

Hill Country Energy Sub-Regional Planning Commission

February 28, 2025 Meeting Minutes

A meeting of the Hill Country Energy Sub-Regional Planning Commission (HCESRPC) took place in the Kendall County Courthouse on February 28th, 2025 and was opened at 2:12 pm with a pledge of allegiance to the American Flag. Commissioner Carpenter then provided a prayer for a productive meeting.

The following members of the Board, as appointed by the Kendall and Kerr County Commissioners' Courts, were in attendance:

Rich Paces, Kerr County Commissioner, Precinct 2,
Jeff Holt, Kerr County Commissioner, Precinct 3, via Teams online streaming
Jennifer McCall, Kendall County Commissioner, Precinct 3,
Chad Carpenter, Kendall County Commissioner, Precinct 4, and
Linda Bullard, Landowner Representative, were present.
Texas State Representative, Wes Virdell, was unable to attend.

A quorum and agenda being present, the Commission considered, discussed and took action as described below for each item on the posted meeting agenda.

1. Approval of the Feb. 14th Meeting Minutes

The draft minutes from the Feb. 14th meeting as posted on our website were considered for approval. One amendment was proposed under Item 8 to change "FERC" (Federal Energy Regulatory Commission) to "SREC" (State Republication Executive Committee) as the sponsor of the BESS Symposium in Austin. Commissioner Carpenter made a motion to approve the minutes as amended; Commissioner McCall seconded the motion. The motion passed by a vote of 4 – 0, and the minutes were approved. The President will post the same on our website.

2. Appointment of the Landowner Representative to the Board

Commissioner Paces informed the Board that on February 24th, the Kerr County Commissioners' Court approved the appointment of Linda Bullard as the Landowner Representative on the HCESRPC Board in accord with the ILA between Kendall and Kerr Counties, for a one-year term. Commissioner Paces made a motion for the Board to

appoint Linda Bullard to the Board as a voting member for a one-year term. Commissioner McCall seconded the motion. The motion passed by a vote of 4 – 0.

3. Appointment of the Secretary to the Board

Commissioner Paces made a motion to appoint Linda Bullard as Secretary to the Board with immediate effect. Commissioner McCall seconded the motion. The motion passed by a vote of 5 – 0.

4. Adoption of an HCESRPC Board Resolution Against BESS

Commissioner Paces circulated a draft resolution stating the Board's opposition to BESS for consideration and adoption. There being no changes to the resolution suggested, Commissioner Paces made a motion to adopt the resolution as presented. Commissioner McCall seconded the motion. The motion passed by a vote of 5 – 0.

5. Update on Coordination Notices sent to PUCT and LCRA

Commissioner Paces advised the Board that no responses to the coordination notices were received prior to the meeting, and said that he would send a second formal notification to PUCT and LCRA.

6. Intelligence Report

Commissioner Holt presented via online streaming an analysis of the BESS facilities targeting Kendall or Kerr County that he is aware of. His complete presentation will be posted on our website (www.HCESRPC.com).

7. PUCT and LCRA Coordination & Potential Experts

There was a general discussion, including members of the public, about topics to address, questions to pose, and experts who might be invited to testify at the eventual coordination meetings with PUCT and LCRA.

8. TCEQ Coordination

Commissioner Paces recalled that a resolution adopted by the Kerr County Commissioners Court last August opposing BESS facilities in Kerr County and requesting TCEQ to deny all permits related to BESS facilities in Kerr County. This resolution was sent to TCEQ, which prompted a response from TCEQ stating that it could not address the BESS related concerns raised in our resolution, but that if a BESS developer applied for a permit to authorize waste, water quality or air emissions activities, TCEQ would notify the County Judge. Commissioner Paces noted that it might be helpful for TCEQ to take a more active role in conducting studies on the environmental impact of a thermal runaway fire that generates

toxic airborne particles that could ultimately contaminate our surface water or groundwater. It was noted that various press reports have indicated substantial hazardous soil, air and water contamination associated with the recent fire at Vistra Energy's Moss Landing BESS facility in Monterey County, California. Commissioner Paces made a motion that a letter be sent to TCEQ informing them of the establishment of the HCESRPC and the requirement to coordinate with us about environmental impact assessments of BESS facilities. Commissioner McCall seconded the Motion, and the Motion carried 5-0 authorizing Commissioner Paces to draft and send such letter.

9. Administrative Matters

Commissioner McCall stated that she will follow up with Mason County about the feasibility of taking over the 501(c)(3) organization they set up for their 391 Commission but never used. Commissioner Carpenter informed the Board that he has not set up a bank account for the HCESRPC, and will wait until there is an actual need (i.e., funds to deposit) before setting up an account.

10. Public Comments

Several members of the public took the floor to comment. Of note, Representative Wes Virdell's District Director, Barbara Ferguson, said that the SREC Energy Committee Symposium has been rescheduled to March 19th from 10 am to 3 pm. It will take place in the Texas Public Policy Foundation building in Austin. There will be 3 panels, with BESS being the last one. She did not know whether it will be streamed live or recorded. She provided a flyer announcing the symposium.

11. Set Next Meeting

The Board agreed to set the next meeting of the HCESRPC for 2 pm on March 14th in the Kerr County courthouse at 700 Main Street, Kerrville, TX 78028. Commissioner Paces will consult with Commissioner McCall on the agenda for the meeting. The final agenda will take into consideration whether PUCT or LCRA agree to attend a coordination meeting. Linda Bullard requested an agenda item on BESS related legislation currently before the Texas Legislature. In response, Barbara Ferguson read out a list of 8 relevant bills with number and author. This list will be posted on the Website.

There being no other business before the HCESRPC, the meeting was adjourned at 3:44 pm.

- Submitted by Linda Bullard, Secretary

- Unanimously Approved by the Board of Directors on 3-14-25