

MEETING OF THE BOARD OF DIRECTORS  
PLUM CREEK CONSERVATION DISTRICT  
LOCKHART, TEXAS 78644  
JULY 19th, 2022

Notices of this regular meeting were posted in the Caldwell and Hays 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 Rothert (Director) and Tom Owen (Director). Also present were PCCD Attorney Bob Wilson, PCCD Geologist Feathergail Wilson, and PCCD staff members Nora Lopez-Castillo, Matt Shaw, and Alan Burklund. Daniel Meyer was present via Zoom. Chris Bradford, Attorney for Sunfield, was in attendance. Ryan Burkhardt and Scott Whitwer attended via Zoom.

President Holt requested public comments. There were no public comments.

1:01 PM President Holt requested motions or comments regarding the minutes of the regularly scheduled meeting held on June 21<sup>st</sup>, 2022. Lucy Knight made a motion that the minutes of the regularly scheduled meeting held on June 21<sup>st</sup>, 2022, be accepted as mailed out. Tom Owen provided the second and the motion passed unanimously.

1:02 PM President Holt asked if there was any unfinished business that required the Board of Directors' attention. Alan Burklund, Staff Member, stated that there was no unfinished business.

1:02 PM President Holt requested discussion of agenda item V regarding compliance of PCCD's Desired Future Conditions. Mr. Burklund requested holding off on this item.

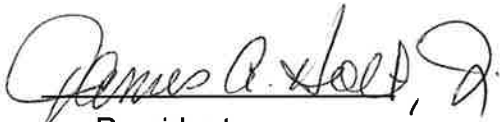
1:03 PM President Holt requested discussion of agenda item VI regarding an engagement letter received from Montemayor, Britton, & Bender for auditing services. Mr. Burklund reminded the Board that last year a regular audit was completed at a cost of \$10,000.00. Mr. Burklund explained that this year a single audit would be required at a proposed cost of \$13,000.00 because PCCD had received federal funds over \$750,000.00. The change in cost was attributed to the increased amount of work that a single audit entails. Mr. Burklund also informed the Board that as part of this audit, PCCD would be billed for bank confirmations at an estimated cost of \$27.00 each. Lucy Knight made a motion that PCCD approve the cost of the audit and have Mr. Holt sign the engagement letter. Mr. Fred Rothert provided the second and the motion passed unanimously.


1:08 PM President Holt requested discussion of agenda item VII regarding a proposed amendment to the Site 10 easement. Mr. Chris Bradford stated that the provisions of the original easement were not changing but would be adding a metes and bounds description and replacing the blanket access easement with two defined, permanent access easements going to the west and east sides of the dam. Mr. Meyer had several concerns that were addressed by Chris Bradford and Ryan Burkhardt: (1) Possibly expanding the metes and bounds to include areas containing portions of the new Roller Compacted Concrete spillway and the extended principal spillway outlet channel; Sunfield agreed to submit a revised amendment to include these areas; (2) Are the two access easements sufficient to allow an adequate turning radius for heavy equipment; Sunfield stated that Kimley Horn would perform a turning radius analysis and Sunfield would agree to increase the turn radius area if needed; (3) There is an area (notched area on map), which had been left off the

