



MINUTES
BOARD OF LIVESTOCK MEETING
August 17 and 18, 2015
Capitol Meeting Room 152
Helena, MT

Monday, August 17

Call to Order: Chair John Lehfeltdt at 10:00 AM

Members Present:

John Lehfeltdt, Chair (sheep producer)
Brett DeBruycker (cattle producer)
Jeffery Lewis (dairy producer)
Ed Waldner (swine producer)
John Scully (cattle producer)
Nina Baucus (cattle producer)
Lila Taylor (cattle producer)

Staff Present:

Christian Mackay, Executive Officer
Dan Turcotte, Milk & Egg Bureau
Dr. Szymanski, Animal Health
George Harris, Centralized Services
Gary Hamel, Meat Inspection
John Grainger, Brands Enforcement
George Edwards, Livestock Loss Board
Chad Lee, Milk Control Bureau
Dr. Zaluski, Animal Health
Rob Stutz, AG attorney representing DOL
Evan Waters, Centralized Services

Public Present:

Gene Curry, Montana Stockgrowers Association
Jeanne Rankin, rancher
Pat Murdo, Legislative Services
Steve Forrest, Legislative Fiscal Division
Chelcie Cremer, Montana Farm Bureau Federation
Monte and Janet Nick, public
Jim Brown, Montana Woolgrowers Association
Errol Rice, Montana Stockgrowers Association
Representative Alan Redfield
Chaley Harney, Montana Beef Council
Gary Murphy

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*.

- 1: 05 PM Action Item: Approval of May 18 & 19, June 6 & 22, and July 10, 2015 minutes.
Board consensus is that the new format as prescribed by statutes for recorded meetings is too brief and needs more substance. Board members requested addition of note of corrections to prior minutes when approved "as corrected" and summarization of action items.
- 1:10 PM **Motion/Vote:** Nina Baucus moved to revise all outstanding minutes on the agenda today to contain more substance and clarity on action items. Lila Taylor seconded. The motion carried unanimously.

Submission from John Scully: Referenced receipt of an email to Christian Mackay regarding documentation of authority to use DSA funds from Dan Villa requesting confirmation that all BCD funds have been approved. Christian replied that approval had been received from the Budget Director.
- 1: 16 PM Action Item: Approve Interim Actions by the Chairman
There were no interim actions.
- 1:17 PM Action Item: Establishment of board committee(s).
Board members and some producer organizations have suggested various types of committees to work on department issues including FY 16/17.
No action taken. Board and industry group consensus is to allow the staff to work for increased clarity and understandable budget documents and to establish an email list for timely disbursement of budget documents and reports prior to future board meetings and not just posting on the department website.
- 1:29 PM Action Item: Set per Capita for FY 2016/17
George Harris reviewed fiscal status and provided options for increasing Per Capita fee. He recommends an adjustment to the full amount allowed by statute citing rising operational costs and pay increases.
No action taken. Board deferred this item to the September meeting with a consensus that the department needs to finalize the budget before raising fees.
- 3:10 PM Action Item: Out of state travel request for Jim Newhall to attend tech training for the laboratory information system at a cost of \$1,500 plus \$600 for travel from Per Capita funds.

Motion/Vote: Lila Taylor moved to authorize the out of state travel request as presented. Jeff Lewis seconded. The motion carried.

Board request: a 5 year IT structure report with an assessment by Axiom be on the September Agenda.

3:22 PM Action Item: Milk Control Bureau/Board proposed administrative rule changes regarding moving department Milk Control Bureau fee from the Milk Control Board rules to the department rules.

Motion/Vote: Jeff Lewis moved to publish the proposed administrative rule changes for public comment allowing for non-substantive changes. Nina Baucus seconded. The motion carried.

3:42 PM Recess

3:53 PM Reconvene

4:18 PM Explanation: Meat Inspection Bureau Chief, Gary Hamel request to fill open position in Butte. The Butte inspector resigned unexpectedly.

Motion/Vote: Brett DeBruycker moved to authorized filling the position. Jeff Lewis seconded. The motion carried.

