

**ELM CREEK WATERSHED AUTHORITY**  
**Regular Session Meeting**  
**January 13, 2022**

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 January 13, 2022, beginning at 7:00 p.m. at the Elm Creek Watershed Authority Office, 19 S. 25<sup>th</sup> 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. Discuss, consider and possible action to adopt ECWA policy for downstream structures.
6. Consideration and possible action of ECWA position to protect existing easements & purposes of the watershed project (watershed protection & flood prevention) as related to solar farms in project area.
7. Consideration and possible action for approval of tax abatement agreement between Polmer LLC and 1) City of Temple, 2) Bell County, 3) Temple College.
8. Consideration and possible action for approval of tax abatement agreement between LJT Texas and 1) City of Temple, 2) Bell County, 3) Temple College.
9. Consideration and possible action on employee salaries, hourly pay and benefits.
10. 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 6th day of January, 2022



Daniel C. Lesikar, Chairman



**ELM CREEK WATERSHED AUTHORITY**  
**Regular Session Meeting**  
**January 13, 2022**

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 January 13, 2022, beginning at 7:00 p.m. at the Elm Creek Watershed Authority Office, 19 S. 25<sup>th</sup> 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. Discuss, consider and possible action to adopt ECWA policy for downstream structures.
6. Consideration and possible action of ECWA position to protect existing easements & purposes of the watershed project (watershed protection & flood prevention) as related to solar farms in project area.
7. Consideration and possible action for approval of tax abatement agreement between Polmer LLC and 1) City of Temple, 2) Bell County, 3) Temple College.
8. Consideration and possible action for approval of tax abatement agreement between LJT Texas and 1) City of Temple, 2) Bell County, 3) Temple College.
9. Consideration and possible action on employee salaries, hourly pay and benefits.
10. 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 6th day of January, 2022

  
Daniel C. Lesikar, Chairman

FILED FOR RECORD  
2022 JAN -6 A 11:31  
SHELLY POSTON  
CLERK BELL CO. TX



**ELM CREEK WATERSHED AUTHORITY**

**Regular Session Meeting**

**January 13, 2022**

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 January 13, 2022, beginning at 7:00 p.m. at the Elm Creek Watershed Authority Office, 19 S. 25<sup>th</sup> 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. Discuss, consider and possible action to adopt ECWA policy for downstream structures.
6. Consideration and possible action of ECWA position to protect existing easements & purposes of the watershed project (watershed protection & flood prevention) as related to solar farms in project area.
7. Consideration and possible action for approval of tax abatement agreement between Polmer LLC and 1) City of Temple, 2) Bell County, 3) Temple College.
8. Consideration and possible action for approval of tax abatement agreement between LJT Texas and 1) City of Temple, 2) Bell County, 3) Temple College.
9. Consideration and possible action on employee salaries, hourly pay and benefits.
10. 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 6<sup>th</sup> day of January, 2022

*Daniel C. Lesikar*  
Daniel C. Lesikar, Chairman

CO. CLERK, FALLS CO.

JAN 06 2022

FILED 3:10 P M

*W*



**ELM CREEK WATERSHED AUTHORITY**  
**Regular Session Meeting**  
**January 13, 2022**

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 January 13, 2022, beginning at 7:00 p.m. at the Elm Creek Watershed Authority Office, 19 S. 25<sup>th</sup> 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. Discuss, consider and possible action to adopt ECWA policy for downstream structures.
6. Consideration and possible action of ECWA position to protect existing easements & purposes of the watershed project (watershed protection & flood prevention) as related to solar farms in project area.
7. Consideration and possible action for approval of tax abatement agreement between Polmer LLC and 1) City of Temple, 2) Bell County, 3) Temple College.
8. Consideration and possible action for approval of tax abatement agreement between LJT Texas and 1) City of Temple, 2) Bell County, 3) Temple College.
9. Consideration and possible action on employee salaries, hourly pay and benefits.

