

MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT
CONFERENCE ROOM, COUNTY ANNEX
BUILDING, LOCKHART, TEXAS 78644
March 17th, 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 James O. Lipscomb (Vice President), with the following Board members present: Peter Reinecke (Treasurer), Ben Twidwell (Director), Lucy Knight (Director) and Fred Rothert (Director). Also present were Johnnie Halliburton (Executive Manager), Karen Bassett (Office Secretary), Bob Wilson (PCCD Attorney), Josh Grimes (PCCD Consultant), William Feathergail Wilson (PCCD Geologist) and PCCD staff members Kory Schuelke and Dan Meyer. Minutes were taken by Karen Bassett.

2:00PM Mr. Lipscomb asked for comments or motions on the February minutes. Mrs. Knight made a motion to approve the February minutes as circulated. Mr. Rothert added the second and the February minutes were approved unanimously.

2:00PM Mr. Lipscomb then requested any unfinished business.

2:02PM Mr. Halliburton then stated that he had completed research with the Natural Resource Conservation Service as to what flood prevention structures were in the most urgent need of rehabilitation. Mr. Halliburton stated that with the help of the Natural Resource Conservation Service that it had been determined that the flood prevention structures in the most urgent need of rehabilitation were Site 1 and Site 6. Mr. Halliburton also informed the Board of Directors that the rehabilitation on Site 5 had been approved for Federal assistance. Mr. Halliburton also informed the Board of Directors that Site 8 was slotted for repair by the Natural Resource Conservation Service due to the slide which occurred in the flood of 1998 and also because Federal stimulus money had become available for these types of projects. The rehabilitation costs for this project would be 100 percent Federal Government funded.

2:05PM Mrs. Knight made a motion to apply for rehabilitation on Site 1 and Site 6. Mr. Twidwell provided the second and the motion was passed unanimously.

Mr. Bob Wilson recommended that Plum Creek Conservation District involve the Homeowner's Association and the Golf Association when we begin rehabilitation of Site 1.

Mr. Halliburton and Mr. Bob Wilson discussed contacting county agencies regarding placement of septic tanks within or near Plum Creek Conservation District easements due to possible damage to dams by septic tank placement. Mr. Bob Wilson stated that Plum Creek Conservation District's knowledge of these septic tanks would allow them to investigate these locations to determine if said septic tanks would impede the performance of flood prevention structures.

2:16 PM Mr. Bob Wilson discussed the vacant position on the Region L Water Planning Group. Mr. Savoy had asked for a letter or resolution in support of Mr. Vance Rodgers for the vacant position during the public comments section of the February Plum Creek Conservation District Board of Director's Meeting.

Mr. Bob Wilson stated that the only vacant position was for a person with water district affiliation which Mr. Rodgers didn't qualify for due to his affiliation being with a municipality. Mr. Reinecke stated that since Mr. Vance Rodgers wasn't able to fill the current vacancy there was no need for a letter of resolution. Mr. Lipscomb made a decision to table further discussion until next month.

2:32PM

Mr. Lipscomb announced that it was time to open the sealed fertilizer bids. The Board of Directors heard bids from Lindemann Fertilizer, Ehrig Brothers Fertilizer, and Cowboy Construction. The bids were in the amount of \$20,204.00 for Lindemann Fertilizer, \$22,892.00 for Ehrig Brothers Fertilizer, and \$27,530.00 for Cowboy Construction. Mrs. Knight made a motion to accept the lowest bid which was Lindemann Fertilizers. Mr. Rothert added the second and the motion passed unanimously.

Mr. Lipscomb then stated that he had fence bids for Site 11 and Site 12 to build fence along the water's edge of the dam only. The Board of Directors heard bids from R & J Livestock in the amount of \$10,569.00, John Sexton Inc. in the amount of \$7,731.00, and Richard Martinez in the amount of \$12,887.00. Mrs. Knight made a motion to accept the lowest bid which was John Sexton Inc. Mr. Twidwell added the second and the motion was approved unanimously.

