

ELM CREEK WATERSHED AUTHORITY
Regular Session Meeting
August 13, 2020

Notice is hereby given that a regular meeting of the Board of Directors of the Elm Creek Watershed Authority will be on August 13, 2020, beginning at 7:30 p.m. Members of the public wishing to make public comment during the meeting must register by emailing elmcreekwsa@sbcglobal.net prior to 12:00 pm on August 13, 2020.

The board members and public may join the meeting by the following:

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/481676229>

You can also dial in using your phone.

United States: [+1 \(872\) 240-3412](tel:+18722403412)

Access Code: 481-676-229

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

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AGENDA

1. Call to Order.
2. Roll Call, if necessary.
3. 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.
4. Consideration and possible action to approve the consent agenda:
 - a. Minutes from the previous meetings
 - b. Income/Disbursements
 - c. Budget
 - d. Quarterly Report
5. Discuss, consider and take action if necessary to accept the watershed report as presented.
 - a. Site updates
 - b. Access road repairs
 - c. NRCS programs
 - d. TSSWCB programs
6. Consideration and possible action to adopt the 2021 Budget.
7. Consideration and possible action to approve the 2020 Proposed Tax Rate.
8. Notification of the September meeting date, September 3, 2020.
9. 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 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 6th day of August, 2020

Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

02:12:48 p.m. 08-06-2020 2 2547780737

08/06/2020 14:31 ELM CREEK WATERSHED

(FAX)2547780737

P.002/002

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2020 AUG -6 P 3:11
SHELLEY COSTON
CO. CLK. BELL CO. TX

AGENDA

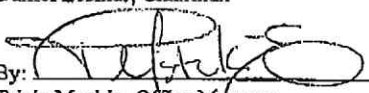
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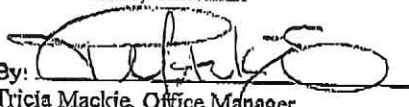
Dated this 6th day of August, 2020

FILED 3:00 PM

AUG 06 2020

LINDA WATKINS
CO. CLK. FALLS CO.

Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

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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 Aug 10, 2020

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

By: [Signature]
Deputy

3:14 PM

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Daniel Lesikar, Chairman

By: [Signature]
Tricia Mackie, Office Manager



RECEIVED
8/13/2020

RECEIVED



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Filed 10th day of August
in 2020, At 1:10 P.M.
JODI MORGAN
County Clerk, Milam County, Texas
By *J. Morgan Northcott*
Deputy

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Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager



RECEIVED
8/13/2020

10/10/10





Tricia Mackie

[Log Off](#)

Open Meeting Submission

TRD: 2020004344
Date Posted: 08/06/2020
Status: Accepted
Agency Id: 1199
Date of Submission: 08/06/2020
Agency Name: Elm Creek Watershed Authority
Board: Elm Creek Watershed Authority
Committee: Board of Directors
Date of Meeting: 08/13/2020
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 Mgr.
Agenda: ELM CREEK WATERSHED AUTHORITY
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Dated this 6th day of August, 2020 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

To: elmcreekwsa@sbcglobal.net

Date: Thursday, August 6, 2020, 02:06 PM 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: 08/13/2020 07:30 PM "TRD# 2020004344"

Notice posted: 08/06/20 02:06 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2020004344](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2020004344)

ELM CREEK WATERSHED AUTHORITY
INCOME AND DISBURSEMENTS

July 9, 2020

As of June 30, 2020

INCOME AND DISBURSEMENTS

INCOME

TAX

PRESENT

BELL COUNTY	1,875.30
FALLS COUNTY	104.65
MCLENNAN COUNTY	263.58
MILAM COUNTY	627.29

TOTAL TAX INCOME	2,870.82
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OTHER INCOME

USDA	Reimbursement Site 22, 24	52,661.50
TSSWCB	Reimbursement	25,637.86

TOTAL OTHER INCOME	78,299.36
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CHECKING ACCOUNT BALANCE	110,545.96
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INVESTMENTS

ACCOUNT	MATURITY	AMOUNT	RATE	PRESENT
CITIZENS NATL BANK #9:	12/3/20	600,000.00	1.500	762.30
CITIZENS NATL BANK #9:	1/7/21	200,000.00	1.500	-
CLASSIC BANK #5323836	2/3/21	150,000.00	1.700	522.34
CLASSIC BANK #5825306	3/13/21	100,000.00	1.350	114.66
MEMBERS CHOICE #1936	05/02/21	249,000.00	0.800	-
FIRST NATL MOODY #11:	5/22/21	250,000.00	0.800	619.86
INCOMMONS BANK #7941	7/15/20	250,000.00	2.000	424.66
HORIZON BANK #33068	7/5/20	250,000.00	2.050	435.64
BANCORP SOUTH #93701	9/24/20	250,000.00	1.750	1,102.74
AIMBANK #100538548	1/7/21	239,430.65	0.800	335.06
CENTRAL NATL #2828689	1/18/21	250,000.00	1.800	1,134.25
TEXPOOL		352,004.21	0.217	68.20
FIRST NATL MOODY #10:	5/13/2021	400,000.00	0.800	157.84
		3,540,434.86		5,677.55

