

Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
August 21, 2003

The Texas State Soil and Water Conservation Board met on August 21, 2003, at 8:00 a.m. in its Hearings Room at 311 North Fifth Street, Temple, Texas.

Board members present were:

Aubrey Russell, Member
Edward G. Albrecht, Member
Guillermo (Memo) Benavides, Member
W. T. (Dub) Crumley, Vice Chairman

Staff members present were:

Rex Isom, Interim Executive Director
Mark Cochran, Director of Conservation Programs
Dawn Heitman, Human Resource Specialist
Richard Egg, Engineer
John Foster, Natural Resources Specialist
Kenny Zajicek, Contract Specialist
Johnny Oswald, Program Administrator
Tim Sims, Program Administrator
Kevin Wagner, Natural Resource Specialist
Lee Munz, Program Specialist
Bob Gruner, Program Specialist
Ben Wilde, Program Specialist
Joe Freeman, Program Specialist
Adrian Perez, Program Specialist
Kendria Ray, Program Specialist
David Powell, Program Specialist
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Chad Reed, Program Administrator
Andy Garza, Program Administrator
Stephen Deiss, Program Administrator
Steve Jones, Program Administrator
Judy Albus, Natural Resource Specialist
Carter Miska, Engineer
Vicki Davis, Executive Assistant

Others present were:

Salvador Salinas, Natural Resources Conservation Service
Norman Bade, Natural Resources Conservation Service

Kraig Gallimore, Texas Water Development Board
Clyde Bohmfalk, Texas Commission on Environmental Quality
Clarence Richardson, Agriculture Research Service
Charlie Hart, Texas Cooperative Extension Service
Denise Rhodes, CDR Legislative Group
Fred Teagarden, Upper Colorado River Authority
Stephen Brown, Representative Campbell's Office
Ronnie Cooper, Pecos County W.I.D. #3
Randal Hartman, Red Bluff Water Power Control District
Tamara Daniel, Association of Texas SWCDs
Mel Davis, Retired TSSWCB
Jason Skaggs, Senator Duncan's Office
Tuffy Wood, Glasscock County SWCD
Justin Lampier, Coke County SWCD
Jed Hruska, Gillespie County SWCD
Bobby Humphry, Pedernales SWCD
Russell Gregorczyk, Jensen & Gregorczyk CPA

Vice Chairman Crumley called the meeting to order at 8:01, welcomed those present and asked any visitors to sign in.

AGENDA ITEM 1. Minutes from the July 17 & 30, 2003 Board Meetings

Mr. Crumley called for a motion to approve minutes of the July 17 & 30, 2003 Board Meetings as mailed.

Mr. Benavides moved that the minutes be approved. Mr. Russell seconded the motion. The motion passed unanimously.

AGENDA ITEM 2. District Director Appointments

Ms. Davis presented district director appointments for the Board's consideration and verified they were in order and met all qualifications.

Mr. Albrecht moved the appointments be approved and Mr. Russell seconded. The following appointments were unanimously approved:

Jack Hoffman, Toyah-Limpia #209, Zone 1, Replace Scott Evans
Scott Evans, Toyah-Limpia #209, Zone 2, Replace Bill Cowden
Bill Cowden, Toyah-Limpia #209, Zone 3, Replace Larry Turnbough
Larry Turnbough, Toyah-Limpia #209, Zone 5, Replace Jack Hoffman

AGENDA ITEM 3. Internal Audit of Agency Purchasing System and Controls

Mr. Gregorczyk reviewed the agenda information.

AGENDA ITEM 4. Internal Audit Plan for Fiscal Year 2004

Mr. Gregorczyk reviewed the agenda information and took questions from the Board.

Mr. Albrecht moved that the Board approve and adopt the audit plan for Fiscal Year 2004 as presented. Mr. Benavides seconded and the motion passed unanimously.

