

Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
July 17, 2008

The Texas State Soil and Water Conservation Board met on July 17, 2008, at 9:00 a.m. at 8540 W. Interstate 40, Amarillo, Texas.

Board Members present were:

Jerry Nichols, Chairman
José Dodier Jr., Vice-Chairman
Aubrey Russell, Member
Marty Graham, Member
José Dodier, Member
Barry Mahler, Member
Larry Jacobs, Member
Joe Ward, 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
Tuffy Wood, Program Specialist
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, NPS Team Leader
Lee Munz, NPS SWCD Liason
Mel Davis, Special Projects Coordinator
Karen Preece, Accountant

Others present were:

Scott Buckles, Association of Texas Soil & Water Conservation Districts
Don Gohmert, Natural Resources Conservation Service
Salvador Salinas, Natural Resources Conservation Service

Mickey Black, Natural Resources Conservation Service
Bill Gray, McClellan Creek SWCD Director

Chairman Nichols called the meeting to order at 9:00 a.m. and welcomed those present.

AGENDA ITEM 1: Opportunity for Public Comment

Chairman Nichols publicly thanked Aubrey Russell, Bob Gruner, Johnny Oswald, and Tuffy Wood for the work and time that was put into making the State Board meeting preparations and helicopter tours.

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

Don Gohmert, Natural Resources Conservation Service reported on: end-of-year finances, dam safety, Farm Bill

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

There were no comments presented at this time.

AGENDA ITEM 4: Minutes from the May 14-15, 2008 Board Meeting

Chairman Nichols called for a motion to approve the minutes of the May 14-15, 2008 Board Meeting as emailed. Mr. Mahler moved that the minutes be accepted as emailed. 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. Mr. Dodier moved the following appointments be approved. Mr. Mahler seconded the motion. The motion passed unanimously.

Ricky Thompson Hansford #148, Zone 1, Replace Keith Lamb
Wayne Wesley Sutton, Rio Grande-Pecos River#237, Zone 2, Replace B. Ross Stavley
Jill L Beever, Frio #325, Zone 3, Replace Mike Wilson
David R. Bolling, Jackson #336, Zone 3, Replace William B. Traylor (FAX)
Diana Hold, Austin County #347, Zone 1, Replace Alvin R. Schulz
Kenneth James Hayes, Trinity-Neches #422, Zone 3, Replace Jimmy Mattingly
Kenneth Carman, California Creek #545, Zone 5, Replace Dale Spurgin
Dale Spurgin, California Creek #545, Zone 4, Replace Kenneth Carman

AGENDA ITEM 6: Flood Control O&M Update

This item was covered by Don Gohmert under Agenda Item 2.

AGENDA ITEM 7: Review 2008 Operating Budget and Approve Authority for the Executive Director to Reallocate FY 2008 Funds

Mr. Zajicek reviewed the agenda information. Mr. Isom stated that there would be notification to the board upon reallocation of all funds. Mr. Jacobs moved for the approval of the Executive Director to

re-allocate Fiscal Year 2008 funding with cumulative re-allocation over \$200,000 requiring board notification. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 8: Consider 2009 Operating Budget

Mr. Zajicek reviewed the agenda information. Mr. Mahler moved for the approval of the 2009 Operating Budget as presented. Mr. Ward seconded the motion. The motion passed unanimously.

AGENDA ITEM 9: Consider 2009 Director Mileage & Per Diem Allocations

Mr. Zajicek reviewed the agenda information. Mr. Dodier moved for the approval of the 2009 Director Mileage & Per Diem Allocations as presented. Mr. Russell seconded the motion. The motion passed unanimously

AGENDA ITEM 10: Consider 2009 Matching Fund Allocations

Mr. Zajicek reviewed the agenda information. Mr. Mahler moved for the approval of the 2009 Matching Fund Allocations as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 11: Consider 2009 Technical Assistance Allocations

Mr. Zajicek reviewed the agenda information. Mr. Graham moved for the approval of the 2009 Technical Assistance Allocations as presented. Mr. Dodier seconded the motion. The motion passed unanimously.

