

MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT
LOCKHART, TEXAS 78644
March 15th, 2022

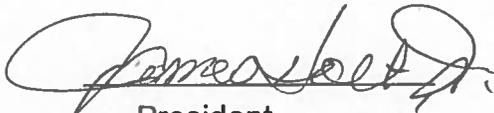
Notices of this regular meeting were posted in the Hays and Caldwell County Courthouses at least 72 hours prior to the meeting. Receipts of the notices are on file in the office of Plum Creek Conservation District.

Checks were reviewed and signed, just prior to the call to order, by Treasurer/Secretary, Lucy Knight.

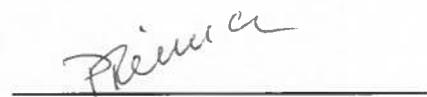
- 1:00 PM The meeting/hearing was called to order by President of the Board, James Holt, with the following Board members present: Peter Reinecke (Vice President), Lucy Knight (Secretary/Treasurer), Fred Rotherth (Director) and Tom Owen (Director). Also present were PCCD Attorney Bob Wilson, PCCD Geologist Feathergail Wilson, and PCCD staff members Daniel Meyer, Karen Brooks, Nora Lopez-Castillo, Matt Shaw, and Alan Burklund. Chris Bradford, Johnnie Halliburton, Ed McCarthy (Bob Wilson's partner) were also in attendance. Minutes were transcribed by Nora Lopez-Castillo.
- 1:01 PM President Holt requested public comments. There were no public comments.
- 1:01 PM President Holt requested motions or comments regarding the minutes of the regular scheduled meeting held on February 15th, 2022. Mrs. Knight made a motion that the minutes of the regular schedule meeting held on February 15th, 2022, be accepted as mailed out. Mr. Rotherth provided the second and the motion was approved unanimously.
- 1:01 PM President Holt requested motions or comments regarding the minutes of the Special Called meeting held on February 23rd, 2022. Mrs. Knight made a motion that the minutes of the Special Called meeting held on February 23rd, 2022, be accepted as mailed out. Mr. Reinecke provided the second and the motion was approved unanimously.
- 1:03 PM President Holt requested any unfinished business that required the Board of Directors' attention. Mr. Meyer explained that there was no unfinished business.
- 1:05 PM President Holt requested discussion of item VI on the agenda. Mr. Meyer discussed a proposed easement agreement for site 8 and indicated that not all of the easement documents were ready to present at this time; plan to have items ready for next month's meeting. Currently, the easement documents are being reviewed by NRCS. Mr. Meyer discussed the difficulty for planning future rehabilitation projects with increased development. Mr. Bob Wilson discussed that PCCD needs to draft language and specify that subdivision development will not interfere with the District's ability to alter the dam in accordance with the Dam Safety Act to avoid conflicts in the future.
- 1:16 PM President Holt requested discussion of Item VII on the agenda regarding site 10. Sunfield's Attorney, Chris Bradford, indicated that Sunfield would be able to contribute \$15,000 (fifteen thousand dollars) towards the relocation of the site 10 construction campsite. Following was a lengthy discussion involving Chris Bradford (attorney representing Sunfield), Bob Wilson (PCCD attorney), Board Members, Shane Ice (NRCS project engineer for site 10), Jean Ann Maynard (Contracting Consultant for site 10) and Daniel Meyer (PCCD Executive Manager). The discussion involved a number of items: where the proposed campsite would be relocated, whether the Contractor (Solid Bridge Construction) had submitted a cost estimate for relocating the campsite, easement rights, contractual implications in the event of a lawsuit, contractual requirements for relocating the campsite, and the contractor's concerns of what the impacts would be for relocating the campsite. Following the discussion, Mr. Holt stated that we would need a price from the contractor for relocating the campsite, and the percent of what PCCD and Sunfield would be responsible for paying.

