

Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
November 18, 2009

The Texas State Soil and Water Conservation Board met on November 18, 2009, at 2:00 p.m. at 1749 Scott Blvd, Temple, Texas.

Board Members present were:

José Dodier, Jr., Chairman
Barry Mahler, Vice-Chairman
Marty H. Graham, Member
Jerry Nichols, Member
Larry Jacobs, Member

Staff members present were:

Rex Isom, Executive Director
Andy Garza, Regional Office Coordinator
Judy Albus, Program Supervisor
Carl Steffey, Program Supervisor
Lawrence Brown, Program Supervisor
Johnny Oswald, Program Supervisor
Mark Cochran, Program Supervisor
Jack Foote, Program Specialist
Bob Gruner, Program Specialist
Ben Wilde, Program Specialist
Joe Freeman, Program Specialist
Adrian Perez, Program Specialist
Kendria Ray, Program Specialist
Trey Watson, Program Specialist
Joel Clark, Program Specialist
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Kenny Zajicek, Fiscal Officer
John Foster, Programs Officer
Lee Munz, NPS SWCD Liaison
T.J. Helton, NPS Program Coordinator
Pam Casebolt, NPS Project Manager
Loren Henley, NPS Project Manager
Mitchell Conine, NPS Project Manager
Donna Long, Q A Officer
David Reeves, Database Administrator
Mel Davis, Special Projects Coordinator
Jared Bowen, Flood Control Specialist
Anita Mungia, Accountant
Karen Preece, Accountant

Others present were:

Scott Buckles, Association of Texas Soil and Water Conservation Districts
Tamara Daniel, Association of Texas Soil and Water Conservation Districts
Salvador Salinas, Natural Resources Conservation Service
Lauren Peel, Texas Rural Mediation Services

Sarah Kirkle, Texas Sunset Advisory Commission
Ksenia Zemyanova, Texas Sunset Advisory Commission
Pat Hughes

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

Meeting adjourned at 3:38 p.m.

Chairman

Secretary

Date

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 18, 2009.

Date

Executive Director

Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
November 19, 2009

The Texas State Soil and Water Conservation Board met on November 19, 2009, at 8:00 a.m. at 1749 Scott Blvd, Temple, Texas.

Board Members present were:

José Dodier, Jr., Chairman
Barry Mahler, Vice-Chairman
Marty H. Graham, Member
Jerry Nichols, Member
Larry Jacobs, Member

Staff members present were:

Rex Isom, Executive Director
Andy Garza, Regional Office Coordinator
Judy Albus, Program Supervisor
Carl Steffey, Program Supervisor
Steve Jones, Program Supervisor
Lawrence Brown, Program Supervisor
Johnny Oswald, Program Supervisor
Mark Cochran, Program Supervisor
Jack Foote, Program Specialist
Bob Gruner, Program Specialist
Joe Freeman, Program Specialist
Adrian Perez, Program Specialist
Kendria Ray, Program Specialist
Trey Watson, Program Specialist
Joel Clark, Program Specialist
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Kenny Zajicek, Fiscal Officer
John Foster, Programs Officer
Lee Munz, NPS SWCD Liaison
T.J. Helton, NPS Program Coordinator
Aaron Wendt, Watershed Planning Coordinator
Pam Casebolt, NPS Project Manager
Loren Henley, NPS Project Manager
Mitchell Conine, NPS Project Manager
David Reeves, Database Administrator
Richard Egg, Engineer
Mel Davis, Special Projects Coordinator
Jared Bowen, Flood Control Specialist
Dawn Heitman, HR Coordinator
Clyde Gottschalk, Information Specialist
Anita Mungia, Accountant
Karen Preece, Accountant

Others present were:

Don Gohmert, Natural Resources Conservation Service

Salvador Salinas, Natural Resources Conservation Service
Kevin Wagner, Texas Water Resources Institute
Scott Buckles, Association of Texas Soil and Water Conservation Districts
Tamara Daniel, Association of Texas Soil and Water Conservation Districts
Darren Harmel, United States Department of Agriculture-ARS
George Noelke, Office of the Attorney General
Lauren Peel, Texas Rural Mediation Services
Cameron Turner, Texas Water Development Board
Daren Harmel, USDA, Agricultural Research Service
Sarah Kirkle, Texas Sunset Advisory Commission
Hector Morales, Texas Sunset Advisory Commission
Leah Cambell, Texas Sunset Advisory Commission

Chairman Dodier called the meeting to order at 8:05 a.m. and welcomed those present.

