Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
July 20, 2005

The Texas State Soil and Water Conservation Board met on July 20, 2005, at 2:30 p.m. in its Hearings Room at 311 North 5th Street, Temple, Texas.

Board members present were:

Aubrey Russell, Chairman
José Dodier, Member
Jerry Nichols, Vice Chairman
W. T. (Dub) Crumley, Member
Larry Jacobs, Member
Joe Ward, Member

Board member absent:

Reed Stewart, Member

Staff members present were:

Rex Isom, Executive Director
John Foster, Natural Resources Specialist
Kenny Zajicek, Fiscal Officer
Richard Egg, Engineer
Andy Garza, Program Administrator
Lee Munz, 319 Project Manager
Chris Higgins, Planner
Johnny Oswald, Program Administrator
Justin Lampier, Planner
Mel Davis, Program Specialist
Aaron Wendt, Watershed Coordinator
Bob Gruner, Program Specialist
Ben Wilde, Program Specialist
Joe Freeman, Program Specialist
Adrian Perez, Program Specialist
Kendria Ray, Program Specialist
David Powell, Program Specialist
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Dawn Heitman, Program Specialist
Vicki Davis, Administrative Coordinator

Others present were:

Denise Gentsch, BASF

Chairman Russell called the meeting to order at 2:30 p.m. and welcomed those present.

A work session was conducted which covered all agenda items in detail. Questions were taken and answered.

The meeting adjourned at 5:25 p.m.

Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
July 21, 2005

The Texas State Soil and Water Conservation Board met on July 21, 2005, at 8:00 a.m. in its Hearings Room at 311 North 5th Street, Temple, Texas.

Board members present were:

Aubrey Russell, Chairman
José Dodier, Member
Jerry Nichols, Vice Chairman
W. T. (Dub) Crumley, Member
Larry Jacobs, Member
Joe Ward, Member

Board member absent:

Reed Stewart, Member

Staff members present were:

Rex Isom, Executive Director
Dawn Heitman, Program Specialist
John Foster, Natural Resources Specialist
Kenny Zajicek, Fiscal Officer
Richard Egg, Engineer
Andy Garza, Program Administrator
Judy Albus, Program Administrator
Steve Jones, Program Administrator
Carter Miska, Program Administrator
Mark Cochran, Program Specialist
Bob Gruner, Program Specialist
Joe Freeman, Program Specialist
Ben Wilde, Program Specialist
Kendria Ray, Program Specialist
Adrian Perez, Program Specialist
David Powell, Program Specialist
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Johnny Oswald, Program Administrator
Justin Lampier, Planner
Lee Munz, 319 Project Manager
T. J. Helton, Planner
Chris Higgins, Planner
Aaron Wendt, Watershed Coordinator
Mel Davis, Program Specialist
Vicki Davis, Administrative Coordinator

Others present were:

George Noelke, Office of the Attorney General
Kevin Wagner, TWRI
Alan Jones, TWRI
Dexter Svetlik, Natural Resources Conservation Service
Dee Ann Burkes, Natural Resources Conservation Service
Denise Gentsch, Consultant
Tamara Daniel, Association of Soil and Water Conservation Districts

Chairman Russell called the meeting to order at 8:05 a.m. welcomed those present and gave special recognition to Mr. Ward, Mr. Jacobs and Mr. Crumley.

AGENDA ITEM 1. Reports from Agencies and Guests

Dexter Svetlik, Natural Resources Conservation Service reported on: Temple is fully staffed, new on-line Quick Hire process, civil rights reviews, Tool Kit software, CSP, EQIP, Ground & Surface Water, local workgroups and the State Technical Committee.

Denise Gentsch, Consultant, voiced her appreciation of the State Board and welcomed the new Board members.

Kevin Wagner expressed his appreciation for the years he worked at the State Board and stated he looked forward to continuing the relationship in his new role with the Water Institute.

Alan Jones, Texas Water Resources Institute reported on new administrative personnel and their use of federal funds in the Bosque.

Tamara Daniel, Association of Texas Soil and Water Conservation Districts discussed the South Central NACD meeting and the Farm Bill.

AGENDA ITEM 2. Minutes from the May 18-19, 2005 Board Meeting

Chairman Russell called for a motion to approve the minutes of the May 18-19, 2005 meeting as emailed. Mr. Dodier moved that the minutes be approved. Mr. Crumley seconded the motion. The motion passed unanimously.

AGENDA ITEM 4. Update on Internal Audit Functions for Fiscal Year 2006

Mr. Zajicek reviewed the agenda information.

AGENDA ITEM 5. Approval of Fiscal Year 2005 Internal Audits

Mr. Zajicek stated that the 2005 Internal Audit has not been completed at this time. It will be presented at the September Board meeting.

AGENDA ITEM 6. Approval of Transfer Authority for the Fiscal Year 2005 Operating Budget

Mr. Zajicek reviewed the agenda information.

