

**Minutes**  
**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**January 20, 2000**

The Texas State Soil and Water Conservation Board met on January 20, 2000 at 8:00 a.m. in its Hearings Room at 311 North Fifth Street, Temple, Texas.

Board members present were:

Gene Sollock, Chairman  
James K. (Rooter) Brite, Vice Chairman  
Dayton Elam, Member

Staff members present were:

Robert G. (Bob) Buckley, Executive Director  
James M. Moore, Director of Conservation Programs  
Mel Davis, Director of District Operations  
Bobbie Stephens, Director of Administration  
John Millican, Program Administrator  
Clyde Gottschalk, Program Administrator  
Sam Unberhagen, Program Specialist  
Dawn Heitman, Human Resources Specialist  
Andrea Pennington, Accountant  
Richard Egg, Engineer  
Johnny Oswald, Program Administrator  
Donna Long, Program Specialist  
Kevin Wagner, Program Specialist  
Julia Burger, Planner  
Kenny Zajicek, Contract Manager  
Kevin Canfield, Planner  
Lee Munz, Planner  
Lois J. Cain, Administrative Technician

Others present were:

Freddie Williams, Natural Resources Conservation Service  
Ed Albrecht, Association of Texas SWCDs  
Susan Solterman, Sunset Commission  
Ilan Levin, Sunset Commission

On motion of Rooter Brite, seconded by Dayton Elam, the minutes of the November 17, 1999 board meeting were accepted as mailed.

Rooter Brite then asked about the possibility of tape recording the board meeting. Discussion followed. On motion of Dayton Elam, seconded by Rooter Brite, the staff was directed to check into prices of a recording system for the Hearings Room.

Mel Davis presented district director appointments, listed on the agenda, for consideration and advised they met the qualifications. All paperwork appeared to be in order except original paperwork had not been received for the two appointments from Bee Soil and Water Conservation District #344. Mr. Davis advised we had received fax copies of the paperwork with the originals being sent in the mail but the appointments met the qualifications. On motion of Dayton Elam, seconded by Rooter Brite, all of the following appointments were approved as presented pending receipt of original paperwork for the appointments in the Bee SWCD #344.

Bruce Cox, Upper Clear Fork SWCD #165  
Richard J. Hodge, Matagorda County SWCD #316  
Hilario Chapa, III, Bee SWCD #344  
Kenneth Chandler, Bee SWCD #344  
J. W. Rollins, Lower Trinity SWCD #435  
Timothy K. Boone, Panola SWCD #448  
Carroll Collier, Wise SWCD #548

Mel Davis advised that Board member elections in State Areas II and IV would be held the first Tuesday in May. State District II will hold their election in the Parish Hall Meeting Room of the Saint Ambrose Catholic Church in Wall, Texas at 6:00 p.m. State District IV will hold their election at 5:00 p.m. at the Norman Activity Center in Jacksonville, Texas. He said letters would be mailed on January 24, 2000 advising those districts of locations and times.

Mr. Davis then discussed the dates and locations for the Regional Conservation Awards Banquets, which are as follows:

- Area I - May 11, 2000  
Plainview Country Club, Banquet Room  
Plainview, Texas  
7:00 p.m.
- Area II - May 2, 2000  
Parish Hall Banquet Room  
Saint Ambrose Catholic Church  
Wall, Texas  
7:00 p.m.
- Area III - May 3, 2000  
Refugio County Community Center  
Refugio, Texas  
6:00 p.m.
- Area IV - May 2, 2000  
Norman Activity Center  
Jacksonville, Texas  
6:00 p.m.
- Area V - May 4, 2000  
Tarleton State University  
Student Development Center Ballroom  
Stephenville, Texas  
7:00 p.m.

A list of districts that have not made a \$35 contribution to the awards program as of the board meeting date was provided. One hundred sixty-eight districts have paid their awards quota.

Mel Davis discussed travel arrangements for the national NACD annual meeting being held in Colorado Springs, Colorado on January 30 through February 3, 2000 and handed out pre-registration confirmation cards. He also provided a copy of NACD Policy Book changes and resolutions that will be considered.

Mr. Davis discussed the results of a survey done among districts for sites to be looked at for future statewide meetings. He reminded the Board the annual

meeting would be held in Fort Worth in October 2000 and in San Antonio in October 2001. The Board directed staff to look at the top five cities for meeting proposals for 2002, 2003 and 2004. The top five cities were Corpus Christi, Austin, Galveston, South Padre Island and McAllen in that order.

Clyde Gottschalk reported nineteen district directors have registered as of the board meeting date to attend the District Director Conference to be held February 15-16, 2000 in the State Board's Hearings Room in Temple. Any director can attend the conference but newly elected or appointed district directors are specifically encouraged to attend. Mr. Gottschalk said material for the FFA Soil Stewardship Speech Contest had just been sent out to agriculture teachers in the state. He also noted several workshops were being planned and coordinated for Boy Scouts and FLP facilitator workshops.

