

# ELM CREEK WATERSHED AUTHORITY

## Regular Session Meeting

November 9, 2023

Notice is hereby given that a regular meeting of the Board of Directors of the Elm Creek Watershed Authority will be on November 9, 2023, beginning at 7:00 p.m. in the Elm Creek Watershed Authority office, 19 South 25<sup>th</sup> Street, Suite 500, Temple, Texas.

### MEETING 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
  - d. Site 39 Contract
5. Discuss, consider and take action if necessary, on Site 23 written requests.
6. Consideration and possible action of the 2021 Election of ECWA Directors and Officers.
  - a. Certification of Election
  - b. Oath of Office
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7. Consideration and possible action to approve Ludwick, Montgomery & Stapp, PC to complete the 2023 audit.
8. Consideration and possible action to appoint ECWA nominee for Appraisal District Board of Directors; Bell, Falls, McLennan & Milam Counties.
9. Consideration and possible action to contract/hire cleaning individual/company.
10. Consideration and possible action to agree to the Tax Abatement between the City of Temple and Turner Behringer Temple One, LLC.
11. Discuss, consider and take action if necessary to hire ECWA Field Manager.
12. 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 2nd day of November, 2023

Daniel Lesikar, Chairman

By:   
Tricia Mackie, Office Manager



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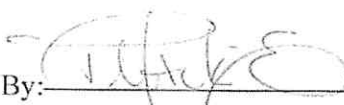
RECEIVED FOR POSTING  
2023 NOV - 2 P 2: 21  
SHELLEY DOSTON  
CO. CLK. BELL CO. TX

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Dated this 2nd day of November, 2023

Daniel Lesikar, Chairman

FILED 2:42 <sup>P</sup><sub>M</sub>

NOV 02 2023

CO. CLK. FALLS CO.

V. Dodd

By:   
Tricia Mackie, Office Manager



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Dated this 2nd day of November, 2023

Daniel Lesikar, Chairman



RECEIVED  
11/8/2023

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 NOV. 6th, 2023  
9:17 AM  
J.A. "Andy" Harwell, County Clerk  
McLennan County, Texas  
By:   
Deputy





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Dated this 2nd day of November, 2023

Daniel Lesikar, Chairman



**RECEIVED**  
11/13/2023

By:   
Tricia Mackie, Office Manager

Filed 6th day of NOV.  
in 2023, At 1:43 P.M.  
JODI MORGAN  
County Clerk, Milam County, Texas  
By Melinda Contreras  
Deputy





Tricia Mackie

[Log Off](#)

### Open Meeting Submission

**TRD:** 2023006317  
**Date Posted:** 11/02/2023  
**Status:** Accepted  
**Agency Id:** 1199  
**Date of Submission:** 11/02/2023  
**Agency Name:** Elm Creek Watershed Authority  
**Board:** Elm Creek Watershed Authority  
**Committee:** Board of Directors  
**Date of Meeting:** 11/09/2023  
**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** Tricia Mackie, Office Mgr.  
**Obtained From:**  
**Agenda:** ELM CREEK WATERSHED AUTHORITY  
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Dated this 2nd day of November, 2023 Daniel Lesikar, Chairman

By:  
Tricia Mackie, Office Manager

New Submission



## S.O.S. Acknowledgment of Receipt

From: TexReg@sos.texas.gov (texreg@sos.texas.gov)

To: elmcreekwsa@sbcglobal.net

Date: Thursday, November 2, 2023 at 01:49 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: 11/09/2023 07:00 PM "TRD# 2023006317"

Notice posted: 11/02/23 01:49 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub\\_om\\_lookup\\$.startup?Z\\_TRD=2023006317](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2023006317)





