

**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**Board Meeting Minutes**  
**March 21, 2023, at 1:30 p.m.**

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

**Board Members present:**

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

**Staff Members present:**

Rex Isom, Executive Director  
Kenny Zajicek, Operating & Fiscal Officer  
John Foster, Policy Advisor & Intergovernmental Affairs  
T.J. Helton, Program Administrator  
Jana Lloyd, Grant Coordinator  
Lee Munz, Program Administrator & Regional Office Coordinator  
Steve Bednarz, Program Administrator & Engineer  
Heather Bounds, Government Relations Specialist  
Molly Christensen, Communications & Outreach Coordinator  
Tory Matthys, Human Resources Coordinator  
Johnny Oswald, Program Administrator & Invasive Species Coordinator  
Jack Foote, Program Specialist  
Ricky Johnson, 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  
Charlie Upchurch, Program Specialist  
Chris Couch, Program Specialist  
Karen Preece, Accountant

**Others Present:**

Jerry Bergman, Office of the Attorney General  
Kent Batman, Association of Texas Soil and Water Conservation Districts  
Tamara Daniel, Association of Texas Soil and Water Conservation Districts  
Kristy Oates, Natural Resources Conservation Service  
Monday Rufus, Monday Rufus & Co., PC, CPA's  
Cody York, Pecan Bayou Soil and Water Conservation District  
Steve Harris, Parker County Soil and Water Conservation District  
Arturo Gaitan, Bee County Soil and Water Conservation District  
Ward Whitworth, Upper Ilanos Soil and Water Conservation District

Leroy Wolff, Live Oak Soil and Water Conservation District  
Kelly Moody, Sulphur-Cypress Soil and Water Conservation District  
J. C. Mathiews, Throckmorton Soil and Water Conservation District  
Delbur Swanson, Wharton County Soil and Water Conservation District  
Robert Rodriguez, Starr County Soil and Water Conservation District

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

Chairman Graham called the meeting to order at 1:00 and called roll of the Board Members. Mr. Polk, Jr. was not in attendance.

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

Mr. Dodier, Jr. moved for the approval to excuse Mr. Polk, Jr. Mr. Mahler seconded the motion. The motion passed unanimously.

**AGENDA ITEM 3: Public Comment**

There were no public comments.

**AGENDA ITEM 4: Overview and Update on the Programs and Activities of Federal, State and Local Governmental Entities**

There were no governmental entity comments.

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

Ms. Oates, Natural Resource Conservation Service, addressed the Board, and reviewed the handout.

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

Mr. Batman, Association of Texas Soil and Water Conservation Districts, addressed the Board. Mr. Batman commented on past meetings of the Soil Health Workshop and the Farm Bill Round Table Meeting, and future meetings of the Director Training Workshop and the Awards Banquets.

**AGENDA ITEM 7: Minutes from January 19, 2023 State Board Meeting**

Ms. Preece previously emailed a copy of the minutes to Board Members for their review.

Chairman Graham called for a motion to approve the minutes of the January 19, 2023 State Board Meeting.

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

**AGENDA ITEM 8: Soil and Water Conservation District Director Appointments, including Pritchard, Martin, Probandt, Ray, Buck, Conn, Brown:**

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

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

Colby Pritchard, Runnels #232, Subdivision 4, Replace Debbie Kemp  
Tim Martin, Mustang #242, Subdivision 4, Replace John Zant  
Victor Probandt, Tom Green #248, Subdivision 5, Replace Clayton McCown  
Melvin Krolczyk, Washington #348, Subdivision 4, Replace Wayne Bosse  
Wade Ray, Davy Crockett-Trinity #404, Subdivision 1, Replace Bill Wagner  
Susan Buck, Sulphur-Cypress #419, Subdivision 5, Replace Syble Buck  
Kenneth Hicks, Cherokee County #427, Subdivision 5, Replace Aaron Low (contingent upon receiving Mr. Low's signed resignation letter)  
Tommy Paben, Wood #444, Subdivision 2, Replace Shane Elmore  
Larry Conn, Robertson County #451, Subdivision 5, Replace Jerry Conn  
Mary E. Brown, Navarro #514, Subdivision 4, Replace Clifford Brown III

**AGENDA ITEM 9:** State Board Member Elections Update

Ms. Preece reviewed the agenda information.

