

ELM CREEK WATERSHED AUTHORITY
NOTICE OF PUBLIC HEARING ON TAX RATE AND ADOPTION OF TAX RATE
September 2, 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 September 2, 2021, beginning at 7:30 p.m. in the Elm Creek Watershed Authority office, 19 South 25th Street, Suite 500, Temple, Texas.

HEARING 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 discussion of the 2021 Proposed Tax Rate.
4. Adjourn.

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3. Consideration and possible action to adopt the 2021 Tax Rate.
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. Consideration and possible action to Certify Candidates as Unopposed.
7. Consideration and possible action to cancel November 2, 2021 Election.
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 26th day of August, 2021

Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

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Dated this 26th day of August, 2021

Daniel Lesikar, Chairman

By: 

Tricia Mackie, Office Manager

FILED FOR RECORD
2021 AUG 26 A 11:54
SHELLEY COSTON
CO. CLK. BELL CO. TX

ELM CREEK WATERSHED AUTHORITY
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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 Aug 31, 2021

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

By Agree
Deputy

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Dated this 26th day of August, 2021

Daniel Lesikar, Chairman

By: [Signature]
Tricia Mackie, Office Manager



RECEIVED
9/2/2021

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8. Adjourn.

Filed 30th day of August
in 2021, At 12:25 P.M.
JODI MORGAN
County Clerk, Milam County, Texas
By [Signature]
Deputy

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Daniel Lesikar, Chairman

By: [Signature]
Tricia Mackie, Office Manager

RECEIVED
9/2/2021





Tricia Mackie

[Log Off](#)

Open Meeting Submission

TRD: 2021005212
Date Posted: 08/26/2021
Status: Accepted
Agency Id: 1199
Date of Submission: 08/26/2021
Agency Name: Elm Creek Watershed Authority
Board: Elm Creek Watershed Authority
Committee: Board of Directors
Date of Meeting: 09/02/2021
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
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Dated this 26th day of August, 2021 Daniel Lesikar, Chairman

By:

Tricia Mackie, Office Manager

New Submission

S.O.S. Acknowledgment of Receipt

From: texreg@sos.texas.gov

To: elmcreekwsa@sbcglobal.net

Date: Thursday, August 26, 2021, 12:15 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: 09/02/2021 07:30 PM "TRD# 2021005212"

Notice posted: 08/26/21 12:15 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2021005212](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2021005212)

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ELM CREEK WATERSHED AUTHORITY
INCOME AND DISBURSEMENTS

August 12, 2021

As of July 31, 2021

INCOME AND DISBURSEMENTS

INCOME

TAX

PRESENT

BELL COUNTY	3,062.36
FALLS COUNTY	63.97
MCLENNAN COUNTY	399.57
MILAM COUNTY	3,607.55

TOTAL TAX INCOME 7,133.45

OTHER INCOME

TSSWCB	Reimbursement for fence replacement	51,555.00
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OTHER INCOME TOTAL 51,555.00

CHECKING ACCOUNT BALANCE \$ 164,818.43

INVESTMENTS

ACCOUNT	MATURITY	AMOUNT	RATE	PRESENT
CITIZENS NATL BANK #94	12/3/21	600,000.00	0.700	345.21
CITIZENS NATL BANK #94	1/7/22	200,000.00	0.650	324.11
CLASSIC BANK #5323836	2/3/22	150,000.00	0.700	86.30
CLASSIC BANK #5825306	3/13/22	100,000.00	0.700	57.53
MEMBERS CHOICE #1936 Money Mark		249,000.00	0.450	184.93
FIRST NATL MOODY #113	5/22/22	250,000.00	0.600	123.29
INCOMMONS BANK #7946	7/15/22	250,000.00	0.600	123.29
HORIZON BANK #33068	7/5/22	250,000.00	0.350	215.84
BANCORP SOUTH #93700	9/24/21	250,000.00	0.750	472.60
CENTRAL NATL #2828689	1/18/22	250,000.00	0.300	186.99
BUCKHOLTS STATE BAN	1/21/22	250,000.00	0.400	-
TEXPOOL		552,324.86	0.019	8.86
FIRST NATL MOODY #102	5/12/2022	400,000.00	0.600	197.30
		3,751,324.86		2,326.25

OTHER DISBURSEMENTS

Patricia Mackie	47.60 mileage reimbursement	2,184.01
Calvin Sanders	408.8 mileage reimbursement	3,467.12
Extraco	payroll tax	1,613.64
Card Services	July stmt	12.12

