Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
November 16, 2005

The Texas State Soil and Water Conservation Board met on November 16, 2005, at 2:00 p.m. in its Hearings Room at 311 North 5th Street, Temple, 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

Board member absent was:

José Dodier, Member

Staff members present were:

Rex Isom, Executive Director
Kenny Zajicek, Fiscal Officer
Richard Egg, Engineer
Andy Garza, Program Supervisor
Judy Albus, Program Supervisor
John O'Connor, Program Supervisor
Steve Jones, Program Supervisor
Lee Munz, NPS SWCD Liaison
T.J. Helton, NPS Grant Coordinator
John Foster, NPS Team Leader
Aaron Wendt, NPS Watershed Coordinator
Ben Brooks, Planner
Tuffy Wood, Program Specialist
Johnny Oswald, Program Supervisor
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 Supervisor
Mel Davis, Program Specialist
Dawn Heitman, Program Specialist
Vicki Davis, Administrative Coordinator

Others present were:

Salvador Salinas, Natural Resources Conservation Service

Rex Isom called the meeting to order at 2:00 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 4:30 p.m.

Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
November 17, 2005

The Texas State Soil and Water Conservation Board met on November 17, 2005, at 8:00 a.m. in its Hearings Room at 311 North 5th Street, Temple, 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 Supervisor
Judy Albus, Program Supervisor
John O'Connor, Program Supervisor
Steve Jones, Program Supervisor
Carter Miska, Program Supervisor
Lee Munz, NPS SWCD Liaison
T.J. Helton, NPS Grant Coordinator
Chris Higgins, NPS Project Manager
Johnny Oswald, Program Supervisor
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 Supervisor
Dawn Heitman, Program Specialist
Mel Davis, Program Specialist
Vicki Davis, Administrative Coordinator

Others present were:

Russell Gregorczyk, Jensen & Gregorczyk Certified Public Accountants

Dr. Larry Butler, Natural Resources Conservation Service
Salvador Salinas, Natural Resources Conservation Service
George Noelke, Office of the Attorney General
Clyde Bohmfalk, Texas Commission on Environmental Quality
Tamara Daniel, Association of Texas Soil & Water Conservation Districts

Chairman Russell called the meeting to order at 8:07 a.m. and welcomed those present.

AGENDA ITEM 1. Reports from Agencies and Guests

Dr. Larry Butler, NRCS discussed: his appreciation of the work accomplished by the State Board and Association, enjoyed speaking at the State Meeting held in Corpus Christi, received resolutions from the Association and will be acting on those, NRCS had over 200 employees attend the State Meeting, TSP agreement with the State Board and the conservation planning pilot.

Clyde Bohmfalk, TCEQ discussed: compliments on the success of the State Meeting, delivered Commissioner White's response to our September letter concerning CAFO's and stated they are waiting for input from EPA.

Tamara Daniel, ATSWCD discussed: NACD meeting in Houston, José Dodier's resignation as a NACD board member from Texas and Bill Thomas filling Mr. Dodier's position.

AGENDA ITEM 2. Minutes from the September 14-15, 2005 Board Meeting

Chairman Russell called for a motion to approve the minutes of the September 14-15, 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. Davis presented district director appointments for the Board's consideration and verified they were in order and met all qualifications with the exception of Mr. Schmidt's paperwork being faxed copies. Mr. Nichols moved the appointments be approved contingent upon the receipt of all original paperwork. Mr. Dodier seconded and the following appointments were unanimously approved:

Dale Schmidt, Dallam #131, Zone 1, replaces John Burrow
W. T. Gray, McClellan Creek #156, Zone 1, replaces Shawn O'Neal
Ward Whitworth, Upper Llanos #225, Zone 1, replaces Edward Dunbar
Doyle Weitz, Upper Llanos #225, Zone 3, replaces Ward Whitworth
Clyde Rodney Flanagan, Runnels #232, Zone 5, replaces Dennis McBeth
Gary F. Rainey, Andrews #246, Zone 4, replaces Donald O. "Don" Cox
Mary Buchholz, Eldorado Divide #247, Zone 5, replaces Bob Buchholz
Daniel Heideman, Hayes County #351, Zone 1, replaces Albert Busse
Darwin L. Davis, Brazos Valley #557, Zone 1, replaces James Coleman

AGENDA ITEM 4. Discussion and Approval of the Proposed Internal Audit Plan for FY 2006

Mr. Gregorczyk stated the proposed Internal Audit Plan will look at the risks involved in all State Board programs and will concentrate on the 319 and Human Resources Programs.

Mr. Nichols moved the Board adopt the Internal Audit Plan as presented. Mr. Stewart seconded the motion. The motion passed unanimously.

AGENDA ITEM 5. Report on the Internal Audit Annual Report for FY 2005

Mr. Gregorczyk announced that the Internal Audit Annual Report for FY 2005 had been completed and copies were distributed to each board member.

AGENDA ITEM 6. District Budget Request for 2008-09

Mr. Zajicek reviewed the agenda information.

Mr. Stewart moved the Board approve the letter and form as presented be mailed to districts and the information obtained be used for preparing the FY 2008-09 budget. Mr. Crumley seconded and the motion passed unanimously.

AGENDA ITEM 7. Review and Approve Proposed Changes to 31 TAC §523.7 Incentives for Composting Animal Manure

Mr. Foster reviewed the agenda information.

