

Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
September 22, 2004

The Texas State Soil and Water Conservation Board met on September 22, 2004, at 2:00 p.m. in its Hearings Room at 311 North Fifth Street, Temple, Texas.

Board members present were:

Aubrey Russell, Vice Chairman
Reed Stewart, Member
Guillermo (Memo) Benavides, Member
W. T. (Dub) Crumley, Chairman

Board members absent were:

Jerry Nichols, Member

Staff members present were:

Rex Isom, Executive Director
John Foster, Natural Resources Specialist
Kenny Zajicek, Fiscal Officer
Andy Garza, Program Administrator
Kevin Wagner, NPS Team Leader
Jay Bragg, 319 Grant Coordinator
Johnny Oswald, Program Administrator
Mel Davis, Program Specialist
Don Brandenberger, Program Specialist
Joel Clark, Program Specialist
David Powell, Program Specialist
Kendria Ray, Program Specialist
Carter Miska, Program Administrator
Mark Cochran, Program Specialist
John O'Connor, Program Administrator
Steve Jones, Program Administrator
Vicki Davis, Administrative Coordinator

Others present were:

Denise Gentsch, BASF Corporation

Chairman Crumley called the meeting to order at 2:15 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 4:45 p.m.

Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
September 23, 2004

The Texas State Soil and Water Conservation Board met on September 23, 2004, at 8:00 a.m. in its Hearings Room at 311 North Fifth Street, Temple, Texas.

Board members present were:

Aubrey Russell, Vice Chairman
Reed Stewart, Member
Guillermo (Memo) Benavides, Member
Jerry Nichols, Member
W. T. (Dub) Crumley, Chairman

Staff members present were:

Rex Isom, Executive Director
Dawn Heitman, Program Specialist
Richard Egg, Engineer
John Foster, Natural Resources Specialist
Kenny Zajicek, Fiscal Officer
Jay Bragg, 319 Grant Coordinator
Judy Albus, Program Administrator
Carter Miska, Program Administrator
Mark Cochran, Program Specialist
Joe Freeman, Program Specialist
Andy Garza, Program Administrator
Johnny Oswald, Program Administrator
Kendria Ray, Program Specialist
John O'Connor, Program Administrator
Adrian Perez, Program Specialist
Joel Clark, Program Specialist
David Powell, Program Specialist
Steve Jones, Program Administrator
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Lee Munz, 319 Project Manager
Mel Davis, Program Specialist
Vicki Davis, Administrative Coordinator

Others present were:

Salvador Salinas, Natural Resources Conservation Service
Clyde Bohmfalk, Texas Commission on Environmental Quality
Kraig Gallimore, Texas Water Development Board
Tamara Daniel, Association of Texas Soil & Water Conservation Districts
Russell Gregorczyk, Jansen & Gregorczyk, CPA's

George Noelke, Office of the Attorney General
Ron Jones, TIAER
Cassie Williams, TIAER

Chairman Crumley called the meeting to order at 8:10 a.m. and welcomed those present.

AGENDA ITEM 1. Reports from Agencies and Guests

Clyde Bohmfalk, Texas Commission on Environmental Quality reported that TCEQ is working on the CAFO rules.

Salvador Salinas, Natural Resources Conservation Service reported on: additions to their staff, six regional offices have been closed and three technology centers have been created, TSP, EQIP, Wildlife Habitat Incentive Program, Conservation Security Program, changes to the IT Department, and took questions from the Board.

Kraig Gallimore, Texas Water Development Board reported that the Conservation Task Force has one more meeting before it closes out, the Hale/Floyd Counties/Lower Rio Grande area water conservation initiative was approved, and a new round of grant proposals will be starting soon.

AGENDA ITEM 2. Minutes from the July 21 & 22, 2004 Board Meeting

Chairman Crumley called for a motion to approve the minutes of the July 21 & 22, 2004, meeting as mailed. Mr. Russell moved that the minutes be approved. Mr. Stewart seconded the motion. The motion passed unanimously.

