

Minutes from the June 21st, 2011 PCCD regular scheduled meeting  
to be presented on July 19th, 2011 for Board approval and  
subject to corrections, additions, deletions and approval.

June 21st, 2011

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 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 Johnnie Halliburton (Executive Manager), Bob Wilson (PCCD Attorney) Feathergail Wilson (PCCD Geologist) and PCCD staff Karen Bassett, Korey Schuelke. Minutes were taken by Karen Bassett and transcribed by Korey Schuelke.
- 2:00PM President Holt requested motions or comments regarding the minutes of the Plum Creek Conservation District's Regular Meeting held on May 17<sup>th</sup>, 2011. Mr. Lipscomb made a motion that the minutes of the Plum Creek Conservation District's Regular Meeting held on May 17<sup>th</sup>, 2011 be accepted as mailed out. Mr. Rothert provided the second and the motion was approved unanimously.
- 2:00PM President Holt requested discussion of any unfinished business. Mr. Bob Wilson then discussed the status of the agreement between the Plum Creek Conservation District and Mr. Danny Green (a landowner near Site 5) regarding his plan to build a berm to protect his property from flooding.
- 2:04PM President Holt requested discussion of Item IV on the agenda. Mr. Halliburton then introduced Mr. Jack Tate, Mr. Mike Boswell, and Mr. George Murfee representing Sunfield Development. Mr. Mike Boswell then gave the Board of Directors a presentation regarding their plans at and around the Plum Creek Conservation District's Site 10. Sunfield Development stated their interest in using the Plum Creek Conservation District's Site 10 as a detention pond, as well as, a water quality enhancement feature. The Board of Directors then posed questions to the parties and discussed the approval Sunfield had already received from the Natural Resources Conservation Service. The Board of Directors also discussed easements that would be necessary if Site 10 was to be rehabilitated in the future. Mrs. Knight made a motion to support the project, as it had been presented regarding Site 10, subject to future cooperation with the Plum Creek Conservation District, data sharing with information Sunfield would receive from the Texas Commission on Environmental Quality Dam Safety Program, and proper easements and agreements in the future. Mr. Rothert provided the second and the motion passed unanimously.
- 2:43PM President Holt requested discussion of Item V on the agenda. Mr. Halliburton then discussed Dr. Joe Smith's recent well # PC67116.002 renewal, and Dr. Smith's request to change the pumpage rate (gallons per minute) from 90 gallons per minute to 110 gallons per minute. Dr. Smith then addressed the Board of Directors regarding his production permit. Mr. Twidwell made a motion to adjust the pumpage rate on Dr. Smith's production permit from 90 gallons per minute to 110 gallons per minute. Mr. Lipscomb provided the second and the motion passed unanimously.

- 2:49PM President Holt requested discussion of Item VI on the agenda. Mr. Halliburton then discussed a request from a D. R. Horton homebuilder regarding two of Four Season Farms' lots on which the Plum Creek Conservation District had an easement. Mr. Herman Vigel, who represented the D. R. Horton homebuilder, then gave the Board of Directors a presentation regarding the two lots and changes made to the lots raising them above the Plum Creek Conservation District's elevation easement, but still within the Plum Creek Conservation District's easement described by metes and bounds. Mr. Bob Wilson then discussed different issues regarding a release of easement including a release of liability with the Board of Directors. After much discussion, Mr. Reinecke made a motion that the release of easement be approved contingent upon the proper wording being used and a release of liability being included. Mr. Lipscomb provided the second and the motion passed unanimously.
- 3:13PM President Holt requested discussion of Item VII on the agenda. Mr. Bob Wilson then discussed the passing of SB 1225 regarding the overlapping annexed area within the southeastern portion of Caldwell County. Mr. Bob Wilson then gave the specifics contained within SB 1225. The Board of Directors then discussed SB 1225 in depth with Mr. Bob Wilson and discussed the Plum Creek Conservation District's required actions within SB 1225. No action was taken on this matter.
- 3:21PM President Holt requested Item VIII on the agenda. Mr. Halliburton then discussed the necessity of the new fence at Site 16. Mr. Halliburton informed the Board of Directors that two bids had been received, one from Sexton, Inc. and one from A & R Demolition. President Holt stated that the bid from A & R Demolition was for the amount of seventy-two thousand five hundred dollars (\$72,500.00). President Holt stated that the bid from Sexton, Inc. was for the amount of twenty-four thousand seven hundred ninety dollars (\$24,790.00). Mrs. Knight made a motion to approve and accept the bid from Sexton, Inc. Mr. Rothert provided the second and the motion was approved unanimously. Mr. Halliburton then discussed issues that he had encountered while designing the fence for Site 16 and the landowner's requests regarding the fence. Mr. Halliburton also informed the Board of Directors that the landowner, Mr. Jay Dickens, would be at the next Plum Creek Conservation District's Regular Meeting to discuss his requests.
- President Holt then requested discussion of Item IX on the agenda. Mr. Halliburton then gave the Board of Directors a proposed timeline of the rehabilitation project at Site 6. Mr. Halliburton then discussed the proposed plan for the rehabilitation of Site 6. The Board of Directors then discussed their options regarding the rehabilitation of Site 6 and, after much discussion, agreed that they would like the Natural Resources Conservation Service to give a presentation regarding the rehabilitation of Site 6.
- 3:45PM President Holt requested discussion of Item X on the agenda. Mr. Halliburton then discussed the Operations and Maintenance Agreement necessary for the Site 5 Rehabilitation Project to move forward. Mr. Bob Wilson then informed the Board of Directors that they could discuss Item X on the agenda in conjunction with Item XI and Item XII. Mr. Bob Wilson then discussed the status of the easement acquisitions for the Site 5 Rehabilitation Project. Mrs. Knight made a motion that the Plum Creek Conservation District execute and sign the Operations and Maintenance Agreement, the Project Agreement, and the document containing the assurances relating to real property acquisitions for the Site 5 Rehabilitation Project. Mr. Lipscomb provided the second and the motion passed unanimously.
- 3:52PM President Holt requested discussion of Item XIII on the agenda. Mr. Halliburton informed the Board of Directors that there was a resolution needed committing to the rehabilitation of Site 28, due to its high hazard classification. Mrs. Knight made a motion to execute a resolution of commitment for the rehabilitation of Site 28. Mr. Rothert provided the second and the motion passed with four assenting votes (Mrs. Knight, Mr. Lipscomb, Mr. Rothert,