- 2:09 PM President Holt moved the meeting into Executive Session to discuss site 10 matters further.
- 2:55 PM Back in session.
- 2:55 PM Mr. Wilson informed Mr. Bradford that the Board first needed to get an estimate from the contractor regarding the cost of relocation before any further decision could be made.
- 2:57 PM President Holt requested discussion of item VIII on the agenda. Mr. Meyer requested holding off on discussing the draft mitigation plan.
- 2:58 PM President Holt requested discussion of item IX on the agenda. Mr. Meyer requested holding off on discussing a DRAFT District Easement Use Policy.
- 2:59 PM President Holt requested discussion of item X on the agenda. Mr. Meyer informed the Board of Directors that the Plum Creek Conservation District had received 3 bids for the fertilizer / weed spray project for several of the District's Flood Control Structures. President Holt then announced the bid amounts of each bid with Ehrig Brothers at fifty-four thousand two hundred sixty-one dollars and sixty cents (\$54,261.60); Lindemann at sixty-one thousand nine hundred ninety-six dollars and twenty cents (\$61,996.20), and Unity Contractor Services at two hundred eighty-three thousand seven hundred twenty-eight dollars (\$283,728.00). Mrs. Knight made a motion to select the lowest bidder, Ehrig Brothers, for the fertilizer / weed spray project for several of the District's Flood Control Structures. Mr. Owen provided the second and the motion was approved unanimously. Mr. Meyer discussed with the board regarding the fluctuation in prices of the fertilizer and weed spray and possibly amending contracts in the future to reflect the cost of in material.
- 3:05 PM President Holt requested discussion of item XI on the agenda. Mr. Meyer provided an update on matters concerning site 21 Rehabilitation Project, specifically all federal state funding was received. Notice of Award is scheduled for March 16, 2022.
- 3:06 PM President Holt requested a report from the PCCD Geologist, Mr. William Feathergail Wilson. Mr. Feathergail Wilson gave a slideshow presentation on several topics: the Alliance/GBRA Treatment Plant, the minerals found in salt water (specifically lithium) that have been speculated to occur in the Luling area, and the emergence of one-acre subdivisions.
- 3:19 PM President Holt requested a report from the NRCS' District conservationist, Mr. Jeremy Hasty. Mr. Hasty was not in attendance.
- 3:19 PM President Holt requested a report from the PCCD Executive Manager, Mr. Daniel Meyer. Mr. Meyer reported on his visit to a wastewater treatment facility by BVRT Utility Holding Company in Umland. Mr. Meyer reported on a number of items concerning site 12: that DR Horton's subdivision designs are still being reviewed by NRCS, the installation of DR Horton's silt fence is within a portion of PCCD's easement, the accidental removal of the survey bench mark and DR Horton's intention to replace it, the removal of PCCD's easement gates and DR Horton's intention to replace them, excavations within portions of new easement areas that were obtained from Ky-TX properties, L.P., and discussions with DR Horton on suitable locations for the construction campsite, stockpile areas, entrance and access locations for the Site 12 rehabilitation project. Next, Mr. Meyer provided an update on well registrations and *water well production permit transfers* that would be needed due to changes in ownership. Mr. Meyer also reported on the Site 2 cofferdam and insurance coverage for potential dam breaches; an insurance quote was presented to the Board (no action was taken). Lastly, Mr. Meyer provided an update regarding monitoring wells as it relates to the *Alliance Regional Water Authority* production permit requirements.

- 3:34 PM President Holt requested a report from PCCD's Attorney, Bob Wilson. Mr. Wilson mentioned that Daniel had received several calls with concerns about the site 2 State Upgrade project and whether it would increase the likelihood of flooding. Meyer stated that he could write an informative newsletter to send to the owners to help clear up some of their concerns. Lastly, Mr. Bob Wilson reiterated that he had informed Sunfield's attorney that PCCD does have the easement to perform activities on site 10.
- 3:40 PM President Holt discussed purchasing a vehicle versus increasing mileage rates for staff members given the current price of gasoline and upkeep. The Board requested more research be done on comparable mileage and possibly a set mileage fee, which can be presented at the next meeting. An honorary plaque was presented to the outgoing Office Secretary, Karen Brooks, for her 15 years of dedicated service.
- 3:55 PM President Holt requested public comments. There were no public comments.
- 3:55 PM Mr. Reinecke made a motion to adjourn. Mr. Rothert provided the second and the motion to adjourn passed unanimously.



James Holt
President



Reinecke
Vice-President