

Meeting Minutes
TEXAS STATE SOIL and WATER CONSERVATION BOARD
September 15, 2010

The Texas State Soil and Water Conservation Board met on September 15, 2010, at 2:05 p.m. at 4311 S. 31st Street, Temple, Texas.

Board Members present were:

José Dodier, Chairman
Barry Mahler, Vice-Chairman
Aubrey Russell, Member
Marty H. Graham, Member
Jerry Nichols, 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
Lawrence Brown, Program Supervisor
Bob Gruner, Program Specialist
Ben Wilde, Program Specialist
Kendria Ray, Program Specialist
Adrian Perez, Program Specialist
Joel Clark, Program Specialist
Trey Watson, Program Specialist
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Johnny Oswald, Program Supervisor
Tuffy Wood, Program Specialist
Melissa Grote, Program Specialist
Mark Cochran, Program Supervisor
Kenny Zajicek, Fiscal Officer
Richard Egg, Engineer
John Foster, Programs Officer
T. J. Helton, NPS Program Coordinator
Aaron Wendt, Watershed Planning Coordinator
Pam Casebolt, NPS Project Manager
Loren Henley, NPS Project Manager
Mitchell Conine, NPS Project Manager
Donna Long, Programs QA Officer
David Reeves, Database Administrator
Nathan Smith, Information Specialist
Mel Davis, Special Projects Coordinator
Meredith Whitley, Program Specialist
Lee Munz, Flood Control Programs Coordinator
Jared Bowen, Flood Control Specialist
Ben Bowers, Flood Control Specialist
Dawn Heitman, Human Resources Coordinator
Todd Oneth, Natural Resource Specialist
Karen Preece, Accountant

Others present were:

Kevin Wagner, Texas Water Resource Institute
Tony Franklin

A work session was conducted which covered all agenda items in detail. Questions were taken and answered.

Meeting adjourned at 4:30 p.m.

Chairman

November 10, 2010

Date

Secretary

November 10, 2010

Date

I certify that the above is a true and correct copy of the minutes of the Texas State Soil and Water Conservation Board meeting held on September 15, 2010.

Executive Director

November 10, 2010

Date

Meeting Minutes
TEXAS STATE SOIL and WATER CONSERVATION BOARD
September 16, 2010

The Texas State Soil and Water Conservation Board met on September 16, 2010, at 8:04 a.m. at 1749 Scott Boulevard, Temple, Texas.

Board Members present were:

José Dodier, Chairman
Barry Mahler, Vice-Chairman
Aubrey Russell, Member
Marty H. Graham, Member
Jerry Nichols, 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
Lawrence Brown, Program Supervisor
Bob Gruner, Program Specialist
Ben Wilde, Program Specialist
Kendria Ray, Program Specialist
Adrian Perez, Program Specialist
Joel Clark, Program Specialist
Trey Watson, Program Specialist
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Johnny Oswald, Program Supervisor
Tuffy Wood, Program Specialist
Melissa Grote, Program Specialist
Mark Cochran, Program Supervisor
Kenny Zajicek, Fiscal Officer
Richard Egg, Engineer
John Foster, Programs Officer
T. J. Helton, NPS Program Coordinator
Aaron Wendt, Watershed Planning Coordinator
Pam Casebolt, NPS Project Manager
Loren Henley, NPS Project Manager
Mitchell Conine, NPS Project Manager
Donna Long, Programs QA Officer
David Reeves, Database Administrator
Nathan Smith, Information Specialist
Mel Davis, Special Projects Coordinator
Meredith Whitley, Program Specialist
Lee Munz, Flood Control Programs Coordinator
Jared Bowen, Flood Control Specialist
Ben Bowers, Flood Control Specialist
Clyde Gottschalk, Information Specialist
Dawn Heitman, Human Resources Coordinator
Todd Oneth, Natural Resource Specialist

Amy Varner, Purchaser
Karen Preece, Accountant

Others present were:

Tamara Daniel, Association of Texas Soil and Water Conservation Districts
George Noelke, Office of the Attorney General
Monica Harris, Texas Commission on Environmental Quality
Clyde Bohmfalk, Texas Commission on Environmental Quality
Don Gohmert, Natural Resources Conservation Service
Daren Harmel, USDA - Agricultural Research Service
Shane Harrington, Texas Forest Service
Tony Franklin

Chairman Dodier called the meeting to order at 8:04 a.m. and welcomed those present.

