ELM CREEK WATERSHED AUTHORITY Regular Session Meeting July 8, 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 July 8, 2021, beginning at 7:30 p.m. in the Elm Creek Watershed Authority office, 19 South 25th 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 <u>discussion</u> 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
 - 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 appoint representative to the Bell County Appraisal District Board of Directors.
- 6. Consideration and possible action to calculate tax rate.
- 7. Consideration and possible action to adopt the 2022 Budget.
- 8. 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 1st day of July, 2021

Daniel Lesikar, Chairman

Tricia Mackie, Office Manager

ELM CREEK WATERSHED AUTHORITY Regular Session Meeting

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Dated this 1st day of July, 2021

Daniel Lesikar, Chairman

Tricia Mackie, Office Manager

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FALLS COUNTY CLERK

(FAX)254778U/37

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ELM CREEK WATERSHED AUTHORITY **Regular Session Meeting** July 8, 2021

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- Consideration and possible action to calculate tax rate. 6.
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Daniel Lesikar, Chairman

Tricia Mackie, Office Manager

Dated this 1st day of July, 2021

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CO. CLK. FALLS CO.

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THE STATE OF TEXAS COUNTY OF MeLENNAN

This is to certify that the Notice of a Meeting, a copy of which is attach

hereto, was posted on the official bulletin board at the Courthouse, as requi by Article 62.52-17 V. T. C. S. Executed on () DIY (0, 20 c)

ELM CREEK WATERSHED AUTHORITY

Regular Session Meeting

July 8, 2021

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Dated this 1st day of July, 2021

Daniel Lesikar, Chairman

Tricia Mackie, Office Manager

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



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Daniel Lesikar, Chairman

Tricia Mackie, Office Manager Filed May of TULY in <u>DD</u>, At <u>D</u> M. JODI MORGAN Compty Clenk, Milan County, Texas By <u>Deputy</u>







Tricia Mackie

Log Off

Open Meeting Submission

	2021003967
d:	07/02/2021
s:	Accepted
cy Id:	1199
of lission:	07/02/2021
ew	Elm Creek Watershed Authority
1:	Elm Creek Watershed Authority
nittee:	Board of Directors
of ng:	07/08/2021
of ng:	07:30 PM (##:## AM Local Time)
t ion:	19 S. 25th Street
	Temple
	TX
on e:	Tricia Mackie
on Id:	1
ional mation ned :	Tricia Mackie, Office Mgr.
	ELM CREEK WATERSHED AUTHORITY Regular Session Meeting July 8, 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 July 8, 2021, beginning at 7:30 p.m. in the Elm Creek Watershed Authority office, 19 South 25th Street, Suite 500, Temple, Texas. AGENDA 1. Call to Order.
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c. TSSWCB programs

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Dated this 1st day of July, 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

From:TexReg@sos.texas.gov (texreg@sos.texas.gov)To:elmcreekwsa@sbcglobal.netDate:Friday, July 2, 2021, 12:20 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: 07/08/2021 07:30 PM "TRD# 2021003967"

Notice posted: 07/02/21 12:20 PM

Proofread your current open meeting notice at:

http://texreg.sos.state.tx.us/public/pub_om_lookup\$.startup?Z_TRD=2021003967

ELM CREEK WATERSHED AUTHORITY INCOME AND DISBURSEMENTS July 8, 2021 INCOME AND DISBURSEMENTS INCOME

As of June 30, 2021

TAX

BELL COUNTY FALLS COUNTY MCLENNAN COUNTY MILAM COUNTY	=	PRESENT 2,522.41 5.83 494.08 594.07
	TOTAL TAX INCOME OTHER INCOME	3,616.39
TSSWCB	Reimbursement for weed control	16,656.05
TSSWCB	Reimbursement for repairs Sites 26, 31 3	304,800.09
TSSWCB	Reimbursement for fence replacement	43,522.50
	OTHER INCOME TOTAL	364,978.64

