

**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**Board Meeting Minutes**  
**April 28, 2022, at 8:30 a.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 Y. Buford, Governor Appointee  
Carl Ray Polk, Jr, Governor Appointee

Staff Members present:

Rex Isom, Executive Director  
Kenny Zajicek, Chief Operations & Fiscal Officer  
John Foster, Policy Advisor & Intergovernmental Affairs  
Liza Parker, Policy Analyst & Legislative Liaison  
Lee Munz, Program Administrator & Regional Office Coordinator  
Steve Bednarz, Program Administrator & Engineer  
Allen Nash, Engineer  
Jared Bowen, Flood Control Specialist  
Tony Resendez, Flood Control Specialist  
Molly Christensen, Communications & Outreach Coordinator  
Ellie Larson, Public Affairs Specialist  
Tory Matthys, Human Resources Coordinator  
Ricardo Chapa, Program Supervisor  
Glenn Baker, Program Supervisor  
Kimberly Gamez, Program Supervisor  
Todd Oneth, Program Supervisor  
Lawrence Brown, Program Supervisor  
Judy Albus, Program Supervisor  
Mark Cochran, Program Supervisor  
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  
Don Brandenberger, Program Specialist  
Charlie Upchurch, Program Specialist  
T. J. Helton, Program Administrator  
Mitch Conine, Nonpoint Source Project Manager  
Jana Lloyd, Nonpoint Source Project Manager  
Jett Preston, Nonpoint Source Project Manager  
Daniel Blair, Nonpoint Source Project Manager

Shannon Sullivan, Nonpoint Source Project Manager  
Loren Warrick, Program Specialist  
David Reyes, Natural Resources Specialist  
Jeff Gatlin, Natural Resources Specialist  
Megan Cirkles, Natural Resources Specialist  
Karen Preece, Accountant

General Counsel:

Assistant Attorney General Veena Mohan, Office of the Attorney General (via phone)

Others Present:

Kristy Oates, Natural Resources Conservation Service  
Danielle Balduff, Natural Resources Conservation Service  
Tamara Daniel, Association of Texas Soil and Water Conservation Districts  
Rick Schilling, Association of Texas Soil and Water Conservation Districts  
Doug Smith, Agricultural Research Service  
Wesley Gibson, National Association of Conservation Districts  
Corey Craig, IVM Solutions, LLC  
Matt Mahler, IVM Solutions, LLC  
Kelly Moody, Sulphur Cypress Soil and Water Conservation District  
Cody York, Pecan Bayou Soil and Water Conservation District

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

Chairman Graham called the meeting to order at 8:30 and called roll of the Board Members. Mr. Polk, Jr. was not in attendance.

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

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

**AGENDA ITEM 3:** Public Comment

There were no public comments.

Chairman Graham acknowledged guests.

Mr. Mahler introduced Mr. Corey Craig and Mr. Matt Mahler of IVM Solutions, LLC. Mr. Craig stated that they introduced drones to treat Carrizo Cane, and that they had a drone on display in the lobby.

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

There were no governmental entity comments.

Board Member Mr. Polk, Jr arrived at 8:33.

Mr. Dodier moved to withdraw the absence of Mr. Polk, Jr. from the record. Mr. Basinger seconded the motion. The motion passed unanimously.

**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. Ms. Oates reviewed the handout and commented on re-entry date for all Natural Resource Conservation Service employees.

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

Mr. Schilling, Association of Texas Soil and Water Conservation Districts, addressed the Board. Mr. Schilling commented on the Sunset Hearing, the National Association of Conservation Districts Annual Meeting in Florida, the SWCD Director & Employee Workshop, Area Meetings, the 555 Program., the Soil Health Conference, the upcoming Annual State Meeting, and Resolutions.

**AGENDA ITEM 7:** Minutes from February 15, 2022 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 February 15, 2022 Board Meeting.

Mr. Mahler 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 Chad Hagen, David Thedford

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. Buckles seconded the motion. The motion passed unanimously.

