



LOWER BRUSHY CREEK WCID
Regular Called Meeting of the Board of Directors

Edmond S Komandosky, President
Scott Ging, Vice President
Monica P Masters, Secretary/Treasurer
Allen R David, Director
Laine Holman, Director

AGENDA

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 October 21, 2024 at 7:30 am** at the Greater Taylor Chamber of Commerce, 1519 North Main Street, Taylor, Texas 76574 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. Consent Agenda – *the items on the consent agenda are considered routine by the District and will be enacted by one motion. There will be no separate discussion of the items unless requested by a Board member, in which event the item will be removed from the consent agenda and considered during the meeting.*
 - a. Minutes for the *Regular Called Meeting of September 9, 2024;*
 - b. Financial Reports for *August & September 2024*
4. Consideration and approval of Amendment to the Modification of Districts Flood Control Structure Easement and Inundation Easements Policy.
5. Agency Reports
6. Consideration and discussion of the General Manager's Report and update;
7. Executive Session as authorized by Section 551.072 (Deliberations regarding Real Property) of Chapter 551, Title 5 of the Texas Local Government Code: proposed easement acquisition and land values associated with the LBC Site 18 Upgrade Project;
8. Reconvene to open session to take action, if any, on matters discussed in the Executive Session;
9. Director's comments
10. 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 October 21, 2024, agenda of items to be considered by the Board of Directors of the Lower Brushy Creek WCID was posted on or before 5:00 pm on October 15, 2024.

Sue Lilly

Sue Lilly
District Clerk

Minutes of the September 9, 2024
Meeting of the Board of Directors of the Lower Brushy Creek WCID

President Ed Komandosky called the Regular Meeting of the Board of Directors of the Lower Brushy Creek WCID to order at 7:33am on Monday September 9, 2024 and announced that a Quorum was present. Board members present included: Vice President Scott Ging, Secretary/Treasurer Monica Masters, and Director Laine Holman. Others present included, General Manager Jim Clarno, Communication Consultant Richard Stone, District Clerk Sue Lilly, Tyler and Allen Douthitt with Bott & Douthitt, PLLC, Board Attorney Mark Schroeder, and citizens Marvin and Kay Pavlicek.

President Komandoky opened a Public Hearing regarding the FY 24 Tax Rate at 7:34a.

Citizen Kay Pavlicek asked questions related to site 18. No actions were taken.

Director Allen David joined the meeting at 7:38a.

General Manager, Jim Clarno, presented for consideration and approval the Consent Agenda as presented. A motion to remove items b. (Financial Reports for July 2024) and item g. (Consulting Services Agreement for FY25 with Ancira Strategic Partner, LLP) from the Consent Agenda was made by Director Laine Holman. The motion to remove items b & g from the Consent Agenda was seconded by Director David Allen and approved by a vote of 5-0. The motion to approve the Consent Agenda (with items b and g removed) was made by Director Holman. The motion to approve the Consent Agenda (with items b and g removed) was seconded by Director Allen and approved by a vote of 5-0.

Clarno presented the Financial Reports for July 2024 for discussion and approval. A motion was made by Director Holman to approve the Financial Reports for July 2024 as presented. The motion was seconded by Secretary/Treasurer Masters and approved by a vote of 5-0.

Clarno presented the Consulting Services Agreement for FY25 with Ancira Strategic Partners, LLP with the correction of dates accordingly. A motion was made by Director Holman to approve the Consulting Services Agreement with Ancira Strategic Partners, LLP with the corrections made. The motion was seconded by Director Allen and approved by a vote of 5-0.

Clarno presented for consideration and approval the Contract Agreement with TerraSol, LLC for FY25 O&M and related services as presented. A motion was made by Director Allen to approve the Contract Agreement with TerraSol, LLC for FY25 O&M and related services as presented. The motion was seconded by Vice President Ging and approved by a vote of 5-0.

Clarno presented for approval to abandon the easement granted by Charles F and Alice Becker for LBCW Floodwater Retarding Structure No 25, dated September 24, 1969, which was never built. A motion was made by Director Laine Holman to approve the abandonment of the easement at Site 25, as presented. The motion was seconded by Vice President Ging and approved by a vote of 5-0.