CHECKING ACCOUNT BALANCE

\$ 113,670.31

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INVESTMENTS						
ACCOUNT	MATURITY	AMOUNT	RATE	PRESENT		
CITIZENS NATL BANK #9	12/3/21	600,000.00	0.700	356.71		
CITIZENS NATL BANK #9	1/7/22	200,000.00	0.650	₩.		
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	Money Mark	249,000.00	0.450	-		
FIRST NATL MOODY #11:	5/22/22	250,000.00	0.600	127.40		
INCOMMONS BANK #794	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 #9370	9/24/21	250,000.00	0.750	-		
CENTRAL NATL #282868	1/18/22	250,000.00	0.300	-		
BUCKHOLTS STATE BAN	1/21/22	250,000.00	0.400	-		
TEXPOOL		552,316.00	0.013	5.62		
FIRST NATL MOODY #102	5/12/2022	400,000.00	0.600	124.95		
	-	3,751,316.00		1,113.75		

the second second	OTHER DISBURSEMENTS	
Patricia Mackie	45.36 mileage reimbursement	2,104.42
Calvin Sanders	361.76 mileage reimbursement	3,225.67
Extraco	payroll tax	1,516.16
	TOTAL OTHER DISBURSEMENTS	6,846.25

Elm Creek Watershed Authority Disbursements June 11 through July 8, 2021

Jun 11 - Jul 8, 21
-107.02
-201.07
-1,036.25
-49,793.00
-100.00
-1.00
-471.05
-550.00
-32.28
-52,291.67

07/08/21

Cash Basis

Elm Creek Watershed Authority Profit & Loss Budget vs. Actual January through December 2021

	Jan - Dec 21	Budget	\$ Over Bud	% of Bu
Ordinary Income/Expense Income				
Income from Taxes	135,239.20	375,000.00	-239,760.80	36.1%
Total Income	135,239.20	375,000.00	-239,760.80	36.1%
Gross Profit	135,239.20	375,000.00	-239,760.80	36.1%
Expense Advertising Allocation (Collection) Expe Communications Contract	0.00 • 2,436.62 1,402.23 1,485.53	1,000.00 6,500.00 3,500.00 3,000.00	-1,000.00 -4,063.38 -2,097.77 -1,514.47	0.0% 37.5% 40.1% 49.5%
Contract Labor	0.00	0.00	0.00	0.0%
Director-Per Diem Down Stream Structure Dues and Subscriptions Easements Elections Insurance	3,600.00 0.00 325.00 0.00 0.00 396.00	10,500.00 6,000.00 325.00 0.00 5,000.00 10,000.00	-6,900.00 -6,000.00 0.00 -5,000.00 -9,604.00	34.3% 0.0% 100.0% 0.0% 4.0%
Maintenance	167,321.72	200,000.00	-32,678.28	83.7%
Mileage	3,467.36	10,000.00	-6,532.64	34.7%
Miscellaneous Office Supplies	182.16 1,717.35	500.00 4,000.00	-317.84 -2,282.65	36.4% 42.9%
Payroll Expenses	48,716.43	82,000.00	-33,283.57	59.4%
Professional Fees	7,938.00	20,000.00	-12,062.00	39.7%
Recording Fees Rent Supplies	7.00 3,850.00 135.81	350.00 6,600.00	-343.00 -2,750.00	2.0% 58.3%
Tax Increment Zone Payment Training	41,817.46 0.00	41,878.00 1,900.00	-60.54 -1,900.00	99.9% 0.0%
Travel & Ent	63.06	5,000.00	-4,936.94	1.3%
Utilities	379.13	1,800.00	-1,420.87	21.1%
Total Expense	285,240.86	419,853.00	-134,612.14	67.9%
Net Ordinary Income	-150,001.66	-44,853.00	-105,148.66	334.4%
Other Income/Expense Other Income Interest Income	12,477.29	25,000.00	-12,522.71	49.9%
Reimbursed Income	700,586.28	0.00	700,586.28	100.0%
Total Other Income	713,063.57	25,000.00	688,063.57	2,852.3%
Other Expense		đi.	5. 	53
Reimbursed Expenses	588,801.30	0.00	588,801.30	100.0%
Total Other Expense	588,801.30	0.00	588,801.30	100.0%
Net Other Income	124,262.27	25,000.00	99,262.27	497.0%
Net Income	-25,739.39	-19,853.00	-5,886.39	129.6%

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ELM CREEK WATERSHED AUTHORITY Monthly Report – 7/8/2021

Operation and Maintenance

On-going Maintenance

Fence replacement at Site 19 completed June 21. Request submitted to TSSWCB for O&M grant program reimbursement.

