

MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT
LOCKHART, TEXAS 78644
November 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.

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 Rothert (Director), Tom Owen (Director), and Lee Rust (Director). PCCD Attorney Bob Wilson was present. Edmond McCarthy, Janet Holmes with M&E (Site 27 Contract Consultant) and Feathergail Wilson 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 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 October 21st, 2025. Mrs. Knight made a motion that the minutes of the regularly scheduled meeting held on October 21st, 2025, 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 a resolution to approve the Caldwell County Appraisal District's Tax Rolls for PCCD groundwater. Mr. Meyer stated he had reviewed the tax rate, which was correct, and all the numbers looked to be in order. Mr. Meyer reminded the Board that signing the resolution was done on an annual basis. Mrs. Knight made a motion that the resolution be approved. Mr. Owen provided the second and the motion was approved unanimously. The resolution was signed.

1:03 PM President Holt requested discussion of agenda item VI regarding a resolution to approve the Caldwell County Appraisal District's Tax Rolls for PCCD surface water. Mr. Meyer stated that the information provided for surface water was also correct and all the numbers looked to be in order. Mrs. Knight made a motion that the resolution be approved. Mr. Rothert provided the second and the motion was approved unanimously. The resolution was signed.

1:04 PM President Holt requested discussion of agenda item VII regarding Resolution No. 2025-11-18 to amend PCCD's Deposits and Fee Schedule. Mr. Meyer described the changes that had been made to the Deposits & Fee Schedule. Mr. Meyer stated the required Rulemaking Hearing had been held and there had been no attendees or comments received. Mr. Rust made the motion to approve the Resolution to amend PCCD's Deposits & Fee Schedule. Mrs. Knight provided the second and the motion was approved unanimously.

1:05 PM President Holt requested discussion of agenda item VIII regarding amending the GMA-10 interlocal agreement. Mr. Meyer explained that in 2024, PCCD had signed an interlocal agreement along with the other GMA-10 members for

the purpose of joint funding that was associated with hiring a technical consultant (Collier). Mr. Meyer stated that Collier had not included the costs of modeling at that time since the model was not ready. Mr. Meyer stated that the Texas Water Development Board (TWDB) had finished the model and had informed GMA-10 that the model was ready for use. Mr. Meyer stated he then contacted Collier and asked that they provide GMA-10 with a cost estimate to do the modeling work. Mr. Meyer stated Collier's cost estimate was \$30,000.00 which would be divided between the five GMA-10 members that have the Trinity Aquifer in their District. Mr. Meyer stated none of the members had any objection to the \$6000.00 additional cost. Mr. Meyer stated he had told the GMA-10 members that he would amend the ILA and the funding matrix. Mr. Meyer explained that originally the payments had been scheduled over a three-year period and because the first two payments had already been made, the \$6000.00 had been added to the third scheduled payment. Mr. Meyer stated he had sent the amended GMA-10 to the other members to present to their Board for consideration. Mr. Holt stated they would wait to hear from Bob Wilson regarding this agenda item before acting. At 1:31, Bob Wilson stated he was fine with the amended agreement. Mrs. Knight made a motion to authorize the District to enter into the amended interlocal agreement. Mr. Rust provided the second and the motion was approved unanimously.

1:10 PM

President Holt requested discussion of agenda item IX regarding the draft amended contract between PCCD and Collier Consulting for GMA 10 and Resolution No. 2025-11-18B adopting authority for Executive Manager to Expand Funds for GMA-10 Consultant Contract. Mr. Meyer reminded the Board that PCCD was the contract administrator for the Collier contract. Mr. Meyer recommended that the Board wait to hear from Bob Wilson regarding this agenda item before acting. At 1:33, Mr. Meyer stated that technically the Collier contract could not be signed until all the GMA-10 members had approved the amended interlocal agreement. Mrs. Knight made a motion to authorize Mr. Meyer to sign the Collier contract upon compliance with the amended ILA by all entities. Mr. Rust provided the second and the motion was approved unanimously.

