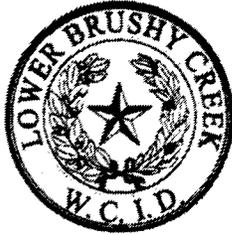


AD 8:00

FILED FOR RECORD



LOWER BRUSHY CREEK WCID
Regular called meeting of the Board of Directors **AUG 09 2021**
On Monday, August 16, 2021 at 7:30 am

Ed Komandosky, President
Scott Ging, Vice President Monica Masters, Secretary/Clerk, Williamson Co. TX
Mike Schneider, Treasurer Allen David, Director

Nancy E. Roster

Notice is hereby given for a regular called meeting of the Board of Directors of the Lower Brushy Creek WCID to be held on **Monday, August 16, 2021 at 7:30 am** in the Board Room of the Greater Taylor Chamber of Commerce, 1519 North Main Street, Taylor, Texas for the purpose of considering the following agenda items. The Board of Directors will meet, consider, deliberate and may take action on all agenda items.

AGENDA

1. Welcome, Call to Order, and determination of a Quorum;
2. Citizens Communications - *an opportunity for the public to address the Board on agenda items or concerns not on the agenda (limited to 3 minutes each);*
3. Consider the approval of meeting minutes:
 - a. *Regular meeting of July 19, 2021.*
4. Consider the approval of financial reports:
 - a. *Checking Account Register for July 2021.*
5. Presentation by General Manager of Proposed Budget for FY 22 and Tax Rate for 2021;
6. Public Hearing on Proposed Budget for FY 22 and Tax Rate for 2021;
7. Consideration and possible action to approve the first reading of the Proposed Budget for FY 22;
8. Consideration and possible action to approve the first reading of *Ordinance #2021-01 - An Order Levying Taxes for the Maintenance and Operation of the Lower Brushy Creek Water Control & Improvement District;*
9. General Manager's report;
10. Director's Comments; and
11. Adjournment.

"The Lower Brushy Creek Water Control & Improvement District Board of Directors reserves the right to adjourn into executive session at any time during the meeting to discuss any of the matters listed above, as authorized by Texas Local Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations regarding Real Property), 551.073 (Deliberations regarding Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations regarding Security Devices), and 551.087 (Deliberations regarding Economic Development Negotiations)."

CERTIFICATION

I certify that a copy of the August 16, 2021 agenda of items to be considered by the Board of Directors of the Lower Brushy Creek WCID was posted on August 9, 2021.

Sue Lilly
Sue Lilly
District Clerk

*** NOTE: The Board of Directors will be conducting a "Video Conference Open Meeting" as authorized by Governor Abbot on March 16, 2020.**

Minutes of the July 19, 2021
Meeting of the Board of Directors of the Lower Brushy Creek WCID

In accordance with the Governor's emergency proclamation suspending certain provisions of the Texas Open Meetings Act effective March 16, 2020 in response to the COVID-19 virus, all persons, including Board members and members of the public may participate in the meeting remotely by videoconferencing using the instructions included on the posted agenda. Due to COVID-19 social gathering restrictions, all members of the public and the board may not physically enter the Greater Taylor Chamber of Commerce offices. Therefore, the meeting took place in person and on Zoom Videoconferencing.

President Ed Komandosky called the Regular Meeting of the Board of Directors of the Lower Brushy Creek WCID to order at 7:37am on Monday July 19, 2021 and announced that a quorum was present. Board Members present included Treasurer Michael Schneider, Vice President Scott Ging and Secretary Monica Masters. Others present included General Manager Jim Clarno, PR Representative Richard Stone, and District Clerk Sue Lilly.

There were no citizen's communications

General Manager, Jim Clarno, presented for consideration and approval the May 17, 2021 meeting minutes. A motion was made by Vice President Scott Ging to approve the meeting minutes as presented. The motion was seconded by Treasurer Michael Schneider and approved by a vote of 4-0.

Clarno presented for consideration and approval the following financial reports: Checking Account Registers for May 2021 and June 2021, Financial Report for the third quarter of FY 21 and the Investment Report for the third quarter of FY 21. A motion was made by Secretary Monica Masters to approve the financial reports as presented. The motion was seconded by Vice President Scott Ging and approved by a vote of 4-0.

Clarno presented for consideration and possible action to enter into an agreement to authorize Maxwell Locke and Ridder, LLP to perform auditing services for the FY 21 for a not-to-exceed amount of \$15,500. A motion was made by Secretary Masters to approve the agreement as presented. The motion was seconded by Treasurer Schneider and approved by a vote of 4-0.

