

Minutes from the April 19th, 2011 PCCD regular scheduled meeting
to be presented on May 17th, 2011 for Board approval and
subject to corrections, additions, deletions and approval.

April 19th, 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 and Dan Meyer. 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 March 15th, 2011. Mrs. Knight made a motion to approve the minutes of the Plum Creek Conservation District's Regular Meeting held on March 15th, 2011 as circulated. Mr. Lipscomb provided the second and the motion was approved unanimously.
- 2:00PM President Holt requested any unfinished business that required the Board of Director's attention. Mr. Bob Wilson informed the Board of Directors that all unfinished business would be discussed as line items on the agenda.
- 2:00PM President Holt requested discussion of Item IV on the agenda. Mr. Bob Wilson then discussed the proposed use agreement with the City of Kyle for the City's use of the Plum Creek Conservation District's easement area at Site 2 for park purposes, and authorizing Mr. Johnnie Halliburton to sign the letter of agreement on behalf of the Plum Creek Conservation District. Mr. Bob Wilson then discussed the agreement in depth and changes that both he and the City of Kyle had made. Mr. Kerry Urbanowicz with the City of Kyle Parks and Recreation Department then discussed the agreement with the Board of Directors and discussed the City of Kyle's proposed timeline. Then the Board of Directors, Mr. Bob Wilson, and Mr. Kerry Urbanowicz discussed use permits that may be required at Site 2 to use the reservoir for other purposes besides livestock and domestic use. Mr. Reinecke made a motion authorizing Mr. Johnnie Halliburton to execute the use letter agreement between the Plum Creek Conservation District and the City of Kyle for the City's use of the Plum Creek Conservation District's easement area at Site 2 for park purposes. Mr. Rothert provided the second and the motion passed unanimously. Mr. Halliburton then requested the Board of Directors to discuss insurance issues regarding the City of Kyle's use agreement for park purposes. Mr. Halliburton then discussed the amount of liability insurance that the Plum Creek Conservation District currently carried on their structures. President Holt requested that the insurance company have a representative come to meet with the Plum Creek Conservation District and discuss options at the Plum Creek Conservation District's next meeting. After much discussion, it was the opinion of the Board of Directors that Mr. Halliburton increase the amount of liability insurance at the Plum Creek Conservation District Site 2 from one million dollars coverage to two million dollars coverage.
- 2:19PM President Holt requested discussion of Item V on the agenda. Mr. Bob Wilson then discussed the use agreement draft at Site 5 with Danny Green,

Debra Shae Green, and Dena Green. Mr. Bob Wilson also informed the Board of Directors that the draft copy had been signed by all the necessary members of the Green family. Mr. Twidwell made a motion that Mr. Johnnie Halliburton be authorized to execute the consent agreement with the Green family as originally drafted in the easement use agreement draft with the stipulation that the document be placed on the Plum Creek Conservation District's letterhead and that the consent agreement be assignable only with consent from the Plum Creek Conservation District's Board of Directors. Mr. Reinecke provided the second and the motion passed unanimously.

2:29PM President Holt requested discussion of Item VI and VII combined, on the agenda. Mr. Bob Wilson then discussed the necessary easements required from the City of Kyle for the Site 5 Rehabilitation. Mrs. Knight made a motion authorizing Mr. Johnnie Halliburton to acquire and execute the necessary temporary and permanent easements from the City of Kyle for an amount of twenty-four thousand nine hundred eighty-six dollars and zero cents (\$24,986.00) for the Site 5 Rehabilitation. Mr. Lipscomb provided the second and the motion was approved unanimously.

2:35PM President Holt requested discussion of Item VIII and Item IX combined, from the agenda. Mr. Bob Wilson then discussed the necessary easements from Mr. Daniel Ryan required for the Site 5 Rehabilitation. Mr. Lipscomb made a motion authorizing Mr. Johnnie Halliburton to execute necessary easements for temporary access and permanent easements in the amount of four thousand four hundred fifty dollars and zero cents (\$4,450.00), as well as, negotiate payment for the requested corral for Mr. Ryan no to exceed two thousand dollars and zero cents (\$2,000.00). Mr. Twidwell provided the second and the motion was approved unanimously. Mr. Bob Wilson then discussed the necessary easements required from Mr. Delvin Simon for the Site 5 Rehabilitation. Mrs. Knight made a motion to authorize Mr. Johnnie Halliburton to execute the necessary temporary and permanent easements from Mr. Delvin Simon for the Site 5 Rehabilitation for the appraised value of four thousand three hundred dollars and zero cents (\$4,300.00). Mr. Twidwell provided the second and the motion was approved unanimously. Mr. Bob Wilson then began discussion of Item X on the agenda. Mr. Bob Wilson then gave a brief overview of the negotiations regarding the acquiring of easements from the Southlake Ranch Homeowners Association necessary for the Site 5 Rehabilitation. Mrs. Knight made a motion to authorize Mr. Johnnie Halliburton to acquire necessary easements for the Site 5 Rehabilitation including the necessity of initiating an action in eminent domain to acquire the easements in an amount of twenty-two thousand four hundred twenty-five dollars and zero cents (\$22,425.00) plus up to four thousand dollars and zero cents (\$4,000.00) reimbursement for attorney's fees. Mr. Lipscomb provided the second and the motion was approved unanimously.

