

TEXAS STATE SOIL AND WATER CONSERVATION BOARD

Board Meeting Minutes

July 15, 2021 at 8:00 a.m.

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
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
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
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
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
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
Volney Hough, Association of Texas Soil and Water Conservation Districts
Kent Batman, Association of Texas Soil and Water Conservation Districts
John Tate, Association of Texas Soil and Water Conservation Districts
Bob Steakley, Association of Texas Soil and Water Conservation Districts
Bill Gray, Association of Texas Soil and Water Conservation Districts
Todd Kercheval, Texas Conservation Association for Water and Soil
Bob Gruner
Dawn Heitman
Clyde Gottschalk
Mel Davis
Nancy Isom
Martha Davis

AGENDA ITEM 1: Call to Order and Roll Call

Chairman Mahler called the meeting to order at 8:02 with the Pledge of Allegiance, and then called roll of the Board Members. All members present.

AGENDA ITEM 2: Excuse Any Absent Board Members

All Board Members present.

AGENDA ITEM 3: Public Comment

There were no comments at this time.

Chairman Mahler recognized guests.

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 stated that they are still only receiving limited visitors at the moment and reviewed the handout. Ms. Oates provided updates on Environmental Quality Incentives Program contracts, the Conservation Stewardship Program deadline, the Agriculture Conservation Easement Program, the Conservation Innovation Grants, the Watershed Rehabilitations Program, the Conservation Reserve Program, and staffing issues.

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

Mr. Rick Schilling, Association of Texas Soil and Water Conservation Districts, addressed the Board. Mr. Schilling commented that he was in Austin in March and testified before the House and Senate concerning conservation. Mr. Schilling commented that the Association is getting back to normal, that they have had several meetings, and were in Fort Worth at the Soil Stewardship Speaking Contest. Mr. Schilling also stated that on August 19th, they would be sponsoring a Field Day in Lubbock, and that the State Meeting Resolutions are due August 5th.

Chairman Mahler thanked the Association for sponsoring the Retirement Reception the evening before, and for the support given the TSSWCB.

Mr. Todd Kercheval, Texas Conservation Association for Water and Soil, addressed the Board. Mr. Kercheval commented that they are a legislative arm for conservation, that the Legislature adjourned and is now in Special Session, and on the price of lumber. Mr. Kercheval stated that all the TSSWCB successes and only a 5% budget reduction shows the need for our agency. Mr. Kercheval also commented that the agricultural topics are getting attention, and that it is a pleasure to walk the Texas Capital and represent Texas conservation.

AGENDA ITEM 7: Employee Service Awards Presentation

April Sease – 10 years (given to supervisor Mark Cochran)
Molly Christensen – 5 years
Jana Lloyd – 10 years
Johnny Oswald – 35 years

Chairman Mahler acknowledged TSSWCB retirees Mr. Mel Davis, Mr. Clyde Gottschalk, Mr. Bob Gruner, and Ms. Dawn Heitman. Mr. Isom took time to thank each one personally and talked about their successes and time spent working for the TSSWCB. Recess was taken to honor retirees with a reception. 8:50-9:05

AGENDA ITEM 8: Minutes from April 15, 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 April 15, 2021 Board Meeting.

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

AGENDA ITEM 10: Report on Fiscal Report 2021 Budget Activity

Mr. Zajicek reviewed the agenda information.

AGENDA ITEM 11: Proposed Operating Budget for Fiscal Year 2022

Mr. Zajicek reviewed the agenda information.

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

AGENDA ITEM 12: Conservation Implementation Assistance (Technical Assistance) Allocations for Fiscal Year 2022

Mr. Zajicek reviewed the agenda information.

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

AGENDA ITEM 13: Conservation Assistance (Matching Funds) Allocations for Fiscal Year 2022

Mr. Zajicek reviewed the agenda information.

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

AGENDA ITEM 14: District Director Mileage and Per Diem Allocations for Fiscal Year 2022

Mr. Zajicek reviewed the agenda information.