Mr. Crumley moved that the Board approve authority for the Executive Director to reallocate funds within the 2005 Operating Budget to the highest priorities in order to ensure efficient and

effective use of all available resources with changes limited to $200,000 or less without Board notification and over $200,000 requiring Board notification. Mr. Nichols seconded and the motion passed unanimously.

AGENDA ITEM 7. Approval of the Fiscal Year 2006 Operating Budget

Mr. Zajicek reviewed the agenda information.

Mr. Dodier moved that the Operating Budget for Fiscal Year 2006 be approved as presented. Mr. Crumley seconded and the motion passed unanimously.

AGENDA ITEM 8. 2005 Annual State Meeting

Mr. Davis reviewed the agenda information and asked for input from the Board. Board members suggested several options for speakers and stated they would like to offer both the King Ranch Museum and Wilder Wildlife Refuge tours. It was also suggested that an NRCS segment be included in the Director Workshop. Chairman Russell appointed a State Meeting Planning Committee consisting of Chairman of the Board, President of the Association, Area III Board and Association Director and the Auxiliary President.

Mr. Dodier moved that pre-registration/on-site registration remain the same as last year and the Bayfront Plaza Convention Center be the State Meeting site. Mr. Nichols seconded and the motion passed unanimously.

AGENDA ITEM 9. 2006 Conservation Awards Program

Mr. Davis announced the 2005 Awards Program winners and reviewed the agenda information.

Mr. Dodier moved the Board approve Area I's suggestion of an experimental awards program for the coming year. Mr. Crumley seconded and the motion passed unanimously.

AGENDA ITEM 10. Approval of Flood Control Dam Rehabilitation Projects

Mr. Egg reviewed the agenda information.

Mr. Nichols moved the flood control dam rehabilitation projects be approved as presented. Mr. Dodier seconded and the motion passed unanimously.

AGENDA ITEM 11. Subdivision Boundary Changes for El Paso-Hudspeth SWCD

Mr. Wilde reviewed the agenda information.

Mr. Crumley moved the Board approve zone changes for El Paso-Hudspeth SWCD as presented. Mr. Dodier seconded and the motion passed unanimously.

AGENDA ITEM 3. District Director Appointments

Ms. Davis presented district director appointments for the Board's consideration and verified all appointees listed on the agenda were in order and met all qualifications. One set of paperwork was received after the agenda was printed: Cole Garner, Hockley County #129, Zone 3, Replace Don Mimms. Mr. Nichols moved the appointments be approved contingent upon paperwork

being received in the Temple office. Mr. Crumley seconded and the following appointments were unanimously approved:

Walter Henson, Caprock #126, Zone 5, Replace John David Harmon
Betsy Alexander, Hemphill County #138, Zone 2, Replace Charles Coffee
John Walser, Hemphill County #138, Zone 4, Replace Eddie Meadows
John Spence, El Paso-Hudspeth #205, Zone 1, Replace Tomas Villarreal
R. L. (Buck) Menges, Kerr County #217, Zone 4, Replace J. M. Auld
Ward Whitworth, Upper Llanos #225, Zone 3, Replace Russell Fleming
Howard Schirmer, Alamo #330, Zone 2, Replace Fred Neumann

AGENDA ITEM 12. Reallocate FY '05 Bond Money (Brush Program)

Mr. Oswald reviewed the agenda information.

Mr. Dodier moved the board approve the reallocation of $102,171.90 of FY 05 Bond monies into the Twin Buttes Watershed Project. Mr. Nichols seconded and the motion passed unanimously.

AGENDA ITEM 13. Allocation of FY '06 GR Money (Brush Program)

Mr. Oswald reviewed the agenda information. Mr. Crumley suggested that match funds be shown in future reporting.

Mr. Crumley moved the Board approve the FY 2006 allocations as presented for applications on or before November 1, 2005. Mr. Nichols seconded and the motion passed unanimously.

AGENDA ITEM 14. Tom Green SWCD Request to Eliminate the Requirement for SWCD's to Approve Brush Control Performance Certification.

Mr. Oswald reviewed the agenda information.

Mr. Jacobs moved that the request for waiver to the 517.34 (a) rule requiring SWCD's to approve performance certifications be denied. Mr. Crumley seconded and the motion passed unanimously.

Board requested that Mr. Oswald send a letter to the Tom Green District explaining their decision stating the board felt the intent of the auditor was to follow existing rules and not sign certifications ouside the board meeting. He was also asked to reference the fact that Mr. Crumley read the auditor's report to the Board members.

AGENDA ITEM 15. Evaluate Cost-Share Rates on Salt Cedar Spraying

Mr. Oswald reviewed the agenda information.

Mr. Dodier moved the average maximum cost for salt cedar be maintained at $210.00 per acre for aerial application for FY 05 and the rate be increased to $218.40 in FY 06. Mr. Nichols seconded and the motion passed unanimously.

AGENDA ITEM 16. Modification to Brush Control Cost Share Contract

Mr. Oswald reviewed the agenda information and asked for the Board's input on the six listed options.