ELM CREEK WATERSHED AUTHORITY  
INCOME AND DISBURSEMENTS  
November 9, 2023

As of October 31, 2023 **INCOME AND DISBURSEMENTS**

**INCOME**

TAX		PRESENT
BELL COUNTY		1,562.58
FALLS COUNTY		-
MCLENNAN COUNTY		584.31
MILAM COUNTY		72.92
	<b>TOTAL TAX INCOME</b>	<b>2,219.81</b>

**OTHER INCOME**

TSSWCB Site 23 Reimbursement	153,012.25
<b>TOTAL OTHER INCOME</b>	<b>153,012.25</b>

EXTRACO CHECKING ACCOUNT BALANCE	\$ 219,795.97
FIRST NATL MOODY CHECKING ACCOUNT BALANCE	\$ 7,929.37
MEMBERS CHOICE MM CHECKING BALANCE	\$ -

**TOTAL CHECKING ACCOUNT \$ 227,725.34**

**INVESTMENTS**

ACCOUNT	MATURITY	AMOUNT	RATE	PRESENT
CITIZENS NATL BANK #94	12/3/23	600,000.00	3.250	1,583.01
CITIZENS NATL BANK #50	4/7/24	200,000.00	3.940	1,986.19
CLASSIC BANK #5551583	1/8/24	150,000.00	4.050	-
CLASSIC BANK #5687286	2/23/24	100,000.00	4.050	-
MEMBERS CHOICE #1936	04/20/24	254,156.62	4.750	-
INCOMMONS BANK #7941	7/15/24	250,000.00	5.250	1,078.77
HORIZON BANK #33068	7/5/24	250,000.00	4.750	977.87
CADENCE BANK #937000	1/24/24	250,000.00	2.500	-
CENTRAL NATL #2828689	2/18/24	250,000.00	4.000	2,520.54
BUCKHOLTS STATE BAN	1/21/24	250,000.00	4.000	2,520.55
TEXPOOL		1,491,302.61	5.359	6,756.68
TREASURY BILLS	10/24/23	99,589.33	5.390	412.61
TREASURY BILLS	10/24/2023	147,411.75	5.400	2,655.19
TREASURY BILLS	11/21/2023	995,873.89	5.416	-
TREASURY BILLS	2/20/2024	147,345.00	5.542	-
		<b>5,435,679.20</b>		<b>20,491.41</b>

**OTHER DISBURSEMENTS**

Patricia Mackie	89.09 mileage reimbursement	2,764.43
Extraco	payroll tax	816.26
Card Services	October stmt	137.48
	<b>TOTAL OTHER DISBURSEMENTS</b>	<b>3,718.17</b>



11:59 AM  
11/08/23  
Cash Basis

Elm Creek Watershed Authority  
**Disbursements**  
October 13 through November 9, 2023

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	<u>Oct 13 - Nov 9,...</u>
Ambit Energy	-91.83
ATT	-162.11
Calvin B. Sanders	-700.00
Evelyn Sanderson	-100.00
Heartland Construction Services, LLC	-16,386.50
Hobby Lobby	-6.46
Johnnies Office Systems, Inc.	-690.77
Kathleen Pinckney	-900.58
M & E Consultants	-1,987.51
Milam County Clerk	-1.00
Patricia Mackie	-476.60
Relhom Properties LLC	-550.00
Sanderford & Carroll, P.C.	-637.50
Texas Association of Watershed Spons...	-75.00
United States Postal Service	-31.76
<b>TOTAL</b>	<b><u><u>-22,797.62</u></u></b>



# ELM CREEK WATERSHED AUTHORITY OFFICIAL MINUTES

November 9, 2023

Elm Creek Watershed Authority, Board of Directors, met in regular session on  
November 9, 2023, at 19 South 25<sup>th</sup> Street, Suite 500, Temple, Texas

**Directors present:** Ray Jungmann, Arvell Jungmann, John Perryman, Mike Maedgen, Jerry Lancaster, Daniel C. Lesikar, and Robert Fleming

**Others present:** Murray McCarley and Tricia Mackie

The meeting was called to order by Daniel C. Lesikar, Chairman, at 6:59 p.m.