**AGENDA ITEM 10:** Fiscal Report for the 2nd Quarter Fiscal Year 2023

Mr. Zajicek reviewed the agenda information.

**AGENDA ITEM 11:** Internal Audit Report on the Water Quality Complaint Program

Mr. Rufus reviewed the agenda information.

Mr. Dodier, Jr. moved for the approval of the report as presented. Ms. Buford seconded the motion. The motion passed unanimously.

**AGENDA ITEM 12:** Internal Audit Report on Fleet Management and Fixed Asset Inventory

Mr. Rufus reviewed the agenda information.

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

**AGENDA ITEM 13:** Internal Audit Report on Follow-Up of Prior Internal Audit Recommendations

Mr. Rufus reviewed the agenda information.

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

**AGENDA ITEM 14:** Wood Soil and Water Conservation District #444 Subdivision Boundary Changes

Mr. Foster stated that Wood Soil and Water Conservation District pulled the request from the agenda.

**AGENDA ITEM 15:** Intergovernmental Affairs Status Report

Mr. Foster reviewed the agenda information. Mr. Foster commented on the filing of Sunset Bills, an upcoming Senate Hearing on May 3rd, the review of the Exception Items, and the Right to Farm Bills. Discussion ensued.

**AGENDA ITEM 16:** Sunset Advisory Commission Review

Mr. Foster reviewed the agenda information.

**AGENDA ITEM 17:** Readoption, Readoption with Amendments, or Repeal of Rules Contained in Title 31 Texas Administrative Code, Part 17, Chapter 529, Subchapter B, Structural Repair Grant Program Rule Review

Mr. Foster reviewed the agenda information.

Mr. Buckles moved for the adoption of the proposed amendments as presented. Mr. Basinger seconded the motion. The motion passed unanimously.

**AGENDA ITEM 18:** Readoption, Readoption with Amendments, or Repeal of Rules Contained in Title 31 Texas Administrative Code, Part 17, Chapter 520, Subchapter A, Election Procedures Rule Review

Mr. Foster reviewed the agenda information.

Mr. Mahler moved for the adoption of the amendments as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

**AGENDA ITEM 19:** Proposed New Title 31 Texas Administrative Code, Part 17, Chapter 518, Subchapter C Relating to Restrictions on Assignment of Vehicles

Mr. Foster reviewed the agenda information.

Ms. Buford moved to publish the rule in the Texas Register for the public comment period. Mr. Mahler seconded the motion. The motion passed unanimously.

**AGENDA ITEM 20:** National Association of State Conservation Agencies Farm Bill Recommendations

Mr. Foster reviewed the agenda information.

**AGENDA ITEM 21:** Feral Swine Control Pilot Program Status Report

Mr. Foster reviewed the agenda information.

**AGENDA ITEM 22:** On-the-Ground Conservation Program Status Report

Mr. Foster reviewed the agenda information. Mr. Foster stated that there is an agreement with Texas A&M and United States Department of Agriculture Natural Resources Conservation Service, and that we are waiting in Texas A&M at this point. Discussion ensued.

Mr. Mahler stated that this is a great opportunity, and that we must not forget the pioneers.

**AGENDA ITEM 23:** Agency Strategic Planning Status Report

Mr. Foster reviewed the agenda information. Mr. Foster stated that we contracted with a private company, and that they had prepared the document which adequately brought in information, that no new items were added, and has a May target.

Ms. Buford worked on the plan with the staff and said she was optimistic.

**AGENDA ITEM 24:** Flood Control Programs Status Report

Mr. Bednarz reviewed the agenda information.

**AGENDA ITEM 25:** Flood Control Program Dam Rehabilitation Projects

Mr. Bednarz reviewed the agenda information.

