

**ELM CREEK WATERSHED AUTHORITY**  
**Regular Session Meeting**  
**November 12, 2020**

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 November 12, 2020, 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
  - c. Budget amendments
  - 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. Consideration and possible action to approve engagement with Ludwick, Montgomery & Stapp, LLC.
6. Discuss, consider and possible action to nominate individual for Falls County Appraisal District Board Member.
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 5th day of November, 2020

Daniel Lesikar, Chairman

By: 

Tricia Mackie, Office Manager



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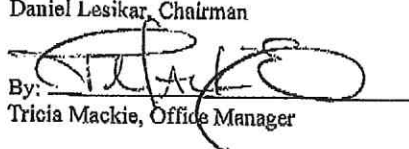
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Dated this 5th day of November, 2020

Daniel Lesikar, Chairman

By:   
Tricia Mackie, Office Manager

FILED FOR RECORD  
 2020 NOV -5 A 11:14  
 SHELLEY ROSTON  
 CO. CLERK BELL CO. TX



**ELM CREEK WATERSHED AUTHORITY**  
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**November 12, 2020**

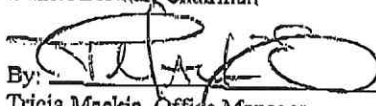
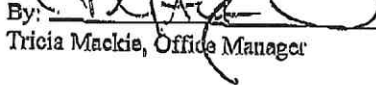
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Dated this 5th day of November, 2020

Daniel Lesikar, Chairman  
  
By:   
Tricia Mackie, Office Manager

LINDA WATKINS  
CO. CLK. FALLS CO.  
NOV 05 2020  
FILED 10:50 AM  
43



9:23 AM

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 Nov. 9, 2020  
J. A. "Andy" Harwell, County Clerk  
McLennan County, Texas  
By: Green  
Deputy

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Dated this 5th day of November, 2020

Daniel Lesikar, Chairman

By: [Signature]  
Tricia Mackie, Office Manager



RECEIVED  
11/12/2020





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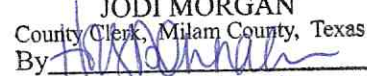
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Daniel Lesikar, Chairman

By:   
Tricia Mackie, Office Manager

Filed 9 day of NOV  
in 2020, At 11:40A M.

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



RECEIVED  
11/12/2020





Tricia Mackie

[Log Off](#)

## Open Meeting Submission

**TRD:** 2020006417**Date Posted:** 11/05/2020**Status:** Accepted**Agency Id:** 1199**Date of Submission:** 11/05/2020**Agency Name:** Elm Creek Watershed Authority**Board:** Elm Creek Watershed Authority**Committee:** Board of Directors**Date of Meeting:** 11/12/2020**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 5th day of November, 2020 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, November 5, 2020, 10:59 AM 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: 11/12/2020 07:00 PM "TRD# 2020006417"

Notice posted: 11/05/20 10:59 AM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub\\_om\\_lookup\\$.startup?Z\\_TRD=2020006417](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2020006417)



ELM CREEK WATERSHED AUTHORITY  
INCOME AND DISBURSEMENTS

November 12, 2020

As of October 31, 2020

**INCOME AND DISBURSEMENTS**

**INCOME**

**TAX**

**PRESENT**

BELL COUNTY	1,343.25
FALLS COUNTY	63.01
MCLENNAN COUNTY	458.02
MILAM COUNTY	387.74

<b>TOTAL TAX INCOME</b>	2,252.02
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CHECKING ACCOUNT BALANCE	104,773.53
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**INVESTMENTS**

ACCOUNT	MATURITY	AMOUNT	RATE	PRESENT
CITIZENS NATL BANK #94	12/3/20	600,000.00	1.500	737.70
CITIZENS NATL BANK #94	1/7/21	200,000.00	1.500	754.10
CLASSIC BANK #5323836	2/3/21	150,000.00	1.700	209.59
CLASSIC BANK #5825306	3/13/21	100,000.00	1.350	110.96
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	-
INCOMMONS BANK #7946	7/15/21	250,000.00	0.600	123.29
HORIZON BANK #33068	7/5/21	250,000.00	1.050	215.84
BANCORP SOUTH #93700	9/24/21	250,000.00	0.750	-
AIMBANK #100538548	1/7/21	240,753.86	0.800	326.06
CENTRAL NATL #2828689	1/18/21	250,000.00	1.800	-
TEXPOOL		352,166.80	0.134	36.85
FIRST NATL MOODY #102	5/13/2021	400,000.00	0.800	263.10
		3,541,920.66		3,281.60

**OTHER DISBURSEMENTS**

Patricia Mackie	55.78 mileage reimbursement	1,902.47
Calvin Sanders	213.9 mileage reimbursement	2,750.64
Extraco	payroll tax	1,541.74
Card Services	October stmt	301.58

<b>TOTAL OTHER DISBURSEMENTS</b>	6,496.43
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10:14 AM  
11/12/20  
Cash Basis

Elm Creek Watershed Authority  
**Disbursements**  
October 9 through November 12, 2020

