



**MINUTES**  
**MARCH 23 & 24, 2015**  
Scott Hart Auditorium  
Helena, MT

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**Call to Order:** Chair John Lehfeldt, at 1:00 PM

**Members Present:**

John Lehfeldt, Chair, sheep producer  
Ed Waldner, swine producer  
Jeffery Lewis, dairy producer  
John Scully, cattle producer  
Nina Baucus, cattle producer  
Brett DeBruycker, cattle producer

**Members Absent:**

Jan French, cattle producer

**Staff Present:**

Christian Mackay, Executive Officer  
Dan Turcotte, Milk & Egg Bureau  
John Grainger, Brands Enforcement  
Dr. Bill Layton, Veterinary Diagnostic Lab  
Dr. Eric Liska, Animal Health  
Paul Johnson, Brands Enforcement  
Marty Clark, Brands Enforcement  
Sherry Rust, board assistant  
George Harris, Centralized Services  
Dr. Marty Zaluski, State Veterinarian  
George Edwards, Livestock Loss Bureau  
Dr. Tahnee Szymanski, Assistant State Veterinarian  
Gary Hamel, Meat Inspection  
Ted Wall, Brands Enforcement

**Public Present:**

John Steuber, USDA APHIS Wildlife Services  
Chaley Harney, Montana Beef Council  
Taylor Brown, SD28  
Ryan Goodman, Montana Stockgrowers Association  
Jay Bodner, Montana Stockgrowers Association  
John Youngberg, Montana Farm Bureau Federation  
Gene Curry, Montana Stockgrowers Association  
Maggie Nutter, Marias River Livestock Association  
Dr. Jeanne Rankin, rancher, Montana Veterinary Medical Association

**Audio Meetings:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the board. A brief summarization of each action item is provided for clarification. The link to the audio recording of the meeting is available on the Department of Livestock website, [liv.mt.gov](http://liv.mt.gov) listed under *Agency Information* then click on *Board of Livestock*.

1:05 PM      Administrative Items

1:08 PM      Action Item: Approval of minutes for January and February BOL meetings.

**Motion/Vote:** Nina Baucus moved to approve the January 26 & 26 and February 25, 2015 board meeting minutes as corrected:

- corrections to motions:
  1. January Minutes Page 4: correct spelling of Core-Mark and change *single date plan* to *12 day rule plan*, add *with implementation*, change *ration* to *ratio*; page 11: delete *by* in sentence ... *evaluations form by will be sent....*
  2. February minutes Page 2 line 1 second to last paragraph: strike *directors* insert *direct*; page 3 last sentence- discussed finance committee attendance - delete *will be board representatives*.

1:20 PM      Explanation: New board member Nina Baucus noted that board chair changes were not noted in the January minutes.

**Motion/Vote:** Nina Baucus moved that a copy of the letter from Jan French to the Governor stepping down from the Board of Livestock Chair position and a copy of the Governor's appointment of John Lehfeldt as interim Chair dated January 15, 2015 be attached to the January BOL meeting minutes. John Scully seconded. The motion carried unanimously.

1:25 PM      Action Item: Chair interim activities:

**Motion/Vote:** Jeff Lewis moved to approve the chair's interim activity for out of state travel for a diagnostic laboratory employee to attend Rabies Certification training paid for by Center for Disease Control funds. Brett DeBrycker seconded. The motion carried unanimously.

1:30 PM      Explanation: Chair John Lehfeldt called for nominations for the vice chair position which has been vacant since Linda Nielsen's term ended.

1:32 PM      **Motion/Vote:** Ed Waldner nominated John Scully for vice chair. Nina Baucus seconded. The motion carried unanimously.

2:05 PM      Explanation: John Youngberg, Montana Farm Bureau, speaking for industry groups seeking to help restore department funding presented points on a Plan Going Forward. The board discussed more clarity in budget implementation and board agendas and minutes resulting in the following motions.

**Motion/Vote:** John Scully moved for industry to establish an advisory committee (Montana Stockgrowers, Montana Farm Bureau, Montana

Wool Growers, Montana Farmers Union, Montana Ag Bankers and the Montana Livestock Markets) to develop and present a strategic plan going forward recommending structural changes to the department (including issues such as local inspector program, job descriptions, assignment of personnel, workload, efficiencies, livestock transfer fee, and market staffing) with a timeframe and updates at each board meeting. Nina Baucus seconded. The motion carried unanimously.

