

ELM CREEK WATERSHED AUTHORITY
Regular Session Meeting
May 13, 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 May 13, 2021, beginning at 7:30 p.m. in the Elm Creek Watershed Authority office, 19 South 25th Street, Suite 500, Temple, Texas.

AGENDA

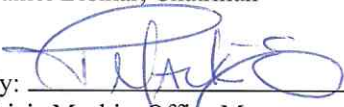
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2. Public Comment.
Citizens who desire to address the Board of Directors on any matter may sign up to do so prior to this meeting. Public comments will be received during this portion of the meeting. Please limit comments to 3 minutes. No discussion or final action will be taken by the Board of Directors.
3. 2020 Audit Presentation. Discuss, consider and take action if necessary, to approve the 2020 audit.
4. Consideration and possible action to approve the consent agenda:
 - a. Minutes from the previous meetings
 - b. Income/Disbursements
5. Discuss, consider and take action if necessary, to accept the watershed report as presented.
 - a. Site updates
 - b. NRCS programs
 - c. TSSWCB programs
6. Update of easement acquisitions for Site 23.
7. Consideration and possible action to acquire easements for Site 39.
8. Consideration and possible action on employee salaries, and benefits.
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, 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 May, 2021

Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

ELM CREEK WATERSHED AUTHORITY FILED FOR RECORD
Regular Session Meeting

May 13, 2021

2021 MAY -6 P 1:02

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Tricia Mackie, Office Manager

CO. CLK. FALLS CO.

MAY 07 2021

FILED _____ M

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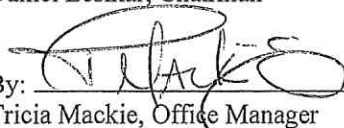
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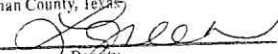
Daniel Lesikar, Chairman

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 9:10 AM
May 10, 2021

By: 
Tricia Mackie, Office Manager

RECEIVED
5/13/21
J. A. "Andy" Harwell, County Clerk
McLennan County, Texas

By: 
Deputy



1000



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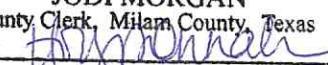
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Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager



RECEIVED
5/13/21

Filed 10 day of May
in 2021, At 3:55 P.M.
JODI MORGAN
County Clerk, Milam County, Texas
By: 
Deputy





Tricia Mackie

[Log Off](#)

Open Meeting Submission

TRD: 2021002681**Date Posted:** 05/06/2021**Status:** Accepted**Agency Id:** 1199**Date of Submission:** 05/06/2021**Agency Name:** Elm Creek Watershed Authority**Board:** Elm Creek Watershed Authority**Committee:** Board of Directors**Date of Meeting:** 05/13/2021**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
Regular Session Meeting
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Dated this 6th day of May, 2021 Daniel Lesikar, Chairman

By:
Tricia Mackie, Office Manager

New Submission

[HOME](#)

[TEXAS REGISTER](#)

[TEXAS ADMINISTRATIVE CODE](#)

[OPEN MEETINGS](#)

ELM CREEK WATERSHED AUTHORITY
INCOME AND DISBURSEMENTS
May 13, 2021

As of April 30, 2021

INCOME AND DISBURSEMENTS

INCOME

TAX

PRESENT

BELL COUNTY	12,091.94
FALLS COUNTY	298.51
MCLENNAN COUNTY	287.55
MILAM COUNTY	407.66
	13,085.66

TOTAL TAX INCOME 13,085.66

OTHER INCOME

TSSWCB Reimbursement for repairs, maint 159,367.59

CHECKING ACCOUNT BALANCE \$ 150,502.26

INVESTMENTS

ACCOUNT	MATURITY	AMOUNT	RATE	PRESENT
CITIZENS NATL BANK #94	12/3/21	600,000.00	0.700	320.55
CITIZENS NATL BANK #94	1/7/22	200,000.00	0.650	356.71
CLASSIC BANK #5323836	2/3/22	150,000.00	0.700	89.18
CLASSIC BANK #5825306	3/13/22	100,000.00	0.700	59.45
MEMBERS CHOICE #1936	05/02/21	249,000.00	0.800	193.15
FIRST NATL MOODY #113	5/22/21	250,000.00	0.800	169.86
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	184.93
BUCKHOLTS STATE BAN	1/21/22	250,000.00	0.400	246.58
TEXPOOL		552,306.60	0.010	5.72
FIRST NATL MOODY #102	5/13/2021	400,000.00	0.800	271.87
		3,751,306.60		2,248.44

OTHER DISBURSEMENTS

Patricia Mackie	43.68 mileage reimbursement	2,085.65
Calvin Sanders	398.72 mileage reimbursement	3,930.45
Extraco	payroll tax	1,836.92
Card Services	April stmt	259.39

TOTAL OTHER DISBURSEMENTS 8,112.41

7:44 PM

05/13/21

Cash Basis

Elm Creek Watershed Authority

Disbursements

April 9 through May 13, 2021

	<u>Apr 9 - May 13, 21</u>
Ambit Energy	-47.57
ATT	-251.74
Avast	-64.94
Central Texas SWCD	-629.54
Evelyn Sanderson	-100.00
Heartland Construction Services, LLC	-22,931.90
HEB	-14.39
Kathleen Pinckney	-823.03
Leaday Construction, LLC	-305,564.00
Ludwick, Montgomery & Stapp, P.C	-6,400.00
Milam County Clerk	-1.00
Patricia Mackie	-471.05
Relhom Properties LLC	-550.00
Sanderford & Carroll, P.C.	-390.00
TerraSol LLC	-4,829.50
TOTAL	<u><u>-343,068.66</u></u>

ELM CREEK WATERSHED AUTHORITY
Monthly Report – 5/13/2021

Operation and Maintenance

On-going Maintenance

Mowing completed at 15 sites in April. TSSWCB O&M grant program funding approved for these activities and request for reimbursement submitted.

