

Minutes from the February 26th, 2013 PCCD regular scheduled meeting  
to be presented on March 19th, 2013 for Board approval and  
subject to corrections, additions, deletions and approval.

February 26th, 2013

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.

1:00 PM The meeting was called to order by President of the Board, James Holt, with the following Board members present: James O. Lipscomb (Vice President ), Peter Reinecke (Secretary/Treasurer), Lucy Knight (Director), Ben Twidwell (Director) and Fred Rothert (Director). Also present were Bob Wilson (Attorney) Feathergail Wilson (PCCD Geologist) and PCCD staff Karen Bassett, Korey Schuelke and Dan Meyer. Minutes were taken by Karen Bassett and transcribed by Korey Schuelke.

1:02PM President Holt stated that the Oath of Office needed to be administered to several Directors. Mr. Halliburton then stated that Mr. James Holt, Mrs. Lucy Knight, and Mr. Peter Reinecke had been reappointed to the Plum Creek Conservation District's Board of Directors by their respective county commissioners' courts. Mr. Halliburton then administered the Oath of Office to Mr. James Holt, Mrs. Lucy Knight, and Mr. Peter Reinecke. All of the reappointed Directors affirmed their commitment to the Oath of Office.

1:04PM President Holt stated that the election of officers for the Plum Creek Conservation District's Board of Directors needed to be performed. President Holt requested nominations for the Office of President of the Plum Creek Conservation District's Board of Directors. Mrs. Knight nominated Mr. James Holt to serve as President of the Plum Creek Conservation District's Board of Directors. President Holt requested a vote on the nomination of Mr. James Holt for the Office of President of the Plum Creek Conservation District's Board of Directors. The Board of Directors voted to reelect Mr. James Holt to the Office of President of the Plum Creek Conservation District's Board of Directors unanimously. President Holt requested nominations for the Office of Vice-President of the Plum Creek Conservation District's Board of Directors. Mrs. Knight nominated Mr. James Lipscomb for the Office of Vice-President of the Plum Creek Conservation District's Board of Directors. President Holt requested a vote on the nomination of Mr. James Lipscomb for the Office of Vice-President of the Plum Creek Conservation District's Board of Directors. Mr. James Lipscomb was reelected to the Office of Vice-President of the Plum Creek Conservation District's Board of Directors with four assenting votes (President Holt, Mrs. Knight, Mr. Reinecke, and Mr. Rothert) and one abstaining (Mr. Twidwell). President Holt requested nomination for the Office of Secretary/Treasurer of the Plum Creek Conservation District's Board of Directors. Mrs. Knight nominated Mr. Peter Reinecke for the Office of Secretary/Treasurer of the Plum Creek Conservation District's Board of Directors. President Holt requested a vote on the nomination of Mr. Peter Reinecke for the Office of Secretary/Treasurer of the Plum Creek Conservation District's Board of Directors. Mr. Reinecke was reelected to the Office of Secretary/Treasurer of the Plum Creek Conservation District's Board of Directors with a unanimous vote.

1:06PM President Holt requested motions or comments regarding the minutes of the regular meeting held on January 15<sup>th</sup>, 2013. Mr. Lipscomb made a motion that the minutes of the regular meeting held on January 15<sup>th</sup>, 2013 be accepted as mailed out. Mr. Reinecke provided the second and the motion passed unanimously.