Clarno presented for approval, the proposed FY 25 Annual Budget. A motion was made by Vice President Ging to approve the FY25 Budget as presented. The motion was seconded by Director Allen and approved by a vote of 5-0.

President Komandoky closed the Public Hearing regarding the FY24 Tax Rate at 8:24a. There were no citizens communications.

President Komandosky presented for consideration the adoption of an order setting the FY24 Tax Rate of \$0.016546 per one hundred dollars valuation of property, as presented. A motion was made by Treasurer/Secretary Masters to approve the FY 24 tax rate as presented. The motion was seconded by Director Allen and approved by a vote of 5-0.

There were no agency reports.

Clarno presented the General Manager's Report and Update. No actions were taken.

President Komandosky opened an Executive Session at 8:44am, as authorized by Section 551.072 (Deliberations regarding Real Property) and Section 551.074 (Deliberations regarding Personal Matters) of Chapter 551, Title 5 of the Texas Local Government Code: easements and land values associated with the LBC Site 18 Upgrade Project
No action was taken.

The LBCWCID Regular Called Meeting of the Board of Directors reconvened at 8:59. No action was taken.

There were no other director's comments.

There being no further business, the meeting was adjourned without objection at 9:02am.

Respectfully submitted

Monica P Masters/ Secretary

Lower Brushy Creek WCID October 21, 2024

- Review Cash Activity Report, including Receipts and Expenditures
 - ☑ Action Items:
 - Review September 30, 2024 Financial Statements.

**Lower Brushy Creek WCID
Cash Activity Report
July 31, 2024 - September 30, 2024**

			<u>City National Bank</u>
			Operating Account
Reconciled Cash Balance - July 31, 2024			57,863.94
Subsequent Activity			73,556.60
<u>Vendor</u>	<u>Memo</u>		<u>Amount</u>
Texpool Transfer to City National Bank			20,000.00
Grant Revenue			74,536.46
August Debit Card Purchases			(48.00)
Ancira Strategic Partners LLP	Consulting Services - August 2024		(1,000.00)
Heritage Office Suites	Rent - August 2024		(1,028.00)
RTS Connect	Consulting Services - August 2024		(1,200.00)
Clarno Consulting LLC	General Manager Services - August 2024		(6,500.00)
Bott & Douthitt, PLLC	Accounting Services - July 2024		(2,200.00)
Edmond Komandosky	Mileage Reimbursement - April 2024		(108.87)
K Friese & Associates	Engineering Fees - July 2024		(4,827.25)
Lilly, Sue	District Clerk Services - July 2024		(484.00)
Performance Plus Inc.	Dam Maintenance - July 2024		(3,276.74)
Taylor Press	Advertising - July 2024		(307.00)
	Total Bookkeeper's Account Expenditures		<u>73,556.60</u>
Reconciled Balance - August 31, 2024			\$ 131,420.54
Subsequent Activity			(18,148.45)
<u>Vendor</u>	<u>Memo</u>		<u>Amount</u>
September Debit Card Purchases			(119.25)
Ancira Strategic Partners LLP	Consulting Services - September 2024		(1,000.00)
Clarno Consulting LLC	General Manager Services - September 2024		(6,500.00)
Heritage Office Suites	Rent - September 2024		(1,028.00)
RTS Connect	Consulting Services - September 2024		(1,200.00)
Bott & Douthitt, PLLC	Accounting Services - August 2024		(2,200.00)
K Friese & Associates	Engineering Fees - August 2024		(2,857.00)
Lilly, Sue	District Clerk Services - August 2024		(601.95)
Mathews & Freeland, LLP	Legal Fees - August 2024		(960.00)
Ross, Molina, Oliveros, PC	Profession Services - August 2024		(425.00)
Williamson Central Appraisal District	Appraisal Fees - Q4 2024		(1,257.25)
	Total Bookkeeper's Account Expenditures		<u>(18,148.45)</u>
Reconciled Balance - September 30, 2024			\$ 113,272.09

Lower Brushy Creek WCID
Cash/Investment Activity Report
July 31, 2024 - September 30, 2024

