

ELM CREEK WATERSHED AUTHORITY

Regular Session Meeting

July 11, 2024

Notice is hereby given that a regular meeting of the Board of Directors of the Elm Creek Watershed Authority will be on July 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

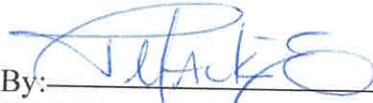
1. Call to Order.
2. Public Comment.
Citizens who desire to address the Board of Directors on any matter may sign up to do so prior to this meeting. Public comments will be received during this portion of the meeting. Please limit comments to 3 minutes. No discussion or final action will be taken by the Board of Directors.
3. TML Question & Answer, liabilities & cybersecurity.
4. Consideration and possible action to approve the consent agenda:
 - a. Minutes from the previous meetings
 - b. Income/Disbursement
 - c. Budget
 - d. Quarterly Report
5. 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
6. Consideration and possible action on Site 11 development.
7. Consideration and possible action to approve amendments to easement crossings on Site 26 and Five Wells Solar Center LLC.
8. Discuss, consider and take action if necessary to approve the Notice to Purchaser.
9. Consideration and possible action to adopt the 2025 Budget.
10. 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 July, 2024

Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

ELM CREEK WATERSHED AUTHORITY
INCOME AND DISBURSEMENTS
July 11, 2024

As of June 30, 2024

INCOME AND DISBURSEMENTS

INCOME		
TAX		
		PRESENT
BELL COUNTY		3,826.80
FALLS COUNTY		207.84
MCLENNAN COUNTY		147.36
MILAM COUNTY		762.60
TOTAL TAX INCOME		4,944.60

OTHER INCOME		
TSSWCB	Reimbursement for Fertilizing	21,534.66

CHECKING ACCOUNTS		
EXTRACO CHECKING ACCOUNT BALANCE	\$	90,928.63
FIRST NATL MOODY CHECKING ACCOUNT BALANCE	\$	10,416.38
MEMBERS CHOICE MM CHECKING BALANCE	\$	5.06
TOTAL CHECKING ACCOUNT		\$ 101,350.07

INVESTMENTS				
ACCOUNT	MATURITY	AMOUNT	RATE/YIELD	PRESENT
CITIZENS NATL BANK #51	1/3/25	600,000.00	5.100	7,616.39
CITIZENS NATL BANK #51	4/7/25	200,000.00	4.500	-
CLASSIC BANK #5551583	1/8/25	150,000.00	4.770	-
CLASSIC BANK #5687286	2/23/25	100,000.00	4.680	-
INCOMMONS BANK #7941	7/15/24	250,000.00	5.250	1,114.73
HORIZON BANK #33068	7/5/24	250,000.00	4.750	1,010.53
CADENCE BANK #93700C	6/15/25	250,000.00	4.750	-
CENTRAL NATL #282868	11/18/24	250,000.00	4.500	-
BUCKHOLTS STATE BAN	1/21/25	250,000.00	5.090	-
TEXPOOL		1,433,035.11	5.312	7,272.77
TREASURY BILLS	7/9/2024	100,000.00	5.275	-
TREASURY BILLS	8/29/2024	150,000.00	5.130	-
TREASURY BILLS	7/23/2024	260,000.00	5.275	-
TOTAL		4,243,035.11		17,014.42

OTHER DISBURSEMENTS		
Patricia Mackie	100.50 mileage reimbursement	2,655.48
Seth Byers	564.081 mileage reimbursement	3,233.48
Extraco	payroll tax	1,559.00
Patin Construction	Payment #8	194,427.50
Card Services	June stmt	192.14
Texas Workforce Commission	unemployment tax	120.41
TOTAL OTHER DISBURSEMENTS		202,188.01

10:59 AM

07/16/24

Cash Basis

Elm Creek Watershed Authority

Disbursements

June 14 through July 11, 2024

	<u>Jun 14 - Jul 11, 24</u>
Ambit Energy	-236.23
Arvell Jungmann	-424.62
ATT	-212.24
Best Buy	-192.14
Bobby Henson	-464.32
Brian Hoelscher	-368.34
Central Texas SWCD	-1,147.51
Cynthia T. Schleede	-100.00
Daniel Lesikar	-372.36
Jerry Lancaster	-368.34
John Perryman	-250.92
M & E Consultants	-4,379.71
Mike Maedgen	-368.34
Patin Construction LLC	-626,630.00
Patricia Mackie	-505.76
Ray Jungmann	-408.54
Relhom Properties LLC	-550.00
Seth Byers	-182.18
United States Postal Service	-11.60
TOTAL	<u>-637,173.15</u>

