

**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**Board Meeting Minutes**  
**April 15, 2021 at 9:00 a.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](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](mailto: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  
Carl Ray Polk, Jr., Member

**Staff Members present:**

Rex Isom, Executive Director  
Kenny Zajicek, Chief Operations and Fiscal Officer  
Johnny Oswald, Program Administrator and Invasive Species Coordinator  
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

T. J. Helton, Program Administrator  
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  
Ronnie Skala, Engineer  
Tony Resendez, Flood Control Specialist  
Jared Bowen, Flood Control Specialist  
Steven Andrews, Human Resources & Payroll Coordinator  
Clay Wright, Information Resources Manager and Information Security Officer  
Marilyn Koelder, Administrative Assistant  
Mark Shackelford, Engineering Technician  
Teresa Reese, Natural Resource Specialist  
Jimmy McCurry, Natural Resources Specialist  
Pam Blanton, Administrative Assistant  
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  
Tamara Daniel, Association of Texas Soil and Water Conservation Districts  
Rick Schilling, Association of Texas Soil and Water Conservation Districts  
Monday Rufus, Monday Rufus & Co., P.C., Internal Auditor  
Robert Gonzales, Monday Rufus & Co., P.C., Internal Auditor  
Kyla Peterson, Texas Water Development Board  
J. C. Essler, Texas Poultry Federation  
David Villarreal, Texas Department of Agriculture  
Justin Bower  
Michael Oher  
John Back  
Michelle Zelenka  
Stacey Lundeen  
Emily Fauver  
Brian Wenberg  
Mike Hawk  
Mieko Mahi  
Omar Garza

**AGENDA ITEM 1:** Call to Order and Roll Call

Chairman Mahler called the meeting to order at 9:03 and called roll of the Board Members. All members present except for Tina Buford.

**AGENDA ITEM 2:** Excuse Any Absent Board Members

Mr. Dodier moved for the approval to excuse Tina Buford. Mr. Graham seconded the motion. The motion passed unanimously.

**AGENDA ITEM 3:** Public Comment

There were no comments at this time.

**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 local workgroup meetings, the Environmental Quality Incentives Program target deadlines, the National Water Quality Initiative in Texas, the winter storm, Conservation Stewardship Program renewal and deadlines, Agriculture Conservation Easement Program, Wetland Easements, an agreement with Texas Land Trust Council, their State Technical Committee, the National Handbook of Conservation Practices deadline extended, Texas Partners for Conservation Program, Sustainable Forestry African-American Land Retention meetings, partnering with others for the Action Collaboration in the Trinity River Basin, the Great Plains Grassland file, staffing issues, coronavirus update, and Mr. Salvador Salinas' upcoming retirement on July 3<sup>rd</sup> after 43 ½ years of service.

**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 commented that he testified in front of the House Agriculture and Livestock Committee concerning the On-the-Ground Bill., and then a few days later in front of the Senate Committee. Mr. Schilling commented that the Association had held a Board Meeting, the Soil Health Meetings should start again soon, along with the Local Workgroup Meetings. Mr. Schilling congratulated all the award winners and stated that they would be sending out resolution calls directly since the Annual State Meeting is early this year.

**AGENDA ITEM 7:** Minutes from January 21, 2021 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 January 21, 2021 Board Meeting.

Mr. Polk, Jr. moved for the approval of the minutes as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

**AGENDA ITEM 8:** Rio Blanco Soil and Water Conservation District Boundary Changes

Mr. Foster reviewed the agenda information.

Mr. Basinger moved for the approval of the changes as presented. Mr. Graham seconded the motion. The motion passed unanimously.

**AGENDA ITEM 9:** Soil and Water Conservation District Director Appointments, including Josh Schoepf, Rex Hegi, Gary Don Davis, Connie Fox, Jerry F. Kurtz, Shane Elmore, Walter Bradburn, Garland Hampton, Chris Littlefield:

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.

Josh Schoepf, Rio Blanco #107, Subdivision 5, Replace Edwin Moore  
Rex Hegi, Hale County #132, Subdivision 2, Replace Gaylord Groce  
Gary Don Davis, Salt Fork #133, Subdivision 1, Replace Gary Killian  
Connie Fox, Upper Llanos #225, Subdivision 2, Replace Arthur Mudge  
Ann Schroeder, Caldwell-Travis #304, Subdivision 3, Replace Rudy Schroeder  
Cy Bauer, Copano Bay #329, Subdivision 2, Replace J. D. McGill (moving from Subdivision 5 to 2)  
Jimmy Rathkamp, Copano Bay #329, Subdivision 5, Replace Cy Bauer  
David T. Villarreal, Starr County #332, Subdivision 5, Replace Reyna G. Guerra  
Jerry F. Kurtz, Lavaca #334, Subdivision 2, Replace Leon Jurena  
Wayne Rother, Lavaca #334, Subdivision 4, Replace Daniel Rother  
Shane Elmore, Wood #444, Subdivision 2, Replace Larry Richey (contingent upon receiving all paperwork)  
Walter Bradburn, Dalworth #519, Subdivision 3, Replace Bobby Waddle  
Garland Hampton, Dalworth #519, Subdivision 4, Replace Wendell Stewart  
Chris Littlefield, Little Wichita #560, Subdivision 1, Replace Annie McClintock

**AGENDA ITEM 10:** Internal Audit Report of Information Systems and Controls

Mr. Rufus, Monday Rufus & Co., P.C., reviewed the agenda information.

Mr. Dodier moved for the approval of the audit as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

**AGENDA ITEM 11:** Follow-up Report of Prior Year Audit Recommendations

Mr. Rufus, Monday Rufus & Co., P.C., reviewed the agenda information.

Mr. Basinger moved for the approval of the report as presented. Mr. Graham seconded the motion. The motion passed unanimously.