Ms. Buford moved for the approval of the project as presented. Mr. Dodier, Jr. seconded the motion. The motion passed unanimously.

**AGENDA ITEM 26:** Flood Control Program Agreement Amendment Chambers Creek 129

Mr. Bednarz reviewed the agenda information.

Mr. Mahler moved for the approval of the amendment as presented. Mr. Basinger seconded the motion. The motion passed unanimously.

**AGENDA ITEM 27:** Flood Control Program Federal Agreement Lower East Fork Laterals 10

Mr. Bednarz reviewed the agenda information.

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

**AGENDA ITEM 28:** Flood Control Program State Agreement Lower East Fork Laterals 10

Mr. Bednarz reviewed the agenda information.

Mr. Mahler moved for the approval of the agreement as presented. Mr. Basinger seconded the motion. The motion passed unanimously.

**AGENDA ITEM 29:** Water Quality Management Plan Program Status Report

Mr. Munz reviewed the agenda information.

**AGENDA ITEM 30:** 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 reviewed the agenda information and stated that there are no requests to consider at this time.

**AGENDA ITEM 31:** Water Quality Management Plan Cost-Share Requests from the Allocation for Statewide Use

Mr. Munz reviewed the agenda information and stated that there are no requests to consider at this time.

**AGENDA ITEM 32:** Poultry Water Quality Management Plan Program Status Report

Mr. Munz reviewed the agenda information.

**AGENDA ITEM 33:** Texas Nonpoint Source Management Program Status Report

Ms. Lloyd reviewed the agenda information. Ms. Lloyd also presented the Nonpoint Source Pollution Management in Texas 2022 Annual Report.

**AGENDA ITEM 34:** Carrizo Cane Eradication Program Status Report

Mr. Oswald reviewed the agenda information. Mr. Oswald recognized Mr. Cody York and Mr. Robert Rodriguez and their efforts with the eradication of the Carrizo Cane.

**AGENDA ITEM 35:** Communication Strategy Status Report

Ms. Christensen reviewed the agenda information.

**AGENDA ITEM 36:** Planning of 2023 Annual State Meeting of District Directors

Ms. Christensen reviewed the agenda information.

**AGENDA ITEM 37:** Human Resources Status Report

Ms. Matthys reviewed the agenda information.

**AGENDA ITEM 8:** Soil and Water Conservation District Director Appointments, including Pritchard, Martin, Probandt, Ray, Buck, Conn, Brown:

It was brought to Ms. Preece’s attention that a district director appointment had been overlooked for the Board’s consideration. Ms. Preece presented information and verified the paperwork was in order and met all qualifications for:

Tyler Gibson, Walker County #453, Subdivision 5, Replace Frederick Weinzierl

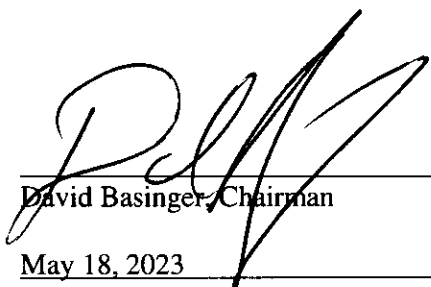
Mr. Mahler moved for the approval of the appointment as presented. Mr. Buckles seconded the motion. The motion passed unanimously.


**AGENDA ITEM 38:** Set Date for Next State Board Meeting

May 18, 2023.

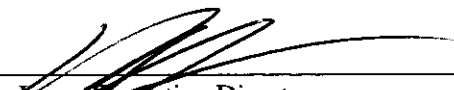
**AGENDA ITEM 39:** Adjourn Meeting

Mr. Buckles moved to adjourn the meeting at 2:10 p.m. Mr. Basinger seconded the motion. The motion passed unanimously.

  
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David Basinger, Chairman  
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May 18, 2023  
Date

  
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Karen D. Preece, Secretary  
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May 18, 2023  
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 March 21, 2023.

  
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Rex Isom, Executive Director  
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May 18, 2023  
Date