



## MINUTES BOARD OF LIVESTOCK MEETING

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MARCH 18 & 19, 2013  
LIVESTOCK CONFERENCE ROOM 319  
301 N ROBERTS, HELENA, MT

### BOARD MEMBERS PRESENT:

Jan French, Chair, cattle producer  
Ed Waldner, swine producer  
John Lehfeldt, sheep producer

Brett DeBruycker, cattle producer  
Jeffery Lewis, dairy producer  
Linda Nielsen, cattle producer

### STAFF PRESENT:

Christian Mackay, executive officer  
George Harris, centralized services  
Dr Marty Zaluski, animal health  
Dr Tahnee Szymanski, animal health

Sherry Rust, executive assistant  
Gary Hamel, meat inspection  
Dr Bill Layton, veterinary diagnostic lab

### PUBLIC PRESENT:

Kraig Glazier, USDA APHIS WS  
Ariel Overstreet, MSGA

Les Graham, MLMA  
Dr Tom Linfield, USDA APHIS AVIC

1:00 PM

CALL TO ORDER:

MONDAY, MARCH 18, 2013

### ADMINISTRATIVE ITEMS

#### Board Communications:

- Jan French, Hobson
  - snowpack is above 100% with some melting
  - finished with calving, great weather for calving
  - doing coyote work, some wolves around also
- Jeff Lewis, Corvallis
  - Bitterroot sitting pretty good with 85-90% of snowpack
  - dairy prices dropping a bit
  - cull cow prices are good
- Ed Waldner, Chester
  - still waiting for the spring storm to fill the reservoirs
  - hog prices are fairly stable
- Brett DeBruycker, Dutton
  - dry, dry, dry - snowpack is supposedly at 85% but we don't see it
  - feeders not so great, input cost are high and lost on the sale side
  - calving done on heifers, almost done with cows - perfect calving season
  - spring rain will help them out
  - our big bull sale coming up on April 6 - video on Superior
- John Lehfeldt, Lavina

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- things are not good - sheep, lambs, wool all down
- Linda Nielsen, Nashua
  - market sale numbers are so much higher than last year- 3,000 head more than last year
  - first of eight bull sales begin next week
  - lots of snow from the storm last week

### Approval of Minutes:

Linda Nielsen moved to approve the January board meeting minutes with corrections. Jeff Lewis seconded. The motion carried unanimously.

### Interim Authorizations and Activities:

- approved out of state travel for personnel to attend LEO meeting
- paid for by USDA

John Lehfeldt moved to approve the chair's interim activities as presented.

Jeff Lewis seconded. The motion carried.

### Executive Officer Reports:

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

### Animal Health, Dr Zaluski

- Action Item #1 TB Rule
  - clarification is needed regarding sexually intact cattle to include M branded steers
  - changes include deleting "all sexually intact" cattle in 32.3.201 (1)(j)
  - adding "sexually intact" to 32.3.212 (3)(d) and (7)
  - these changes would exempt dairy steers and spayed dairy heifers from a TB test prior to importation
  - M branded cattle would be required to test prior to import

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

- Action Item #2 Trichomoniasis MSGA resolutions
  - revisit tabled item from January meeting with board
  - Resolution B - for increased oversight, closer monitoring and deadlines of positive herds - proposed rule changes include:
    - 1 two quarantines for an affected herd
      - require all testing be completed within 45 days of first positive test -need to establish deadline rules
      - rule change needed to maintain quarantine on females
    - 2 herd plans
      - change needed to require herd plan

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- 3 test deadlines
  - establish deadlines
- 4 clarify penalties
  - up to \$500 fine for failure to comply
  - per animal or per day

Jeff Lewis moved to authorize draft rule changes to publish for public comment. Brett DeBruycker seconded. The motion carried unanimously.

Resolution A - limitation on sale of non-virgin bulls through the markets

Issues discussed

1. market owners feel unfairly targeted with non-virgin sales
2. country (neighbor to neighbor) sales are far more common but not addressed in this resolution
3. alternative is statewide inspection
4. or providing risk information and education through markets and website channels
5. Les Graham feels markets are more than willing to help promote education on this issue

Brett DeBruycker moved that the department mandate that bulls going to market must go to slaughter or feedlot (not be used for breeding purposes). The motion died for lack of a second.