	Interest Rates	Balance 7/31/2024	Receipts	Subsequent Disbursements	Subtotal 9/30/2024	Projected Balance 9/30/2024
General Fund -						
City Not on Bank Account	n/a	\$ 101,058.72	\$ 115,596.96	\$ (103,383.37)	\$ 113,272.31	\$ 113,272.31
TexPool - General Operating	4.9073%	710,414.97	11,043.54	(20,000.00)	701,458.51	701,458.51
TexPool - Rainy Day Fund	4.9073%	220,322.88	1,930.62	-	222,253.50	222,253.50
Total - General Fund		1,031,796.57	128,571.12	(123,383.37)	1,036,984.32	1,036,984.32
Total - All Funds		\$ 1,031,796.57	\$ 128,571.12	\$ (123,383.37)	\$ 1,036,984.32	\$ 1,036,984.32

Lower Brushy Creek WCID
 SCHEDULE OF TEMPORARY INVESTMENTS
 July 1, 2024 - September 30, 2024

FUNDS	IDENTIFICATION	INTEREST RATE	INTEREST 7/1 - 9/30	BEG. BK VAL 7/1/2024	END. BK VAL 9/30/2024	BEG. MKT VAL 7/1/2024	END. MKT VAL 9/30/2024	G/L ACCOUNT
GENERAL FUND:								
	TexPool - Operating Account							
	Texas Local Government Investment Pool	4.9073%	9,637.41	776,134.59	701,458.51	776,134.59	701,458.51	1100
	TexPool - Rainy Day Fund							
	Texas Local Government Investment Pool	4.9073%	2,921.13	219,332.37	222,253.50	219,332.37	222,253.50	1101
TOTAL GENERAL OPERATING FUND			12,558.54	995,466.96	923,712.01	995,466.96	923,712.01	
TOTAL ALL FUNDS			12,558.54	995,466.96	923,712.01	995,466.96	923,712.01	

This quarterly report is in full compliance with the investment strategy as established for the Public Funds Investment Act (Chapter 2459, amending Chapter 2256); and Investment Policy and Strategies set forth by the District.

Marilyn Galt
 M. Galt
 District

Recap & Standings Report

WTAXSaas

Cycles: All Taxing Units: Coupland ISD... Deposit Date Range: 10/01/2023 to 09/30/2024 Sorted By: By Year, Descending Options: Separate Rollbacks, Include

Property Tax
 W13 (Lower Brushy Cr WC&ID)
 Taxing Unit Totals (IS,MO,SA)

2023 Fiscal Year: 10/01/2023 - 09/30/2024

	Original Roll	Uncollected	Req. Adjustments	Adjusted Uncollected	Collections	Collected	P&I	Credits / Discounts Allowed	Atty. Fee Collected	Variance	Uncollected Balance YTD	Collected YTD
2025	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2024	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2023	841,540.38	0.00	834,528.32	834,528.32	827,519.78	3,433.38	-912.31	1,137.11	1.12	7,921.97	826,606.35	
2022	758,373.38	7,120.06	-1,445.40	5,674.66	3,616.65	1,040.22	59.70	789.04	0.13	1,998.44	3,676.22	
2021	577,067.74	1,933.82	-533.20	1,400.62	346.74	120.38	10.55	56.80	0.00	1,043.33	357.29	
2020	484,724.15	1,530.78	-608.42	922.36	-93.70	57.54	3.54	15.33	0.00	1,012.52	-90.16	
2019	440,890.17	1,062.42	-7.14	1,055.28	70.59	44.11	2.98	13.78	0.00	981.71	73.57	
2018	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2017	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2016	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2015	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2014	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2013	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2012	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2011	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2010	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2009	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2008	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2007	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2006	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2005 & prior	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Summary												
Total Current	841,540.38	0.00	834,528.32	834,528.32	827,519.78	3,433.38	-912.31	1,137.11	1.12	7,921.97	826,606.35	
Total Delinquent	2,261,055.44	11,647.08	-2,594.16	9,052.92	3,940.28	1,262.25	76.77	874.95	0.13	5,036.00	4,016.92	
Rollbacks		135.87	2,567.33	2,703.20	768.78	10.42	0.00	0.00	0.00	1,934.42	768.78	
Taxing Unit Total	3,102,595.82	11,782.95	834,501.49	846,284.44	832,228.84	4,706.05	-835.54	2,012.06	1.25	14,892.39	831,392.05	
Percentages												
% of Roll Collected - 2023 - 99.05%	Adjusted Original Roll -- \$834,528.32											Current YTD Collected -- \$826,606.35
Tax Collections Compared to Current Taxes Billed 0% Collected												
All Collections Compared to Current Taxes Billed 0% Collected												
Combined Collections (Collections + P&I Collected) -- 836,934.89												

