

ELM CREEK WATERSHED AUTHORITY

Regular Session Meeting

April 11, 2024

Notice is hereby given that a regular meeting of the Board of Directors of the Elm Creek Watershed Authority will be on April 11 2024, beginning at 7:30 p.m. in the Elm Creek Watershed Authority office, 19 South 25th 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/Disbursement
 - 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
 - d. Easement Recordings
5. Consideration and possible action to approve amendments to easement crossings on Site 26 and Five Wells Solar Center LLC.
6. Update on ECWA Website.
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, 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 4th day of April, 2024

Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

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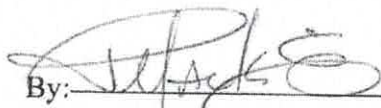
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CO. CLK. FALLS CO.

APR 04 2024

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Dated this 4th day of April, 2024

Daniel Lesikar, Chairman

THE STATE OF TEXAS
COUNTY OF McLENNAN

10:05 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 APRIL 9, 2024

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

By: [Signature]
Deputy

By: [Signature]
Tricia Mackie, Office Manager



RECEIVED
4/11/2024

ELM CREEK WATERSHED AUTHORITY

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6. Update on ECWA Website.
7. Adjourn.

Filed 10th day of April
in 2024, At 9:10 A.M.
JODI MORGAN
County Clerk, Milam County, Texas
By: Melinda [Signature]
Deputy

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Dated this 4th day of April, 2024

Daniel Lesikar, Chairman

By: [Signature]
Tricia Mackie, Office Manager



RECEIVED
4/16/2024



Tricia Mackie

[Log Off](#)

Open Meeting Submission

TRD: 2024001943
Date Posted: 04/04/2024
Status: Accepted
Agency Id: 1199
Date of Submission: 04/04/2024
Agency Name: Elm Creek Watershed Authority
Board: Elm Creek Watershed Authority
Committee: Board of Directors
Date of Meeting: 04/11/2024
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 Tricia Mackie, Office Mgr.
Obtained From:
Agenda: ELM CREEK WATERSHED AUTHORITY
 Regular Session Meeting
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Dated this 4th day of April, 2024 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

To: elmcreekwsa@sbcglobal.net

Date: Thursday, April 4, 2024 at 12:39 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: 04/11/2024 07:30 PM "TRD# 2024001943"

Notice posted: 04/04/24 12:39 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2024001943](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2024001943)

ELM CREEK WATERSHED AUTHORITY
INCOME AND DISBURSEMENTS

April 11, 2024

As of March 31, 2023

INCOME AND DISBURSEMENTS

INCOME		
TAX		PRESENT
BELL COUNTY		29,566.11
FALLS COUNTY		29.71
MCLENNAN COUNTY		278.86
MILAM COUNTY		689.61
TOTAL TAX INCOME		30,564.29

OTHER INCOME		
TSSWCB	Reimbursement for Beaver Repair	8,505.00
TSSWCB	Reimbursement for Site 39 Payment #3	428,964.84
TSSWCB	Reimbursement for Site 39 Payment #4	205,001.97

CHECKING ACCOUNTS		
EXTRACO CHECKING ACCOUNT BALANCE	\$	115,893.60
FIRST NATL MOODY CHECKING ACCOUNT BALANCE	\$	265,328.92
MEMBERS CHOICE MM CHECKING BALANCE	\$	5.06
TOTAL CHECKING ACCOUNT		\$ 381,227.58

INVESTMENTS				
ACCOUNT	MATURITY	AMOUNT	RATE/YIELD	PRESENT
CITIZENS NATL BANK #51	1/3/25	600,000.00	5.100	7,540.18
CITIZENS NATL BANK #51	4/7/24	200,000.00	3.940	-
CLASSIC BANK #5551583	1/8/25	150,000.00	4.770	-
CLASSIC BANK #5687286	2/23/25	100,000.00	4.680	687.94
MEMBERS CHOICE #1936	03/21/24	257,199.54	4.840	2,638.43
INCOMMONS BANK #7941	7/15/24	250,000.00	5.250	1,042.81
HORIZON BANK #33068	7/5/24	250,000.00	4.750	945.22
CADENCE BANK #937000	6/15/25	250,000.00	4.750	-
CENTRAL NATL #2828689	11/18/24	250,000.00	4.500	-
BUCKHOLTS STATE BAN	1/21/25	250,000.00	5.090	-
TEXPOOL		2,144,818.14	5.316	8,800.12
TREASURY BILLS	3/19/2024	100,000.00	5.407	820.56
TREASURY BILLS	8/29/2024	150,000.00	5.130	
TREASURY BILLS	5/28/2024	260,000.00	5.393	
TOTAL		5,212,017.68		22,475.26