Bob Buckley provided draft procedures for development of printed material for the agency as requested in the November 17, 1999 board meeting. Mr. Buckley asked the Board to read and comment on the draft proposal. After review and on motion of Rooter Brite, seconded by Dayton Elam the draft policy was adopted as presented. (Copy attached.)

Bobbie Stephens gave a status report on District Financial Statements and Audits and said out of 216 districts only four are still outstanding.

Ms. Stephens provided for the Board's information the employee travel report for fiscal year 2000 which showed how funds are being expended and advised staff is keeping their travel current.

She then provided a travel and per diem expense report for Board members for four months ending December 31, 1999. Mr. Buckley asked if the Board had any

out-of-state travel that needed to be approved before the March board meeting. It was noted the NACD Spring Legislative Conference in Washington, D.C. is March 18-23, 2000. On motion of Rooter Brite, seconded by Dayton Elam the Board approved travel for all board members who needed to attend.

Bobbie Stephens provided and discussed the fiscal year 2000 Budget versus Expenditure Report for four months ending December 31, 1999.

Funding the balance of fiscal year 1999 Technical Assistance Funds for Supplemental Requests was discussed. Ms. Stephens said there was a balance of \$37,259.64 remaining to be funded. On motion of Rooter Brite, seconded by Dayton Elam, the remainder of Technical Assistance funds was approved to be disbursed as presented for supplemental Technical Assistance funding. Mr. Buckley stated there is currently not a deadline for claiming supplemental TA funds. Asked if the Board did not object, staff will discuss with field staff in detail and report back to the State Board on ways of setting a deadline so supplemental funds can be distributed quicker to districts.

Bobbie Stephens reported on responses from districts on the Sunset Questionnaire. Responses were received from 204 districts. Ms. Stephens said she was impressed with the thought that had been given to the questionnaire by the districts. She said the results basically tell us the districts do not want to change the structure of the delivery system. The Sunset Commission requested to receive these comments. On motion of Rooter Brite, seconded by Dayton Elam, the Board voted to release the summary to the Sunset Commission. The Board also felt it would be a good idea to get this information back to the local districts, which could possibly be done by the field staff.

Bob Buckley discussed the Fiscal Years 2002 and 2003 Legislative Appropriation Requests and asked the Board for preliminary direction for the next Legislative Session. Mr. Buckley said avenues would be investigated and staff will return to the Board with possible recommendations.

Andrea Pennington provided a report on the status of seeking proposals to provide professional internal audit services. Bids have been placed for the service. Mr. Sollock and Mr. Buckley will compare proposals for the most cost-effective plan and report back to the Board.

Dawn Heitman presented the Human Resources Report and advised of recent retirements, one resignation and one transfer to another state agency. She advised of five new hires - Ben Wilde, Program Specialist for Area II, Dawn Heitman, Human Resources position in the Temple office, Paula Zinglemann, Secretary in the Temple office, Andrea Pennington, Accountant in the Temple office and Julia Burger, Planner for the TMDL program. She said we are currently recruiting for four vacant positions - one in the Temple office and other are in regional offices. She also provided an Affirmative Action Report and Employee Training Report.

Ms. Heitman discussed proposed agency rules concerning implementation of State Employee Training Act, Texas Government Code, Section 656.048. She advised we do not have rules in place and requested authority to publish proposed rules in the **Texas Register** for public comment and review. On motion of Dayton Elam, seconded by Rooter Brite, rules were adopted as proposed rules and staff was authorized to publish the proposed rules in the **Texas Register**.

James Moore reported on Section 319 activities and provided information on CWA 319(h) funding requests for fiscal year 2000. Mr. Moore said the Fiscal Year

2000 funding available to the agency had some slight changes in numbers by EPA since the last Board meeting due to an increase in Tribal funding nationwide. Mr. Moore provided information on the revision of the Statewide Management Plan which as of the last Board meeting had been submitted to the Governor for his signature. He indicated the Plan had been signed by the Governor and submitted to EPA for approval.

Mr. Moore provided a report on the Water Quality Management Program activities. He said 251 plans had been certified for Fiscal Year 2000 for 119 districts as of the Board meeting date and that staff had completed 12 status reviews. There were two complaints pending from the last Board meeting and six new complaints had been received. Three complaints had been investigated and five were in the process of being investigated.

Donna Long presented a status report on Total Maximum Daily Load (TMDL) activities. She advised the Board that comments on the EPA's proposed revisions to 40CFR12240, CFR130 and NPDES Guidance Document that had been provided the Board members for their review and comments had been forwarded on to EPA in Washington, D.C. on January 18, 2000 with no changes. She then introduced Julia Burger as the newest member of the TMDL team. Donna Long and Kevin Wagner discussed TMDL projects. They are as follows:

Aquilla Lake Watershed - goal is to reduce atrazine

Arroyo Colorado Watershed - goal is to reduce nutrient levels

Bosque/Lake Waco Watershed - goal is to reduce nutrients

Lake O' the Pines Watershed - goals:

1. improve oxygen levels in Big Cypress

2. reduce zinc in Lake O' the Pines
3. reduce selenium in Welsh Reservoir

Marlin City Lake Watershed.- goal is to reduce atrazine. Nearing completion.

