

**MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT
LOCKHART, TEXAS 78644
August 20th, 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. Knight.

1:00 PM The meeting/hearing was called to order by President of the Board, James Holt. The following Board members were present: Peter Reinecke (Vice President), 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.

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 July 16th, 2024. Mrs. Knight made a motion that the minutes of the regularly scheduled meeting held on July 16th, 2024, be accepted as mailed out. Mr. Reinecke provided the second and the motion was approved unanimously.

1:00 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 proposed access easements for Site 10. Mr. Meyer reminded the Board that at last month's meeting, he had informed them that there were issues with the surveys. Mr. Meyer stated that the first survey had been amended in 2022 and included upstream areas and areas that encompassed the rehabilitated dam and the second and third surveys dealt with amending PCCD's access. Mr. Meyer informed the Board that the surveyors and M&E Engineers had been able to resolve the discrepancies. Mr. Meyer stated PCCD was now ready to record the access agreement instrument. Mr. Bob Wilson stated the recorded documents would need to address two issues: (1) the upstream areas and (2) the access areas. Mr. Bob Wilson stated he had drafted an agreement between PCCD and Sunfield that would include the amended access agreements. Mr. Bob Wilson stated that he still needed to work with Mr. Meyer regarding the upstream area document because he did not know who the landowners were.

1:10 PM President Holt requested discussion of agenda item VI regarding review of solicitation measures for selecting a firm or individual to conduct accounting services. Mr. Meyer stated that Jansen & Gregorczyk had closed following Jim Jansen's retirement, but that Mr. Jansen stated he would still be able to review PCCD's budget on an annual basis. Mr. Meyer asked if the Board wanted to move forward with a person that was a licensed certified public accountant (CPA), someone who worked under the supervision of a CPA, or an individual who had bookkeeping experience. Mr. Meyer informed the Board that a previous staff member from Jansen & Gregorczyk had performed the general

accounting services to prepare the District for the annual audit. Mr. Bob Wilson requested PCCD research whether a license was required to provide bookkeeping services. Mr. Meyer asked if a license was required, would the Board want PCCD to move forward with sending out an RFQ to select firms/individuals and they said yes; however, the Board agreed that if a license was not required, PCCD staff should request a quote from the individual that had been performing these services for consideration at next month's meeting.

1:17 PM

President Holt requested discussion of agenda item VII regarding review of recommendations for repairing erosion at Site 31. Mr. Meyer stated that as instructed by the Board at last month's meeting, he had contacted Nighthawk and MVK First Phase Construction to evaluate and provide a recommendation on how to fix the erosion at Site 31. Mr. Meyer stated that the owner of MVK had been able to visit the site and had provided his recommendation, but it was not detailed enough to create a request for bid. Mr. Meyer stated that Nighthawk would be able to visit the site on August 21st, 2024. Mr. Meyer asked if the Board wanted to move forward with MVK's recommendation or wait until the second evaluation was done. The Board requested that the second evaluation be completed and presented before they decided on how to proceed.

1:22 PM

President Holt requested discussion of agenda item VIII regarding selecting a document management system to replace the previous system. Mr. Meyer stated that PCCD had researched several companies and had them provide on-line demonstrations and pricing. A summary sheet was provided to each Board Member that included a breakdown of the total cost for the first year, the data migration and setup costs, and the annual cost for each of the companies. A brief discussion ensued regarding what the data migration costs included, how long the migration would take, and what the annual costs would be. Mrs. Knight made a motion that Square 9 be chosen to replace the previous system. Mr. Reinecke provided the second and the motion was approved unanimously.

1:37 PM

President Holt requested discussion of agenda item IX regarding amending one cooperative agreement for Site 28 Rehabilitation (LPLUM28-RHB-ST2-029-23-AMEND 1) to extend the agreement to November 30th, 2026 (no cost change). Mr. Meyer informed the Board that the amendment did not involve any funding and only extended the state agreement to November 30th, 2026. A summary sheet was provided to each Board Member to illustrate the various Site 28 agreements and amendments. Mr. Meyer pointed out that the agreement would expire on September 30, 2024. Mrs. Knight made a motion that the agreement be signed to extend the agreement to November 30th, 2026. Mr. Owen provided the second and the motion was approved unanimously. Mr. Holt signed the amended agreement.

1:40 PM

President Holt requested discussion of agenda item X regarding a draft amended interlocal agreement (ILA) for the Plum Creek Watershed Partnership. Mr. Meyer informed the Board that this draft ILA was amended to classify the Plum Creek Watershed Partnership coordinator as an employee of Guadalupe-Blanco River Authority with benefits. Mr. Meyer pointed out that PCCD's cost share would remain the same and Guadalupe-Blanco River Authority's cost share would increase. Mr. Owen made a motion that the amended interlocal agreement be approved. Mrs. Knight provided the second and the motion was approved unanimously. Mr. Holt signed the amended interlocal agreement.

