

OFFICIAL MINUTES  
STATE SOIL AND WATER CONSERVATION BOARD  
March 15, 1984

The State Soil and Water Conservation Board met on March 15, 1984, at 8:00 a.m. in Room 1006, First National Building, Temple, Texas.

Board members present were:

J. Frank Gray, Chairman  
C. F. "Dick" Schendel, Vice Chairman  
Hermon Petty, Member  
Joe Antilley, Member  
Albert Roach, Member

Staff members present were:

Harvey Davis, Executive Director  
John Millican, Assistant Executive Director  
Bob Buckley, Director of Programs  
James Moore, Engineer  
Josephine Chupik, Office Services Supervisor  
Mel Davis, Soil Conservationist  
Carl Gray, Agronomist  
Jay Kuykendall, Engineering Technician  
Don Brandenberger, Soil Conservationist  
Davis Powell, Soil Conservationist

Directors of the Association of Texas Soil and Water Conservation Districts present were:

Joe Montgomery, President  
Waldo Smith, Vice-President  
Judge Larry McCasland, Director  
Wilson Scaling, Director

Others present were:

Billy Griffin, State Conservationist, Soil Conservation Service  
Gary Westmoreland, Soil Conservation Service  
O'Gene Barkemeyer, Soil Conservation Service  
Dr. Bill Harris, Extension Service  
Dr. Earl Burnett, Agricultural Research Service  
Bob King, Texas Department of Agriculture (arrived at 2:30 p.m.)

Chairman Gray called the meeting to order and welcomed the guests.

On motion of Hermon Petty, seconded by Joe Antilley, the minutes of the February 16, 1984 meeting were approved as mailed to each board member.

On motion of Albert Roach, seconded by Dick Schendel, the following district director appointments were approved.

Jack Crider - Sandhills SWCD #241  
Ray Crocker - Piney Woods SWCD #429  
W. Benton Bryant - Wood SWCD #444  
Roy Bob Keith - King County SWCD #168

Harvey Davis reviewed the final report submitted by the staff of the Sunset Advisory Commission and discussed the preparation of recommendations for the hearing scheduled for March 26, 1984 at 9:00 a.m. (A copy of the response is attached.) The Board considered and adopted recommendations on the following items from the Sunset Report.

I. MAINTAIN THE AGENCY WITH MODIFICATIONS

A. Policy-making Structure

1. The statute should be amended to change the terms of state board members from five to two years to comply with constitutional requirements.

On motion of Dick Schendel, seconded by Hermon Petty, the Board recommended implementation of two year terms for each board member, leaving the present boundaries for each of the five zones, and electing three board members the first year and two board members the second year.

A motion was made by Albert Roach to recommend elections be held in zones two and four on even numbered years and zones one, three and five on odd numbered years with the next effective date taken into consideration. Since the motion did not draw a second, it was withdrawn by Mr. Roach.

A motion was made by Dick Schendel, and seconded by Hermon Petty, to recommend that the new elections be implemented in 1986 with elections in State zones 4, 5, and 2 and State zones 1 and 3 in 1987. Motion carried.

B. Evaluation of Programs

1. The statute should be amended to require improved planning and reporting by local districts to assist the state board in making matching fund decisions.

It was agreed by the Board to recommend that this proposal was not needed considering the small amount of funds received by districts and the fact that the State Board has the authority to require such reporting if the level of funding ever requires it.

C. Open Records/Open Meetings

1. The agency should develop a policy regarding public access to records to ensure release of information complies with the Open Records Act. (management improvement - non-statutory)

It was agreed by the Board to go ahead and develop policy governing public access to records.

D. Public Participation

1. The statute should be amended to require the board to adopt rules for procedures used to make funding decisions for local districts.

The board agreed that a statutory change was not necessary since the board already has authority to adopt rules. Funds disbursed to local districts are viewed by the Board as "in-house" funds subject to auditing but not subject to public participation as required by the Administrative Procedures Act.

## II. OTHER POLICY CONSIDERATIONS

1. Should board members be appointed by the governor rather than elected from state districts.

No - The Board agreed to recommend that this consideration not be adopted and that each board member be elected by local district directors from each state zone as is currently done.

2. Should the agency be abolished and its functions transferred to the Department of Agriculture and the Department of Water Resources.

The Board agreed to recommend that this consideration not be adopted.

The Board feels there would be no cost-savings, only an increase in personnel in the agency that absorbs the functions of the board.

The Board agreed this would dilute the "grass-roots" concept of the soil and water conservation program and reduce its effectiveness.

3. Should the agency's water-related research and planning function be transferred to the Department of Water Resources.

The Board agreed to recommend that this consideration not be adopted since water related functions of the State Board are tied to soil conservation programs and soil and water conservation districts.