2:42PM President Holt requested discussion of Item XI on the agenda. Mr. Bob Wilson then discussed the current status of the proposed land purchase from the City of Lockhart for the proposed new Plum Creek Conservation District office building. Mr. Bob Wilson also discussed the current timeline of the new office building. The Board of Directors then discussed the bid process and other items relating to the new office building. No action was taken on this matter at this time.

2:57PM President Holt requested discussion of Item XII on the agenda. Mr. Bob Wilson then discussed the bill currently in legislation regarding the dual annexed area in southeastern Caldwell County. President Holt then requested public comments regarding the dual annexed area in southeastern Caldwell County annexed by both the Plum Creek Conservation District and the Gonzales County Underground Water Conservation District. The Board of Directors then entertained questions and comments from the public in attendance.

- 3:18PM President Holt requested a report from the Plum Creek Conservation District's Geologist, Mr. William Feathergail Wilson. Mr. Feather Wilson then gave the Board of Directors a presentation regarding the Hosston Formation. Mr. Feather Wilson also discussed the upcoming drilling of the Lockhart #10 well. Mr. Feather Wilson then discussed horizontal wells being drilled in the Luling area. Mr. Feather Wilson also discussed the Plum Creek Conservation District's permitted wells that would be coming up for renewal next year. Mr. Feather Wilson also discussed the possibility of a monitoring well at the Nohra place near McMahan.
- 3:36PM President Holt requested a report from the Natural Resources Conservation Service's District Conservationist, Mr. Isidro Morales. Mr. Morales had no report to give at this time.
- 3:37PM President Holt requested a report from the Plum Creek Conservation District's Assistant Manager, Mr. Daniel Meyer. Mr. Meyer then gave the Board of Directors a presentation regarding the dual annexed area in southeastern Caldwell County. Then Mr. Meyer gave the Board of Directors a report showing the Plum Creek Conservation District's permitted amounts of water versus the actual amount of water used. Mr. Meyer stated that approximately nine percent of permitted water is actually being used. Mr. Meyer then discussed the Hays Caldwell Public Utility Agency's petition regarding the Groundwater Management Area-13's Desired Future Conditions. Mr. Meyer also discussed the possibility of a monitoring well at the Nohra place near McMahan.
- 3:48PM President Holt then requested a report from the Plum Creek Conservation District's Executive Manager, Mr. Johnie Halliburton. Mr. Halliburton informed the Board of Directors that the northern flood control structures had been fertilized and the remaining flood control structures would be fertilized around the 1st of May, 2011. Mr. Halliburton informed the Board of Directors that the Texas Commission on Environmental Quality came recently to inspect one of the Plum Creek Conservation District's flood control structures. Mr. Halliburton informed the Board of Directors that Mr. Schuelke had been cleaning debris from the structures, treating brush, meeting with engineers regarding Site 6 Rehabilitation plans, and had completed fifteen emergency action plan drafts. Mr. Halliburton informed the Board of Directors that the Plum Creek Conservation District Newsletter had been sent to approximately 200 addresses. Mr. Halliburton then showed the Board of Directors a map of the precincts in both Hays and Caldwell Counties, so the county commissioners in each precinct could see the flood control structures within their precinct. Mr. Halliburton also discussed an upcoming meeting regarding the growth of Caldwell County. Mr. Halliburton then discussed the status of the inter-local agreement with the Plum Creek Watershed Partnership. Mr. Halliburton also informed the Board of Directors of the current status of funding for the Site 5 Rehabilitation.
- 3:57PM President Holt then requested a report from the Plum Creek Conservation District's Attorney, Mr. Bob Wilson. Mr. Bob Wilson informed the Board of Directors that he had already discussed everything he needed to discuss.
- 3:58PM President Holt requested any other public comments of which there were none.
- 3:58PM Mr. Twidwell made a motion to adjourn. Mr. Lipscomb provided the second and the motion was approved unanimously.

Vice President

Secretary/Treasurer