OTHER DISBURSEMENTS

Patricia Mackie	91.43 mileage reimbursement	1,924.03
Calvin Sanders	439.88 mileage reimbursement	3,233.94
Extraco	payroll tax	1,656.66
Texas Workforce Commiss	unemployment	26.26

TOTAL OTHER DISBURSEMENTS	6,840.89
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11:50 AM
07/09/20
Cash Basis

Elm Creek Watershed Authority
Disbursements
June 12 through July 9, 2020

	<u>Jun 12 - Jul 9, 20</u>
Ambit Energy	-98.28
Arvell Jungmann	-362.10
ATT	-132.41
Bobby Henson	-213.80
Central Texas SWCD	-610.43
Daniel Lesikar	-462.10
Dean Mikeska	-225.30
Evelyn Sanderson	-100.00
Hall Bros. Construction, LLC	-9,765.00
HEB	-21.19
Kathleen Pinckney	-690.52
Mike Maedgen	-339.10
Milam County Clerk	-1.00
Patricia Mackie	-574.26
Precious Memories	-64.90
Ray Jungmann	-362.10
Relhom Properties LLC	-550.00
Robert Fleming	-334.50
Sohns Construction Co, LLC	-3,466.67
Staples	-75.13
Steven Rieves	-320.70
Tax Appraisal District of Bell County	-793.50
Temple Feed & Supply	-56.28
Texas Municipal League	223.00
TOTAL	<u><u>-19,396.27</u></u>

ELM CREEK WATERSHED AUTHORITY
INCOME AND DISBURSEMENTS
August 13, 2020

As of July 31, 2020

INCOME AND DISBURSEMENTS

INCOME

TAX

	PRESENT
BELL COUNTY	2,171.26
FALLS COUNTY	4.20
MCLENNAN COUNTY	320.80
MILAM COUNTY	<u>3,784.75</u>
TOTAL TAX INCOME	6,281.01

OTHER INCOME

TSSWCB	Reimbursement	65,531.50
TOTAL OTHER INCOME		<u>65,531.50</u>

CHECKING ACCOUNT BALANCE	121,752.07
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INVESTMENTS

ACCOUNT	MATURITY	AMOUNT	RATE	PRESENT
CITIZENS NATL BANK #91	12/3/20	600,000.00	1.500	737.70
CITIZENS NATL BANK #91	1/7/21	200,000.00	1.500	745.90
CLASSIC BANK #5323836	2/3/21	150,000.00	1.700	209.59
CLASSIC BANK #5825306	3/13/21	100,000.00	1.350	110.96
MEMBERS CHOICE #1936	05/02/21	249,000.00	0.800	328.77
FIRST NATL MOODY #111	5/22/21	250,000.00	0.800	164.38
INCOMMONS BANK #7941	7/15/21	250,000.00	0.600	410.96
HORIZON BANK #33068	7/5/21	250,000.00	1.050	421.58
BANCORP SOUTH #93701	9/24/20	250,000.00	1.750	-
AIMBANK #100538548	1/7/21	239,755.36	0.800	324.71
CENTRAL NATL #2828689	1/18/21	250,000.00	1.800	-
TEXPOOL		352,066.43	0.208	62.22
FIRST NATL MOODY #101	5/13/2021	400,000.00	0.800	263.10
		3,540,821.79		3,779.87

OTHER DISBURSEMENTS

Patricia Mackie	25.88 mileage reimbursement	1,872.57
Calvin Sanders	265.65 mileage reimbursement	2,967.05
Extraco	payroll tax	1,594.66
Card Services	July stmt	1,414.47
TOTAL OTHER DISBURSEMENTS		<u>7,848.75</u>

7:40 PM
08/13/20
Cash Basis

Elm Creek Watershed Authority
Disbursements
July 10 through August 13, 2020

	<u>Jul 10 - Aug 13, 20</u>
Ambit Energy	-102.63
ATT	-239.79
Central Texas SWCD	-798.09
DJ Hansen Construction	-101,664.00
Espinoza Fence	-4,864.00
Evelyn Sanderson	-100.00
Heartland Construction Services, LLC	-1,859.80
Johnnies Office Systems, Inc.	-150.00
Leaday Construction, LLC	-228,823.00
Milam County Clerk	-1.00
Patricia Mackie	-574.26
Relhom Properties LLC	-550.00
Sanderford & Carroll, P.C.	-438.00
United States Postal Service	-55.00
TOTAL	<u><u>-340,219.57</u></u>

