

ELM CREEK WATERSHED AUTHORITY

Regular Session Meeting

November 14, 2024

Notice is hereby given that a regular meeting of the Board of Directors of the Elm Creek Watershed Authority will be on November 14, 2024, beginning at 6:00 p.m. at the Elm Creek Watershed Authority Office, 19 S. 25th Street, Suite 500, Temple, Texas.

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/Disbursements
 - c. Budget
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 crossing on Site 26 and Five Wells Solar Center LLC.
6. Consideration and possible action to vote for appraisal district board of directors, Bell, Falls, McLennan & Milam counties.
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 5th day of November, 2024

Daniel C. Lesikar, Chairman



By: Tricia Mackie



Tricia Mackie

[Log Off](#)

Open Meeting Submission

TRD: 2024006431
Date Posted: 11/05/2024
Status: Accepted
Agency Id: 1199
Date of Submission: 11/05/2024
Agency Name: Elm Creek Watershed Authority
Board: Elm Creek Watershed Authority
Committee: Board of Directors
Date of Meeting: 11/14/2024
Time of Meeting: 06:00 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
November 14, 2024
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Dated this 5th day of November, 2024 Daniel C. Lesikar, Chairman

By: Tricia Mackie

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: Tuesday, November 5, 2024 at 11:35 AM CST

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: 11/14/2024 06:00 PM "TRD# 2024006431"

Notice posted: 11/05/24 11:35 AM

Proofread your current open meeting notice at:

[https://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2024006431](https://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2024006431)

ELM CREEK WATERSHED AUTHORITY
INCOME AND DISBURSEMENTS
November 14, 2024

As of October 31, 2024

INCOME AND DISBURSEMENTS

INCOME	
TAX	
	PRESENT
BELL COUNTY	19,884.89
FALLS COUNTY	179.57
MCLENNAN COUNTY	1,027.12
MILAM COUNTY	222.77
	21,314.35
TOTAL TAX INCOME	21,314.35

OTHER INCOME		
TSSWCB	Reimbursement for Payment #10	\$ 76,681.96
TSSWCB	Reimbursement for Payment #11a	\$ 61,361.10
TSSWCB	Reimbursement for Payment #11b	\$ 256,062.57
	TOTAL OTHER INCOME	\$ 394,105.63

CHECKING ACCOUNTS	
EXTRACO CHECKING ACCOUNT BALANCE	\$ 156,025.95
FIRST NATL MOODY CHECKING ACCOUNT BALANCE	\$ 19,709.17
MEMBERS CHOICE MM CHECKING BALANCE	\$ 5.06
	TOTAL CHECKING ACCOUNT \$ 175,740.18

INVESTMENTS				
ACCOUNT	MATURITY	AMOUNT	RATE/YIELD	PRESENT
CITIZENS NATL BANK #50	1/3/25	600,000.00	5.100	-
CITIZENS NATL BANK #50	4/7/25	200,000.00	4.500	2,228.16
CLASSIC BANK #5551583	1/8/25	150,000.00	4.770	1,803.45
CLASSIC BANK #5687286	2/23/25	100,000.00	4.680	-
INCOMMONS BANK #7941	7/15/25	250,000.00	5.000	1,027.40
HORIZON BANK #33068	7/5/25	250,000.00	5.250	1,060.39
CADENCE BANK #937000	6/15/25	250,000.00	4.750	-
CENTRAL NATL #2828688	11/18/24	250,000.00	4.500	-
BUCKHOLTS STATE BAN	1/21/25	250,000.00	5.090	3,150.68
TEXPOOL		2,056,056.41	4.913	7,781.08
TREASURY BILLS	2/27/2025	150,000.00	4.865	-
TREASURY BILLS	11/12/2024	260,000.00	5.099	-
TREASURY BILLS	11/12/2024	100,000.00	5.099	-
	TOTAL	4,866,056.41		17,051.16

OTHER DISBURSEMENTS		
Patricia Mackie	67.67 mileage reimbursement	2,458.95
Seth Byers	473.69 mileage reimbursement	2,826.19
Extraco	payroll tax	1,403.74
Patin Construction	Payment #12	189,999.48
	TOTAL OTHER DISBURSEMENTS	196,688.36

