

TEXAS STATE SOIL AND WATER CONSERVATION BOARD
Board Meeting Minutes
January 21, 2021 at 9:00a.m.

VIDEOCONFERENCE AND TELEPHONE CONFERENCE CALL MEETING

Due to Governor Greg Abbott's March 13, 2020 proclamation of a state of disaster affecting all counties in Texas due to the Coronavirus (COVID-19) and the Governor's March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act, this meeting will be held by video conference call, as authorized under Texas Government Code sections 551.127 and 551.125, respectively.

Members of the public will have access and a means to participate in this meeting, by two-way communication, by visiting: https://us02web.zoom.us/webinar/register/WN_EFVGqgTGQfKGK8eCRSzwig

An electronic copy of the agenda is now available at <https://www.tsswcb.texas.gov/about/state-board-meetings>. A recording of the meeting will be available on the webpage after the meeting.

For public participants, please use the "Raise Hand" feature in Zoom to indicate that you wish to speak during the meeting. You may also email comments@tsswcb.texas.gov in advance of the meeting if you would like to provide public comment. When the Board reaches the public comment item, the Chair will recognize you by name and give you an opportunity to speak.

The Board will meet at the above-stated time to consider and take appropriate action on the items listed below.

Board Members present:

Barry Mahler, Chairman
Marty H. Graham, Vice Chairman
Scott Buckles, Member
José Dodier, Jr., Member
David Basinger, Member
Tina Y. Buford, Member

Staff Members present:

Rex Isom, Executive Director
Kenny Zajicek, Chief Operations and Fiscal Officer
Johnny Oswald, Program Administrator and Invasive Species Coordinator
Bob Gruner, Program Specialist
Jack Foote, Program Specialist
Ben Wilde, Program Specialist
Kendria Ray, Program Specialist
Adrian Perez, Program Specialist
Tony Franklin, Program Specialist
Joel Clark, Program Specialist
Trey Watson, Program Specialist
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Glenn Baker, Program Supervisor
Kimberly Gamez, Program Supervisor
Todd Oneth, Program Supervisor
Lawrence Brown, Jr., Program Supervisor
Ricardo Chapa, Program Supervisor
Judy Albus, Program Supervisor

Mark Cochran, Program Supervisor
John Foster, Policy Advisor and Intergovernmental Affairs
Liza Parker, Policy Analyst and Legislative Liaison
Mitch Conine, Nonpoint Source Project Manager
Jana Lloyd, Nonpoint Source Project Manager
Wesley Gibson, Nonpoint Source Project Manager
Jett Preston, Nonpoint Source Project Manager
Emily Jarratt, Nonpoint Source Project Manager
Rusty Ray, Public Affairs Specialist
Molly Christensen, Public Affairs Specialist
Lee Munz, Program Administrator and Regional Office Coordinator
Steve Bednarz, Program Administrator and Engineer
Allen Nash, Engineer
Tony Resendez, Flood Control Specialist
Dawn Heitman, Human Resources Coordinator
Clay Wright, Information Resources Manager and Information Security Officer
Marilyn Koelder, Administrative Assistant
Mark Shackelford, Engineering Technician
Jimmy McCurry, Natural Resources Specialist
Pam Blanton, Administrative Assistant
Melissa Grote, Program Specialist
SuLin Olvera, Administrative Assistant
Mikel Thomas, Natural Resources Specialist
Jeremy Welch, Natural Resources Specialist
Karen Preece, Accountant

General Counsel:

Assistant Attorney General Veena Mohan, Office of the Attorney General

Others Present:

Kristy Oates, Natural Resources Conservation Service
Claude Ross, Natural Resources Conservation Service
Tamara Daniel, Association of Texas Soil and Water Conservation Districts
Rick Schilling, Association of Texas Soil and Water Conservation Districts
Randy Rush, Environmental Protection Agency
Joel Pigg, Texas Water Resources Institute
Kyla Peterson, Texas Water Development Board
J. C. Essler, Texas Poultry Federation
David Villarreal, Texas Department of Agriculture
Cody York, Pecan Bayou Soil and Water Conservation Board
Casey Buechler
Cheryl Lewis

AGENDA ITEM 1: Call to Order and Roll Call

Chairman Mahler called the meeting to order at 9:01 and called roll of the Board Members. All members present except for Carl Ray Polk, Jr.

AGENDA ITEM 2: Excuse Any Absent Board Members

Mr. Basinger moved for the approval to excuse Carl Ray Polk, Jr. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 3: Public Comment

There were no comments at this time.

Chairman Mahler acknowledged the death of Mr. Bill Thomas.