AGENDA ITEM 5. North Bosque River Watershed Status Report

Mr. Foster reviewed the agenda information and presented the following staff recommendation:

Staff recommends the course of action suggested by Mr. Smart and recommends the State Board direct staff to work with the Cross Timbers and Upper Leon SWCDs to develop and initiate a "special pilot program" that would allow for incentive payments for Waste Utilization through the existing funding from the CWA §319 (TSSWCB01-13 & 01-14) Project entitled "Technical and Financial Assistance for Dairymen and Landowners of the North Bosque Watershed within the Cross Timbers and Upper Leon SWCD".

Mr. Benavides moved that the Board accept staff's recommendation. Mr. Albrecht seconded and the motion passed unanimously.

AGENDA ITEM 6. Allocation of Brush Control Funds

Mr. Oswald reviewed the agenda information and took questions from the Board. After discussion, the following actions were taken.

Mr. Benavides moved that the Board approve the FY 04 Brush Control Allocations as presented. Mr. Russell seconded. The motion passed with three votes for and one abstain.

Mr. Benavides moved that the Board accept staff's suggested brush program funding criteria. Mr. Russell seconded and the motion passed unanimously.

Mr. Benavides moved that an advisory committee be formed comprised of representatives from Texas State Soil & Water Conservation Board, Texas Commission on Environmental Quality and Texas Water Development Board. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 7. Texas Water Development Board Grant Application

Mr. Isom deferred to Mr. Oswald. Mr. Oswald stated that this item would be covered at the next scheduled board meeting.

AGENDA ITEM 8. Reports from Agencies and Guests

Fred Teagarden, Upper Colorado River authority reported on monitoring results.

Salvador Salinas, Natural Resources Conservation Service discussed: EQIP Program, Wildlife Habitat Incentive, Wetland Reserve Program, Farm & Wetland Reserve Program, Technical Service Providers and conversion to a new software program for district computers .

Clarence Richardson, Agriculture Research Service discussed biological control of salt cedar and their search for a new head of agriculture programs.

Charles Hart, Texas Cooperative Extension Service discussed biological control of salt cedar.

Tamara Daniel, Association of Texas SWCDs discussed the Oklahoma meeting and the Association's first newsletter.

Jason Skaggs of Senator Duncan's Office voiced his appreciation for the agency's work during the legislative session.

AGENDA ITEM 9. Human Resources Report

Ms. Heitman reviewed the agenda information and took questions from the Board.

AGENDA ITEM 10. Public Information/Education Report

Ms. Heitman reviewed the agenda information with input from Mr. Oswald and displayed the winning poster entries.

AGENDA ITEM 11. Conference Room Changes

Mr. Isom deferred to Amy Varner, Purchaser. Ms. Varner informed the Board that only one bid in the amount of \$1,085.00 had been received for extending the rostrum to the west wall to accommodate seven people. The Board instructed Ms. Varner to proceed with having the alterations made.

AGENDA ITEM 12. State Meeting Contract

Mr. Isom requested that the agency contract with Mel Davis to manage the 2003 Annual State Meeting for a cost of \$9,500.00 as either contract labor or a temporary employee.

Mr. Benavides moved that the agency contract/hire Mr. Davis to manage the 2003 State Meeting. Mr. Albrecht seconded and the motion passed unanimously.

AGENDA ITEM 13. State Meeting Report

Mr. Davis discussed: estimated revenues and expenditures, phone number correction on mail out, stated that Kenneth Dursky had agreed to speak at the State Meeting on Wednesday and requested reservation information from Board members. Mr. Benavides informed Mr. Davis that Debbie Danford of the Coastal Coordination Council was available for a 15 minutes power point presentation at the State Meeting. He also suggested inviting a representative from Laredo to attend the El Paso meeting.

AGENDA ITEM 14. Clean Water Act 319(h) Status Report

Mr. Wager reviewed the agenda information.

AGENDA ITEM 15. Report of Coastal Coordination Council Activities

Mr. Benavides deferred to Mr. Cochran. Mr. Cochran reviewed the agenda information and discussed: field representatives with districts involved in the CCC program checking into federal grants, Mr. Garza working on district involvement with the CCC program and local district's involvement with GLO.

