

ELM CREEK WATERSHED AUTHORITY
Regular Session Meeting
May 14, 2020

Notice is hereby given that a regular meeting of the Board of Directors of the Elm Creek Watershed Authority will be on May 14, 2020, beginning at 7:30 p.m. in the Elm Creek Watershed Authority office, 19 South 25th Street, Temple, Texas.

During this time of required social distancing, Governor Abbott has lifted the requirement to have a public comment portion during each public meeting. Therefore, the ECWA is temporarily discontinuing the public comment portion of posted agendas until normalcy is restored and the public is able to attend the meetings.

AGENDA

1. Call to Order.
2. 2019 Audit Presentation. Discuss, consider and take action if necessary to approve the 2019 audit.
3. Consideration and possible action to approve the consent agenda:
 - a. Minutes from the previous meetings
 - b. Income/Disbursements
 - c. Budget
4. 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
5. Consideration and possible action to approve Resolution Adopting & Establishing Guidelines, Criteria & Procedures for Tax Abatements.
6. Consideration and possible action on Tax Appraisal District of Bell County Board of Director selection process.
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 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 8th day of May, 2020

Daniel C. Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

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FILED FOR RECORD
 2020 MAY - 8 P 4:19
 SHELLEY POSTON
 CLERK, BELL CO. TX

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Dated this 8th day of May, 2020

Daniel C. 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 May 12, 2020

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

By [Signature]
Deputy

By: [Signature]
Tricia Mackie, Office Manager



RECEIVED
5/19/2020

1000000



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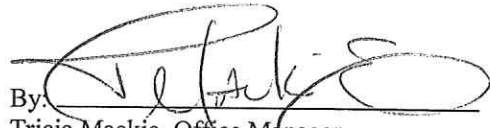
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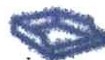
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Dated this 8th day of May, 2020

Daniel C. Lesikar, Chairman

Filed 12 day of May
in 2020, At 1:30 P. M.
JODI MORGAN
County Clerk, Milam County, Texas
By Jennifer Houchett
Deputy

By: 
Tricia Mackie, Office Manager



RECEIVED
5/19/2020

Handwritten notes or scribbles in the bottom right corner, possibly including a date or reference number.

RECEIVED




OFFICE of the SECRETARY of STATE

Tricia Mackie

[Log Off](#)

Open Meeting Submission

TRD: 2020002410
Date Posted: 05/08/2020
Status: Accepted
Agency Id: 1199
Date of Submission: 05/08/2020
Agency Name: Elm Creek Watershed Authority
Board: Elm Creek Watershed Authority
Committee: Board of Directors
Date of Meeting: 05/14/2020
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 8th day of May, 2020 Daniel C. 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: Friday, May 8, 2020, 02:41 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: 05/14/2020 07:30 PM "TRD# 2020002410"

Notice posted: 05/08/20 02:41 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2020002410](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2020002410)

10:18 AM
05/08/20
Cash Basis

Elm Creek Watershed Authority
Disbursements
March 13 through April 9, 2020

	<u>Mar 13 - Apr 9, 20</u>
Ambit Energy	-37.04
Arvell Jungmann	-393.15
ATT	-133.19
Bobby Henson	-341.40
Bowers Embankment Turfing	-18,350.00
CivCast	-99.99
Daniel Lesikar	-482.80
Dean Mikeska	-250.60
Evelyn Sanderson	-100.00
Hall Bros. Construction, LLC	-1,500.00
Kathleen Pinckney	-312.50
Leaday Construction, LLC	-255,990.00
LogMeln, Inc.	-192.00
Mike Maedgen	-239.10
Milam Appraisal District	-345.60
Milam County Clerk	-1.00
Patricia Mackie	-574.26
Ray Jungmann	-393.15
Relhom Properties LLC	-550.00
Robert Fleming	-234.50
Sanderford & Carroll, P.C.	-55.00
Steven Rieves	-331.05
Tax Appraisal District of Bell County	-28,485.50
Texas Municipal League	212.78
United States Postal Service	-55.00
United States Treasury	224.88
TOTAL	<u><u>-309,009.17</u></u>

ELM CREEK WATERSHED AUTHORITY
 INCOME AND DISBURSEMENTS
 May 12, 2020

As of April 30, 2020

INCOME AND DISBURSEMENTS

INCOME

TAX

	PRESENT
BELL COUNTY	2,987.64
FALLS COUNTY	57.23
MCLENNAN COUNTY	62.15
MILAM COUNTY	540.17
TOTAL TAX INCOME	3,647.19

CHECKING ACCOUNT BALANCE	69,532.90
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INVESTMENTS