Elm Creek Watershed Authority Profit & Loss Budget vs. Actual January through December 2020

	Jan - Dec 20	Budget	\$ Over Bud...	% of Bu...
Ordinary Income/Expense				
Income				
Income from Taxes	142,752.84	355,000.00	-212,247.16	40.2%
Total Income	142,752.84	355,000.00	-212,247.16	40.2%
Gross Profit	142,752.84	355,000.00	-212,247.16	40.2%
Expense				
Advertising	320.00	1,000.00	-680.00	32.0%
Allocation (Collection) Expe...	2,357.22	6,000.00	-3,642.78	39.3%
Communications	1,545.21	3,500.00	-1,954.79	44.1%
Contract	2,296.21	5,000.00	-2,703.79	45.9%
Contract Labor	0.00	0.00	0.00	0.0%
Director-Per Diem	6,800.00	10,500.00	-3,700.00	64.8%
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	0.00	0.00	0.0%
Insurance	-115.78	12,000.00	-12,115.78	-1.0%
Maintenance	102,836.95	200,000.00	-97,163.05	51.4%
Mileage	4,737.43	10,000.00	-5,262.57	47.4%
Miscellaneous	66.90	500.00	-433.10	13.4%
Office Supplies	1,569.91	4,000.00	-2,430.09	39.2%
Payroll Expenses	55,853.86	80,000.00	-24,146.14	69.8%
Professional Fees	8,142.11	12,500.00	-4,357.89	65.1%
Recording Fees	7.00	350.00	-343.00	2.0%
Rent	3,850.00	6,600.00	-2,750.00	58.3%
Tax Increment Zone Payment	28,485.50	28,500.00	-14.50	99.9%
Training	0.00	4,000.00	-4,000.00	0.0%
Travel & Ent	0.00	4,000.00	-4,000.00	0.0%
Utilities	462.70	1,800.00	-1,337.30	25.7%
Total Expense	219,540.22	396,575.00	-177,034.78	55.4%
Net Ordinary Income	-76,787.38	-41,575.00	-35,212.38	184.7%
Other Income/Expense				
Other Income				
Interest Income	35,300.64			
Other Income	0.00	45,000.00	-45,000.00	0.0%
Reimbursed Income	700,578.54			
Total Other Income	735,879.18	45,000.00	690,879.18	1,635.3%
Other Expense				
Reimbursed Expenses	310,008.82			
Total Other Expense	310,008.82			
Net Other Income	425,870.36	45,000.00	380,870.36	946.4%
Net Income	349,082.98	3,425.00	345,657.98	10,192.2%

Payroll will need to amend @ some point
 ✓ may need to add: Reimb exp/Reimb income

ELM CREEK WATERSHED AUTHORITY
Monthly Report – 8/13/2020

Operation and Maintenance

On-going Maintenance

Brush sprouts in wave berms treated at 16 sites during June by Hall Bros. \$2509.80 cost reimbursed from TSSWCB O&M program.

Summer site inspections conducted during six-week period from late June to early August to check condition of dams and determine weed control and mowing needs for remainder of 2020 and for spring 2021. All dams in good operating order.

Site 17A erosion due to livestock trailing at corner of perimeter fence along auxiliary spillway and dam entrance was repaired by Heartland Construction August 1.

Access/Easement Road Repairs

Site 4: refurbishment of existing road completed by Sohns Construction June 26.

Site 34 (Sevcik/Carpentier) repair and stabilization completed by Hall Bros June 19.

Site 14GSS and Site 13R: access entrances to TSSWCB funded repairs at two sites completed by Espinoza Fencing August 11. These will remain as permanent entrances available to ECWA for future use.

Downstream Erosion – Site 13R

Property owner downstream from Site 13R (Johnny Dokupil, on behalf of Jeanette Bedrich) requested consideration to address erosion in channel cutting into pasture about 200 feet south of point where it enters the branch of Little Elm Creek. Search of files revealed that the easement on Bedrich property included construction of a channel approximately 1334 feet in length, with an aluminum toe wall drop structure near the outlet, if needed. The channel was constructed in 1992, but no drop structure was installed. I recommend requesting survey and design assistance from NRCS to determine if a toe wall would be appropriate now to provide a stable outlet for the channel and the estimated cost to install.

TSSWCB Repair Program

Plunge Basin and Rock Chute Repairs

Site 13R, 14GSS, 15: Work completed as of August 11 at Site 14 on rock chute grade stabilization structure in the flowage easement downstream. This is first of three repair jobs under contract with DJ Hansen Construction, Ephraim, Utah. The second job is now underway to repair and install rock protection to the plunge basin at Site 13R, which should be completed in about 30 days. The final job in the contract will follow on the plunge basin at Site 15. Work is proceeding ahead of schedule. The contractor has submitted an invoice for work completed to date (\$101,664). ECWA will be responsible for 5% of the amount.

