

MEETING OF THE BOARD OF DIRECTORS  
PLUM CREEK CONSERVATION DISTRICT  
LOCKHART, TEXAS 78644  
June 20th, 2023

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, Mrs. 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). Walter Stephens and Shannon Vogel, Site 28 landowners were present. Also present were PCCD Attorney Bob Wilson, PCCD Geologist Feathergail Wilson, and PCCD staff members Daniel Meyer, Nora Lopez-Castillo, Alan Burklund, and Tyler Farco. The minutes were transcribed by Nora Lopez-Castillo.

1:00 PM President Holt requested public comments. Mr. Stephens and Ms. Vogel made public comments during agenda item V.

1:00 PM President Holt requested motions or comments regarding the minutes of the regularly scheduled meeting held on May 16<sup>th</sup>, 2023. Mrs. Lucy Knight made a motion that the minutes of the regularly scheduled meeting held on May 16<sup>th</sup>, 2023, be accepted as mailed out. Mr. Peter Reinecke provided the second and the motion was approved unanimously.

1:01 PM President Holt asked if there was any unfinished business that required the Board of Directors' attention. Mr. Meyer stated that there was no unfinished business.

1:01 PM President Holt requested discussion of agenda item V regarding RFQs received for selecting a surveyor to prepare surveys relating to the Site 28 Rehabilitation Project. Mr. Daniel Meyer stated that a metes and bounds survey was a National Resources Conservation Service (NRCS) requirement. Mr. Meyer stated that the survey would include the works of improvement as detailed in the project designs, areas below the dam, the 2 outlet structures, and areas along the outside of the auxiliary spillway dike. In addition, Mr. Meyer stated that upstream areas for a specified elevation would also need to be surveyed. Lastly, Mr. Meyer stated that some property lines would need to be surveyed. Mr. Meyer stated that PCCD received 6 surveys. The Board stated that after reviewing the Request for Qualifications that were submitted, they found each survey firm to be qualified. Mr. Bob Wilson stated, in this situation, the Board could instruct the PCCD staff to contact each firm regarding a cost estimate. Mrs. Knight made a motion that since all the surveyors had met PCCD's qualifications, PCCD seek price estimates from each of them. Mr. Reinecke provided the second and the motion was approved unanimously.

1:22 PM President Holt requested discussion of agenda item VI regarding quotes received to drill and install a Wilcox Monitoring well. Mr. Meyer informed the Board that 11 quote packets were mailed out, but no quotes were received. Mr. Meyer pointed out that the end date for submittal of quotes was June

19th, 2023, which was a holiday, so if a quote had been mailed, it could arrive at the post office on June 20<sup>th</sup>, 2023, at 4:00 PM. Mr. Meyer stated that after the Board meeting, the post office box would be checked to see if a quote had been received. Mr. Bob Wilson stated that if no quotes were received, the Board could decide at next month's meeting to contact qualified drillers about drilling a monitoring well.

1:25 PM President Holt requested discussion of agenda item VII regarding Site 28 Rehabilitation matters. Mr. Meyer informed the Board that the designs are 99.9% complete and include additional gates, reduction of the campsite area, and preserving select trees as requested by Mr. Walter Stephens. Mr. Meyer stated that the additional funding needed for the project had been approved. Mr. Meyer stated that the agreement between NRCS, Texas State Soil and Water Conservation Board (TSSWCB), and PCCD agreement expires at the end of August 2023 and that all parties will be required to sign the agreement before this date. Mr. Meyer introduced Walter Stephens and Shannon Vogel to the Board. Mr. Stephens and Ms. Vogel presented a document to each Board member that outlined their concerns about how the rehabilitation project would affect their land. The document included a list of items with an associated dollar value. Mr. Stephens and Ms. Vogel discussed the items on the list and requested compensation from the District. The landowners also had several comments/questions/suggestions regarding access, spillway width and design, road restoration, possibly swapping fertilization and herbicide areas, additional compensation if the construction project extended past 3 years and sparing as many trees as possible. The landowners requested a copy of the survey once it has been completed. The Board asked that Mr. Meyer check with the NRCS engineers regarding the landowners' concerns/suggestions.

2:00 PM President Holt requested discussion of agenda item VIII regarding quotes received for the mowing of Sites 1, 5, 6, 7, 11, 12, 28, and 34 for a total of 113 acres. Mr. Meyer stated that only 1 quote had been received, but again the deadline to receive quotes was June 19<sup>th</sup>, 2023, a holiday, so there may be others in the mail. President Holt then announced the bid amount from TerraSol at eight thousand five hundred four dollars and thirty-eight cents (\$8504.38). Mrs. Knight made a motion to accept TerraSol's bid provided that no other bids are received in the mail today. Mr. Reinecke provided the second and the motion was approved unanimously.

2:04 PM President Holt requested discussion of agenda item IX regarding an easement restatement for two 5-acre tracts (Calvillo Subd.) for Site 14. Mr. Meyer informed the Board that PCCD had not received the required documentation. No action could be taken on this agenda item.