AGENDA ITEM 1: Opportunity for Public Comment

Lauren Peel, Texas Rural Mediation Services with Lubbock County, addressed the board and gave a brief overview of the mediation services they offer.

AGENDA ITEM 2: Comments from Federal, State and Local Governmental Entities

Daren Harmel, USDA-ARS, addressed the board.

Kevin Wagner, Texas Water Resources Institute, commented on a digital library, bacteria task force, and H2O4Texas Conference. Mr. Jacobs asked Mr. Wagner to check on small acreage handbook for future use.

Don Gohmert, Natural Resources Conservation Service, reviewed the NRCS November 2009 Activity Report, spoke of water for future needs, work downstream on Lake Meredith to eradicate Salt Cedar, Invasive Species, and NRCS Employee Training Conference in San Antonio in December.

Discussion with Mr. Gohmert ensued about the Prairie Chicken conservation.

Mr. Isom inquired of Mr. Gohmert about coordinating agencies to combat invasive grasses related to Blood Grass.

Mr. Gruner inquired of Mr. Gohmert about a confidentiality form for District Directors. Mr. Gohmert explained that meetings are not confidential, only the files of the landowners. Mr. Isom stated that TSSWCB would need an attorney to look over document before proceeding.

AGENDA ITEM 3: Comments from the Association of Texas Soil and Water Conservation Districts

Scott Buckles, Association of Texas Soil and Water Conservation Districts, commented on MOU with NRCS will help to implement new programs and website.

Tamara Daniel, Association of Texas Soil and Water Conservation Districts, commented on South Central Meeting in Lubbock in August or September 2010.

AGENDA ITEM 4: Minutes from the September 16-17, 2009 Board Meeting

Chairman Dodier called for a motion to approve the minutes of the September 16-17, 2009 Board Meeting. Mr. Mahler moved that the minutes be accepted as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 5: District Director Appointments

Ms. Preece presented district director appointments for the Board's consideration and verified they were in order and met all qualifications with the following exception: Mr. Campbell's Personal Data Sheet was missing. Mr. Nichols moved the following appointments be approved contingent upon all original paperwork being received in the Temple office. Mr. Jacobs seconded the motion. The motion passed unanimously.

Evertt Ross Harrel II, Yoakum SWCD #150, Zone 4
Don Campbell, Nolan County SWCD #245, Zone 3 (pending receiving Personal Data Sheet)
Larry Ledwig, Wharton SWCD #342, Zone 4

AGENDA ITEM 6: Fiscal Report

Mr. Zajicek reviewed the agenda information.

AGENDA ITEM 7: Consider Approval of Requests for Waiver per 31 TAC §523.6(E)(2)(B),(E)

Mr. Garza reviewed the agenda information. Mr. Jacobs moved for the approval of the requests as presented. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 8: Consider Statewide Water Quality Management Plan Cost-Share Requests

Mr. Munz reviewed the agenda information. Mr. Mahler moved for the approval of the requests as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 9: Water Supply Enhancement Program Report

Mr. Oswald reviewed the agenda information.

AGENDA ITEM 10: Consider Cost Share Practices and Rates for Water Supply Enhancement Program

Mr. Oswald reviewed the agenda information. Mr. Jacobs inquired whether any of these were new categories. Mr. Oswald stated that they are not. Mr. Oswald stated that a feasibility study showed to address heaviest brush first. Mr. Graham moved for the approval of the rates as presented. Mr. Nichols seconded the motion. The motion passed unanimously.

AGENDA ITEM 11: Review and Adopt a Proposed Update of the State Brush Control Plan and Set a Date for Public Hearing

Mr. Oswald reviewed the agenda information. Mr. Dodier inquired as to the correct name of the program since it is listed as the State Brush Control Plan and the Water Supply Enhancement Program. Mr. Jacobs moved to adopt plan as presented. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 12: Texas Invasive Species Program

Mr. Oswald reviewed the agenda information.

AGENDA ITEM 13: Consider Adoption of Rule Amendment for 31 TAC §523.3(j)

Mr. Cochran reviewed the agenda information. Discussion ensued by the board. Mr. Mahler moved to adopt the amendments as presented. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 14: Poultry Water Quality Management Plan Program Report

Mr. Cochran reviewed the agenda information.

AGENDA ITEM 15: Texas Nonpoint Source Management Program Status Report

Ms. Henley and Ms. Casebolt reviewed the agenda information. Mr. Dodier asked that a copy of the report be forwarded to NRCS.

AGENDA ITEM 16: Flood Control Program Status Report

Mr. Foster reviewed the agenda information.

