2ND AMENDED MINUTES
BOARD OF LIVESTOCK MEETING
SEPTEMBER 21 & 22, 2015
Capitol Meeting Room 137
Helena, MT

Monday September 21

Call to Order: Chair John Lehfeldt at 9:00 AM

Members Present:

John Lehfeldt, Chair (sheep producer)
Brett DeBruycker (cattle producer)
Ed Waldner (swine producer)
John Scully (cattle producer)
Nina Baucus (cattle producer)
Lila Taylor (cattle producer)

9:00 AM The chair called for an Executive Session for the following items:

- Grievance Hearing-*personal right to privacy exceeds public right to know.*

Litigation Strategy

10:52 AM: **Open Meeting**

The following motion was inadvertently not recorded when the board moved into open session. The board passed a motion at the October 21, 2015 meeting that the September 21, 2015 minutes be amended to record the following action:

10:53 AM: **Motion/Vote:** John Scully moved that the Board of Livestock accept Christian Mackay's resignation as negotiated to include two years' pay, 3 months' consultation services, and retirement benefits as stated by state law. Motion seconded by Brett DeBruycker. Motion passed with John Lehfeldt voting no.

2:00 PM: **Open Meeting**

The following motion was inadvertently not recorded when the board moved into open session. The board passed a motion at the October 21, 2015 meeting that the September 21, 2015 minutes be amended to record the following action:

Motion/Vote: Brett DeBruycker moved that the employee grievance be denied. Motion seconded by John Scully. Motion passed: 4 yea and 2 nay.

2:05 PM: John Grainger, Brands Enforcement Administrator, presented his resignation effective October 2, 2015, to the Board.

2:15 PM Board Training

6:00 PM Adjourn

Tuesday September 22
Capitol Meeting Room 137

Call to Order: Chair John Lehfeldt at 9:37 AM

Members Present:

John Lehfeldt, Chair (sheep producer)
Brett DeBruycker (cattle producer)
Ed Waldner (swine producer)
John Scully (cattle producer)
Nina Baucus (cattle producer)
Lila Taylor (cattle producer)

Staff Present:

Dan Turcotte, Milk & Egg Bureau
Gary Hamel, Meat Inspection
George Harris, Centralized Services
Bill Layton, Diagnostic Laboratory
Marty Zaluski, Animal Health
Tahnee Szymanski, Animal Health
Eric Liska, Animal Health
George Edwards, Livestock Loss Board
Evan Waters, Centralized Services
Paul Johnson, Brands Enforcement
Laura Hughes, Brands Enforcement
Marty Clark, Brands Enforcement
Ernie McCaffree, Brands Enforcement
George Edwards, Livestock Loss Board
Ray Pellen, Centralized Services
Rob Stutz, Legal Services

Public Present:

John Steuber, USDA Wildlife Services
Brent Roeder, Montana Woolgrowers Association
Pat Murdo, Legislative Services
Jeanne Rankin, rancher/Montana Veterinary Medical Association
Chaley Harney, Montana Beef Council
Maggie Nutter, rancher, Marias River Livestock Association
Errol Rice, Montana Stockgrowers Association
Gene Curry, Montana Stockgrowers 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 taken is provided for clarification. The link to the audio recording of the meeting is available on the Department of Livestock website, liv.mt.gov listed under *Agency Information,* then click on *Board of Livestock.*

9:40 AM Explanation: Two committees to be set up by the board: Personnel, for dealing with Executive Officer and Brands Administrator vacancies; and a Budget Committee.
Motion/Vote: John Scully move that the board establish a three-person financial sub-committee to identify budget issues and employee salaries. The sub-committee includes John Scully, Ed Waldner, and Nina Baucus. Lila Taylor seconded. The motion carried.

9:42 AM **Motion/Vote**: John Scully moved that a Board subcommittee be formed to address interim personnel issues relative to proceeding forward with the selection of an interim leader for the department and to put a process in place for the selection of the replacement for the Executive Office and the director of Brands. The subcommittee will be composed of John Lehfeldt, Lila Taylor, and Brett DeBruycker. Brett DeBruycker second. The motion carried.

