



## MINUTES BOARD OF LIVESTOCK MEETING

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March 15 & 16, 2010  
Scott Hart Auditorium, Helena, MT

### BOARD MEMBERS PRESENT:

Jan French, Chair, cattle producer	Brett DeBruycker, cattle producer
Ed Waldner, swine producer	Jeffery Lewis, dairy producer
John Lehfeltdt, sheep producer	Stan Boone, cattle producer
Linda Nielsen, Vice-chair, cattle producer	

### STAFF PRESENT:

Dan Turcotte, Milk & Egg Bureau	Carol Olmstead, Meat Inspection Bureau
George Harris, Centralized Services	Dr Jeanne Rankin, Animal Health
Dr Marty Zaluski, Animal Health	Dr Tahnee Szymanski, Animal Health
John Grainger, Brands Enforcement	Marty Clark, Brands Enforcement
Dr Layton, Diagnostic Lab	Ron Hoyt, IT/Centralized Services

### PUBLIC PRESENT:

Paul Ringling, Montana Cattlemens Assn	Angie Grove, Legislative Audit Division
Ariel Overstreet, Montana Stockgrowers Assn	Megan Coy, LAD
Pat Murdo, Legislative Services Division	Lisa Blanford, LAD
Les Graham, MT Assn Livestock Auction Markets/MT Farm Bureau	
Becky Frey, USDA APHIS VS	Hope Stockwell, LSD
Tom Linfield, USDA APHIS AVIC	

CALL TO ORDER: \_\_\_\_\_ 1:00 PM

### ADMINISTRATIVE ITEMS

#### Board Communications:

Jan French, Hobson

- not as much snow as other areas
- getting ready for farming, calving; full steam ahead
- recently sold a baby calf for \$250

Jeff Lewis, Corvallis

- dairy industry is a little better
- Bitterroot Valley is needing snow big time

Stan Boone, Ingomar

- long hard winter, lots of ice, cold nights, lots of fog
- starting to get rid of the snow now

Ed Waldner, Chester

- hog prices are up, not where they should be yet
- still have a lot of ice and snow, still freezing at night

Brett DeBruycker, Dutton

- pretty much done calving
- had an open winter and are now hoping for rain
- bull sale soon and then on to farming

John Lehfeltdt, Lavina

- slaughter prices are up
- winter is over and things are looking up

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Linda Nielsen, Nashua

- lots of snow and fog all winter
- stock prices are up
- not into calving yet, still a lot of snow

Minutes:

Approval of the minutes was tabled to Tuesday to allow board members time to read them.

Interim Authorizations and Activities:

Chair Jan French approved travel for Dr T Szymanski to attend an animal ID conference In Kansas City. Travel and per diem expenses will be reimbursed by APHIS.

**Linda Nielsen moved to approve the chair's interim authorization. Stan Boone seconded. The motion carried unanimously.**

Meetings with Fish, Wildlife, and Parks

Jan French recently met with the new FWP chairman, Bob Ream while in Helena for Milk Hearings. He would like to continue holding joint meetings with the Board of Livestock twice a year.

**John Lehfeldt moved to continue joint meetings with the Fish, Wildlife and Parks Board. Linda Nielsen seconded. The motion carried unanimously.**

Jan French agreed to sit on a producer committee put together by Les Graham to work on direction where to go with Brucellosis. Producers concerned with the issue will meet to provide non-critical, progressive, factual and positive input.

Executive Officer Reports:

**Jeff Lewis moved to approve the executive officer report as presented. Brett DeBruycker seconded. The motion carried unanimously.**

1:30 p.m. DIVISION REPORTS

Brands Enforcement, John Grainger

- Grazing Permits
  - following discussions with district investigators there were more questions than answers
  - administrators will come up with administrative rules to address the one rule in force now
  - the need for definitions and guidelines is evident
  - sheer numbers (20,000 into Madison county) show we cannot just do away with the system
  - asked the board to seek input from producers and neighbors as we work toward getting rules and procedures in place

Brett DeBruycker praised Brands Enforcement for digging into probably the largest cattle rustling incident in Montana in the last 100 to 150 years. The incident was mentioned at a board meeting last year and continuing investigation is bringing it to a close.