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

AGENDA ITEM 9: 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. Dodier moved for the approval of the following appointments as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

Charles Evans, Upper Llanos #225, Subdivision 4, Replace Jerry Kirby
James Fletcher Hill, Andrews #246, Subdivision 1, Replace Mike Hill
Martin Wall, Maverick County #253, Subdivision 3, Replace Robert Gonzalez
Tina M. Freeman, Caldwell-Travis #304, Subdivision 1, Replace Billy Ray Buckner
Wade Maierhofer, Comal-Guadalupe #306, Subdivision 5, Replace Stacy Jackson
Dyrle Ann Joiner, Anderson Houston #421, Subdivision 1, Replace Linda Galayda
Portia Olson, Anderson Houston #421, Subdivision 3, Replace Edd Coleman
Winston Aldrich, Coastal #432, Subdivision 1, Replace Burton Moore
Herb Dishman, Coastal #432, Subdivision 2, Replace Jerry Thornton
Thomas Caldwell, Polk-San Jacinto #436, Subdivision 5, Replace Sidney Cowart
Larry Boswell, Navarro #514, Subdivision 2, Replace John Braly
Barney Mike McClure, Johnson County #541, Subdivision 1, Replace Wayne Hadley (missing resignation letter)
Bob Mack Denton, Johnson County #541, Subdivision 4, Replace Claudia Atlas (missing resignation letter)
Jack DeShazo, Parker County #558, Subdivision 5, Replace Melton Harms

AGENDA ITEM 15: Sunset Advisory Commission Review

Mr. Foster reviewed the agenda information.

AGENDA ITEM 16: On the Ground Conservation Program

Mr. Foster reviewed the agenda information. Discussion ensued.

AGENDA ITEM 17: Intergovernmental Affairs Status Report

Ms. Parker reviewed the agenda information.

AGENDA ITEM 18: Conservation Initiatives Status Report

Ms. Parker reviewed the agenda information.

AGENDA ITEM 19: Agency Strategic Planning

Ms. Parker reviewed the agenda information.

Chairman Mahler, Ms. Buford, and Mr. Graham thanked staff for information and work on proposals.

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

AGENDA ITEM 20: Readoption, Readoption with Amendments, or Repeal of Rules Contained in Title 31 Texas Administrative Code, Part 17, Chapter 518, Subchapter A, Employee Training

Ms. Parker reviewed the agenda information.

Mr. Basinger moved for the approval to readopt as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 21: Readoption, Readoption with Amendments, or Repeal of Rules Contained in Title 31 Texas Administrative Code, Part 17, Chapter 527, Removal of a District Director

Ms. Parker reviewed the agenda information.

Mr. Buckles moved for the approval to readopt as presented. Mr. Dodier seconded the motion. The motion passed unanimously.

AGENDA ITEM 22: Title 31 Texas Administrative Code, Part 17, Chapter 520, Subchapter B, Requirements to Receive State Funds or Administer State Programs Rule Review

Ms. Parker reviewed the agenda information.

Mr. Dodier moved for the approval to publish the rule review in the Texas Register for a 30-day public comment period. Ms. Buford seconded the motion. The motion passed unanimously.

AGENDA ITEM 23: Title 31 Texas Administrative Code, Part 17, Chapter 523, Agricultural and Silvicultural Water Quality Management Rule Review

Ms. Parker reviewed the agenda information.

Mr. Buckles moved for the approval to publish the rule review in the Texas Register for a 30-day public comment period. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 24: Title 31 Texas Administrative Code, Part 17, Chapter 525, Subchapter A, Audit Requirements for Soil and Water Conservation Districts Rule Review

Ms. Parker reviewed the agenda information.

Mr. Polk, Jr. moved for the approval to publish the rule review in the Texas Register for a 30-day public comment period. Mr. Basinger seconded the motion. The motion passed unanimously.

AGENDA ITEM 25: Flood Control Programs Status Report

Mr. Bednarz reviewed the agenda information. Discussion ensued.

AGENDA ITEM 26: Water Quality Management Plan Program Status Report

Mr. Munz reviewed the agenda information. Mr. Munz also thanked Regional Managers and staff for work performed during Covid.

