

Temple, Texas  
December 4th, 1939

The State Soil Conservation Board meet in conference with Mr. Siegler, Solicitor General's Department of the Department of Agriculture, Washington D. C., and Mr. Noel, of the Attorney General's Department of the State of Texas, Austin, Texas. During this conference, a very careful study of the State Law was made, and certain definite proposals were made as to proposed amendments to the law at the next session of the Legislature. This conference having adjourned, the State Board entered into an executive session at 11 a.m. December 6th.

At 11:30 a.m. December 6th, a letter, with telegram attached, was presented to the State Soil Conservation Board, a copy of which is hereby made a part of this record, as follows:

"Temple, Texas,  
December 6th, 1939

To the Honorable Horace K. Fawcett, W. G. Kennedy, W. W. Cardwell, and J. P. Martin,  
Members of the State Soil Conservation Board.

Gentlemen:

This is to advise you that I have this day submitted to the Governor of Texas, Honorable W. Lee O'Daniel, my resignation as a Member of the Texas State Soil Conservation Board, as the elected member of State District No. 5. Attached hereto is a telegram of acceptance from Governor O'Daniel as of 10 o'clock A. M. December 6th, 1939.

(signed) V. C. Marshall"

Copy of Telegram:

"DBB-20  
35-C Austin, Texas, 6-10:08 a.m. 1939  
December 6, A.M. 10-14

V. C. Marshall, Chairman  
% Soil Conservation Board Meeting  
Temple, Texas

I accept your resignation as Member of the State Soil Conservation Board, District No. 5, effective at once, but wish to thank you for the good service you rendered while serving as a member of this Board.

W. Lee O'Daniel  
Governor of Texas "

The Board recessed until 1:30 p.m.

(The following districts were approved as being needed:  
105, 106, 308, 423, 507, and 520 )

Reconvening at 1:30 p.m. December 6th, Mr. W. G. Kennedy, as acting Chairman. On motion by Mr. Fawcett, seconded by Mr. Martin, W. W. Cardwell was elected chairman of the Board succeeding to the vacancy occasioned by the resignation of Mr. V. C. Marshall, Board Member District No. 5.

On motion of W. G. Kennedy, seconded by H. K. Fawcett, 21 districts applications for elections were approved pending the result of a request for reconsideration of a former opinion from the Attorney General of the State of Texas, and the final preparations of forms, field notes, and necessary contacts with districts. The districts approved for elections are as follows:

No.	Name	Counties involved
101	Duck Creek	Dickens, Kent, Stonewall
102	Bailey-Lamb-Hockley	Bailey, Lamb, Hockley
103	Dawson-Lynn	Dawson, Lynn
104	Floyd County	Floyd
201	Concho	Concho, Tom Green, Menard, McCulloch
203	Martin-Howard	Martin, Howard, Glasscock, Midland
204	Concho-Colorado	Tom Green, Concho, Runnels, Coke, Nolan, Taylor, Coleman
205	El Paso-Hudspeth	El Paso, Hudspeth
301	Wilson County	Wilson
302	Karnes County	Karnes, Bee, Goliad, Live Oak
304	Hays-Caldwell-Travis	Hays, Caldwell, Travis
305	Lavaca-Navidad	Lavaca, DeWitt, Gonzales
306	Comal-Hays-Guadalupe	Comal, Hays, Guadalupe
401	Nacogdoches	Nacogdoches, Rusk
407	Kaufman-Van Zandt	Kaufman, Van Zandt, Dallas
409	Bedias Creek	Madison, Grimes, Walker, Leon
412	Harrison County	Harrison
419	Sulphur-Cypress	Titus, Camp, Morris, Franklin
506	Hamilton-Coryell	Hamilton, Coryell
510	Denton-Elm Fork	Denton, Collin, Grayson, Cooke, Montague, Wise
517	Central Colorado	Coleman, Runnels, Taylor, Callahan

Mr. Bryant appeared before the Board, and was transferred from the place of Administrative position to that of Stenographer, at a salary of \$1350.00 per year as provided by law.

On motion of Mr. H. K. Fawcett, seconded by Mr. J. P. Martin, Mr. V. C. Marshall was employed as administrative Officer, at a salary as provided by the law, \$3600.00 per year. The Administrator, under the instructions of the State Board, being charged with the responsibility for the direction and prosecution of the general program; that the employees be responsible to and under the direction of the Administrative Officer.

On motion of Mr. Fawcett, seconded by Mr. Martin, the Administrator was

instructed to check and examine for final approval vouchers drawn against the various funds as provided in the appropriations in payment of salaries, expenses, equipment, made necessary in carrying out the operations of the State Soil Conservation Board; to certify to the authenticity of records, notices, publications, rules and documents, and to issue and publish orders for public hearings; to appoint and qualify polling superintendents and such other assistants as are necessary in the conduct of elections and the general progress of the program. To approve requisitions for and vouchers in payment for supplies and equipment and for other materials and services as may be required, to be drawn against the proper accounts as is provided therefor in the appropriation to the State Board. The Administrator was instructed to submit to the Attorney General of Texas a request for reconsideration of opinion No. 1353, wherein said Department held that incorporated cities or towns might not be included as a part of a Soil Conservation District. The State Board, having determined that the State Soil Conservation Law, for all interest and purposes, would indicate that the matter of disposition of incorporated cities and towns might well be at the discretion of the State Soil Conservation Board, and that after further consideration, that, if not inconsistent with the final determination of the Attorney General, that he hold that the State Soil Conservation Board should determine whether or not incorporated cities and towns are to be included as a part of a district. The Administrator was instructed to request the advice of the Attorney General as to whether or not certain expenses incurred by the administrator in travel might be properly drawn against a contingent fund of \$3000.00 as is provided in the appropriation bill as made available to the State Board, and that should the Attorney General hold that this allowance would be proper, that the administrator be allowed such expenses, the allowance to be the same as is provided by law for other State employees doing a similar type of work.

Whereupon, the following request was prepared by the Administrator for submission to the State Attorney General's Department:

"If the State Board determines that the Administrative Officer should do a certain amount of field work, would it be permissible to pay such necessary expenses as incurred in the performance of such field work, such expenses allowed to be in conformity with allowances made for other State employees in a similar capacity, and such funds to be drawn from a contingent fund of \$3,000.00 which is provided in the appropriation to be used by the Board as such?"

There being no further business, the Board adjourned to meet subject to the call of the Chairman.

Members present:

Mr. Wm. G. Kennedy,  
Mr. H. K. Fawcett,  
Mr. Walter W. Cardwell,  
Mr. J. P. Martin,  
Mr. V. C. Marshall.

Walter W. Cardwell  
Chairman

Susanne Alay  
Secretary

Approved February 12th, 1940.