- Brands Rerecord
  - Information Technology has been working with the brands division toward implementing a new rerecord system- hopefully to be up and running before 2011

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- the biggest change will be that all rerecord will be done in 2011-when 2011 is over rerecord is over
- 2 new programs ready for implementation
- brand recording program, now taking bids, installed by December
- online program of rerecord through Montana Interactive allowing online application and payment
- Legislative Audit of Rerecord
  - Angie Grove, Megan Coy, and Lisa Blanford performed the legislative audit
  - 10 recommendations focusing on managing the rerecord process and better money management
  - will refer to the audit recommendation to better enhance rerecord

### Action Item 3.10.1

- the draft ARM is not ready for publication yet as we will need to encompass the audit issues within the new draft - request board authorization to proceed  
**John Lehfeltd moved to proceed with draft ARM. Linda Nielsen seconded. The motion carried unanimously.**

### Meat Inspection Bureau, Carol Olmstead

- attended Western States Animal Health Association meeting in Reno
  - USDA is almost finished with a new system where FSIS/compliance and inspection IT segments talk to each other
  - Montana will have to be "equal to" by probably next March
- a HACCP training session is scheduled in May with MSU and the Dept of Health in Bozeman on the MSU Campus

### Milk & Egg Bureau, Dan Turcotte

- Fee (shield) grading for eggs
  - reviewed cost of using state vs. federal trust
  - currently use state trust for grading eggs in Montana
  - Montana Egg feels state trust is more flexible
  - State trust is more cost effective
    - department can set its own hourly pay rate
    - more flexibility in grading hours
  - Roy Hall is now in Washington state becoming certified and will supervise one part time employee in Great Falls
  - Dan will become certified to supervise in other area
  - Montana Egg (Great Falls) is the only applicant at this time
  - grading hours will be billed to the company by the Helena office and the program is set up to be self funded**Ed Waldner moved to stay with the state trust. Jeff Lewis seconded. The motion carried unanimously.**
- 12 Day Hearing update
  - the legal portion if the hearing has been held over to April 26
  - the board should have findings at May board meeting

### Public Information Office, Steve Merritt

- provided board with a handout of information projects including
  - rerecord & OCV meetings around the state

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- the department was added to MSU Extension mailing list which gets department information out to all extension
- now on the Conservation mail list
- working on a packet of equine information which should encourage payment of equine per capita fees

Recess 2:25 PM

Reconvene 2:35 PM

### Diagnostic Laboratory, Dr Layton

- Remodel of office to lab area was completed \$210 under the \$1700 authorized by the board
- Container issue
  - MSU does not want a container off the state road in front of the building
  - suggested possible storage sites available within the lab
  - the \$5,000 for the container must be decided upon soon
- NAHLN Review
  - renewal application for membership is under assessment
  - Dr Layton was selected to NAHLN board in the October meeting
- Fee Review
  - supervisors have assessed fees in their areas and submitted to Layton
  - he needs to review then ARM changes will be done
- Advertised position
  - Mattix position has been open since March of last year
  - will be hard to fill because of the high qualifications and relatively low salary
  - would like to advertise by the summer (60 days-review, 35 days to interview) meantime vacancy savings
  - needs to be filled by session to not lose it
  - requested board authorization to open this position until filled

**Linda Nielsen moved to authorize opening the position. Brett DeBruycker seconded. The motion carried unanimously.**
- The new president at MSU wants to meet with the board.
  - Christian Mackay is charged with initiating contact
- Draft Study Report -SJR 14
  - Hope Stockwell wrote the report
  - is an accurate reflection of the situation
  - the Economic Affairs Interim Committee meeting is on March 30 in Capitol Room 137 at 10 AM
  - Hope will make presentation to the committee and look for recommendations or requests from the committee
  - Christian and Dr Layton will attend
  - John Leheldt and Jan French will make every effort to be there