AGENDA ITEM 12: Consider 2010-11 LAR Base Request

AGENDA ITEM 13: Consider 2010-11 LAR Capital Budget Requests

AGENDA ITEM 14: Consider 2010-11 LAR Exceptional Item Requests

Mr. Zajicek reviewed the agenda information for Agenda Items 12, 13, 14. Mr. Jacobs called for clarification on item 2b whether it is an even dollar amount or even percentage. Mr. Zajicek stated that it would be an even percentage. Mr. Russell moved for the approval of all three LAR items as presented. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 15: Consider Raising the Maximum Cost-Share Allowed per Operating Unit

Mr. Garza reviewed the agenda information. Mr. Dodier asked if this information included 2007. Mr. Garza stated that the numbers were through March 2008. Mr. Dodier moved for the approval to raise the maximum cost-share allowed per operating unit to \$15,000.00. Mr. Graham seconded the motion. Mr. Jacobs asked if consumer price index was common within agencies. Mr. Dodier stated that this was within cost of living adjustments. The motion passed unanimously.

AGENDA ITEM 16: Consider Proposed Rule Amendments for 31 TAC 523.1 – 523.4 and 523.6

Mr. Garza reviewed the agenda information. Mr. Russell stated that this item was tabled two meetings ago and moved to remove this item from the table. Mr. Dodier seconded the motion. The motion passed unanimously.

Mr. Russell commended the committee for the hard work and dedication to this project. Mr. Russell moved for the approval of the proposed rule amendments. Mr. Dodier seconded the motion. The motion passed unanimously. Mr. Isom also expressed his appreciation to the committee for completing this project.

AGENDA ITEM 17: Consider Designation of Priority Districts for Participation in the Water Quality Management Program

Mr. Garza reviewed the agenda information. Mr. Dodier moved for the approval to designate the five districts listed. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 18: Consider 2009 Water Quality Management Program Cost-Share Allocations

Mr. Garza reviewed the agenda information. Mr. Jacobs moved for the approval of the 2009 Water Quality Management Program Cost-Share Allocations as presented. Mr. Mahler seconded the motion. The motion passed unanimously.

Chairman Nichols called a special presentation. Mr. Russell presented a plaque to the family of District Director Ira Harbour, Hutchinson SWCD #146 for 58 years of service and dedication.

AGENDA ITEM 19: Statewide Water Quality Management Plan Cost-Share Requests.

Mr. Munz reviewed the agenda information. Mr. Munz stated that there was a misprint, and it should read, "There are six (6) new requests for statewide funds." Mr. Mahler moved for the approval of the six statewide requests and the list of producer requests for funding, and granting the Executive Director or his designee the authority to allocate any remaining funds that may be released before the end of the fiscal year as amended. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 20: Reallocation of FY 08 General Revenue Water Supply Enhancement Program Funds

Mr. Oswald reviewed the agenda information. Mr. Dodier moved for the approval of the reallocation of FY 08 General Revenue Water Supply Enhancement Program Funds. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 21: Allocation of Fiscal Year 2009 General Revenue Water Supply Enhancement Program Funds

Mr. Oswald reviewed the agenda information. Mr. Graham moved for the approval of the FY 2009 allocations as presented. Mr. Dodier seconded the motion. The motion passed unanimously.

AGENDA ITEM 22: Water Supply Enhancement Program FY 09 Cost Share Rates on Mechanical, Aerial Spray and Aerial Spray of Salt Cedar

Mr. Oswald reviewed the agenda information. Mr. Oswald stated that fixed wing needed to be added to the proposal to the Nueces River and Frio River Projects at a cost of \$30.00 for mesquite. Mr. Oswald stated that this application is still cost effective over grubbing. Mr. Isom stated that the Water Supply Enhancement Program has the ability to make changes throughout the year with Board approval. Discussion ensued about cost-share rates, helicopters spray at slower speeds for more

accuracy, precision on fixed wing being as effective as helicopter. Mr. Dodier moved for the approval of the cost-share rates as amended. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 23: Water Supply Enhancement Program Report

Mr. Oswald reviewed the agenda information.

Mr. Perez inquired about Agenda Item #22. Mr. Jacobs asked the Board if Agenda Item # 22 could be revisited. Mr. Oswald stated that it could be changed at a future Board meeting. Board requested Agenda Item # 22 be addressed at the September meeting.

