

MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT,
LOCKHART, TEXAS 78644
January 17th, 2017

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 Lipscomb (Vice President), Lucy Knight (Treasurer/Secretary), Peter Reinecke (Director), and Fred Rothert (Director). Also present were PCCD attorneys Eddie McCarthy III and Bob Wilson and PCCD staff members Johnie Halliburton, Daniel Meyer, and Karen Bassett. Minutes were transcribed by Karen Bassett. Mrs. Nancy A. Urbanowicz, certified shorthand reporter in and for the state of Texas, transcribed the HCPUA preliminary hearing with these proceedings attached to the PCCD minutes.

1:00PM Mr. Halliburton then announced that Mr. Holt, Mrs. Knight, and Mr. Reinecke had been reappointed to serve another term on the Plum Creek Conservation District's Board of Directors by their respective Commissioners' Courts. Mr. Halliburton then administered the oath of office to Mr. Holt, Mrs. Knight, and Mr. Reinecke. Each newly elected Director then signed the oath of office.

1:01PM President Holt then called for the election of officers for the 2017 Board of Directors. Mr. Lipscomb made a motion to keep all officers the same by acclamation. Mr. Rothert provided the second and the motion passed unanimously.

1:01PM President Holt requested motions or comments regarding the minutes of the regular meeting held on December 20th, 2016. Mr. Lipscomb made a motion that the minutes of the regular meeting held on December 20th, 2016 be accepted as mailed out. Mrs. Knight 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.

1:03PM President Holt then skipped to item VII on the agenda. Mr. Graham Moore with the Hays Caldwell Public Utility Agency (HCPUA) gave a presentation regarding the HCPUA amended applications.

1:10PM Mr. Eddie McCarthy III, PCCD's attorney, then announced that the Preliminary Hearing was open for the applications on two water well production permits and a transportation permit from the HCPUA, to hear third party protests, if any, and to schedule future proceedings on the applications. Mr. Eddie McCarthy III informed the audience that in order for someone to have party status under the Groundwater Management and Protection Rule 4A they must show justiciable interest. Members of the public then discussed their comments and concerns. Mr. Eddie McCarthy III, Mr. Bob Wilson, and the Board of Directors determined that there were no public participants that had justiciable interest or party status according to the Plum Creek Conservation District Groundwater Management and Protection Rule 4A which states that all wells, including exempt wells, must be registered with or permitted by the District in order for the District to consider the effects of other permit applications on the well. Failure to register a well with the District or to obtain a permit for a well will result in the well not being considered when the decision to

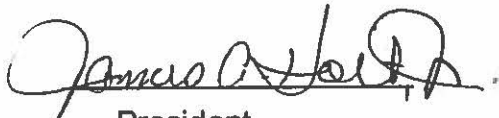
permit wells are made. Mrs. Knight made a motion that, according to the Plum Creek Conservation District Groundwater Management & Protection Rule 4A, there were no members of the public that were party status in attendance. Mr. Lipscomb provided the second and the motion passed unanimously. Mr. Eddie McCarthy III then closed the Preliminary Hearing and stated that, per the Rules, this was still a contested case that was between the District staff and HCPUA and that the Board could schedule the Hearing on the marriage between the two. Mr. Lipscomb made a motion that the Board hear the Hearing on the HCPUA application. Mr. Rothert provided the second and the motion was approved unanimously. Mrs. Knight made a motion that the HCPUA Hearing would be February 21st, 2017 at 1:00 p.m. at the PCCD office. Mr. Lipscomb provided the second and the motion passed unanimously. President Holt thanked everyone for coming.

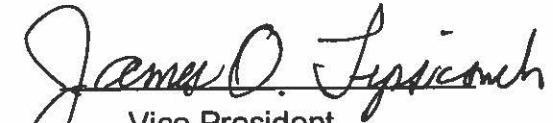
- 2:37PM President Holt requested discussion of item VI on the agenda. Mr. Walter Stephens, a landowner at site 28 in McMahan, discussed with the Board the possibility of using site 28 as a detention pond for future construction. Mr. Stephens provided the Board with engineered recommendations and calculations for current conditions and proposed conditions. The Board agreed to take the calculations Mr. Stephens provided and let the Natural Resources Conservation Service (NRCS) review them.
- 2:54PM President Holt requested the Plum Creek Conservation District's quarterly investment report. Mrs. Knight then reviewed and signed the PCCD investment report.
- 2:55PM President Holt requested a report from PCCD's Geologist, Mr. William Feathergail Wilson. Mr. Feathergail was not in attendance.
- 2:56PM President Holt requested a report from the NRCS' District Conservationist, Mr. Brian Steinberg. Mr. Steinberg was not in attendance.
- 2:56PM President Holt requested a report from the PCCD's Assistant Manager, Mr. Daniel Meyer. Mr. Meyer reported that he had been updating the format on the Emergency Action Plans, and that letters had been sent out to permit holders requesting their 2016 water usage. Mr. Meyer stated that Mr. McCrary's water well permit was in the process of being transferred to the new landowner, Mr. Hannah.
- 2:57PM President Holt requested a report from the PCCD's Executive Manager, Mr. Johnie Halliburton. Mr. Halliburton updated the Board on the site 6 rehabilitation project and explained that everything was moving along satisfactory. Mr. Halliburton informed the Board that he had sent in the application for state funding for the repair of the October 2015 flood damage. Mr. Halliburton then reported that maintenance duties were complete on nine (9) sites on the south end and that more structures would be completed in the future.
- 3:01PM President Holt requested a report from the PCCD's Attorney Mr. Bob Wilson. Mr. Bob Wilson informed the Board that Mr. Eddie McCarthy Sr. and Mr. Eddie McCarthy III had set up their own Law Firm and that he had accepted their request to join them and stated that everything would be the same except the location of the firm. Mr. Bob Wilson reported that all the filing had been due on the EP 130 proposed Landfill December 22nd, 2016. Mr. Bob Wilson informed the Board that he had started looking at the Legislative Bills and would keep PCCD updated.
- 3:04PM President Holt requested any public comments. There were no public comments.
- 3:04PM President Holt moved the meeting into Executive Session for yearly reviews and for subjects allowable.
- 3:12PM President Holt called the meeting back to order.

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3:13PM Mrs. Knight made a motion for each employee to receive a one time \$2,000.00 bonus and that the base employees' pay remain the same. Mr. Reinecke provided the second and the motion passed unanimously.

3:14PM Mr. Lipscomb made a motion to adjourn. Mr. Rothert provided the second and the motion to adjourn passed unanimously.


President


Vice President