

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

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

Board members present were:

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

Staff members present were:

Harvey Davis, Executive Director  
John Millican, Assistant Executive Director  
Bob Buckley, Director of Programs  
James Moore, Engineer  
Jay Kuykendall, Engineering Technician  
Josephine Chupik, Office Services Supervisor  
Clyde Gottschalk, Information Specialist  
Mel Davis, Soil Conservationist

Others present were:

Waldo Smith, Association of Texas Soil & Water Conservation Districts  
Jeffrey Grymskowski, Legislative Budget Board  
Rick Piltz, Texas Department of Agriculture  
Dr. Bill Harris, Texas Agricultural Extension Service  
Dr. Earl Burnett, Agricultural Research Service  
John Haislet, Texas Forest Service  
Billy Griffin, Soil Conservation Service  
Dale Fischgrabe, Soil Conservation Service  
Charles Thompson, Soil Conservation Service  
Gary Westmoreland, Soil Conservation Service  
O'Gene Barkemeyer, Soil Conservation Service

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

On motion of Albert Roach, seconded by Hermon Petty, the minutes of the  
Board meetings held on September 20, 1984 and October 22, 1984 were approved  
as mailed out to each Board member.

On motion of Hermon Petty, seconded by Frank Gray, the Board approved the  
following district director appointments:

Steve Hale - Roberts SWCD # 145  
Donald Jenkins - Roberts SWCD # 145  
Robert Brooks - Neches-Sabine SWCD #426

The Board discussed changes in the "personal data" forms TSSWCB 50 and TSSWCB50A completed by appointed and elected district directors. Information needed to cover qualifications of district directors remains on the revised letter size forms. On motion of Joe Antilley, seconded by Frank Gray, the Board approved the new forms.

Harvey Davis reported on the Legislative Budget Board's recommendations for the 1986-87 biennium budget request. In a meeting of the LBB on October 12, 1984, budgets for 1986-87 of 3.7% less than the 1985 appropriation were recommended for the State Board. Davis explained the action taken by the State Board in its meeting of October 22, 1984 on the proposed reduction. Efforts will be made to restore these cuts through contacts with Committee Members.

Jeffrey Grymskowski reported the LBB was recommending cuts in proposed 1986-87 budgets to keep from having a tax increase during the next biennium.

Harvey Davis reviewed the preliminary draft of legislation by the Texas Legislative Council which was an early draft of legislation prepared for the Sunset Advisory Commission. The Sunset Advisory Commission met on October 29 and approved final recommendations which provided for the State Board to be continued for 12 years and for the terms of office of State Board members and district directors be changed to meet constitutional requirements. Based on a recommendation of the Sunset Advisory Commission on motion of Albert Roach, seconded by Frank Gray, the Board adopted the following policy relative to the Open Records Act:

"The State Soil and Water Conservation Board recognizes that Article 6252-17a governs public access to information gathered by governmental bodies and intends to distribute information in accordance with this Act. In keeping with this policy the State Board hereby declares all of its records open to the public except those records pertaining to personnel actions."

Draft legislation relating to soil and water conservation districts and the operation of the State Soil and Water Conservation Board was reviewed. On motion of Hermon Petty, seconded by Albert Roach, the Board approved the following wording in the General Provisions, Section 1, Subchapter A, Chapter 201, Agriculture Code is amended by amending Section 201.001 (d) to read:

"It is the policy of the legislature to provide for the conservation of soil and related resources of the State . . . . ."

John Millican read portions of the general provisions that were reworded to clarify the law. After review of the proposed general provisions, on motion of Albert Roach, seconded by Hermon Petty, the Board directed the staff to proceed working with the Legislative Council in drafting this legislation.

A resolution adopted at the Annual State Meeting calling for legislation to require reclamation of land strip mined for non-energy resources was discussed. After considerable discussion, on motion of Frank Gray, seconded by Albert Roach, the Board directed the staff to proceed with further study of this problem by contacting other agencies, individuals, our counterpart in Mississippi and others knowledgeable on the subject and develop recommendations for the next board meeting.