10. 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 6th day of January, 2022

FIVE 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 1/10 2022

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

By D. Dicant  
Deputy

Daniel C. Lesikar

Daniel C. Lesikar, Chairman



**RECEIVED**  
1/13/2022





Filed 10th day of January  
in 2022, At 1:34 P M.  
JODI MORGAN  
County Clerk, Milam County, Texas  
By [Signature]  
Deputy

**ELM CREEK WATERSHED AUTHORITY**  
**Regular Session Meeting**  
**January 13, 2022**

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 January 13, 2022, beginning at 7:00 p.m. at the Elm Creek Watershed Authority Office, 19 S. 25<sup>th</sup> 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. Discuss, consider and possible action to adopt ECWA policy for downstream structures.
6. Consideration and possible action of ECWA position to protect existing easements & purposes of the watershed project (watershed protection & flood prevention) as related to solar farms in project area.
7. Consideration and possible action for approval of tax abatement agreement between Polmer LLC and 1) City of Temple, 2) Bell County, 3) Temple College.
8. Consideration and possible action for approval of tax abatement agreement between LJT Texas and 1) City of Temple, 2) Bell County, 3) Temple College.
9. Consideration and possible action on employee salaries, hourly pay and benefits.
10. 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 6th day of January, 2022



**RECEIVED**  
1/13/2022

[Signature]  
Daniel C. Lesikar, Chairman





Tricia Mackie

[Log Off](#)

### Open Meeting Submission

**TRD:** 2022000127

**Date Posted:** 01/07/2022

**Status:** Accepted

**Agency Id:** 1199

**Date of Submission:** 01/07/2022

**Agency Name:** Elm Creek Watershed Authority

**Board:** Elm Creek Watershed Authority

**Committee:** Board of Directors

**Date of Meeting:** 01/13/2022

**Time of Meeting:** 07:00 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  
Regular Session Meeting  
January 13, 2022

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 January 13, 2022, beginning at 7:00 p.m. at the Elm Creek Watershed Authority Office, 19 S. 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. Discuss, consider and possible action to adopt ECWA policy for downstream structures.

6. Consideration and possible action of ECWA position to protect existing easements & purposes of the watershed project (watershed protection & flood prevention) as related to solar farms in project area.

7. Consideration and possible action for approval of tax abatement agreement between Polmer LLC and 1) City of Temple, 2) Bell County, 3) Temple College.

8. Consideration and possible action for approval of tax abatement agreement between LJT Texas and 1) City of Temple, 2) Bell County, 3) Temple College.

9. Consideration and possible action on employee salaries, hourly pay and benefits.

10. 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 6th day of January, 2022

Daniel C. Lesikar, Chairman

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: Friday, January 7, 2022, 01:38 PM CST

### 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: 01/13/2022 07:00 PM "TRD# 2022000127"

Notice posted: 01/07/22 01:37 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub\\_om\\_lookup\\$.startup?Z\\_TRD=2022000127](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2022000127)



ELM CREEK WATERSHED AUTHORITY  
INCOME AND DISBURSEMENTS  
January 13, 2022

As of December 31, 2021 **INCOME AND DISBURSEMENTS**

**INCOME**

**TAX**

	<b>PRESENT</b>
BELL COUNTY	53,488.83
FALLS COUNTY	583.59
MCLENNAN COUNTY	2,618.29
MILAM COUNTY	17,355.63
	17,355.63
<b>TOTAL TAX INCOME</b>	74,046.34

