

ELM CREEK WATERSHED AUTHORITY

Regular Session Meeting

June 13, 2024

Notice is hereby given that a regular meeting of the Board of Directors of the Elm Creek Watershed Authority will be on June 13, 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. Presentation and approval of 2023 Financial Audit, Ludwick, Montgomery & Stapp, P.C.
4. Question & Answer session with Cow Bayou Watershed.
5. Consideration and possible action to approve the consent agenda:
 - a. Minutes from the previous meetings
 - b. Income/Disbursement, Tax Collection Agreements
6. 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
7. Discuss, consider and take action, if necessary, on Site 23 erosion repairs.
8. Consideration and possible action on Site 11 development.
9. Consideration and possible action to approve amendments to easement crossings on Site 26 and Five Wells Solar Center LLC.
10. Discuss, consider and take action if necessary to approve debit and credit card for Field Manager.


11. Adjourn.

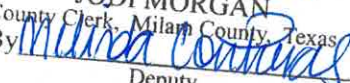
The Elm Creek Watershed Authority Board of Directors may adjourn into Executive Session regarding any appropriate provision of the Open Meetings Act on any of the above topics.

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 May, 2024

Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

Filed 11th day of June
in 2024, At 4:00 P.M.
JODI MORGAN
County Clerk, Milam County, Texas
By: 
Deputy



RECEIVED
6/18/2024

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.

9:36 AM

Executed on June 10, 2024

ELM CREEK WATERSHED AUTHORITY
Regular Session Meeting
June 13, 2024

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

By [Signature]
Deputy

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Dated this 2nd day of May, 2024

Daniel Lesikar, Chairman

By: [Signature]
Tricia Mackie, Office Manager



2024 JUN -6 P 1:05

ELM CREEK WATERSHED AUTHORITY**Regular Session Meeting****June 13, 2024**SHELLEY COBURN
CO. CLK. BELL CO. TX

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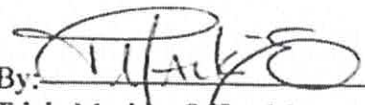
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Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

ELM CREEK WATERSHED AUTHORITY

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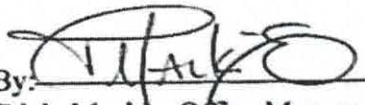
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Dated this 2nd day of May, 2024

Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

FILED
At 1:06 o'clock P M

JUN 06 2024

ELIZABETH PEREZ, COUNTY CLERK
FALLS COUNTY, TEXAS
BY Sharon DEPUTY

ELM CREEK WATERSHED AUTHORITY

Regular Session Meeting

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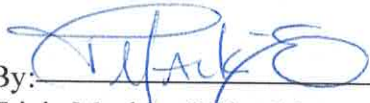
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Dated this 2nd day of May, 2024

Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

ELM CREEK WATERSHED AUTHORITY
INCOME AND DISBURSEMENTS
June 13, 2024

As of May 31, 2024

INCOME AND DISBURSEMENTS

| INCOME | |
|-------------------------|-----------------|
| TAX | |
| | PRESENT |
| BELL COUNTY | 2,794.58 |
| FALLS COUNTY | 31.08 |
| MCLENNAN COUNTY | 584.43 |
| MILAM COUNTY | 618.34 |
| | 6,028.43 |
| TOTAL TAX INCOME | 4,028.43 |

| OTHER INCOME | |
|--------------|--|
|--------------|--|

| | | |
|--------|--------------------------------------|------------|
| TSSWCB | Reimbursement for Site 39 Payment #6 | 463,980.35 |
|--------|--------------------------------------|------------|

| CHECKING ACCOUNTS | |
|-------------------|--|
|-------------------|--|

| | | |
|---|-----------|-------------------|
| EXTRACO CHECKING ACCOUNT BALANCE | \$ | 152,651.73 |
| FIRST NATL MOODY CHECKING ACCOUNT BALANCE | \$ | 10,416.38 |
| MEMBERS CHOICE MM CHECKING BALANCE | \$ | 5.06 |
| TOTAL CHECKING ACCOUNT | \$ | 163,073.17 |