Lower Brushy Creek WCID
Accountant's Compilation Report
September 30, 2024

The District is responsible for the accompanying financial statements of the governmental activities of Lower Brushy Creek WCID, as of and for the twelve months ended September 30, 2024, which collectively comprise the District's basic financial statements – governmental funds in accordance with the accounting principles generally accepted in the United States of America. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

The District has omitted the management's discussion and analysis, the Statement of Net Assets, and Statement of Activities that the Governmental Accounting Standards Board required to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historic context.

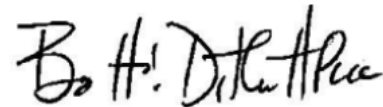
In addition, the District has elected to omit substantially all of the disclosures and the statement of cash flows required by accounting principles generally accepted in the United States of America. If the omitted disclosures and the statement of cash flows and the components required by GASB 34 were included in the financial statements, they might influence the user's conclusions about the District's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

Accounting principles generally accepted in the United States of America require that budgetary comparison information be presented to supplement the basic financial statements. Such information is presented for purposes of additional analysis and, although not a required part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting and for placing the basic financial statements in an appropriate operational, economic, or historical context. Such information is the responsibility of management. The required supplementary information was subject to our compilation engagement. We have not audited or reviewed the required supplementary information and do not express an opinion, a conclusion, nor provide any assurance on such information.

Supplementary Information

The supplementary information contained in the schedules described in the Supplementary Information Index is presented for purposes of additional analysis and is not a required part of the basic financial statements. This information is the representation of management. The information was subject to our compilation engagement, however, we have not audited or reviewed the supplementary information and, accordingly, do not express an opinion, a conclusion, nor provide any form of assurance on such supplementary information.

We are not independent with respect to Lower Brushy Creek WCID.



October 21, 2024
Round Rock, TX

Bott & Douthitt, PLLC

Lower Brushy Creek WCID Governmental Funds Balance Sheet 9/30/2024

	Governmental Funds
	General Fund
Assets	
Cash and Cash Equivalents	
Cash	\$ 113,272.09
Cash Equivalents	923,712.01
Receivables	
Property Taxes	14,892.39
Total Assets	\$ 1,051,876.49
 Liabilities	
Accounts Payable	\$ 74,517.61
Total Liabilities	74,517.61
 Deferred Inflows of Resources	
Property Taxes	14,892.39
Total Deferred Inflows of Resources	14,892.39
 Fund Balance	
Fund Balances:	
Unassigned	962,466.49
Total Fund Balances	962,466.49
Total Liabilities, Deferred Inflows of Resources and Fund Balance	\$ 1,051,876.49

**Lower Brushy Creek WCID
Statement of Revenues,
Expenditures & Changes in Fund Balance-Governmental Funds
October 1, 2023 - September 30, 2024**

	Governmental Funds
	General Fund
Revenues:	
Property Tax Revenue, including penalties	\$ 836,878.85
Grant Revenue	95,596.74
Interest & Other Income	49,598.53
	982,074.12
Total Revenues	982,074.12
Expenditures:	
Current-	
Operating Expenses -	
Dam Rehabilitation	31,682.50
Dam Maintenance	207,394.16
Administrative Services -	
Advertising/Legal Notice	1,837.00
Dues/Subscriptions/Professional Development	3,144.76
Insurance	2,366.70
Meals & Entertainment	286.16
Office Supplies	471.87
Director Fees	3,000.00
Travel & Mileage	6,622.87
Tax Appraisal Fees	5,029.00
Tax Collection Fees	7,913.20
Office Contract Labor	4,480.13
Postage/Delivery Charges	503.25
Rent Expense	12,387.40
Miscellaneous Expense	2,387.97
Professional Fees -	
Legal Fees	22,997.50
Accounting Fees	16,400.00
Engineering Fees	91,659.99
USGS	30,937.50
General Manager	72,000.00
Auditing Fees	10,500.00
Other Consulting Fees	27,443.30
	561,445.26
Total Expenditures	561,445.26
Excess/(Deficiency) of Revenues over Expenditures	420,628.86
Fund Balance, October 1, 2023	541,837.63
Fund Balance, September 30, 2024	\$ 962,466.49