AGENDA ITEM 24: Inclusion of Additional Territory in Kleberg-Kenedy SWCD #356

Mr. Davis stated that there was no agenda information.

AGENDA ITEM 25: 2008 Annual State Meeting

Mr. Davis reviewed the agenda information. The Board agreed to use South Of The Border to cater the Appreciation Banquet. Mr. Mahler moved for the approval to raise Pre-registration fees to \$75 and \$40 for spouse, Late Registration fees after September 17th to \$85 and \$50 for spouse. Mr. Dodier seconded the motion. The motion passed unanimously.

AGENDA ITEM 26: Future State Meetings

Mr. Davis reviewed the agenda information. Mr. Graham moved for the approval of the 2009 State Meeting to be held in Lubbock. Mr. Dodier seconded the motion. The motion passed unanimously.

AGENDA ITEM 27: Customer Service Survey

Mr. Davis reviewed the agenda information. Mr. Dodier moved for the approval to use the existing survey form in order to compare the results to our previous survey results. Mr. Jacobs seconded the motion. The motion passed unanimously. Mr. Jacobs encouraged staff to look at responses to see who is filling out surveys.

AGENDA ITEM 28: Texas Conservation Awards Program

Mr. Davis reviewed the agenda information. Mr. Russell moved for the approval that the Conservation Awards Program be continued as currently formatted and administered. Mr. Graham seconded the motion. The motion passed unanimously. Mr. Brandenberger stated that since the time of printing, the amount for Area V had changed adding to the expense of the facility by \$600, thus changing the total banquet balance to \$1,218.27.

AGENDA ITEM 29: July 2008 Semiannual Report

Mr. Davis reviewed the agenda information.

AGENDA ITEM 30: National Association of Conservation Districts South Central Area Meeting and Report

Mr. Davis reviewed the agenda information. Mr. Russell stated he would be attending the meeting in Arkansas. Mr. Graham stated he may be able to attend and will let Mr. Davis know. Mr. Dodier reminded everyone that the NACD weekly email report was not going to be automatic in the future. If you would like to continue to receive the report, you must re-subscribe on-line.

AGENDA ITEM 31: National Association of State Conservation Agencies Report

Mr. Davis reviewed the agenda information.

AGENDA ITEM 32: Flood Control Dam Rehabilitation Projects for FY 09 Funding by the Natural Resources Conservation Service

Mr. Foster reviewed the agenda information. Mr. Dodier moved for approval. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 33: Implementation Plan for One Total Maximum Daily Load for Dissolved Oxygen in Lake O' the Pines

Mr. Foster reviewed the agenda information. Mr. Jacobs moved for approval. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 34: Poultry Water Quality Management Plan Program Report

Mr. Cochran reviewed the agenda information. Complaints have been addressed, and Mr. Cochran has met with Senator Ogden, and possible legislation could come about due to the odor complaints. Mr. Cochran also stated that many of the complaints are by the same person.

AGENDA ITEM 35: Human Resources Report

Mr. Davis reviewed the agenda information.

AGENDA ITEM 36: Public Information/Education Report

Mr. Davis reviewed the agenda information.

Chairman Nichols presented longevity plaques to Mr. Garza for 20 years of service, and to Mr. Freeman for 30 years of service.

AGENDA ITEM 37: Set a Date for the Next State Board Meeting

Board set the next Board meeting date as September 17-18, 2008 in Temple, TX.

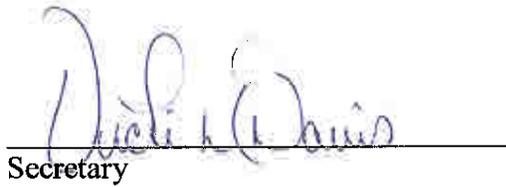
Mr. Jacobs moved the meeting adjourn, Mr. Dodier seconded the motion. Chairman Nichols called the meeting adjourned at 10:43 a.m.



Chairman

9/18/08

Date



Secretary

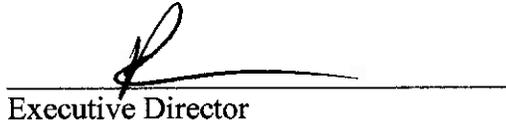
9/18/08

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 July 16-17, 2008.

9/18/08

Date



Executive Director