

**ELM CREEK WATERSHED AUTHORITY**  
**Regular Session Meeting**  
**March 11, 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 March 11, 2021, beginning at 7:00 p.m. in the Elm Creek Watershed Authority office, 19 South 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
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. Consideration and possible action to acquire easements for Site 23
6. Consideration and possible action to acquire easements for Site 39.
7. Consideration and possible action to create website.
8. Discuss, consider and take action if necessary, to approve Notice to Purchaser.
9. Consideration and possible action to fill director vacancy.
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 4th day of March, 2021

Daniel Lesikar, Chairman

By:   
Tricia Mackie, Office Manager



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**Regular Session Meeting**  
**March 11, 2021**

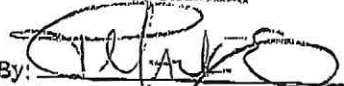

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Dated this 4th day of March, 2021

Daniel Losikar, Chairman  
  
By:   
Tricia Mackie, Office Manager

CO. CLK. FALLS CO.  
MAR 05 2021  
FILED 8:20 A M



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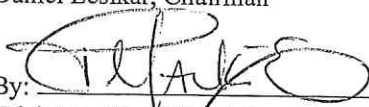
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Dated this 4th day of March, 2021

Daniel Lesikar, Chairman

By:   
Tricia Mackie, Office Manager

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 March 8, 2021  
J. A. "Andy" Harwell, County Clerk  
McLennan County, Texas

By:   
Deputy



**RECEIVED**  
3/11/21





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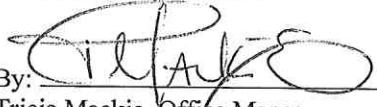
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Daniel Lesikar, Chairman

By:   
Tricia Mackie, Office Manager



**RECEIVED**  
3/11/2021

Filed 8 day of March  
in 2021, At 3:48 PM.

JODI MORGAN  
County Clerk, Milam County, Texas  
By:   
Deputy

Handwritten notes in the bottom left corner, including a date and some illegible text.





Tricia Mackie

[Log Off](#)

## Open Meeting Submission

**TRD:** 2021001402

**Date Posted:** 03/04/2021

**Status:** Accepted

**Agency Id:** 1199

**Date of Submission:** 03/04/2021

**Agency Name:** Elm Creek Watershed Authority

**Board:** Elm Creek Watershed Authority

**Committee:** Board of Directors

**Date of Meeting:** 03/11/2021

**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  
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Dated this 4th day of March, 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

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From: texreg@sos.texas.gov

To: elmcreekwsa@sbcglobal.net

Date: Thursday, March 4, 2021, 12:00 PM CST

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### 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: 03/11/2021 07:00 PM "TRD# 2021001402"

Notice posted: 03/04/21 12:00 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub\\_om\\_lookup\\$.startup?Z\\_TRD=2021001402](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2021001402)



