

ELM CREEK WATERSHED AUTHORITY
Regular Session Meeting
May 9, 2024

Notice is hereby given that a regular meeting of the Board of Directors of the Elm Creek Watershed Authority will be on May 9 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. Consideration and possible action to approve the consent agenda:
 - a. Minutes from the previous meetings
 - b. Income/Disbursement
 - c. Budget
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 to approve amendments to easement crossings on Site 26 and Five Wells Solar Center LLC.
7. Update on ECWA Website.
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 2nd day of May, 2024

Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager

2024 MAY -2 P 1:00

ELM CREEK WATERSHED AUTHORITY
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SHELLEY COSTON
CO. CLK. BELL CO. TX

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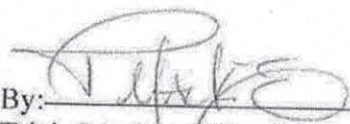
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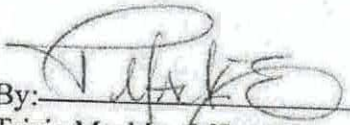
Dated this 2nd day of May, 2024

Daniel Lesikar, Chairman

FILED
At 1:30 o'clock P M

MAY 02 2024

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

By: 
Tricia Mackie, Office Manager

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Dated this 2nd day of May, 2024

Daniel Lesikar, Chairman

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 8:37 Am
May 8 24
J.A. "Andy" Harwell, County Clerk
McLennan County, Texas

By [Signature]
Deputy

By: [Signature]
Tricia Mackie, Office Manager



RECEIVED
5/14/2024

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Filed 9th day of May
in 2024, At 12:31 P.M.
JODI MORGAN
County Clerk, Milam County, Texas
By Melinda Contreras
Deputy

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Dated this 2nd day of May, 2024

Daniel Lesikar, Chairman

By: 
Tricia Mackie, Office Manager



RECEIVED
5/14/2024



Tricia Mackie

[Log Off](#)

Open Meeting Submission

TRD: 2024002573
Date Posted: 05/02/2024
Status: Accepted
Agency Id: 1199
Date of Submission: 05/02/2024
Agency Name: Elm Creek Watershed Authority
Board: Elm Creek Watershed Authority
Committee: Board of Directors
Date of Meeting: 05/09/2024
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
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Dated this 2nd day of May, 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, May 2, 2024 at 11:26 AM 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: 05/09/2024 07:30 PM "TRD# 2024002573"

Notice posted: 05/02/24 11:26 AM

Proofread your current open meeting notice at:

[https://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2024002573](https://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2024002573)

ELM CREEK WATERSHED AUTHORITY
INCOME AND DISBURSEMENTS
May 9, 2024

As of April 30, 2023

INCOME AND DISBURSEMENTS

INCOME	
TAX	
	PRESENT
BELL COUNTY	5,140.26
FALLS COUNTY	6.09
MCLENNAN COUNTY	194.70
MILAM COUNTY	267.69
	5,608.74
TOTAL TAX INCOME	5,608.74

OTHER INCOME	
TSSWCB	Reimbursement for Site 39 Payment #5 567,020.03

CHECKING ACCOUNTS	
EXTRACO CHECKING ACCOUNT BALANCE	\$ 597,990.82
FIRST NATL MOODY CHECKING ACCOUNT BALANCE	\$ 7,462.37
MEMBERS CHOICE MM CHECKING BALANCE	\$ 5.06
TOTAL CHECKING ACCOUNT	\$ 605,458.25

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	1,959.23
CLASSIC BANK #5551583	1/8/25	150,000.00	4.770	1,783.85
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	3,116.44
TEXPOOL		1,592,555.65	5.314	7,737.51
TREASURY BILLS	5/14/2024	100,000.00	5.275	820.56
TREASURY BILLS	8/29/2024	150,000.00	5.130	-
TREASURY BILLS	5/28/2024	260,000.00	5.393	-
TOTAL		4,402,555.65		17,542.85

OTHER DISBURSEMENTS	
Patricia Mackie	60.30 mileage reimbursement 2,451.58
Seth Byers	587.59 mileage reimbursement 3,353.08
Extraco	payroll tax 1,539.76
Patin Construction	Payment #6 456,275.00
Card Services	April stmt 1,485.68
TOTAL OTHER DISBURSEMENTS	465,105.10