Supplementary Information
Index

General Fund

- Budgetary Comparison Schedule
- Revenue & Expenditures: Actual + Budgeted

Lower Brushy Creek WCID
Budgetary Comparison Schedule-General Fund
September 30, 2024

	Current Month			Year to Date		
	Actual	Budget	Difference	Actual	Budget	Difference
Revenues:						
Property Taxes, including penalties	\$ 1,925.99	\$ -	\$ 1,925.99	\$ 836,878.85	\$ 825,000.00	\$ 11,878.85
Grant Income	-	54,939.72	(54,939.72)	95,596.74	76,000.00	19,596.74
Interest Income	3,898.98	2,500.00	1,398.98	49,598.53	30,000.00	19,598.53
Total Revenues	<u>5,824.97</u>	<u>57,439.72</u>	<u>(51,614.75)</u>	<u>982,074.12</u>	<u>931,000.00</u>	<u>51,074.12</u>
Expenditures:						
Administrative Expenses						
General Manager	6,000.00	6,000.00	-	72,000.00	72,000.00	-
District Clerk	-	1,250.00	1,250.00	4,480.13	15,000.00	10,519.87
Director Fees	-	1,875.00	1,875.00	3,000.00	7,500.00	4,500.00
Accounting Fees	2,200.00	450.00	(1,750.00)	16,400.00	5,400.00	(11,000.00)
Audit Fees	-	-	-	10,500.00	10,500.00	-
Consulting fees	3,200.00	2,583.33	(616.67)	27,443.30	31,000.00	3,556.70
Legal Fees	-	1,666.67	1,666.67	22,997.50	20,000.00	(2,997.50)
Advertising/Legal Notices	-	833.33	833.33	1,837.00	10,000.00	8,163.00
Bonds/Insurance	-	-	-	2,366.70	2,000.00	(366.70)
Dues/Subscriptions/Professional Development	1,500.00	166.67	(1,333.33)	3,144.76	2,000.00	(1,144.76)
Meals/Entertainment	-	166.67	166.67	286.16	2,000.00	1,713.84
Rent	1,028.00	1,166.67	138.67	12,387.40	14,000.00	1,612.60
Office Supplies	-	166.67	166.67	471.87	2,000.00	1,528.13
Postage/PO Box/Delivery Charges	71.25	41.67	(29.58)	503.25	500.00	(3.25)
Travel/Mileage	500.00	541.67	41.67	6,622.87	6,500.00	(122.87)
Website	-	100.00	100.00	-	1,200.00	1,200.00
Williamson County - Election Office	-	25,000.00	25,000.00	-	25,000.00	25,000.00
Tax Appraisal Fees	1,257.25	1,375.00	117.75	5,029.00	5,500.00	471.00
Williamson County Tax Collector	-	-	1,375.00	7,913.20	5,000.00	(2,913.20)
Miscellaneous	48.00	991.66	943.66	2,387.97	11,900.00	9,512.03
Engineering Expenses						
Engineering/Surveying	4,464.04	18,166.67	13,702.63	91,659.99	218,000.00	126,340.01
USGS	-	10,313.00	10,313.00	30,937.50	41,250.00	10,312.50
Operating Expenses						
Dam Maintenance	-	20,000.00	20,000.00	207,394.16	240,000.00	32,605.84
Dam Repairs	-	22,916.67	22,916.67	-	275,000.00	275,000.00
Dam Rehabilitation	-	10,416.67	10,416.67	31,682.50	125,000.00	93,317.50
Total Expenditures	<u>20,268.54</u>	<u>126,187.99</u>	<u>107,294.45</u>	<u>561,445.26</u>	<u>1,148,250.00</u>	<u>586,804.74</u>
Excess/(Deficiency) of Revenues over Expenditures	<u>\$ (14,443.57)</u>	<u>\$ (68,748.27)</u>	<u>\$ 55,679.70</u>	<u>\$ 420,628.86</u>	<u>\$ (217,250.00)</u>	<u>\$ 637,878.86</u>

LOWER BRUSHY CREEK WCID

APPROVED BOARD POLICY

MODIFICATION OF DISTRICTS FLOOD CONTROL STRUCTURE EASEMENT AND INUNDATION EASEMENTS

GENERAL INFORMATION

Each request for modification of an existing Lower Brushy Creek WCID (District) easement for Flood Control Structures or the Inundation Easement area will require completing a District Application Form, available from the District's General Manager. The original and three (3) copies of the completed Application Form and any required supporting documents or information, along with the required fee will be submitted to the General Manager.