TOTAL OTHER DISBURSEMENTS 7,276.89

ELM CREEK WATERSHED AUTHORITY
INCOME AND DISBURSEMENTS

September 2, 2021

As of August 31, 2021

INCOME AND DISBURSEMENTS

INCOME

TAX

PRESENT

BELL COUNTY	3,797.00
FALLS COUNTY	-
MCLENNAN COUNTY	65.02
MILAM COUNTY	230.33

TOTAL TAX INCOME 4,092.35

OTHER INCOME

TSSWCB	Reimbursement for fence replacement	21,882.00
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OTHER INCOME TOTAL 21,882.00

CHECKING ACCOUNT BALANCE \$ 48,687.69

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:	7/15/22	250,000.00	0.600	74.32
HORIZON BANK #33068	7/5/22	250,000.00	0.350	74.33
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	249.32
TEXPOOL		517,334.83	0.022	9.97
FIRST NATL MOODY #10:	5/12/2022	400,000.00	0.600	203.88
		3,716,334.83		1,244.56

OTHER DISBURSEMENTS

Patricia Mackie	48.72 mileage reimbursement	2,263.48
Calvin Sanders	386.40 mileage reimbursement	3,517.41
Extraco	payroll tax	1,688.80
Texas Workforce Commiss	unemployment tax	239.52

TOTAL OTHER DISBURSEMENTS 7,709.21

10:50 AM
09/02/21
Cash Basis

Elm Creek Watershed Authority
Disbursements
August 13 through September 2, 2021

	<u>Aug 13 - Sep 2, ...</u>
ATT	-149.69
Evelyn Sanderson	-100.00
Falls County Appraisal District	-16.01
Kathleen Pinckney	-50.00
McLennan County Appraisal District	-24.39
Milam County Clerk	-1.00
Patricia Mackie	-471.05
Relhom Properties LLC	-550.00
Texas Association of Watershed Spons...	-50.00
United States Postal Service	-55.00
TOTAL	<u>-1,467.14</u>

Elm Creek Watershed Authority
Adopted Budget
January through December 2022

	<u>Jan - Dec 22</u>
Ordinary Income/Expense	
Income	
Income from Taxes	385,000.00
Total Income	385,000.00
Gross Profit	385,000.00
Expense	
Advertising	1,000.00
Allocation (Collection) Expense	6,500.00
Communications	3,500.00
Contract	3,000.00
Contract Labor	0.00
Director-Per Diem	10,500.00
Down Stream Structure	6,000.00
Dues and Subscriptions	325.00
Easements	0.00
Elections	5,000.00
Insurance	10,000.00
Maintenance	200,000.00
Mileage	10,000.00
Miscellaneous	500.00
Office Supplies	4,000.00
Payroll Expenses	86,000.00
Professional Fees	20,000.00
Recording Fees	350.00
Rent	6,600.00
Tax Increment Zone Payment	51,000.00
Training	1,900.00
Travel & Ent	5,000.00
Utilities	1,800.00
Total Expense	432,975.00
Net Ordinary Income	-47,975.00
Other Income/Expense	
Other Income	
Interest Income	20,000.00
Total Other Income	20,000.00
Net Other Income	20,000.00
Net Income	<u>-27,975.00</u>

ELM CREEK WATERSHED AUTHORITY
Monthly Report – 9/2/2021

Operation and Maintenance

On-going Maintenance

Request for bids were sent out August 31 for fall mowing at 19 sites. We received approval of TSSWCB O&M grant program funding on September 1. Mowing will be done between October 1 and November 15.

TSSWCB O&M grant program funding approved on September 1 for spring 2022 fertilization and weed spraying.

Excess growth of vegetation near inlet and outlet structures were treated at 5 additional sites this month to improve visibility of structural components.

Stream Crossings/Flowage Easement Erosion

The NRCS has submitted a 95% design for the stream crossing below Site 5A to provide access to property beyond the downstream channel. Engineer cost estimate is \$20,599. NRCS is still working on design for crossing downstream from Site 24 and to address the head cut in the flowage easement downstream from Site 13R.

NRCS Programs

The NRCS State Conservationist sent a letter to ECWA stating that the project agreement for Site 34 has been closed and the project is considered complete. The letter also includes acknowledgement that protection from wave erosion is inadequate and, after multiple unsuccessful attempts to establish vegetative protection of the wave berm, any future attempts would not likely be effective. Consequently, ECWA will need to formally request investigation toward remedial repairs that will include installation of rock protection. Remedial repairs are 100% federal cost. A letter and application for federal assistance have been prepared for board approval and signature.

TSSWCB Dam Repair and Upgrade Program

Repairs: Plunge Basin Repairs Sites 37, 38, 43

Repairs completed at Site 43 on August 27 (see photos). The final invoice has been submitted in the amount of \$191,766. TSSWCB portion (95%) is \$182,177.70 and ECWA portion is \$9588.30. ECWA will receive a reimbursement of \$9108.89 for contract administration. NRCS was unable to process the necessary paperwork before the board meeting, but the board can approve payment to be made when those documents come next week.