AGENDA ITEM 16. Senate Bill 1339 Status Report

Mr. Cochran reviewed the agenda information.

AGENDA ITEM 17. Internal Changes to the Senate Bill 503 Program

Mr. Cochran reported that there were no changes to report at this time.

AGENDA ITEM 18. Allocation of FY 2003 Water Quality Cost Share Funds

Mr. Munz reviewed the agenda information.

Mr. Albrecht moved that the Board grant the Executive Director or his designee authority to allocate remaining Water Quality Cost Share funds before the end of the fiscal year using the following. Make one-plan allocations to all districts that submitted requests for re-allocation, chronologically, regardless of priority area, as far as funds will go. Mr. Benavides seconded and the motion passed unanimously.

AGENDA ITEM 19. Review of Water Quality Management Program Annual Evaluation

Mr. Cochran stated this information would be covered in agenda item 20.

AGENDA ITEM 20. Allocation of FY 2004 Water Quality Cost Share Funds

Mr. Cochran stated there would be one change to the allocation list as presented. Harrison County SWCD voluntarily turned down their Water Quality Cost Share allocation for FY 04 and Mr. O'Connor recommended those funds be moved to Marion Cass SWCD #433.

Mr. Albrecht moved the allocations be approved as amended. Mr. Benavides seconded and the motion passed unanimously.

AGENDA ITEM 21. Policy Changes to the Brush Control Program

Mr. Oswald deferred to Norman Bade of NRCS. Mr. Bade reviewed the agenda information and took questions from the Board.

Mr. Albrecht moved that a waiver be granted to Chapter 517.30(h) allowing the use of the NRCS-EQIP conservation plan of operations to be used in Pecos-Upper Colorado Salt Cedar brush plans. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 22. Brush Control Program Status Report

Mr. Oswald deferred to Mr. Sims. Mr. Sims reviewed the agenda information.

AGENDA ITEM 23. Proposed Changes to Brush Control Cost-Share Rate

Mr. Oswald deferred to Mr. Sims. Mr. Sims reviewed the agenda information with input from Mr. Oswald and Mr. Bade and took questions from the Board

Mr. Benavides moved that the Board set the cost-share rate for mesquite and juniper at 65% of the actual cost not to exceed 65% of the average maximum cost for initial treatment, and 5% incentive for deferment at actual cost not to exceed 5% of the average maximum cost for the North Concho, Twin Buttes, Lake Champion, Lake Ballinger, Oak Creek and Pedernales Brush Control Project. Mr. Albrecht seconded and the motion passed.

Mr. Benavides moved that the Board grant an exception to Section 203.154 Subsection (b) as allowed by Section 203.154 Subsection (c) for salt cedar only in the Pecos and Upper Colorado Watersheds. Mr. Russell seconded and the motion passed.

Mr. Benavides moved that the Board set the approved cost-share percentage rate for salt cedar at 25% of the actual cost, not to exceed 25% of the average maximum cost per acre for salt cedar in the Pecos and Upper Colorado River Watershed and that no individual contract may receive more than 100% cost-share from state and federal programs combined. Mr. Albrecht seconded and the motion passed.

AGENDA ITEM 24. Reallocation of FY 03 Bond Funding

Mr. Oswald stated that this agenda item would be covered at the next scheduled board meeting.

AGENDA ITEM 25. Brush Control Program Eligible Practices and Average Cost

Mr. Oswald reviewed the agenda information and took questions from the Board. Local district representatives and Charlie Hart gave comments.

Mr. Albrecht moved that the Board approve current practices and average cost for the North Concho, Twin Buttes, Lake Champion, Lake Ballinger, Oak Creek, and Pedernales Brush Control Projects; adopt salt cedar practices as outlined in the NRCS EQIP contract and TCES recommendations; set average maximum cost for salt cedar at \$210.00 per acre for aerial application and \$150.00 for chemical IPT application. Mr. Benavides seconded and the motion passed unanimously.