Clarno presented for consideration and possible action regarding Lower Brushy Creek Watershed Site Nos. 18 Upgrade Project to approve a construction *Contract Agreement* No. LBC-2021-03 with Southern Infrastructure Group, LLC of Dallas, Texas in the amount of \$3,869,869.00. A motion was made by Treasurer Schneider to approve the construction Contract Agreement as presented. The motion was seconded by Vice President Ging and approved by a vote of 4-0.

Clarno presented for consideration and possible action to approve Modification/Change Order #3 to the Lower Brushy Creek Watershed Site 20 rehabilitation project in the amount of \$12,469.95. A motion was made by Secretary Masters to approve the Modification/Change Order #3 to the LBC Watershed Site 20 rehabilitation project as presented. The motion was seconded by Treasurer Schneider and approved by a vote of 4-0.

Clarno presented for consideration and possible action to approve the Modification/Change Orders #1 through #4 to the Lower Brushy Creek Watershed Site 12/22 repair project in the amount of \$28,194.00. A motion was made by Secretary Masters to approve the Modification/Change Orders #1 through #4 as presented. The motion was seconded by Vice President Ging and approved by a vote of 4-0.

Clarno presented for consideration and discussion the proposed FY 22 budget. A final budget proposal will be presented at the August 2021 Board Meeting.

Clarno presented the General Manager's Report. Clarno shared Operation and Maintenance updates. There were no other director's comments.

There being no further business, the meeting was adjourned without objection at 8:35 am.

Respectfully submitted:

Monica P Masters
Secretary

LOWER BRUSHY CREEK WCID
FY 21 Account Register
 For the period ending July 31, 2021

Balance as of July 1, 2021

TexPool Acct (General Fund)
 TexPool Acct (Rainy Day Fund)
 City National Bank

\$347,573.25
 \$100,008.04
\$92,384.16

Total Funds Available

\$539,965.45

Income

07/15/21 TSSWCB
 07/21/21 TexPool
 07/23/21 TSSWCB
 07/23/21 TSSWCB
 various TexPool (General Fund)
 07/31/21 TexPool (General Fund)
 07/31/21 TexPool (Rainy Day Fund)

Site 12 & 22 Repair
 Transfer from TexPool to Checking
 Site 12 & 22 Repair
 Site 12 & 22 Repair
 Tax Revenue- June
 Interest Posted
 Interest Posted

\$257,636.21
 \$30,000.00
 \$2,677.50
 \$31,815.00
 \$1,808.02
 \$5.40
 \$1.57

Total Income

\$323,943.70

Expenses

07/06/21 1760 TerraSol LLC
 07/08/21 1756 RTS Connect
 07/15/21 1759 HWH
 07/15/21 1763 Clark L Jackson
 07/19/21 1761 Freese & Nichols
 07/19/21 1765 Williamson County Appraisal District
 07/20/21 1767 Heritage Office Suites
 07/21/21 TexPool (General Fund)
 07/27/21 1762 Clarno Consulting LLC
 07/27/21 1768 Clarno Consulting LLC
 07/27/21 1769 Solid Bridge Construction

Invoices May thru June
 Media/Communications Consulting- J
 Site 20
 Accounting Services
 Engineering Services
 Quarterly Fees
 Monthly Rent & Expenses- July
 Transfer from TexPool to Checking
 Site 12 & 22 Repair
 Salary & Mileage
 Site 12 & 22 Repair

\$14,600.00
 \$1,000.00
 \$65,398.25
 \$350.00
 \$6,516.13
 \$711.00
 \$947.00
 \$30,000.00
 \$11,094.38
 \$3,250.00
\$246,541.83

Total Expenses

\$380,408.59

Balance as of 07/31/21

TexPool Acct (General Fund)
 TexPool Acct (Rainy Day Fund)
 City National Bank Acct

\$319,386.67
 \$100,009.61
\$64,104.28

Total Funds Available

\$483,500.56

Prepared 08/06/21

LOWER BRUSHY CREEK WCID
DRAFT FY 22 BUDGET
As of 8/9/21

BUDGET SUMMARY	FY 20 Budget (Approved)	FY 21 Budget (Approved)	FY 22 Budget (Draft)
<u>INCOME</u>			
Property Tax Income	\$439,454.39	\$462,000.00	\$580,000.00
TSSWCB ¹ Maintenance Grants	\$220,500.00	\$226,800.00	\$368,550.00
TSSWCB ¹ Repair Grants	\$1,575,000.00	\$1,169,500.00	\$99,275.00
TSSWCB ¹ Rehabilitation/Upgrade Grants	\$1,040,000.00	\$817,600.00	\$3,633,840.00
Other Income	\$500.00	\$1,800.00	\$1,200.00
TOTAL INCOME	\$3,275,454.39	\$2,677,700.00	\$4,682,865.00
<u>EXPENSES</u>			
Administrative	\$298,750.00	\$354,300.00	\$467,700.00
Dam Maintenance	\$251,000.00	\$264,000.00	\$440,000.00
Dam Repairs	\$1,650,000.00	\$1,172,315.00	\$104,000.00
Dam Rehabilitation/Upgrade	\$1,040,000.00	\$830,000.00	\$3,610,000.00
TOTAL EXPENSES	\$3,239,750.00	\$2,620,615.00	\$4,621,700.00
SURPLUS/DEFICIT (09/30/22)	\$35,704.39	\$57,085.00	\$61,165.00