The District's approval of any request for modification of an easement will be contingent on the approval of the State Office of the United States Department of Agriculture, Natural Resources Conservation Service (NRCS).

APPLICATION FOR CONSTRUCTION INVOLVING CUT AND FILL ACTIVITY - (TYPE I)

SUBMITTAL REQUIREMENTS

1. A description of the proposed construction or development activity to occur within the easement area;
2. A map in the same format as the City or County construction permitting authority, showing the District's Flood Control Structure and Inundation Easement and identifying the general area of the proposed construction or development work;
3. A plat of the property as it exists at the time of completing the application, and a copy of any proposed or pending plats for development that show plans, elevations, and other details regarding the construction of any roads, buildings or other structures proposed to be built within the District's easements;
4. Cross-sections, copies of cut/fill calculations, and a summary of volumes of any proposed earthwork within the District's easement;
5. Copies of any submitted and/or approved City or County Flood Plain Development Permit Applications, for any proposed construction work within the District's easement which is also in or adjacent to a designated flood plain. Also copies of any additional drainage studies or requirements that are made a part of the City or County permitting process;

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6. Tax certificate from the County Tax Assessor-Collector showing that all real property taxes are paid on the subject property; and
7. A proposed time schedule indicating a start date and a completion date of the proposed construction work, including any significant milestones of the plat or development plan. The time schedule will provide for at least ninety (90) days for the General Manager and District's Board Attorney and the NRCS to review the application and for the Board of Directors to act upon the General Manager's recommendation.

APPLICATION FOR CONSTRUCTION WITH NO CUT AND FILL ACTIVITY

{TYPE II}

SUBMITTAL REQUIREMENTS

1. A description of the proposed construction or development activity to occur within the easement area;
2. A map in the same format as the City or County construction permitting authority, showing the District's Flood Control Structure and Inundation Easement and identifying the general area of the proposed construction or development work;
3. A plat of the property as it exists at the time of completing the application, and a copy of any proposed or pending plats for development that show plans, elevations, and other details regarding the construction of any roads, buildings or other structures proposed to be built within the Districts easements;
4. Copies of any submitted and/or approved City or County Flood Plain Development Permit Applications, for any proposed construction work within the District's easement which is also in or adjacent to a designated flood plain. Also copies of any additional drainage studies or requirements that are made a part of the City or County permitting process;
5. Tax certificate from the County Tax Assessor-Collector showing that all real property taxes are paid on the subject property; and
6. A proposed time schedule indicating a start date and a completion date of the proposed construction work, including any significant milestones of the plat or development plan. The time schedule will provide for at least ninety (90) days for the District (Engineer and Attorney) and the NRCS to review the application and for the Board of Directors to act upon the General Manager's recommendation.

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SPECIAL INUNDATION EASEMENT REQUIREMENTS

The District and the NRCS require that any cuts for any proposed earthwork upstream of the District's Structures shall come from the same or lower elevation than the fills placed, to insure that each vertical portion of the reservoir volume does not change or is increased by the proposed construction work. Any volume of fill placed below the top of the dam elevation will be compensated for with at least a twenty-five (25) per cent greater volume of cut from the same or lower elevation. Those vertical portions of the reservoir are; (a) below the principal spillway crest elevation, (b) from the principal spillway crest elevation to the auxiliary spillway crest elevation, and (c) from the auxiliary spillway crest elevation to the top of the dam elevation.

INDEMNIFICATION REQUIREMENTS

The applicant will be required to provide a recordable indemnification document in a form approved by the Board Attorney, to be recorded with any platting or subdivision activity for property that is included within any of the Districts easement rights.

Additionally, the applicant agrees that no construction of inhabitable structures will be allowed within the easement area. Construction outside the easement area will be under the authority of the appropriate City or County floodplain regulations.