ELM CREEK WATERSHED AUTHORITY  
INCOME AND DISBURSEMENTS  
February 11, 2021

As of January 31, 2021

**INCOME AND DISBURSEMENTS**

**INCOME**

**TAX**

**PRESENT**

BELL COUNTY	15,623.76
FALLS COUNTY	791.16
MCLENNAN COUNTY	3,236.89
MILAM COUNTY	7,193.47
	26,845.28

**TOTAL TAX INCOME** 26,845.28

**OTHER INCOME**

TSSWCB Site 26, 31 & 32 repairs 137,452.26

**TOTAL OTHER INCOME** 137,452.26

CHECKING ACCOUNT BALANCE \$ 112,248.13

**INVESTMENTS**

ACCOUNT	MATURITY	AMOUNT	RATE	PRESENT
CITIZENS NATL BANK #91	12/3/21	600,000.00	0.700	355.80
CITIZENS NATL BANK #91	1/7/22	200,000.00	0.650	754.23
CLASSIC BANK #5323836	2/3/21	150,000.00	1.700	216.58
CLASSIC BANK #5825306	3/13/21	100,000.00	1.350	114.65
MEMBERS CHOICE #1936	05/02/21	249,000.00	0.800	504.11
FIRST NATL MOODY #113	5/22/21	250,000.00	0.800	271.87
INCOMMONS BANK #7946	7/15/21	250,000.00	0.600	127.40
HORIZON BANK #33068	7/5/21	250,000.00	1.050	223.04
BANCORP SOUTH #93706	9/24/21	250,000.00	0.750	-
AIMBANK #100538548	1/7/21	0.00	0.800	-
CENTRAL NATL #2828689	1/18/22	250,000.00	0.300	382.19
BUCKHOLTS STATE BAN	1/21/22	250,000.00	0.400	-
TEXPOOL		452,275.12	0.079	35.35
FIRST NATL MOODY #102	5/13/2021	400,000.00	0.800	
		3,651,275.12		2,985.22

**OTHER DISBURSEMENTS**

Patricia Mackie	202.72 mileage reimbursement	2,563.09
Calvin Sanders	221.76 mileage reimbursement	3,179.02
Extraco	payroll tax	1,657.34
Card Services	January stmt	56.83

**TOTAL OTHER DISBURSEMENTS** 7,456.28





Elm Creek Watershed Authority  
**Disbursements**  
January 15 through February 11, 2021

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	<u>Jan 15 - Feb 11, 21</u>
Ambit Energy	-39.23
ATT	-200.32
Casa Carrasco	-26.27
Espinoza Fence	-27,743.25
Evelyn Sanderson	-125.00
Falls County Appraisal District	-40.89
Fast Signs	-121.79
Fix My Blinds	-17.23
Milam County Clerk	-1.00
Patricia Mackie	-574.26
Personnel Concepts	-20.90
Relhom Properties LLC	-550.00
Sanderford & Carroll, P.C.	-1,148.00
Texas Municipal League	-76.00
The Home Depot	-14.02
Traplana, Sullivan & Reinke, PC	-225.00
United States Postal Service	-15.25
<b>TOTAL</b>	<b><u>-30,938.41</u></b>



ELM CREEK WATERSHED AUTHORITY  
INCOME AND DISBURSEMENTS  
March 11, 2021

As of February 28, 2021 **INCOME AND DISBURSEMENTS**

**INCOME**

**TAX**

	<b>PRESENT</b>
BELL COUNTY	26,555.19
FALLS COUNTY	651.40
MCLENNAN COUNTY	1,862.07
MILAM COUNTY	<u>18,603.97</u>
<b>TOTAL TAX INCOME</b>	<b>47,672.63</b>

CHECKING ACCOUNT BALANCE \$ 163,655.63

**INVESTMENTS**

ACCOUNT	MATURITY	AMOUNT	RATE	PRESENT
CITIZENS NATL BANK #91	12/3/21	600,000.00	0.700	356.71
CITIZENS NATL BANK #91	1/7/22	200,000.00	0.650	-
CLASSIC BANK #5323836	2/3/22	150,000.00	0.700	216.57
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 #111	5/22/21	250,000.00	0.800	339.72
INCOMMONS BANK #7946	7/15/21	250,000.00	0.600	127.40
HORIZON BANK #33068	7/5/21	250,000.00	1.050	223.04
BANCORP SOUTH #93700	9/24/21	250,000.00	0.750	-
CENTRAL NATL #2828689	1/18/22	250,000.00	0.300	-
BUCKHOLTS STATE BAN	1/21/22	250,000.00	0.400	-
 TEXPOOL		 552,293.02	 0.043	 17.90
 FIRST NATL MOODY #102	 5/13/2021	 400,000.00	 0.800	 271.87
		<u>3,751,293.02</u>		<u>1,667.87</u>

**OTHER DISBURSEMENTS**

Patricia Mackie	101.92 mileage reimbursement	2,143.89
Calvin Sanders	186.48 mileage reimbursement	2,548.78
Extraco	payroll tax	1,346.30
Card Services	February stmt	17.23
	<b>TOTAL OTHER DISBURSEMENTS</b>	<u>6,056.20</u>



11:34 AM  
03/11/21  
Cash Basis

Elm Creek Watershed Authority  
**Disbursements**  
February 12 through March 11, 2021