This concludes all repairs funded through the TSSWCB dam repair program.

Dam Upgrades

Site 23 and Site 39 Land Rights/Survey

Worked with Hughes Surveying yesterday to finalize layout of survey areas at Site 23. Work will get underway within a few days.

Survey fieldwork completed at Site 39 and Hughes working on survey map and legal descriptions. Hughes provided a Google Earth overlay of the areas as marked on the ground and fits well with what we had estimated which will be between 4 and 4.5 acres.

As soon as the maps and legal descriptions are ready, this information and approved amounts and terms for compensation will be provided to ECWA attorney for development of compensation agreements and easement documents. We will work with owners to get agreements and easements signed, in exchange for agreed upon compensation.

**ELM CREEK WATERSHED AUTHORITY
OFFICIAL MINUTES OF PUBLIC HEARING ON PROPOSED TAX RATE**

September 2, 2021

Elm Creek Watershed Authority, Board of Directors, met for a public hearing on the proposed tax rate on September 2, 2021, at 7:30 p.m. in the watershed office, 19 South 25th Street, Suite 500, Temple, Texas 76504.

Directors present: Ray Jungmann, Arvell Jungmann, Mike Maedgen, Bobby Henson, John D. Perryman, Daniel C. Lesikar, and Steven Rieves.

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


No public comments.


No discussion of the 2021 proposed tax rate.

Adjourn:

Arvell Jungmann made motion to adjourn the public hearing. Ray Jungmann second the motion. Motion carried. Public Hearing adjourned.

ATTEST:


Daniel C. Lesikar
Chairman


Steven Rieves
Vice-Chairman

ELM CREEK WATERSHED AUTHORITY

OFFICIAL MINUTES

September 2, 2021

Elm Creek Watershed Authority, Board of Directors, met in regular session on
August 12, 2021, at 19 South 25th Street, Suite 500, Temple, Texas

Directors present: Ray Jungmann, Arvell Jungmann, Mike Maedgen, Bobby Henson, John D. Perryman, Daniel C. Lesikar, and Steven Rieves

Others present: Calvin Sanders and Tricia Mackie

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

2021 Tax Rate:

Arvell Jungmann made a motion to adopt the 2021 tax rate of 0.0314. Bobby Henson second the motion. Motion passed.

Consent Agenda: Minutes: Bobby Henson made a motion to approve the previous meeting minutes as mailed. The motion was second by Steven Rieves. Motion passed.

Income and Disbursements were read aloud by Tricia Mackie. A motion was made by Mike Maedgen to correct and file the August income and disbursements. Bobby Henson 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: Bids for mowing on 19 sites have been sent out, with funding from TSSWCB approval being received. Mowing should be completed in October and November. TSSWCB funding for spring 2022 fertilization and spraying has been received. Mr. Sanders treated inlet/outlet areas for excess vegetation growth.

Downstream Crossings: 95% of design completed by NRCS for Site 5A with a cost estimate of \$20,599. Designs for Sites 24 and 13R are still being worked on by NRCS. These may be grouped together for construction contracts.

NRCS Pgms: ECWA received a letter from NRCS of the completion of Site 34 agreement. The letter includes information of the wave erosion & unsuccessful vegetative protection of the wave berm. ECWA will request an investigation for remedial repairs of wave berm. The cost would be covered by NRCS at 100%.

Repairs: Sites 37, 38 & 43 repairs have been completed. The final payment request has been submitted. This concludes all repairs that have TSSWCB funding available at this time. A motion to pay DJ Hansen \$191,766.00 for completion of the repairs on Sites 37, 38 & 43 was made by Bobby Henson. Arvell Jungmann second the motion. Motion passed.

Dam Upgrades: **Site 23**-Surveying should begin in next few days and be completed by next week. **Site 39**-field work is complete, surveyor is working on maps & legal descriptions. Once surveys are complete, acreage will be provided to attorney for easement documents and compensation.

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

Unopposed Candidates: A motion was made by Ray Jungmann to certify the 2021 candidates as unopposed. Mike Maedgen second the motion. Motion passed.

2021 Election: A motion was made by Bobby Henson to cancel the 2021 ECWA election. Arvell Jungmann second the motion. Motion passed.

Adjourn: Arvell Jungmann made a motion to adjourn. John D. Perryman second the motion. Motion passed. Meeting adjourned at 7:58 p.m.

ATTEST:



Daniel C. Lesikar
Chairman



Steven Rieves
Vice-Chairman