- Action Item #3 Sheep and goat ID proposed
  - one comment received - provided response
  - based on comments received recommends no changes for final adoption

John Lehfeldt moved to approve publication of the ARM adoption notice as proposed.

Linda Nielsen seconded. The motion carried unanimously.

- Action Item #4 Out of state travel request
  - Tahnee Szymanski to Plum Island
  - 2 week training for FADD
  - limited admission
  - if not accepted to FADD training will attend poultry training
  - Animal Health is responsible for travel & motel for either session
  - USDA pays for FADD training

Brett DeBruycker moved to authorize out of state travel for either event as presented.

John Lehfeldt seconded. The motion carried unanimously.

- Action Item #5 Test of breeding cattle within the DSA
  - ARM proposed rule changes published for comments
  - received one comment that included numerous concerns on the DSA in general
  - based on comments received no revisions are recommended

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Jeff Lewis moved to authorize publication of the ARM adoption notice as presented. Ed Waldner seconded. The motion carried unanimously.

- Action Item #6 Serological TB test for imported cervids Official Order
  - USDA recently approved the Cervid TB Stat Pak test for elk, red deer, white tailed deer, fallow deer and reindeer
  - a serological (blood) TB test it is a significant improvement over the alternative skin test
  - generally the stat pak requires one test vs. possibly running the animal through the chute 4 times for the skin test (for suspects)
  - current ARM rules do not allow the stat pak test for imported animals
  - an Official Order is proposed to allow use of this test with an update to ARM 32.3.221 will follow

Linda Nielsen moved to authorize use of an Official Order followed by a revision in the ARM as presented. Brett DeBruycker seconded. The motion carried unanimously.

- Miscellaneous updates
  - Evaleen Starkel has resumed supervisor duties for the Alternative Livestock Program following the resignation of Janet Sharp for personal reasons
  - Wyoming just announced the finding of 2 brucellosis elk well outside the WY DSA area
    - one bull and one cow from last year's hunting season
    - about 15 miles south of Bridger
    - Quentin Kajula, FWP, and Dr Zaluski reviewed the risk of WY elk movement into Montana
    - concluded not an eminent risk at this time - 12 to 14 miles separation and natural barriers

USDA Wildlife Services (predator control), Kraig Glazier

- Sequestration
  - 5.1% cuts are rumored
  - Senate is looking into another 2%
  - will feel the cut in predator and rabies control
  - short term savings - other pilot was deployed for the third time to Iraq
  - long term - do not have authorization for lay off or furlough
  - 2 personnel will be retiring next year - will not be replaced
- Aerial control is essential in Montana - for coyote control
  - federal helicopter will not be flying due to sequestration
  - Billings and Helena choppers are DOL and will continue flying
  - Field agreements to supplement DOL funds
    - producer pays half of flight costs with DOL funding the balance
    - cost to producers at \$465/hour since federal budget cuts
- potential additional funding sources

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- Lewis & Clark County close to passing a \$1 per head cattle petition
- Jefferson County Commissioners are pursuing a county wide solution
- legislature looking at general funds for predator control
- Predator numbers
  - losses to coyotes - lambs 1200/calves 350 (\$450,000)
  - losses to wolves - \$250,000
  - Augusta hunting district took 35 wolves -
  - a total of 225 were harvested through the hunt
  - Lincoln, Missoula and Park counties topped the wolf harvest areas

Pin Awards:

