

ELM CREEK WATERSHED AUTHORITY
Regular Session Meeting
April 8, 2021

Notice is hereby given that a public hearing and regular meeting of the Board of Directors of the Elm Creek Watershed Authority will be on April 8, 2021, beginning at 7:30 p.m. in the Elm Creek Watershed Authority office, 19 South 25th Street, Suite 500, Temple, Texas.

AGENDA

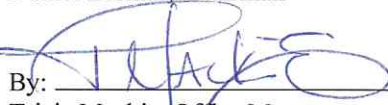
1. Call to Order.
2. Public Comment.
Citizens who desire to address the Board of Directors on any matter may sign up to do so prior to this meeting. Public comments will be received during this portion of the meeting. Please limit comments to 3 minutes. No discussion or final action will be taken by the Board of Directors.
3. Consideration and possible action to approve the consent agenda:
 - a. Minutes from the previous meetings
 - b. Income/Disbursements
 - c. Budget
 - d. Quarterly Report
4. Discuss, consider and take action if necessary, to accept the watershed report as presented.
 - a. Site updates
 - b. NRCS programs
 - c. TSSWCB programs
5. Update of easement acquisitions for Site 23.
6. Consideration and possible action to acquire easements for Site 39.
7. Consideration and possible action to fill director vacancy.
8. Adjourn.

The Elm Creek Watershed Authority Board of Directors may adjourn into Executive Session regarding any appropriate provision of the Open Meetings Act on any of the above topics.

PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, LARGE PRINT, or BRAILLE ARE REQUESTED TO CONTACT ELM CREEK WATERSHED AT 254-778-1961 TWO WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Dated this 1st day of April, 2021

Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

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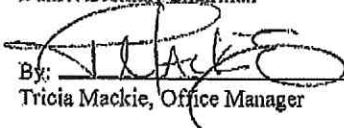
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APR - 1 P 12:28
2021

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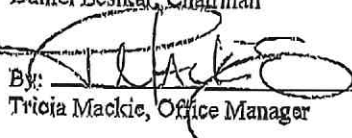
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Dated this 1st day of April, 2021

Daniel Lesikat, Chairman

By: 
Tricia Mackie, Office Manager

CO. CLK. FALLS CO.

APR 1 2021

FILED _____ M

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Dated this 1st day of April, 2021

Daniel Lesikar, Chairman

THE STATE OF TEXAS
COUNTY OF McLENNAN

This is to certify that the Notice of a Meeting, a copy of which is attached hereto, was posted on the official bulletin board at the courthouse, as required by Article 62.52-17 V. T. C. S.

Executed on April 8, 2021

J. A. "Andy" Hurvell, County Clerk
McLennan County, Texas

By [Signature]
Deputy

By: [Signature]
Tricia Mackie, Office Manager



RECEIVED
4/12/2021



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Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

Filed 5 day of April
in 2021, At 2:30 P.M.
JODI MORGAN
County Clerk, Milam County, Texas
By: 
Deputy



RECEIVED
4/12/2021



Handwritten text, likely bleed-through from the reverse side of the page. The text is faint and difficult to decipher but appears to contain several lines of cursive or semi-cursive script.



Tricia Mackie

[Log Off](#)

Open Meeting Submission

TRD: 2021001946
Date Posted: 04/01/2021
Status: Accepted
Agency Id: 1199
Date of Submission: 04/01/2021
Agency Name: Elm Creek Watershed Authority
Board: Elm Creek Watershed Authority
Committee: Board of Directors
Date of Meeting: 04/08/2021
Time of Meeting: 07:30 PM (###:## AM Local Time)
Street Location: 19 S. 25th Street
City: Temple
State: TX
Liaison Name: Tricia Mackie
Liaison Id: 1
Additional Information Obtained From: Tricia Mackie, Office Manager
Agenda: ELM CREEK WATERSHED AUTHORITY
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Dated this 1st day of April, 2021 Daniel Lesikar, Chairman

By:
Tricia Mackie, Office Manager

New Submission

[HOME](#) | [TEXAS REGISTER](#) | [TEXAS ADMINISTRATIVE CODE](#) | [OPEN MEETINGS](#)

S.O.S. Acknowledgment of Receipt

From: TexReg@sos.texas.gov (texreg@sos.texas.gov)