Site 37 fence replacement funded through TSSWCB O&M grant program contracted and ready to start next week as plunge basin repairs are nearing completions.

Information sent to Texas Municipal League, Intergovernmental Risk Pool for last 4 fence replacements to be added to property insurance. All fences completed since 2016 have been insured.

2021 maintenance and repair items completed and cost figures (see attachment).

Dam Safety

Attended on-line annual dam safety workshop conducted by TCEQ on June 17.

National Watershed Coalition and Texas Association of Watershed Sponsors

NWC meeting has been scheduled for October 3-7 in Spokane, Washington. TAWS meeting scheduled for October 6-7 in Round Rock. It is not clear at this point which is more relevant to ECWA, but TAWS is probably more important due to the programs offered through the TSSWCB.

NRCS WFPO Program

NRCS has set up funding for the supplemental watershed planning of Sites 6R2 and 7 Rev. Funding is set up in an agreement with TSSWCB. This week TSSWCB requested a price proposal for services to complete the plan supplement with M&E Consultants. The study would need to be finalized by September 30, 2022.

TSSWCB Dam Repair and Upgrade Program

Repairs: Plunge Basin Repairs Sites 37, 38, 43

Repairs underway at Site 37. As of today, nearly all of the earth moving is complete pending confirmation by NRCS survey tomorrow. Rock riprap will start being placed immediately after approval of design dimensions and could be done by end of next week. Contractor to move to Site 38 next.

Dam Upgrades

The TSSWCB sent a bulletin to watershed sponsors providing an update on a potential funding shortfall due to rising cost of construction and outcome of new program funding through the recently completed legislative session. This could impact the upgrade construction at Elm Creek Sites 23, 39, and 4. If bids were to come in above the amount in the funding agreements, TSSWCB may not have additional funds to cover the cost increases at Sites 23 and 39, and there would be no funding available for upgrade construction at Site 4. The 2022-2023 approved budget included only \$2 million per year (\$4 million total) for dam repair and upgrades,

where the 2020-2021 program included \$150 million for repairs and upgrades. \$103 million is already obligated for 30 dam upgrade projects that have not gone out for bids – including Elm Creek Sites 23 and 39 – and there is an estimated shortfall of \$31 million to fully fund construction. There is an additional shortfall of \$46.5 million for construction of 9 upgrade projects nearing completion of design. This includes Elm Creek Site 4. Last week Texas Association of Watershed Sponsors made an appeal for local sponsors to contact elected officials toward possible emergency funding during one of the upcoming special legislative sessions. Letters were sent from ECWA to State Representatives Hugh Shine and Kyle Kacal and State Senators Dawn Buckingham and Brian Birdwell. TSSWCB will use available funds on first come first served basis to cover cost increases until fuds are depleted.

Site 23 and Site 39 Land Rights/Survey

After several requests was able to get survey field work set up with Hughes Surveying at Site 39 for late July. Surveyors have been swamped due to the recent home and property sales surge. The survey should be ready to move into easement documents development by mid-August. Hughes indicated they will schedule the field portion of Site 23 survey as soon as corn crop is off, with completed survey two to three weeks later.

2021	
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		Site No. or										TSS	TSSWCB
		multiple	Month			TSS	TSSWCB	NRCS	S			Adn	Admin to
	Maintenance Item	sites	Completed	Cost		Rei	Reimburse	Reir		ECN	ECWA Cost	ECWA*	VA*
	Fertilization	multiple	March	ŝ	\$ 20,424.00	Ş	15,984.00 \$ 4,440.00	Ş	4,440.00	Ş	ĩ	Ś	\$ 399.60
	Mowing	multiple	April	ŝ	9,197.50	Ś	9,197.50			ŝ	1	Ś	\$ 229.94
	Broadleaf Weed Control	multiple	May	ŝ	18,563.90	ŝ	15,862.90 \$ 2,701.00	Ş	2,701.00	ŝ	ï	Ş	396.57
8	Fence replacement	10	January	ŝ	\$ 27,743.25	ŝ	27,743.25			ŝ	1	Ş	\$ 693.58
	Fence replacement	11	June	ŝ	41,963.00	ŝ	41,450.00			ŝ	513.00	\$1	\$ 1,036.25
	Fence replacement	19	June	ŝ	49,793.00	ŝ	49,100.00			Ś	693.00 \$ 1,227.50	\$1	,227.50
			Total	ş	Total \$ 167,684.65 \$ 159,337.65 \$ 7,141.00 \$ 1,206.00 \$ 3,983.44	ŝ	159,337.65	Ş	7,141.00	ŝ	1,206.00	\$3	,983.44
	* Administrative reimbursement to be used for ECWA payroll	ECWA payroll											

