

I am Kenneth Heffley, CFO for Dallas County Utility and Reclamation District, a political subdivision of the State of Texas. My organization also manages two other flood control districts within the City of Irving, Texas. My comments are made on behalf of all three districts and the respective boards, which comprise a total of 17 board members, who are all appointed by the City of Irving city council.

Most importantly, the proposed rule to require the appointed board members to register as financial advisors would certainly make it difficult to recruit and retain board members. The added expense of registration fees and cost of continuing education and the liability associated with non-compliance would definitely cause potential board members to seek other positions within the community to serve to avoid this requirement. It is already difficult to recruit board members and this would make a difficult job virtually impossible.

Secondly, the premise that these persons are acting in a financial advisory role is completely inaccurate. They are directors seeking advice in order to fulfill their fiduciary roles; not givers of financial advice.

Also, the directors are not in any way considered employees of the agency. They are not compensated as employees and should not be considered in the same manner as compensated employees.

I strongly urge the SEC to discontinue consideration of implementation of rule S7-45-10.

Kenneth Heffley