**AGENDA ITEM 12:** Proposed Internal Audit Plan for Fiscal Year 2021 and Fiscal Year 2022

Mr. Rufus, Monday Rufus & Co., P.C., reviewed the agenda information.

Mr. Buckles moved for the approval of the plan as presented. Mr. Basinger seconded the motion. The motion passed unanimously.

**AGENDA ITEM 13:** Fiscal Report for 2nd Quarter Fiscal Year 2021

Mr. Zajicek reviewed the agenda information.

Technical difficulties with the zoom meeting. Will come back to agenda item 13.

**AGENDA ITEM 17:** Sunset Advisory Commission Review

Mr. Foster reviewed the agenda information.

**AGENDA ITEM 18:** Intergovernmental Affairs Status Report

Ms. Parker and Mr. Foster reviewed the agenda information.

Mr. Isom commented that the Legislative Session seems to be going well. Discussion ensued concerning additional funds.

**AGENDA ITEM 19:** Conservation Initiatives Status Report

Ms. Parker reviewed the agenda information.

**AGENDA ITEM 13:** Fiscal Report for 2nd Quarter Fiscal Year 2021

Mr. Zajicek continued to review the agenda information.

**AGENDA ITEM 14:** Review, Amend, or Readopt State Board Fraud Policy

Mr. Zajicek reviewed the agenda information.

Mr. Dodier moved to readopt policy. Mr. Basinger seconded the motion. The motion passed unanimously.

**AGENDA ITEM 15:** Review, Amend, or Readopt State Board Ethics Policy

Mr. Zajicek reviewed the agenda information.

Mr. Buckles moved to readopt policy. Mr. Basinger seconded the motion. The motion passed unanimously.

**AGENDA ITEM 16:** National Association of State Conservation Agencies Dues

Mr. Zajicek reviewed the agenda information.

Mr. Polk, Jr. moved for the approval to pay the dues in the amount of \$3,000. Mr. Dodier seconded the motion. The motion passed unanimously.

**AGENDA ITEM 20:** 31 Texas Administrative Code, Part 17, Chapter A, Employee Training Rules Rule Review

Ms. Parker reviewed the agenda information.

Mr. Dodier moved for the approval to submit to the Texas Register for a 30-day public comment period. Mr. Basinger seconded the motion. The motion passed unanimously.

**AGENDA ITEM 21:** 31 Texas Administrative Code, Part 17, Chapter 527, Removal of a District Director Rule Review

Ms. Parker reviewed the agenda information.

Mr. Buckles moved for the approval to submit to the Texas Register for a 30-day public comment period. Mr. Polk, Jr. seconded the motion. The motion passed unanimously.

**AGENDA ITEM 22:** Flood Control Programs Status Report

Mr. Bednarz reviewed the agenda information.

**AGENDA ITEM 23:** Cost-Sharing Environmental Mitigation Costs for Flood Control Dam Structural Repair Construction

Mr. Bednarz reviewed the agenda information.

Mr. Polk, Jr. moved for the approval of the cost-share as presented. Mr. Dodier seconded the motion. The motion passed unanimously.

**AGENDA ITEM 24:** Water Quality Management Plan Program Status Report

Mr. Munz reviewed the agenda information.

**AGENDA ITEM 25:** 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 26:** Water Quality Management Plan Cost-Share Requests from the Allocation for Statewide Use

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

**AGENDA ITEM 27:** Poultry Water Quality Management Plan Program Status Report

Mr. Cochran reviewed the agenda information.

**AGENDA ITEM 28:** Texas Nonpoint Source Management Program Status Report

Ms. Lloyd reviewed the agenda information.

**AGENDA ITEM 29:** Carrizo Cane Eradication Program Status Report

Mr. Oswald reviewed the agenda information.

Discussion concerning treatment of Carrizo cane ensued. Mr. Oswald stated that 317 miles of the river has now been treated.

**AGENDA ITEM 30:** National Association of Conservation Districts-Technical Assistance Status Report

Mr. Gibson reviewed the agenda information.

**AGENDA ITEM 31:** Planning of 2021 Annual State Meeting of District Directors

Ms. Christensen reviewed the agenda information. The October State Board Meeting will also be held during the Annual State Meeting. Details to follow.

**AGENDA ITEM 32:** Communication Strategy Status Report

Ms. Christensen reviewed the agenda information.

**AGENDA ITEM 33:** Conservation Outreach: Rural and Urban Outreach

Mr. Ray reviewed the agenda information.

**AGENDA ITEM 34:** Human Resources Status Report

Mr. Andrews reviewed the agenda information.

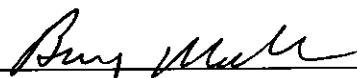
**AGENDA ITEM 35:** Set Date for Next State Board Meeting

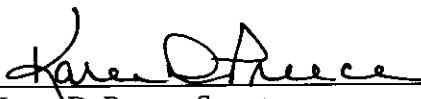
July 15, 2021, in Temple at State Board Headquarters Office.

Mr. Isom stated that TSSWCB will go back to normal working hours in office as of July 1st and that there will be a reception for the 2020-2021 employee retirees on July 14th from 5:00-7:00.

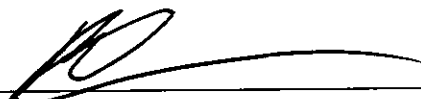
Chairman Mahler thanked staff and Assistant Attorney General Veena Mohan.

Meeting adjourned at 11:07 a.m.

  
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Barry Mahler, Chairman  
July 15, 2021  
Date

  
\_\_\_\_\_  
Karen D. Preece, Secretary  
July 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 April 15, 2021.

  
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Rex Isom, Executive Director  
July 15, 2021  
Date