AGENDA ITEM 3. District Director Appointments

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

Arnoldo A. Cantu, Loma Blanca #328, Zone 1, replace M. A. Rodriguez
Israel Hinojosa, Monte Mucho #331, Zone 1, replace Roy Yaeger, III
Sid Williams IV, LaSalle County #354, Zone 5, replace Roy G. Martin
Mickey Crow, Trinity-Neches #422, Zone 1, replace Terry Herrington
C. M. Sanderfer, Lower Neches #437, Zone 2, replace Mary M. Lewis
Charles E. Parsley, Jr., Montgomery County #452, Zone 2, replace T. Wayne Register

AGENDA ITEM 4. 2003 Audit Report – Russell Gregorczyk

Mr. Gregorczyk reviewed the agenda information and stated that the new system incorporated by Mr. Zajicek has the Fiscal Affairs division up to speed and on track. His firm will do eight audits of local districts during FY 05.

Mr. Stewart moved the Board accept the Internal Audit of the Brush Control Program as presented. Mr. Nichols seconded and the motion passed unanimously.

AGENDA ITEM 5. 2004 Annual State Meeting

Mr. Davis reviewed the agenda information and asked for input from the Board. Board suggestions were: have a sit-down meal; get a few more speakers; hand out a survey at the state meeting to get attendee input on the new meeting format.

AGENDA ITEM 6. Customer Service Survey

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

Mr. Nichols moved that the Customer Service Survey be approved and a copy mailed to each district and be put on the agency website. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 7. Adoption of Proposed Rule for Removal of District Directors

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

Mr. Nichols moved to adopt the rules as presented. Mr. Stewart seconded and the motion passed unanimously.

AGENDA ITEM 8. Adopt Emergency Rule Regarding District Audit Requirements

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

Mr. Stewart moved to adopt the emergency rules as presented. Mr. Benavides seconded and the motion passed unanimously.

AGENDA ITEM 9. Proposed Rule Amendment Regarding District Audit Requirements

Mr. Zajicek reviewed the agenda information.

Mr. Stewart moved the Board approve the rule changes as presented. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 10. Adoption of Fraud Prevention Program

Mr. Davis reviewed the agenda information and asked for input from Mr. Noelke. Mr. Noelke recommended the Board adopt the first four pages of the fraud policy as presented and defer any additional action on the ethics policy to a later date or as needed.

Mr. Benavides moved the Board accept Mr. Noelke's recommendation as stated. Mr. Nichols seconded and the motion passed unanimously.

Mr. Benavides moved that the contact person be named by the Executive Director and be required to report directly to the Executive Director. Mr. Stewart seconded and the motion passed unanimously.

Mr. Benavides moved that the Board request a letter from the Office of the Attorney General stating that the ethics policy, with recommendation from legal counsel, should be added to slowly. The motion died for lack of a second.

AGENDA ITEM 11. Approval of Request to Eliminate B-Slope Requirement for New Low-Pressure Sprinkler Systems

Mr. Garza reviewed the agenda information.

Mr. Russell moved that the B-slope requirement be removed for FY 05 only. Mr. Nichols seconded and the motion passed unanimously.

AGENDA ITEM 12. Approve Revised Life Span for Practice #316, Animal Mortality Facility

Mr. Garza reviewed the agenda information.

Mr. Nichols moved that the life span for Practice #316, Animal Mortality Facility be reduced to five years. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 13. Appeal of Matagorda County SWCD #316 Decision on WQMP Payment

Mr. Garza reviewed the agenda information with input from Mr. Miska.

After Board discussion, Mr. Nichols moved that Mr. Garrett's appeal of Matagorda County's WQMP payment be denied. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 14. Approval of Request for Proposals of 319 FY 05 Grant

Mr. Bragg reviewed the agenda information.

