



MINUTES BOARD OF LIVESTOCK MEETING

JULY 29 & 30, 2013
LIVESTOCK CONFERENCE ROOM 319
301 N ROBERTS, HELENA, MT

BOARD MEMBERS:

Jan French, Chair, cattle producer
John Lehfeldt, sheep producer
John Scully, cattle producer

Jeffery Lewis, dairy producer
Linda Nielsen, cattle producer

ABSENT:

Ed Waldner, swine producer

Brett DeBruycker, cattle producer

STAFF PRESENT:

Christian Mackay, executive officer
Dr Marty Zaluski, animal health
Dan Turcotte, milk & egg bureau
Dr Tahnee Szymanski

Sherry Rust, executive assistant
Steve Merritt, public information
Dr Eric Liska, animal health

PUBLIC PRESENT:

Les Graham, MLMA, MFBF
Rachel Abeh, MSGA
Glenn Hockett, Gallatin Wildlife Assn.
Kathryn QannaYahn
Kerry Pride, DPHHS

Jeanne Marie Souvigney, GYC
Brent Roeder, Montana Woolgrowers Assn.
Quentin Kujala, Fish, Wildlife & Parks
Randall Nett, DPHHS

1:00 PM

CALL TO ORDER:

TUESDAY, MAY 21, 2013

ADMINISTRATIVE ITEMS

Board Communications:

- Jan French, Hobson
 - still green, not much rain this past month
 - still have water for irrigation, creek still flowing
- Jeff Lewis, Corvallis
 - Bitterroot is very dry, river is low, no rain since spring
 - smoke coming over from Idaho
 - feed prices are dropping
 - milk is supposed to start dropping, futures are up
- John Scully, Ennis
 - Madison Valley getting dry
 - Big Hole, Jefferson and others drying up
 - first cutting was good but now it's looking bad
- Linda Nielsen, Nashua

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- a lot of moisture in northern Montana, still green
- extensive hail damage to crops in the area
- cattle prices are good right now, yearlings expected to be good too
- may hold another horse sale, depending on horse slaughter issues

Approval of Minutes:

John Scully moved to approve the May board meeting minutes as corrected. Linda Nielsen seconded. The motion carried unanimously.

Interim Authorizations and Activities:

Chair authorized Dr Szymanski to attend ADT meetings in Kansas City and Denver with expenses paid through interoperative funds.

John Scully moved to accept the chair's interim authorization. Jeff Lewis seconded. The motion carried unanimously.

Executive Officer Reports:

Linda Nielsen moved to approve the executive officer report as presented. Jeff Lewis seconded. The motion carried unanimously.

Animal Health, Dr Zaluski

- Action Item # 1: Brucellosis testing of dairy goats
 - presently required by ARM rule
 - have been receiving request form producers saying there is little risk
 - rather than striking the rule since suggest an exemption for exhibition goats going to/from exhibition that do not originate from a DSA of any state

Jeff Lewis moved to authorize the exemption as stated. John Scully seconded. The motion carried.

Dr Zaluski introduced Dr Kerry Pride and Dr Randy Nett of the CDC currently attached to Montana DPHHS and working cooperatively with MDOL. Kerry is a veterinarian working with Montana veterinarians to promote public health. She previously worked with the board of livestock and public health veterinarian in Wyoming. Both are CDC employees assigned to public health.

- Action Item # 2: NILE Exemption
 - provides exemptions for livestock coming from Canada to Billings for exhibition at the NILE
 - exemption is for exhibition livestock only, not for sale animals
 - this is a continuing policy with few issues in past years

Linda Nielsen moved to authorize the exemption as presented. John Scully seconded. The motion carried.

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- Amy Patterson, brucellosis specialist in Animal Health has resigned to move back to her home state. Leslie Doely successfully applied in-house for the vacant position. The position newly vacated by Leslie will be opened soon.
- Dr Tom Linfield, USDA APHIS Area Veterinarian in Charge, reported that USDA Import/Export section is reorganizing with Montana in one of six districts along with Idaho, Wyoming, North and South Dakota and Nebraska and Kansas.
 - no loss in personnel just shifting of some duties and some remote supervision
 - import/export in the Helena office will continue for now with some items/functions forwarded to the Kansas service center
- Action Item # 3: Out of State Travel Request
 - Western Dairy Crisis Drill, Utah in early September
 - invited by Western Dairy Association and accepted pending board approval
 - Dr Eric Liska will attend, travel and lodging paid for

Jeff Lewis moved to authorize attendance as presented. Linda Nielsen seconded. The motion carried.

