Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
September 14, 2005

The Texas State Soil and Water Conservation Board met on September 14, 2005, at 9:40 a.m. in the Cypress Room at the Fredericksburg Inn & Suites at 201 South Washington, Fredericksburg, Texas.

Board members present were:

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

Staff members present were:

Rex Isom, Executive Director
Kenny Zajicek, Fiscal Officer
Richard Egg, Engineer
Andy Garza, Program Administrator
Judy Albus, Program Administrator
John O'Connor, Program Administrator
Steve Jones, Program Administrator
Lee Munz, 319 Project Manager
T.J. Helton, Planner
John Foster, NPS Team Leader
Aaron Wendt, NPS Watershed Coordinator
Justin Lampier, Planner
Tuffy Wood, Program Specialist
Johnny Oswald, Program Administrator
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
Joel Clark, Program Specialist
Jack Foote, Program Specialist
Mark Cochran, Program specialist
Marianna McKown, Administrative Assistant
Karen Preece, Accountant

Others present were:

Russell Gregorczyk, Internal Auditor
Amanda Depew, Pedernales SWCD Planner
Rusty Ray, LCRA
Bobby Humphrey, LCRA

Rex Isom called the meeting to order at 9:40 a.m. and welcomed those present.

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

Lunch was served as a brush control slide show presentation was made prior to the brush control bus tour.

The meeting adjourned at 12:00 p.m.

Brush control bus tour followed.

Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
September 15, 2005

The Texas State Soil and Water Conservation Board met on September 15, 2005, at 8:00 a.m. in the Cypress Room at the Fredericksburg Inn & Suites at 201 South Washington, Fredericksburg, Texas.

Board members present were:

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

Staff members present were:

Rex Isom, Executive Director
Kenny Zajicek, Fiscal Officer
Richard Egg, Engineer
Andy Garza, Program Administrator
Judy Albus, Program Administrator
John O'Connor, Program Administrator
Steve Jones, Program Administrator
Lee Munz, 319 Project Manager
T.J. Helton, Planner
Justin Lampier, Planner
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
Joel Clark, Program Specialist
Jack Foote, Program Specialist
Mark Cochran, Program specialist
Marianna McKown, Administrative Assistant
Dawn Heitman, Program Specialist
Karen Preece, Accountant

Others present were:

Rusty Ray, LCRA
Bobby Humphrey, LCRA
Roland Pena, LCRA

Mark Michon, TWDB
Gene Edmiston, McCulloch SWCD
Larry Walker, McCulloch SWCD
Joe Johnson, McCulloch SWCD
Jesse Tate, McCulloch SWCD
Amanda Depew, Pedernales SWCD
Ben Bono, Association

Chairman Russell called the meeting to order at 8:12 a.m. and welcomed those present.

AGENDA ITEM 1. Reports from Agencies and Guests

Rusty Ray, LCRA, spoke about the partnership between LCRA and TSSWCB, and thanked us for holding our meeting in Fredericksburg. LCRA gave caps to board members and executive director.

Mark Michon, TWDB, stated that regular water plans are being reviewed and should be completed by January 2006 and state water plans by January 2007. 2003 irrigated acreage could be found on the TWDB website.

Aubrey Russell thanked Joe Freeman and other hosts for the hospitality, lunch, and the catfish meal while in Fredericksburg.

Joel Clark thanked Joe Freeman for going above and beyond in arranging the meetings, food, and brush control tour.

AGENDA ITEM 2. Minutes from the July 20-21, 2005 Board Meeting

Chairman Russell called for a motion to approve the minutes of the July 20-21, 2005 meeting as emailed. Mr. Dodier moved that the minutes be approved. Mr. Crumley seconded the motion. The motion passed unanimously.

AGENDA ITEM 3. District Director Appointments

Ms. Preece presented district director appointments for the Board's consideration and verified they were in order and met all qualifications. Mr. Crumley moved the appointments be approved. Mr. Dodier seconded and the following appointments were unanimously approved:

Francisco L. Saenz, Agua Poquita #321, Zone 2, replace Guadalupe S. Guerra
Don Meador, Hays County #351, Zone 2, Replace Ernest Cummings
William C Krause, McLennan County #512, Zone 1, Replace Velma Wiethorn
Pamela McQueary, Palo Pinto #518, Zone 3, Replace Judy L Stephen

AGENDA ITEM 4. Internal Audit of the Water Quality Management Plan Program

Mr. Zajicek stated that Mr. Gregorczyk had presented the internal audit results to the Board at the Board work session the previous day. After reading the audit, Mr. Dodier stated that the audit cited only a 3% error.