Mr. Benavides moved the Board approve the Request for Proposals for release. Mr. Nichols seconded and the motion passed unanimously.

AGENDA ITEM 15. Allocation of FY 05 Brush Control Funds

Mr. Oswald reviewed the agenda information and took questions from the Board. Mr. Stewart stated that if landowners have lapsed funds they should be put at the bottom of the priority list. Mr. Stewart asked for Mr. Noelke's input and he stated that the rules or the contracts should be changed. Board requested that amended rules to correct the lapsed fund problem be presented at the next board meeting.

Mr. Stewart moved the Board approve the allocation of FY 05 Brush Control Funds based on the priority system as presented. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 16. Revision to North Bosque CNMP Guidance

Mr. Foster reviewed the agenda information.

Mr. Benavides moved the Board adopt the amendment that would reorganize the format requirement for TSSWCB-Certified CNMP's to isolate the 'public information' into one specific section of the CNMP. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 17. Allocation of FY 05 SB 1339 Poultry Funds

Mr. Foster reviewed the agenda information.

Mr. Nichols moved the Board accept staff recommendations to funding under Rider No. 5 Appropriation: Waste Water Management Plans for Poultry Operators be allocated toward the operating costs of establishing a Poultry-WQMP office in Nacogdoches with the addition of two new hires to assist in developing Poultry WQMP's and performing status reviews. Any remaining balance of the funds should be used to provide for SWCD technicians. Mr. Stewart seconded and the motion passed unanimously.

AGENDA ITEM 18. Emerging Issues Related to Agriculture and the Clean Water Act

Mr. Jones presented background on TIAER and its cooperation and delivery system with the State Board and districts. He stated it was an industry/producer lead initiative and should take a proactive approach to accomplish its goals. He then gave an overview of TIEAR programs, their background, current and future activities.

AGENDA ITEM 19. North Bosque River Watershed Update

Mr. Foster reviewed the agenda information.

AGENDA ITEM 20. Water Conservation Task Force Update

Mr. Egg reviewed the agenda information.

AGENDA ITEM 21. Poultry Program Update

Mr. Foster stated his information was presented in agenda item 17.

AGENDA ITEM 22. NACD Annual Meeting

Mr. Davis reviewed the agenda information.

AGENDA ITEM 23. Coastal Coordination Council Report

Mr. Benavides deferred to Mr. Egg and he reviewed the agenda information.

AGENDA ITEM 24. Human Resources Report

Ms. Heitman reviewed the agenda information.

AGENDA ITEM 25. Public Information/Education Report

Ms. Heitman reviewed the agenda information.

AGENDA ITEM 26. NACD Report

Mr. Benavides informed the Board that he had been re-elected as the South Central Board Member to the Executive Committee for another two year term. He reported on the annual meeting in Atlanta, the executive board meeting, NACD funding and stated that Krista Hardin would attend the Annual State Meeting in Laredo.

AGENDA ITEM 27. 319 Report

Mr. Bragg reviewed the agenda information and took questions from the Board concerning ongoing projects.

AGENDA ITEM 28. TMDL Program Status Report

Mr. Bragg reviewed the agenda information.

AGENDA ITEM 29. Brush Control Program Update

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

AGENDA ITEM 30. Upper Colorado Salt Cedar Project Update

Mr. Oswald presented an update on the Salt Cedar Project and took questions from the Board.

AGENDA ITEM 31. Fiscal Report

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

AGENDA ITEM 32. Set Date of Next Board Meeting

It was suggested that the Board coordinate their meeting with the Ag Council and the Association Board of Directors and hold the meeting in Austin.

Mr. Russell moved that the date of the next Board meeting be tentatively set as November 18, 2004 with a work session to be held November 17, 2004. Mr. Nichols seconded and the motion passed unanimously.

Chairman Crumley declared the meeting adjourned at 12:45 p.m.



Chairman



Secretary

Date 11/17/04

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 22 & 23, 2004.

Date

11/17/04

Executive Director