Mr. Nichols questioned the legality of an application fee. After discussion and input from Mr. Noelke, Mr. Dodier moved that a decision on this item be tabled until the next Board meeting, pending legal review.

AGENDA ITEM 17. Amend Rule Pertinent to Resolution of Complaints

Mr. Garza reviewed the agenda information.

Mr. Dodier moved the rule amendment be approved as presented. Mr. Nichols seconded and the motion passed unanimously.

AGENDA ITEM 18. Approval of Requests for Waiver as per Cost-Share Rules

Mr. Garza reviewed the agenda information.

Mr. Dodier moved the waivers be granted and the local districts determine how to fund the cost-share assistance requests. Mr. Crumley seconded and the motion passed unanimously.

AGENDA ITEM 19. Approval of a Specific Range for the Cost-Share Assistance Cap Set by Districts in Priority Areas

Mr. Garza reviewed the agenda information and took questions from the Board.

Mr. Nichols moved the cost-share assistance cap set by districts be in the $5,000 to $10,000 range. Mr. Dodier seconded and the motion passed unanimously.

AGENDA ITEM 20. Consider Request from Bosque SWCD to be Included in the SB 503 Program

Mr. Garza reviewed the agenda information and stated the district was already included in the priority area and no Board action was needed.

AGENDA ITEM 21. Consideration and Approval of 503 Cost-Share Allocations for FY '06

Mr. Garza reviewed the agenda information.

Mr. Crumley moved the cost-share allocations be approved as presented. Mr. Dodier seconded and the motion passed unanimously.

AGENDA ITEM 22. Approval of Statewide Water Quality Management Plan Cost-Share Requests

Mr. Munz reviewed the agenda information.

Mr. Crumley moved the Board approve the two new requests for statewide funds and approve the list of producer requests for funding and grant the Executive Director or his designee the authority to allocate any remaining funds that may be released before the end of the fiscal year. Mr. Dodier seconded and the motion passed unanimously.

AGENDA ITEM 23. Executive Director Salary

Chairman Russell stated the Legislature approved an increase in the salary cap for the Executive Director to bring it in line with other agencies our size.

Mr. Crumley moved the Executive Director's salary be raised to $70,000 per year effective September 1, 2005. Mr. Dodier seconded and the motion passed unanimously.

AGENDA ITEM 24. NACD South Central Meeting

Mr. Dodier reported: budget set and approved, shortfall next year due to cooperative agreement with NRCS not being renewed, asked field representatives to discuss quota payments at local district meetings and encourage district involvement, the next meeting will be held in Texas.

AGENDA ITEM 25. Semiannual Report

Mr. Davis reviewed the agenda information.

AGENDA ITEM 26. General Status Review on Brush Program

Mr. Oswald reviewed the agenda information. Mr. Crumley questioned Alan Jones as to statistics on brush control vs. water yield. Mr. Jones stated their report is in the editorial process and should be ready in a month to six weeks.

AGENDA ITEM 27. Discuss Proposed Rule Amendment Pertinent to Resolution of Complaints

Mr. Garza reviewed the agenda information and asked for input from the Board. Suggestions from the Board included: Regional Managers and districts should be involved in the process, districts should vote on decertification at called meetings, Regional Managers can request the local board call an emergency meeting if needed.

AGENDA ITEM 30. Coastal Coordination Council

Mr. Dodier stated he attended his first Council meeting and will have more to report at the next Board meeting.

AGENDA ITEM 28. Human Resources Report

Ms. Heitman reviewed the agenda information.

AGENDA ITEM 29. Public Information/Education Report

Ms. Heitman reviewed the agenda information.

AGENDA ITEM 31. Comprehensive Nutrient Management Plan Program Update

Mr. Foster reviewed the agenda information.

AGENDA ITEM 32. Dairy Manure Export Support Program Update

Mr. Foster reviewed the agenda information.

AGENDA ITEM 33. Clean Water Act, §319(h) NPS Grant Program Status Report

Mr. Foster reviewed the agenda information.

AGENDA ITEM 34. Total Maximum Daily Load (TMDL) Program Status Report

Mr. Foster asked Mr. Wendt to review the agenda information.

AGENDA ITEM 35. Poultry Program Status Report

Mr. Cochran stated poultry plans were being updated. Approximately 31 plans have been completed and 36 are in progress.

AGENDA ITEM 36. Legislative Update

Mr. Isom stated that another special session has been called.

AGENDA ITEM 31. Set Date of Next Board Meeting

Mr. Crumley moved that the date of the next Board meeting be set as September 15th with a work session to be held September 14th in San Angelo. Mr. Dodier seconded and the motion passed unanimously.

Chairman Russell declared the meeting adjourned at 11:15 a.m.

Chairman

Secretary

09/15/05
Date

09/15/05
Date

I certify that the above is a true and correct copy of the minutes of the State Soil and Water Conservation Board meeting held on July 20 & 21, 2005.

09/15/05
Date

Executive Director