Harvey Davis reported that Representative Foster Whaley had requested that legislation be drafted to increase the mileage rate for district directors from 18¢ per mile to the mileage rate set by the legislature for employees of the State of Texas. The Board expressed appreciation for Representative Whaley's interest and support of our program.

Harvey Davis reviewed the draft water legislation received November 14 from Gov. White, Lt. Gov. Hobby and Speaker Lewis. A public hearing is tentatively scheduled for December 7, 1984 in Austin. Waldo Smith stated

that he planned to testify at the hearing.

Billy Griffin reported on the Soil Conservation Service budget. Due to a cut in funding, only a limited number of personnel would be hired. Travel and training sessions would also be reduced.

Gary Westmoreland reported the Knox City Plant Materials Center was negotiating a lease for additional land due to the loss of a lease on 22 acres east of the Center.

Dr. Burnett reported on the Agricultural Research Service Workshop held in Denver, Colorado last week relative to conservation production assistance in research needs.

Dr. Bill Harris complimented the Board and staff on the Annual Meeting held in Corpus Christi. Dr. Harris felt the program was educational and informative. Dr. Harris reported on the establishment of wind erosion control demonstrations in several counties with the input of agricultural agencies including local conservation districts.

Rick Piltz discussed the proposed water legislation being considered by the Joint Committee on Water Resources. Piltz explained that although they had conceived the idea of funding the proposed soil and water conservation fund with a portion of the agricultural land conversion fee that they had no estimates of the amount of funds that would be produced. He also expressed his concern that no loan or cost-share program was included for irrigation water conservation practices.

Waldo Smith, newly elected President of the Association of Texas Soil and Water Conservation Districts, expressed appreciation for the working relationship with the Board.

Hermon Petty reported the National Conservation Tillage Workshop in Nashville, Tennessee on October 5 & 6, 1984 was informative and very well planned.

The Annual Meeting of Soil and Water Conservation District Directors held in Corpus Christi on October 22, 23, and 24, 1984 was discussed. Of the 968 people registered, 358 were district directors, representing 148 districts, 244 district director's wives, 107 other ladies and 259 other men. Ten districts had 100% attendance. A breakdown of directors in attendance by districts, individual attendance percentages for each State District and an itemized statement of finances on the meeting was reviewed. (copies attached)

Mel Davis reviewed the resolutions adopted at the Annual State Meeting.

The Board was designated by Executive Order DB 18, DB 18A and WPC 5 as the planning and management agency for non-point source planning relative to Section 208, PL92-500 with respect to agricultural and silvicultural practices. The Board has not requested this designation from Gov. White. After discussing whether to request this designation from Gov. White or attempt to include it in legislation; on motion of Frank Gray, seconded by Albert Roach, the Board agreed to include the following in the legislation being drafted:

201.027 - "The Board shall have jurisdiction over agricultural and silvicultural nonpoint source pollution including but not limited to planning, implementation and management of programs".

As per action at the last board meeting on the Farmland Protection Policy Act (7-USC 4201-4209), Harvey Davis reported meeting with Soil Conservation Service staff to discuss what alternatives the Board might consider in fulfilling its responsibilities. A criteria for designation of farm land was discussed. It was decided a brief field trip would be made in connection with the next board meeting to review cropland in various capability classes classified by the Soil Conservation Service.

Bob Buckley explained the notice received from the State Comptroller in regards to the new ruling by Internal Revenue Service (Bulletin 1984-34) allowing 20.5¢ per mile travel expense as non-taxable. State of Texas pays

23¢ per mile which means 2.5¢ per mile is taxable income. Internal Revenue Service has also determined that reimbursement for partial per diem for expenses while traveling in a business capacity but not staying away from headquarters overnight is taxable income.

Jo Chupik reported on district director elections in zone 1 held October 1 through 16. Of 201 districts, 196 districts have reported election results with 28 new directors elected and 168 directors reelected.

The Board will have a called meeting in December if needed. The next regular scheduled meeting of the Board is January 17, 1985.

The meeting adjourned at 2:40 p.m.

Clarence J. Schendel  
Chairman

Josephine Chupik  
Secretary

January 17, 1985  
Date

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

January 17, 1985  
Date

Harvey Davis  
Executive Director