1:11 PM

President Holt requested discussion of agenda item X regarding not renewing the Bank OZK Certificate of Deposit (CD) that will mature on November 24th, 2025, and depositing all funds into the TexPool account or renew the CD. Mr. Meyer turned this agenda item over to Mrs. Knight. Mrs. Knight explained the different maturity dates for a Treasury bill, T-note, and T-bond and how they could be purchased at a discount or at par. Mrs. Knight stated she had contacted Bank OZK and was informed if the CD was renewed, the rate would be 3.52%. Mrs. Knight stated that the bank also told her that CD rates tended to be higher than T-bill rates. Mrs. Knight reminded the Board that as part of its investment policy, the first criterion was security of funds, and the fifth (lowest) criteria was rate. Mrs. Knight suggested that PCCD purchase a \$500,000 T-note that would mature in a one or two-year period and as the other CDs came due, they also be cashed out to purchase other T-notes. Mr. Rust made the motion that PCCD buy a two-year T-note for \$500,000. Mr. Owen provided the second and the motion was approved unanimously.

1:19 PM

President Holt requested discussion of agenda item XI regarding an engagement letter from Sue Ayers for legal assistance with eminent domain decisions and procedures relating to the City of Kyle's Condemnation Suit regard-

ing Site 5's easement. Mr. Meyer informed the Board that PCCD had received a condemnation suit from the City of Kyle, which was within PCCD's easement, upstream of Site 5. Mr. Meyer stated in the past the City of Kyle had been very good at notifying PCCD about matters regarding development or projects in and around its easements. Mr. Meyer stated he was a bit perplexed by the suit, so he called Bob Wilson who told him to call Sue Ayers immediately so that PCCD's easements rights would be protected. Mr. Meyer showed a slide that illustrated the City's planned project, which would condemn property for the west side of Kohler's Crossing cross I-35 where a big tract of land north of Bebee Road would be developed and then the road would cross the Franke property. Mr. Meyer stated he did know about the project in July but did not know if it would be in PCCD's District, so he had emailed the City of Kyle to request designs for the project. Mr. Meyer stated he had not received any designs. Mr. Meyer informed the Board that the fees in the engagement letter were similar to the fees charged for Site 12. Mrs. Ayers addressed the Board and stated that the City of Kyle would ultimately pay money for the privilege of getting the property rights to build the road. Mrs. Ayers stated generally in condemnation cases, the issue was how much would be paid and to whom but could get more complicated when one public entity was suing another public entity. Mrs. Ayers informed the Board that Lower Colorado River Authority (LCRA) had also been a defendant in this case because they had a gas pipeline in the area. Mrs. Ayers stated the City had dismissed LCRA from the suit because the entities would be working together to make sure the City complied with LCRA's requirements to protect their pipeline. Mrs. Ayers stated the same could be true if an agreement was reached with PCCD to protect its facilities. Mrs. Knight stated that PCCD needed representation regarding this matter. Mrs. Knight made a motion to engage with Hucheson Bowers and Sue Ayers. Mr. Owen provided the second and the motion was approved unanimously.

1:35 PM President Holt requested discussion of agenda item XII regarding the City of Kyle's Condemnation Suit regarding Site 5's easement. Mr. Holt stated this agenda item would be discussed during Executive Session.

1:35 PM President Holt requested discussion of agenda item XIII regarding the Notice of Award for the Site 17 repair project. Mr. Meyer stated a pre-bid project had been held, the project had been put out for bid, and the bid opening was held on October 27th. Mr. Meyer informed the Board that Black Fox was the apparent low bidder at \$615,219.83 and the bid had been determined to be fair and reasonable. Mrs. Knight made a motion to approve the Notice of Award. Mr. Owen provided the second and the motion was approved unanimously.