- 1:06PM President Holt requested any unfinished business. Mr. Halliburton informed the Board of Directors that there was no unfinished business.
- 1:07PM President Holt requested discussion of Item VI on the agenda. Mr. Daniel Meyer then discussed the application for a replacement well by Polonia Water Supply Corporation for their Brownsboro #1 Well. Mr. Meyer informed the Board of Directors that the application was administratively complete and that the pumping amounts were to remain the same as the old well at 403 acre feet per year and 300 gallons per minute. Mr. Meyer also discussed the possible use of the old well as a monitoring well with the Board of Directors. Polonia Water Supply Corporation stated that the well would be approved for a monitoring well after the previously discussed warranty period had expired. Mr. Twidwell made a motion that the Polonia Water Supply Corporation's application for a replacement well in the amounts of 403 acre feet per year and 300 gallons per minute be approved. Mr. Lipscomb provided the second and the motion passed unanimously. The Board of Directors informed Polonia Water Supply Corporation that they could begin drilling their replacement well at any time.
- 1:10PM President Holt requested discussion of Item VII on the agenda. Mr. Meyer discussed the status of a production permit application for the Plum Creek Group from 2009. Mr. Meyer discussed the administrated incompleteness of the application and the expiration date of the application. Mr. Bob Wilson informed the Board of Directors that the Plum Creek Group's application should be returned to the Plum Creek Group and informing them that the application has expired due to inaction and incompleteness.
- 1:13PM President Holt requested discussion of Item VIII on the agenda. Mr. Halliburton informed the Board of Directors that it was time to apply for rehabilitation assistance through the Natural Resources Conservation Service if the Board of Directors desired. Mr. Halliburton then informed the Board of Directors of which dams that the Natural Resources Conservation Service felt were the most crucial at this time. Mr. Halliburton also discussed the status of the applications for structural repair through the Texas State Soil and Water Conservation Board with the Board of Directors. Mr. Bob Wilson then discussed recent developments at the Texas State Soil and Water Conservation Board regarding dam repairs. Mr. Twidwell made a motion that applications for federal assistance for the rehabilitation of the Plum Creek Conservation District's Site 10 and Site 12 be made through the Natural Resources Conservation Service. Mrs. Knight provided the second and the motion was approved unanimously.
- 1:22PM President Holt requested discussion of Item IX on the agenda. Mr. Bob Wilson then discussed the recent disposal of fill material and construction within the Plum Creek Conservation District's inundation easements and steps that possibly need to be taken to preserve the Plum Creek Conservation District's easement rights. Mr. Bob Wilson then discussed different strategies that the Plum Creek Conservation District could impose to protect their easements through communication and rule making. Mr. Halliburton presented the Board of Directors with a set of rules from another conservation district regarding their flood control structures and easements. President Holt appointed Mrs. Knight and Mr. Lipscomb to review rules and to perform research in order to report to the Board of Directors possible suggestions for Flood Water Rules. The Board of Directors and the Plum Creek Conservation District's staff then discussed the illegal fill material placed within the Plum Creek Conservation District's easement at the Plum Creek Conservation District's Site 6 Flood Control Structure.
- 1:39PM President Holt requested discussion of Item X on the agenda. Mr. Halliburton then discussed Amendment 2 to the Project Agreement for the Site 5 Rehabilitation Project between the Plum Creek Conservation District and the Natural Resources Conservation Service to re-align so that the Plum Creek Conservation District could receive all of their in-kind credits for this project. Mr.

Halliburton then discussed the final price of the Site 5 Rehabilitation Project after the in-kind credits were deducted from the Plum Creek Conservation District's balance. Mr. Lipscomb made a motion that Amendment 2 to the Project Agreement for the Site 5 Rehabilitation Project between the Plum Creek Conservation District and the Natural Resources Conservation Service be executed by President Holt. Mr. Rothert provided the second and the motion was approved unanimously.

1:43PM President Holt requested discussion of Item XI on the agenda. Mr. Halliburton then discussed the need to execute an amendment to the inter-local agreement with the Texas Water Conservation Association Risk Management Fund. The amendment had been researched and approved for signature by the Plum Creek Conservation District's Accountant, Mr. Jim Jansen. Mr. Lipscomb made a motion that the amendment to the inter-local agreement with the Texas Water Conservation Association Risk Management Fund be executed. Mrs. Knight provided the second and the motion was approved unanimously.

1:47PM President Holt requested a report from the Plum Creek Conservation District's Geologist, Mr. William Feathergail Wilson. Mr. Feather Wilson was not in attendance, but Mr. Meyer informed the Board of Directors that the information that Mr. Feather Wilson wished to convey to the Board of Directors was placed on the Plum Creek Conservation District's share website. Mr. Meyer also discussed an analysis, that Mr. Feather Wilson had performed, regarding new requirements that groundwater management areas must perform prior to submitting a desired future condition.

1:48PM President Holt requested a report from the Natural Resource Conservation Service's District Conservationist, Mr. Isidro Morales. Mr. Morales was not in attendance at the meeting.