AGENDA ITEM 26. Proposed Changes to District Director Mileage & Per Diem Allocation Procedures

Mr. Zajicek reviewed the agenda information and took questions from the Board.

Mr. Albrecht moved that the Board grant 75% of available director mileage and per diem funds to SWCDs effective September 1 of each fiscal year with the remaining 25% paid during the last quarter of each fiscal year as claims are received. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 27. Allocation of Fiscal Year 2004 Director Mileage & Per Diem

Mr. Zajicek reviewed the agenda information, took questions from the Board and asked for input from the field representatives.

Mr. Albrecht moved that the Board approve director mileage and per diem allocations as presented. Mr. Benavides seconded and the motion passed unanimously.

AGENDA ITEM 28. Proposed Amendment to 31 TAC Chapter 525 Audit Requirements

Mr. Zajicek stated this agenda item did not need to be covered since 503 funds would not be going to the field.

AGENDA ITEM 29. Proposed Fiscal Year 2004 Operating Budget

Mr. Zajicek reviewed the agenda information and took questions from the Board and offered to present more detail to the Board at future meetings.

Mr. Albrecht moved that the Board approve and adopt the Fiscal Year 2004 Operating Budget as presented. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 30. Budget vs. Expenditure Report for the Period Ending July 31, 2003

Mr. Zajicek reviewed the agenda information.

AGENDA ITEM 31. Management Audit by State Auditor

Mr. Zajicek reviewed the agenda information.

AGENDA ITEM 32. Board Member Travel Report for Fiscal Years 2003 & 2004

Mr. Zajicek reviewed the agenda information.

Mr. Albrecht moved that the Board approve funds be moved from board members with excess funds to cover the Area I deficit. Mr. Benavides seconded and the motion passed unanimously.

AGENDA ITEM 33. Allocation of Fiscal Year 2004 Technical Assistance Grant Funds

Mr. Zajicek reviewed the agenda information and explained that the passage of SB 1053 made changes that would affect Subchapter H Technical Assistance funding.

Mr. Benavides moved that the Board approve the allocation of funds as presented, effective September 1, to each participating district. Mr. Albrecht seconded and the motion passed unanimously.

Mr. Zajicek stated that funds for Burleson-Lee SWCD would not be paid September 1 since the district was in the process of dividing. Once the division is finalized, funds will be paid.

AGENDA ITEM 34. Allocation of Fiscal Year 2004 Matching Funds

Mr. Zajicek reviewed the agenda information.

Mr. Albrecht moved that the Board approve the allocation of funds as presented, effective September 1, to each participating district. Mr. Russell seconded and the motion passed unanimously.

Mr. Zajicek stated that Matching Funds for Burleson-Lee SWCD would also be held until the division was finalized.

AGENDA ITEM 35. Election of Officers

Mr. Russell nominated Dub Crumley to serve as Chairman of the Board. Mr. Albrecht moved that nominations cease and Dub Crumley was elected as Chairman of the Board by acclamation.

Mr. Albrecht nominated Mr. Russell to serve as Vice Chairman of the Board.
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Mr. Albrecht moved that nominations cease and Mr. Benavides seconded.
Mr. Russell was elected as Vice Chairman of the Board.

Chairman Crumley moved that the Board go into executive session concerning personnel matters. Mr. Russell seconded and the motion passed unanimously. The Board reconvened with no action being taken.

AGENDA ITEM 36. Set Date of Next Board Meeting

Mr. Albrecht moved that the date of the next Board meeting be set as October 2, 2003 at 8:00 a.m., Mr. Benavides seconded and the motion passed unanimously.

Chairman Crumley called for a motion to declare the meeting adjourned. Mr. Albrecht so moved, Mr. Benavides seconded and the motion passed unanimously. The meeting was declared adjourned at 11:55 a.m.

W. J. Crumley
Chairman

Dickie R. Davis
Secretary

10/3/03
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 August 21, 2003.

10/3/03
Date

[Signature]
Executive Director