Mr. Dodier moved to adopt the audit. Mr. Nichols seconded the motion. The motion passed unanimously.

AGENDA ITEM 5. Internal Audit Update for Fiscal Year 2006

Mr. Zajicek presented the results from the Request for Qualifications.

Mr. Nichols moved that Jansen & Gregorczyk CPA's be given the Internal Audit contract for the 2006 Fiscal Year pending approval from the State Auditor's Office. Mr. Ward seconded the motion. The motion passed unanimously.

AGENDA ITEM 6. End of Year Allocations for Fiscal Year 2005

Mr. Zajicek reviewed the agenda information.

AGENDA ITEM 7. 2005 Annual State Meeting

Mr. Dodier moved that District Director's service awards with 50 or more years of service be presented at the Annual State Meeting. Mr. Jacobs seconded the motion. The motion passed unanimously.

Ms. McKown presented two entertainers to the Board.

Mr. Jacobs moved to use Daniel Adami as the entertainer. Mr. Dodier seconded the motion. The motion passed unanimously.

Mr. Jacobs thanked Mr. Gruner for looking at different entertainment options.

AGENDA ITEM 8. Review and Adopt Revised Evaluation Procedure for S.B. 503 Program

Mr. Garza reviewed the agenda information.

Mr. Dodier moved to accept the staff recommendation to revise S. B. 503 evaluation procedures as presented. Mr. Stewart seconded the motion. The motion passed unanimously.

AGENDA ITEM 9. Approval of Request for Waiver as per Cost Share Rules

Mr. Garza reviewed the agenda information.

Mr. Nichols moved to accept the staff recommendation to approve the waiver request as presented. Mr. Stewart seconded the motion. The motion passed unanimously.

AGENDA ITEM 10. Brush Policies and Procedures

Mr. Jacobs moved to remove this item from the table. Mr. Stewart seconded the motion. The motion passed unanimously.

Mr. Lampier reviewed the agenda information.

Mr. Stewart moved to accept the staff recommendation as presented. Mr. Dodier seconded the motion. The motion passed unanimously. Mr. Jacobs noted that the statement needs to be in bold print and noted as an amendment so as not to be lost in the paragraph.

AGENDA ITEM 11. Adopt a Proposed Update of the State Brush Control Plan and set Date for Public Hearing

Mr. Egg reviewed the agenda information.

Mr. Dodier moved to accept the staff recommendation as presented. Mr. Stewart seconded. The motion passed unanimously.

AGENDA ITEM 12. Brush Program Average Cost Per Acre Increase

Mr. Lampier reviewed the agenda information, and stated that no action is needed at this time.

AGENDA ITEM 13. Approval of statewide Water Quality Management Plan Cost Share Request

Mr. Munz reviewed the agenda information. Mr. Munz stated that the requests are for poultry and dairy operations.

Mr. Nichols moved to accept the staff recommendation as presented. Mr. Crumley seconded. The motion passed unanimously.

AGENDA ITEM 14. Approval of Texas Nonpoint Source Management Program

Mr. Helton reviewed the agenda information.

Mr. Dodier moved to accept the staff recommendation as presented. Mr. Stewart seconded the motion. The motion passed unanimously.

AGENDA ITEM 15. Joint Use of Equip and S.B. 503 Cost-Share Funds for Implementation of Water Quality Management Plans at the Resource Management System Level

Mr. Garza reviewed the agenda information, and the letter from Lynn County SWCD.

Mr. Nichols asked if this would be a general policy. Mr. Isom asked for the board to allow time to see how many other districts would be interested in the joint use of Equip and S.B. 503 cost-share funds.

AGENDA ITEM 16. McCulloch SWCD Flood Control Structures

Mr. Freeman thanked Mr. Isom and Board members who attended the McCulloch SWCD meeting.

Mr. Isom stated that Mr. Foster and Mr. Helton are researching the situation.

Mr. Dodier requested that this agenda item be addressed at the next board meeting as well since it is an urgent issue.

Mr. Freeman requested of the board that someone meet with Dr. Larry Butler of NRCS.

Mr. Foster to keep the Board updated.

Mr. Isom stated that we need to approach statewide and see if we are able to receive state and federal funds for this issue.

Mr. Crumley stated that this situation is a major concern.