AGENDA ITEM 4: Comments from Federal, State and Local Governmental Entities Regarding Their Programs and Activities

There were no comments at this time.

AGENDA ITEM 5: Overview and Update on the Programs and Activities of the United States Department of Agriculture-Natural Resource Conservation Service

Ms. Kristy Oates, Natural Resources Conservation Service, addressed the Board. Ms. Oates provided updates on the Environmental Quality Incentives Program, Feral Swine Eradication and Control Pilot Program, Conservation Stewardship Program, Agricultural Conservation Easement Program, Conservation Innovation Grants, Regional Conservation Partnership Program, Watershed Rehabilitation and Watershed Operations Program, and Emergency Watershed Protection Program. Ms. Oates commented on staffing issues.

AGENDA ITEM 4: Comments from Federal, State and Local Governmental Entities Regarding Their Programs and Activities

Mr. Randy Rush, Environmental Protection Agency, addressed the Board. Mr. Rush stated that Mr. Charles McGuire, Environmental Protection Agency Water Division Director, sends greetings, and that Mr. Michael Reagan will be the new incoming Administrator. Mr. Rush reviewed handout.

AGENDA ITEM 6: Overview and Update on the Programs and Activities of the Association of Texas Soil and Water Conservation Districts

Mr. Rick Schilling, Texas Soil and Water Conservation Districts, addressed the Board. Mr. Schilling stated that February 1, 2021 is the deadline for the 2021 Awards Program, the National Association of Conservation Districts National Meeting in New Orleans has been moved to a virtual meeting set for February 1-10, 2021, that soil and water conservation districts are still able to get their message out and reporting completed, Legislative Day has been canceled, and the Legislative Fly-In in Washington D.C. has been canceled.

AGENDA ITEM 7: Minutes from October 29, 2020 State Board Meeting

Ms. Preece previously emailed a copy of the minutes to Board Members for their review. Chairman Mahler called for a motion to approve the minutes of the October 29, 2020 Board Meeting.

Ms. Buford moved for the approval of the minutes as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

AGENDA ITEM 8: Soil and Water Conservation District Director Appointments, including:

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

Mr. Graham moved for the approval of the following appointments as presented. Mr. Dodier seconded the motion. The motion passed unanimously.

Randy Culp, Dawson County #124, Subdivision 4, Replace E. L. Hendon
Will A. Kristinek, Hockley County #129, Subdivision 4, Replace Doyle Butler
Virginia Kay Spielman, Dallam #131, Subdivision 4, Replace E. B. Summerour

James Clint Kennedy, Lower Pease River #162, Subdivision 4, Replace Dan Creighton
Jeff Grote, Mason County #223, Subdivision 5, Replace Jimmie Jordan
Anthony Hoelscher, Glasscock County #251, Subdivision 1, Replace Jerline Frysak
Alonzo F. Cantu, Agua Poquita #321, Subdivision 1, Replace Jose Martinez
Dewey D. Bellows II, Copano Bay #329, Subdivision 3, Replace Jimmy Rathkamp
Finley Frels, DeWitt County #339, Subdivision 4, Replace Chris Ulrich
Scott Hall, Karnes County #343, Subdivision 5, Replace Larry D. Dement
Taylor Wilcox, Trinity Bay #434, Subdivision 3, Replace John Rhame
Jeremiah Austin Jones, Upper Neches #438, Subdivision 2, Replace Larry Joiner
Wesley Paben, Navasota #440, Subdivision 4, Replace Douglas Brown
Jana Daigle, Lower Sabine-Neches #446, Subdivision 1, Replace Lester James Daigle
Karen Thornton, Jack #549, Subdivision 4, Replace Brent Hackley

AGENDA ITEM 9: Intergovernmental Affairs Status Report

Ms. Parker reviewed the agenda information. Legislative Sessions began January 12, 2021.

Chairman Mahler asked if testimonies will be virtual or in-person. Ms. Parker commented that she believes that all testimonies will be in-person.

Mr. Isom stated that Mr. Foster and Ms. Parker will be reaching out to set appointments to meet with legislators. State Board Members will be receiving a one-page document of our programs that will be used for the legislators. Senate Finance and House Appropriations are set to take place in February.

AGENDA ITEM 10: Conservation Initiatives Status Report

Ms. Parker reviewed the agenda information.

Chairman Mahler and Ms. Buford thanked Ms. Parker for her efforts in the Feral Swine Eradication Program.

AGENDA ITEM 11: Agency Strategic Plan

Ms. Parker reviewed the agenda information. Ms. Parker commented that a Staff Strategic Planning Committee of 9 members has been created. The Strategic Plan will be due in February 2022, and the committee is currently researching facilitators.

