

Minutes from the November 20th, 2012 PCCD regular scheduled meeting
to be presented on December 18th, 2012 for Board approval and
subject to corrections, additions, deletions and approval.

November 20th, 2012

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.

1:03PM President Holt requested motions or comments regarding the minutes of the meeting/hearing held on October 16th, 2012. Mr. Lipscomb made a motion that the minutes of the meeting/hearing held on October 16th, 2012 be approved as mailed out. Mrs. Knight provided the second and the motion was approved unanimously.

1:03PM President Holt requested any unfinished business. There was no unfinished business at this time.

1:03PM President Holt requested discussion of Item IV on the agenda. Mr. Meyer then discussed the Drought Management Plan Hearing held on October 25th, 2012. Mr. Bob Wilson then presented the Board of Directors with a resolution adopting the Plum Creek Conservation District's Drought Management Plan. Mrs. Knight made a motion to adopt the resolution approving the Plum Creek Conservation District's Drought Management Plan. Mr. Twidwell provided the second and the motion was approved unanimously.

1:07PM President Holt requested discussion of Item V on the agenda. Mr. Halliburton discussed the recent hearing regarding the Plum Creek Conservation District's Groundwater Management Plan. Mr. Bob Wilson then presented the Board of Directors with a resolution to adopt the Plum Creek Conservation District's Groundwater Management Plan. Mrs. Knight made a motion to approve the resolution to adopt the Plum Creek Conservation District's Groundwater Management Plan. Mr. Lipscomb provided the second and the motion was approved unanimously.

1:10PM President Holt requested discussion of Item VI on the agenda. Mr. Halliburton then introduced Mr. Wes Birdwell, with Halff and Associates, speaking on behalf of the Guadalupe-Blanco River Authority. Mr. Birdwell then gave the Board of Directors a presentation on the status and purpose of the grant request for a Guadalupe-Blanco River Authority Flood Protection Planning Study. Mr. Birdwell also described the scope of work that the study was proposing to encompass. Mr. Birdwell then discussed the budget regarding this study in all of its phases. The Board of Directors and the Plum Creek Conservation District Staff then posed questions to Mr. Birdwell regarding the Guadalupe-Blanco River Authority Flood Protection Planning Study. After much discussion, Mrs. Knight made a motion to adopt the resolution in support of the Guadalupe-Blanco River Authority's Flood Protection Planning Study. Mr. Reinecke provided the second and the motion was approved with four assenting votes (Mrs. Knight, Mr. Reinecke, Mr. Rothert, and Mr. Twidwell) and one abstaining vote (Mr. Lipscomb).

1:52PM President Holt requested discussion of Item VII on the agenda. Mr. Meyer then discussed a request from Aqua Water Supply Corporation for the renewal of their water well production permits. Mr. Meyer then discussed Aqua Water Supply Corporation's request for the renewal of three water well production permits in the amount of 625 acre feet per year. Mr. Meyer discussed the required notifications that had been sent out, as well as, the notices within the area of influence. Mr. Meyer then discussed the items that the Board of Directors needed to consider when renewing water well production permits in compliance with the Plum Creek Conservation District's New Groundwater Rules. Mr. Meyer informed the Board of Directors that Aqua Water Supply Corporation was in compliance with these items. Mr. Feather Wilson also discussed calculations he had performed to determine the area of influence for the notifications sent out. Mr. Twidwell made a motion that Aqua Water Supply Corporation's water well production permit renewal request on three wells for the total amount of 625 acre feet per year be approved as requested. Mrs. Knight provided the second and the motion was approved unanimously.

2:05PM President Holt requested discussion of Item VIII on the agenda. Mr. Meyer then discussed a request from Polonia Water Supply Corporation to replace a well at their Brownsboro station. Mr. Joel Wilkinson then gave the Board of Directors a presentation regarding their plans to replace a malfunctioning well at Polonia Water Supply Corporation's Brownsboro station. Mr. Wilkinson discussed the malfunction with their current well and the necessity for a new well to replace it. Mr. Wilkinson also discussed the specifications of the malfunctioning well, as well as, the proposed specifications of the possible replacement well. The Board of Directors then discussed the disposition of the malfunctioning well after a possible replacement well was put into service. Mr. Wilkinson stated that Polonia Water Supply Corporation wished to keep the malfunctioning well online until the warranty on the mechanical and electrical parts had expired on the possible new well which would be a term of one year. After this year, the well would be plugged in accordance with State of Texas regulations. The Board of Directors and the Plum Creek Conservation District Staff then questioned Mr. Wilkinson on the possibility of using the malfunctioning well as a monitoring well. Mr. Wilkinson informed the Board of Directors that using the well as a monitoring well would need to be considered by the Polonia Water Supply Corporation's Board of Directors. Mrs. Knight made a motion that the Polonia Water Supply Corporation's replacement water well be approved, the malfunctioning well be maintained for a period of one year after completion of the replacement well, and the malfunctioning well be considered for a possible monitoring well at the expiration of that year. Mr. Twidwell provided the second. Mr. Wilkinson stated that he was not authorized to say that the malfunctioning well could be used as a monitoring well, but that it would be presented to the Polonia Water Supply Corporation's Board of Directors. The motion presented by Mrs. Knight was then approved unanimously.