Mr. Brandenberger stated that NRCS is due to inspect the dam possibly by the end of September.

Mr. Dodier stated that the Farm Bill Special Program is a national issue, and that funding for this is an issue.

Chairman Russell requested Mr. Dodier and Mr. Crumley to serve on committee to meet with Dr. Larry Butler of NRCS. Both members agreed.

Mr. Egg stated that TCEQ has also formed a committee to review dam safety rules.

AGENDA ITEM 17. Human Resources Report

Ms. Heitman reviewed the agenda information.

Mr. Dodier asked Ms. Heitman how many employees are field staff. Ms. Heitman responded that about ¾ of our work staff are field staff.

AGENDA ITEM 18. Public Information/Education Report

Ms. Heitman reviewed the agenda information.

Chairman Russell recognized Ben Bono and other Association members as they arrived.

AGENDA ITEM 19. Coastal Coordination Council Report

Mr. Dodier stated that there is a boat ramp issue. The council reviews statements and briefings. Mr. Dodier stated that the NACD National Convention was scheduled for New Orleans, but they are now looking at Houston, Albuquerque, and Dallas.

Mr. Dodier thanked Mr. Bono and the meal and the Association for the Wednesday luncheon.

AGENDA ITEM 20. Brush Control Program Status Report

Mr. Lampier reviewed the agenda information.

Mr. Dodier asked if water levels have increased with the removal of brush so far. Mr. Lampier stated that North Concho, Ballinger, and Mt. Creek are all full, and Twin Buttes is at 30%. Mr. Dodier stated that he would like to receive a report on the effects of the brush removal. Mr. Egg stated that water levels are available on our website.

AGENDA ITEM 21. Dairy Manure Export Support (DMES) Program Update

Mr. Helton reviewed the agenda information.

Mr. Ward asked if there were any commercial benefits to this program. Mr. Helton stated that haulers and composters are making money, but it is not a growing market as we would have hoped.

AGENDA ITEM 22. Clean Water Act, §319(H) NPS Grant Program Status Report

Mr. Helton reviewed the agenda information.

AGENDA ITEM 23. Total Maximum Daily Load (TMDL) Program Status Report

Mr. Munz reviewed the agenda information.

Ms. Ray stated that a technician has been hired for Peach Creek

AGENDA ITEM 24. Poultry Program Status Report

Mr. Cochran stated that we are waiting to hear if farms are needing permits. Mr. Nichols asked if we need a moratorium from TCEQ. Mr. Cochran stated that we will continue with rules while waiting. Mr. O'Connor stated that a request from Sulphur-Cypress is coming.

Mr. Nichols moved that a request from the State Board to TCEQ for a moratorium for permitting poultry operations of Texas to have relief from the duty to apply rule until a further decision is made on the EPA ruling on the permit process. Mr. Crumley seconded the motion. The motion passed unanimously.

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Chairman Russell turned meeting over to Mr. Freeman as McCulloch SWCD Directors arrived.

District Chairman Edmiston thanked Mr. Stewart and Mr. Isom for attending their board meeting. He stated that they are in need of funds. He also stated that the ruling on January 7, 2006 which will state whether they are held personally accountable and financially responsible or not will decide whether they resign.

Mr. Walker stated that they are in need of cooperation from TSSWCB and congress.

Chairman Russell told them that a committee consisting of Mr. Crumley and Mr. Dodier has been formed to help them.

Mr. Isom stated that the TSSWCB is looking at all possibilities.

Mr. Freeman stated that the TSSWCB will continue to keep this issue on our Board agenda.

Mr. Dodier told them about the Farm Bill Special Program.

Mr. Johnson thanked Mr. Stewart for his support. Chairman Russell asked Mr. Stewart to also serve on this committee. Mr. Stewart accepted.

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Chairman Russell recognized Pedernales SWCD Amanda Depew. Mr. Freeman thanked her for the brush presentation and the tour. Mr. Stewart thanked Mr. Freeman and Ms. Depew.

AGENDA ITEM 25. Set Date of Next Board Meeting

Mr. Dodier moved that the date of the next Board meeting be set as December 1st with a work session to be held November 30th. The location will be finalized at a later date. Mr. Crumley seconded and the motion passed unanimously.

Chairman Russell declared the meeting adjourned at 9:38 a.m.

Aubrey L. Russell
Chairman

Karen D. Preece
Secretary

11/17/05
Date

11/18/05
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 September 14-15, 2005.

11/18/05
Date

Executive Director