and Mr. Reinecke) and one abstaining (Mr. Twidwell).

- 3:54PM President Holt requested discussion of Item XIV on the agenda. Mr. Bob Wilson then discussed the inter-local agreement, as a financing party, that he had drafted regarding the Plum Creek Conservation District's position in regards to the Plum Creek Watershed Partnership. The Board of Directors then discussed the inter-local agreement, as a financing party, in depth with Mr. Bob Wilson. Mrs. Knight made a motion to execute the inter-local agreement with the Plum Creek Conservation District taking the position as a financing party for the Plum Creek Watershed Partnership. Mr. Lipscomb provided the second and the motion passed unanimously.
- 4:08PM President Holt requested discussion of Item XIX on the agenda. Mr. Lipscomb discussed the upcoming Special Use Permit hearing for the proposed new Plum Creek Conservation District office building. Mr. Halliburton informed the Board of Directors that Mr. Thom Earnest was presenting two plans to the planning and zoning commission with the City of Lockhart in order to receive the required Special Use Permit. The Board of Directors then discussed the two site plans that Mr. Earnest had drawn. The Board of Directors then discussed the next steps necessary for the proposed new Plum Creek Conservation District office building.
- 4:20PM President Holt requested a report from the Plum Creek Conservation District's Geologist, Mr. William Feathergail Wilson. Mr. Feather Wilson then discussed a recent meeting he attended with the Bluebonnet Electric Cooperative. Mr. Feather Wilson then discussed a recent Groundwater Management Area-13 meeting that he had attended. Mr. Feather Wilson then discussed the City of Lockhart Well # 10A. Mr. Feather Wilson then discussed well logs that he had displayed for the Board of Directors. Mr. Feather Wilson then discussed the Board of Directors switching companies from which they receive their well logs. Mr. Feather Wilson recommended that the Plum Creek Conservation District change from the Balcones Geological Library to Cambe Geological Services as their source for well logs, due to them offering logs in a digital format. Vice-President Lipscomb then announced that at 4:30 pm, President Holt excused himself from the meeting and Vice-President Lipscomb was now presiding over the meeting. The Board of Directors then instructed Mr. Halliburton to change well log providers from the Balcones Geological Library to Cambe Geological Services. Then, Mr. Feather Wilson discussed his Hosston Test Well proposal.
- 4:37PM Vice-President Lipscomb then stated that the Natural Resources Conservation Service's District Conservationist, Mr. Isidro Morales had nothing to report at this time.
- 4:37PM Vice-President Lipscomb then requested a report from the Plum Creek Conservation District's Executive Manager, Mr. Johnie Halliburton. Mr. Halliburton then discussed the status of the easements for the Site 5 Rehabilitation Project. Mr. Halliburton then discussed the ground based light detection and ranging (LIDAR) system that was being used at Site 5 to produce a three dimensional image of the dam. Mr. Halliburton then informed the Board of Directors that Mr. Bell had mowed Site 1 and Site 5. Mr. Halliburton then discussed the brush removal at Site 6 that had recently been completed. Mr. Halliburton also discussed the recent replacement of low flow valves on the principal spillways, at the sites that had valves that did not function, by Performance Plus, Inc. Mr. Halliburton informed the Board of Directors that Mr. Schuelke had been treating brush recently and would continue to treat brush as weather permitted. Mr. Halliburton discussed the recent upswing in persons requesting information on production permits. Mr. Halliburton discussed a recent meeting that Mr. Meyer attended with the Groundwater Management Area-13. Mr. Halliburton also informed the Board of Directors that Mr. Meyer had recently purchased a transducer for the Nohra Well in order to make it a monitoring well for the Plum Creek Conservation District. Mr. Halliburton then

discussed the monitoring well at the Nohra place in depth. Mr. Halliburton then informed the Board of Directors that due to the circulation of the Plum Creek Conservation District Newsletter there had been a recent increase in persons wishing to register their water well.

4:47PM Vice-President Lipscomb requested a report from the Plum Creek Conservation District's Attorney, Mr. Bob Wilson. Mr. Bob Wilson stated that he had discussed everything he needed to discuss.

4:48PM Vice-President Lipscomb then discussed adjusting the Plum Creek Conservation District's Board of Directors' Meeting start time from 2:00 pm to 1:00 pm. It was the opinion of the Board of Directors that the time be changed from 2:00 pm to 1:00 pm. Vice-President Lipscomb instructed Ms. Bassett to adjust the time to 1:00 pm when notice was posted for the Plum Creek Conservation District's Board of Directors' Meeting in the future.

4:48PM No comments were received from the members of the public in attendance.

4:49PM Mr. Twidwell made a motion to adjourn. Mr. Rothert provided the second and the motion was approved unanimously.

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President

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Vice President