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	<u>Feb 12 - Mar 11,...</u>
Ambit Energy	-51.24
ATT	-200.32
Evelyn Sanderson	-100.00
McLennan County Appraisal District	-34.12
Milam Appraisal District	-328.80
Milam County Clerk	-1.00
Oscar Store	-36.79
Patricia Mackie	-609.90
Personnel Concepts	-217.09
Relhom Properties LLC	-550.00
St. Matthew Catholic Church of Rogers	-100.00
Tax Appraisal District of Bell County	-850.50
Texas Association of Watershed Spons...	-250.00
United States Postal Service	-228.65
United States Treasury	1,635.73
Victor O. Schinnerer & Company	-320.00
<b>TOTAL</b>	<u><u>-2,242.68</u></u>



**ELM CREEK WATERSHED AUTHORITY**  
**Monthly Report – 3/11/2021**

**Operation and Maintenance**

**On-going Maintenance**

Fence replacement funded through TSSWCB O&M grant program at Site 10 completed. Installed signs and locked gates to deter vandalism and trespass.

Bids opened for spring maintenance. Fertilization (12 sites covering 170.2 acres) and broadleaf weed treatment (19 sites covering a total of 254.3 acres) awarded to Heartland (Nelson Hall). Mowing (15 sites covering 141.5 acres) divided among Heartland Construction and TerraSol (Ken & Ryan Hall). TSSWCB O&M grant program funding is approved for these maintenance activities.

Funding approved for fence replacement at Site 11 and Site 19 through the TSSWCB O&M grant program. Invitation for bids will go out later this month.

**Stream crossings and flowage easement erosion control**

The NRCS state office will be initiating survey and design for crossings downstream from Site 5A and Site 24 and an erosion control structure in the flowage easement downstream from Site 13R. Designs and cost estimates should be ready within a couple of months. ECWA showed the locations to survey crew on March 10, 2021. These projects will be funded by ECWA, but can be claimed as in-kind credit toward local 10% share of future TSSWCB O&M program activities, if completed after August 31, 2021.

**Dam Safety**

Formal TCEQ 5-year dam safety inspections were completed at Sites 23, 28, and 30 with NRCS dam safety engineer Todd Marek. The only remaining inspection is for Site 39 in Falls County. This will be conducted by TCEQ later this year.

Annual review and updates of Emergency Action Plans for each high and significant hazard dam were completed this month as required by TCEQ.

**TSSWCB O&M Program Agreement with Central Texas SWCD**

The Central Texas Soil and Water Conservation District has submitted an agreement for renewal that would continue allowing ECWA to pursue and expedite participation and funding through the TSSWCB Operation and Maintenance (O&M) Grant Program. In return ECWA would continue to share the 5% reimbursement for administration 50-50 with the SWCD. The agreement is for two years.





### TSSWCB Repair Program

#### Plunge Basin Repairs/Pipe replacement (Site 32 only)

Sites 26, 31, 32: Site 26 completed as of January 14. Site 31 completed as of March 8 and invoice has been submitted for partial payment in the amount of \$142,941.75 for ECWA board approval. Work underway at Site 32, which includes repair and rock protection of the plunge basin and replacement of 50 feet of pipe and pipe support.

Sites 37, 38, 43: Invitation for Bids process underway and plan to advertise around April 1 and start work around early to mid-May. This all depends on completion of the 26, 31, 32 contract and availability of NRCS project engineer and construction inspector.

#### Dam Upgrades Site 23 and 39

Designs for upgrades at Sites 23 and 39 are near completion. The TSSWCB has sent agreements for each site setting up the State funds for the projects. Below are latest figures:

##### Site 23 Upgrade

TSSWCB (98.25%)	\$3,537,000
ECWA (1.75%)	<u>\$63,000</u>
<b>total</b>	<b>\$3,600,000</b>

Non Cost-Share Costs for contract administration (3% of TSSWCB share)  
\$106,110

##### Site 39 Upgrade

TSSWCB (98.25%)	\$3,242,250
ECWA (1.75%)	<u>\$57,750</u>
<b>total</b>	<b>\$2,943,537</b>

Non Cost-Share Costs for contract administration (3.5% of TSSWCB share)  
**total \$113,479**

The acquisition of and assurances of adequate land rights is **the responsibility of the local sponsor**. These cost are the responsibility of local sponsor

Proposals for agreements to acquire additional easements have been made by the four property owners at Site 23. The ECWA board will need to consider these proposals and respond to property owners. Agreement documents will be prepared for signature by owners and ECWA. ECWA will need to arrange for metes and bounds survey of the additional easement areas. Once actual acreage is determined, payments to owners and signing of easement documents will be necessary.