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Addition Wh payion

2021 Repairs

\$ 27,849.37	\$ 29,315.13	Total \$586,302.50 \$556,987.37 \$29,315.13 \$27,849.37	\$ 586,302.50	Total		
\$ 14,514.29	\$ 15,278.20	\$ 305,564.00 \$ 290,285.80 \$ 15,278.20 \$ 14,514.29	\$ 305,564.00	May	32	Rock Protection/plunge basin & pipe repairs
\$ 6,789.73	5 7,147.09	\$ 142,941.75 \$ 135,794.66 \$ 7,147.09 \$ 6,789.73	\$ 142,941.75	March	31	Rock Protection and plunge basin repairs
\$ 6,545.35	6,889.84	\$ 137,796.75 \$ 130,906.91 \$ 6,889.84 \$ 6,545.35	\$ 137,796.75	January	26	Rock Protection and plunge basin repairs
ECWA**	ECWA Cost	Reimburse E	Cost	Completed	Site No.	Repairs
Admin to		TSSWCB		Month		
TSSWCB 5%						

** Administrative reimbursement to be used for ECWA payroll, CIVCASTUSA listing, and Pinckney contract consulting

YTD Reimbursement for Program Administration:	YTD Non-Reimbursed Cost to ECWA:
\$31,832.81	\$30,521.13

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ELM CREEK WATERSHED AUTHORITY OFFICIAL MINUTES

July 8, 2021

Elm Creek Watershed Authority, Board of Directors, met in regular session on July 8, 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, and Arvell Jungmann

Others present: Calvin Sanders and Tricia Mackie

The meeting was called to order by Daniel C. Lesikar, Chairman, at 7:30 p.m.

Consent Agenda: Minutes: 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 Bobby Henson to receive, approve and file income and disbursements. Ray Jungmann second the motion. Motion passed.

2021 Budget: No action.

2021 2nd Quarter Report: Bobby Henson made a motion to approve the report. Arvell Jungmann second the motion. Motion passed.

Watershed Report: The watershed report was presented by Calvin Sanders. O&M: Site 19 fence replacement has been completed. Reimbursement from state funding has been submitted. Site 37 fence replacement is scheduled to begin next week. Reimbursement will be available from TSSWCB. Mr. Sanders has submitted information for insurance on fences. Mr. Sanders presented the actual costs, reimbursements and ECWA costs for all O&M and repairs completed.

Mr. Sanders attended the TCEQ dam safety workshop online.

Mr. Sanders informed the board of the date conflict with the National Watershed Coalition Conference in Spokane, WA and the TAWS meeting in October.

Supplemental funding has been received for planning of Sites 6R2 and 7R. The funding has been forwarded to TSSWCB in which the state will use for contracting with M&E Consultants. The area will require additional studies to update the original plan with a deadline of September 2022.

Repairs: Site 37 repairs are underway and possible completion by next week, whereas the contractor will move to Site 38 under the same contract.

Dam Upgrades: The state has informed sponsors of potential funding shortfalls which could impact Sites 23, 39 & 4 upgrades, however, emergency funding has been requested along with letters sent to state representatives. The funding will be available on a first-come, first-served basis to cover costs until funds are depleted.

Site 23-The survey is delayed till corn is harvested.

Site 39-Surveyor is scheduled to begin field work in late July.

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

Bell CAD Board of Directors: No action.

Calculation of Tax Rate: No action.

2022 Budget: A motion was made by Mike Maedgen to adopt the 2022 Budget. Bobby Henson second the motion. Motion passed.

Adjourn: Arvell Jungmann made a motion to adjourn. Ray Jungmann second the motion. Motion passed. Meeting adjourned at 8:08 p.m.

ATTEST:

C Lesikar

Daniel C. Lesikar Chairman

Lie

Steve Rieves Vice-Chairman