| INVESTMENTS | | | | |
|-------------|--|--|--|--|
|-------------|--|--|--|--|

| ACCOUNT | MATURITY | AMOUNT | RATE/YIELD | PRESENT |
|------------------------|-----------|---------------------|------------|------------------|
| CITIZENS NATL BANK #51 | 1/3/25 | 600,000.00 | 5.100 | - |
| 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 | 1,153.98 |
| 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 #93700C | 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 | | 2,025,762.34 | 5.316 | 8,206.69 |
| 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 | | 4,835,762.34 | | 11,417.31 |

| OTHER DISBURSEMENTS | |
|---------------------|--|
|---------------------|--|

| | | |
|--------------------|------------------------------|------------|
| Patricia Mackie | 90.45 mileage reimbursement | 2,645.43 |
| Seth Byers | 621.09 mileage reimbursement | 3,127.06 |
| Extraco | payroll tax | 1,506.40 |
| Patin Construction | Payment #7 | 626,630.00 |
| Card Services | May stmt | 85.00 |

| | |
|----------------------------------|-------------------|
| TOTAL OTHER DISBURSEMENTS | 633,993.89 |
|----------------------------------|-------------------|

10:39 AM
06/13/24
Cash Basis

Elm Creek Watershed Authority
Disbursements
May 10 through June 13, 2024

| | <u>May 10 - Jun 13, ...</u> |
|---------------------------------------|-----------------------------|
| Ambit Energy | -158.99 |
| ATT | -212.24 |
| Cynthia T. Schleede | -100.00 |
| Denman Excavation LLC | -16,000.00 |
| DK Small Business Solutions | -33.60 |
| Heartland Construction Services, L... | -28,212.20 |
| HEB | -4.78 |
| Kathleen Pinckney | -162.50 |
| Ludwick, Montgomery & Stapp, P.C | -13,500.00 |
| M & E Consultants | -3,025.78 |
| McLennan Central Appraisal District | -58.03 |
| Milam Appraisal District | -417.78 |
| Milam County Clerk | -1.00 |
| Patin Construction LLC | -456,275.00 |
| Patricia Mackie | -505.76 |
| Relhom Properties LLC | -550.00 |
| Sanderford & Carroll, P.C. | -198.00 |
| Seth Byers | -182.52 |
| Staples | -99.48 |
| Tax Appraisal District of Bell County | -1,265.34 |
| TOTAL | <u><u>-520,963.00</u></u> |

Monthly Report:

May 2024

Site 23 – Site 23 road construction is complete, however, there was a miscommunication with designs and bidding and the erosion repair was not bid on in the primary bid. I have spoken to the state and filed for an extension, I need a signature from the chairman, and have agreement from the state to cover additional costs totaling \$24,000, any expenses over will fall to Elm Creek. Daniel approved an additional \$1500 to remove a berm for waterflow that is reflected in the bill as well. I have spoke with both Mike and Bobbie to ensure correct guidelines are in place.

Site 13R – Duck blind is blown over onto the dam and has destroyed part of the fence. I would like to send out bids to have the debris cleaned up, posts removed from the ground and holes refilled, and the fence repaired. (Y'all need to decide if we need to send the bill to Ed, or have Elm Creek pay for it).

Site 11 – Development is proceeding, I have some plans for y'all to look at and possible approve or request further changes be made. I advise that we visit with Brian Carrol regarding legal liabilities.

Site 39 – as of June 7, 2024 we were 213 days into the contract nearing 60% completion on the rehab in Westphalia.

Several sites are going to need their risers cleared from debris, as well as working with Nelson Hall to put together a Fall mowing schedule. We will soon begin preparing the Spring spraying schedule for future submission.

Site work needed/recommendations:

Site 1 – Fence and berm had debris that needs clearing, there is a washout above the plunge basin, and the riser needs to be cleared.

Site 23 – Nelson is recommending we go ahead and shred this dam this year to promote new grass growth with all the rain. Due to crops in the field and miscommunication, the washouts and debris have not been cleared yet. I have talked with Denman to revisit the site once crops are harvested to avoid crop payout.