On page 10 in the 2nd paragraph the Board agreed to recommend wording to clarify that the purpose of the technical assistance program was to allow soil and water conservation districts to hire personnel to assist landowners in solving their conservation problems.

On page 35 - The entire page on "Across-the-Board Recommendations" was reviewed.

Bill Harris reported on TRAC whose membership is made up of agriculture people. A special "Focus Day" is being planned for agencies and landowners to meet to identify soil and water programs. During Soil Stewardship Week

each county will have some "focus" on conservation programs.

Bob Buckley presented preliminary estimates for the 1986-1987 biennium budget request. Since the survey of needs from districts on matching funds and technical assistance is not complete, the Board reviewed the estimates of other items and agreed to work on the detailed budget request in the April board meeting.

Harvey Davis suggested that the group adopt a position relative to the possibility of an executive order on protection of agricultural land that was discussed in a meeting on January 26, 1984 called by Commissioner of Agriculture Hightower. After considerable deliberation, a motion was made by Joe Antilley, seconded by Albert Roach, to adopt a position to oppose an executive order pertaining to agriculture land protection at this particular point in time and further proposed that an issue of this magnitude be addressed by legislation, thereby allowing interested groups and individuals to express themselves relative to the need for such action. The motion carried.

The Board discussed the Soil and Water Resource Conservation Act. The law, sponsored by Congressman Kika de la Garza and passed in 1977 calls for an evaluation of agricultural resources and conservation programs every five years. According to reviews and studies, RCA has not adequately addressed state and local needs. On motion of Joe Antilley, seconded by Albert Roach, the Board directed that a letter be written to Congressman de la Garza requesting that oversight hearings be scheduled on RCA in Texas to provide the opportunity for local people to present their views.

Harvey Davis reported that the Senate Natural Resources Committee has scheduled hearings at which we have been requested to testify on soil and water conservation programs on the following dates:

April 10, 1984 - Amarillo  
April 16, 1984 - Corpus Christi  
April 17, 1984 - Lake Jackson  
May 23, 1984 - Midland  
October, 1984 - Tyler

Harvey Davis read a letter from Senator Bill Sims suggesting the possibility of inclusion of brush control practices in the next State water plan. The Board agreed to work with Senator Sims toward this proposal.

Billy Griffin informed the Board that cut backs in Soil Conservation Service personnel had a considerable impact on part-time help in the field.

Gary Westmoreland reported on the preliminary Natural Resources Inventory data summaries pertaining to rangeland erosion and rangeland condition.

O'Gene Barkemeyer reported on activities in the PL 83-566 watershed protection and flood prevention program reviewing watersheds in planning process.

Earl Burnett responded to the resolution on weed control in conservation tillage passed by district directors in McAllen by advising the group that ARS had no weed scientist under his administrative area.

James Moore reported on a field examination conducted on the tributaries to the Lavaca River above Hallettsville and on Rocky and Brushy Creeks above Shiner to determine their feasibility under PL 83-566. A report should be completed in approximately six weeks.

The Board discussed nepotism. On motion of Hermon Petty, seconded by Joe Antilley, the Board agreed that no state funds of any kind will be disbursed to any local SWCD practicing nepotism.

A letter from the Lower Clear Fork of the Brazos SWCD #531 requesting technical assistance funds was discussed. Since this district had not previously received funds, on motion of Hermon Petty, seconded by Joe Antilley, the Board allocated \$2,750.00 in technical assistance funds.

Letters from the Hockley SWCD #129 and Hall-Childress SWCD #109 requesting additional allocations in technical assistance funds were discussed. Since both of the districts presently have an allocation of funds on motion of Joe Antilley, seconded by Hermon Petty, the Board delayed action on the requests until its April board meeting when additional funds are disbursed.

The National meeting of the Soil Conservation Society of America will be held in Oklahoma City on July 29 - August 1, 1984. On motion of Dick Schendel, seconded by Joe Antilley, all board members, Harvey Davis and his designees are authorized to attend the meeting.

Bob King gave a report to the Board concerning Texas Department of Agriculture comments on H.R. 3457, a copy of which had been sent to all soil and water conservation district directors. He then updated the Board on activities concerning the development of a Land Evaluation and Site Assessment System in Colorado and Fayette Counties. He indicated his plans to meet with the Fayette Soil and Water Conservation District and others concerning the system on March 26, 1984.

Bob King then briefed the Board on Texas Department of Agriculture efforts to implement the Family Farm Security Act and on a study being conducted in the Howard County area to evaluate suspected arsenic contamination of groundwater.

The next Board meeting is scheduled for Monday, April 23, 1984.

The meeting adjourned at 3:45 p.m.

J. Frank Gray  
Chairman

Josephine Chupik  
Secretary

April 23, 1984  
Date

I hereby certify that the above is a true and correct copy of the minutes of the board meeting held on March 15, 1984.

April 23, 1984  
Date

Harvey Davis  
Executive Director