Atrazine Threatened Lakes - goal is to reduce atrazine

James Moore reviewed the effectiveness of the Non Point Source Abatement Program and discussed lapsed cost share funds for Senate Bill 503 for Fiscal Years 1994 through 1997. He discussed several possible reasons for lapsed funds most of which involved weather and economic condition of the landowners. Several possible means of reducing lapsed funds were discussed. The Board directed staff to pursue possible ways to alleviate this problem and bring back for the Board's review.

Freddie Williams discussed the Natural Resources Conservation Service's Workload Analysis for Texas and said they have developed a national process for determining workload. He proposed to have a joint meeting between NRCS, State Board, State Association and Rural Conservation and Development on Thursday, February 24, 2000 beginning at 10:00 a.m. at a location to be set up by NRCS.

Susan Solterman and Ilan Levin from the Sunset Commission voiced their appreciation to the Board and staff for all the help they are being provided.

James Moore discussed allocation of Fiscal Year 2000 Water Quality Management Program cost share funds and said since the last Board meeting when four requests had been deferred, one of those requests had been cancelled leaving three. Five additional requests were presented to the Board. After discussion staff recommended the five new requests be deferred. On motion of Rooter Brite, seconded by Dayton Elam, all five requests were accepted and action deferred.



Mr. Moore then discussed proposed amendments to Senate Bill 503 Cost Share Rules, 31 TAC 523 which involved providing more than one cost share payment on a water quality management plan. He discussed the proposed changes and why they are needed. After discussion, on motion of Dayton Elam, seconded by Rooter Brite, the Board approved the revised rules with noted changes. (Copy attached).

Requests for changes in approved cost share practices were discussed by Mr. Moore. One request from the Upshur-Gregg SWCD #417 involving tree plantings had been deferred based on the lack of information at the last Board meeting. Another request from the Marion-Cass SWCD #433 for two forestry-related practices (Riparian Forest Buffers and Tree Planting) were discussed. Mr. Moore advised that these practices could be listed but with limitations. After discussion, on motion of Rooter Brite, seconded by Dayton Elam, riparian forest buffers and tree planting with limitation were approved as cost share practices.

Johnny Oswald provided and discussed a progress report on the North Concho River Brush Control Program. He said as of the Board meeting date 144 land unit requests had been received, 36 plans were in progress, 47 plans were completed and 34 approved cost share applications were in effect. Mr. Moore discussed the budget on the North Concho along with possible geographic information needs in answer to a question at the last Board meeting from Board member Buddy Clark. Mr. Moore said some funds may be available and there may be a possibility we could help outfit the districts with equipment and information for a digitally based planning system. He indicated that NRCS budget decisions would determine what might be needed and that would not be known for a few weeks.

Mr. Moore discussed a quarterly report provided by Texas A & M University, Department of Rangeland Ecology and Management for the project Brush Management/Water Yield Feasibility Studies for Eight Watersheds in Texas.

Mr. Moore discussed a proposed Interagency Cooperation Contract between the Texas State Soil and Water Conservation Board and the Texas Department of Criminal Justice to provide an opportunity for offenders placed on community supervision to work on farm and ranch lands to remove debris, clear brush, trim vegetation, and perform other labor intensive activities for local soil and water conservation districts. Mr. Buckley advised the Board the agency could enter into the agreement and leave it up to individual districts if they want to participate. On motion of Rooter Brite, seconded by Dayton Elam, the Board agreed to enter into the contract and authorized the Executive Director to sign the agreement.

Chairman Sollock discussed a letter from Board member Waldo Smith submitting his resignation from the Board as of January 20, 2000 due to health problems. After brief discussion Rooter Brite moved to accept his resignation with regrets and Dayton Elam seconded the motion with regrets. On motion of Dayton Elam, seconded by Rooter Brite the date for a special election for a new Board member in Area III was then set for May 3, 2000 at 4:30 p.m. in the Club Room of City Hall, Refugio, Texas to coincide with the Area III Conservation Awards Banquet.

At 12:36 p.m. the Board went into an Executive Session for personnel evaluation of Executive Director Robert G. Buckley. At 12:45 p.m. Chairman Sollock opened the meeting back up.

After discussion the Board set their next meeting for Thursday, March 16, 2000 at 8:00 a.m. Chairman Sollock advised the other Board members that he would not be seeking re-election to the State Board on May 2, 2000.

On motion of Rooter Brite, seconded by Dayton Elam, the meeting adjourned at 12:55 p.m.

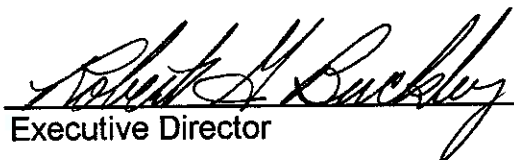
  
Chairman

  
Secretary

March 16, 2000  
Date

I certify that the above is a true and correct copy of the minutes for the Board meeting held on January 20, 2000.

March 16, 2000  
Date

  
Executive Director