AGENDA ITEM 1: Opportunity for Public Comment

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

Ms. Monica Harris, Texas Commission on Environmental Quality, addressed the Board and commented on TMDL's, Recreational Use of Water Bodies, MOU, Pesticide General Permits, and CAFO Rules.

Mr. Daren Harmel, USDA - Agricultural Research Service, addressed the Board and commented on new hire and ARS responsibility.

Chairman Dodier introduced Tony Franklin and Shane Harrington.

Mr. Don Gohmert, Natural Resources Conservation Service, addressed the Board and reviewed the NRCS Activity Report. Mr. Gohmert stated that on November 10, 2010 the NRCS is having a Last Acre Survey Celebration and extended an invitation to the Board, Rex Isom, and staff.

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

Ms. Tamara Daniel addressed the Board, thanked those that attended the NACD South Central Regional Meeting in Lubbock, and presented the bottled water purchased by the Association.

Mr. Larry Jacobs extended special recognition from Senator Nichols to Mr. Rex Isom for his leadership role.

Chairman Dodier also commented that he had heard the same remarks from Senator Zaffirini to Senator Hegar.

Chairman Dodier called for a moment of silence in memory of Joe Freeman's brother that passed in an accident.

AGENDA ITEM 4: Minutes from the July 21-22, 2010 Board Meeting

Chairman Dodier called for a motion to approve the minutes of the July 21-22, 2010 Board Meeting. Mr. Jacobs moved that the minutes be accepted as presented. Mr. Ward 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. Jacobs moved the following appointments be approved. Mr. Mahler seconded the motion. The motion passed unanimously.

James Harold Sanders, Lynn County #119, Zone 4, Replace Dallas Bradley Vaughn
Tommy L. Hailey, Lower Clear Fork of the Brazos #551, Zone 3, Replace Johnny Corbett
Jeanne O'Connor, Parker County #558, Zone 4, Replace Diane Cornwall

AGENDA ITEM 6: Fiscal Report

Mr. Zajicek reviewed the agenda information.

AGENDA ITEM 7: Internal Audit of the Clean Water Act §319(h) Nonpoint Source Grant Program

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

AGENDA ITEM 8: Internal Audit of the Flood Control Programs

Mr. Zajicek reviewed the agenda information. Mr. Mahler moved for the approval of the audit as presented. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 9: Internal Audit Follow-up Review of FY 2009 Internal Audit Recommendations

Mr. Zajicek reviewed the agenda information. Mr. Ward moved for the approval of the recommendations as presented. Mr. Russell seconded the motion. The motion passed unanimously.

AGENDA ITEM 10: Internal Audit Plan for FY 2011

Mr. Zajicek reviewed the agenda information. Mr. Mahler moved for the approval of the audit plan as presented. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 11: Consider Approval of Waivers as per 31 TAC §523.6(E)(2)(B),(E)

Mr. Garza reviewed the agenda information. Mr. Nichols moved for the approval of waivers as presented. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 12: Consider Approval of New and Revised Forms for Water Quality Management Program

Mr. Garza reviewed the agenda information. Mr. Graham moved for the approval of forms as presented. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 13: FY 2008 Lapsed Funds Report

Mr. Garza reviewed the agenda information.

AGENDA ITEM 14: Consider Statewide Water Quality Management Plan Cost Share Rates

Mr. Munz reviewed the agenda information. Mr. Nichols moved for the approval of the requests as presented. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 15: Consider Adoption of Standardized Rates for In-Kind Contributions of Match Funding Related to Flood Control Operation and Maintenance Activity Reimbursement Requests

Mr. Munz stated that there are no requests at this time.

AGENDA ITEM 16: Flood Control Programs Status Report

Mr. Munz reviewed the agenda information.

AGENDA ITEM 17: Texas Nonpoint Source Management Program Status Report

Mr. Conine reviewed the agenda information.

AGENDA ITEM 18: Poultry Water Quality Management Program Status Report

Mr. Cochran reviewed the agenda information.