OTHER DISBURSEMENTS		
Patricia Mackie	126.63 mileage reimbursement	2,681.61
Murray McCarley	40.87 mileage reimbursement	98.28
Seth Byers	501.16 mileage reimbursement	3,413.58
Extraco	payroll tax	1,813.48
Texas Workforce Commiss	Unemployment Tax	191.73
Staples	Office chairs	414.20
Patin Construction	Payment #5	557,603.50
TOTAL OTHER DISBURSEMENTS		566,216.38

7:19 PM

04/11/24

Cash Basis

Elm Creek Watershed Authority

Disbursements

March 15 through April 11, 2024

Mar 15 - Apr 11, 24

Ambit Energy	-55.33
Arvell Jungmann	-544.72
ATT	-162.15
Bobby Henson	-464.32
Brian Hoelscher	-491.12
City of Temple	-68,048.54
Cynthia T. Schleede	-100.00
Daniel Lesikar	-496.48
Jerry Lancaster	-491.12
John Perryman	-501.84
Kathleen Pinckney	-326.99
M & E Consultants	-2,548.66
Mike Maedgen	-491.12
Milam County Clerk	-1.00
Patin Construction LLC	-201,597.50
Patricia Mackie	-505.76
Ray Jungmann	-544.72
Relhom Properties LLC	-550.00
United States Postal Service	-68.00
TOTAL	-277,989.37

Elm Creek Watershed Authority
Profit & Loss Budget vs. Actual
 January through December 2024

	Jan - Dec 24	Budget	\$ Over Bud...	% of Bu...
Ordinary Income/Expense				
Income				
Income from Taxes	209,153.69	500,000.00	-290,846.31	41.8%
Total Income	209,153.69	500,000.00	-290,846.31	41.8%
Gross Profit	209,153.69	500,000.00	-290,846.31	41.8%
Expense				
Advertising	0.00	1,000.00	-1,000.00	0.0%
Allocation (Collection) Expe...	1,780.55	8,500.00	-6,719.45	20.9%
Communications	852.30	3,500.00	-2,647.70	24.4%
Contract	575.00	3,000.00	-2,425.00	19.2%
Contract Labor	9,784.44	0.00	9,784.44	100.0%
Director-Per Diem	2,600.00	10,500.00	-7,900.00	24.8%
Down Stream Structure	0.00	15,000.00	-15,000.00	0.0%
Dues and Subscriptions	325.00	325.00	0.00	100.0%
Easements	0.00	100,000.00	-100,000.00	0.0%
Elections	0.00	15,000.00	-15,000.00	0.0%
Insurance	320.00	12,000.00	-11,680.00	2.7%
Maintenance	9,578.10	200,000.00	-190,421.90	4.8%
Mileage	2,502.09	10,000.00	-7,497.91	25.0%
Miscellaneous	0.00	500.00	-500.00	0.0%
Office Supplies	978.25	4,000.00	-3,021.75	24.5%
Payroll Expenses	24,983.28	110,000.00	-85,016.72	22.7%
Professional Fees	16,574.56	50,000.00	-33,425.44	33.1%
Recording Fees	3.00	350.00	-347.00	0.9%
Rent	1,650.00	6,600.00	-4,950.00	25.0%
Tax Increment Zone Payment	0.00	65,000.00	-65,000.00	0.0%
Training	100.00	5,000.00	-4,900.00	2.0%
Travel & Ent	168.27	8,000.00	-7,831.73	2.1%
Utilities	126.97	1,800.00	-1,673.03	7.1%
Total Expense	72,901.81	630,075.00	-557,173.19	11.6%
Net Ordinary Income	136,251.88	-130,075.00	266,326.88	-104.7%
Other Income/Expense				
Other Income				
Interest Income	50,377.80	100,000.00	-49,622.20	50.4%
Reimbursed Income	1,194,116.57	4,268,500.00	-3,074,383.43	28.0%
Total Other Income	1,244,494.37	4,368,500.00	-3,124,005.63	28.5%
Other Expense				
Reimbursed Expenses	1,708,868.70	4,500,000.00	-2,791,131.30	38.0%
T-Bill	99,179.44			
Total Other Expense	1,808,048.14	4,500,000.00	-2,691,951.86	40.2%
Net Other Income	-563,553.77	-131,500.00	-432,053.77	428.6%
Net Income	-427,301.89	-261,575.00	-165,726.89	163.4%