Sheila Martin	15 years
Patty Thompson	30 years
Chris Clawson	5 years

3:30 P.M. RECESS

3:50 P.M. RECONVENE

Veterinary Diagnostic Lab, Dr Bill Layton

- Accreditation Report
  - provisionally accredited pending revisions as listed in review
  - June 15 deadline to complete revisions
  - expect another review session at the end of this year
- Federal Sequester
  - quality manager position is totally funded by NALM
  - 60% federally funded with \$55,000 from NALM dedicated to payroll for this position
  - 2 positions are currently open in the lab
  - might take fill .5 serology/.5 milk lab while leaving the other position open to backfill payroll funds if needed because of sequester
- Purchase of supplies for Bacteriology
  - currently the lab makes its own media
  - looking at purchasing media vs. continuing present policy of in house made media
  - frees up lab person from the kitchen to do more essential lab work
  - cost savings looks to be upwards of \$25,000 per order form from Rimmil
- Action Item #7 Out of state travel
  - Julie Armstrong for LEO training
  - USDA paying expenses

John Lehfeltdt moved to authorize out of state travel as presented. Jeff Lewis seconded. The motion carried unanimously.

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PRODUCER ORGANIZATION UPDATES

- Montana Stockgrowers Association, Ariel Overstreet
  - invited all to attend the Legislative Reception sponsored by MSGA/MT Farm Bureau and MT Ag Assoc.
  - Jorgensen's at 6 pm

PUBLIC COMMENT

4:30 P.M.

ADJOURNMENT

EXECUTIVE SESSION

Personal privacy exceeds the public right to know.

8:10 a.m.

CALL TO ORDER

TUESDAY MARCH 19, 2013

BOARD MEMBERS PRESENT:

Jan French, Chair, cattle producer  
Ed Waldner, swine producer  
John Lehfeldt, sheep producer

Brett DeBruycker, cattle producer  
Jeffery Lewis, dairy producer  
Linda Nielsen, cattle producer

STAFF PRESENT:

Christian Mackay, executive officer  
George Harris, centralized services  
John Grainger, brands enforcement  
George Edwards, LLB

Sherry Rust, executive assistant  
Gary Hamel, meat inspection  
Marty Clark, brands enforcement

PUBLIC PRESENT:

Kraig Glazier, USDA APHIS WS  
Brent Roeder, MWGA

Les Graham, MLMA

Division Reports Continued

Centralized Services, George Harris

- Web page update presentation
  - Andy Erickson, IT programmer provided an overview on proposed updates to the department web page to make it more visitor oriented
  - solicited feedback and comments from the board and visitors

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- Fiscal Updates
  - provided review of FY 2014-15 budgets for HB2 appropriations
  - budget status report FY 2013
  - reviewed FT 2013 state special revenue
- Fiscal Notes
  - provided fiscal notes prepared for proposed bills affecting the department
- Livestock Loss Board, George Edwards
  - HB322 - seeks general funds for reimbursement of livestock losses through LLB
    - \$400,000
    - originally tabled - producer calls regenerated it - passed 88-10 in the House
    - gained support in the Senate
    - ag partners have been utilizing phone trees to push this with legislators
    - Senate Ag Executive Session this afternoon
  - HB 395 -decrease LLB from 7 to 5
    - decrease board expenses
    - increases efficiency

### Milk & Egg, Dan Turcotte

- USDA reviews
  - in Great Falls for quarterly review
  - Helena next week for annual review of school commodities
- FDA
  - Billings check rating 2 weeks ago went well
  - also Darigold plant
  - Dan recertifies every 3 years with FDA
- Egg licensing (annual) going well
- LIMS issues
  - Lisa puts items on excel and then back checks LIMS for catching errors
- Lawsuits
  - 12 day rule - to potential hearing dates May 14 or 16

### Christian introduced Rob Stutz, replacing Clyde Peterson as department attorney

- Other pending department cases
  - Alliance for the Wild Rockies
    - helicopter bison hazing waiting for decision
    - they are filing for temporary injunction to prevent helicopter hazing this year
  - Park County/MSGA lawsuit
    - going to the Supreme Court
  - Greenwalt

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- did not get lapsed brand back
- hearing set for June 23, 2014
- discovery must be filed next week

Meat Inspection, Gary Hamel

- April 8 PHIS go live date
  - this is the new federal meat inspection system
  - Bonnie and Gary attended a training session -not too great as the system was not quite right
  - will begin entering information into the system on go date
- Out of state travel request for training
  - 2 week train the trainer session in Dallas
  - FDA will also sponsor 2 two week training session in Montana with our trainer sometime around August

Ed Waldner moved to authorize the out of state travel as presented. John Lehfeldt seconded. The motion carried unanimously.

