

MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT
CONFERENCE ROOM, COUNTY ANNEX
BUILDING, LOCKHART, TEXAS 78644
April 21st, 2009

Notices of this regular meeting were posted in the Hays and Caldwell County Courthouses at least 72 hours prior to the meeting. Receipts of the notices are on file in the office of Plum Creek Conservation District.

Checks were reviewed and signed, just prior to the call to order, by Vice President, James O Lipscomb.

2:00 PM The meeting was called to order by President of the Board, James A. Holt, Jr. with the following Board members present: James O. Lipscomb (Vice President), Peter Reinecke (Treasurer), Ben Twidwell (Director), Lucy Knight (Director) and Fred Rothert (Director). Also present were Johnie Halliburton (Executive Manager), Karen Bassett (Office Secretary), Bob Wilson (PCCD Attorney), Josh Grimes (PCCD Consultant), William Feathergail Wilson (PCCD Geologist) and PCCD staff members Korey Schuelke and Dan Meyer. Minutes were taken by Karen Bassett.

2:00PM President Holt asked for comments or motions concerning the March 17th, 2009 minutes. Mr. Lipscomb stated that the minutes had been revised due to the minutes stating that President Holt had called the meeting to order. President Holt was not in attendance at the March 17th, 2009 meeting. Vice President Lipscomb had called the meeting to order on March 17th, 2009. Ms. Bassett provided the Board of Directors an amended set of minutes showing the change. Mr. Lipscomb made a motion to accept the March 17th, 2009 minutes as presented at the meeting. Mr. Twidwell provided the second and the motion, to accept the March 17th, 2009 minutes as presented at the meeting, was passed unanimously.

2:01PM President Holt requested any unfinished business that needed attention. Mr. Halliburton informed the Board of Directors that there was no unfinished business to be discussed.

2:03PM President Holt welcomed the members of the public that were in attendance at the meeting and informed them that their input was greatly appreciated.

2:05PM President Holt requested a report from Site #5 landowner, Mr. Danny Green, regarding his floodwater prevention request. Mr. Halliburton then introduced Mr. Danny Green and informed the Board of Directors of the nature of Mr. Green's request. Mr. Green then presented the information that he had prepared to the Board of Directors. Mrs. Knight stated that in the December 16th, 2008 minutes that Plum Creek Conservation District had requested an engineering draft, an agreement releasing Plum Creek Conservation District from liability due to the change, and a covenant running with the land. President Holt stated that there was a need for cooperation between the expansion of Dacy Lane, the rehabilitation of Site #5, and Mr. Green's flood water prevention wall. President Holt informed Mr. Green that his proposal could not be approved until all projects were engineered together to ensure the proper effect.

2:23PM Mr. Halliburton informed the Board of Directors that there were some production permit requests to be addressed. The first production permit request was from Mr. George Hazelett for an amount of 400 acre feet per year on 355 acres of land used for irrigation and would be produced out of the Wilcox formation. Mr. Halliburton informed the Board of Directors that Mr. Hazelett's production permit application was administratively complete. Mr. Hazelett then addressed the Board of Directors regarding his production permit re-

quest. Mr. Hazelett informed the Board of Directors that he did not need the previously mentioned 400 acre feet per year, instead, that 200 acre feet per year would suffice. Some concerned citizens in attendance at the Plum Creek Conservation District then addressed the Board of Directors. Mr. Twidwell made a motion to approve Mr. Hazelett's production permit for 200 acre feet per year. Mr. Lipscomb provided the second and the motion was approved unanimously.

2:45PM Mr. Halliburton announced the next production permit request on the agenda was from Polonia Water Supply Corporation for 1,343 acre feet per year. Mr. Halliburton stated that the well was located in the Wattsville area, north of McNeil, on ten acres of land and would be produced from the Wilcox formation from 480 to 640 feet deep. Mr. Halliburton stated the well would be equipped to produce 1,000 gallons per minute and that Polonia Water Supply Corporation's application for a production permit was administratively complete. Mr. Joel Wilkinson, Polonia Water Supply Corporation's System Engineer then addressed the Board of Directors regarding Polonia Water Supply Corporation's production permit request. Some concerned citizens in attendance at the meeting then addressed the Board of Directors with their concerns. After a lengthy discussion, Mr. Lipscomb made a motion to approve the Polonia Water Supply Corporation's production permit with a special condition that Polonia Water Supply Corporation drill an observation well at a location that Plum Creek Conservation District's geologist, Mr. Feathergail Wilson, dictates. Mr. Reinecke provided the second for the motion. President Holt then asked for any discussion. The motion passed with a vote of three in favor of approving (Mr. Lipscomb, Mr. Reinecke, and Mr. Rothert), a single vote against (Mr. Twidwell), and two abstaining (President Holt and Mrs. Knight).

4:50PM President Holt then announced that the meeting would take a short break.

5:00PM President Holt reconvened the meeting after the short break.