**Motion/Vote:** John Scully moved to continue a budget subcommittee made up of board and industry group members to monitor and implement budget appropriations, revenue and expenditures. Brett DeBruycker seconded. The motion carried unanimously.

**Motion/Vote:** John Scully moved that bullet number 3 & 4 of the advisory committee Plan Going Forward be adopted as amended. (# 3. Add language to HB2 that the Board of Livestock will report on structural balance of all fees to the EAIC at the beginning of every fiscal year; and # 4. That each division will operate within its appropriated budget and that any fund switch necessary within the department will only come with a vote of the full Board of Livestock.) Brett DeBruycker seconded. The motion carried unanimously.

**Motion/Vote:** John Scully moved that the department provide to the legislature an organization chart for the entire department as well as each division. An updated chart will be provided to the EAIC during the interim. Jeff Lewis seconded. The motion carried unanimously.

**Motion/Vote:** John Scully moved that all meetings in the future will be recorded to provide transparency and accountability to the livestock industry of Montana. Brett DeBruycker seconded. The motion carried unanimously.

**Motion/Vote:** John Scully moved that all meetings in the future be televised, with internet access when and if practical to do so. Brett DeBruycker seconded. The motion carried unanimously.

**Motion/Vote:** John Scully moved that all recorded meetings will be retained as per retention policy of the Secretary of State and duplicates will be retained at separate locations for historical record. Brett DeBruycker seconded. The motion carried unanimously.

**Motion/Vote:** John Scully moved that the department agrees to work with the Legislative Audit Subcommittee on oversight and budget implementation. Brett DeBruycker seconded. The motion carried unanimously.

**Motion/Vote:** John Scully moved that the department arrive at a general fund total number including DSA request for 2016 & 2017; 41% for lab

public health total for 2016 & 2017; and additional general fund monies required for the rest of the department (i.e.: Meat Inspection, Livestock Loss Board). Brett DeBruycker seconded. The motion carried unanimously.

**Motion/Vote:** John Scully moved that the department provide the spending authority number necessary on the whole department to fund the gap in lab and any remaining gap for the rest of the department based on 2016 & 2017 operational needs. Brett DeBruycker seconded. The motion carried unanimously.

**Motion/Vote:** John Scully moved that the authority number shall specifically include the incremental pay increases and HB 13 pay increases should the bill pass. Brett DeBruycker seconded. The motion carried unanimously.

2:54 PM Recess

3:09 PM Reconvene

3:45 PM Explanation: George Harris explained that a portion of Per Capita funding is used for predator control except for 3 counties that choose not to participate and how these counties are refunded a portion of Per Capita allocated for this purpose.

**Motion/Vote:** Nina Baucus moved to authorize of the \$350,000 statutory appropriation funds for Predator Control that \$27,422 be allocated to the non-participating three counties; Powder River County - \$11,307, Carter \$10,476, Richland \$5,639. Jeff Lewis seconded. The motion carried unanimously.

4:42 PM Explanation: Dr Layton request authorization for two employees to attend out of state training with funding available by an Avian Influenza grant.

**Motion/Vote:** John Scully moved to authorize travel for two individuals to attend one National Poultry Training program each (salmonella enteritis and avian influenza. Nina Baucus seconded. The motion carried.

Producer Organization Updates: None

5:20 PM Comments from the Public: *refer to audio*  
Maggie Nutter, Marias River Livestock Association  
Representative Herz

5:30 PM **Board Action:** Due to time constraints the board deferred Milk Control Board and Livestock Loss Board reports to Tuesday.

