

MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT,
LOCKHART, TEXAS 78644
November 19th, 2013

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.

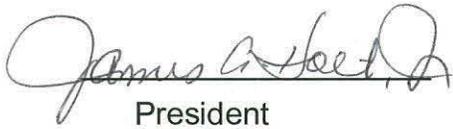
- 1:00 PM The meeting was called to order by President of the Board, James Holt, with the following Board members present: James O. Lipscomb (Vice President), Peter Reinecke (Secretary/Treasurer), Lucy Knight (Director), Ben Twidwell (Director) and Fred Rothert (Director). Also present were Bob Wilson (Attorney), Feathergail Wilson (PCCD Geologist) and PCCD staff Johnie Halliburton, Karen Bassett, and Dan Meyer. Minutes were taken and transcribed by Karen Bassett .
- 1:00PM President Holt requested motions or comments regarding the minutes of the regular meeting held on October 15th, 2013. Mr. Lipscomb made a motion that the minutes of the regular meeting held on October 15th, 2013, be accepted as mailed out. Mr. Twidwell provided the second and the motion to approve the minutes of the regular meeting, held on October 15th, 2013, were approved unanimously.
- 1:00PM President Holt requested any unfinished business. Mr. Halliburton informed the Board of Directors that there was no unfinished business.
- 1:00PM President Holt requested discussion of Item IV on the agenda. Mr. Halliburton informed Mr. Holt that Mr. Adam Harwood and Mr. Ed Tarbutton were not in attendance as of yet.
- 1:05PM President Holt requested that they skip to Item V on the agenda. Mr. Halliburton informed the Board that Mr. Adam Moore of Walton Development, his attorney, Mr. Ed McCarthy, and Mr. Charlie Fowler, their engineer, were there to speak with the Board about amending an easement at Plum Creek Conservation District's site 2. Mr. Bob Wilson explained to the Board that he had been having discussions with Mr. Ed McCarthy regarding amending the easement. Mr. Bob Wilson explained that they were here to ask the Board to change the language in the easement defining that Plum Creek Conservation District would reserve all the rights but would provide all the meets and bounds descriptions. After much discussion, Mr. Holt asked Mr. Adam Moore, Mr. Ed McCarthy and Mr. Charlie Fowler to gather more information and report back to the board at a later date and they agreed to that.
- 1:20PM President Holt then requested that the Board go back to item IV on the agenda. Mr. Halliburton explained that Mr. Adam Harwood and Mr. Ed Tarbutton were in attendance regarding the Danny Green property on site 5. Mr. Harwood let the Board know that there was an informal meeting with Mr. Halliburton and Mr. Bob Wilson on November 14th, 2013 and that it was very insightful. The group representing The Danny Green property at that meeting consisted of Adam Harwood, Ed Tarbutton, and Mr. Gene Krupa, their engineer. Mr. Harwood thanked the Board for their time.
- 1:34PM President Holt requested discussion on item VII of the agenda. Mr. Halliburton explained that at the last Board meeting the Board had the annual review of Mr. Bob Wilson and Mr. Feathergail Wilson but that Jansen and Gregorezyk, the Plum Creek Conservation District's certified public accountant firm, also should have been reviewed as well. With little discussion, Mr.

Twidwell made a motion to retain Jansen and Gregorezyk. Ms. Knight seconded. Motion carried unanimously.