Site 31 – spray sprouts on the wave berm.

Site 30 – spray sprouts on the wave berm.

Site 28 – spray sprouts on the wave berm, and clear the riser.

Site 34 – entrance is blocked by a fallen tree, need to clear the tree. will need to new locks put on CR 205B. I have the locks, just need to put them on.

Site 35 – is also in need of new locks. I also have those.

Site 3 – clear the riser.

Site 13R – Needs fence repair, posts removed from the ground from duck blind, as well as the duck blind is destroyed and relocated on the dam due to winds. I am recommending we do the repairs and either send Coufal the bill, or pay for it, so that the work is completed correctly and efficiently.

Nelson Hall is recommending for Fall shredding that we shred all of the sites with the exception of sites: 39, 14 and 29. If this is acceptable, I will begin the proposal process with the state. Due to funding, I am not sure how much reimbursement we will be able to receive.

ELM CREEK WATERSHED AUTHORITY
OFFICIAL MINUTES

June 13, 2024

Elm Creek Watershed Authority, Board of Directors, met in regular session on
June 13, 2024, at 19 South 25th Street, Suite 500, Temple, Texas

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

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.

2023 Audit: Blake Stapp with Ludwick, Montgomery & Stapp presented the 2023 audit. The opinion was “clean”, which is best. Mr. Stapp highlighted the numbers in the audit report. Overall, the report was clean and the single audit had no findings. Bobby Henson made a motion to approve the 2023 audit. Ray Jungmann second the motion. Motion passed.

Question & Answer session with Cow Bayou Watershed: James Kames and Kerry Hansen with Cow Bayou inquired as to individuals that fulfill our duties for inspecting flood retarding structures.

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 Mike Maedgen to receive, approve and file income and disbursements. Jerry Lancaster second the motion. Motion passed. A motion was made by Bobby Henson to accept and approve the tax collection agreement with Falls County. Ray Jungmann second the motion. Motion passed.

Watershed Report: Site Updates: Site 23-The road has been completed, Mr. Coufal has requested for a turn-around. Mr. Byers researched the turn-around and there is no previous turn-around visible via satellite. Debris removal in the amount of \$1500 was approved by Daniel C. Lesikar to help the water flow away from the road. The erosion on the downstream side of the impact basin is being postponed due to the crops. Mr. Byers has requested an extension to the Reimbursement Agreement with TSSWCB. The duck blind on Site 13R has been moved by the storms and landed on the fence, damaging 40-50 yards of fence. The posts the blind originally sat on are still in the ground. The board asked Mr. Byers to send a letter requesting removal of the posts within 10 days. The board asked Mr. Byers to send a letter stating ECWA has completed the road. Site 11 is requesting a road over the dam and through the emergency spillway. Mr. Byers is working the attorney to determine what ECWA can and cannot stipulate and liability. Site 39-60% complete. Sites 1 will need debris removed following the recent rains, and Heartland Construction has suggested that Site 23 be mowed to promote new grass growth. Spraying will need to be completed on Sites 28, 30 and 31. Due to rainy spring, Mr.

Byers suggested shredding all but 3 sites. The board agreed to have the shredding done if there are funds available for some reimbursement with the TSSWCB.


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

Amendment to Easement Crossings on Site 26: Meeting has been rescheduled due to rain.

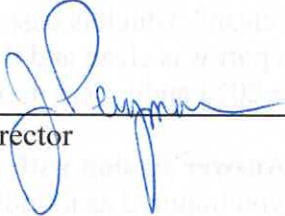
ECWA Field Manager Credit/Debit Card: A motion was made by Ray Jungmann to give credit and debit cards to Seth Byers for ECWA use. Mike Maedgen second the motion. Motion passed.

Adjourn: Arvell Jungmann made a motion to adjourn. Jerry Lancaster second the motion. Motion passed. Meeting adjourned at 8:47 p.m.

ATTEST:



Daniel C. Lesikar
Chairman



Director