

**Minutes**  
**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**June 22-23, 2000**

Chairman Edward Albrecht called the meeting to order at 3:00 P.M. in the Board Room of the LaQuinta Conference Center, 2307 Loop 306, San Angelo, Texas. He called on Clayton Friend, Tom Green County Commissioner and Director to the Tom Green SWCD to welcome the group to San Angelo.

Board members present were:

Edward G. Albrecht, Chairman  
T. Wayne Register, Vice Chairman  
Dayton Elam, Member  
Donald Swann, Member  
James K. (Rooter) Brite, Member

Staff members present were:

Robert G. (Bob) Buckley, Executive Director  
James M. Moore, Director of Conservation Programs  
Mel Davis, Director of District Operations  
Bobbie Stephens, Director of Administration  
Kevin Wagner, Natural Resources Specialist  
Ben Wilde, Program Specialist  
Johnny Oswald, Program Administrator  
Donna Long, Program Specialist  
John Millican, Program Administrator

Others present were:

William Tuffy Wood, District Employee, North Concho River SWCD #252  
Tim Sims, Coke County SWCD #219  
Dandy Kothman, Technician, Tom Green SWCD #248  
Clayton Friend, Director, Tom Green SWCD #248  
Hugh Stone, Director, Tom Green SWCD #248  
Edwin Garner, Director, Tom Green SWCD #248  
Gary Grogan, Natural Resources Conservation Service  
J. P. Bach, Texas A & M University, Feasibility Study  
John Burt, Natural Resources Conservation Service

Salvador Salinas, Natural Resources Conservation Service  
Stephen Brown, Upper Colorado River Authority  
Fred Teagarden, Upper Colorado River Authority  
Chuck Brown, Upper Colorado River Authority  
Jose' Dodier, Assn. of Texas Soil & Water Conservation Districts  
Marty Graham, Assn. of Texas SWCDs  
William Thomas, Jr., Assn. of Texas SWCDs  
Barry Mahler, Assn. of Texas SWCDs

On motion by Dayton Elam, second by Wayne Register the minutes of the May 25, 2000 State Board meeting were approved as mailed.

Bobbie Stephens presented the District Director appointment to be considered by the State Board. She stated the appointment was in order and recommended it be approved. On motion by Dayton Elam with a second by James Brite the following appointment was approved as presented:

Charles L. Lamb, Cross Timbers SWCD #556

Bobbie Stephens explained the handout concerning the 2002-2003 Legislative Appropriation Request. (Copy Attached) The Board gave staff guidelines for developing budget figures for consideration at the July Board meeting including the following:

- Have two separate line item request for brush control cost share – one associated with the feasibility studies with the amount of \$16,500,000.00 and the second one associated with SWCD budget request items in the amount of \$1,550,000.00. The Board discussed the ramifications of delineating both brush control request but felt that each merited inclusion as an exceptional item – one for brush control to increase water yield for the State of Texas and one for brush control cost share assistance.

- Leave the SB503 program funds request of \$3,078,852.00 as a placeholder but requested James report to Board at July Board meeting detailed information as to existing funding structure of SB503 program, accomplishment and needs assessment of current priority funding and recommendations on needs of current and future priority areas with additional funds.

- The Board requested a more detailed breakout of the SWCD Budget Request "Other" category in the amount of \$2,138,762.00. Upon direction from the Board, Bobbie Stephens stated she would compile a document for the Board's review and submit to them prior to the July Board meeting.

- James Moore discussed the need for O&M funds for existing flood prevention structures where the SWCD is the only sponsor or there is no local tax revenue for assistance. The Board recommended a \$1,000,000.00 placeholder amount be placed in the Exceptional Item line item.

Bobbie Stephens explained to the Board that all figures are placeholder figures and subject to change from Board decision in July. A brief discussion was held concerning the base budget of \$28,000,000.00 and the due date of the LAR of August 11, 2000.

Bobbie Stephens presented an overview of proposed vehicle policies and procedures for the agency and explained the reason for the policy. (Copy Attached) On motion by Dayton Elam with second by James Brite, the proposed Vehicle Policies and Procedures were adopted.

Bobbie Stephens explained the request for waiver to purchase vehicles that the staff had prepared for submission to the General Services Commission.

On motion by Wayne Register, second by James Brite, the Board authorized the staff to submit the waiver request to purchase ten vehicles to the General Services Commission.

Donna Long reported on the current status of the Total Maximum Daily Load (TMDL) projects being undertaken by the State Board. (Report Attached)

James Moore discussed the safety and liability of flood control structures in Texas. He presented the board with letters from the McCulloch and San Saba SWCDs concerning this matter. James Brite stated that he would like to see the State Board pursue what would be needed to have the State Attorney General represent Soil and Water Conservation Districts in legal matters related to these flood control structures. The staff was instructed to respond to the letters from the McCulloch and San Saba SWCDs informing them that a request would be included in our next Legislative Appropriation Request for operation and maintenance funds for aging flood control structures. Staff should also inform them that a legislative solution would also be pursued to allow the Attorney General to represent Districts.

