

MEETING OF THE BOARD OF DIRECTORS  
PLUM CREEK CONSERVATION DISTRICT  
CONFERENCE ROOM, COUNTY ANNEX  
BUILDING, LOCKHART, TEXAS 78644  
October 20th, 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), Bob Wilson (PCCD Attorney), William Feathergail Wilson (PCCD Geologist) and PCCD staff Dan Meyer. Minutes were taken by Daniel Meyer.

2:01PM President Holt asked for motions or comments regarding the minutes from the September 15<sup>th</sup>, 2009 Regular Meeting. Mrs. Knight made a motion that the minutes be approved as mailed out. Mr. Lipscomb provided the second and the motion passed unanimously.

2:04PM President Holt requested any unfinished business that required attention. Mr. Halliburton informed President Holt that there was no unfinished business.

2:05PM President Holt then asked for Item IV on the agenda to be addressed. Mr. Halliburton then introduced Mr. Bob Nami, the landowner at Site 34, who would be addressing the Board of Directors regarding his desire for the removal of the willow trees in the sediment pool at Site 34. Mr. Halliburton also introduced Mr. Mark Walker, a Natural Resources Conservation Service's Rangeland Management Specialist, who had investigated the willow trees at Site 34. Mr. Nami then gave a presentation regarding his wishes for the willow problem at Site 34. Mr. Bob Wilson then discussed recreational permits and easements with the Board of Directors and Mr. Nami. President Holt, Mr. Bob Wilson, and Mr. Nami discussed the possible effects of the willow trees located in the Site 34 sediment pool. Mr. Mark Walker of the Natural Resources Conservation Service gave his recommendation as to herbicides to use to kill the trees, but he informed the Board of Directors that a civil engineer would need to be consulted regarding the effect of the willow trees on the principal spillway. Mr. Nami thanked the Board of Directors for their time and requested their decision in writing. Mr. Halliburton assured Mr. Nami that he would send him a letter with the Board of Directors' decision. President Holt asked for any other comments regarding Site 34 of which there were none.

2:27PM President Holt requested discussion of Item V on the agenda. Mr. Halliburton announced that Dr. Joe Smith was requesting that his Well #1 be granted an increase in production by 100 acre feet per year, due to additional land that Dr. Smith had purchased. Mr. Meyer then presented the Board of Directors with Dr. Smith's application and his previous well usage reports. Dr. Smith then addressed the Board of Directors with his information and reason for requesting the additional water. The Board of Directors then asked questions of Dr. Smith regarding his intentions regarding the water. President Holt requested any public comments regarding Dr. Smith's permit application. Mr. Twidwell then made a motion that Dr. Smith's requested increase be granted. President Holt requested a second of which there was none, so the motion failed due to lack of a second. Mr. Reinecke asked questions regarding the

metering of Dr. Smith's wells and previous usage. Mr. Meyer provided answers regarding these matters. Mr. Reinecke made a motion that the additional 100 acre feet per year be granted with a special condition that a flow meter be installed on Dr. Smith's Well #1. Mr. Twidwell then provided the second for the motion. President Holt asked for any other discussion or comments regarding Dr. Smith's application. Dr. Smith requested financial help regarding the purchase of the flow meter. President Holt then requested a vote on the motion that the additional 100 acre feet per year be granted contingent that a flow meter be installed on Dr. Smith's Well #1. The motion passed with a vote of four yes votes (Mrs. Knight, Mr. Twidwell, Mr. Reinecke, and Mr. Rotherth) and a single dissenting vote (Mr. Lipscomb).

2:41PM

President Holt then requested to hear Item VI on the agenda. Mr. Halliburton announced that it was time for the Caldwell/Travis Soil and Water Conservation District's yearly donation request. Mr. Halliburton informed the Board of Directors that the Caldwell/Travis Soil and Water Conservation District was requesting a donation of four thousand dollars (\$4,000.00) this year. Mrs. Knight made a motion that three thousand dollars (\$3,000.00) be donated to the Caldwell/Travis Soil and Water Conservation District. Mr. Rotherth provided the second and the motion passed unanimously.

2:45PM

President Holt then requested discussion of Item VII on the agenda regarding the proposed rule changes. Mr. Bob Wilson then gave a brief outline of the rule changes being presented to the Board of Directors and the process of obtaining the proposed rule changes. Mr. Bob Wilson also gave a brief synopsis of the processes that needed to be examined prior to a hearing regarding the proposed rules being adopted. Mr. Bob Wilson also discussed procedural concepts that needed to be adhered to in order to adopt the proposed rules. The Board of Directors agreed to set the proposed rule changes hearing to begin on December 1<sup>st</sup>, 2009 at 9:00 a.m. with the location pending at this time. The Board of Directors agreed to have a rules workshop prior to the hearing on October 27<sup>th</sup>, 2009 at 9:00 a.m. in the conference room of the Scott's Annex in the Caldwell County Courthouse Annex Building.