- Legislative updates regarding meat inspection
  - HB115 - rabbit slaughter - passed and signed by the governor
  - HB563 - pizza person seeking exemption from federal (therefore state) regulations - tabled
  - HB356 - changes in federal farm bill required changed state compliance of meat inspection statutes - moved to Senate floor and ready for governor's signature
- Sequester
  - not a good thing for meat inspection but will deal with it as it comes
  - hearing 5% reduction but nothing definite yet
  - problem with 5% federal reduction is it becomes 10% in the program from the loss of the matching general fund another 5%
  - don't expect it to hit until next fiscal year (September 30 is federal yearend)
  - have 3 more applications for inspections - no budget means no service

Executive Office, Christian Mackay

- Other legislative updates
  - puppy bill - will die
  - a few bison bills - not much happening
  - beef council - the 5% only applies to state collections
  - horse racing will move to commerce
  - milk bill will probably pass
- hope to have a new board member appointed this week

10:20 A.M.

RECESS

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10:30 A.M.

RECONVENE

Brands Enforcement, John Grainger

- Pin award - Cally Goyins 10 years
- Brand request
  - Rick Berger, Helena Valley requesting board waiver of brand policy
    - raises paint horses and has owned the brand since the early 1980s
    - wants same brand additional positions (by brand policy is considered a new brand)
    - the brand is a single character monogram and not available by brand policy
    - would still have to be processed for conflicts before it could be issued
    - John Grainger recommended against a board waiver because it would open the waiver process to all

Jeff Lewis moved to deny the waiver request. Linda Nielsen seconded. The motion carried unanimously.

- District Review
  - receiving questions regarding districts and vacancies
  - 18 districts now, historically have been as few as 8 (1927)
  - two district investigators currently also serve as market managers
  - if department took vacant districts 5 & 7 and merged them into remaining districts
    - it would free up about \$80,000 in payroll to better compensate market personnel
    - operational cost savings would be seen in 2 less vehicles
    - downside is a lot of market personnel go into district positions (law enforcement)
  - district men nearing retirement
    - Gary Anderson (District 19) is retiring in July
    - Bill Blankenship - 41 years
    - Pete Olsen Boone Jones, and Ernie McCaffree- 35 years
    - Tom Harmon has 35 to 40 years
    - Don Seeley, Marty Clark and Mark Feist are at 30 years or more
  - possibly divide the 56 counties by 5 and end up with 11 districts or depending on retirements could consider merging some districts
  - district men duties could be changed to less administrative (inspections) and more law enforcement within the new districts
  - the process to merge districts could be based on livestock numbers as well as topographical issues
  - multiple retirements would ease implementation

Will advertise Districts 5 and 7 while planning for 19.

Board consensus is to go forward with planning for when an opportunity comes up.

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- Miscellaneous updates
  - Market Managers meeting
    - held in Billings March 9 and 10
    - ITSD opened up so the markets can access the Central Office database for lookups - good feedback on that procedure
    - worked on standardizing market procedures
    - Brett has questions on a few issues from Great Falls (Christina will work with him on them after the meeting)
- working with Gary Hamel to permit to licensed slaughter facilities
- the inspector handbook will be provided on CD to all local inspectors, additionally all 56 county brand books, animal health regulations and other information handy for them
  - the extension agents have agreed to print out the handbook and the individual county brand book for any inspector requesting it
- John discussed the lien renewal process
  - going well and ends the end of March

PUBLIC COMMENT

NEXT BOARD MEETING

TUESDAY & WEDNESDAY  
MAY 21 & 22, 2013  
SCOTT HART BUILDING  
301 N ROBERTS ROOM 319  
HELENA, MT

11:20 A.M.

ADJOURNMENT

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JAN FRENCH, CHAIR