

MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT,
LOCKHART, TEXAS 78644
March 24th, 2015

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), Lucy Knight (Treasury/Secretary), Ben Twidwell (Director), and Peter Reinecke (Director), Fred Rothert (Director). Also present were Bob Wilson (Attorney), Feathergail Wilson (PCCD Geologist), and PCCD staff Johnie Halliburton, Karen Bassett, and Dan Meyer. Minutes were transcribed by Karen Bassett.
- 1:00PM President Holt requested motions or comments regarding the minutes of the regular meeting held on February 17th, 2015. Mr. Lipscomb made a motion that the minutes of the regular meeting held on February 17th, 2015 be accepted as mailed out. Mr. Twidwell provided the second and the motion was approved unanimously.
- 1:01PM President Holt requested any unfinished business that required the Board of Directors' attention. Mr. Halliburton explained that there was no unfinished business at that time.
- 1:02PM President Holt requested discussion of item IV of the agenda. Mr. Halliburton informed the Board of Directors that the Plum Creek Conservation District had received two bids for the fertilization and herbicide application of the Plum Creek Conservation District's Flood Control Structures. President Holt then announced the bid amounts of each bid with Lindemann's at thirty thousand nine hundred seventy one dollars and seven cents (\$30,971.07) and Ehrig's at twenty eight thousand three hundred eighty one dollars and ninety cents (\$28,381.90). Mrs. Knight made a motion to select the low bidder, Ehrig's, for the fertilization and herbicide application of the Plum Creek Conservation District's Flood Control Structures. Mr. Lipscomb provided the second and the motion was approved unanimously.
- 1:03PM President Holt requested discussion of item V on the agenda. Mr. Dennis Guerra and Mr. Jim Scaief with Sunfield Development gave the Board a presentation in regards to provisions to allow site 10 to be used as a detention pond for the Sunfield Development. Mr. Bob Wilson then explained that the Board would be going into executive session to discuss legal matters regarding this agenda item and possibly others and that Mr. Guerra and Mr. Scaief would be able to return to the regular session at that time.
- 1:21PM President Holt requested discussion of item VI on the agenda. Mr. Byron Friedrich with the Environmental Protection in the Interest of Caldwell County (EPICC) gave a presentation to the Board in regards to the preliminary contested case hearing that will be held March 26th, 2015, on the application by 130 Environmental Park for a municipal solid waste permit, SOAH Docket No. 582-15-2082; TCEQ Docket No. 2015-0069-MSW.
- 1:38PM President Holt requested discussion of item VII on the agenda. Mr. Brent Ryan the legal counsel for Green Group Holdings addressed the Board to discuss any concerns or questions in consideration of party status in the contested case hearing on the application by 130 Environmental Park for a municipal solid waste permit, SOAH Docket No. 582-15-2082; TCEQ Docket No.

2015-0069-MSW.

1:48PM President Holt requested to skip to item IX on the agenda. Mr. Bob Wilson briefly discussed with the Board the recently filed legislative bills. Mr. Bob Wilson stated that there would be a legislative hearing on March 25th, 2015 concerning a bill filed by State Representative Isaac concerning the GCDs boundaries in Hays County and that he recommended that someone be at that hearing to represent PCCD. The Board discussed with Mr. Bob Wilson and agreed that he should attend the legislation hearing March 25th, 2015 to represent PCCD.

1:54PM President Holt moved the meeting into executive session for legal counsel.

3:10PM President Holt called the meeting back to order after executive session. Mrs. Knight made a motion to look into an agreement with Sunfield Development involving the Natural Resources Conservation Service (NRCS). Mr. Twidwell provided the second and the motion was approved unanimously.

President Holt requested discussion of item VIII on the agenda. Mr. Reinecke made a motion that PCCD request Party Status for the purpose of addressing and protecting the interest, functions, and obligations of PCCD in connection with the Green Group Holdings application at site 21; and specifically that PCCD stay neutral in the application and that PCCD did not wish to be aligned in favor or against. Mr. Rothert provided the second and the motion was approved.

3:11PM President Holt requested discussion of item X on the agenda. Mr. Halliburton discussed with the Board the level of PCCD's involvement with Barton Springs-Edwards Aquifer Conservation District (BSEACD), Edwards Aquifer Authority (EAA), and Hays Trinity Groundwater Conservation District (HTGCD) in monitoring "white areas" in Hays County. Mr. Bob Wilson stated that PCCD did not have the man power, but recommended that any information PCCD had should be available for their review. The Board agreed with his suggestion and authorized Mr. Halliburton to send a letter to Electro Purification stating the same.