AGENDA ITEM 27: 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 28: 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 29: Water Quality Management Plan Program Cost-Share Incentive Priorities, Allocations, and Application Ranking Procedures for 2022-2023 Biennium

Mr. Munz reviewed the agenda information.

Mr. Dodier moved for the approval to approve cost-share incentive priorities, allocations, and application ranking criteria as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

AGENDA ITEM 30: Water Quality Management Plan Program Approved Practice List for Fiscal Year 2022

Mr. Munz reviewed the agenda information.

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

AGENDA ITEM 31: Poultry Water Quality Management Plan Program Status Report

Mr. Cochran reviewed the agenda information.

AGENDA ITEM 32: Texas Nonpoint Source Management Program Status Report

Ms. Lloyd reviewed the agenda information.

AGENDA ITEM 33: Carrizo Cane Eradication Program Status Report

Mr. Oswald reviewed the agenda information. Mr. Oswald stated that all cane will need a double treatment, and that U.S. Border Patrol may not be able to help us going forward.

AGENDA ITEM 34: National Association of Conservation Districts-Technical Assistance Status Report

Mr. Gibson reviewed the agenda information.

AGENDA ITEM 35: Planning of 2021 Annual State Meeting of District Directors

Ms. Christensen reviewed the agenda information.

AGENDA ITEM 36: Communication Strategy Status Report

Ms. Christensen reviewed the agenda information.

AGENDA ITEM 37: Conservation Awards Program Packet

Ms. Christensen reviewed the agenda information.

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

AGENDA ITEM 38: Conservation Outreach: Rural and Urban Outreach

Ms. Christensen reviewed the agenda information.

Mr. Isom announced the retirement of Mr. Rusty Ray.

AGENDA ITEM 39: Human Resources Status Report

Mr. Andrews reviewed the agenda information.

Chairman Mahler thanked Mr. Andrews for joining TSSWCB in Human Resources. Mr. Andrews served 5 years in the U. S. Army in Human Resources.

AGENDA ITEM 40: Election of State Board Officers

Board Members discussed options.

Mr. Dodier moved for the nominations of Mr. Graham to be named as Chairman, and Mr. Basinger to be named as Vice-Chairman. Mr. Buckles seconded the motion. The motion passed unanimously.

Mr. Dodier moved for nominations to cease. Mr. Buckles seconded the motion. The motion passed unanimously.

Chairman Mahler turned the meeting over to Chairman Graham.

AGENDA ITEM 41: Set Date for Next State Board Meeting

October 4, 2021, in Round Rock at Annual State Meeting of District Directors.

AGENDA ITEM 42: Division of Responsibilities Policy

Assistant Attorney General Veena Mohan, Office of the Attorney General, addressed the Board. Ms. Mohan reviewed the handout.

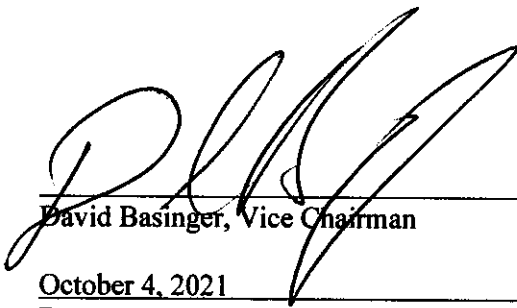
Mr. Mahler moved for the approval of the policy as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

Mr. Isom thanked staff for all the work that was done to keep the work flowing throughout the Covid pandemic.

Mr. Mahler expressed his appreciation for the time that he has served on the TSSWCB, and thanked staff for their efforts.


Chairman Graham thanked Mr. Mahler for serving as Chairman of the Board.

Mr. Dodier moved to adjourn meeting at 10:47 a.m. Mr. Basinger seconded the motion. The motion passed unanimously.



David Basinger, Vice Chairman
October 4, 2021


Date



Karen D. Preece, Secretary
October 4, 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 July 15, 2021.



Rex Isom, Executive Director
October 4, 2021

Date