- Action Item # 4: Out of State Travel Request
 - TAHC meeting (Texas Animal Health commission), September 10
 - best chance to promote Montana's surveillance program to dissuade Texas commission assignment of penalties to state producers because of the DSA
 - current testing required after import into Texas results in long term quarantine on livestock from the DSA
 - Christian Mackay and Dr Zaluski will attend at a travel/lodging cost of \$1,100 each

Linda Nielsen moved to authorize the travel as presented. John Scully seconded. The motion carried.

- EA on Expanded Bison Tolerance
 - published a week ago, a joint assessment with Fish, Wildlife & Parks and Department of Livestock with the comment period extended to September 15
 - alternatives range from no change to year round tolerance in a variety of areas
 - Quentin Kujala, FWP, said regional FWP office receives the comments and might assemble batches for perusal prior to the deadline if numbers warrant it

USDA Wildlife Services, John Steuber

- wolf depredation and grizzly work have slowed down

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- two weeks ago Undersecretary Alvarez was in Montana and toured a Hutterite Colony
 - interested in depredation (wolves/grizzly/coyote) issues, viewed colony defenses against depredation
 - 90 percent of depredation is on private property, behind locked gates
 - several new cattle petitions signed with more expressing interest

Public Information Office, Steve Merritt

- Department Website
 - working with Andy Erickson on structure and new words
 - expected to be up around September
- Search sites
 - set up a site on raw milk for Jeff
 - suggested board members request a search from Steve for their special interest so he can set up a site

2:26 P.M. RECESS

2:50 P.M. RECONVENE

Centralized Services, George Harris

- Fiscal Year End 2013 update:
 - reviewed carry forward and vacancy savings
 - discussed the actions taken to balance expenditures and reviewed the HB 13 pay plan allocation
 - projected income from the fee increases showed more funding is needed
- Internal Control Project
 - draft document provided by George as the pilot plan for CSD
 - the board found portions not workable within the department's budget and resources and suggested go back and look at our critical control points
 - must be functional for this department within our budget
- Informational Technology annual plan
 - prioritized the major IT projects in a meeting with Christian Mackay
 - Jim Newhall reviewed the list as prioritized
- Milk Control Bureau, Patti Thompson, bureau chief
 - introduced herself and staff: Erin Broadwater, program specialist, and Linda Grady, auditor
 - reviewed the direction the bureau is going
 - downloadable forms and reports to keep up with new technology
 - one dairy has gone out of business
 - National Milk Association meeting is next week which George will attend
 - the 2015 national meeting will be hosted here in Montana

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- New milk board members are Jim Parker, Jennie Dahlman, Aerial Overstreet with Scott Mitchell as chairman
- Livestock Loss Board, George Edwards
 - presented loss claim sheets, as of today 8 percent ahead of last year
 - applied for grant to fund program activity
 - Livestock Loss Board meets in September at the Stage Stop in Choteau

Executive Office

- ILIA meeting held in Spokane two weeks ago
 - Cally attended a panel of brand recorders
 - Montana is the only state that gives brands over the counter for in-person applicants
 - conflicts - North Dakota can take the brand away if owner moves into a county where the brand has conflicts
 - fees for out of state brands
 - Nebraska and Colorado allow it
 - Nebraska have to be out of state within 90 hours
 - grazing permits
 - Nevada you apply for grazing permit, are sent six, you complete one per trip
 - if you are caught without one your privilege is taken away
 - centralized system avoids request made from another source if initially turned down
 - Dr Zaluski and Nye Howey participated on a panel regarding integrating brands and the animal ID -
 - have federal traceability funds to use to enhance brands program to link with traceability
 - all states are moving to electronic inspections either implementing them or already have them
- Out of State Travel Request
 - Sherry Rust to Denver for a grant writing workshop in September
 - has brought in over \$250,000 in successful applications
 - one pending with Homeland Defense for \$200,000 for implementing a LIMS system in Animal Health
 - to find more funding resources for state agencies and enhance writing and outreach skills
 - workshop tuition and travel expenses approximately \$1,200

John Lehfeltdt moved to authorize attendance as requested. John Scully seconded. The motion carried.

