



# Montana Board of Livestock ZOOM Call Minutes

September 8, 2020  
Scott Hart Building, Room #308A  
Helena, Montana

## Board Members Present

Brett DeBruycker, Chairman (cattle producer)    Lila Taylor (cattle producer)  
Gilles Stockton (sheep producer)                    Sue Brown (dairy and poultry)

(Nina Baucus, Wendy Palmer and Ed Waldner were not present)

## Staff Present

Mike Honeycutt, Executive Officer  
Donna Wilham, Adm. Assistant to EO  
Ethan Wilfore, Brands Administrator  
Abby Williams, Market Auditor

## Public Present

John Uecker, USDA-PSD  
Kyle Shobe  
Lyle and Jan Allen, Lewistown Livestock Auction Market

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## MEETING CALLED TO ORDER

**8:01 AM** (0.00:03)

Chairman Brett DeBruycker called the ZOOM call to order at 8:01 AM

## ROLL CALL

**8:01 AM** (0.00:18)

Brett DeBruycker requested a roll call of all persons present on the ZOOM call:

- BOL members present were Lila Taylor, Sue Brown and Gilles Stockton
- DOL staff present were Mike Honeycutt, Donna Wilham, Ethan Wilfore and Abby Williams

- Members of the public present were Kyle Shobe, Prospective Buyer of the Lewistown Auction Market and Lyle and Jan Allen, owners of the Lewistown Livestock Auction Market

## **PROPOSED SALE OF LEWISTOWN LIVESTOCK AUCTION MARKET**

**8:03 AM** (0.02:40)

- 8:03 AM (0.02:44) Brett DeBruycker explained that the reason for today's ZOOM meeting was informational and that it was not a hearing, regarding the proposed sale of the Lewistown Livestock Auction Market
- 8:04 AM (0.02:59) Mr. DeBruycker said the goal of today's ZOOM meeting was to make sure everything was in order for the buyer and seller and then decide whether the BOL would be a Hearings Officer or if a Hearings Officer would be appointed
- 8:06 AM (0.05:06) Mr. DeBruycker introduced Lyle and Jan Allen, the current owners of the Lewistown Livestock Auction Market and Kyle Shobe, the Prospective Buyer of the Lewistown Auction Market, who had been doing a fair amount of auctioneering at the auction
- 8:07 AM (0.06:11) Kyle Shobe indicated that he had included some of his history with the market in the business plan portion of what he submitted, along with his experience in other markets around the state
- 8:07 AM (0.06:34) Lila Taylor questioned why the BOL had not received any packet of information regarding the sale, and Mr. Honeycutt explained that if the BOL were the Hearings Officer, they would have been given that information, otherwise they would see it when it was time for the BOL to make a decision on it
- 8:09 AM (0.08:03) Ethan Wilfore reported that he had everything he needed from the buyer and seller in order for the DOL to move forward
- 8:10 AM (0.09:00) Lila Taylor made it known that BOL members and anybody could attend the hearing
- 8:10 AM (0.09:32) Sue Brown said that with the paperwork seeming to be in order that she felt a Hearings Officer would be a great idea
- 8:10 AM (0.09:50) Gilles Stockton said that he felt a Hearings Officer would be the better way to go at it
- 8:11 AM (0.10:27) Brett DeBruycker explained that with the time constraints the buyer and seller were under, from his perspective, he would prefer to have the Attorney General's office appoint a Hearings Officer rather than having to deal with BOL members' schedule conflicts
- 8:12 AM (0.11:07) Lila Taylor said she is fine with a Hearings Officer, but with the buyer and seller trying to get done with this by October 1<sup>st</sup>, she wanted to be sure the Hearings Officer would be willing to get the BOL a decision by then
- 8:12 AM (0.11:42) Mike Honeycutt explained that administrative rule requires that the public hearing have a 10-day notice, putting it around Friday, September 18<sup>th</sup>, with the intent of it being held in Lewistown or somewhere close by. He added that hearing would be followed by a BOL conference call where the

- Hearings Office would report their recommendation and the BOL would make their final decision on the sale
- 8:15 AM  
(0.14:09) Lyle Allen said that his facility, the Lewistown Market, could host the hearing on whatever day or time of day it needs to occur
- 8:19 AM  
(0.18:12) Mike Honeycutt explained that the Attorney General's office would appoint legal counsel from the Office of Agency Legal Services, of which the DOL had used in the past. The rate of pay, according to Mr. Honeycutt would be the same as what the DOL had paid on a regular basis...\$106/hour for the Hearings Officer and \$50-\$60/hour for paralegal help

### **MOTION/VOTE**

**8:17 AM** (0.16:17)

**Lila Taylor moved that a Hearings Officer be chosen by the Attorney General's office for the hearing regarding the proposed sale of the Lewistown Livestock Auction Market. Sue Brown seconded. The motion passed unanimously by roll call vote**

- 8:21 AM  
(0.20:20) Brett DeBruycker said that once the Hearings Officer was appointed by the Attorney General's office, that he assumed Mike Honeycutt and Ethan Wilfore would be working with that person, along with the Market buyer and seller to get a hearing date scheduled as early as possible
- 8:22 AM  
(0.21:21) Ethan Wilfore said that a hearing notice would either be sent by email to Mr. Allen to post at the Lewistown Livestock Auction Market or that Lewistown Market staff would run it over to him
- 8:23 AM  
(0.22:22) Brett DeBruycker said that he was hoping that another ZOOM meeting would occur somewhere around September 24<sup>th</sup> for the BOL to make a final decision on the sale
- 8:24 AM  
(0.23:11) Mr. DeBruycker thanked staff and BOL members and said he wanted to be sure that Lyle and Jan Allen and Kyle Shobe were aware that all parties would be moving forward as quickly as they could on the situation
- 8:24 AM  
(0.23:47) Lyle Allen thanked the BOL and DOL staff for their service
- 8:25 AM  
(0.23:50) Kyle Shobe said he appreciated the special meeting being called today and that he appreciated everyone's time

### **MEETING ADJOURNED**

**8:25 AM** (0.24:15)

  
Brett DeBruycker, Chairman