4:25 PM Comments from Industry:
Chelsie Cramer, Montana Farm Bureau Federation
Gene Curry, Montana Stockgrowers Association
Charlie Harley, Montana Beef Council
Jeanne Rankin, Montana Veterinary Association
Alan Redfield, HD 59

Board request: a copy of the bylaws and minutes where bylaws were changed to Policy & Procedure, and the 2010 P&P to board members, Farm Bureau and Gene Curry for the Long Range Planning Committee.

4:40 PM Executive Session
Personal right to privacy exceeds public right to know.

5:00 PM Adjourned

Tuesday August 18

Call to Order: Chair John Lehfeltdt at 10:00 AM

Members Present:

John Lehfeltdt, Chair (sheep producer)
Brett DeBruycker (cattle producer)
Jeffery Lewis (dairy producer)
Ed Waldner (swine producer)
John Scully (cattle producer)
Nina Baucus (cattle producer)
Lila Taylor (cattle producer)

Staff Present:

Christian Mackay, Executive Officer
Dan Turcotte, Milk & Egg Bureau
Dr. Szymanski, Animal Health
Gary Hamel, Meat Inspection
George Harris, Centralized Services
John Grainger, Brands Enforcement
Bill Layton, Diagnostic Laboratory
Chad Lee, Milk Control Bureau
Dr. Marty Zaluski, Animal Health (by conference phone)
Dr. Erick Liska, Animal Health
John Grainger, Brands Enforcement
Laura Hughes, Brands Enforcement
Rob Stutz, AG attorney representing DOL

Public Present:

Jeanne Rankin, rancher
Chaley Harley, Montana Beef Council
Tom Linfield, USDA APHIS VS
Alan Redfield, Montana House Representative
Tori Hunthausen, Legislative Auditor Division
Errol Rice, Montana Stockgrowers Association
Pat Murdo, Legislative Services
Don Harrington

8:00 AM Explanation: Animal Health received a letter from a producer requesting an exemption to the CAN-brand rule be granted by the board on two cattle imported from Canada (cow calf pair). The health paperwork is complete but the cattle are not CAN-branded as required by state statute.

Motion/Vote: Lila Taylor moved to deny the request for exemption to CAN-brand rule. Jeff Lewis seconded. The motion carried.

Explanation: Chad Lee reviewed administrative rules and options for revision of administrative rules on assessments based on milk produced in Montana. The board discussed interpretation of definitions of who shall be assessed.

9:28 AM **Motion/Vote:** Jeff Lewis moved to interpret 81-23-202 subsection 4a to apply to anyone licensed by the department who produce and sell milk. John Scully seconded. The motion carried.

9:50 AM Recess

10:09 AM Reconvene

Board requests:

- clarification on SB 62 regarding form from Revenue
- VADDs contract to the board (Diagnostic Lab)
- review of pay plan - send to board
- letter to Lashway

11:00 AM Action Items: Brands Enforcement Administrative Rule changes.
1. Freeze Brand rule 32-2-404 and 32-2-409 correction to clarify fee language and that registering a freeze brand include a one-time only fee of \$200.

Motion/Vote: Brett DeBruycker moved to accept the proposed freeze brand rule change. Jeff Lewis seconded. The motion carried.

2. Aerial Hunting Rule 32-22-106 (3) form change to revise wording on the permit.

Motion/Vote: Brett DeBruycker moved that the aerial hunting permit permission slip shall be good until revoked by the landowner. Lila Taylor seconded. The motion carried.

3. Reevaluate the estray fee 32.2.404 (5)(f)(i) and (ii) to the department based on cost.

Motion/Vote: Ed Waldner moved the fees be increased to the department actual costs.

Nina Baucus seconded. The motion carried with Brett DeBruycker voting no.

12:00 PM Action Item: Sidney Market request for additional sale days.

Motion/Vote: Brett DeBruycker moved to accept the request for Saturday sales from mid-October through November. Jeff Lewis seconded. The motion carried.

Comments from the Industry:
None.

Comments from the Public:

Tori Hunthousen, Legislative Auditor
Pat Murdo, Economic Affairs Committee
Alan Redfield, Senator

Next Meeting Date:
September 21 and 22, 2015
Capitol meeting room to be determined

12:43 PM Executive Session
Attorney Client Privilege

Adjourned

John Lehfelddt, Chair