5:45 PM Adjourned

**Tuesday March 24**

**Called to order:** Chair John Lehfeltdt, at 8:00 AM

**Members Present:**

John Lehfeltdt, chair, sheep producer  
Ed Waldner, swine producer  
Jeffery Lewis, dairy producer  
John Scully, cattle producer  
Nina Baucus, cattle producer  
Brett DeBruycker, cattle producer

**Members Absent:**

Jan French, cattle producer

**Staff Present:**

Christian Mackay, Executive Officer  
Dan Turcotte, Milk & Egg Bureau  
John Grainger, Brands Enforcement  
Sherry Rust, Board Secretary, minute taker  
George Harris, Centralized Services  
George Edwards, Livestock Loss Bureau  
Dr. Tahnee Szymanski, Asst. State Veterinarian  
John Grainger, Brands Enforcement  
Ted Wall, Brands Enforcement  
Dan Turcotte, Milk & Egg Inspection Bureau  
Chad Lee, Milk Control Bureau

**Public Present:**

Maggie Nutter, Marias River Livestock Association  
Jay Bodner, Montana Stockgrowers Association  
Chelcie Cremer, Montana Farm Bureau Federation  
Dr. Jeanne Rankin, rancher, Montana Veterinary Medical Association

9:00 AM Action Item: Out of state travel request for Dr Liska to attend the Wyoming Brucellosis Coordination Team Meeting on April 12, 2015. The estimated cost of \$600 is covered by federal funding except for approximately \$130.

**Motion/Vote:** Jeff Lewis moved to authorize Dr. Eric Liska to attend the meeting as presented. Ed Waldner seconded. The motion carried unanimously.

Action Item: Out of state travel request for the three department veterinarians to attend the Western States Livestock Health Association meeting in Denver.

**Motion/Vote:** Brett DeBruycker moved to authorize Dr. Zaluski and Dr. Szymanski to attend the meeting as presented. Jeff Lewis seconded. The motion carried unanimously.

**Motion/Vote:** John Scully moved that a comparative report of the three brucellosis states work plans be placed on the May agenda. Nina Baucus seconded. The motion carried unanimously.

**Motion/Vote:** John Scully moved that a presentation be made as follow up to the meetings attended be placed on the August BOL meeting. Brett DeBruycker seconded. The motion carried unanimously.

10:25 AM Action Item: DSA Administrative Rule proposed revision to adjust the risk period in the DSA wherein cattle grazing in the DSA if tested in August the test will be good through the following January. Wyoming is also looking at the shift in risk period to coincide with Montana's timeline.  
**Board Action: Tabled.** The request for changes to the DSA Administrative Rule was tabled to see what pending vetting with the industry, and a comparison report from Dr Zaluski.

10:30 AM Recess

10:45 AM Reconvene

10:50 AM Explanation: At the last board meeting Core-Mark agreed to clarify what their complaint was before the investigation was to proceed. Christian then received an email asking where the investigation is and he replied with a request for a simple statement of the complaint. Board agreed that the reply to Core-Mark that lacking a clarification the board's decision stands and that Core-Mark has 15 days to comply with Montana's 12 day rule.  
**Motion/Vote:** John Scully moved that John Lehfeldt, Jeff Lewis and Ed Waldner review the letter to Core-Mark as compiled by Christian Mackay prior to his sending it out. Nina Baucus seconded. The motion carried unanimously.

Action Item: Gary Hamel requested authorization to fill the inspector position vacated by the death of an employee.

**Motion:** Brett DeBruycker moved to authorize the posting and interviewing for the open inspector position in Meat Inspection, but no hiring until authorized by the board. Jeff Lewis seconded.

**Motion was Withdrawn:** Brett DeBruycker withdrew the motion.

**Motion/Vote:** John Scully moved to proceed with the hiring process but not hire until authorized by the board. Jeff Lewis seconded. The motion passed unanimously.

11:18 AM Review Board of Livestock Policy & Guidelines

**Motion/Vote;** John Scully moved to remove # 7 Horseracing reference as part of the department and # 14 references to Horseracing be stricken and to update 5C on page 7 to Livestock Loss Board. Jeff Lewis seconded. The motion carried unanimously.

- 11:30 AM Evaluation of Executive Officer
- 1:15 PM Public Comment *refer to audio:*  
Maggie Nutter, Marias River Livestock Association  
Jeanne Rankin, rancher, Montana Veterinary Medical Association
- 1:25 PM **Next Board Meeting:**  
April 23, 2015 Location to be determined  
Meeting to start at 10:00 AM
- 1:30 PM **Adjourned**

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John Lehfeldt, Chair