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	<u>Oct 9 - Nov 12, 20</u>
Ambit Energy	-55.83
ATT	-250.53
DJ Hansen Construction	-1,725.00
Evelyn Sanderson	-125.00
HEB	-27.68
Hodge Products, Inc.	-219.60
Johnnies Office Systems, Inc.	-495.16
Kathleen Pinckney	-483.12
Milam County Clerk	-1.00
Patricia Mackie	-574.26
Relhom Properties LLC	-550.00
United States Postal Service	-55.00
<b>TOTAL</b>	<b><u>-4,562.18</u></b>



## Elm Creek Watershed Authority Profit & Loss Budget vs. Actual January through December 2020

	Jan - Dec 20	Budget	\$ Over Bud...	% of Bu...
<b>Ordinary Income/Expense</b>				
Income				
Income from Taxes	149,309.64	355,000.00	-205,690.36	42.1%
<b>Total Income</b>	<b>149,309.64</b>	<b>355,000.00</b>	<b>-205,690.36</b>	<b>42.1%</b>
<b>Gross Profit</b>	<b>149,309.64</b>	<b>355,000.00</b>	<b>-205,690.36</b>	<b>42.1%</b>
<b>Expense</b>				
Advertising	981.50	1,000.00	-18.50	98.2%
Allocation (Collection) Expe...	3,505.13	6,000.00	-2,494.87	58.4%
Communications	2,117.46	3,500.00	-1,382.54	60.5%
Contract	3,368.83	5,000.00	-1,631.17	67.4%
Contract Labor	0.00	0.00	0.00	0.0%
Director-Per Diem	8,300.00	10,500.00	-2,200.00	79.0%
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	0.00	0.00	0.00	0.0%
Elections	0.00	0.00	0.00	0.0%
Insurance	4,023.74	12,000.00	-7,976.26	33.5%
Maintenance	111,603.76	200,000.00	-88,396.24	55.8%
Mileage	6,068.00	10,000.00	-3,932.00	60.7%
Miscellaneous	66.90	500.00	-433.10	13.4%
Office Supplies	2,679.34	4,000.00	-1,320.66	67.0%
Payroll Expenses	77,024.90	82,500.00	-5,475.10	93.4%
Professional Fees	8,653.11	12,500.00	-3,846.89	69.2%
Recording Fees	11.00	350.00	-339.00	3.1%
Rent	6,050.00	6,600.00	-550.00	91.7%
Tax Increment Zone Payment	28,485.50	28,500.00	-14.50	99.9%
Training	0.00	4,000.00	-4,000.00	0.0%
Travel & Ent	0.00	1,500.00	-1,500.00	0.0%
Utilities	713.94	1,800.00	-1,086.06	39.7%
<b>Total Expense</b>	<b>263,978.11</b>	<b>396,575.00</b>	<b>-132,596.89</b>	<b>66.6%</b>
<b>Net Ordinary Income</b>	<b>-114,668.47</b>	<b>-41,575.00</b>	<b>-73,093.47</b>	<b>275.8%</b>
<b>Other Income/Expense</b>				
Other Income				
Interest Income	44,453.82			
Other Income	0.00	45,000.00	-45,000.00	0.0%
Reimbursed Income	1,037,849.34			
<b>Total Other Income</b>	<b>1,082,303.16</b>	<b>45,000.00</b>	<b>1,037,303.16</b>	<b>2,405.1%</b>
Other Expense				
Reimbursed Expenses	641,657.07			
<b>Total Other Expense</b>	<b>641,657.07</b>			
<b>Net Other Income</b>	<b>440,646.09</b>	<b>45,000.00</b>	<b>395,646.09</b>	<b>979.2%</b>
<b>Net Income</b>	<b>325,977.62</b>	<b>3,425.00</b>	<b>322,552.62</b>	<b>9,517.6%</b>

SUGGESTED :

↓ TRAINING \$ 2500.-  
 ↑ PAYROLL \$ 2500.-



**ELM CREEK WATERSHED AUTHORITY**  
**Monthly Report – 11/12/2020**

**Operation and Maintenance**

**On-going Maintenance**

TSSWCB O&M program funded fall mowing (about \$12000) is scheduled for next week at 19 sites covering 181 acres.

Treated brush sprouts at six sites and sprayed or cut excess vegetation in vicinity of inlet and/or outlet at five sites over the last few weeks.

USDA-APHIS Wildlife Services staff investigated beaver concerns at Site 23, 32 and 33. Three beavers were removed from both Site 23 and 33 in the past month. No beavers or lodges could be found at Site 32 over multiple nights of surveillance and a drone flight in late October.

Now that inadequate fences have been replaced at all sites where livestock exclusion is necessary, ECWA may want to consider replacing some additional fences as means of trespass deterrence. Site 10 has an ongoing trespass concern and now with the City of Temple/Temple Economic Development Corp. work to prepare an industrial site just downstream, the problem may only get worse. It would be a good opportunity to upgrade the old fence while TSSWCB O&M program funds are available. It is possible that funds could be secured immediately. A second site with similar concerns is No. 11.