11:16 AM

05/09/24

Cash Basis

Elm Creek Watershed Authority

Disbursements

April 12 through May 9, 2024

	<u>Apr 12 - May 9, 24</u>
Ambit Energy	-84.37
ATT	-212.23
Cynthia T. Schleede	-100.00
DK Small Business Solutions	-1,485.68
Extraco	-110.00
Falls County Appraisal District	-39.41
Heartland Construction Services, LLC	-22,788.00
Milam County Clerk	-1.00
Patin Construction LLC	-557,603.50
Patricia Mackie	-505.76
Relhom Properties LLC	-550.00
Sanderford & Carroll, P.C.	-346.50
Seth Byers	-208.85
TCEQ	-85.00
TOTAL	<u>-584,120.30</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	209,422.31	500,000.00	-290,577.69	41.9%
Total Income	209,422.31	500,000.00	-290,577.69	41.9%
Gross Profit	209,422.31	500,000.00	-290,577.69	41.9%
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	1,064.54	3,500.00	-2,435.46	30.4%
Contract	850.00	3,000.00	-2,150.00	28.3%
Contract Labor	12,333.10	11,900.00	433.10	103.6%
Director-Per Diem	5,800.00	10,500.00	-4,700.00	55.2%
Directors-Mileage	91.12			
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	0.00	0.00	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	3,288.40	10,000.00	-6,711.60	32.9%
Miscellaneous	0.00	500.00	-500.00	0.0%
Office Supplies	4,227.61	4,000.00	227.61	105.7%
Payroll Expenses	25,489.04	110,000.00	-84,510.96	23.2%
Professional Fees	16,574.56	50,000.00	-33,425.44	33.1%
Recording Fees	4.00	350.00	-346.00	1.1%
Rent	2,200.00	6,600.00	-4,400.00	33.3%
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	266.67	1,800.00	-1,533.33	14.8%
Total Expense	152,466.45	630,075.00	-477,608.55	24.2%
Net Ordinary Income	56,955.86	-130,075.00	187,030.86	-43.8%
Other Income/Expense				
Other Income				
Interest Income	65,192.94	100,000.00	-34,807.06	65.2%
Reimbursed Income	1,791,736.49	4,268,500.00	-2,476,763.51	42.0%
Total Other Income	1,856,929.43	4,368,500.00	-2,511,570.57	42.5%
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	48,881.29	-131,500.00	180,381.29	-37.2%
Net Income	105,837.15	-261,575.00	367,412.15	-40.5%

↓ Downstream Structure \$ 5000.-
 ↑ Contract Labor \$ 5000.-
 Add Website \$ 1500.-

Elm Creek Watershed Authority

Monthly Report – 4/11/2024

Operations and Maintenance

Inspection/Progress: Nelson Hall has finished fertilizing and is awaiting drier conditions to spray for weed control. I attended the site 39 safety meeting this morning, and other than weather days, things are progressing. I have registered for the TCEQ Dam Safety meeting on June, 25 2024. I have made it to most of the sites at this point and plan to have them all seen by the end of this month.

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 6 for the project has been invoiced.

Site 23: Thomas Denman has been awarded as the bidder, and is waiting for conditions to clear to begin work. I have been in contact with the state to begin the process for reimbursement. I have a proposal drafted that requires board motions and signatures to proceed.

Site 13R: I have been in contact with Mr. Coufal, and the blind is on the floats, however rain conditions have prohibited final relocating. However, the blind is now no longer “in the dam”, upon clearer weather/grounds the blind will be relocated off of the dam.

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. More rain has once again delayed our meeting. I have been in contact with M&E and hopefully one of the engineers will meet with the solar company when I do, so that we can stream line this project to completion.

Site 11: Site 11 has been moving forward with the help of M&E and Elm Creeks easement should be properly maintained.

Site 1: The fence is going to require cleaning from the trash brought up in the high waters.

Site 28: Site 28s riser has debris on the top and will most likely require maintenance once water levels recede.

**ELM CREEK WATERSHED AUTHORITY
OFFICIAL MINUTES**

May 9, 2024

Elm Creek Watershed Authority, Board of Directors, met in regular session on
May 9, 2024, at 19 South 25th Street, Suite 500, Temple, Texas

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

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.

2023 Audit: Item tabled till next meeting.

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 amending the budget to add a line item for Website O&M in the amount of \$1500 for website costs, decrease Downstream Structures \$5000 and increase Contract Labor \$5000. Mike Maedgen made a motion to amend the budget as suggested. Ray Jungmann second the motion. Motion passed.

Watershed Report: O&M: Heartland Construction has completed the fertilization and spraying will be scheduled soon.

Site Updates: Site 39-on track. Site 23-erosion repairs bids received and contract has been awarded. Mr. Byers has a letter prepared for signature to request reimbursement of funds for the work. The duck blind on Site 13R has been placed on floatation devices. Site 26 has been too wet, Mr. Byers is working with M&E on the ingress/egress. Site 11 development is not in easement area at this time. Sites 1 & 28 will need debris removed following the recent rains.

Seth Byers is working with TSSWCB on refileing easements.

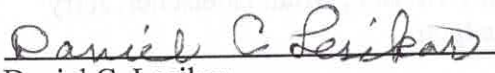
A motion was made by Bobby Henson to approve the watershed report. Arvell Jungmann second the motion. Motion passed.

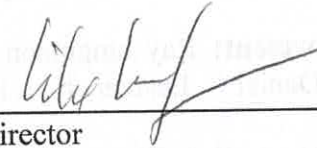
Amendment to Easement Crossings on Site 26: Tabled

ECWA Website: The ECWA website is up and available for viewing.

Adjourn: Arvell Jungmann made a motion to adjourn. Ray Jungmann second the motion.
Motion passed. Meeting adjourned at 7:54 p.m.

ATTEST:


Daniel C. Lesikar
Chairman



Director