To: elmcreekwsa@sbcglobal.net

Date: Thursday, April 1, 2021, 11:30 AM CDT

Acknowledgment of Receipt

Agency: Elm Creek Watershed Authority

Liaison: Tricia Mackie

The Office of the Secretary of State has posted
notice of the following meeting:

Board: Elm Creek Watershed Authority

Committee: Board of Directors

Date: 04/08/2021 07:30 PM "TRD# 2021001946"

Notice posted: 04/01/21 11:30 AM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2021001946](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2021001946)

ELM CREEK WATERSHED AUTHORITY
INCOME AND DISBURSEMENTS

April 8, 2021

As of March 31, 2021

INCOME AND DISBURSEMENTS

INCOME

TAX

PRESENT

BELL COUNTY	35,797.33
FALLS COUNTY	1,655.81
MCLENNAN COUNTY	1,001.39
MILAM COUNTY	602.91
	39,057.44
TOTAL TAX INCOME	39,057.44

CHECKING ACCOUNT BALANCE \$ 200,432.93

INVESTMENTS

ACCOUNT	MATURITY	AMOUNT	RATE	PRESENT
CITIZENS NATL BANK #91	12/3/21	600,000.00	0.700	322.19
CITIZENS NATL BANK #91	1/7/22	200,000.00	0.650	-
CLASSIC BANK #5323836	2/3/22	150,000.00	0.700	80.55
CLASSIC BANK #5825306	3/13/22	100,000.00	0.700	103.56
MEMBERS CHOICE #1936	05/02/21	249,000.00	0.800	
FIRST NATL MOODY #111	5/22/21	250,000.00	0.800	153.42
INCOMMONS BANK #7946	7/15/21	250,000.00	0.600	115.07
HORIZON BANK #33068	7/5/21	250,000.00	1.050	201.45
BANCORP SOUTH #93700	9/24/21	250,000.00	0.750	462.33
CENTRAL NATL #2828686	1/18/22	250,000.00	0.300	-
BUCKHOLTS STATE BAN	1/21/22	250,000.00	0.400	-
TEXPOOL		402,300.88	0.019	7.86
FIRST NATL MOODY #102	5/13/2021	400,000.00	0.800	245.56
		3,601,300.88		1,691.99

OTHER DISBURSEMENTS

Patricia Mackie	57.68 mileage reimbursement	2,021.30
Calvin Sanders	426.72 mileage reimbursement	3,780.98
Extraco	payroll tax	1,723.84
Card Services	March stmt	99.99
Texas Workforce Commiss	Unemployment Taxes	270.56
		7,896.67
TOTAL OTHER DISBURSEMENTS		7,896.67

10:55 AM

04/08/21

Cash Basis

Elm Creek Watershed Authority

Disbursements

March 12 through April 8, 2021

	<u>Mar 12 - Apr 8, 21</u>
Ambit Energy	-36.54
Arvell Jungmann	-260.48
ATT	-149.65
Avast	-194.45
Bobby Henson	-340.32
City of Temple	-41,817.46
Daniel Lesikar	-480.64
Evelyn Sanderson	-100.00
Heartland Construction Services, LLC	-20,424.00
Kathleen Pinckney	-400.00
Leaday Construction, LLC	-142,941.75
Mike Maedgen	-238.08
Milam County Clerk	-1.00
Patricia Mackie	-471.05
Precious Memories	-82.16
Ray Jungmann	-260.48
Relhom Properties LLC	-550.00
Robert Fleming	-233.60
Steven Rieves	-220.16
United States Postal Service	-7.20
TOTAL	<u><u>-209,209.02</u></u>

Elm Creek Watershed Authority
Profit & Loss Budget vs. Actual
January through December 2021