9:43 AM **Motion/Vote**: John Scully moved to have a communication sent from the board at the end of this meeting to the department relative to the changes that have taken place in the last 24 hours including identifying the members of the committees; the date of our next meeting and any other items the chair wishes to include on his own. Second. The motion carried.

9:47 AM Approval of Minutes.
Motion/Vote: Lila Taylor moved to approve the May through July 10 minutes in the new corrected format. Nina Baucus seconded. The motion carried.

10:20 AM Per Capita fee setting discussion. George Harris reviewed options for setting the per capita fee for FY 2016, which must be set prior to September 22, 2015 and FY2017, deadline is November 11, 2015.

10:40 AM Comment from the public:
Brent Roeder, Montana Woolgrowers Association
Gene Curry, Montana Stockgrowers Association
Dr. Jeanne Rankin, Montana Veterinary Medical Association

10:53 AM **Motion:** Nina Baucus moved to raise the 2016 per capita fee as follows:

no change in cattle, and an approximate 155% increase on all other categories (one of the options made by George Harris). The motion was withdrawn for lack of a second.

10:58 AM Recess

11:13 AM Reconvene
Motion/Vote: Brett DeBruycker moved to raise the 2016 per capita fees as follows: cattle to $2.19; sheep/goats to 53 cents; swine to 75 cents and the other categories to be determined by staff to meet the maximum total amount allowed. Lila Taylor seconded. The motion carried.

The board deferred 2017 per capita to the October meeting.

11:26 AM Axiom Quote for the Brand Enforcement mortgage system proposal.
To be placed on the October agenda:

- detailed report on Axiom and Fort Supply programs (IT needs, costs, hardware, support)

District 15 - Tom Harmon, district investigator is retiring the end of October. Discussion was to fill the position, redraw district boundaries or allow Tom to keep his inspection books and have Ernie McCaffree assume investigative duties.
The board concurred that leaving inspection books with Tom and Ernie assuming investigative duties is the best short term solution.

11:54 AM Recess for lunch

1:10 PM Reconvene
Information: New numbers were presented for the motion made by Brett DeBruycker regarding per capita fees for FY 2016.
Motion/Vote: Brett DeBruycker moved that in reference to his prior motion to increase per capita fees as follows: cattle 4 cents; sheep/goats 4 cents; horses/mules 16 cents; swine 4 cents and the rest as stated in the prior motion. Seconded. The motion carried.

3:40 PM Information: Request for Dr. Liska to attend the United Dairy Association Crisis Response Workshop in Denver.
Motion/Vote: Brett DeBruycker moved to authorize the out of state travel as presented. John Scully seconded. The motion carried.

4:20 PM Comment from industry and public.
Gene Curry, Montana Stockgrowers Association
Fred Walker
Laura Hughes, MDOL
Paul Johnson, MDOL

4:44 PM Information: Discussion centered on shortage of staff in sale markets in the eastern part of the state for the upcoming fall run.
Motion/Vote: John Scully moved to bring back on a short term contract the person who was previously at the Miles City yards; request the Eastern District Supervisor to assist at the yards during the fall run; and continue to search for the full time replacement. The motion was seconded. Who? The motion carried after public comment by phone.

4:49 PM Public Comment by phone:
Bart
Fred
Terry Holmgren

5: 05 PM Comment:
Errol Rice, Montana Stockgrowers Association
Maggie Nutter, Marias River Livestock Association
Brent Roeder, Montana Woolgrowers Association
Gene Curry, Long Range Planning Committee
Dr. Jeanne Rankin, rancher, Montana Veterinary Association

5:08 PM Information: The board discussed the need to approve the budget.
Motion/Vote: John Scully moved to approve the budget as it is currently presented subject to any future amendments or changes relative to the years 16 and 17. Lila Taylor seconded. The motion carried.

5:20 PM Information: MDOL HR person explained the difference between a short term contract and a short term worked (STW) relative to the Miles City shortage and possible consequences.
Motion/Vote: John Scully moved to reconsider the previous motion regarding a worker for the Miles City market for the purpose of amendment. Lila Taylor seconded.

Motion/Vote: John Scully moved that a short term worker be engaged for the purpose of covering the fall run in that market. Lila Taylor seconded. The motion carried.

5:30 PM Adjourned

John Lehfeldt
Chair