**TSSWCB Repair Program**

Plunge Basin Repairs

Sites 14, 13R, and 15: Work completed at Site 15 and final invoice in the amount of \$141,215 submitted for ECWA approval. Invoice covers Site 15 (\$90248) and portion of work at Site 13R (\$50967). This wraps the first repair contract and agreement with TSSWCB. There was an opportunity to remedy an ongoing problem with poor drainage from the Site 15 plunge basin and channel downstream. An equipment crossing on the channel some 1000 feet downstream was causing a 1 to 1 1/2 foot block that was backing water up into the principal spillway outlet. NRCS engineers on site for the final check recommended installation of an 18" culvert and replacement of the crossing, including 5-8" rock. The landowner agreed and the repair was done while contractor had equipment on site. Cost to ECWA is \$1725.

Sites 26, 31, and 32: Work started today at Site 26 on Five Wells Ranch. This \$582,999.50 contract with Leaday Construction LLC, College Station, TX is for repair and installation of rock protection in plunge basins at each of the three sites, as well as replacement of 50 foot section of pipe and pipe support at Site 32. A modification to the funding agreement has been prepared by TSSWCB to extend the performance deadline from March 31, 2021 to June 30, 2021. The board will need to approve and sign the modification.

Sites 37, 38 and 43: TSSWCB has prepared a cooperative agreement setting up the funds for 95% of the cost of construction (\$440,800). ECWA share of 5% is \$23,200. ECWA can claim up to \$22,040 for contract

administration costs, including those of ECWA staff, contract consultant, advertisement for bids, etc. The ECWA board will need to approve the cooperative agreement and appoint a contracting officer and alternate.

#### Dam Upgrades

Nothing new to report on designs for upgrades at Sites 4, 23, and 39.

Some recent informal discussion but no indication of terms for acquiring additional easements from two landowners at Site 23 (Ed Coufal; Cynammon Coufal) and one landowner at Site 39 (Frank Benolken). Letters and information were sent in late September to 4 owners at Site 23 and 1 owner at Site 39 where additional easements are required for upgrades. Each letter described the existing dam, reasons the upgrade is necessary, components of the upgrade, and additional easement areas needed for upgrade measures. The letters emphasize that the ECWA board priority is to reach agreements with owners to acquire the easements and requested that owners reply with proposed terms for an agreement.

#### **NRCS WFPO Program**

No new information on application for supplemental watershed planning since the August meeting.

**ELM CREEK WATERSHED AUTHORITY**  
**OFFICIAL MINUTES**  
**November 12, 2020**

Elm Creek Watershed Authority, Board of Directors, met in regular session on  
November 12, 2020, 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, Dean Mikeska and Arvell Jungmann

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

The meeting was called to order by Daniel C. Lesikar, Chairman, at 7:00 p.m.

**Consent Agenda:** Steve Rieves 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 Dean Mikeska to receive, approve and file income and disbursements. Mike Maedgen second the motion. Motion passed.

Tricia Mackie reviewed the 2020 Budget and suggested decreasing Training \$2500 and increasing Payroll \$2500. Robert Fleming made a motion to amend the 2020 Budget as suggested. The motion was second by Ray Jungmann. Motion passed.

**Watershed Report:** The watershed report was presented by Calvin Sanders. O&M: Mowing on 19 sites to begin Monday, November 16, 2020. The mowing is state funded. Brush treatments on inlet/outlet areas were completed by Calvin Sanders recently. USDA Wildlife Services has been working to control beaver problems on some sites. Mr. Sanders suggested replacement of additional fencing to deter trespassing on some sites. Funding is still available through TSSWCB.

TSSWCB Pgms: Plunge basin repairs on Site 15 were completed last week. Waiting on certification of completion from NRCS to finalize payment. Water has been backing up into the outlet channel downstream on Site 15. Landowners agreed to repairs; Mr. Sanders had contractor replace the crossing while on site to complete plunge basin repairs. Sites 26, 31 & 32 repairs began today. Sites 37, 38, & 43 repair contracts are being prepared. ECWA will need to appoint a contracting officer (CO) and alternate CO.

Dam Upgrades: No new information. Letters have been mailed to landowners asking for a proposed agreement for additional easements. No response has been received at this time.

NRCS Programs: No new information at this time.

Robert Fleming made a motion to approve payment in the amount of \$141,215.00 or less for Site 15 repairs to DJ Hansen once NRCS has finalized the paperwork for completion. Ray Jungmann second the motion. Motion passed.

A motion was made by Mike Maedgen to appoint Calvin Sanders as the Contracting Officer and Daniel C. Lesikar as Alternate Contracting Officer for Sites 37, 38 & 43 repairs. Arvell Jungmann second the motion. Motion passed.


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


**Engagement with Ludwick, Montgomery & Stapp, LLC.:** A motion was made to accept the terms from Ludwick, Montgomery & Stapp, LLC. to conduct the 2020 audit by Robert Fleming. The motion was second by Dean Mikeska. Motion passed.

**Falls County Appraisal District Board of Directors:** No action taken.

**Adjourn:** Dean Mikeska made a motion to adjourn. Arvell Jungmann second the motion. Motion passed. Meeting adjourned at 7:38 p.m.

**ATTEST:**

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

  
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Steve Rieves  
Vice-Chairman