- 1:37PM President Holt requested discussion of item VIII on the agenda. Mr. Daniel Meyer gave the Board a report on the Desired Future Conditions (DFC) options for GMA 10 & 13. Mr. Meyer explained that the GMA is required to propose and adopt the Desired Future Conditions for the relevant aquifers at least once every five years. Mr. Meyer then showed slides from the last Region L meeting showing the water supply needs and water management strategies for that region.
- 2:05PM President Holt requested a report from the Plum Creek Conservation District's Geologist, Mr. William Feathergail Wilson. Mr. Wilson briefly discussed the GMA 10 with the Board and its water well level draw downs. Mr. Wilson then showed and discussed a map that the Green Group Holdings had submitted showing the geology of the entire process for their proposed landfill. Mr. Feathergail Wilson explained that, in his opinion, this is not a good place geologically for a landfill. Mr. Wilson then asked Mr. Adam Moore with Walton Development to discuss the Walton test well with the Board. Mr. Moore explained that he would call Mr. Halliburton next week with a confirmed date as to when they would have clean water produced from the Edwards formation for their technology to come on site. President Holt then asked Mr. Bob Wilson what legal authority Plum Creek Conservation District has on the landfill project. Mr. Bob Wilson explained that Plum Creek Conservation District most certainly has authority over making sure we protect our easement and that we live up to our obligations, such as management of our structures and making sure the capacity and of the structure is protected. Beyond that, we have potential authority with the water quality, both surface and subsurface. Mr. Bob Wilson explained that Plum Creek Conservation District has no direct permitting authority for the landfill.
- 2:27PM President Holt then requested a report from the Natural Resources Conservation Service's District Conservationist, Mr. Isidro Morales. Mr. Morales gave a brief report on the flood damage on PCCD's sites 10,11,12,14 and 16. Mr. Morales informed the Board that NRCS is doing a report on those sites.
- 2:29PM President Holt requested a report from the Plum Creek Conservation District's Assistant Manager, Mr. Daniel Meyer. Mr. Meyer discussed with the Board a prepared draft litigation plan that he had prepared and sent to Mr. Bob Wilson and Mr. Feathergail Wilson for their review. The Board discussed briefly.
- 2:29PM President Holt requested a report from the Plum Creek Conservation District's Executive Manager, Mr. Johnie Halliburton. Mr. Halliburton explained some of the flood results from the recent rains. Mr. Halliburton explained that there was six to fourteen inches of rainfall reported in the Kyle/Buda area, where the main flooding took place and two to six inches from Lockhart to Luling. Mr. Halliburton explained that practically all structures had debris and would require a lot of removal. Mr. Halliburton also mentioned that he would be meeting with the Federal Emergency Management Agency (FEMA) representatives on November 20th, 2013 and touring the most damaged areas. Mr. Halliburton also discussed with the Board, a meeting he had with Mr. Adam Harwood, Mr. Ed Tarbutton, Mr. Gene Krupa, and Mr. Bob Wilson concerning the Danny Green property at PCCD's site #5. Mr. Halliburton informed the Board that at site 2, the City of Kyle, PCCD, and Mr. Jim Jansen had worked out an agreement to allow Mr. Jansen to graze his cattle on the dam and spillway to help solve the mowing problem there. Mr. Halliburton also mentioned that he had received a letter from the Natural Resources Conservation Service's (NRCS) engineer, Mr. Todd Marek, regarding site 16, stating that Mr. Marek didn't feel the engineered plans were being followed exactly the way they were mapped out and that he had recommended there be more quality control on the ground. Mr. Halliburton informed the Board that he had asked the site 16 landowners, Mr. Fresienhahn and Mr. Hoffman, to hold off on operations until issues were straightened out. Mr. Halliburton informed the

Board that someone had ran through the fence at site 24 and that PCCD would file a fence repair claim with their insurance company after the police had filed their report. Mr. Halliburton also informed the Board that Mr. & Mrs. Ben Twidwell, Mr. Peter Reinecke, Ms. Karen Bassett, and himself had attended Mr. Melvin Bain's 90th birthday party in Gonzales.

- 2:43PM President Holt requested a report from the Plum Creek Conservation District's Attorney, Mr. Bob Wilson. Mr. Bob Wilson then discussed a letter he had drafted as a generic description that PCCD could send to any landowner explaining easements, its obligations to NRCS, subdivision rules, floodplain rules, and other subjects as well. President Holt asked the Board to review the draft letter, take notes, and discuss it at a later date.
- 2:50PM President Holt requested public comments. There were no public comments.
- 2:50PM Mr. Twidwell made a motion to adjourn. Mr. Lipscomb provided the second and the motion to adjourn passed unanimously.



James A. Holt
President



James O. Lipscomb
Vice President