

MEETING OF THE BOARD OF DIRECTORS  
PLUM CREEK CONSERVATION DISTRICT  
LOCKHART, TEXAS 78644  
January 27th, 2025

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: Peter Reinecke (Vice President), Lucy Knight (Secretary/Treasurer), Fred Rothert (Director), Tom Owen (Director), and Lee Rust (Director). PCCD Attorneys Bob Wilson and Edmond McCarthy were present. PCCD Geologist Feathergail Wilson attended via Zoom. Stacy Britton of Montemayor, Britton, Bender was present. Lauren Moran and Ryan Gray of D.R. Horton attended the meeting via Zoom. 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 called the meeting to order.

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 December 17th, 2024. Mrs. Knight made a motion that the minutes of the regularly scheduled meeting held on December 17th, 2024, be accepted as mailed out. Mr. 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 the 2023-2024 Audit from Montemayor, Britton & Bender. Mr. Meyer stated that this was the third year Montemayor, Britton, & Bender had completed the single audit for PCCD. Mr. Meyer then introduced Stacy Britton to the Board. Stacy Britton stated that the audit was for the fiscal year ending September 30<sup>th</sup>, 2024. Ms. Britton outlined the responsibilities of the management staff and the auditors during the audit process. She stated the audit resulted in a "clean opinion," meaning that PCCD's financial statements were fairly stated in all material respects in accordance with generally accepted accounting principles. Ms. Britton pointed out that PCCD had a strong picture of financial health and sufficient liquid resources on hand to meet short-term operating liabilities. Ms. Britton reported there were no compliance issues with federal or state funds and that the audit had gone very smoothly. Mrs. Knight made a motion to accept the 2023-2024 audit. Mr. Rothert provided the second and the motion was approved unanimously.

1:13 PM President Holt requested discussion of agenda item VI regarding the PCCD Quarterly Investment Report. Mrs. Knight stated that the report showed that the District was in good financial shape. Mrs. Knight stated that the report had been received, reviewed, and signed.

1:14 PM President Holt requested discussion of agenda item VII regarding quotes received from Performance Plus for repairs on multiple sites. Mr. Meyer stated that in June of 2024, Performance Plus performed annual inspections of PCCD's dams and found several dams needed repairs. Mr. Meyer stated the quote for the riser repairs was \$61,650. Mr. Meyer stated that the repairs would include replacing trash guards with stainless steel guards, broken man-holes, broken slide gates, vent pipes, as well as unburying and extending toe drains. Mr. Meyer informed the Board that given the age of the dams, it would probably be a good idea to replace all of them. Mr. Meyer stated that the prices would probably increase given there was a shortage of suppliers for the slide gates as well as the rising cost of stainless steel. Mr. Meyer informed the Board that if the Site 12 Rehabilitation Project moved forward, the recommended repair would not be necessary since the new design called for abandoning the principal spillway riser. Mr. Meyer stated that the Texas Commission on Environmental Quality (TCEQ) had to be notified once the repairs were completed. Mrs. Knight made a motion to approve the expenditure for the sites listed in the quote, but to hold off on Site 12 until later in the year when PCCD would know something more definite regarding the project. Mr. Rust provided the second and the motion was approved unanimously. The Board asked Mr. Meyer to present a report that detailed the costs of replacing the remainder of the slide gates at the next Board meeting.

1:26 PM President Holt requested discussion of agenda item VIII regarding the consideration of amending the Site 10 Amended Easement (2022). Mr. Meyer informed the Board that the necessary documentation for agenda items VIII and IX was not ready for the Board's consideration and would be presented to the Board at a future meeting. Ed McCarthy stated they were continuing to work on a draft that would protect PCCD's existing rights within the easements while accommodating the request to use a metes and bounds description.

1:26 PM President Holt requested discussion of agenda item IX regarding request for Recordable Release & Termination of Site 10 Temporary Construction Working Space and Access Easement. Mr. Meyer informed the Board that the necessary documentation for agenda items VIII and IX was not ready for the Board's consideration and would be presented to the Board at a future meeting. Ed McCarthy stated they are continuing to work on a draft that would protect PCCD's existing rights within the easements while accommodating the request to use a metes and bounds description.

1:29 PM President Holt requested discussion of agenda item X regarding the 5-year review of the Smith #1 Groundwater Production Permit. Mr. Meyer requested that Tyler Farco present the report to the Board. Each Board member was given a copy of the Permit Review Checklist and a map of the well location. Tyler informed the Board that water use reports had been submitted in a timely manner and that the well was used for agricultural purposes with no known violations. Tyler explained to the Board that he had used two analyses to determine that the water levels in the vicinity of the permitted wells were compliant with Rule 20. The two analyses involved determining whether the drawdown from the initial water level was more than 25% of the aquifer thickness or the drawdown was more than 50% between the aquifer bottom and initial water level. Tyler stated that PCCD had not received any mitigation requests regarding this well. Tyler informed the Board that no wells had been drilled within a one-mile area of the Smith Groundwater Well. Tyler stated that this well was compliant with the Desired Future Conditions (DFC).

1:31 PM President Holt requested discussion of agenda item XI regarding Site 12 matters. Mr. Meyer stated Bob Wilson recommended this agenda item be discussed during the Executive Session. Mr. Meyer also informed the Board that PCCD had invited Lauren Moran and Ryan Gray of D.R. Horton to attend the meeting via Zoom.