### Animal Health, Dr Marty Zaluski

#### **Action Item 3.10.3**

- ARM proposed edits
  - basically language revisions to current administrative rules
  - reviewed costs and requested authorization to proceed or delay due to expense

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**Jeff Lewis moved to authorize filing the proposed rule change as presented. John Leheldt seconded. The motion passed with Brett DeBruycker voting no.**

- OCV requirements
  - seven states not including Montana have requirements in place
  - still looking at comments with possible action at next meeting
- Peace River Veterinary Clinic request
  - Three non-OCV animals to be allowed into Montana under quarantine for embryo transfer
  - Dr Zaluski asked for board advice on whether to make this exception to the non-OCV rule

**Stan Boone moved to allow the exception.**

Dr Tom Linfield, APHIS AVIC, suggested checking with Canadian officials as to whether the animals would be allowed back into Canada.

**The motion died for the lack of a second.**

- Feedback on Trich rule regarding comingling through grazing association
  - folks in the country surprised and not aware of the new rules
  - department is working to get baseline data on co-mingling animals
- Western States Animal Health Association meeting in Reno
  - proposed multi state to study state pooling on the Trich program
  - a company is offering PCR tests to multiple states for pool testing
  - Dr Zaluski is the new president of Western States Animal Health Association

### Presentation of Service Pins

- the following personnel were presented with pins for years of service:
  - Dr Rankin, 5 years; Ron Hoyt, 10 years; Raymond Pellen, 20 years; Dan Turcotte 20yrs; and Patti Thompson 25 years

### PRODUCER ORGANIZATION UPDATES

- Montana Cattleman Association, Paul Ringling
  - generally happy with the board
  - vets are all busy, possible solution is if vets would consider using a vet assistant (certified) for OCV if vet is not available
  - board needs to do some missionary work; anyone who does not vaccinate is taking a chance
  - BOL needs to have someone at meetings/places where large groups of producers are to push/explain this
- Montana Stock Growers Association, Errol Rice
  - invited all to attend MSGA's summer meeting June 10-12 in Dillon
  - thank you to the board for hosting listening sessions - good way to reach producers
  - MSGA supports DSA - looking at the concept of federal development of a program to manage risk and perceived threat to a diseased area
  - Steve (media) needs to talk about the DSA in broader context - as in TB and other diseases and encouraged the board to communicate what they are doing as it is being done
- Montana Livestock Auction Market, Les Graham
  - auction markets ask that when rules are proposed that impact markets and market payrolls board consider that issue

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### Public Comments

- John Bold, producer in northwestern Montana
  - outlined cattle trespassing issue he and other area producers have been experiencing for years
  - says state grazing laws in Choteau County are not being enforced by sheriff or Choteau County district inspector Rocky Highfill
  - requested board help in resolving this issue (call in state livestock inspector from another district?)

Chair Jan French suggested Mr. Bold go to the livestock protection meeting because that is the authority over the Choteau County district brand inspector. Board will investigate the issue and send a letter to the county commissioners regarding any concerns of statute enforcement (or lack of) by the county.

**Stan Boone moved that John Grainger have his district investigator look at the situation and report back to him on the issue. Brett DeBruycker seconded. The motion carried unanimously.**

Adjournment                      5:03 PM

Executive Session called at 5:10 PM

Personal right to privacy exceeds the public right to know.