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	223,694.18	500,000.00	-276,305.82	44.7%
Total Income	223,694.18	500,000.00	-276,305.82	44.7%
Gross Profit	223,694.18	500,000.00	-276,305.82	44.7%
Expense				
Advertising	0.00	1,000.00	-1,000.00	0.0%
Allocation (Collection) Expe...	3,561.11	8,500.00	-4,938.89	41.9%
Communications	1,539.95	3,500.00	-1,960.05	44.0%
Contract	1,012.50	3,000.00	-1,987.50	33.8%
Contract Labor	15,945.33	16,900.00	-954.67	94.4%
Director-Per Diem	8,200.00	10,500.00	-2,300.00	78.1%
Directors-Mileage	159.46			
Down Stream Structure	0.00	10,000.00	-10,000.00	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	0.00	0.00	0.0%
Health Insurance	208.85			
Insurance	320.00	12,000.00	-11,680.00	2.7%
Maintenance	60,578.30	200,000.00	-139,421.70	30.3%
Mileage	5,870.58	10,000.00	-4,129.42	58.7%
Miscellaneous	0.00	500.00	-500.00	0.0%
Office Supplies	1,897.85	4,000.00	-2,102.15	47.4%
Payroll Expenses	47,223.93	110,000.00	-62,776.07	42.9%
Professional Fees	30,619.06	50,000.00	-19,380.94	61.2%
Recording Fees	6.00	350.00	-344.00	1.7%
Rent	3,300.00	6,600.00	-3,300.00	50.0%
Tax Increment Zone Payment	68,048.54	68,100.00	-51.46	99.9%
Training	185.00	5,000.00	-4,815.00	3.7%
Travel & Ent	40.22	8,000.00	-7,959.78	0.5%
Utilities	661.89	1,800.00	-1,138.11	36.8%
Website O&M	1,485.68	1,500.00	-14.32	99.0%
Total Expense	251,189.25	631,575.00	-380,385.75	39.8%
Net Ordinary Income	-27,495.07	-131,575.00	104,079.93	20.9%
Other Income/Expense				
Other Income				
Interest Income	97,271.35	100,000.00	-2,728.65	97.3%
Reimbursed Income	2,246,651.61	4,268,500.00	-2,021,848.39	52.6%
Total Other Income	2,343,922.96	4,368,500.00	-2,024,577.04	53.7%
Other Expense				
Reimbursed Expenses	2,812,714.47	4,500,000.00	-1,687,285.53	62.5%
T-Bill	99,179.44			
Total Other Expense	2,911,893.91	4,500,000.00	-1,588,106.09	64.7%
Net Other Income	-567,970.95	-131,500.00	-436,470.95	431.9%
Net Income	-595,466.02	-263,075.00	-332,391.02	226.3%

Monthly Report:

June

Site 39 – around 54% completion, things are progressing properly. Sending out payment number 8.

Site 11 – Communication is moving forward; they are requesting approval for the well. Brian provided a letter, stating that as long as the well is outside of the easement, ECWA takes no position on the well. I will send that once approved.

Site 26/30 (Solar) – I met with the company; however, they did not show me very much. This is the letter they are requesting the board signs. I recommend further information before agreeing, and possible negotiating funds for potential repairs.

Work for bids – I have been putting together a work for bids needed. I am almost ready to send to contractors, I have been trying to gather information and pictures for more accurate bids. Nelson Hall is in the hospital, and I was unable to find the hole needing repair on site 1, so I will have to include that information later.

Proposal for FY25 shredding has been submitted to the state, I am waiting for approval.

I have a 10 day notice letter to send to Ed, I would like for the board to approve prior to sending.

**ELM CREEK WATERSHED AUTHORITY
OFFICIAL MINUTES**

July 11, 2024

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

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

Others present: Seth Byers, Tricia Mackie

The meeting was called to order by Daniel C. Lesikar, Chairman, at 7:29 p.m.

Public Comment: None.

TML Question and Answer: Ginger Pastrano, Risk Management Advisor with TML, answered questions from the board of directors concerning insurance coverage and cybersecurity coverage.

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

Budget: No action.

Quarterly Report: A motion was made by Bobby Henson to accept and approve the 2nd Quarter Financial Report. The motion was second by Ray Jungmann. Motion passed.

Watershed Report: Site Updates: Site 39-54% complete, working on the spillway pipe and riser. Site 11 is requesting permission to drill a water well on the property. After meeting with ECWA attorney, ECWA takes no stand on the well as long as it is not located in the ECWA easement. Site 26-Mr. Byers met with the solar company, however the employees were not able to show Mr. Byers where the crossings were actually located. Mr. Byers recommends not signing the agreement until further information is gathered. Site 1-Nelson Hall with Heartland Construction informed Seth Byers of erosion that was apparent when spraying. Mr. Byers searched the property and was not able to find the erosion. Mr. Hall has been in the hospital; therefore, Mr. Byers will have to revisit the site at a later date.

A proposal for reimbursement for shredding this fall has been submitted to TSSWCB.

After discussing with the ECWA attorney, a 10-notice letter has been prepared to send to Ed Coufal concerning the removal of the duck blind and repairs to the dam and fence. The board agreed to send the letter.

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

Development on Site 11: No action.

Easement Crossing with Solar Company on Site 26: No action.

Notice to Purchaser: Mike Maedgen made a motion to approve the Notice to Purchaser forms. The motion was second by Brian Hoelscher. Motion passed.

2025 Budget: No action.

Adjourn: Arvell Jungmann made a motion to adjourn. Mike Maedgen second the motion. Motion passed. Meeting adjourned at 8:40 p.m.

ATTEST:



Daniel C. Lesikar
Chairman



Director