3:08PM

President Holt then requested discussion of Item VIII on the agenda. Mr. Halliburton then discussed the need for a Plum Creek Conservation District credit card to be used while employees travel or for other work related purchases. Mr. Halliburton informed the Board of Directors that a resolution was needed in order for the Plum Creek Conservation District to have a credit card. Mrs. Knight made a motion to adopt a resolution allowing the Plum Creek Conservation District to have a credit card. Mr. Lipscomb provided the second for the motion to adopt a resolution allowing the Plum Creek Conservation District to have a credit card. After much discussion of specific criteria that the credit card must have the motion was voted down with all Board of Directors dissenting. Mrs. Knight made a motion to adopt a resolution to obtain a credit card from Camino Real Bank with a five thousand dollar (\$5,000.00) limit with assigned signatories being Johnie Halliburton, Karen Bassett, Daniel Meyer, and Korey Schuelke. Mr. Lipscomb provided the second and the motion passed unanimously.

3:17PM

President Holt requested discussion of Item IX on the agenda. Mr. Halliburton informed the Board of Directors that the Groundwater Management Area-10 suggested that the Board of Directors have a letter designating the Plum Creek Conservation District's representative for the Groundwater Management Area-10 proceedings. Mrs. Knight made a motion to appoint President Holt as the Groundwater Management Area-10 designee with Mr. Johnie Halliburton and Mr. Daniel Meyer as alternates. Mr. Rotherth provided the second and the motion passed unanimously.

3:20PM

President Holt requested a report from the Natural Resources Conservation Service's representative Mr. Robert Martinez, substituting for the Natural Resources Conservation Service's District Conservationist, Mr. Isidro Morales.

3:22PM Mr. Martinez stated that there was nothing to report at this time. President Holt then requested a report from the Plum Creek Conservation District's Executive Manager, Mr. Johnnie Halliburton. Mr. Halliburton informed the Board of Directors that Mr. Schuelke was currently working with Mr. Gene Peters of Performance Plus, Inc. from Geary, Oklahoma repairing the gate valves and stems on the principal spillways. Mr. Halliburton informed the Board of Directors that new debris guards had been installed on Site 29 and Site 34. Mr. Halliburton stated that Sexton, Inc. was installing the new fence at Site 18. Mr. Halliburton informed the Board of Directors that letters had been sent to all Site 8 landowners stating the Natural Resources Conservation Service's findings. The Natural Resources Conservation Service's report provided the new elevations if the Site 8 flood control structure were to be modified to impound water. Mr. Halliburton informed the Board of Directors that the Plum Creek Conservation District was currently awaiting the landowners' responses. Mr. Halliburton then discussed the status of the rehabilitation project at Site 5 with the Board of Directors and Mr. Bob Wilson. Mr. Halliburton then provided the Board of Directors with a rudimentary plan of the rehabilitation project at Site 5 and gave a brief explanation. Mr. Halliburton then discussed the tax roll resolutions and the annual audit with the Board of Directors. Mr. Halliburton also discussed the obtaining of the LIDAR program for the Plum Creek Conservation District by Mr. Daniel Meyer. Mr. Halliburton also informed the Board of Directors that the Plum Creek Conservation District had received the Plum Creek Group's production permit application in the amount of 8525.692 acre feet per year with half from the Carrizo aquifer and half from the Wilcox aquifer. Mr. Halliburton informed the Board of Directors that the Plum Creek Conservation District was currently reviewing the Plum Creek Group's production permit application to determine the administrative completeness of the application.

3:38PM President Holt then requested a report from the Plum Creek Conservation District's GIS/IT Mr. Daniel Meyer. Mr. Meyer then discussed his recent desired future conditions submission to the Groundwater Management Area-13. Mr. Meyer informed the Board of Directors that once the groundwater availability model is run with the desired future conditions he had submitted then the Board of Directors would be able to make a better decision of what to present to the Groundwater Management Area-13. Mr. Meyer then discussed his attendance to the Texas Association of Groundwater District's meeting in Arlington, Texas and the Groundwater Management Area-10 meeting in San Antonio, Texas. Mr. Meyer then gave a presentation on the Groundwater Conference that he attended. Mr. Meyer then discussed reports received from the Railroad Commission as it pertains to groundwater impact. Mr. Meyer then discussed and gave a brief demonstration of the flood control structure database that he is currently designing for the Plum Creek Conservation District.

3:49PM President Holt then asked for a report from the Plum Creek Conservation District's Attorney Bob Wilson. Mr. Bob Wilson discussed the status of the Barton Springs/Edward's Aquifer Conservation District's desalination study project.

3:53PM President Holt then requested any public comments of which there were none.

3:54PM Mr. Lipscomb made a motion to adjourn. Mr. Rothert provided the second and the motion passed unanimously.

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President

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Vice President