AGENDA ITEM 19: Consider Proposed Amendment to 31 TAC, Chapter 517, Subchapter B, §517.33, Contracts for Cost Share

Mr. Wood reviewed the agenda information. Mr. Jacobs moved to publish the proposed amendment in the *Texas Register* as presented. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 21: Consider Amendment of Brush Form 002

Mr. Wood reviewed the agenda information. Mr. Mahler moved for the approval of the form as presented. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 20: Allocation of FY 2011 General Revenue Water Supply Enhancement Funds

Mr. Wood reviewed the agenda information. Mr. Mahler moved for the approval of the allocation as presented. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 22: Consider Cost Share Practice List and Cost Share Rates for the FY 2011 Water Supply Enhancement Projects

Mr. Wood reviewed the agenda information. Mr. Mahler moved for the approval of the list and rates as presented. Mr. Jacobs seconded the motion. The motion passed unanimously.

AGENDA ITEM 23: Water Supply Enhancement Program Report

Ms. Grote reviewed the agenda information.

AGENDA ITEM 24: Texas Invasive Species Coordinating Committee Report

Mr. Oswald reviewed the agenda information.

AGENDA ITEM 25: Interagency Task Force on Economic Growth and Endangered Species Report

Mr. Davis reviewed the agenda information.

AGENDA ITEM 26: Revision of Cooperative Working Agreement between the USDA-NRCS, the TSSWCB and Individual SWCD's

Mr. Davis reviewed the agenda information. Mr. Mahler moved for the approval of the agreement as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 27: 2010 Annual State Meeting

Mr. Davis reviewed the agenda information. Discussion ensued about a Tarleton State University grad student that wants to set up a booth at the state meeting to conduct a survey for her master's thesis on the subject of brush control. Mr. Mahler moved to allow her to attend and set up a booth with a cover sheet clarification that states that the survey is not State Board mandated, and that it is strictly voluntary. Mr. Ward seconded the motion. The motion passed with Mr. Russell sustaining.

AGENDA ITEM 28: National Association of Conservation Districts Report

Mr. Davis stated that there is no information to present at this time.

AGENDA ITEM 29: National Association of State Conservation Agencies Report

Mr. Davis stated that Ms. Daniel covered this item under agenda item #3.

AGENDA ITEM 30: Consider Re-Adoption, Revision or Repeal of 31 TAC, Chapter 518, Subchapter A, Employee Training rules (§§518.1-518.2)

Mr. Davis reviewed the agenda information. Mr. Jacobs moved to publish the proposal in the *Texas Register* as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 31: Consider Re-Adoption, Revision or Repeal of 31 TAC, Chapter 523, Agricultural and Silvicultural Water Quality Management (§§523.1-523.8)

Mr. Davis reviewed the agenda information. Mr. Jacobs moved to publish the proposal in the *Texas Register* as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 32: Consider Re-Adoption, Revision or Repeal of 31 TAC, Chapter 525, Subchapter A, Audit Requirements for Soil and Water Conservation Districts (§§525.1-525.9)

Mr. Davis reviewed the agenda information. Mr. Jacobs moved to publish the proposal in the *Texas Register* as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 33: Public Information/Education Report

Mr. Davis reviewed the agenda information.

AGENDA ITEM 34: Human Resources Report

Ms. Heitman reviewed the agenda information.

AGENDA ITEM 35: Set a Date for the Next State Board Meeting

November 9-10, 2010 in Temple, Texas. Mr. Mahler moved that the meetings be moved to coincide with the Natural Resources Conservation Service Last Acre Survey Celebration. Mr. Jacobs seconded the motion. The motion passed unanimously.

Chairman Dodier presented a 10 year service award to Ms. Amy Varner, a 5 year service award to Mr. Jeff Cerny, and a 5 year service award to Mr. Jack Foote.

Mr. Ward moved the meeting be adjourned. Mr. Mahler seconded the motion. The motion passed unanimously. Meeting adjourned at 9:28 a.m.

Chairman

November 10, 2010

Date

Secretary

November 10, 2010

Date

I certify that the above is a true and correct copy of the minutes of the Texas State Soil and Water Conservation Board meeting held on September 16, 2010.

Executive Director

November 10, 2010

Date