2:20PM President Holt requested discussion of Item IX on the agenda. Mr. Halliburton then discussed recent complaints regarding fill material being placed within the Plum Creek Conservation District's inundation easement at the Plum Creek Conservation District's Site 6 Flood Control Structure. Mr. Halliburton then discussed the discovery of the fill material with the Board of Directors. Mr. Halliburton then introduced Mrs. Rose Byrd and her son Donald, who had received a citation from Hays County for the removal of the fill material from her property. Mr. Halliburton then showed the Board of Directors pictures of the fill material placed within the Plum Creek Conservation District's easement. The Board of Directors also discussed the fill material circumstances with Mrs. Byrd. Mrs. Byrd then discussed the situation with the Board of Directors and the Plum Creek Conservation District's Staff and discussed possible solutions. Mr. Bob Wilson then discussed the inundation easement, as well as, the effect of the fill material on the inundation easement with Mrs. Byrd in depth. The Plum Creek Conservation District's Board of Directors informed Mrs. Byrd that engineers from the Natural Resources Conservation

Service would need to inspect the area where the fill material had been placed within the Plum Creek Conservation District's inundation easement. Mrs. Byrd informed the Board of Directors that she was not removing the fill material placed within the Plum Creek Conservation District's inundation easement from her property. After extensive discussion, Mrs. Byrd stated that she would be acquiring an attorney. No action was taken other than to have the Natural Resources Conservation Service's engineers inspect the fill material within the inundation easement.

- 3:23PM President Holt requested discussion of Item X on the agenda. Mr. Halliburton informed the Board of Directors that the tax roll resolutions for the Caldwell County Appraisal District's services needed to be approved. Mr. Lipscomb made a motion that the Caldwell County Appraisal District's tax roll resolution for the underground water portion of the Plum Creek Conservation District be accepted. Mr. Twidwell provided the second and the motion to approve the resolution passed unanimously. Mr. Lipscomb made a motion that the Caldwell County Appraisal District's tax roll resolution for the flood control portion of the Plum Creek Conservation District be accepted. Mr. Twidwell provided the second and the motion to approve the resolution passed unanimously.
- 3:25PM President Holt requested discussion of Item XI on the agenda. Mr. William Feathergail Wilson then discussed a recent meeting with Walton Development Group regarding a possible Hosston aquifer water well project. Mr. Feather Wilson discussed recent contract negotiations with Walton Development Group. Mr. Bob Wilson then discussed how the contract would work with the Board of Directors. Mr. Feather Wilson then discussed his role as it pertains to the contract. After much discussion, the Board of Directors informed Mr. Bob Wilson that they had no concerns regarding the draft contract with Walton Development Group regarding Mr. Feather Wilson's services being provided to them.
- 3:42PM President Holt requested a report from the Plum Creek Conservation District's Geologist, Mr. William Feathergail Wilson. Mr. Feather Wilson discussed a recent groundwater availability study that he had performed. Mr. Feather Wilson discussed information that he had given to Mr. Meyer that would be available to the Board of Directors on the website soon. Mr. Feather Wilson also discussed possible upcoming drought conditions. Mr. Feather Wilson then discussed possible future oil and gas exploration in the local area. Mr. Feather Wilson also discussed a recent Region J Meeting that he had attended and discussed discrepancies in projected managed available groundwater and actual modeled managed available groundwater.
- 3:51PM President Holt requested a report from the Natural Resources Conservation Service's District Conservationist, Mr. Isidro Morales. Mr. Morales reported to the Board of Directors that the Operations and Maintenance Inspections were about fifty percent complete and the documentation would be released to Mr. Halliburton upon completion.
- 3:52PM President Hold requested a report from the Plum Creek Conservation District's Assistant Manager, Mr. Daniel Meyer. Mr. Meyer then discussed three recent production permit application hearings within the Gonzales County Underground Water Conservation District. Mr. Meyer discussed his attendance at a recent Region L Meeting. Mr. Meyer then discussed a recent Groundwater Management Area-13 Meeting that he had attended.
- 3:58PM President Holt requested a report from the Plum Creek Conservation District's Executive Manager, Mr. Johnie Halliburton. Mr. Halliburton discussed upcoming grants for flood control structure repair from the Texas State Soil and Water Conservation Board. Mr. Halliburton informed the Board of Directors that it was a cost share, in which the State of Texas provides ninety-five percent and the local organization (Plum Creek Conservation District) provides five percent. Mr. Halliburton requested guidance from the Board of

Directors as to whether they wished to apply for the grant funding or not. It was the opinion of the Board of Directors that the Plum Creek Conservation District apply for this grant funding through the Texas State Soil and Water Conservation Board. Mr. Halliburton then gave the Board of Directors a summary of a recent Texas Association of Watershed Sponsors Conference that he had attended. Mr. Halliburton discussed the status of emergency action plans received by the Texas Commission on Environmental Quality throughout the State of Texas. Mr. Halliburton discussed a project that the Natural Resources Conservation Services was working on throughout the watersheds to construct dam watch software that provides real-time data on rain events. Mr. Halliburton then discussed a recent Dam Safety Training Workshop that he had attended along with Mr. Schuelke in Seguin, Texas. Mr. Halliburton discussed new construction in Kyle, Texas requesting to drain water into the Plum Creek Conservation District's Site 3 Flood Control Structure. Mr. Halliburton is awaiting a report from the Natural Resources Conservation Service's engineers regarding this subject. Mr. Halliburton informed the Board of Directors that he had sent a request to the State of Texas requesting that the Plum Creek Conservation District be allowed to retain its power of eminent domain. Mr. Halliburton informed the Board of Directors that Mr. Schuelke continues to treat small brush as needed.

4:06PM President Holt requested a report from the Plum Creek Conservation District's Attorney, Mr. Bob Wilson. Mr. Bob Wilson informed the Board of Directors that pre-filing of bills had started for the next legislative session.

4:07PM President Holt requested a report from the Plum Creek Conservation District's building committee regarding the Plum Creek Conservation District's proposed new garage building. The building committee had nothing to report at this time.

4:08PM President Holt requested any public comments. There were no public comments.

4:08PM Mr. Twidwell made a motion to adjourn. Mrs. Knight provided the second and the motion to adjourn passed unanimously.

President

Vice President