1:48PM President Holt requested a report from the Plum Creek Conservation District's Assistant Manager, Mr. Daniel Meyer. Mr. Meyer then discussed information he had obtained by attending meetings with the Groundwater Management Area-13, the Barton Springs/Edwards Aquifer Conservation District, and the Groundwater Management Area-10. Mr. Meyer discussed the status of the desired future conditions process within the Groundwater Management Area-13 and tasks that had to be completed according to Chapter 36 of the Texas Water Code. Mr. Meyer then showed the Board of Directors results from the first task using graphs based on actual water usage versus modeled water usage. Mr. Meyer then discussed the next task that had to be completed for the desired future conditions in the Groundwater Management Area-13. Mr. Meyer further discussed steps to come in the desired future conditions process and scenarios that could occur along the way. Mr. Meyer then discussed upcoming meetings looking at the desired future conditions for the Groundwater Management Area-10 with the Barton Springs/Edwards Aquifer Conservation District. Mr. Meyer discussed possible topics and their specifics with the Board of Directors and the repercussions these desired future conditions could have. Mr. Meyer then shared photos with the Board of Directors concerning recent vandalism to the Plum Creek Conservation District's weather station's solar panel at Site 38. Mr. Meyer also discussed the price of continued maintenance of all of the Plum Creek Conservation District's weather stations and well monitoring stations, as well as, replacement costs for damaged equipment due to normal wear and tear and vandalism. The Board of Directors then discussed the weather station with the Plum Creek Conservation District's staff in depth. It was the opinion of the Board of Directors that as the weather stations stop functioning they should be phased out due to their high cost and lack of reliability. Mr. Meyer then discussed HB 340 with the Board of Directors regarding the Edwards aquifer in Hays and Travis Counties. Mr. Bob Wilson discussed in depth the upcoming possible changes as to how the Edwards aquifer is treated.

2:27PM President Holt requested a report from the Plum Creek Conservation District's Executive Manager, Mr. Johnie Halliburton. Mr. Halliburton then showed the Board of Directors the plan for possible new fence construction at the Plum Creek Conservation District's Site 29 Flood Control Structure. Mr. Halliburton discussed the possible fence plan with the Board of Directors at length. It was the opinion of the Board of Directors that Mr. Halliburton continues with his fence plan. Mr. Halliburton discussed a recent conversation with the City of Kyle Police Department regarding vandalism at the Plum Creek Conservation District's Site 5 Flood Control Structure, asking the Plum Creek Conservation District if they wished to press charges if the vandals were apprehended. It was the opinion of the Board of Directors that charges be pressed. Mr. Halliburton informed the Board of Directors that the Plum Creek Conservation District's Site 16 Flood Control Structure had new landowners. Mr. Halliburton then asked the Board of Directors if they would be interested in purchasing a meal for the Plum Creek Watershed Partnership Meeting. It was the opinion of the Board of Directors that a meal be purchased not to exceed three hundred dollars (\$300.00). Mr. Halliburton discussed a letter from the Natural Resources Conservation Service showing flood control structures that had reached their 50 year lifespan and had been released to the sole custody of the Plum Creek Conservation District. Mr. Halliburton also informed the Board of Directors that the Plum Creek Conservation District had recently published notice requesting bids for fertilizer and herbicide application on its flood control structures.

2:43PM President Holt requested a report from the Plum Creek Conservation District's Attorney, Mr. Bob Wilson. Mr. Bob Wilson introduced Mr. George Fletcher with Walton Development and asked him to give the Board of Directors an update on their possible Hosston aquifer well. Mr. Fletcher informed the Board of Directors that the original test well site was determined not to be optimal and that a new location was currently being selected in the area with no decision having been made as of yet. Mr. Bob Wilson then discussed a recent meeting with Mr. Mark Taylor, Attorney for the Hays Caldwell Public Utility Agency, regarding possible upcoming legislation concerning water production permit renewals and transportation permits. Mr. Bob Wilson then discussed the possible legislation in depth with the Board of Directors and Mr. Taylor. Mr. Taylor then addressed the Board of Directors regarding this legislation and his client's intent in introducing this legislation. The Board of Directors discussed the legislation at length with Mr. Bob Wilson and Mr. Taylor concerning its possible repercussions and/or benefits. Mr. Bob Wilson and Mr. Taylor then discussed water availability in the Guadalupe River Basin as it applies to spring flow and wild life habitat. The Board of Directors discussed permitting with Mr. Taylor and Mr. Bob Wilson in depth.

3:30PM President Holt requested a report from the building committee or manager concerning the Plum Creek Conservation District's proposed new garage building. Mr. Halliburton informed the Board of Directors that there was currently a drainage design plan being performed in accordance with the City of Lockhart's regulations. Mr. Bob Wilson also discussed contract issues that are being revised and revisited due to the City of Lockhart's regulations. Mr. Halliburton also discussed the condition of the Plum Creek Conservation District's fence behind the office building with the Board of Directors.

3:35PM No public comments were requested or expressed.

3:35PM Mr. Twidwell made a motion to adjourn. Mr. Lipscomb provided the second and the motion to adjourn passed unanimously.

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President

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Vice President