1:41 PM President Holt requested discussion of agenda item XIV regarding authorizing Mr. Holt and Daniel Meyer to sign the Contract for the Site 17 Repair Project. Mr. Meyer stated before the contract could be signed, he thought the contractor still needed to submit some documents. Ms. Holmes stated the contractor had submitted all the documents to make the award and then additional documents would be needed before issuing the Notice to Proceed. Ms. Holmes stated the contract could be signed. Mr. Owen made a motion authorizing Mr. Holt and Daniel Meyer to sign the Contract for the Site 17 Repair Project. Mr. Rust provided the second and the motion was approved unanimously.

1:43 PM President Holt requested discussion of agenda item XV regarding Site 28 rehabilitation project matters. Mr. Meyer stated he did not have anything to discuss at this time.

1:43 PM President Holt requested discussion of agenda item XVI regarding a quote to perform a pump test for the monitoring well on Little Lane. Mr. Meyer stated that Feathergail Wilson had always recommended that a well be logged and to do a pump test. Mr. Meyer stated he had requested a quote from Hazelett Drilling to perform a 24-hour pump test. Mr. Meyer stated Hazelett's quote was \$8006.25. Mrs. Knight made a motion to accept the quote for \$8006.25. Mr. Rother provided the second and the motion was approved unanimously.

1:48 PM President Holt requested discussion of agenda item XVII regarding request for Recordable Release & Termination of Site 10 Temporary Construction Working Space and Access Easement. Mr. Meyer informed the Board that he did not have any updates regarding this agenda item.

1:48 PM President Holt requested discussion of agenda item XVIII regarding a proposed Indemnification Agreement regarding the proposed multifamily Prairie Lakes project at Site 12. Mr. Meyer informed the Board that he did not have any updates regarding this agenda item.

1:48 PM President Holt requested discussion of agenda item XIX regarding easements at Site 12. Mr. Meyer informed the Board that he did not have any updates regarding this agenda item.

1:49 PM President Holt requested a report from the PCCD Geologist, Mr. Feathergail Wilson. Mr. Feathergail Wilson discussed the Leona aquifer. Feathergail showed a slide of a map of the Wilcox and Leona aquifers in relation to the outline of the District. Feathergail Wilson pointed out that parts of the Leona were in a key area of subdivision development, particularly west of Lockhart. Feathergail Wilson stated that the thickest zone of the Leona was only about 35 feet. Feathergail Wilson stated that when it rained on the Leona, the rain would go into the subsurface, move rapidly downdip and empty out into the southern part of the City of Lockhart and into parts of the Wilcox. Feathergail Wilson stated that installing 1-acre spacing septic systems in the Leona would be a problem because depending on the type of septic systems that were used, septic tank water and/or contaminated water could infiltrate down into the Wilcox. Bob Wilson also pointed out that there were also a large number of shallow wells in this area and many that were hand dug wells.

2:00 PM President Holt requested a report from the NRCS's District Conservationist. Aaron Reynolds, NRCS's Resource Team Leader. Aaron Reynolds introduced himself to the Board and stated his role was to manage the counties Comal, Guadalupe, Gonzales, Hays, Caldwell, and Travis with offices and staff in each of those counties. Aaron stated his staff worked on various farm bill-related programs and other conservation projects. Aaron stated that normally the District Conservationist from the Lockhart Office would attend these meetings, but the position was currently vacant. Aaron also stated that Emergency Watershed Protection Program funds could be used to protect dams, roads, and infrastructure after disaster events.