Chairman Mahler appointed a State Board Strategic Planning Committee to consist of Chairman Mahler, Vice-Chairman Graham, and Member Tina Buford. This committee will work with the staff committee.

AGENDA ITEM 12: Sunset Advisory Commission Review

Mr. Foster reviewed the agenda information.

AGENDA ITEM 13: Fiscal Report for the 1st Quarter of Fiscal Year 2021

Mr. Zajicek reviewed the agenda information. Mr. Zajicek stated that Internal Auditor Monday Rufus & Co., P.C.'s contract will end with Fiscal Year 2021.

AGENDA ITEM 14: Flood Control Programs Status Report

Mr. Bednarz reviewed the agenda information.

Chairman Mahler asked the question if the easements are still good. Mr. Bednarz stated that they are, and as dams are upgraded, additional easements could be needed.

AGENDA ITEM 15: Water Quality Management Plan Program Status Report

Mr. Munz reviewed the agenda information.

AGENDA ITEM 16: Requests for Additional Cost-Share Incentive Funding for Water Quality Mgmt Plans in Accordance with Title 31 Texas Administrative Code, Chapter 523, Agriculture and Silviculture Quality Mgmt, Section 523.6(f)(4), Concerning Criteria for Waivers

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

AGENDA ITEM 17: Water Quality Management Plan Cost-Share Requests from the Allocation for Statewide Use

Mr. Munz reviewed the agenda information.

Mr. Dodier moved for the approval of the request as presented. Mr. Basinger seconded the motion. The motion passed unanimously.

AGENDA ITEM 18: Poultry Water Quality Management Plan Program Status Report

Mr. Cochran reviewed the agenda information.

AGENDA ITEM 19: Texas Nonpoint Source Management Program Status Report

Ms. Lloyd reviewed the agenda information.

AGENDA ITEM 20: Carrizo Cane Eradication Program Status Report

Mr. Oswald reviewed the agenda information.

Discussion concerning treatment of Carrizo cane ensued including the use of drones. Mr. Oswald stated that they are working on the back log that has been waiting for treatment.

AGENDA ITEM 21: National Association of Conservation Districts-Technical Assistance Status Report

Mr. Gibson reviewed the agenda information.

AGENDA ITEM 22: Review of 2020 Annual State Meeting of District Directors

Ms. Christensen reviewed the agenda information.

AGENDA ITEM 23: Communication Strategy Status Report

Ms. Christensen reviewed the agenda information.

Chairman Mahler thanked Ms. Christensen for her work toward the virtual Annual State Meeting of District Directors. Ms. Christensen thanked Mr. Ray for the work that he input into the making of the award winner videos. Mr. Isom also thanked Ms. Christensen and Mr. Ray.

AGENDA ITEM 24: 2020 Texas State Soil and Water Conservation Board Annual Report Update

Ms. Christensen reviewed the agenda information.

AGENDA ITEM 25: Conservation Outreach: Rural and Urban Outreach

Mr. Ray reviewed the agenda information.

AGENDA ITEM 26: Prescribed Burn Board Status Report

Mr. Ray reviewed the agenda information.

AGEND ITEM 27: Human Resources Status Report

Ms. Heitman reviewed the agenda information. Ms. Heitman stated that a Criminal Background Check Policy has been developed and commented on Equal Employment Opportunity policies.

Mr. Isom thanks Ms. Heitman and Assistant Attorney General Veena Mohan for their work on the Criminal Background Check Policy.

Chairman Mahler thanked Assistant Attorney General Veena Mohan for the work that she does to help our agency.

AGENDA ITEM 28: Employee Service Awards

Chairman Mahler read the service award information for the following:

John Foster – 20 years
Kendria Ray – 20 years
Bob Gruner – 35 years

AGENDA ITEM 29: Set Date for Next State Board Meeting

Mr. Dodier asked about Board Member elections. Mr. Isom stated that as we move closer to the date, we will have to decide whether to have an awards banquet or just an election. These meetings could possibly be held virtually. Information should be available by mid-February.

Mr. Buckles moved for the approval of April 15, 2021 using Zoom videoconferencing. Mr. Graham seconded the motion. The motion passed unanimously.

Mr. Basinger moved to adjourn at 10:25 a.m. Mr. Dodier seconded the motion. The motion passed unanimously.



Barry Mahler, Chairman

April 15, 2021
Date



Karen D. Preece, Secretary

April 15, 2021
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 January 21, 2021.



Rex Isom, Executive Director

April 15, 2021
Date