Elm Creek Watershed Authority

Monthly Report – 4/11/2024

Operations and Maintenance

Inspection/Progress: Nelson Hall has been chosen to fertilize and spray for weed control. Purchase orders have been received, Nelson has a tractor in the shop, so we are waiting for that to begin the physical procedures. I missed the site 39 dam safety meeting because I was in Round Rock at the TAWS meeting.

Site 39: According to the meeting minutes I received, site 39 is around 30% completion. However, due to the weather there have been weather days/delays. Hopefully there are no setbacks or problems to arise. Payment 5 for the project has been invoiced.

Site 23: Invitation for bids have been sent out and are set for a deadline of April 25th. We have received the engineering from M&E Consultants for that work to take place. I would like to proceed with work as soon as possible once the deadline ends. Brian Carroll is supposed to be drafting up a “Release of Responsibility” that I believe will be helpful at the conclusion of future work zones.

Site 13R: I viewed site 13R on Friday, April 5, 2024. The duck blind has not been removed. I have spoke with Brian Carroll, he says the next step will be to file papers to “sue” and give them a 7-day window to resolve the issue. (He is waiting from response from the board to proceed).

Site 26: I have been in contact with the Solar company, I am looking to gain understanding and move forward to get this finished and underway.

Site 11: Site 11 has been a topic of interest recently, due to the coming development of an RV park. There is a well that is being dug, but shows to be out of the easement and not of our concern. However, it appears that there may be some overlap of some RV parking into our easement. I have sent that copy to Tom Beach to review, so that hopefully we can find out easement lines and proper needs moving forward.

**ELM CREEK WATERSHED AUTHORITY
OFFICIAL MINUTES**

April 11, 2024

Elm Creek Watershed Authority, Board of Directors, met in regular session on
April 11, 2024, at 19 South 25th Street, Suite 500, Temple, Texas

Directors present: Ray Jungmann, Arvell Jungmann, Mike Maedgen, Brian Hoelscher, Bobby Henson, Daniel C. Lesikar, and Jerry Lancaster

Others present: Seth Byers, Tricia Mackie

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

Public Comment: None.

Consent Agenda: Minutes: Ray Jungmann 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. Brian Hoelscher second the motion. Motion passed.

Budget: Tricia Mackie suggested decreasing Elections \$15000 and increasing Contract Labor \$11,900 and increasing Tax Increment Zone \$3100. Mike Maedgen made a motion to amend the budget as suggested. Ray Jungmann second the motion. Motion passed.

Quarterly Report: Bobby Henson made a motion to accept and file the 1st Quarter 2024 report. Brian Hoelscher second the motion. Motion passed.

Watershed Report: O&M: Heartland Construction has been contracted to complete the fertilization and weed/brush control for spring O&M.

Mr. Byers attended the TAWS spring meeting in Round Rock. The TSSWCB has offered reimbursement of 90% for re-filing easements to bring them current in the county records.

Site Updates: Site 39-30% completion. Site 23-Bid submittal deadline is April 25th for road construction and erosion repairs. Site 13R-Duck blind remains in same location. Next legal action would be to send a letter requesting 7 days to remove. Item tabled to May meeting. Site 26-Site inspection and review postponed due to weather/rain conditions. Site 11-Possible RV Park development is in the planning stage. Mr. Byers is working with the land owner representative and M&E to keep the development out of the easement area. Mr. Byers is working on a policy for Easement Encroachment.

Mike Maedgen made a motion to re-file all easements. Jerry Lancaster second the motion. Motion passed.


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

Amendment to Easement Crossings on Site 26: Rescheduled due to weather conditions. No action taken.

ECWA Website: Mrs. Mackie is working to put information together for submittal.

Adjourn: Arvell Jungmann made a motion to adjourn. Mike Maedgen second the motion. Motion passed. Meeting adjourned at 8:20 p.m.

ATTEST:


Daniel C. Lesikar
Chairman


Director