

ELM CREEK WATERSHED AUTHORITY
Regular Session Meeting
July 13, 2023

Notice is hereby given that a regular meeting of the Board of Directors of the Elm Creek Watershed Authority will be on July 13, 2023, beginning at 7:30 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
 - d. Site 39 Construction
5. Consideration and possible action to fulfill general manager position.
6. Discuss, consider and take action to approve website & logo creation.
7. 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 July, 2023

Daniel C. Lesikar, Chairman



By: Tricia Mackie

2023 JUL -6 P 1:01

ELM CREEK WATERSHED AUTHORITY SHELLEY COSTON
Regular Session Meeting CO. CLK. BELL CO. TX
July 13, 2023

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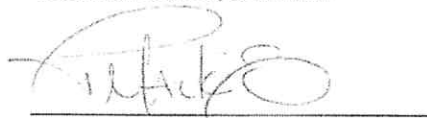
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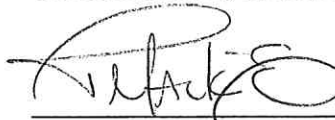
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Daniel C. Lesikar, Chairman



By: Tricia Mackie

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 July 10, 2023 ^{10:55 Am}

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

By [Signature]
Deputy



RECEIVED
7/13/2023

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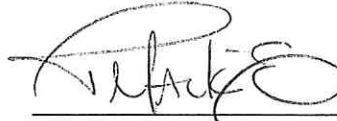
Filed 10th day of JULY
in 2023, At 1:34 P.M.
JODI MORGAN
County Clerk, Milam County, Texas
By Melinda [Signature]
Deputy

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Dated this 6th day of July, 2023

Daniel C. Lesikar, Chairman



By: Tricia Mackie



RECEIVED
7/13/2023



Tricia Mackie

[Log Off](#)

Open Meeting Submission

TRD: 2023003811
Date Posted: 07/06/2023
Status: Accepted
Agency Id: 1199
Date of Submission: 07/06/2023
Agency Name: Elm Creek Watershed Authority
Board: Elm Creek Watershed Authority
Committee: Board of Directors
Date of Meeting: 07/13/2023
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 Tricia Mackie, Office Mgr.
Obtained From:
Agenda: ELM CREEK WATERSHED AUTHORITY
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Dated this 6th day of July, 2023 Daniel C. Lesikar, Chairman

By: Tricia Mackie

New Submission

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[TEXAS REGISTER](#)

[TEXAS ADMINISTRATIVE CODE](#)

[OPEN MEETINGS](#)

ELM CREEK WATERSHED AUTHORITY
INCOME AND DISBURSEMENTS
July 13, 2023

As of June 30, 2023

INCOME AND DISBURSEMENTS

INCOME

TAX		PRESENT
BELL COUNTY		2,590.62
FALLS COUNTY		42.31
MCLENNAN COUNTY		375.22
MILAM COUNTY		5,155.81
TOTAL TAX INCOME		8,163.96

OTHER INCOME

TSSWCB	Reimbursement for Site 23 Upgrade	22,120.56
TOTAL OTHER INCOME		\$ 22,120.56

EXTRACO CHECKING ACCOUNT BALANCE	\$ 66,651.40
FIRST NATL MOODY CHECKING ACCOUNT BALANCE	\$ 3,248.19
MEMBERS CHOICE MM CHECKING BALANCE	\$ 349.94

TOTAL CHECKING ACCOUNT \$ 70,249.53

INVESTMENTS

ACCOUNT	MATURITY	AMOUNT	RATE	PRESENT
CITIZENS NATL BANK #9	12/3/23	600,000.00	3.250	1,635.78
CITIZENS NATL BANK #5	4/7/24	200,000.00	3.940	-
CLASSIC BANK #5551583	1/8/24	150,000.00	4.050	-
CLASSIC BANK #5687286	2/23/24	100,000.00	4.050	1,020.82
MEMBERS CHOICE #193	04/20/24	248,818.31	4.750	2,331.39
INCOMMONS BANK #794	7/15/23	250,000.00	1.000	417.81
HORIZON BANK #33068	7/5/23	250,000.00	1.500	318.69
CADENCE BANK #93700C	1/24/24	250,000.00	2.500	-
CENTRAL NATL #282868	2/18/24	250,000.00	4.000	-
BUCKHOLTS STATE BAN	1/21/24	250,000.00	4.000	-
TEXPOOL		1,565,420.46	5.054	6,096.28
TREASURY BILLS	8/1/2023	99,618.63	5.190	-
TREASURY BILLS	7/5/23	99,586.75	5.237	413.25
TREASURY BILLS	10/24/2023	147,411.75	5.400	-
		4,460,855.90		12,234.02