- proposed easement near Sunfield Municipal Utility District #4's street dedication (immediately east of FM 2001); Sunfield stated they would revise the amendment to include this area; (4) East access is temporary access for current use; Sunfield stated this would stay in place until they deliver their adjacent phase, but they have designated PCCD a permanent access easement for operations and maintenance; (5) Not being able to determine geographic information due to issues converting Sunfield's survey of the proposed easement to an ArcMap mapping system and the corresponding LiDAR elevation data; Sunfield wanted to keep the boundary that had been on the original proposal and stated that some of these changes could not be made as they were not owners of some of the land in question. Mr. Holt requested that Mr. Meyer's concerns be documented as part of the record. Mrs. Knight made a motion that subject to the incorporation of the agreed changes being made that the Board approve the easements. Mr. Owen provided the second and the motion passed unanimously.
- 1:51 PM President Holt requested discussion of agenda item VIII regarding PCCD's Quarterly Investment Report. Mrs. Knight stated that the report had been received, reviewed, and signed.
- 1:52 PM President Holt requested discussion of agenda item IX regarding PCCD's Certificate of Deposit (CD) at Broadway Bank. Nora Lopez-Castillo, Office Secretary, explained to the Board that Mrs. Knight had noticed during the renewal rate negotiations that the accrued interest from this CD was not being disbursed via check on a quarterly basis. All other CDs that PCCD owns have the interest disbursed. Mrs. Knight made a motion that Mr. Holt sign a letter instructing Broadway Bank to disburse the accrued interest via check to PCCD. Mr. Fred Rothert provided the second and the motion passed unanimously.
- 1:55 PM President Holt requested discussion of agenda item X. Mrs. Lopez-Castillo asked the Board to consider making the following changes to PCCD's account at Trust Texas Bank in Cuero, Texas: Adding Mr. Peter Reinecke as a signer on the account, removing Karen Bassett (previous office secretary), and granting information access only to Nora Lopez-Castillo (current office secretary). If approved, signers on the account would be James A. Holt, Jr., Lucy Knight, and Peter Reinecke. Mr. Tom Owen made a motion to approve these changes and Lucy Knight provided the second. The motion passed unanimously.
- 1:56 PM President Holt requested a report from the PCCD Geologist, Mr. Feathergail Wilson. Mr. Feathergail Wilson was not in attendance.
- 1:56 PM President Holt requested a report from the NRCS' District Conservationist, Mr. Jeremy Hasty. Mr. Hasty was not in attendance.
- 1:58 PM President Holt requested a report from Alan Burklund on behalf of Mr. Daniel Meyer. Mr. Burklund stated that Alliance Regional Water Authority (AWRA) requested a meeting with Mr. Meyer and Feathergail Wilson regarding monitoring wells and to discuss a property line discrepancy. Mr. Burklund gave an update on GMA-10 indicating that GMA-10 had submitted the Desired Future Conditions and explanatory report to TWDB for review. PCCD will need to adopt the DFC via a resolution once the report has been deemed administratively complete. Mr. Burklund informed the Board that Matthew Shaw, Staff Member, had discussions with the new owners of the Horton permitted well. The new owners, the Boyds, are planning to develop this 155-acre property into 1-acre tracts and wanted to understand how this plan would affect the well production permit. PCCD is waiting to hear back on what the Boyds plan to do regarding the well. Mr. Burklund gave a brief update on PCCD Groundwater Management Plan (GMP), which expires on December 18<sup>th</sup>, 2022, specifically that the new plan must be adopted by PCCD 90 days prior to the December 18<sup>th</sup>, 2022 expiration date. Mr. Burklund stated that Mr. Meyer had made only minor edits/changes to the management plan. PCCD will hold the required public hearing for this new plan in August. The Board requested that

the staff conduct this hearing. PCCD also anticipates scheduling easement use and mitigation plan hearings in October/November once the budgetary and tax rate requirements have been completed. Mr. Burklund gave an update on the Site 10 "campsite" Relocation, informing the Board that the contractor has relocated to the new worksite. PCCD has received a portion of the payment from Sunfield and payment will be made to the contractor. Mr. Burklund also stated the remaining contract dates as well as payments made for Site 10, Site 2, and Site 21. Mr. Burklund discussed that the future Site 28 rehabilitation project includes an increase in the size of the dam footprint (requiring more acres). Mr. Burklund inquired whether the Board wished for PCCD to begin negotiations with the landowner, Walter Stephens. Mr. Wilson and the Board agreed that PCCD should hold off on this. Mr. Burklund discussed with the board that TerraSol had been working on various O&M projects to include revegetation (site 26), shrub removal, clearing a road access (site 14), spray of brush within riprap areas (site 14), mesquite spraying, and brush clearing (sites 14, 38, and 20). Mr. Burklund informed the Board that the City of Kyle hired Kimley-Horn to explore options for relocating sections of Goforth Road and that the proposed right-of-way would encroach upon the easement of Site 6. This project is in the beginning stages, as a Bond election will be held in November 2022 to provide funding.

- 2:30 PM President Holt requested a report from PCCD's Attorney, Bob Wilson. Mr. Wilson spoke about language in original easements being general/blanket versus NRCS wanting metes and bounds descriptions for the easement areas and possible implications for PCCD. Mr. Wilson informed the Board that he was researching several options that the Board could consider as easement issues arise due to increased property development.
- 3:00 PM No Executive Session required.
- 3:00 PM President Holt requested public comments. There were no public comments.
- 3:01 PM Mr. Tom Owen made a motion to adjourn. Lucy Knight provided the second and the motion to adjourn passed unanimously.

  
 President

  
 Vice-President