2:03 PM President Holt requested a report from the PCCD Executive Manager, Mr. Daniel Meyer. Mr. Meyer reminded the Board about the letter he had presented to the Board at last month's meeting regarding notifying certain entities about the flood risk near PCCD's dams. Mr. Meyer reminded the Board

that there were three phases of a rehabilitation project: (1) planning, (2) design, and (3) construction. Mr. Meyer stated that during the planning phase, NRCS developed a work plan, called a Supplemental Work Plan. Mr. Meyer stated that during the Site 5 rehabilitation project, one of NRCS's requirements was for PCCD to obtain easements to the top of the dam. Mr. Meyer stated that since PCCD was not able to obtain easements to the top of the dam, it was agreed upon by NRCS and PCCD that the following three clauses would need to be included in the Supplemental Work Plan: (1) an acknowledgement by PCCD of the risk and liability for not acquiring the easements to the top of the dam, (2) an explanation/rationale for why PCCD could not obtain the easements, and (3) PCCD would have to notify governmental entities about the flood risk of these areas. Mr. Meyer stated the primary intention of the letter was to meet the third clause requirement. Mr. Meyer informed the Board that the letter stated the following: (1) PCCD did not have the authority to regulate upstream development, but that PCCD was required to inform representatives such as council members and flood plain managers about the risk of development below the top of the dam, (2) upon request, PCCD could provide assistance to notify the developers, real estate businesses of existing and new developments. Mr. Meyer stated that PCCD had been informing cities and counties informally, but the letter would be more formal. Mr. Meyer stated that the letter went a step beyond what NRCS had required and addressed downstream areas by suggesting that entities consider more conservative regulations for these areas. Bob Wilson commented that the letter was stating PCCD's argument that it should not change any of its blanket easements to metes and bounds descriptions because the blanket easements stated the structure was there. Bob Wilson stated that even obtaining easements to the top of the dam might not be sufficient because conditions had changed so much and the estimates of 100-year flood plains and the estimates where floods occurred may not have anything to do with each other. Mr. Bob Wilson stated that because floods occurred in localized areas and depended on the rate of rainfall, the length of the rainstorm, and runoff coefficients, while the area had stayed the same, the runoff coefficients could have changed due to development. Mr. Meyer stated that he would revisit the letter at next month's meeting. Mr. Meyer informed the Board that House Bill 2073, (correct bill number should be 2078) was a bill that would require PCCD's management plan to include plain language about how the District would monitor and track its Desired Future Conditions (DFCs). Mr. Meyer stated that PCCD's management plan would need to be amended and he would work on a draft for Bob Wilson to review.

President Holt requested a report from PCCD's Attorney, Bob Wilson. Mr. Wilson stated that PCCD had received a Freedom of Information Act request from a landowner about a decision that had been made by NRCS. Mr. Bob Wilson stated that a problem that PCCD continually had was that people did not understand what a federal law structure was and that NRCS needed to be involved because PCCD did not develop the plans or the specifications. Bob Wilson stated the contractor at Site 28 was considering drilling a well to irrigate and establish grass cover in the springtime. Bob Wilson stated that he and Daniel were working on this. Bob Wilson stated that he was continuing to look at bills that had passed during the last session to see if PCCD needed to change any of its rules.

2:19 PM

2:27 PM

President Holt stated that the Board would move into Executive Session after a short 5-minute break.

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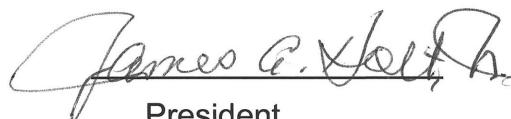
2:32 PM President Holt moved the meeting into Executive Session.

President Holt called the meeting back into Regular session. Mr. Reinecke made a motion that reimbursement for unforeseen vehicle expenses be made, across the board for all employees, one-time only, in the amount of \$2000.00. Mr. Owen provided the second and the motion was approved unanimously. Each employee expressed their gratitude to the Board. President Holt stated this would be done one time for all employees due to vehicle issues and that the Board would be talking about other plans on how to handle this in the future.

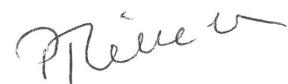
3:35 PM

3:36 PM President Holt requested public comments. There were no public comments.

3:36 PM Mr. Owen made a motion to adjourn. Mrs. Knight provided the second and the motion to adjourn passed unanimously.



President



Vice-President