Mr. Crumley moved that the State Board approve the proposed changes to Rule 31 TAC §523.7 as presented and the proposed rule be published in the Texas Register for a 30-day comment period. Mr. Stewart seconded the motion. The motion passed unanimously.

AGENDA ITEM 8. Review and Approve Follow-up Report on Recommendation #2 of Internal Audit

Mr. Garza reviewed the agenda information.

Mr. Nichols moved to approve the report and recommendations as presented. Mr. Dodier seconded the motion. The motion passed unanimously.

AGENDA ITEM 9. Review and Approve Request by Lynn County SWCD for State Board to Grant Exception as per §201.308(3) of the Ag Code

Mr. Garza reviewed the agenda information.

Mr. Dodier moved that the exception be granted only to Lynn County SWCD and only through the end of FY06. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 10. Review and Approve Revised Policy for Nonpoint Source Agricultural and Silvicultural Water Quality Complaints

Mr. Garza reviewed the agenda information and emphasized that decertification will remain with the local districts and the document will become a part of the guidance manual once approved.

Mr. Nichols moved the policy be approved as presented. Mr. Crumley seconded the motion. The motion passed unanimously.

AGENDA ITEM 11. Adopt Proposed Amendment to 31 TAC §523.4 Resolution of Complaints

Mr. Garza reviewed the agenda information.

Mr. Crumley moved the Board approve final adoption of the rules as amended. Mr. Nichols seconded. The motion passed unanimously.

AGENDA ITEM 12. Approval of Statewide Water Quality Management Plan Cost Share Requests

Mr. Munz reviewed the agenda information.

Mr. Nichols moved the Board approve the requests for Statewide Funds as presented. Mr. Dodier seconded. The motion passed unanimously.

AGENDA ITEM 13. Allocation of FY 06 Brush Funds

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

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

AGENDA ITEM 14. Future State Meeting Sites

Mr. Davis reviewed the agenda information.

Mr. Jacobs moved the Board instruct staff to look into Marshall, San Antonio River Walk, San Antonio Hill County Hyatt, Waco, Galveston and Austin as proposed sites for the 2007 & 2008 state meetings. Mr. Nichols seconded and the motion passed unanimously.

AGENDA ITEM 15. 2005 Annual State Meeting

Mr. Davis reviewed the agenda information.

Board suggestions for possible tours in Fort Worth included Museum tour and supper on Sunday and Cowtown tour at the Stockyards and breakfast on Wednesday.

AGENDA ITEM 16. 2006 Annual State Meeting

Mr. Davis reviewed the agenda information and stated the state meeting committee will be formed in May '06.

Input from the Board included: liked the two day format, would like to see a tour on Sunday and Wednesday or Wednesday only, look into the feasibility of a golf tournament on Sunday or Monday morning, Don, Joe, Charlie and Dub should look into possible tours.

AGENDA ITEM 17. State Board Member Elections

Mr. Davis reviewed the agenda information.

AGENDA ITEM 18. NACD Annual Meeting

Mr. Davis reviewed the agenda information and took questions from the board. Board members stated they would take care of their own reservations and all board members with the exception of Mr. Nichols will be in attendance.

AGENDA ITEM 19. Ag Water Conservation Grant Results

Mr. Egg reviewed the agenda information.

AGENDA ITEM 20. Texas Nonpoint Source Management Program

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

AGENDA ITEM 21. Dry-Litter Poultry Duty to Apply for NPDES Permit Coverage

Mr. Foster reviewed the agenda information.

AGENDA ITEM 22. Technical Service Provider Program

Mr. Isom presented the agenda item and explained the TSP program would be in conjunction with NRCS. Once the agreement is in writing, Mr. Isom would like the Board's authority to move forward with it. Mr. Salinas stated the duration of the contract would be one year with one month's difference due to the fiscal years of the two agencies involved.

Mr. Nichols moved that staff move forward with plans to enter into an agreement with NRCS concerning the use of TSP funds as explained. Mr. Dodier seconded and the motion passed unanimously.

AGENDA ITEM 23. Texas House Interim Study Charges

Mr. Isom stated he had no information to present at this time.

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. Brush Control Program Update

Mr. Oswald reviewed the agenda information and stated he would give an update on the Texas Invasive Species Council at future board meetings.

AGENDA ITEM 27. Financial Report

Mr. Zajicek reviewed the agenda information. Mr. Stewart asked that Mr. Zajicek look into possible savings attained in moving the brush office.

AGENDA ITEM 28. Clean Water Act, §319(h) NPS Grant Program Status Report

Mr. Helton reviewed the agenda information. Board members requested Mr. Helton prepare a report of 319 projects in chronological order; show when the projects began, their current status and participation level.

AGENDA ITEM 29. Dairy Manure Export Support Program Update

Mr. Helton reviewed the agenda information and answered questions from the Board.

AGENDA ITEM 30. CNMP Program Update

Mr. Foster stated there was no new information at this time.

AGENDA ITEM 31. Watershed Coordination Status Report

Mr. Munz reviewed the agenda information.

AGENDA ITEM 32. Poultry Program Status Report

Mr. Cochran reviewed the agenda information.

AGENDA ITEM 33. Set Date of Next Board Meeting

Mr. Crumley moved the date of the next Board meeting be set as January 19th with a work session to be held January 18th in Temple. Mr. Dodier seconded and the motion passed unanimously.

Chairman Russell declared the meeting adjourned at 10:30 a.m.

Chairman

Secretary

1/19/06
Date

1/19/06
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 November 16-17, 2005.

1/19/06
Date

Executive Director