AGENDA ITEM 17: Consider Approval of Adjustments to Allocations to Soil and Water Conservation Districts for Flood Control Dam Operations and Maintenance Grants

Mr. Foster reviewed the agenda information. Mr. Mahler moved to accept the allocations as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 18: Consider Adoption of Technical Standards for Operations and Maintenance Activities on Flood Control Dams Pursuant to 31 TAC §529.8

Mr. Foster reviewed the agenda information.

AGENDA ITEM 19: Consider Adoption of Standardized Rates for In-Kind Contributions of Match Funding Related to Flood Control Operation and Maintenance Activity Reimbursement Requests

Mr. Foster reviewed the agenda information. Mr. Nichols moved to accept the rates as presented. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 20: Approval of Increased Reimbursement Percentages on Flood Control Operations and Maintenance Grants for Soil and Water Conservation Districts that meet the Requirements of 31 TAC §539.3(e)

Mr. Foster reviewed the agenda information. Mr. Graham moved to accept the reimbursement percentages as presented. Mr. Nichols seconded the motion. The motion passed unanimously.

AGENDA ITEM 21: Consider Approval to Propose New Rule 31 TAC §529 – Subchapter B, Relating to a Flood Control Structural Repair Grant Program, for Review and Comment in the Texas Register

Mr. Foster reviewed the agenda information. Mr. Mahler moved to accept the new rule as presented with the understanding that the Board will review comments. Mr. Nichols seconded the motion. The motion passed unanimously.

AGENDA ITEM 22: Consider Approval to Propose Amendments to Rule 31 TAC §529 – Subchapter A, Relating to the Flood Control Operation and Maintenance Grant Program, for Review and Comment in the Texas Register

Mr. Foster reviewed the agenda information. Mr. Jacobs moved to accept the amendments as presented. Mr. Nichols seconded the motion. The motion passed unanimously.

AGENDA ITEM 23: Consider Adoption of Proposed Rule Amendment for 31 TAC 525.1 and 525.3-525.9

Mr. Davis reviewed the agenda information. Mr. Mahler moved to accept the amendment as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 24: Consider Re-Adoption, Revision or Repeal of 31 TAC, Chapter 518, Subchapter B, Historically Underutilized Business Program

Mr. Davis reviewed the agenda information. Mr. Mahler moved to approve publishing in Texas Register as presented. Mr. Nichols seconded the motion. The motion passed unanimously.

AGENDA ITEM 25: Consider Petition and Hearing for Inclusion of Additional Territory in Kleberg-Kenedy SWCD #356

Mr. Davis reviewed the agenda information. Mr. Jacobs moved to approved territory as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 26: Consider Request for Subdivision Boundary Change by the Loma-Blanca SWCD #328

Mr. Davis reviewed the agenda information. Mr. Mahler moved to approved boundary changes as presented. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 27: Review 2009 Annual State Meeting

Mr. Davis reviewed agenda information. General session may need to limit speakers to keep on schedule.

AGENDA ITEM 28: Review Plans for 2010 Annual State Meeting

Mr. Davis reviewed the agenda information. Mr. Davis to check on facilities for banquet.

AGENDA ITEM 29: Consider Future Annual State Meeting Sites

Mr. Davis reviewed the agenda information. Site selection to be held at January Board Meeting.

AGENDA ITEM 30: Consider Re-Adoption, Revision, or Repeal of State Board Fraud Policy

Mr. Davis reviewed the agenda information. Mr. Nichols moved to reaffirm the policy. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 31: Consider Re-Adoption, Revision, or Repeal of State Board Ethics Policy

Mr. Davis reviewed the agenda information. Mr. Mahler moved to reaffirm the policy. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 32: National Association of Conservation Districts Report

Mr. Davis reviewed the agenda information.

AGENDA ITEM 33: National Association of State Conservation Agencies Report

Mr. Davis reviewed the agenda information.

AGENDA ITEM 34: Public Information/Education Report

Mr. Gottschalk reviewed the agenda information.

AGENDA ITEM 35: Human Resources Report

Ms. Heitman reviewed the agenda information.

AGENDA ITEM 36: Set a Date for the Next State Board Meeting

Board set the next Board Meeting date as January 20-21, 2010. Location to be determined.

Mr. Nichols moved the meeting be adjourned. Mr. Graham seconded the motion. The motion passed unanimously. Meeting adjourned at 11:00 a.m.

Chairman

Secretary

Date

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 19, 2009.

Date

Executive Director