ACCOUNT	MATURITY	AMOUNT	RATE	PRESENT
CITIZENS NATL BANK #91	12/3/20	600,000.00	1.500	762.30
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	216.57
CLASSIC BANK #5825306	3/13/21	100,000.00	1.350	114.66
MEMBERS CHOICE #1936	05/02/20	249,000.00	2.230	1,389.93
FIRST NATL MOODY #113	5/22/20	250,000.00	2.190	900.00
INCOMMONS BANK #7946	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 #93700	9/24/20	250,000.00	1.750	1,090.75
AIMBANK #100538548	1/7/21	238,771.78	1.650	334.14
CENTRAL NATL #2828686	1/18/21	250,000.00	1.800	-
TEXPOOL		186,863.38	0.455	96.84
FIRST NATL MOODY #102	5/14/2020	400,000.00	2.190	744.67
		3,374,635.16		7,256.06

OTHER DISBURSEMENTS

Patricia Mackie	55.78 mileage reimbursement	2,018.40
Calvin Sanders	347.30 mileage reimbursement	3,556.44
Extraco	payroll tax	1,648.32

TOTAL OTHER DISBURSEMENTS	7,223.16
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12:08 PM
05/14/20
Cash Basis

Elm Creek Watershed Authority
Disbursements
April 10 through May 14, 2020

	<u>Apr 10 - May 14, 20</u>
Ambit Energy	-39.52
ATT	-237.95
Avast	-64.94
Bowers Embankment Turfing	-17,985.00
Central Texas SWCD	-343.13
Evelyn Sanderson	-100.00
Falls County Appraisal District	-45.53
Hall Bros. Construction, LLC	-12,190.50
HEB	-30.16
Ludwick, Montgomery & Stapp, P.C	-6,000.00
Milam County Clerk	-1.00
Patricia Mackie	-574.26
Relhom Properties LLC	-550.00
Staples	-39.70
United States Postal Service	-2.40
TOTAL	<u>-38,204.09</u>

ELM CREEK WATERSHED AUTHORITY
Monthly Report – 5/14/2020

Operation and Maintenance

Spring Maintenance

Mowing (6 Sites) and herbicide treatment (27 sites) scheduled for April – May all completed as of this past Monday. All of these activities approved for reimbursement from TSSWCB or NRCS (Site 34).

Fence replacement at Site 24 and partial replacement at Site 29 underway. TSSWCB O&M grant program funds are approved for both jobs.

Access/Easement Road Repairs

Site 4: Still waiting for contractor to start repair. ECWA has approved \$3467 for its share of the repair.

Site 34 (Sevcik/Carpentier) Showed the erosion concern to Hall Bros. Construction and received a quote of \$7250 to repair. This covers repair erosion along access road, fill eroded area with suitable soil to stabilize area (imported to site), install culvert across road to divert water, install erosion berms (4 ea.) with 4-6" limestone rock.

Site 36: a crossing on the access road rebuilt in 2015 has overtopped narrowing the road to a dangerously narrow strip. Showed the erosion to Hall Bros. Construction and received a quote of \$6250. This covers using gravel and clay material located near the repair for fill to repair the grade of the road and then apply 18-20 cu.yds. of 10-12" rock riprap on the downstream side to stabilize and protect the culvert.

Crossings Downstream from Dams

Site 24: Working with Todd Marek with NRCS to determine design and cost of rock riprap low-water crossing or culvert downstream from Site 24 requested by Kenneth Marek.

Site 5A: While conducting O&M at Site 5A met with landowner James Fowler. The outlet structure and auxiliary spillway are on his property. He does not have access to a portion of his property due to the structure and is requesting consideration that ECWA install a crossing for him to allow access. He has no other way of going around. This could be addressed with a rock riprap low-water crossing.

Secure Site 10 from trespass and vandalism

The amount of unauthorized entry and vandalism at Site 10 dam and spillway, which is owned by the City of Temple, has been an ongoing concern. After visiting with city staff, we agreed that ECWA would install metal gates at the two access point, put chains with locks on the gates, and install signs prohibiting trespass and unauthorized entry. Estimated cost for installation and signage \$750.

NRCS WFPO Program

Remedial Repairs

Remedial repairs of wave berm erosion and installation of rock protection at Site 24 completed.

Contractor has moved to Site 22, the second site in the contract. Completion of all repairs scheduled for

mid-June, but there are already about 34 weather days available. Depending on weather, actual completion will most likely be late June to Mid July.

TSSWCB Repair Program

Plunge Basin and Rock Chute Repairs

Pre-bid conference and site showings for repairs at Sites 13R, 14 and 15 conducted yesterday. We had 9 interested contractors attend. Bid opening on June 3. Notice to proceed will depend on availability of NRCS project engineer and construction inspector, but should be mid to late June. The repairs will be done one site at a time.

Temporary use agreements for repairs at Site 26, 31, and 32 have been acquired. NRCS is finalizing designs and we should have the agreement from the TSSWCB by the next meeting with funds for the repairs. We will coordinate with NRCS to see when construction could be started and, based on availability, these could be underway before the Site 13R, 14 and 15 contract is completed.