In the report from agencies and guest John Burt reported on the NRCS budget and provided the Board with the latest update on co-location of State Offices. José Dodier thanked the Board for the invitation to have the Association Board meet with the State Board and tour the brush control project.

The Board then entered into a discussion concerning the salary of the Executive Director. After a lengthy discussion, on a motion by Wayne Register,

with a second by Dayton Elam, the Board approved an increase of \$600 per year for the Executive Director by a vote of four to one with James Brite voting against.

In accordance with State law the Board went into executive session to discuss job duties and evaluation of executive director.

The Board then discussed job duties and evaluation of executive director. On motion of Dayton Elam, seconded by Wayne Register, the Board accepted the draft proposal with addition of job description.

Mr. Buckley discussed the Sunset Review hearing held on June 21, 2000 in Austin and said it went well. Four Board members were in attendance at the hearing. Discussed reviewing with staff a survey to districts to get ideas on improving district participation in elections.

The Board then discussed the process for securing the certified agenda of the Executive Session for general knowledge and the envelope was handed to Ms. Stephens.

James Moore discussed the FY00 Water Quality Cost Share report. There were 8 requests with one being complaint driven. Sam Unberhagen had investigated and found valid. The other seven on the list were not in response to complaints. On motion of Rooter Brite, seconded by Donald Swann, the Board approved funding the complaint driven cost share request and deferred the others until the July Board meeting. The Board recommended the staff ask Regional Offices call districts to find out how much FY00 water quality cost share funds would be turned back. James Moore stated the estimate from Regional Offices and Districts would be approximately \$113,104.15 unobligated at the end of June.

James Moore will report to Board unobligated amount for FY00 at the July Board meeting.

Kevin Wagner discussed that contracts had been signed and initiated with several River Authorities as of the June Board meeting using Brush Control funds. Mr. Wagner stated he had called the Red River Authority concerning the increase Rooter Brite had brought up at the May Board meeting. Mr. Wagner stated the Red River Authority was agreeable to the current contract amount.

Kevin Wagner then discussed the Brush Control Economic Analysis Feasibility Studies. J. P. Bach is working with Dr. Richard Conner and they feel all is on target. The landowner committees are going well.

The meeting adjourned at 6:00 p.m. to allow committee members to attend and participate in the planning of the Annual Statewide Meeting of Soil and Water Conservation District Directors being held in Fort Worth, Texas on October 2-4, 2000.

The Board reconvened at 11:00 a.m., Friday, June 23, 2000 to continue the Board meeting from the previous day.

The Upper Colorado River Authority presented a presentation on feasibility studies.

Johnny Oswald handed out material to the Board on the North Concho Brush Control Project. Mr. Oswald said some spraying will occur although weather conditions are not conducive, and Dow Chemical Company will not guarantee their product this summer due to weather conditions.

Mel Davis discussed the upcoming Annual Statewide Meeting of Soil and Water Conservation District Directors. He reviewed the planning committee recommendations from the previous evening. After discussion Donald Swann moved and Dayton Elam seconded that: the Radisson Plaza Hotel be designated as the headquarters hotel; the reception be a set down dinner, possibly barbecue; have a musical group play for the reception; run shuttle buses throughout the meeting; the Association of Texas Soil and Water Conservation Districts' invitational breakfast normally held Wednesday morning was recommended to be moved to Tuesday as a noon luncheon. and instructed the staff to develop a budget based on a \$35/\$10 registration fee. Motion carried. Mr. Davis discussed the budget for soft drinks and coffee from the 1999 meeting held in Lubbock. On Motion of Donald Swann, seconded by Dayton Elam, the Board approved budgeting for coffee and soft drinks again be made available for breaks during the annual meeting in Fort Worth. On motion of Dayton Elam, seconded by Donald Swann, the Board approved trying to arrange for meeting events as requested by the Auxiliary of the Association of Texas Soil and Water Conservation Districts. Dayton Elam requested staff to write Susan Combs, Commissioner of Agriculture, to speak on Tuesday or Wednesday during the General Session. By consensus it was agreed to invite Commissioner Combs to speak. After discussion and on motion of Wayne Register, seconded by Donald Swann, the Board voted with three in favor of getting a humorous speaker and Dayton Elam voting against.

Board member travel was discussed. There is a blanket policy that allows Board members to travel to national and regional NACD meetings.

On motion of Dayton Elam and seconded by Don Swann the meeting  
adjourned at 12:00 noon.

Edward W Albeck  
Chairman

Boblin J. Elam  
Secretary

July 20, 2000  
Date

I certify that the above is a true and correct copy of the minutes of the  
Board meeting held on June 22-23, 2000.

July 20, 2000  
Date

Robert L. Duckley  
Executive Director