2:41PM

Mr. Lipscomb asked for a report from Natural Resource Conservation Service's, Isidro Morales. Mr. Morales discussed a federal program for landowners whose land would be inundated in the case of a dam breach. Mr. Morales also discussed a landowner on Site 24 wanting to remove 14,000 cubic yards of fill dirt upstream from the dam. Mr. Morales contacted Natural Resource Conservation Service's engineer and the engineer's concern was where the dirt was going to be taken from and where the dirt was going to be taken. The landowner informed Mr. Morales that the dirt was going to be taken from above the pool area and hauled completely offsite. With this information Mr. Morales said that the engineer had given a verbal okay to the request. Mr. Halliburton informed Mr. Morales that Plum Creek Conservation District would need a letter from the engineer confirming that this removal of dirt would not affect the performance of the dam due to the change in the lakes storage capacity. The Board of Directors informed Mr. Halliburton that they wanted a plan from the landowner removing the dirt so that it could be reviewed by engineers before it went any further. Mr. Morales also discussed procedures for future operations and maintenance inspections of the dams. Mr. Morales then discussed the need for removal of cattle from the dams and spillways.

3:03PM

Mr. Lipscomb then asked for a report from Mr. Feather Wilson. Mr. Feather Wilson discussed the pertinence of the Yoakum Channel to the request by the Plum Creek Group for 15,000 acre/feet using visual aids and handouts. Mr. Feather Wilson discussed the recharge rate in Caldwell County as it pertains to the Texas Water Development Board's Groundwater Availability Model. Mr. Feather Wilson then discussed the illegal disposal of salt water and casing leaks of oil wells and their effect on water quality.

3:26PM

Mr. Lipscomb then asked for a report from Mr. Meyer. Mr. Meyer gave a visual experience on the permitted wells and their permitted amounts in correlation to their actual usage via maps and charts. Mr. Meyer also gave a list of permitted wells that are up for renewal in the near future. Mr. Meyer then gave information on a well that had gone dry on Old Colony Line Road. Mr. Meyer then presented information on the amount of permitted water by Plum Creek Conservation District's neighboring water districts. Mr. Halliburton then had Mr. Meyer show a map of the concentration of dams located in Texas. Mr. Meyer then presented photos of GeoCam running a geophysical log on a new well drilled by Hazelett Drilling. Mr. Feather Wilson then discussed possible locations for future monitoring wells.

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- 3:45PM Mr. Lipscomb then requested a report from Mr. Grimes. Mr. Grimes discussed the need for a Desired Future Condition for Groundwater Management Area-10. Mr. Grimes stated that the Site 5 Emergency Action Plan is almost complete. Mr. Grimes stated that it could be completed, but he wished to see about the possible rehabilitation of Site 5 before finishing. Mr. Grimes also stated that Mr. Twidwell had brought to his attention an ad where Patrick Rose would be filing legislation to make the Plum Creek Conservation District Board of Directors elected rather than appointed.
- 3:53PM Mr. Lipscomb then asked for Mr. Halliburton's report. Mr. Halliburton stated that Mr. Schuelke had been having new debris guards made for some of the principal spillways and installing them. Mr. Halliburton stated that Site 23 had been cleared of brush, debris, and old fence posts. Mr. Halliburton informed the Board of Directors that Site 34 has been classified as high hazard by the Texas Commission on Environmental Quality and will require an Emergency Action Plan. Mr. Halliburton stated that Site 38 brush would be removed within the next few days. Mr. Halliburton informed the Board of Directors that brush clearing had been completed on Site 28. Mr. Halliburton stated that the City of Kyle had taken down Plum Creek Conservation District's fence, used it to repair their own fence, and closed out the public completely to the dam. Mr. Halliburton also informed the Board of Directors that the City of Kyle had purchased Site 2 and would begin cleaning it for their parks and recreation department.
- 4:01PM Mr. Lipscomb then asked for Mr. Bob Wilson's report. Mr. Bob Wilson discussed legislation that had been filed and legislation that could possibly be filed pertaining to Plum Creek Conservation District. Mr. Bob Wilson discussed a possible conference with Hazelett Drilling and the Plum Creek Group regarding their requests for production permits. Mr. Lipscomb and Mr. Bob Wilson discussed possible times and dates for public hearings regarding production permits. Board of Directors and Mr. Bob Wilson discussed different permutations that the hearing for production permits could possibly take.
- 4:17PM Mr. Lipscomb then asked for any public comments and there were none to be received.
- 4:28PM Mr. Twidwell made a motion to adjourn. Mr. Lipscomb provided the second and the motion passed unanimously.

President

Vice President