

MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT
LOCKHART, TEXAS 78644
March 19th, 2024

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. The following Board members were present: Lucy Knight (Secretary-Treasurer), Fred Rothert (Director) and Tom Owen (Director). PCCD Attorney Bob Wilson, PCCD Geologist Feathergail Wilson (via ZOOM), and PCCD staff members Daniel Meyer, Nora Lopez-Castillo, Alan Burklund, and Tyler Farco were present. Nora Lopez-Castillo transcribed the minutes. Mr. Peter Reinecke was absent. Four Board of Directors were present, which constituted a quorum.
- 1:00 PM President Holt requested public comments. There were no public comments.
- 1:00 PM President Holt requested motions or comments regarding the minutes of the regularly scheduled meeting held on February 20th, 2024. Mrs. Knight made a motion that the minutes of the regularly scheduled meeting held on February 20th, 2024, be accepted as mailed out. Mr. Owen 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 an update from the desalination research project. Mr. Meyer stated that several agreements still needed to be finalized including a host agreement between the landowners (Gardeners of Eden) and Harmony Desalting, an agreement to include use of the water for irrigation by the landowner, access during and after completion of the project, compensation from Gardeners of Eden to Dr. Quantum Wei if the landowners wanted the desalination equipment to remain. Mr. Meyer informed the Board that Dr. Wei had asked him about other locations for the project. Mr. Meyer stated Dr. Wei had informed him that if the agreement was not finalized with the current landowner, the grant allowed 90 days to find an alternative site. Mr. Meyer stated he would be working with Bob Wilson regarding agreements between PCCD and Harmony Desalting. Specifically, Mr. Meyer requested direction from the Board on how long PCCD would be interested in using the desalination well to perform future research after the project was completed. Mr. Owen suggested that PCCD should have at least five years after the project was completed to perform future research projects. Mr. Meyer also asked for direction on who would be responsible for contracting with the desalination project well driller. Mr. Holt stated this should be Harmony's responsibility.
- 1:14 PM President Holt requested discussion of agenda item VI regarding the Site 28 Rehabilitation Project. Mr. Meyer stated Bob Wilson recommended this agenda item be discussed during the Executive Session.

1:14 PM President Holt requested discussion of agenda item VII regarding proposed access easements for Site 10. Mr. Meyer stated he had a meeting with Scot Whitwer of Sunfield and the Kimley-Horn engineer about modifying the access easements. Mr. Meyer showed the Board slides of PCCD's current easements in relation to the proposed modified easements. Mr. Meyer informed the Board that Mr. Whitwer stated he would discuss these modifications with his manager and, if approved, have the area surveyed. Mr. Meyer stated he had sent the sidewalk easement encroachment issue to National Resources Conservation Service (NRCS) for their review. Mr. Meyer stated he would keep the Board updated on these matters.

1:18 PM President Holt requested discussion of agenda item VIII regarding approving an "indemnification" agreement with Alliance Regional Water Authority (ARWA). Mr. Meyer stated that Graham Moore had informed him that their attorney was reviewing the agreement; thus, no action was taken by the Board.

1:19 PM President Holt requested discussion of agenda item IX regarding quotes received for the Fertilization/Weed Spray Project. Mr. Meyer informed the Board that the project involved 22 sites with two applications, one in April and one in May, for a total of 522 acres. Mr. Holt stated two bids had been received. President Holt then announced the bid amount from Ehrig Brothers AG, LLC, at forty-seven thousand four hundred thirty-seven dollars and zero cents (\$47,437.00) and Lindemann Fertilizer Services, Inc., at forty thousand four hundred fifty-four dollars and seventy cents (\$40,454.70). Mrs. Knight made a motion to select the lowest bidder, Lindemann, for the project. Mr. Rothert provided the second and the motion was approved unanimously.