Brandon Scherwitz, Upper Clear Fork #165, Subdivision 2, Replace Terry Scherwitz  
Thomas W Dean, Jr., Coke County #219, Subdivision 5, Replace Joe Ash  
Billy Eggemeyer, Middle Concho #234, Subdivision 1, Replace Frank Evridge  
Tanya V. Pena, Starr County #332, Subdivision 3, Replace Tomas E. Villarreal  
Chad Hagen, Freestone County #424, Subdivision 2, Replace Countee Woodard  
David Thedford, Smith County #426, Subdivision 2, Replace James W. Guthrie  
Wade Skinner, Long Leaf #439, Subdivision 2, Replace Jamie Davis  
John A. Valenta, Little River-San Gabriel #508, Subdivision 3, Replace Kit Worley  
Dustin L. Davidson, Little River-San Gabriel #508, Subdivision 5, Replace Milton Wolbrueck  
Byron Harry Gibbs, Fannin County #520, Subdivision 3, Replace Billy Partridge

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

Ms. Preece reviewed the agenda information.

**AGENDA ITEM 10:** Fiscal Report for the 2<sup>nd</sup> Quarter Fiscal Year 2022

Mr. Zajicek reviewed the agenda information.

**AGENDA ITEM 11:** Sunset Advisory Commission Review

Mr. Foster reviewed the agenda information. Mr. Foster stated that there will be a second Hearing on June 27, 2022.

Mr. Isom clarified verbiage of the TSSWCB Staff Comment section to the Sunset Advisory Commission.

Mr. Mahler commented that the TSSWCB staff has done a tremendous job working with Sunset. Mr. Graham agreed.

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

**AGENDA ITEM 12:** On-the-Ground Conservation Program Status Report

Mr. Foster reviewed the agenda information.

Ms. Buford commented on the concept of additionality and asked that we continue to represent landowners.

Mr. Mahler commented that he is concerned that people are being told that they do not qualify.

**AGENDA ITEM 13:** Cross Timbers Soil and Water Conservation District #556 Board Member Election

Mr. Foster reviewed the agenda information.

Mr. Polk, Jr. moved for the approval to direct the Executive Director to coordinate with Cross Timbers SWCD #556 and conduct an election to complete the existing term of one of the three current vacant positions on their Board. Mr. Basinger seconded the motion. The motion passed unanimously.

**AGENDA ITEM 14:** Agency Strategic Planning

Ms. Parker reviewed the agenda information and the handout.

Ms. Buford moved for the approval of the draft and to authorize the Chairman to approve the final draft, which will not contain any substantive changes and will include a customer service survey that will not require any input from the Board. Mr. Dodier, Jr. seconded the motion. The motion passed unanimously.

**AGENDA ITEM 15:** Feral Swine Control Pilot Program Status Report

Ms. Parker reviewed the agenda information.

**AGENDA ITEM 16:** Intergovernmental Affairs Status Report

Ms. Parker reviewed the agenda information and commented on a Committee Hearing.

**AGENDA ITEM 17:** Title 31 Texas Administrative Code, Part 17, Chapter 529, Subchapter A, Operation and Maintenance Grant Program Rule Review

Ms. Parker reviewed the agenda information.

Mr. Mahler moved to submit the Rule Review to the Texas Register for a 30-day public comment period. Mr. Dodier, Jr. seconded the motion. The motion passed unanimously.

**AGENDA ITEM 18:** Title 31 Texas Administrative Code, Part 17, Chapter 529, Subchapter B, Structural Repair Grant Program Rule Review

Ms. Parker reviewed the agenda information.

Mr. Mahler moved to submit the Rule Review to the Texas Register for a 30-day public comment period. Mr. Dodier, Jr. seconded the motion. The motion passed unanimously.

**AGENDA ITEM 19:** Title 31 Texas Administrative Code, Part 17, Chapter 518, Subchapter B, Historically Underutilized Business Program Rule Review

Ms. Parker reviewed the agenda information.

Mr. Mahler moved to submit the Rule Review to the Texas Register for a 30-day public comment period. Mr. Dodier, Jr. seconded the motion. The motion passed unanimously.

**AGENDA ITEM 20:** Title 31 Texas Administrative Code, Part 17, Chapter 517, Subchapter A, Conservation Assistance Rule Review

Ms. Parker reviewed the agenda information.

Mr. Mahler moved to submit the Rule Review to the Texas Register for a 30-day public comment period. Mr. Dodier, Jr. seconded the motion. The motion passed unanimously.

**AGENDA ITEM 21:** Title 31 Texas Administrative Code, Part 17, Chapter 517, Subchapter B, Cost-Share Assistance for Water Supply Enhancement Rule Review

Ms. Parker reviewed the agenda information.