OTHER DISBURSEMENTS

Patricia Mackie	303.27 mileage reimbursement	2,737.57
Calvin Sanders	100.22 mileage reimbursement	2,083.99
Extraco	payroll tax	1,310.14
Southern Infrastructure Gr	Payment #15	158,843.16
Card Services	June stmt	1,937.68
Best Buy	laptop computer	1,554.94
TOTAL OTHER DISBURSEMENTS		168,467.48

11:17 AM

07/13/23

Cash Basis

Elm Creek Watershed Authority

Disbursements

June 9 through July 13, 2023

	<u>Jun 9 - Jul 13, 23</u>
Ambit Energy	-116.34
Arvell Jungmann	-270.74
ATT	-249.84
Bobby Henson	-958.07
Daniel Lesikar	-247.16
Evelyn Sanderson	-100.00
Green's Sausage House	-26.25
Heartland Construction Services, LLC	-4,975.00
Intuit Software	-201.88
Jerry Lancaster	-244.54
John Perryman	-249.78
Kathleen Pinckney	-275.00
Mike Maedgen	-366.81
Milam Appraisal District	-366.11
Milam County Clerk	-1.00
Patricia Mackie	-476.60
Ray Jungmann	-406.11
Relhom Properties LLC	-550.00
Robert Fleming	-239.30
Sanderford & Carroll, P.C.	-85.00
Southern Infrastructure Group, LLC	-21,858.80
Staples	-75.75
Tax Appraisal District of Bell County	-1,214.25
United States Treasury	61.24
	<hr/>
TOTAL	<u><u>-33,493.09</u></u>

Elm Creek Watershed Authority
Profit & Loss Budget vs. Actual
January through December 2023

	Jan - Dec 23	Budget	\$ Over Bud...	% of Bu...
Ordinary Income/Expense				
Income				
Income from Taxes	148,963.64	450,000.00	-301,036.36	33.1%
Total Income	148,963.64	450,000.00	-301,036.36	33.1%
Gross Profit	148,963.64	450,000.00	-301,036.36	33.1%
Expense				
Advertising	0.00	1,000.00	-1,000.00	0.0%
Allocation (Collection) Expe...	3,439.14	7,000.00	-3,560.86	49.1%
Communications	1,348.63	3,500.00	-2,151.37	38.5%
Contract	275.00	3,000.00	-2,725.00	9.2%
Contract Labor	0.00	0.00	0.00	0.0%
Director-Per Diem	6,500.00	10,500.00	-4,000.00	61.9%
Down Stream Structure	0.00	11,198.34	-11,198.34	0.0%
Dues and Subscriptions	75.00	325.00	-250.00	23.1%
Easements	69,550.00	69,550.00	0.00	100.0%
Elections	0.00	10,000.00	-10,000.00	0.0%
Insurance	320.00	12,000.00	-11,680.00	2.7%
Maintenance	47,781.30	200,000.00	-152,218.70	23.9%
Mileage	4,441.39	10,000.00	-5,558.61	44.4%
Miscellaneous	100.00	500.00	-400.00	20.0%
Office Supplies	2,243.01	4,000.00	-1,756.99	56.1%
Payroll Expenses	52,766.03	100,000.00	-47,233.97	52.8%
Professional Fees	25,747.64	50,000.00	-24,252.36	51.5%
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	53,801.66	53,801.66	0.00	100.0%
Training	219.00	5,000.00	-4,781.00	4.4%
Travel & Ent	1,293.73	8,000.00	-6,706.27	16.2%
Utilities	389.55	1,800.00	-1,410.45	21.6%
Total Expense	274,148.08	568,125.00	-293,976.92	48.3%
Net Ordinary Income	-125,184.44	-118,125.00	-7,059.44	106.0%
Other Income/Expense				
Other Income				
Interest Income	50,248.99	30,000.00	20,248.99	167.5%
Reimbursed Income	1,784,162.69	3,100,000.00	-1,315,837.31	57.6%
Total Other Income	1,834,411.68	3,130,000.00	-1,295,588.32	58.6%
Other Expense				
Reimbursed Expenses	1,215,318.73	3,070,000.00	-1,854,681.27	39.6%
Total Other Expense	1,215,318.73	3,070,000.00	-1,854,681.27	39.6%
Net Other Income	619,092.95	60,000.00	559,092.95	1,031.8%
Net Income	493,908.51	-58,125.00	552,033.51	-849.7%

ELM CREEK WATERSHED AUTHORITY
Monthly Report – 7/13/2023

Operation and Maintenance

Herbicide treatment was completed at 12 sites last week by Heartland Construction Services. This included broadcast treatment of rock riprap wave berms at Site 1 and Site 36 and excess vegetation adjacent to inlet and/or outlet structures at Sites 2, 3, 4, 5A, 10, 11, 16, 20, 26, and 30. Total cost \$3500.

Heartland Construction Services removed accumulated debris and brush this week from Site 22 and 37 and collected and piled debris at Site 34. Total Cost \$1475. Burning of brush piles is suspended due to hot, dry conditions.