12:07 PM

11/14/24

Cash Basis

Elm Creek Watershed Authority
Disbursements
October 11 through November 14, 2024

	<u>Oct 11 - Nov 14, 24</u>
Ambit Energy	-179.28
ATT	-264.68
Best Buy	-194.84
Denman Excavation LLC	-2,000.00
Falls County Appraisal District	-30.19
Falls County Tax Office	-328.00
HEB	-19.44
Kathleen Pinckney	-437.50
M & E Consultants	-3,688.27
Office of Secretary of State	-325.00
Patin Construction LLC	-312,152.20
Patricia Mackie	-505.76
Relhom Properties LLC	-550.00
Sanderford & Carroll, P.C.	-346.50
Seth Byers	-185.19
Staples	-56.47
TOTAL	<u><u>-321,263.32</u></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	256,353.53	500,000.00	-243,646.47	51.3%
Total Income	256,353.53	500,000.00	-243,646.47	51.3%
Gross Profit	256,353.53	500,000.00	-243,646.47	51.3%
Expense				
Advertising	671.50	1,000.00	-328.50	67.2%
Allocation (Collection) Expe...	5,794.02	8,500.00	-2,705.98	68.2%
Communications	2,393.00	3,500.00	-1,107.00	68.4%
Contract	1,625.00	3,000.00	-1,375.00	54.2%
Contract Labor	17,918.10	21,400.00	-3,481.90	83.7%
Director-Per Diem	10,100.00	10,500.00	-400.00	96.2%
Directors-Mileage	159.46			
Down Stream Structure	0.00	5,000.00	-5,000.00	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	10,287.58	12,000.00	-1,712.42	85.7%
Maintenance	70,198.30	200,000.00	-129,801.70	35.1%
Mileage	8,415.91	10,000.00	-1,584.09	84.2%
Miscellaneous	0.00	500.00	-500.00	0.0%
Office Supplies	3,233.27	4,000.00	-766.73	80.8%
Payroll Expenses	75,459.31	110,000.00	-34,540.69	68.6%
Professional Fees	34,415.88	50,000.00	-15,584.12	68.8%
Recording Fees	6.00	350.00	-344.00	1.7%
Rent	6,050.00	6,600.00	-550.00	91.7%
Tax Increment Zone Payment	68,048.54	68,100.00	-51.46	99.9%
Training	510.00	5,000.00	-4,490.00	10.2%
Travel & Ent	40.22	8,000.00	-7,959.78	0.5%
Utilities	1,700.82	1,800.00	-99.18	94.5%
Website O&M	1,889.93	2,000.00	-110.07	94.5%
Total Expense	319,241.84	631,575.00	-312,333.16	50.5%
Net Ordinary Income	-62,888.31	-131,575.00	68,686.69	47.8%
Other Income/Expense				
Other Income				
Interest Income	150,822.56	100,000.00	50,822.56	150.8%
Reimbursed Income	3,586,742.54	4,268,500.00	-681,757.46	84.0%
Total Other Income	3,737,565.10	4,368,500.00	-630,934.90	85.6%
Other Expense				
Reimbursed Expenses	3,492,567.41	4,500,000.00	-1,007,432.59	77.6%
T-Bill	99,179.44			
Total Other Expense	3,591,746.85	4,500,000.00	-908,253.15	79.8%
Net Other Income	145,818.25	-131,500.00	277,318.25	-110.9%
Net Income	82,929.94	-263,075.00	346,004.94	-31.5%

Monthly Report:

October

Site 39 – We are on payment 12 (2320.12) for Site 39. Modifications have been made to prepare for the final stages of the dam, such as the winter seeding some different equipment needs and some changes in materials. I visited the site last month and was able to see some compaction testing, as well as of the regular day-to-day activities.

Site 26/30 (Solar) – I turned communication over to Brian Carrol, Engie seemed to be trying to force our hand in getting a signature. Upon receiving some new information, I was able to meet the site owner (Ran Wells) and see some of the information portrayed in their documents, such as some low area weather crossings. However, I do not believe it will be suitable for all-weather access in the event of an emergency. So, I reached out to Brian in order to gain legal council in the direction we could move and what we could possibly get in return for the inaccuracy of the line placement in our easement.

-Fall shredding is ready to move forward, I have collected bids and insurances. The low bidder was Nelson Hall, and I have prepared documents to move forward and complete this work by the end of the month.

-The work at Site 23 is completed, and I am looking to finalize that contract with the state. In the future, we will need to complete fencing once the grass has been re-established. Our Contract with the state for the site ends on December 31st.

-Nelson Hall has requested the consideration of a multi-year contract with Elm Creek for regular maintenance items such as shredding and spraying.

-I have also been talking to Nelson Hall and will be working with him to help guide me to complete our annual inspections and get them up to date during the shredding procedure. The last inspections in my records are from 2022.

-After speaking with Cow-Bayou, they have been redirected by the Title company to move forward and begin refileing easements in the same fashion as I had originally started. Following this conversation, I have continued the process that I originally began.

Work for bids – Currently there are no other work or foreseen needs to send work for bids.

**ELM CREEK WATERSHED AUTHORITY
OFFICIAL MINUTES**

November 14, 2024

Elm Creek Watershed Authority, Board of Directors, met in regular session on
November 14, 2024, at 19 South 25th Street, Suite 500, Temple, Texas

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

Others present: Seth Byers and Tricia Mackie

The meeting was called to order by Daniel C. Lesikar, Chairman, at 6:00 p.m.

Public Comment: None.

Consent Agenda: Minutes: Bobby Henson made a motion to approve the previous meeting minutes as mailed. The motion was second by Mike Maedgen. 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.

2024 Budget: No action taken.

Watershed Report: Site Updates: Site 39-Modification changes have been made for final stages of dam upgrade. O&M: Fall shredding bids have been received with Heartland being the lowest bidder, work should be completed by the end of the month. Site 23 erosion repairs have been completed and have finalized contract with TSSWCB. Nelson Hall inquired about multi-year O&M contracts. Mr. Byers is working to completed annual inspections. The training of easement filing with Cow-Bayou Watershed District has been cancelled and the title company they were working with has stated to move forward refiling easements just as Mr. Byers had prepared. He is currently working on getting all paperwork prepared, then will start filing with each county.


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

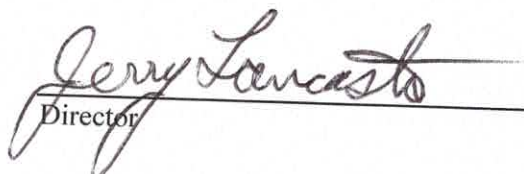
Easement Crossing with Solar Company on Site 26: A motion was made by Mike Maedgen to allow Brian Carroll to negotiate with Five Wells Solar on behalf of ECWA. Bobby Henson second the motion. Motion passed.

County Appraisal District Board of Director Elections: No action.

Adjourn: Arvell Jungmann made a motion to adjourn. Jerry Lancaster second the motion. Motion passed. Meeting adjourned at 6:16pm.

ATTEST:


Daniel C. Lesikar
Chairman


Director