Temporary use agreements being completed for repairs at Site 37, 38 and 43. These should be finished in next month and with this the designs can be finalized.

Dam Upgrades

AECOM presented alternatives for upgrades at Site 23 and Site 39 to ECWA, TSSWCB and NRCS via web conference on April 17.

Site 23: Raise Top of Dam elevation by 2.5 feet, widen auxiliary spillway from 100 feet to 250 feet and raise crest elevation by 1.3 feet, and replace the existing principal spillway tower and 24' conduit with a new inlet and 42" pipe with an impact basin.

Site 39: Raise Top of Dam elevation by 3.3 feet, widen auxiliary spillway from 200 feet to 300 feet and raise crest elevation by 1.3 feet, while maintaining the existing inlet and principal spillway conduit, but install impact basin at outlet.

A land rights work map for each site will be provided to ECWA with needs for additional easements.

ELM CREEK WATERSHED AUTHORITY
OFFICIAL MINUTES
May 14, 2020

Elm Creek Watershed Authority, Board of Directors, met in regular session on
May 14, 2020, at 19 South 25th Street, Suite 500, Temple, Texas

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

Others present: Calvin Sanders and Tricia Mackie

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

2019 Audit: Blake Stapp from Ludwick, Montgomery & Stapp, P.C. discussed the 2019 audit. Mr. Stapp stated overall the audit went well, the records were in good order with no findings and a clean opinion, stating "this is the kind of audit we like to see". Mr. Stapp informed the board of the tax revenues, with collection of taxes being up, and overall the numbers look good. The board thanked Mr. Stapp for the presentation. Mike Maedgen made a motion to approve the 2019 audit. The motion was second by Bobby Henson. Motion passed.

Consent Agenda: Robert Fleming made a motion to approve the regular meeting minutes as mailed. The motion was second by Arvell Jungmann. Motion passed.

Income and Disbursements were read aloud by Tricia Mackie. A motion was made by Bobby Henson to receive, approve and file the corrected April 2020 income and disbursements. Mike Maedgen second the motion. Motion passed. A motion was made by Bobby Henson to receive, approve and file income and disbursements. Ray Jungmann second the motion. Motion passed.

Watershed Report: The watershed report was presented by Calvin Sanders. O&M: Spring maintenance including mowing and weed/brush control has been completed and most costs will be reimbursed by the TSSWCB program. Site 24 and 29 fence replacement/partial replacement is in progress; with state funds for this as well.

Access Road Repairs: Site 4-waiting for contractor to begin work. Site 34-Quote received of \$7250, Site 36-Received quote of \$6200. A motion was made by Bobby Henson to accept the quotes received and proceed with repairs. Mike Maedgen second the motion. Motion passed. Site 24-waiting for design & cost estimate from NRCS. Site 5A-landowner does not have access to property & is requesting consideration of crossing from ECWA to allow access. Mr. Sanders suggested a rock rip-rap low-water crossing. Site 10 has experienced trespassing/vandalism on the dam and in the spillway. City of Temple, owners, agreed ECWA could install gates with locks and signs at the access points to prohibit unauthorized entry.

NRCS Programs: Site 24 repairs are mostly complete; contractor is moving to Site 22 with completion scheduled for mid-June, with 34 weather days moving completion date to mid-July.

TSSWCB Repairs: Mr. Sanders conducted the pre-bid conference and site showing for repairs on Site 13R, 14 & 15 on May 13, 2020. Temporary agreements for repairs on Site 26, 31, & 32 have been acquired with designs being finalized. Mr. Sanders is working on Site 37, 38, & 43 temporary agreements with designs being finalized thereafter. Dam Upgrades: Site 23 & 39 upgrade alternatives were presented via webinar April 17, 2020. Site 23 upgrade will raise the top of dam elevation 2.5' and replace tower with 24' conduit and new inlet with 42" pipe. Site 39 upgrade will raise top of dam elevation 3.3', widen auxiliary spillway 100' and raise crest elevation 1.3' and install impact basin. Land rights map will be provided to ECWA for additional easements needed. Upgrade cost to ECWA will be 1.75% with TSSWCB paying remainder of cost.

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

Tax Abatement Guidelines, Criteria & Procedures: Tricia Mackie discussed the tax abatement guidelines, criteria & procedures. Arvell Jungmann made a motion to approve the Resolution Adopting & Establishing Guidelines, Criteria & Procedures for Tax Abatements. Motion was second by Bobby Henson. Motion passed by vote: 5 in favor & 2 oppose.


Tax Appraisal District of Bell County Board of Director Selection: No action taken at this time.

Adjourn: Arvell Jungmann made a motion to adjourn. Mike Maedgen second the motion. Motion passed. Meeting adjourned at 9:05 p.m.

ATTEST:



Daniel C. Lesikar
Chairman



Steve Rieves
Vice-Chairman