	Jan - Dec 21	Budget	\$ Over Bud...	% of Bu...
Ordinary Income/Expense				
Income				
Income from Taxes	113,575.35	375,000.00	-261,424.65	30.3%
Total Income	113,575.35	375,000.00	-261,424.65	30.3%
Gross Profit	113,575.35	375,000.00	-261,424.65	30.3%
Expense				
Advertising	0.00	1,000.00	-1,000.00	0.0%
Allocation (Collection) Expe...	1,254.31	6,500.00	-5,245.69	19.3%
Communications	799.02	3,500.00	-2,700.98	22.8%
Contract	400.00	3,000.00	-2,600.00	13.3%
Contract Labor	0.00	0.00	0.00	0.0%
Director-Per Diem	3,600.00	10,500.00	-6,900.00	34.3%
Down Stream Structure	0.00	6,000.00	-6,000.00	0.0%
Dues and Subscriptions	325.00	325.00	0.00	100.0%
Easements	0.00	0.00	0.00	0.0%
Elections	0.00	5,000.00	-5,000.00	0.0%
Insurance	396.00	10,000.00	-9,604.00	4.0%
Maintenance	48,167.25	200,000.00	-151,832.75	24.1%
Mileage	2,254.40	10,000.00	-7,745.60	22.5%
Miscellaneous	182.16	500.00	-317.84	36.4%
Office Supplies	1,132.61	4,000.00	-2,867.39	28.3%
Payroll Expenses	27,365.27	82,000.00	-54,634.73	33.4%
Professional Fees	1,148.00	20,000.00	-18,852.00	5.7%
Recording Fees	4.00	350.00	-346.00	1.1%
Rent	2,200.00	6,600.00	-4,400.00	33.3%
Supplies	135.81			
Tax Increment Zone Payment	41,817.46	37,778.00	4,039.46	110.7%
Training	0.00	6,000.00	-6,000.00	0.0%
Travel & Ent	63.06	5,000.00	-4,936.94	1.3%
Utilities	164.37	1,800.00	-1,635.63	9.1%
Total Expense	131,408.72	419,853.00	-288,444.28	31.3%
Net Ordinary Income	-17,833.37	-44,853.00	27,019.63	39.8%
Other Income/Expense				
Other Income				
Interest Income	7,191.42	25,000.00	-17,808.58	28.8%
Reimbursed Income	280,036.65	0.00	280,036.65	100.0%
Total Other Income	287,228.07	25,000.00	262,228.07	1,148.9%
Other Expense				
Reimbursed Expenses	281,026.43	0.00	281,026.43	100.0%
Total Other Expense	281,026.43	0.00	281,026.43	100.0%
Net Other Income	6,201.64	25,000.00	-18,798.36	24.8%
Net Income	-11,631.73	-19,853.00	8,221.27	58.6%

SUGGEST:

↓ TRAINING \$ 4100.-

↑ TAX INCREMENT ZONE \$ 4100.-

ELM CREEK WATERSHED AUTHORITY
Monthly Report – 4/8/2021

Operation and Maintenance

On-going Maintenance

Fertilization completed 3/17-18 at 12 sites.

Mowing to be done this month at 15 sites with emphasis on those with greenbrier and that are not grazed. One contractor to move equipment Friday and start mowing 7 sites under that contract Saturday. Second contractor to do remaining 8 sites. TSSWCB O&M grant program funding approved for these activities.

Broadleaf weed control will be scheduled later in April and into May at 19 sites. TSSWCB O&M grant program funding approved for these activities.

Request for quotes sent out 3/31 for fence replacement at Site 11 and Site 19. TSSWCB O&M grant program funding approved for these projects.

Dam Safety

Formal TCEQ 5-year dam safety inspections completed at Site 39 in Falls County by TCEQ staff on 3/31. This wraps up these inspections until 2026.

TSSWCB Repair Program

Plunge Basin Repairs/Pipe replacement (Site 32 only)

Sites 32 repair has been interrupted due to contractor/superintendent coming down with COVID 19. As of Monday 4/5 the job has been shut down and crew will have to quarantine. It is possible they can resume in two weeks with alternate superintendent. The repair is approximately 75% complete and could be completed in another 2-3 weeks after work resumes. The contractor is well ahead of schedule and could have weather days and the quarantine shutdown added onto performance time.

Sites 37, 38, 43 plunge basin repairs: Invitation for Bids posted on CIVCASTUSA.COM on 3/31. A pre-bid conference and showing of sites was conducted yesterday, 4/7. We had 8 contractors attend. Bids will be opened 4/21. Notice to Proceed will depend on completion of the repair contract at Site and availability of NRCS project engineer and construction inspector. This IFB has a price range of \$250,000 to \$500,000.

Dam Upgrades Site 23 and 39

Designs for upgrades at Sites 23 and 39 are nearing 100% completion. All that remains is incorporation of comments made during review by the NRCS design center in Fort Worth and insertion of standard design for riser/inlet structure at Site 39, where the riser will now be replaced due to settlement.

Additional investigations of borrow areas at Site 39 were made by AECOM 3/22-3/24. Met and discussed the potential need for borrow material with Bill Meadows. Discussed the existing easement inclusion of provision for borrow for the upgrade project with Mr. Meadows. He indicated he was willing to cooperate.

