

MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT
LOCKHART, TEXAS 78644
February 18th, 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 A. Holt, Jr. The following Board members were present: Peter Reinecke (Vice President), Lucy Knight (Secretary/Treasurer), Fred Rotherth (Director), Tom Owen (Director), and Lee Rust (Director). PCCD Attorney Bob Wilson and Edmond McCarthy (via Zoom) and PCCD Geologist Feathergail Wilson (via Zoom). Zoom links were sent to representatives from D.R. Horton including Leonard Dougal, attorney for D.R. Horton. 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 January 27th, 2025. Mrs. Knight made a motion that the minutes of the regularly scheduled meeting held on January 27th, 2025, 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 quotes received for the Site 12 access road construction project. Mr. Bob Wilson stated that this agenda item would be addressed during the Executive Session.
- 1:02 PM President Holt requested discussion of agenda item VI regarding quotes received for the Site 29 fence construction project. Mr. Meyer informed the Board that the project included replacing about 1000 feet of fencing, nine corner braces, and two 16-foot gates. President Holt then announced the bid amount from TerraSol at nine thousand eight hundred ninety-two dollars (\$9892.00); and from Sexton, Inc. at ten thousand two hundred ten dollars (\$10,210.00). Mrs. Knight made a motion to approve the TerraSol bid for \$9892.00. Mr. Rotherth provided the second and the motion was approved unanimously.
- 1:06 PM President Holt requested discussion of agenda item VII regarding quotes received for the Site 34 fence construction project. Mr. Meyer informed the Board that two bids were received. Mr. Meyer stated that the project included approximately 1250 feet of fencing, six corner braces, and one 16-foot gate. Mr. Meyer stated that somehow the fence had been taken down and needed to be replaced to establish PCCD's works of improvement easement. President Holt then announced the bid amount from TerraSol at nine thousand two hundred eighty dollars (\$9280.00), and from Sexton, Inc. at nine thousand six hundred forty dollars (\$9640.00). Mrs. Knight made a motion to approve the TerraSol bid for \$9280.00. Mr. Owen provided the second and the motion

was approved unanimously.

1:08 PM

President Holt requested discussion of agenda item VIII regarding a Resolution to amend PCCD's Records Retention Schedule. Mr. Meyer stated that the Board had previously approved a retention schedule, which had been sent to Texas State Library and Archives Commission (TSLAC) for their guidance/review. Mr. Meyer stated that TSLAC had recommended changes, which had been presented to the Board previously. Mr. Meyer informed the Board that, per their request, the required public hearing had been held on February 7th, 2025, during which no public attended and PCCD had not received any written comments. Mr. Owen made a motion to approve the Resolution to amend the Records Retention Schedule. Mr. Rust provided the second and the motion was approved unanimously.

1:11 PM

President Holt requested discussion of agenda item IX regarding applying for an Agricultural Water Conservation Grant through the Texas Water Development Board (TWDB). Mr. Meyer stated that the TWDB had allocated grant funding this year for two categories: (1) remote sensing to estimate agricultural water use and (2) improve conservation of water used for agricultural purposes. Mr. Meyer stated PCCD could apply for a grant that would involve desalination research, which would be similar to the project that had previously been considered by PCCD but had fallen through for various reasons. Mr. Meyer stated that this proposed project would not include drilling a well, but instead PCCD would try to find someone who already had a well that was used for agriculture purposes and had brackish and/or saline water. Mr. Meyer stated that the amount PCCD would request was \$400,000 and would require a 50% match from PCCD (\$200,000.00). Mr. Meyer stated that PCCD had found a party that was interested in this project, the Pratkas. Mr. Meyer stated that another option could be the Luling Foundation; however, this location was not within the District. Mr. Meyer stated the deadline for submitting the grant application was March 19th, 2025, and would require an affidavit, a resolution, or minutes that designated a person for contract management. Mr. Meyer stated that specific details still needed to be worked out but could be negotiated as needed. Mrs. Knight stated since the project fit in with what PCCD had been discussing for a couple of years, she made a motion to authorize Mr. Holt to sign the Resolution to apply for the grant. Mr. Rust provided the second and the motion was approved unanimously.

1:21 PM

President Holt requested discussion of agenda item X regarding a report on replacing additional slide gates. Mr. Meyer reminded the Board that at last month's meeting, they had directed him to provide a report on how many additional slide gates needed to be replaced. Each Board Member was given a report that listed all the dams that he felt needed to be replaced. Mr. Meyer stated seven gates needed to be replaced, 18 sites did not require replacement, and three others might need to be replaced (Sites 11, 27, and 34). Mrs. Knight made a motion to replace all the slides gates that had been marked "yes" or "maybe" on the report. Mr. Rothert provided the second and the motion was approved unanimously.

1:27 PM

President Holt requested discussion of agenda item XI regarding an agreement between MAC, Inc. and PCCD regarding the Site 2 State Upgrade Project. Mr. Meyer turned this item over to Mr. Bob Wilson. Mr. Bob Wilson stated that he and MAC's lawyer had worked out the terms of a settlement agreement with a specific Release clause that would be submitted with MAC's final pay application along with a statement from MAC's surety company that the

previous release was still valid. Mr. Bob Wilson stated he had asked Mr. Meyer to check that this specific release clause would be acceptable to the Texas State Soil and Water Conservation Board (TSSWCB) and Mr. Meyer confirmed that it was acceptable to TSSWCB. Mr. Owen made a motion to approve the settlement agreement. Mrs. Knight provided the second and the motion was approved unanimously.