Solar Projects and ECWA Easements

ECWA is working with ENGIE to establish a permanent access route to Site 26 in the Five Wells solar project. ECWA will not be able to travel through the solar farm facilities, consequently the route will be outside their perimeter fence and will require installation of culverts at several locations. ECWA will need to monitor and confirm that the route is completed as discussed and adequate to reach the dam.

ENGIE contacted ECWA with offer to reimburse for time required associated with coordination on the Five Wells and Chillingham solar projects. A review of records showed ECWA has expended about 84 hours to date on Five Wells solar and expects to devote another 16 hours through completion of the project. ECWA has expended about 26 hours on Chillingham solar and expects to devote at least another 24 hours through completion of the project. ECWA requested \$5000 for Five Wells solar – 100 hours @ \$50/hour and \$2500 for Chillingham solar – 50 hours @ \$50/hour. ENGIE has issued reimbursement that should be received next week.

NRCS Programs

No new activity related to NRCS programs.

TSSWCB Dam Repair/Upgrade Program

Site 39:

ECWA has been working with Kat Pinckney and AECOM to assemble information for advertisement of the dam upgrade construction. The Texas State Soil and Water Conservation Board is meeting next week to approve the budget for the biennium that will begin September 1, 2023. The budget should include the additional funds required for this project and we expect to get a formal notification that the funds are certain sometime late next week. With that, ECWA would be able to advertise. A contract could be ready to go by October. ECWA will need to appoint a contracting officer and alternate for this project.

ECWA will be assembling materials to submit to TSSWCB for reimbursement related to land rights costs, including the payment to property owner for additional easement, land appraisal, and legal fees.

Site 23:

Southern Infrastructure Group (SIG) is nearing completion of the dam upgrade at Site 23. Construction of the inlet structure tower and sealing of the concrete is completed. The cofferdam is being removed. Rock has been delivered to complete the wave berm. The old inlet structure has been removed, the conduit grouted, and old plunge basin filled in. Topsoil is being placed on last sections of dam embankment and other areas to be vegetated. Sprigging done in early June is looking good. Areas where

sprigs are not planted will instead be seeded as soon as topsoil replacement completed. Irrigation of sprigged and seeded areas will continue as long as necessary for establishment.

ECWA board approval in the income and disbursements was for a payment request in the amount of \$158,843.16 for the period 6/1-6/30/2023. ECWA portion of the amount is \$2,779.76 (1.75%) and TSSWCB portion is \$156,063.40. ECWA will also receive administrative payment of \$4,681.90. With this payment 97% of the contract total amount has been paid.

Culvert installation on the Crews Family Farms property remains to be done.

Fence installation is underway. A segment of fence on the Coufal Family Partnership property located downstream from the dam is scheduled for layout tomorrow. Mr. Ed Coufal was notified and invited to participate. See separate materials for discussion of perimeter fence layout and related concerns.

**ELM CREEK WATERSHED AUTHORITY
OFFICIAL MINUTES**

July 13, 2023

Elm Creek Watershed Authority, Board of Directors, met in regular session on
July 13, 2023, at 19 South 25th Street, Suite 500, Temple, Texas

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

Others present: Calvin Sanders and Tricia Mackie

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

Public Comment: No comment.

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. John Perryman second the motion. Motion passed.

Budget: No action

Quarterly Report: A motion was made by Ray Jungmann to accept and approve the Quarterly Report as presented. Arvell Jungmann second the motion. Motion passed.

Watershed Report: The watershed report was presented by Calvin Sanders. O&M: Herbicide spraying completed on 12 sites, debris has been piled and burning has been postponed due to weather conditions. Mr. Sanders is working with ENGIE to establish a permanent access to Site 26. ENGIE has contacted ECWA to reimburse for time expended for projects. ECWA requested \$5000 for Five Wells Solar Project & \$2500 for Chillingham Solar Project.

NRCS Pgm: No new activity.

Dam Repairs/Upgrades: Site 39-TSSWCB is expected to approve additional funding next week. Advertising for construction will begin in the next few weeks. Reimbursement for easements is in process.

Site 23-Nearing completion. Inlet tower is complete, the old tower is being destroyed and removed. Topsoil is being placed. Sprigging that has already been completed is being watered and is doing well. The culvert is still awaiting installation upstream and the fence is being completed at this time. Mr. Sanders discussed the issues with the perimeter fence and showed a timeline of hay being fed in auxiliary spillway and other issues with grazing.

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

General Manager Position: No action

Website Information: The board asked for Richard Stone to possibly attend the next meeting and give additional information as to what he does for Lower Brushy Creek and what he would do for ECWA. No action.

Next Meeting Date: August 8th due to schedule conflicts

Adjourn: Arvell Jungmann made a motion to adjourn. John Perryman second the motion. Motion passed. Meeting adjourned at 9:06 p.m.

ATTEST:



Daniel C. Lesikar
Chairman



Director