Notes:

1. TSSWCB is the Texas State Soil and Water Conservation Board

LOWER BRUSHY CREEK WCID
DRAFT FY 22 BUDGET
As of 8/9/21

ADMINISTRATIVE INCOME AND EXPENSES	FY 20 Budget (Approved)	FY 21 Budget (Approved)	FY 22 Budget (Draft)
<u>ADMINISTRATIVE INCOME</u>			
Property Tax Income	\$439,454.39	\$462,000.00	\$580,000.00
Other Income			
Williamson County	\$0.00	\$0.00	\$0.00
Permits, fees and interest	\$500.00	\$1,800.00	\$1,200.00
Total Other Income	\$500.00	\$1,800.00	\$1,200.00
TOTAL ADMINISTRATIVE INCOME	\$439,954.39	\$463,800.00	\$581,200.00
<u>ADMINISTRATIVE EXPENSES</u>			
Administrative Expenses			
General Manager (incl accounts payable)	\$61,000.00	\$36,000.00	\$72,000.00
District Clerk	\$12,000.00	\$15,000.00	\$15,000.00
Directors Fees (12 regular + 3 special meetings)	\$7,500.00	\$7,500.00	\$7,500.00
Professional Services - Accounting	\$4,000.00	\$4,800.00	\$4,800.00
Professional Services - Auditing	\$13,500.00	\$14,000.00	\$17,000.00
Professional Services - Communciations	\$12,000.00	\$18,000.00	\$18,000.00
Professional Services - Engineering/Surveying			
<i>General</i>	\$2,000.00	\$2,000.00	\$0.00
<i>Inspection of all dams</i>	\$45,000.00	\$40,000.00	\$30,000.00
<i>Breach maps for Emergency Action Plans</i>	\$90,000.00	\$50,000.00	\$75,000.00
<i>Emergency Action Plan updates</i>		\$40,000.00	\$30,000.00
<i>Other</i>		\$50,000.00	\$50,000.00
Total Engineering/Surveying	\$137,000.00	\$182,000.00	\$185,000.00
Professional Services - Legal	\$6,000.00	\$10,000.00	\$12,000.00
Professional Services - USGS guage installation & maintenance	\$0.00	\$25,500.00	\$40,000.00
Advertising/Legal Notices	\$1,000.00	\$4,000.00	\$8,000.00
Bonds/Insurance	\$1,500.00	\$1,800.00	\$2,000.00
Dues/Subscriptions/Prof Development	\$2,500.00	\$2,500.00	\$3,000.00
Meals/Entertainment	\$500.00	\$500.00	\$500.00
Office - Rental/deposits		\$6,500.00	\$12,000.00
Office - Furniture/equipment		\$2,000.00	\$1,000.00
Office - Supplies	\$600.00	\$800.00	\$3,500.00
Postage/PO Box/Delivery Charges	\$300.00	\$400.00	\$600.00
Travel/Mileage	\$3,500.00	\$3,500.00	\$6,400.00
Website	\$1,600.00	\$2,400.00	\$2,400.00
Williamson Central Appraisal District	\$3,800.00	\$4,000.00	\$4,800.00
Williamson County - Election Office	\$18,000.00	\$0.00	\$25,000.00
Williamson County - Tax Collector/Assessor	\$4,200.00	\$4,800.00	\$5,200.00
Misc. (5% contingency)	\$8,250.00	\$8,300.00	\$22,000.00
TOTAL ADMINISTRATIVE EXPENSES	\$298,750.00	\$354,300.00	\$467,700.00