### **March 16, 2010**

Call to Order                      8:00 AM

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Ed Waldner, swine producer  
John Lehfeltdt, sheep producer  
Linda Nielsen, Vice-chair, cattle producer

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#### PUBLIC PRESENT:

Ariel Overstreet, MSGA  
Pat Murdo, Legislative Services  
Les Graham, MT Assn Livestock Auction Markets/MT Farm Bureau  
Hope Stockwell, LSD  
Tom Linfield, USDA APHIS AVIC  
Tom Blay  
Mable Huelskamp  
Andy Wipf

Megan Coy, LAD  
Lisa Blanford, LAD  
John Steuber, APHIS Wildlife Services  
Taylor Brown, SD 22  
Maren Olsen, Rep. Denny Rehberg's Office  
Reuben A Wurz, Producer Quota  
Bud Rowley, Rowley Trucking

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Ken Rowley, Rowley Trucking  
Steve Bullock, Attorney General

Dave Miller, MCE Dairy

### Approval of January 2010 Minutes

**John Lehfeltd moved to accept the January minutes as presented. Ed Waldner seconded. The motion carried unanimously.**

### Division Reports Continued

#### Centralized Services, George Harris

- Information Technology update on system developments
  - Brand Enforcement system is out for bid and should be up and running by December 2010 - in time for 2011 rerecord
  - Animal Health system will follow
- Request for Per Capita refund
  - John Hagenbarth, producer, requested refund of \$462.09 because his cattle graze on his Idaho property part of each year

**Jeff Lewis moved to authorize requested reimbursement as presented. Linda Nielsen seconded. The motion carried unanimously.**

#### Guest Speaker

- Steve Bullock, Attorney General
  - recently attended a workshop with the US Department of Justice and Attorney Generals representing 16 agriculture states regarding competition in agriculture
  - concerns include more market transparency, prohibiting unfair trade, enforcing anti-trust laws and other issues
  - the meeting fostered renewed commitment and cooperation between state and federal agencies
  - 800 producers participated and 15,000 comments received from original solicitation
  - several more meetings are scheduled
- Chuck Munson, appointed to the new agriculture consumer protection position in the Attorney General office
  - taking a lead role the 16 state cooperative group and locally investigating local community scams and schemes
  - took the lead in state group comments and will represent Montana at other scheduled meetings
  - August 26 at Ft Collins, CO the meeting will address livestock (cattle)

Recess 9:10 AM

Reconvene 9:20 AM

#### USDA Wildlife Services John Steuber

- are into the busy season with calving and lambing
  - the USDA helicopter is still down
  - are using a leased one with Stan Colton flying it
- Wildlife Services will not stop flying
  - prior statements were misunderstood; have been using trust funds to supplement current funding
  - WS might have to cut back to stay within their means when trust runs down

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- could be a substantial reduction in flying hours
- received funding for a full-time biologist for wildlife hazard assessment around airports
  - will be working in Great Falls doing a year round assessment
- new protocol from Fish, Wildlife and Parks on confirmed wolf kills
  - old procedure was to report confirmed kill with FWP first then take action as proscribed
  - now when a wolf kill is confirmed WS has authority to remove wolves for three days
  - FWP will assess after three days and recommend further actions

### PUBLIC COMMENT

Department Updates, Christian Mackay

- MLIA, Montana Livestock Inspectors Association, meeting is scheduled for June 10th in Miles City
- DOL Birthday celebration ideas
  - Historical Society suggestions to consider
    - a display in the Rotunda on history of the Livestock Commission
    - an article in the Montana Magazine
    - Board tour of historical archive of ranching in Montana and vintage veterinary manuals
  - a celebratory pin has been designed and made
  - the September board meeting will include celebratory activities to be announced

### NEXT BOARD MEETINGS

MAY 17 & 18, 2010

- This meeting will be held in Bozeman
  - new MSU president will be invited to attend
  - board tour of the Gardener bison management control area following the meeting

JULY 26 & 27, 2010

ADJOURNMENT 10:00 AM

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JAN FRENCH, CHAIRMAN  
BOARD OF LIVESTOCK

A joint meeting with the Milk Control Board to follow