**ELM CREEK WATERSHED AUTHORITY**  
**OFFICIAL MINUTES**  
**March 11, 2021**

Elm Creek Watershed Authority, Board of Directors, met in regular session on  
March 11, 2021, at 19 South 25<sup>th</sup> 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 7:01 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 for February 2021. Mike Maedgen second the motion. Motion passed. A motion was made by Bobby Henson to receive, approve and file income and disbursements for March 2021. Arvell Jungmann second the motion. Motion passed.

**Watershed Report:** The watershed report was presented by Calvin Sanders. O&M: Fence replacement has been completed on Site 10. Bids for spring O&M have been received with award for contract with multiple contractors, with funding available through TSSWCB. Site 11 & 19 fence replacement funding by TSSWCB has been approved with IFB going out in late March.

NRCS will be working on survey and designs for downstream crossings on Sites 5A & 24, along with erosion control downstream on Site 13R. If the work is completed after August 2021, ECWA could receive in-kind credit toward funding from TSSWCB.

Dam safety inspections have been completed on Sites 23, 28 & 30, with Site 39 to be completed later this year.

EAP review and updates have been completed for each high hazard & significant hazard dam.

A renewal agreement for TSSWCB O&M Grant Program has been submitted by Central Texas SWCD for funding. Mr. Sanders suggested ECWA cost-share the 5% reimbursement of administration costs with the SWCD for 2 years. A motion to approve the 50-50 cost-share agreement with Central Texas SWCD for 2 years was made by Mike Maedgen. Bobby Henson second the motion. Motion passed.

Repairs on Site 32 are ongoing with Sites 26 & 31 completed. ECWA received an invoice for partial payment on the contract in the amount of \$142,941.75. IFB for repairs on Sites 37, 38 & 43 will be released at the beginning of April. Mike Maedgen made a motion to pay the invoice for Site 26, 31 & 32 repairs in the amount of \$142,941.75 to Leaday Construction. The motion was second by Bobby Henson. Motion passed.

Sites 23 & 39 dam upgrade designs are near completion. Agreements for funding will be provided by TSSWCB. Land rights will be the responsibility of ECWA. A motion was made by Bobby Henson to approve the agreements for funding for Sites 23 & 39 dam upgrades. Ray Jungmann second the motion. Motion passed.

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

**Easements:** Site 23-Mr. Sanders discussed the proposals received from landowners. Costs will vary due to actual acres as adjusted by metes and bounds. Robert Fleming made a motion to accept the terms and costs to acquire additional easements as proposed by landowners. \$15,000 per acre plus detailed damages. Ray Jungmann second the motion. Motion passed.

Site 39-No proposal received from the landowner. Arvell Jungmann made a motion to offer the landowner \$15,000 per acre plus damages. Bobby Henson second the motion. The board asked Mr. Sanders to submit the offer by mail. Motion passed.

**ECWA Website:** Mrs. Mackie discussed the opinion of the attorney, no website required at this time. No action taken.

**Notice to Purchaser:** Mrs. Mackie informed the board of the information received from the attorney, ECWA has no obligation to complete or offer this form to any landowner. No action taken.

**Director Vacancy:** Mrs. Mackie discussed the need for the board to appoint an individual to fill the vacant position.

**Adjourn:** Arvell Jungmann made a motion to adjourn. Mike Maedgen second the motion. Motion passed. Meeting adjourned at 8:05 p.m.

**ATTEST:**



Daniel C. Lesikar  
Chairman



Steve Rieves  
Vice-Chairman