PRODUCER ORGANIZATION UPDATES

- Montana Woolgrowers Association, Brent Roeder
 - the sheep industry is doing well, wool is selling
 - eastern part of the state getting rain now
 - the recent video sale in Billings, expected \$1.15 - did not get it

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- Australia/New Zealand imports are way up; no protection on the local level, come into Mexico then roll into U.S.
- China was taking all of New Zealand product until they slowed down

PUBLIC COMMENT

4:59 P.M.

ADJOURNMENT

8:00 a.m.

CALL TO ORDER

JULY 30, 2013

BOARD MEMBERS PRESENT:

Jan French, Chair, cattle producer
John Lehfeldt, sheep producer
John Scully, cattle producer

Jeffery Lewis, dairy producer
Linda Nielsen, cattle producer

ABSENT:

Ed Waldner, swine producer

Brett DeBruycker, cattle producer

STAFF PRESENT:

Christian Mackay, executive officer
George Harris, centralized services
John Grainger, brands enforcement
Steve Merritt, public information
Dan Turcotte, milk & egg bureau
Travis Elings, brands/animal health
Mike Hayes, district investigator

Sherry Rust, executive assistant
Bonnie Marceau, meat inspection
Marty Clark, brands enforcement
Dr Marty Zaluski, state veterinarian
Dan Bugni, district investigator
Paul Johnson, district investigator
Dr Bill Layton, Veterinary Diagnostic Lab

PUBLIC PRESENT:

Les Graham, MLMA

Rachel Abeh, Montana Stockgrowers

Division Reports Continued

Brands Enforcement, John Grainger

- Action Item # 5: District Revisions
 - met with group and individual district men following the annual meeting
 - Christian provided a map with the current 18 districts and reviewed options
 - pros and cons discussed
 - 16D - add 2 new inspectors in the market - save \$19,447
 - 15D - add new inspectors in the market - save \$32,596

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- John Grainger- keep it as it is and move everybody up (pay)
 - get market men into law enforcement,
 - they can then pick up whatever duties district men allow to gain practical experience
 - then move up into a district position as come available if they want to

Jan French - leave it the way it is and give raises to bring them up to par

Les Graham - consistent comments out in the field show overriding concern that when cuts come they come in brands, producers want to continue to see our men in the field

Christian Mackay - brands income is falling, about 55 percent of the budget is funded

Jeff Lewis - like 16D

John Lehfeldt and Jan French - start with 16D, six positions are close to leaving, continue restructuring through attrition

- 35 market people in the markets -85 percent of 2012 is \$12.85 = \$92,000

John Scully - change number of people or change funding

Les Graham -most producers can live 25 cents more- campaign to show why the department needs the increase to keep services at the present level

John Lehfeldt moved to increase the inspection fee by 25 cents contingent on continued restructure as needed. The motion died for lack of a second.

John Scully moved to postpone any decision on district alignments until job description and analysis is provided to the board. Jeff Lewis seconded. The motion carried.

Christian Mackay and John Grainger will put together analysis and budget information to have for the board by next meeting

Travis Elings, district investigator, every market person holds a second job, may lose them if more duties/hours are added

- Action Item # 6 Procedure for lien information (temporary approval only)
 - department used to do liens without a writ of execution
 - would like to change procedure to include writ of execution to more easily track and execute if need be
 - temporary until Rob Stutz, attorney, completes final policy

John Scully moved to approve the temporary policy until final policy is completed. John Lehfeldt seconded. The motion carried.

- Action Item # 7: Joint ownership with right of survivorship
 - traditionally department has charged a transfer fee to remove a the deceased person's name from a brand certificate held in joint ownership with right of survivorship
 - surviving owner should be able to come in with the death certificate and have the brand certificate changed at no fee

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- if the survivor wants to add another person that would be a transfer and the appropriate fee will be charged

Jeff Lewis moved to approve the proposed changes as presented. John Scully seconded. The motion carried.