CONSTRUCTION ACTIVITY

The applicant will be required to (a) notify the District prior to initiating any construction work within the District's easement, (b) completely restore and re-vegetate the land affected by the construction, (c) notify the District of the date of the final inspection of the project, (d) provide "Record Drawings" of the work performed, and (e) verify any cut/fill calculations based on final elevations and contours of the site following construction.

The applicant will initiate construction within twelve (12) months of the District and the NRCS approval of the application request or the approval may be considered revoked by the District.

REQUEST FOR MODIFICATION OF EASEMENT BOUNDARY

SUBMITTAL REQUIREMENTS

1. A map, in the same format as the County or City that has planning and/or subdivision regulatory authority over the property, will be provided showing the District's Flood Control Structure and identifying the general area of the proposed easement modification or the area proposed to be released.

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2. If the property being requested for release or modification of the District's easement is being subdivided and/or developed, then a copy of the proposed plat and development plans will also need to be provided.
3. A survey showing the proposed easement modification or the area proposed to be released relative to the District's flood control easement elevation, and the top of dam elevation. Such survey shall bear the seal of a Registered Professional Surveyor of the State of Texas.
4. A suggested form or documentation for the easement modification or release. This document should be in a format that is acceptable to Williamson County for recording and will need to be approved by the Board Attorney and the state office of NRCS.

FEES REQUIRED

1. Each APPLICATION FOR TYPE (I) OR (II) AND REQUEST FOR EASEMENT MODIFICATION will require the payment of the fee, as listed in the District's Fee Schedule, for review of the application, site inspection, and legal review for each request for proposed construction of buildings, roadways, and cuts/fills within and District flood control easement.
2. If any construction work, which is listed in the APPLICATION FOR TYPE (I) OR (II), is commenced prior to formal approval by the Board of Directors of the District; then the required fee will be 150 % of that Fee listed in the District Fee Schedule.
3. Each REQUEST FOR MODIFICATION OF EASEMENT BOUNDARY will require the payment of the fee, as listed in the District's Fee Schedule, for review of the request, site inspection, legal review, and Williamson or Milam County filing fees for the easement modification or release.

REVIEW AND INSPECTION

The General Manager will review each APPLICATION and REQUEST for completeness. The General Manager will inspect the site as part of the District's review of the APPLICATION or REQUEST.

A copy of the complete APPLICATION or REQUEST will be sent to the NRCS for their review and recommendation, and a copy will be provided to the Board Attorney for review.

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BOARD OF DIRECTORS REVIEW

The General Manager will prepare a written recommendation to the Board of Directors for each APPLICATION and REQUEST submitted to the District, after first reviewing the proposal with the Board Attorney. The APPLICATION or REQUEST will be placed on the next regular Board meeting for consideration and action by the Board of Directors. The Districts approval of any request for modification of an easement will be contingent on the approval of the State Office of the United States Department of Agriculture, Natural Resources Conservation Service. No work within any District Flood Control Easement will commence prior to formal action by the Board of Directors. Any work which is commenced prior to such Board action will be entirely at the applicant's risk and may be subject to legal action by the District.

EFFECTIVE DATE

This amended policy will become effective upon adoption by the Board of Directors.

DATED AT TAYLOR, TEXAS ON THIS 21st DAY OF OCTOBER 2024.

APPPROVED:

Edmond S. Komandosky, President

ATTEST:

Monica P. Masters, Secretary/Treasurer

APPROVED AS TO FORM:

Mark J. Schroeder, Board Attorney

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DISTRICT FEE SCHEDULE

1. **Request for Construction involving Cut and Fill Activity - Type I**
 - Application Review and Processing \$10,000

2. **Request for Construction with no Cut or Fill Activity - Type II**
 - Application Review and Processing \$10,000

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3. Request to Abandon Easement

- | | |
|-------------------------|---------|
| • Less than 5 acres | \$1,000 |
| • 5 acres to 50 acres | \$3,000 |
| • Greater than 50 acres | \$6,000 |

4. Request to Modify Easement Boundaries

- | | |
|-------------------------|---------|
| • Less than 5 acres | \$1,000 |
| • 5 acres to 50 acres | \$3,000 |
| • Greater than 50 acres | \$6,000 |

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