1:31 PM President Holt requested discussion of agenda item XII regarding Request for Proposal submittal regarding surveying of areas needed for the Site 12 rehabilitation Project. Mr. Meyer stated Bob Wilson recommended this agenda item be discussed during the Executive Session.

1:31 PM President Holt requested discussion of agenda item XIII regarding Request for Proposal submittal regarding the appraisal of areas needed for the Site 12 rehabilitation Project. Mr. Meyer stated Bob Wilson recommended this agenda item be discussed during the Executive Session.

1:31 PM President Holt requested discussion of agenda item XIV regarding Site 2 matters. Mr. Meyer stated Bob Wilson recommended this agenda item be discussed during the Executive Session. Mr. Meyer informed the Board that PCCD had also invited Montoya Anderson Construction's (MAC) lawyer to attend the meeting.

1:33 PM President Holt requested a report from PCCD's Geologist, Mr. Feathergail Wilson. Mr. Feathergail Wilson discussed and presented slides on the significant effects of weather on groundwater, the severe drought in certain areas of Texas, and the fire potential outlook for Texas. Mr. Feathergail Wilson defined the jet stream, explained that the currents in the ocean affected the jet stream and that it could have extremely high winds and storms, while low pressures would bring rain. Mr. Feathergail Wilson explained the differences between La Nina and El Nino.

1:56 PM President Holt requested a report from the National Resources Conservation Service's (NRCS) District Conservationist. The NRCS' District Conservationist was not in attendance.

1:56 PM President Holt requested a report from the PCCD Executive Manager, Mr. Daniel Meyer. Mr. Meyer reported that Mr. Walter Stephens, a Site 28 landowner, had presented PCCD with an invoice for items and/or activities he had performed. Mr. Meyer stated that Mr. Stephens told him he felt he should be compensated for these costs as he felt they were due to the Site 28 Rehabilitation Project. Mr. Meyer informed the Board that he had asked Bob Wilson to draft a letter in response to this request. Mr. Meyer informed the Board that a letter was sent to Mr. Stephens, which stated that under the easement terms the items were not eligible for compensation. Mr. Meyer also informed the Board that on a different occasion, Mr. Stephens came to the PCCD office and informed him that he had applied for a permit with Caldwell County to put a septic system on some of his property. Mr. Stephens told Mr. Meyer that the county told him they wanted a letter from PCCD regarding this since PCCD had an easement. Mr. Meyer presented a summary sheet of the Site 28 rehabilitation project finances. Mr. Meyer also presented the Board members with a PCCD Easement Use Application tracking sheet, which showed the dam site along with the status of any present and/or future easement use requests. Mr. Meyer stated that the easement use requests included proposed development of multifamily apartments, development by D.R. Horton, installation of a treated wastewater line by GBRA into Site 10, and a proposed RV park. Mr. Meyer presented the Board with maps of the Site 10 area

which showed a wastewater treatment plant off Satterwhite Road, which was still being developed, but eventually, if the permit was approved, the outfall would go into Site 10. Mr. Meyer stated the discharge would be 1.3 million gallons per day, up to 5.2 million gallons per day. Mr. Meyer stated that once the NRCS made their recommendations, the requests would be presented to the Board for their consideration. Mr. Meyer informed the Board that he had applied for and been granted right-of-way (ROW) easement permits for Little Lane and Lost Road, which could be used to drill PCCD's next monitoring well. Mr. Meyer stated PCCD staff would move forward with creating a bid packet for this project. Mr. Meyer stated that Little Lane was the preferred location, as it had the largest area.

2:11 PM President Holt requested a report from PCCD's Attorney, Bob Wilson. Mr. Bob Wilson stated that he would be discussing Site 12, Site 10, and Site 2 during Executive Session. Mr. Holt stated a short break would be taken before moving into an Executive Session.

2:15 PM President Holt moved the meeting into an Executive Session to discuss Sites 12, 10, and 2 as well as yearly employee reviews.

3:05 PM President Holt called the meeting back into Regular Session. Mrs. Knight made a motion regarding Site 2, which was that once PCCD received a final invoice from Montoya Anderson Construction (MAC) along with signed releases and any other required documentation, PCCD would pay the invoice including the retainage and that PCCD would reimburse the State for the AECOM expenses of \$104,740.84. Mrs. Knight amended her motion to clarify that this should be done after PCCD had received the State reimbursement. Mr. Owen provided the second and the motion was approved unanimously. Mr. Owen made a motion that a pay raise of \$5250 be given to each staff member: Alan Burklund, Daniel Meyer, Tyler Farco, and Nora Lopez-Castillo. Mrs. Knight provided the second and the motion was approved unanimously. Mr. Owen and Mrs. Knight amended their motions to clarify that the pay raise would be retroactive to January 1<sup>st</sup>, 2025.

3:07 PM President Holt requested public comments. There were no public comments.

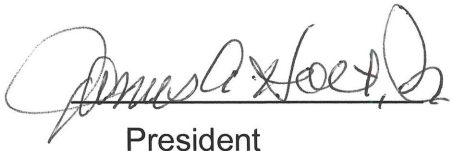
3:07 PM Mr. Reinecke made a motion to adjourn. Mr. Reinecke provided the second and the motion to adjourn passed unanimously.

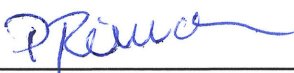
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President

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Vice-President

  
President

  
Vice-President