Jeff Lewis moved to amend the motion to include a \$50 fee for a change in brand certificate for joint ownership. John Scully seconded. The motion carried.

- Old Brand Applications
 - the brand recorder is holding 827 brand applications some several years old
 - applicants did not reply to letters suggesting brand choices or to request a refund
 - in the last audit the auditors said the department cannot hold brand application forever and cannot refund the total fee
 - the policy implemented in 2011 states an application is expired if it goes six months without action
 - this applies to applications received prior to 2011 also because all pending applicants were sent the 10 day letter, did not respond thereby forfeited

The board agreed with the 2011 policy.

- Permit fee to use out of state brand
 - will draft a letter to address this issue with Stockgrowers and other producer organizations requesting input prior to September BOL meeting
 - Christian reiterated Nebraska and Colorado allow it as long as they are inspected on a permit for a fee
 - if the industry has no problem with it department will make a rule for implementation

Christian Mackay and John Grainger will research further.

- Request to address the Board re: rodeo livestock brand numbering system
 - no one came to address the board

Amy Patterson was presented her five year pin by Dr Zaluski

Meat Inspection, Bonnie Marceau

- inspectors busy with 4H slaughters
- 2 positions down, Kalispell and Missoula (supervisor and inspector)
- in August the entire staff will be trained in USDA Public Health Inspector system with federal trainers for two weeks, then in-house training
- new plants:
 - Central School Foods, Bozeman, providing total meals, going for Missoula and other school districts, holding third position open for this plant

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- Rocky Mountain Smokehouse- bison jerky
- Thompson Falls Meats (new owner) and Flying Fur Foods are ready and waiting for us

10:07 A.M. _____ RECESS

10:20 A.M. _____ RECONVENE

Veterinary Diagnostic Lab, Dr Bill Layton

- Accreditation update
 - sent response last week to supplement the June reply
 - anticipate entire compliance by December
- Penside Foot & Mouth Disease test update
 - finished sheep and pigs quickly
 - long layover before cows came in, starting to come in now
 - expect to finish up shortly
- AAVLD
 - October meeting in San Diego- Layton, Marshall and T. Moore will be attending
- Continuity of Services
 - accreditation issue, how to stay up and running in case of an emergency
 - establishing procedures addressing this
- MVDL core values, ethics & confidentiality standards
 - also an issue at accreditation
 - drew up code of values & ethics from CDC core values, along with general lab ethics document
- Fees
 - fee rule was adopted, approximately 10% increase
 - will delay implementation to allow time to have processes in place
 - need to reassess annually as supplies costs increase
 - lab contributes much to public health - zoonotic diseases, rabies and surveillance for diseases
- Action Item # 10: Contracts - renewals
 - MSU Bozeman - work study use
 - \$1,300 for testing and incineration costs used by range science program
 - Fish, Wildlife & Parks
 - lump sum of \$15,000 for lab testing and incinerator maintenance

Jeff Lewis moved to authorize renewal of both contracts as presented. Linda Nielsen seconded. The motion carried.

Milk & Egg, Dan Turcotte

- Training for yogurt plant

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- the plan for Rosemary to travel to Washington State did not work out so she will attend a course at the University of Wisconsin in September
- Eggs
 - FDA in the state doing salmonella review on all producers each week through August
 - egg grading plant
 - waiting for a contract to go to five days to bring on the .5 employee
 - currently the plant is paying about 10 hours a week overtime and seem content with that
 - important to fill that position for covering overtime and as backup
 - USDA quarterly surveillance review coming in August for shell egg graders
- Milk
 - FDA milk specialist coming in August to do certifications
- Raw Milk
 - discussion regarding last legislature and raw milk laws
 - board recognizes the need to be proactive therefore considering license and regulation of raw milk dairies to meet consumer demand and producer concerns
 - affordable but some control and regulation with liability falling on the consumer and producer

Board consensus is to research the old administrative rules, and look at other states then make a decision.

PUBLIC COMMENT

NEXT BOARD MEETING

MONDAY & TUESDAY
SEPTEMBER 9 & 10, 2013
MILES CITY, MONTANA

11:37 AM _____ ADJOURNMENT

11:42 AM _____ EXECUTIVE SESSION
Personal privacy exceeds the public right to know.

JAN FRENCH, CHAIR