3:12PM President Holt requested discussion of item XI on the agenda. Mr. Bob Wilson stated that agenda item XI and XII could be addressed at the same time in regards to the possible action on the proposed mitigation plan and the proposed amended rules. Mr. Bob Wilson explained that he had not been able to do the edits on the final rules but stated that as soon as they were complete they would be brought before the Board.

3:13PM President Holt requested discussion of item XIII on the agenda. Mr. Halliburton explained that the landowner at site 34 had requested that PCCD postpone this item until the April 21st, 2015 Board meeting.

3:17PM President Holt requested a report from PCCD's Geologist, Mr. William Feathergail Wilson. Mr. Feathergail Wilson reported that PCCD had age dated water samples from two wells and was preparing to age date a sample from another well. Mr. Feathergail Wilson then showed a slide show presentation of radiocarbon dating of groundwater and its process. Mr. Feathergail Wilson asked the Board for permission to have two more water samples age dated. The Board then agreed for Mr. Feathergail Wilson to have two more samples of water age dated.

3:30PM President Holt requested a report from the NRCS' District Conservationist, Mr. Isidro Morales. Mr. Morales was not in attendance at the meeting.

3:30PM President Holt requested a report from the PCCD's Assistant Manager, Mr. Daniel Meyer. Mr. Meyer reported that PCCD had renewed Mr. Rodriguez's permit for 10/ac/ft/yr for irrigation purposes. Mr. Meyer informed the Board that there would be one more permit this year and that it would be a well field permit for Mr. Pal Lester. Mr. Meyer informed the Board that the new PCCD

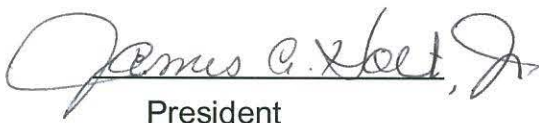
website was now in use. Mr. Meyer, lastly, stated that the PCCD newsletter was ready and would be mailed out to our mailing list.

3:32PM President Holt requested a report from the PCCD's Executive Manager, Mr. Johnie Halliburton. Mr. Halliburton informed the Board that NRCS believed that they had the money for PCCD's site 6 rehabilitation, but that they would keep PCCD informed. Mr. Halliburton explained that PCCD had made its first payment of \$5,000.00 to Freese and Nichols for the site 6 Flood Impact Study for Hays County. Mr. Halliburton explained that there was a new state requirement that required PCCD to do a mussel and fish survey at site 6. Mr. Halliburton stated that certain fish would need to be relocated. Mr. Halliburton said that URS Engineering was performing another water survey on sites 10, 12, 21, and 28. Mr. Halliburton then mentioned that PCCD had a contract with a contractor to repair the drain tube erosion at site 17. Mr. Halliburton said that Mr. Jesse Rodriguez, with the proposed development on the Danny Green property at site 5, had met at the PCCD office and at site 5 with Mr. Todd Marek with the NRCS. Mr. Halliburton explained that Mr. Rodriguez was going to work on their plan, which would be a "cut and fill" plan and then present it to the TCEQ and the NRCS. If approved, then Mr. Rodriguez would present it to the PCCD Board for its consideration. Mr. Halliburton explained that PCCD was still waiting on the remaining Federal Emergency Management Agency (FEMA) funds from the October 31st, 2014 flood. Mr. Halliburton then reported that at site 2, beavers had plugged the drain tube again and that it would need to be monitored more closely. Mr. Halliburton, lastly, mentioned that on March 23rd, 2015, he would be attending the yearly Texas Association of Watershed Sponsors (TAWS) meeting in Fredericksburg.

3:42PM President Holt requested a report from the PCCD's Attorney, Mr. Bob Wilson. Mr. Bob Wilson stated that he would be attending the Legislative hearing on March 25th, 2015, concerning the bill that State Representative Isaac filed related to the PCCD/BSEACD/HTGCD overlap areas and that he would keep the Board informed. Mr. Bob Wilson briefly discussed site 6 in regards to the flood risk assessment progress and the recent Supreme Court of Texas case opinion dealing with payments for utilities, relocations, and who is responsible for paying for them and whether or not they are reimbursable.

3:46PM President Holt requested any public comments. Mr. Oscar Fogle with the Guadalupe Blanco River Authority (GBRA) told the Board that the Guadalupe Blanco River Trust had acquired the title to the Hwy 130 mitigation site north of Lockhart and that GBRA would be managing the property. Mr. Fogle stated that he would give a detailed presentation to the Board at a later time to discuss what the preliminary plans would be to utilize that site as a conservation area.

3:48PM Mr. Twidwell made a motion to adjourn. Mr. Lipscomb provided the second and the motion to adjourn passed unanimously.


President


Vice President