LOWER BRUSHY CREEK WCID
DRAFT FY 22 BUDGET
As of 8/9/21

GRANT INCOME AND PROJECT EXPENSES	FY 20 Budget (Approved)	FY 21 Budget (Approved)	FY 22 Budget (Draft)
<u>GRANT INCOME</u>			
TSSWCB¹ Maintenance Grants			
Maintenance (90% state/10% local)	\$210,000.00	\$216,000.00	\$351,000.00
Maintenance (5% admin fee)	\$10,500.00	\$10,800.00	\$17,550.00
Total TSSWCB Maintenance Grants	\$220,500.00	\$226,800.00	\$368,550.00
TSSWCB¹ Repair Grants			
Sites 12 & 22 - construction ² (95% state/5% local)	\$1,500,000.00	\$1,119,100.00	\$95,000.00
Sites 12 & 22 - project management/land rights (4.5% of const)	\$75,000.00	\$50,400.00	\$4,275.00
Total TSSWCB Repair Grants	\$1,575,000.00	\$1,169,500.00	\$99,275.00
TSSWCB¹ Rehabilitation/Upgrade Grants			
Site 20 - rehabilitation (100% federal and state/0% local)	\$1,000,000.00	\$200,000.00	
Site 20 - project management/land rights (100% grants/0% local)	\$40,000.00	\$10,000.00	
Site 18 - upgrade to high hazard ^{3,4} (98% state/2% local)		\$588,000.00	\$3,528,000.00
Site 18 - project management/land rights (3.0% of const)		\$19,600.00	\$105,840.00
Total TSSWCB Rehabilitation/Upgrade Grants	\$1,040,000.00	\$817,600.00	\$3,633,840.00
TOTAL GRANT INCOME	\$2,835,500.00	\$2,213,900.00	\$4,101,665.00
<u>PROJECT EXPENSES</u>			
Dam Maintenance			
Grant funded maintenance (incl 10% match)	\$231,000.00	\$240,000.00	\$240,000.00
Grant funded fence replacements (incl 10% match)			\$150,000.00
Other (non-grant funded maintenance and fencing)	\$20,000.00	\$24,000.00	\$50,000.00
Total Dam Maintenance	\$251,000.00	\$264,000.00	\$440,000.00
Dam Repairs			
Site 12 & 22 - construction ² (incl 5% local match)	\$1,575,000.00	\$1,121,915.00	\$100,000.00
Site 12 & 22 - project management/legal/land rights	\$75,000.00	\$50,400.00	\$4,000.00
Total Dam Repairs	\$1,650,000.00	\$1,172,315.00	\$104,000.00
Dam Rehabilitation			
Site 20 - rehabilitation (incl 0% match)	\$1,000,000.00	\$200,000.00	
Site 20 - project management/legal/land rights	\$40,000.00	\$10,000.00	
Site 18 - upgrade to high hazard stds ^{3,4} (incl 2% match)		\$600,000.00	\$3,600,000.00
Site 18 - project management/legal/land rights		\$20,000.00	\$10,000.00
Total Dam Rehabilitation/Upgrade	\$1,040,000.00	\$830,000.00	\$3,610,000.00
TOTAL PROJECT EXPENSES	\$2,941,000.00	\$2,266,315.00	\$4,154,000.00

Notes:

1. TSSWCB is the Texas State Soil and Water Conservation Board
2. Repairs to Sites 12 and 22 assumed to take 6-8 months and be completed in the fall of 2021
3. Construction of Site 18 assumed to take 12-15 months and be started in 4th quarter of FY 21
4. Preliminary construction cost estimate is \$3.8 million

**LOWER BRUSHY CREEK WCID
DRAFT FY 22 BUDGET
As of 8/9/21**

Williamson Central Appraisal District
Tax Year 2021 Certified Appraisal Roll Information
As of July 22, 2021

Lower Brushy Creek WCID FY 21 Tax Rate		\$0.02/\$100.00
	Total taxable value within Lower Brushy Creek WCID	Property Tax Revenue
Total Certified Taxable Value (100% Receivable)	\$2,998,986,220	\$599,797
Total taxable value still being evaluated by Williamson Central Appraisal Board Review (Estimated 70% Receivable)	\$19,821,771	\$2,775
Maximun Expected FY 22 Tax Revenue		\$602,572

at 98% collection	\$590,520.85
at 96% collection	\$578,469.40
Recommended	\$580,000.00

**ORDINANCE #2021-01
ORDER**

**AN ORDER LEVYING TAXES FOR THE MAINTENANCE AND OPERATION
OF THE LOWER BRUSHY CREEK WATER CONTROL & IMPROVEMENT
DISTRICT.**

BE IT ORDERED BY THE BOARD OF THE LOWER BRUSHY CREEK WATER
CONTROL & IMPROVEMENT DISTRICT:

I.

That there is hereby levied and there shall be collected for the maintenance and operation of the LOWER BRUSHY CREEK WATER CONTROL & IMPROVEMENT DISTRICT, for the Tax Year 2021, upon all property within the corporate limits of said District subject to taxation, real, personal and mixed, a tax of two cents (\$0.02) on each One Hundred Dollars (\$100.00) valuation of property.

II.

The Board hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Order was adopted was posted and that such meeting was open to the public as required by law at all time during which this Order and the subject matter hereof was discussed, considered, and formally acted upon as required by the Open Meetings Act, Chapter 551, Texas Local Government Code, as amended.

READ and APPROVED on this the 13th day of September 2021.

By:

Edmond S. Komandosky
Board President

ATTEST:

By:

Monica P. Masters
Board Secretary