1:32 PM President Holt requested discussion of agenda item XII regarding the consideration of amending the Site 10 Amended Easement (2022). Mr. Bob Wilson stated he and Ed McCarthy had worked on and were now presenting a draft document to the Board regarding amending this easement. Mr. Bob Wilson pointed out that the document stated that PCCD would release, partly, the temporary working space and access easement for the Site 10 rehabilitation project; however, clauses had been added stating that the original purposes of the easement allowing us to maintain the structure and meet the obligations that PCCD has with NRCS remained in place. Mr. Bob Wilson stated that if the Board agreed with the draft document, they would send it to Sunfield for their review. Mrs. Knight made a motion that PCCD's attorneys present the draft document to Sunfield. Mr. Rothert provided the second and the motion was approved unanimously.

1:40 PM President Holt requested discussion of agenda item XIII regarding request for Recordable Release & Termination of Site 10 Temporary Construction Working Space and Access Easement. Mr. Bob Wilson stated that this agenda item was covered under agenda item XII.

1:40 PM President Holt requested discussion of agenda item XIV regarding Site 12 matters. Mr. Bob Wilson stated this agenda item would be discussed during the Executive Session.

1:40 PM President Holt requested discussion of agenda item XV regarding RFP submittal regarding the surveying of areas needed for the Site 12 Rehabilitation Project. Mr. Bob Wilson stated this agenda item would be discussed during the Executive Session.

1:40 PM President Holt requested discussion of agenda item XVI regarding RFP submittal regarding the appraisal of areas needed for the Site 12 rehabilitation Project. Mr. Bob Wilson stated this agenda item would be discussed during the Executive Session.

1:41 PM President Holt requested a report from the PCCD Geologist, Mr. Feathergail Wilson. Mr. Feathergail Wilson discussed and presented slides on the Edwards Aquifer. Mr. Feathergail Wilson showed slides of an empty sinkhole, a sinkhole being filled with water, and a diagram that depicted the layers of a sinkhole. Mr. Feathergail Wilson discussed that while the Edwards rapidly recharged, this only occurred along a narrow band of where the Balcones fault system was. Mr. Feathergail Wilson stated as more wells were drilled into these recharge areas, drawdowns were occurring, especially along the IH-35 corridor.

2:17 PM President Holt requested a report from the NRCS's District Conservationist. The NRCS's District Conservationist was not in attendance.

2:17 PM President Holt requested a report from the PCCD Executive Manager, Mr. Daniel Meyer. Mr. Meyer reported that the new computer server had been installed. Mr. Meyer briefly explained how the computer servers, backup, and replication system worked and provided each Board member with a diagram

of the server setup. Mr. Meyer informed the Board that he had become aware that PCCD had downstream easements. Mr. Meyer stated that seven property owners downstream of Site 27 had flowage easements because in the 1970s, NRCS (formerly SCS) had noticed that the stream could not handle the release from the auxiliary and the banks overflowed. Mr. Meyer stated that during that time NRCS had recommended that PCCD obtain flowage easements downstream. Mr. Meyer stated that these easements were based on estimated acreage, which was based on footage from the centerline of Daniel's Creek, so the easements varied. Mr. Meyer stated that in the future if development affects these easement areas, PCCD may need to figure out how or if it will need to coordinate with the Caldwell County Floodplain Administrator/FEMA. Mr. Meyer presented several slides on the Site 28 Project, which showed the notch in the dam and placement of the principal spillway. Mr. Meyer stated that the project was 34% complete.

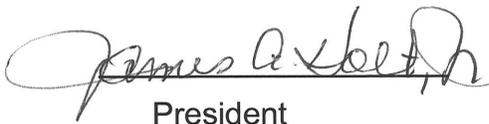
2:38 PM President Holt requested a report from PCCD's Attorney, Bob Wilson. Mr. Bob Wilson stated as the current legislative session progressed, he would report to the Board any legislation that could affect PCCD.

2:42 PM President Holt moved the meeting into Executive Session for consultation with legal counsel on any or all subjects or matters authorized by law, including pending litigation.

3:19 PM President Holt called the meeting back into Regular Session. Mr. Bob Wilson stated that regarding Site 12, as instructed by the Board of Directors, he would inform D.R. Horton that their offer was not yet acceptable and PCCD would be considering their options. Regarding agenda item V, Mr. Holt stated that three quotes were received for the Site 12 access road construction project. President Holt then announced the quote amounts from Sexton at seven thousand seven hundred fifty dollars (\$7750.00), from Knighthawk Construction at eleven thousand eight hundred eight dollars (\$11,880.00.00), and from TerraSol at sixty thousand one hundred fifty dollars (\$6150.00), Mrs. Knight made a motion to approve the TerraSol quote for \$6150.00. Mr. Owen provided the second and the motion was approved unanimously

3:22 PM President Holt requested public comments. There were no public comments.

3:22 PM Mr. Owen made a motion to adjourn. Mrs. Knight provided the second and the motion to adjourn passed unanimously.


President



Vice-President