Mr. Mahler moved to submit the Rule Review to the Texas Register for a 30-day public comment period. Mr. Dodier, Jr. seconded the motion. The motion passed unanimously.

**AGENDA ITEM 22:** Title 31 Texas Administrative Code, Part 17, Chapter 519, Subchapter A, Technical Assistance Rule Review

Ms. Parker reviewed the agenda information.

Mr. Mahler moved to submit the Rule Review to the Texas Register for a 30-day public comment period. Mr. Dodier, Jr. seconded the motion. The motion passed unanimously.

**AGENDA ITEM 23:** Title 31 Texas Administrative Code, Part 17, Chapter 521, Subchapter A, Agricultural Water Conservation Rule Review

Ms. Parker reviewed the agenda information.

Mr. Mahler moved to submit the Rule Review to the Texas Register for a 30-day public comment period. Mr. Dodier, Jr. seconded the motion. The motion passed unanimously.

**AGENDA ITEM 24:** Title 31 Texas Administrative Code, Part 17, Chapter 530, Carrizo Cane Eradication Program Rule Review

Ms. Parker reviewed the agenda information.

Mr. Mahler moved to submit the Rule Review to the Texas Register for a 30-day public comment period. Mr. Dodier, Jr. seconded the motion. The motion passed unanimously.

**AGENDA ITEM 25:** Title 31 Texas Administrative Code, Part 17, Chapter 520, Subchapter A, Election Procedures Rule Review

Ms. Parker reviewed the agenda information.

Mr. Mahler moved to submit the Rule Review to the Texas Register for a 30-day public comment period. Mr. Dodier, Jr. seconded the motion. The motion passed unanimously.

**AGENDA ITEM 26:** Flood Control Programs Status Report

Mr. Bednarz reviewed the agenda information. Discussion ensued.

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

Mr. Munz reviewed the agenda information.

**AGENDA ITEM 28:** 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 29:** Water Quality Management Plan Cost-Share Requests from the Allocation for Statewide Use

Mr. Munz reviewed the agenda information.

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

**AGENDA ITEM 30:** Increase Maximum Cost-Share Allowed Per Operating Unit

Mr. Munz reviewed the agenda information. Discussion ensued. Clarified that this would be for Fiscal Year 2024. Mr. Buckles asked if raising the amount will limit our number of contracts? Mr. Isom commented that it will limit them, but that it may be time to ask for increased funding.

Mr. Dodier, Jr. moved for the approval of the increase as presented. Mr. Buckles 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 and the handout.

**AGENDA ITEM 33:** Carrizo Cane Eradication Program Status Report

Mr. Oswald reviewed the agenda information.

**AGENDA ITEM 34:** Communication Strategy Status Report

Ms. Christensen reviewed the agenda information.

Mr. Isom commended staff on the success of the SWCD Director & Employee Workshop.

**AGENDA ITEM 35:** Planning of 2022 Annual State Meeting of District Directors

Ms. Christensen reviewed the agenda information.

Mr. Mahler moved for the approval to create an Executive Committee consisting of the Executive Director, the State Board Chairman, and one State Board Governor Appointee. Mr. Basinger seconded the motion. The motion passed unanimously.

**AGENDA ITEM 36:** Human Resources Status Report

Ms. Matthys reviewed the agenda information. Ms. Matthys was asked about herself. Ms. Matthys stated that she is from Evant, earned her Master's Degree from Texas A&M in Agriculture Business, and worked at Texas Department of Criminal Justice for 4 years.

Ms. Matthys awarded the 1<sup>st</sup> Place Get Fit trophy to Ms. Anita Brazzle.

**AGENDA ITEM 37:** Employee Service Awards Presentation

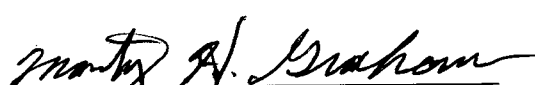
Laura Tijerina – 5 years (presented to supervisor Ricardo Chapa)

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

July 27, 2022, at headquarters in Temple at 8:30 a.m.

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

Mr. Polk, Jr, moved to adjourn the meeting. Mr. Basinger seconded the motion. The motion passed unanimously. Meeting adjourned at 10:29 a.m.

  
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Marty H. Graham, Chairman

July 28, 2022  
Date

  
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Karen D. Preece, Secretary

July 28, 2022  
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 28, 2022.

  
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Rex Isom, Executive Director

July 28, 2022  
Date