Sites 26, 31, and 32: After discussion with TSSWCB staff, a decision was made to delay the solicitation for this set of repairs until services of NRCS project engineer and construction inspector could be secured. The solicitation should be posted and contract awarded as repairs at Site 15 are wrapping up. Based on progress of the first contract, we should be posting the solicitation around the last week of August, with site showing around second week of September, and bid opening last week of September. Anticipate notice to proceed around October 15. The performance time for completing the work is estimated to be 154 calendar days, not including holidays or weather days.

Dam Upgrades

TSSWCB has indicated that contracting for upgrades at the first couple of dams could be on track for spring 2021. ECWA will need to acquire additional easements before the construction funds are approved. Researched existing easements for Site 23 and Site 39. Determined an estimated 7.5 acres of new easement on three properties will be needed at Site 23 with the currently proposed upgrade measures. The Panda gas pipeline easement would also be involved.

About 2.5 acres of additional easement would be needed for the upgrade measures at Site 39, all of which are on the same property owner.

The general manager would like board approval to initiate informal discussion with property owners toward easement agreements.

NRCS WFPO Program

Remedial Repairs

All federally funded remedial repairs have been completed. Wave berm repairs and rock protection was completed at Site 22 as of July 20. Final invoice from Leaday Construction is \$228,823.

Watershed Operations Funding Opportunity for Backlog Dams

Worked with NRCS planning staff over the past few months as an investigation was made to update feasibility of two remaining sites in the Cottonwood Creek subwatershed. The outcome was that the update feasibility process was not adequate to address status of these sites for the funding of design and construction. Consequently, this week the Texas NRCS watershed planning staff submitted a \$350000 WFPO funding request for a supplemental watershed plan for Sites 6R2 and 7 Rev. as the funding opportunity for FY2020 closes on August 15. The supplemental plan will update hydrology and hydraulics, NEPA (environmental compliance), cultural resources, and project benefits. The supplemental plan would guide the board in decisions regarding potential construction of the sites. There is no cost to ECWA.

ELM CREEK WATERSHED AUTHORITY
OFFICIAL MINUTES
August 13, 2020

Elm Creek Watershed Authority, Board of Directors, met in regular session on
August 13, 2020, 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: Calvin Sanders and Tricia Mackie

The meeting was called to order by Daniel C. Lesikar, Chairman, at 7:30 p.m.

Consent Agenda: Arvell Jungmann made a motion to approve the regular 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 for July. Arvell Jungmann second the motion. Motion passed. A motion was made by Robert Fleming to receive, approve and file income and disbursements for August. Ray Jungmann second the motion. Motion passed.

Tricia Mackie reviewed the 2020 Budget. No action taken.

Tricia Mackie reviewed the 2nd Quarterly Report. Bobby Henson made a motion to approve the report. Arvell Jungmann second the motion. Motion passed.

Watershed Report: The watershed report was presented by Calvin Sanders. O&M: Brush has been spot treated. Dams have been inspected for O&M needs-all in good operating condition. Erosion from livestock trailing on Site 17A has been repaired.

Access/Easement Roads: Site 4 & 34 access road repairs-completed. Site 13R & 14 access entrances have been installed and will remain as permanent entrance for ECWA.

Downstream Crossings: Landowner on Site 13R has requested ECWA consider repairs from erosion downstream. Mr. Sanders recommends ECWA ask NRCS for assistance in surveying and design to repair erosion.

TSSWCB Programs: Site 14 repairs completed, contractor now working on Site 13R and follow-up with repairs on Site 15 to complete the project. Repairs on Sites 26, 31 & 32 has been delayed in order to utilize inspector from ongoing project. IFB will be solicited at the end of August.

Dam Upgrades: TSSWCB is on track for funding upgrades of dams in spring 2021. ECWA will need additional easements for construction to begin. Mr. Sanders asked the board for authorization to discuss easements with landowners. The board agreed for Mr. Sanders to conduct inquiries with landowners for additional easements.

NRCS Programs: Wave berm repairs on Site 22 have been completed with final invoice ready for approval to pay. Feasibility studies of Site 6R2 and 7R has been deemed “not adequate” to address status of these sites for design and construction funding. NRCS has submitted a fund request for supplemental watershed plan for FY2020, including updates of hydrology and hydraulics, NEPA and other resources and benefits. This plan would guide ECWA in decisions for possible construction.


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


2021 Budget: A motion was made by Bobby Henson to approve the 2021 Budget as proposed. The motion was second by Arvell Jungmann. Motion passed.

2020 Tax Rate: Steve Rieves made a motion to propose the 2020 tax rate at 0.0327. Ray Jungmann second the motion. Motion passed.

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

ATTEST:


Daniel C. Lesikar
Chairman


Steve Rieves
Vice-Chairman