**Consent Agenda:** Minutes: Ray Jungmann made a motion to approve the previous meeting minutes as mailed. The motion was second by Mike Maedgen. Motion passed.

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

**Watershed Report:** The watershed report was presented by Tricia Mackie. O&M: Fall mowing has been completed on 25 sites. All sites look good, a couple need locks replaced; Site 25 has quite a bit of weeds, Site 13R has a duck blind built into dam, Site 30 will need the access road cleaned, and Site 1 has had the fence cut by landowner. The board assigned the field manager to inquire on the Site 1 fence and to contact TCEQ for an opinion on the Site 13R duck blind.

Site 21 beaver debris cleanout will be reimbursed by TSSWCB. A motion was made by Robert Fleming to contract Nelson Hall to cleanout debris for \$9000. Motion was second by John Perryman. Motion passed.

ECWA hired M&E to respond to the TCEQ Dam Safety Inspection on Sites 23, 26 & 31. The corrective action plan submitted by ECWA will need to be completed. M&E submitted an estimate of \$37,064.17 to complete the corrective actions. Ray Jungmann made a motion to accept the estimate and contract M&E to complete the inspection corrections. Mike Maedgen second the motion. Motion passed.

Site 39 construction has begun. A temporary fence will be required for construction. Espinoza submitted an estimate of \$7300 and Patin Construction submitted \$31,000. ECWA asked Espinoza to complete the temporary fence, per Mike Maedgen, Contracting Officer.

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

**Site 23 Landowner Written Requests:** A) A motion was made by Ray Jungmann to extend the road down the fence line to boat ramp area. Mike Maedgen second the motion. Motion passed. B) Mike Maedgen made a motion to build the Coufal/Crews property line fence over the dam with a gate once grass is established to ECWA satisfaction. Jerry Lancaster second the motion. Motion passed. C) Mike Maedgen made a motion to build Coufal/Richter property line fence once grass is established to ECWA satisfaction. Robert Fleming second the motion. Motion passed. D) No action

taken. E) No action taken. F) A motion was made by Ray Jungmann to pay Ed Coufal \$0.00 for lost grazing damages. John Perryman second the motion. Motion passed.

**ECWA Election:** No action.

**2023 Audit:** John Perryman made a motion to approve Ludwich, Montgomery & Stapp, PC to complete the 2023 audit. Ray Jungmann second the motion. Motion passed.

**Appraisal Districts Board of Directors Nominee:** No action.

**Office cleaning:** A motion was made by Robert Fleming to hire Cynthia Schleede to clean the office at \$50.00 every two weeks. Arvell Jungmann second the motion. Motion passed.

**Tax Abatement with Turner Behringer Temple One, LLC:** Ray Jungmann made a motion to agree to the tax abatement between the City of Temple and Turner Behringer Temple One, LLC. Motion was second by Mike Maedgen. Motion passed.

Landowners have complained of rock and pipe in the field following construction. The board asked Mrs. Mackie to contact SIG to see about cleaning the area of the debris.


Site 39-Bid Opening was held on September 14, 2023, with the low qualifying bid going to Patin Construction LLC of Taylor, Texas in the amount of \$4,608,448.00. The pre-construction meeting was held today with construction due to begin November 6, 2023.

**Field Manager Position:** A motion was made by Mike Maedgen to offer Murray McCarley \$35/hr. for a probationary period up to 6 months. Ray Jungmann second the motion. Motion passed. Daniel Lesikar offered Mr. McCarley the Field Manager position. Mr. McCarley accepted the position.

The board thanked Robert Fleming for his time and efforts spent with ECWA.

**Adjourn:** Arvell Jungmann made a motion to adjourn. Mike Maedgen second the motion. Motion passed. Meeting adjourned at 8:55pm.

**ATTEST:**



Daniel C. Lesikar  
Chairman

  
Director