Notified owners at Site 23 of compensation offers accepted by ECWA for acquisition of additional easement areas. The finalization of design is the holdup delaying metes and bounds survey of those additional easement areas. ECWA attorney has advised that the survey will need to be completed before easement paperwork and compensation agreed to between ECWA and property owners can be done. The CAD design from AECOM including the existing easement and upgrade layout will help expedite the surveys. I have contacted Hughes Surveying owner Randy Hughes about surveys and he could not give a ballpark cost figure until more of the scope of the surveys is known. Some of the uncertainty about cost is existence of recent surveys on the properties. Recent surveys would reduce amount of work required.

As directed by the ECWA board at the 3/11/2021 meeting, the owner at Site 39 was sent a certified letter on 3/16 with offer for compensation to acquire necessary easements. The letter included a request for response by 3/31. No written response has been received.

ELM CREEK WATERSHED AUTHORITY
OFFICIAL MINUTES
April 8, 2021

Elm Creek Watershed Authority, Board of Directors, met in regular session on
April 8, 2021, at 19 South 25th Street, Suite 500, Temple, Texas

Directors present: Steve Rieves, Daniel C. Lesikar, Ray Jungmann, Mike Maedgen, Robert Fleming, Bobby Henson and Arvell Jungmann

Others present: John Perryman, Calvin Sanders and Tricia Mackie

The meeting was called to order by Daniel C. Lesikar, Chairman, at 7:31 p.m.

Consent Agenda: Bobby Henson made a motion to approve the previous meeting minutes as mailed. The motion was second by Ray Jungmann. Motion passed.

Income and Disbursements were read aloud by Tricia Mackie. A motion was made by Bobby Henson to receive, approve and file income and disbursements. Ray Jungmann second the motion. Motion passed.

Tricia Mackie suggested the budget be amended by decreasing Training \$4100.00 and increasing Tax Increment Zone \$4100.00. Mike Maedgen made a motion to amend the budget as suggested. Arvell Jungmann second the motion. Motion passed.

Tricia Mackie reviewed the 1st Quarter Financial Report. A motion was made by Arvell Jungmann to approve the Quarterly Report. Bobby Henson second the motion. Motion passed.

Watershed Report: The watershed report was presented by Calvin Sanders. O&M: Fertilization has been completed on 12 sites with reimbursement available from TSSWCB. Mowing on 15 sites will start this week, with the contract being split between two contractors and reimbursable from TSSWCB. 19 sites are scheduled to be treated for broadleaf control and bids for fence replacement on Sites 11 & 19 have been mailed. Both of these items are reimbursable through TSSWCB funding.

5-year Dam Safety Inspections have been completed by TCEQ on all 12 sites.

Repairs are underway at Site 32, although interrupted temporarily due to COVID-19.

Sites 37, 38 & 43 site showing & pre-bid conference was conducted April 7th with 8 contractors present.

Upgrade designs on Sites 23 & 39 repairs are almost complete. Attorney inquiries show ECWA has rights to materials in easements for borrow/fill without the need for additional easements. Surveys will need to be completed before any agreements will be signed. Mr. Sanders is waiting on CAD designs for final metes and bounds of additional easements needed for upgrade. Mr. Sanders has contacted Randy Hughes for completing the survey and will research recent surveys which may reduce expense.

Mr. Sanders mailed a certified letter to landowner Benolken on Site 39 with an offer comparable to Site 23 landowners for additional easements, with no response received by the deadline.

A motion was made by Robert Fleming to approve the watershed report. Ray Jungmann second the motion. Motion passed.

Easements: Site 23-Mr. Sanders discussed the information during the Watershed Report. No action.

Site 39-The board discussed the offers made for Site 23 easements. Mike Maedgen made a motion to offer the landowner \$15,000 per acre, \$5,000 for temporary use area and \$1,500 for loss of grazing damages. Bobby Henson second the motion. Motion passed.


Director Vacancy: A motion was made by Mike Maedgen to appoint John Perryman of Moody, Texas to fill the unexpired term of Dean Mikeska. Ray Jungmann second the motion. Motion passed.

Adjourn: Arvell Jungmann made a motion to adjourn. Steve Reives second the motion. Motion passed. Meeting adjourned at 8:42 p.m.

ATTEST:



Daniel C. Lesikar
Chairman



Steve Rieves
Vice-Chairman