CHECKING ACCOUNT BALANCE \$ 130,880.04

**INVESTMENTS**

<b>ACCOUNT</b>	<b>MATURITY</b>	<b>AMOUNT</b>	<b>RATE</b>	<b>PRESENT</b>
CITIZENS NATL BANK #94	12/3/22	600,000.00	0.450	345.21
CITIZENS NATL BANK #94	1/7/22	200,000.00	0.650	-
CLASSIC BANK #5323836	2/3/22	150,000.00	0.700	86.30
CLASSIC BANK #5825306	3/13/22	100,000.00	0.700	57.54
MEMBERS CHOICE #193 Money Mark		249,282.64	0.450	95.25
FIRST NATL MOODY #113	5/22/22	250,000.00	0.600	250.69
INCOMMONS BANK #794	7/15/22	250,000.00	0.600	123.29
HORIZON BANK #33068	7/5/22	250,000.00	0.350	71.93
BANCORP SOUTH #9370	9/24/22	250,000.00	0.200	121.92
CENTRAL NATL #282868	1/18/22	250,000.00	0.300	-
BUCKHOLTS STATE BAN	1/21/22	250,000.00	0.400	-
TEXPOOL		637,398.70	0.038	20.34
FIRST NATL MOODY #102	5/12/2022	400,000.00	0.600	197.30
		3,836,681.34		1,369.77

**OTHER DISBURSEMENTS**

Patricia Mackie	131.04 mileage reimbursement	2,400.85
Calvin Sanders	136.64 mileage reimbursement	2,930.86
Extraco	payroll tax	1,638.46
Card Services	December stmt	568.47
		7,538.64
<b>TOTAL OTHER DISBURSEMENTS</b>		





12:05 PM  
01/13/22  
Cash Basis

**Elm Creek Watershed Authority**  
**Disbursements**  
**December 10, 2021 through January 13, 2022**

---

	<u>Dec 10, '21 - Jan 13,...</u>
Ambit Energy	-39.20
Arvell Jungmann	-368.88
ATT	-249.72
Bob's Steak House	-645.37
Bobby Henson	-241.44
Daniel Lesikar	-764.40
Evelyn Sanderson	-100.00
Extraco	-45.00
John Perryman	-270.56
Lowe's	-10.81
Mike Maedgen	-378.40
Milam Appraisal District	-315.07
Milam County Clerk	-1.00
Old Jody's	-35.67
Patricia Mackie	-471.05
Ray Jungmann	-368.88
Relhom Properties LLC	-550.00
Robert Fleming	-233.60
Secrest Law Firm	-1,802.20
Staples	-33.98
Steven Rieves	-243.68
Tax Appraisal District of Bell Co...	-940.75
Wal-Mart	-8.09
<b>TOTAL</b>	<b><u>-8,117.75</u></b>



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

	Jan - Dec 21	Budget	\$ Over Bud...	% of Bu...
<b>Ordinary Income/Expense</b>				
Income				
Income from Taxes	378,437.00	375,000.00	3,437.00	100.9%
<b>Total Income</b>	<b>378,437.00</b>	<b>375,000.00</b>	<b>3,437.00</b>	<b>100.9%</b>
<b>Gross Profit</b>	<b>378,437.00</b>	<b>375,000.00</b>	<b>3,437.00</b>	<b>100.9%</b>
<b>Expense</b>				
Advertising	1,343.00	1,400.00	-57.00	95.9%
Allocation (Collection) Expe...	4,739.23	4,500.00	239.23	105.3%
Communications	2,549.79	3,000.00	-450.21	85.0%
Contract	1,535.53	3,000.00	-1,464.47	51.2%
Contract Labor	0.00	0.00	0.00	0.0%
Director-Per Diem	7,900.00	10,500.00	-2,600.00	75.2%
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	130,277.00	130,277.00	0.00	100.0%
Elections	0.00	5,000.00	-5,000.00	0.0%
Insurance	6,889.08	6,000.00	889.08	114.8%
Maintenance	198,447.48	200,000.00	-1,552.52	99.2%
Mileage	6,013.68	10,000.00	-3,986.32	60.1%
Miscellaneous	282.16	500.00	-217.84	56.4%
Office Supplies	3,248.85	3,500.00	-251.15	92.8%
Payroll Expenses	84,105.20	82,000.00	2,105.20	102.6%
Professional Fees	15,028.00	29,000.00	-13,972.00	51.8%
Recording Fees	12.00	350.00	-338.00	3.4%
Rent	6,600.00	6,600.00	0.00	100.0%
Supplies	8.09			
Tax Increment Zone Payment	41,817.46	41,878.00	-60.54	99.9%
Training	725.00	1,900.00	-1,175.00	38.2%
Travel & Ent	1,765.00	3,000.00	-1,235.00	58.8%
Utilities	839.33	1,400.00	-560.67	60.0%
<b>Total Expense</b>	<b>514,450.88</b>	<b>550,130.00</b>	<b>-35,679.12</b>	<b>93.5%</b>
<b>Net Ordinary Income</b>	<b>-136,013.88</b>	<b>-175,130.00</b>	<b>39,116.12</b>	<b>77.7%</b>
<b>Other Income/Expense</b>				
Other Income				
Interest Income	20,680.95	25,000.00	-4,319.05	82.7%
Reimbursed Income	1,127,016.24	0.00	1,127,016.24	100.0%
<b>Total Other Income</b>	<b>1,147,697.19</b>	<b>25,000.00</b>	<b>1,122,697.19</b>	<b>4,590.8%</b>
Other Expense				
Reimbursed Expenses	928,551.86	0.00	928,551.86	100.0%
<b>Total Other Expense</b>	<b>928,551.86</b>	<b>0.00</b>	<b>928,551.86</b>	<b>100.0%</b>
<b>Net Other Income</b>	<b>219,145.33</b>	<b>25,000.00</b>	<b>194,145.33</b>	<b>876.6%</b>
<b>Net Income</b>	<b>83,131.45</b>	<b>-150,130.00</b>	<b>233,261.45</b>	<b>-55.4%</b>