Broadleaf weed control in April and May at 19 sites. TSSWCB O&M grant program funding approved for these activities and reimbursement request in process.

This concludes 2021 spring maintenance activities.

Quotes received for fence replacement at Site 11 and Site 19. TSSWCB O&M grant program funding approved for these projects and purchase order created. Contractor ready to start work as soon as next week.

TSSWCB Repair Program

Plunge Basin Repairs/Pipe replacement (Site 32 only)

Sites 32 repair completed on May 7. The final invoice for this contract is for \$305,564. This concludes all work under this contract for a total of \$586,302.50 that included repair and rock protection of plunge basins at Site 26, 31, and 32 and replacement of 50 feet of principal spillway pipe and pipe support at Site 32.

Sites 37, 38, 43 plunge basin repairs: Bids were opened on April 21 and the contract for work was awarded to DJ Hansen Construction at a cost of \$317,690. Hansen was the contractor for wave berm repair and rock protection at Site 8 in 2019 and plunge basin repairs and rock protection at Site 13R, 14 and 15 in 2020. The notice to proceed date is May 20 and performance time is 132 days.

Dam Upgrades Site 23 and 39

The TSSWCB signed the funding agreements for the upgrades at Site 23 and 39:

Site 23, Construction and Approved Land Rights Cost: \$3,600,000 - \$3,537,000 TSSWCB, \$63,000 ECWA

Site 39, Construction and Approved Land Rights Cost: \$3,300,000 - \$3,242,250 TSSWCB, \$57,500 ECWA

In addition, reimbursement of costs included for contract administration up to \$106,110 for Site 23 and \$113,479 at Site 39.

These agreements have an expiration date of June 30, 2024. This is important in that it allows us more time to complete land rights acquisition.

Site 23 Land Rights

I have coordinated with Hughes Surveying to conduct metes and bounds survey on the four properties at Site 23 where additional easement is needed for the dam upgrade project. This was delayed because we did not have all of the final upgrade design information to determine the limits of the additional easements until late last week. Now the corn crop is growing and we will delay the survey until this crop is harvested.

Site 39 Land Rights

The revised offer for compensation to acquire necessary easements at Site 39 was sent to the owner on April 9. I visited with Frank Benolken on the phone this morning and I believe we are close to reaching an agreement. He understands that if we do not come to an agreement that ECWA will have no alternative but to use eminent domain authority. He would like the metes and bounds survey to be completed before they enter into any agreement for compensation in exchange for granting the additional easement.

ELM CREEK WATERSHED AUTHORITY
OFFICIAL MINUTES
May 13, 2021

Elm Creek Watershed Authority, Board of Directors, met in regular session on
May 13, 2021, at 19 South 25th Street, Suite 500, Temple, Texas

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

Others present: Calvin Sanders and Tricia Mackie

The meeting was called to order by Daniel C. Lesikar, Chairman, at 7:28 p.m.

2020 Audit: Blake Stapp from Ludwick, Montgomery & Stapp, P.C. discussed the 2020 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 increasing due to property values increasing as well as reimbursements from TSSWCB. The board thanked Mr. Stapp for the presentation. Mike Maedgen made a motion to approve the 2020 audit. The motion was second by Ray Jungmann. Motion passed.

Consent Agenda: Bobby Henson made a motion to approve the previous 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 Mike Maedgen to move the Members Choice CD to a money market account. The motion was second by Ray Jungmann. Motion passed.

A motion was made by Bobby Henson to receive, approve and file income and disbursements. Mike Maedgen second the motion. Motion passed.

Watershed Report: The watershed report was presented by Calvin Sanders. O&M: Mowing has been completed on 15 sites and broadleaf spraying has been completed on 19 sites. Fence replacement quotes have been received for Sites 11 & 19 with work scheduled to begin next week.

Site 32 repairs are complete, thus completing the contract for repairs on Sites 26, 31 & 32. Final invoice of \$305,564.00 to be paid after paperwork is complete. Bids for repairs on Site 37, 38 & 43 were opened with DJ Hansen being awarded the contract for \$317, 690.00. Notice to proceed date is May 20, 2021.

Funding agreements have been signed for upgrades on Sites 23 & 39 with an extension on the deadline allowing ECWA more time to acquire land rights.

Site 23-Mr. Sanders is working with Randy Hughes on surveys of 4 properties. Once designs are received, actual needed easements will be determined. The survey is delayed till corn is harvested.

Site 39-Revised offer was sent to Frank Benolken. Mr. Sanders spoke with Mr. Benolken and seemed agreeable to offer, but wants more information.

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

Employee Salaries & Benefits: A motion was made by Ray Jungmann to increase the rate of pay for Calvin Sanders by \$2.00/hour and the salary for Tricia Mackie by 5%. The motion was second by Mike Maedgen. Motion passed.

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

ATTEST:



Daniel C. Lesikar
Chairman



Steve Rieves
Vice-Chairman