1:22 PM President Holt requested discussion of agenda item X regarding quotes received for the Site 27 Revegetation Project. Mr. Meyer informed the Board that the project involves about nine acres that would be lightly disked, have topsoil added with fertilizer and Bermuda seed mix applied, and have mulch applied along with a tackifier. Mr. Meyer stated a meeting had been held with one of the landowners to inform them that up until the grass was established, their livestock would have to be removed. Mr. Meyer stated that the landowners were informed this could take two years. Mr. Meyer stated the landowners voiced their concerns regarding the costs of removing the livestock but stated they would relocate the cattle to a different area of their property. President Holt then announced the bid amount from Sexton, LLC at seventy-six thousand five hundred thirty dollars and zero cents (\$76,530.00), from H&A Dirt at six hundred fifty-two thousand six hundred fifty-nine dollars and fifteen cents (\$652,659.15), from All Pro Waste Services (J.A. Weingard) at three hundred sixty five thousand dollars and zero cents (\$365,000.00), from TerraSol, LLC at one hundred sixty-eight thousand five hundred dollars and zero cents (\$168,500.00), and from Dupre Site Services at two hundred forty-six thousand four hundred dollars and zero cents (\$246,400.00). Mr. Owen made a motion to select Sexton's bid for \$76,530.00 for the project. Mrs. Knight provided the second and the motion was approved unanimously.

1:35 PM President Holt requested a report from the PCCD Geologist, Mr. Feathergail Wilson. Mr. Feathergail Wilson's presented a slideshow on several topics that included: 16 regional planning groups across the state of Texas that were in the first stages of preplanning the use of the desalination process; the log of a well located in the southeastern part of Caldwell County that indicated half of the water was brackish/saline water; a brackish groundwater characterization chart that showed the amount of total dissolved solids in fresh,

slightly saline, moderately saline, very saline, and brine water; and the type of clay in northern portions of PCCD.

2:00 PM President Holt requested a report from the NRCS' District Conservationist, Mr. Jeremy Hasty. Mr. Hasty was not in attendance.

2:00 PM President Holt requested a report from the PCCD Executive Manager, Mr. Daniel Meyer. Mr. Meyer reported that he had recently been contacted regarding the process of applying for a production well permit for a cattle operation east of Luling. Mr. Meyer gave an update on Site 12. Mr. Meyer stated a site visit was done by PCCD, the U.S. Army Corps of Engineers (USACE), and NRCS to discuss the required 404 Permit. Mr. Meyer explained that because the rehabilitation project would involve discharge of fill into the waters of the United States, it was subject to the USACE's regulations and oversight. During the site visit, USACE had three areas of concern that would be impacted by the designs: (1) the plunge basin area, (2) impacts to the stream below, and (3) changes to the port level. Mr. Meyer gave an update regarding Site 2. Mr. Meyer stated the contractor needed to begin the process of planting the permanent spring grass. Mr. Meyer informed the Board that irrigation was a concern since the City of Kyle was still under Stage III water restrictions. Mr. Meyer stated the Wilcox monitoring well was about 99% complete with a bit of fence work still needed. Mr. Meyer stated that Feathergail Wilson wanted to have a pump test performed, which was not part of the original quote. Mr. Meyer has contacted the driller regarding this request. Lastly, Mr. Meyer informed the Board that PCCD's Record Management Policy and Retention Schedule had been officially approved by the Texas State Library and Archives Commission (TSLAC) and the destruction of documents had begun. Mr. Meyer stated that the Records Management Officer (RMO) had recommended that PCCD amend its Records Retention Schedule to include a catch-all clause that if a document was not specifically listed in PCCD's Records Retention Schedule, that the retention period for those documents be subject to the latest version of the TSLAC Local Government Retention Schedule(s) and/or Texas Commission on Environmental Quality's (TCEQ) Water District Financial Management Guide, whichever was longer. Mr. Bob Wilson stated that a public hearing would need to be held regarding this proposed amendment.

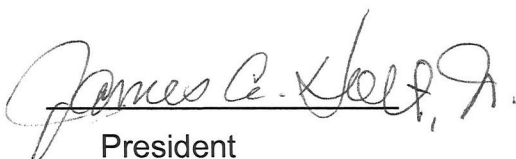
2:15 PM President Holt requested a report from PCCD's Attorney, Bob Wilson. Mr. Wilson stated that his report to the Board would be made during the Executive Session.

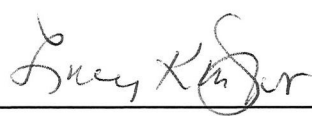
2:15 PM President Holt requested public comments. There were no public comments.

2:20 PM President Holt moved the meeting in Executive Session.

3:12 PM President Holt called the meeting back into Regular Session. Mrs. Knight made the motion that Mr. Bob Wilson follow the instructions that were given to him during the Executive Session. Mr. Rothert provided the second and the motion was approved unanimously.

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


President


Vice-President
Secretary/Treasurer