Some of 2022 on 2021

fences

SUGGESTED:

- ↓ DOWNSTREAM STRUCTURES † 3800.-
- ↑ ALLOCATIONS 300.-
- ↑ INSURANCE 1000.-
- ↑ PAYROLL 2500.-



**ELM CREEK WATERSHED AUTHORITY**  
**Monthly Report – 1/13/2022**

**Operation and Maintenance**

**Spring Vegetative Maintenance**

Requests for bids will be prepared and sent out around February 1 for fertilization (13 sites/160.3 acres) and weed spraying (32 sites/361.2 acres).

Funding is approved through the TSSWCB O&M grant program that will cover 90% of the cost, however the amount per acre for fertilization will likely be significantly more than that approved. TSSWCB has obligated all funds for the O&M program, so ECWA will be responsible for the difference. \$130 per acre is the approved amount. The difference could be up to \$50 per acre with the total increased by about \$8000, making the total ECWA cost around \$10000. That would result in a cost of about \$63 per acre to ECWA as opposed to the \$13 per acre approved. ECWA would be able to claim the difference as in-kind credit that could be applied to the ECWA 10% share of approved O&M program activities through August 2023.

**Dam Safety and Emergency Action Plans**

M&E Engineering Consultants is working on the updates to the inundation maps and related information required by TCEQ for each of the 12 emergency action plans. Progress has been delayed, but these should be completed soon.

**TSSWCB Dam Upgrade Program**

Site 23

Easements have been acquired and an opinion of adequate land rights has been submitted by attorney Jamey Secrest. The NRCS form ADS-78 "Assurances of Real Property" is prepared and ready for signature by the board. This is the final item required to move forward with construction. A reimbursement request has been prepared to recover a portion of the land rights costs, including survey (\$3500), legal (\$1802.20), and payments to property owners in exchange for easements (\$130,277).

ECWA has coordinated with the TSSWCB and contracting consultant Kat Pinckney about advertising for bids. There is not enough money to cover construction and contingencies due to cost increases since the funding agreement in May 2021. ECWA will either have to wait for the possibility of additional state funds after September 1 or cover the entire amount if bids were to come in over the \$3.6 million in the project agreement. Based on most recent cost estimate, the increase is \$764,655. AECOM is reviewing the cost estimate to see if it could be lowered enough to solicit bids.