1:45 PM President Holt requested discussion of agenda item XI regarding approving the 2024-2025 Budget. Mr. Meyer informed the Board that the combined estimated assessed taxable value for Hays and Caldwell County for PCCD's District was about 13 billion, which was a 1.5 billion increase compared to last year. Mr. Meyer presented each Board Member with three graphs, one that compared income, expenses and cash, one that compared income to expenses, and one that compared projected expenses. Mr. Meyer pointed out that PCCD's expenses had varied from year to year based on the number of dam rehabilitation and/or upgrade projects that were done as well as other operations and maintenance projects, such as fence work and revegetation projects. Mr. Meyer discussed the process used to calculate the proposed taxes, using the no-new revenue tax rate and voter approval tax rate. Mrs. Knight made a motion to approve the proposed 2024-2025 budget. Mr. Reinecke abstained from voting. Mr. Rothert provided the second and the motion was approved with 4 members voting aye.

1:57 PM President Holt requested discussion of agenda item XII regarding proposing tax rates for groundwater and flood control. Mrs. Knight made a motion to propose a tax rate of 0.0140 per \$100 valuation for flood control. Mr. Reinecke opposed. Mr. Rothert provided the second and the motion was approved with 4 members voting aye. Mrs. Knight made a motion to propose a tax rate of 0.0158 per \$100 valuation for groundwater. Mr. Reinecke opposed. Mr. Owen provided the second and the motion was approved with 4 members voting aye.

2:00 PM President Holt requested discussion of agenda item XIII regarding scheduling date & time of public hearings for proposed tax rates for groundwater & flood control. The public hearings were set for September 11th, 2024, at 1:00 PM.

2:01 PM President Holt requested discussion of agenda item XIV regarding professional services of McCarthy and McCarthy, LLP, and Mr. Feathergail Wilson. Mr. Meyer stated that McCarthy and McCarthy, LLP had submitted an engagement letter with no increased cost and Feathergail Wilson also indicated that he would be willing to renew his contract with no increased cost. Mrs. Knight made a motion that PCCD accept the professional services of McCarthy and McCarthy as set out in the engagement letter for the coming year. Mr. Owen provided the second and the motion was approved unanimously. Mr. Owen made a motion that PCCD accept the professional services of Feathergail Wilson for the coming year without any changes to his contract. Mrs. Knight provided the second and the motion was approved unanimously.

2:03 PM President Holt requested a report from the PCCD Geologist, Mr. Feathergail Wilson. Mr. Feathergail Wilson's presented a slideshow on several topics. Mr. Feathergail Wilson stated that he had been assisting Mr. Meyer and County Line Special Utility District (SUD) research the issue of water suddenly coming up on one of County Line's adjacent properties. Mr. Meyer stated that County Line had informed him that their water lines had been checked and no leaks were discovered. Mr. Meyer stated that County Line had asked PCCD for assistance since it was near PCCD's Site 7 dam. Feathergail Wilson had suggested PCCD obtain a water sample and a resistivity test to help determine the source of the water. Mr. Feathergail Wilson also discussed faulting volcanoes and atoll formations and showed a slide of volcanoes and their locations in the Central and South Texas areas.

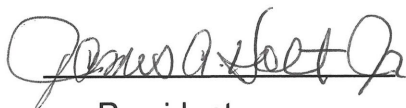
2:36 PM President Holt requested a report from the NRCS' District Conservationist, Mr. Jeremy Hasty. Mr. Hasty was not in attendance.

2:36 PM President Holt requested a report from the PCCD Executive Manager, Mr. Daniel Meyer. Mr. Meyer informed the Board that the Site 2 contractor had begun revegetation of the dam on July 31st, 2024. Mr. Meyer stated that the contractor was using irrigation lines and hand watering and not using trucks to water as originally planned. Mr. Meyer stated that the contractor had already used 2-acre feet of their 4-acre feet permit. Mr. Meyer informed the Board that PCCD had acquired a 10-acre feet temporary permit from Texas Commission on Environmental Quality to use if needed. Mr. Meyer showed slides of Site 21 and informed the Board that the 50% vegetation coverage requirement had been met and the only work left to be completed involved the cofferdam dam and removal of the silt fence. Mr. Meyer showed the Board slides of the Site 27 revegetation project that had been completed earlier this year, but unfortunately due to lack of rainfall, there were still bare areas and areas that did not have enough grass coverage. Mr. Meyer stated that going forward, when these types of projects were completed, it would be beneficial for PCCD to have a TCEQ water permit to ensure adequate irrigation. Mr. Meyer gave an update on the Site 28 rehabilitation project and stated that the preconstruction conference had been held before today's Board meeting. Mr. Meyer stated that one of the big topics during the conference was how to obtain the water needed for the project.

2:44 PM President Holt requested a report from PCCD's Attorney, Bob Wilson. Mr. Bob Wilson stated that during the Site 28 preconstruction conference, both he and Ed McCarthy informed the conference attendees (during a phone call) that a permit would be required before water could be pumped out of the reservoir. Mr. Bob Wilson informed the Board that he and Ed McCarthy were considering approaching TCEQ about creating a rule amendment to clarify when the primary local sponsors of flood retarding structures could use water from the sediment pools for irrigation purposes to help keep the grass growing, which would protect the integrity of the dam. Mr. Bob Wilson stated this was a state-wide problem.

2:51 PM President Holt requested public comments. There were no public comments.

2:51 PM Mrs. Knight made a motion to adjourn. Mr. Reinecke provided the second and the motion to adjourn passed unanimously.


President


Vice-President