5:00PM Mr. Halliburton then informed the Board of Directors that Plum Creek Conservation District had received another production permit request on February 24th, 2009 from the Plum Creek Group for 15,000 acre feet. Mr. Halliburton stated that Plum Creek Group's request was on 4,384 acres that was annexed by Plum Creek Conservation District on March 25th, 2008 in the southeastern part of the county. Mr. Halliburton stated that after reviewing Plum Creek Group's application it was found to be administratively incomplete. Mr. Halliburton stated that the Plum Creek Group was notified of the application's deficiencies and then met with Plum Creek Conservation District regarding their application on April 13th, 2009. Mr. Halliburton stated that the Plum Creek Group then revised their application and sent it to Plum Creek Conservation District on April 20th, 2009. Mr. Halliburton stated that Plum Creek Conservation District staff had not had time to evaluate the revised application at this time. Mr. Halliburton stated that there were two parties that wanted to be involved in the hearing of this application. Mr. Halliburton stated that a decision needed to be made as to how and when this production permit request hearing would be held. The Board of Directors decided to tentatively schedule the hearing to start on July 7th, 2009, beginning at 9:00 am and ending at 4:00 pm, and to continue until a decision was made.

5:27PM Mr. Halliburton informed the Board of Directors that in order to continue with the rehabilitation applications for Site #1 and Site #6 there was a need for a resolution from the Plum Creek Conservation District Board of Directors. Mr. Halliburton stated he had met with the other sponsors, Hays County and Caldwell-Travis Soil and Water Conservation Districts, and they had both signed their resolutions. Mrs. Knight made a motion that the Board of Directors endorse the resolutions for Site #1 and Site #6. Mr. Lipscomb provided the second and the motion to endorse the resolutions passed unanimously. President Holt then asked for a report from Plum Creek Conservation District

5:39PM consultant Josh Grimes. Mr. Grimes then turned in a copy of the Emergency Action Plan for Site #5 for the Board of Directors to inspect. Mr. Grimes also reminded the Board of Directors that they needed to be considering the Desired Future Conditions for the Groundwater Management Areas. Mr. Bob Wilson then discussed some current bills that could affect Plum Creek Conservation District that are currently being reviewed by the Legislature.

5:48PM President Holt then asked for a report from Plum Creek Conservation District Executive Manager, Mr. Johnnie Halliburton. Mr. Halliburton informed the Board of Directors that the Natural Resources Conservation Service would be repairing Site #8 for slide damage and assuming one hundred percent of the project costs. Mr. Halliburton informed the Board of Directors that Plum Creek Conservation District's responsibilities would be to secure all easements and all land rights necessary. Mr. Halliburton informed the Board of Directors that the Natural Resources Conservation Service needed to be able to post this announcement by May 15th, 2009 in order to meet the July 1st, 2009 deadline. Mr. Halliburton asked if the Board of Directors needed to call a special meeting to approve this agreement. The Board agreed to hold the special meeting to approve the agreement for Site #8 on April 27th, 2009 at 12:00 pm at Werner's Steakhouse in Lockhart, Texas. Mr. Halliburton then stated that the contractor had completed the two sections of fence for Site #11 and for Site #12. Mr. Halliburton stated that fertilizer had been applied on the north half of the District and the south half would be applied in a couple of weeks. Mr. Halliburton stated that brush removal continues and that several principal spillway debris guards had been replaced. Mr. Halliburton stated that he would meet with Natural Resources Conservation Service officials about Site #8 repair on April 24th, 2009. Mr. Halliburton stated he would also meet Natural Resources Conservation Service for inspections on Site #1, Site #7, and Site #16. Mr. Halliburton then stated that there had been a vandalism problem on Site #38 and Mr. Halliburton showed the Board of Directors the damaged solar panel from the weather station on Site #38. Mr. Halliburton stated that the cost of the damaged solar panel was about \$500.00. Mr. Halliburton informed the Board of Directors that a criminal mischief report had been filed with the Caldwell County Sheriff's Office. Mr. Halliburton informed the Board that the City of Buda was having a meeting to discuss the expansion of their waste water treatment facility which currently dumps .95 million gallons a day of treated waste water into our Site #6. The expansion would eventually dump 3 million gallons a day of treated waste water into Plum Creek Conservation District's Site #6. This concluded Mr. Halliburton's report.

5:55PM President Holt asked for a report from Plum Creek Conservation District Attorney Bob Wilson. Mr. Bob Wilson informed the Board of Directors that he had informed them of everything he needed to discuss.

5:59PM President Holt asked for the presentation by Plum Creek Conservation District staff member Mr. Daniel Meyer. Mr. Meyer stated that his presentation could wait until next month due to time constraints.

5:59PM President Holt then asked for any public comments. A concerned citizen then posed a question regarding whether a drawdown study had been performed by Murfee Engineering Company in reference to the Plum Creek Group's production permit request. Mr. Bob Wilson informed the concerned citizen that several studies had been performed and that the data was available at the Plum Creek Conservation District's office.

6:00PM Mr. Reinecke made a motion to adjourn. Mr. Twidwell provided the second and the motion passed unanimously.

President

Vice President