Site 39:

Yesterday we received confirmation from attorney Brian Carroll that his firm will represent ECWA the eminent domain case for easements at Site 39. He indicated that he would be drafting paperwork to begin the process next week. We will need to order an appraisal for the 3.81 acres of additional permanent easement as required by law for eminent domain cases.



# ELM CREEK WATERSHED AUTHORITY OFFICIAL MINUTES

**January 13, 2022**

Elm Creek Watershed Authority, Board of Directors, met in regular session on  
January 13, 2022, at 19 South 25<sup>th</sup> Street, Suite 500, Temple, Texas

**Directors present:** Ray Jungmann, Arvell Jungmann, Robert Fleming, Daniel C. Lesikar, Bobby Henson, Steven Rieves, Mike Maedgen and John Perryman

**Others present:** Calvin Sanders and Tricia Mackie

The meeting was called to order by Daniel C. Lesikar, Chairman, at 6:59 p.m.

**Consent Agenda:** Minutes: 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. Arvell Jungmann second the motion. Motion passed.

Budget: Tricia Mackie informed the board of end of year expenses and adjustments that needed attention. Mike Maedgen made a motion to amend the budget by decreasing Downstream Structures \$3800.00, increasing Allocations \$300.00, Insurance \$1000.00 and Payroll \$2500.00. The motion was second by Robert Fleming. Motion passed.

Quarterly Report: Bobby Henson made a motion to accept and file the 4<sup>th</sup> Quarter 2021 report. Ray Jungmann second the motion. Motion passed.

**Watershed Report:** The watershed report was presented by Calvin Sanders. O&M: Request for bids for fertilization and weed control will be sent out in February for multiple sites.

EAPs: Maps are being updated and should be completed soon. Once the maps are updated, the EAPs will be submitted and up to date.

Dam Upgrades: Site 23-All additional easements have been purchased and signed. Assurances are ready for signatures from the board, once signed, construction can move forward starting with invitation for bids. At this time, the state does not have enough funding for construction and contingencies, therefore, ECWA will need to discuss the additional funding needed. Site 39-Mr. Sanders received confirmation from Brian Carroll, he will be able to conduct work on eminent domain. An appraisal will be required to begin the process.

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

**Downstream Crossings:** Mr. Sanders submitted a template for a standard policy for downstream crossing assistance. The board discussed percentages of payout, total maximum

funding, distance from floodwater structure, etc. Robert Fleming made a motion to table the discussion. Ray Jungmann second the motion. Item tabled.

**Solar Farm Information:** Mr. Sanders discussed the local solar farms and their inquiries as to the extent of ECWA easements. Some solar companies have made contact with ECWA while others have made no attempt to verify encroachment of easements, etc. Mr. Sanders discussed how ECWA has no restrictions of land use, only flood protection and prevention. Mr. Fleming informed the board of runoff concerns and regulations that may not be enforced. Mr. Sanders stated he would continue to ask for more information from the solar companies.


**Polmer Tax Abatement:** A motion was made by Ray Jungmann to approve the tax abatement between Polmer LLC with 1) City of Temple, 2) Bell County and 3) Temple College. Arvell Jungmann second the motion. Motion passed with one opposed.


**LJT Texas Tax Abatement:** A motion was made by Ray Jungmann to approve the tax abatement between LJT Texas with 1) City of Temple, 2) Bell County. Bobby Henson second the motion. Motion passed.

**Employee Hourly Pay, Salaries & Benefits:** A motion was made by Arvell Jungmann to increase the rate of pay for Calvin Sanders and Tricia Mackie by 5%. The motion was second by Bobby Henson. Motion passed.

**Adjourn:** Arvell Jungmann made a motion to adjourn. Mike Maedgen second the motion. Motion passed. Meeting adjourned at 8:36 p.m.

**ATTEST:**

  
\_\_\_\_\_  
Daniel C. Lesikar  
Chairman

  
\_\_\_\_\_  
Steven Rieves  
Vice-Chairman

