon, all members present voted "AYE". NONE voted "NO". A list of the bills is attached hereto and made a part hereof.

MOTION was made by Billy Jordan, and SECONDED by Edson Reynolds, to adopt a Resolution setting the 1988 tax rate. The President put the question and after full discussion and deliberation thereon, all members present voted "AYE". NONE voted "NO". The Resolution is attached hereto and made a part hereof.

MOTION was made by Billy Jordan, and SECONDED by Kenneth Jagers, to approve the execution of an Extension of Lease to W. T. Michael, Jr. The President put the question and, after full discussion and deliberation thereon, all members present voted "AYE". NONE voted "NO". A copy of the extension is attached hereto and made a part hereof.

Mr. Bill Elliston requested that the Board consider the institution of building codes of the lake area. He felt that stricter control by the District would be an added protection for prospective property owners. The Board advised Mr. Elliston that the matter would be placed in the hands of the District's Manager for research.

Manager Withers reported that We Hunt Roofing Company had submitted an estimate of \$3175.00 for repair of the office building roof, and the adjacent building which is under contract for purchase. He was instructed to get another estimate, and to proceed with the repairs.

Ron Barker presented a boat permit application for use of the 33' Chris Craft boat on Lake Cypress Springs. MOTION was made by Billy Jordan, and SECONDED by Edson Reynolds, that the Board would hear any new evidence Mr. Barker had to present. The President put the question and, after full discussion and deliberation thereon, all members present voted "AYE". NONE voted "NO".

President Carr requested that the District's attorney Cass Taliaferro preside over the hearing concerning the boat permit application. Mr. Taliaferro proceeded by asking Mr. Barker who his witnesses would be.

They were outlined as follows:

- Phillip Ball- U. S. Boating Standards, Washington, D. C.
- Duane Cooper- Homeowner, Northshore Development
- Ed Withers- District Manager
- Phillip Conner- Lake Patrolman

After considerable discussion revealing that Mr. Barker did not have the witnesses present, nor did he have anything in writing from the stated individuals, Mr. Barker amended the above to state that his witnesses would be himself and Ed Withers. Mr. Barker cited two instances in which he felt Lake Patrolman Conner had voided his capability as a witness. He requested that Mr. Withers corroborate his feelings. Mr. Withers stated the facts as he knew them. Following this on numerous occasions Mr. Barker kept attempting to bring up old testimony and was reminded by the presiding officer that this would not be allowed. Mr. Barker became irate, Mr. Taliaferro requested that he calm down, and after quite some time, Mr. Taliaferro suggested to President Carr that the hearing should be adjourned because Mr. Barker was being disruptive and not adhering to the motion adopted by the Board. Mr. Carr announced that the hearing was over. Mr. Barker agreed to same.

Following the hearing, briefly outlined above, the Board convened in Executive Session to discuss threatened litigation by Mr. Barker.

Upon reconvening in open session, MOTION was made by Billy Jordan, and SECONDED by Kenneth Jagers, that this Board finds that there is no compelling public interest to grant a permit to operate this 33 foot boat pursuant to Article 6, of the District's rules and regulations, and that this application for boat permit number 001209 be denied. And further, that applicant will not be heard again by this Board unless he informs the attorneys for the Board that he has new evidence to present concerning a compelling public interest to operate this boat. The President put the question and, after full discussion and deliberation thereon, all members present voted "AYE". NONE voted "NO".

There being no further business, the meeting was adjourned.

MINUTES approved this the 10<sup>th</sup> day of October, 1988.

Elwyn Carr, President  
Kenneth Jagers, Vice President  
Edson Reynolds, Secretary  
Billy M. Jordan, Director  
O. R. Henry, Director (Absent)