2:05 PM President Holt requested discussion of agenda item X regarding a proposal involving a desalination research project. Mr. Meyer stated that the 2 landowners interested in this project are not ready to address the Board. Mr. Meyer informed the Board that he continues to communicate with Quantum Wei with Harmony Desalting. Mr. Wei informed Mr. Meyer that he had submitted 2 more applications for smaller grants (one to the U.S. Bureau of Reclamation). Mr. Wei is asking for a place to host the desalination research site and a funding match. Given that PCCD does not have land for the host site, Mr. Meyer put landowners, who are interested in hosting the site, in touch with Mr. Wei; however, they still lack funding for the drilling costs. In the future, the landowners and Mr. Wei plan to request funding from PCCD. Feathergail Wilson stated he believed assisting Dr. Wei with this desalination research project would create a path for PCCD to be a part of leading-edge re

search that may help alleviate lack of water issues facing the Central Texas area.

2:12 PM President Holt requested discussion of agenda item XI regarding an easement modification request for Sites 11 and 12. Mr. Meyer informed the Board that D.R. Horton was not ready to present an easement modification to the Board. Mr. Meyer stated he has had numerous meetings with D.R. Horton regarding a proposed easement, access, and campsite locations. Bob Wilson stated he had informed D.R. Horton that PCCD is responsible for the operation and maintenance of the dams and that any proposed restatement of easements must include language/clauses that will ensure PCCD's ability to fulfill these obligations. Mr. Meyer presented a slide to the Board that showed D.R. Horton's development and pointed out the various locations that have been proposed and rejected for PCCD's campsite. Mr. Meyer stated that D.R. Horton is required to submit a statement to the Texas Commission on Environmental Quality (TCEQ) that their development would not have any impact on the integrity of the dam. Mr. Meyer stated that D.R. Horton is still going through that process. Mr. Meyer stated D.R. Horton still has not fixed the berm area that was excavated.

2:27 PM President Holt requested a report from the PCCD Geologist, Mr. Feathergail Wilson. Mr. Feathergail Wilson made a presentation about geophysical logging tools and pattern interpretation and how these logs can be used for analysis and the creation of many types of maps including groundwater maps. The presentation included a pie chart that depicted 75.4% of water use was used for irrigation. Mr. Feathergail Wilson also mentioned that the drought conditions had improved due to last month's rain.

2:46 PM President Holt requested a report from the NRCS' District Conservationist, Mr. Jeremy Hasty. Mr. Hasty was not in attendance.

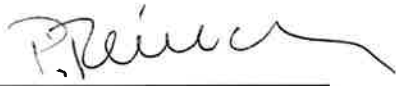
2:46 PM President Holt requested a report from the PCCD Executive Manager, Mr. Daniel Meyer. Mr. Meyer asked the Board if they wanted to have the Records Management Policy/Plan public hearing held right before a regularly scheduled board meeting or at another time. The Board recommended that the hearing be held by the PCCD staff and at a time most convenient for them. Mr. Meyer gave an update on the proposed development (Lake Longhorn Ranch Sub) of approximately 150 one-acre lots around Site 34, specifically several properties that cut across the dam's auxiliary spillway. Mr. Meyer has been working on determining the types of restrictions that will be put in place for fencing and septic systems as well as designating PCCD's campsite. Mr. Meyer gave an update on Site 6. Mr. Meyer stated that Doucet and Associates have been hired to do a road expansion from Interstate 35 down past PCCD's dam. Mr. Meyer sent the plans to NRCS for review and is awaiting their response. Mr. Meyer stated an error was made regarding the previously approved metes and bounds survey for Site 10. Mr. Meyer stated that the latest drawings were not used when comparing the metes and bounds survey easement lines. This resulted in PCCD's easement line appearing to be short approximately 15 feet. It was Mr. Meyer's recommendation that the Board consider restating the easement to correct this issue. Mr. Meyer had contacted Sunfield about this. Mr. Meyer also contacted the engineer at M&E Consultants. Mr. Bob Wilson stated that the original terms of the survey remained in effect. Mr. Meyer gave an update regarding the livestock lockout at Site 6. The landowner responded to the notification letter he received and stated he wanted PCCD to pay for repairs of a fence and loss of agricultural exemption. Mr. Meyer reminded the Board that

the inspector stated no damage had occurred to this fence during the construction project. Mr. Meyer informed the Board that he had previously communicated this to the landowner. Mr. Meyer stated that the Site 2 project is nearing completion; however, the contractor was sent a Cure Notice letter since it did not appear that the contractor would complete the project by the June 30th, 2023, end date. The contractor called Mr. Meyer and said he would be filing a claim for additional time and costs of the delay.

3:17 PM President Holt requested a report from PCCD's Attorney, Bob Wilson. Mr. Bob Wilson stated that the Site 28 and Site 6 landowners complained about the loss of agricultural exemption on a portion of their property due to dam rehabilitation projects. Mr. Bob Wilson discussed with the Board that the letters sent to the landowners stated that local appraisal districts oversee the exemption process, not PCCD. The letter also informed the landowners that both Caldwell and Hays County Appraisal Districts had forms that could be submitted by the landowner regarding this.

3:18 PM President Holt requested public comments. There were no public comments.

3:18 PM Mrs. Knight made a motion to adjourn. Mr. Tom Owen provided the second and the motion to adjourn passed unanimously.



Vice-President



Treasurer/Secretary