



Montana Board of Livestock Meeting Minutes

(This Meeting was Open to the Public & By ZOOM)

April 28, 2022

MT Department of Livestock Board Room #319
301 N. Roberts, Helena, Montana

Board Members Present

Gene Curry, Chairman (cattle producer)

Alan Redfield (cattle producer)

Jake Feddes (cattle producer)

Ed Waldner (swine producer)

(Ed Waldner vacated the meeting at 3:59 PM)

Greg Wichman (sheep producer)

Nina Baucus (cattle producer)

Sue Brown (dairy & poultry)

Staff Present

Mike Honeycutt, EO

Brian Simonson, Deputy EO

Evan Waters, Centralized Services

Dale Haylett, Centralized Services

Buddy Hanrahan, Centralized Services

Ty Thomas, Brands Enforcement Division

Donna Wilham, Adm. Assistant to EO

Dr. Marty Zaluski, State Veterinarian

Dr. Tahnee Szymanski, Animal Health

Dr. Greg Juda, Director, MVDL

Alicia Love, Meat & Poultry Inspection

Public Present

Rachel Cone, MT Farm Bureau Federation

Linda Owens, Madison Valley Ranchlands Group

Ed McCauley

Trina Bradley

Marina Little, MT A & E Division

Max Griebe, LPW Architecture

Rachel Prevost, MT Farmers Union

MEETING CALLED TO ORDER

(:00) 8:00 AM

Chairman Gene Curry called the meeting to order at 8:00 AM

CALL TO ORDER AND INTRODUCTIONS

(:00) 8:01 AM

Chairman Gene Curry called for BOL member introductions and comments:

- Nina Baucus, Cattle Representative, reported that they raise both sheep and cattle
 - Ms. Baucus reported that during lambing, they got more twins than single
 - Ms. Baucus also said that they had gotten some snow and that things were turning green
- Sue Brown, Dairy & Egg Representative, reported that they were not done with kidding yet and had around 40 to 50 left to go
 - Ms. Brown said that they had received a little bit of precipitation and were in the process of planting fields, but it had been difficult because equipment had been breaking
- Ed Waldner, Swine Representative, reported that it was pretty dry in their area
 - Mr. Waldner also reported that they had gotten a little moisture and that they were starting to seed
 - The hog prices were good, Mr. Waldner reported, but, they didn't match the feed prices
- Jake Feddes, Cattle Representative from Manhattan reported that they had a little moisture the day before but had missed out on the big snowstorm
 - He said, that he hadn't gotten a lot of sleep lately because they were in the middle of Aling and embryo transplant
 - Mr. Feddes said he was cautiously optimistic about the cattle market at this point, but thought things were going to be good in the Falls
- Greg Wichman, Sheep Representative from Hilger said that lambing season had been pretty intense, but they had gotten a good crop
 - He was hoping for some moisture, but, during lambing, Mr. Wichman reported that the weather basically cooperated
 - Mr. Wichman said that a good shot of moisture and some heat would help green things up, and it was needed, because most everybody was culled off the hay
- Alan Redfield, Cattle Representative, just south of Livingston, said they were blessed with about two inches of moisture over the weekend and that it had rained again the night before
 - Mr. Redfield said it had been probably the easiest winter they've had there in the 45 years he had been on his place
 - Even though it was greening up, he said that elk were doing a real nice job on hay meadows that weren't fenced with electric fence
 - Mr. Redfield reported that he had applied his fertilizer the earliest he ever had, nearly 30 days earlier than normal
- Gene Curry, Cattle Representative from Valier, reported that they had more wind than moisture
 - Mr. Curry reported that a cold wind blew for about a week and that it had snowed, he thought, every day for a week, ending up with drifts around 18 inches deep
 - Even with the snow, Mr. Curry said it was still pretty dry in his area, but, with the fall irrigating he had done, he was seeding into nice moisture. He wasn't sure what it would be like seeding on his dryland acres

- Mr. Curry said his last heifer calved the day before, and that he had been calving for almost six weeks because a lot of his calves didn't get sold, stretching a two-week calving season into a six-week calving season
- Mike Honeycutt, Executive Officer of the DOL, introduced himself
- Mr. Honeycutt reported that Rachel Cone from the Montana Farm Bureau Federation was in the room today and that Rachel Prevost of the Montana Farmers Union was listening online
- Jenny Bloomquist of the Montana Veterinary Medical Association had other obligations and would not be able to join the meeting. He added that MSGA people were in Washington DC and he didn't believe they'd be taking part in the meeting either
- Linda Owens of the Madison Valley Ranchlands Group was ZOOMing in on the meeting

BOARD ADMINISTRATIVE ITEMS

(6:22) 8:07 AM

(6:22) 8:07 AM – BOARD APPROVAL OF BOARD MEETING MINUTES

Gene Curry entertained a motion to approve the minutes of the last BOL meeting on March 18, 2022:

Mr. Curry expressed his thanks for those who read through the minutes to help Donna Wilham make any corrections needed

- He commented on one correction made in the minutes where it had “Super Lady” making the motion, seconding the motion and then it passing
- Nina Baucus stressed the importance of speaking clearly, especially with Donna taking the minutes by ZOOM

MOTION/VOTE

(6:29) 8:07 AM Nina Baucus moved to approve the minutes from the BOL March 18, 2022 Meeting. Sue Brown seconded. The motion passed.

OLD BUSINESS

(9:08) 8:10 AM

(9:08) 8:10 AM – UPDATE ON GOVERNOR’S OGSM STRATEGIC MANAGEMENT IN RELATIONSHIP TO BOL AND EXECUTIVE OFFICER STRATEGIC GOALS

Mike Honeycutt reported that his April Ops Review with the Governor had been held two weeks previous:

- Mr. Honeycutt said that he had to report to the Governor that the livestock per capita fee dashboard was still weak
 - Although payments were about the same as they typically would have been at this time of year, Mr. Honeycutt said that the billed amount was much lower and the number of reporters and number of head reported were way under as well

- Although Mr. Honeycutt expressed a belief that some reporters were lost the previous year and that head counts would be decreased, he didn't think the numbers were an accurate reflection, as of yet
- He said that the Department of Revenue was still sorting out things with their changeover to a new online per capita collection system and that there were a number of people who gave up on the system and were waiting for a bill
- Mr. Honeycutt said he wasn't sure what was going with the DOR, but thought they must be making some adjustments in their system
- Regarding the DOL budget, Mr. Honeycutt said that revenue was greater than expenses, even though expenses were a little ahead of budget the previous month. He said that it would catch up in the next three periods
 - Cash numbers, Mr. Honeycutt said, because of per capita collection were starting to go in a positive direction again and the DOL's cash balance was heading back up towards the \$14 million mark.
- Mr. Honeycutt reported to the Governor that DOL vacancies in some areas were a concern, especially the systemic problem of vacancies in the Meat & Poultry Inspection Bureau, which was only about 75% filled
- The Meat & Poultry Inspection Bureau has had real trouble keeping people up and around the Flathead Valley region
 - Mr. Honeycutt said that some people that had been hired hadn't made it through the probationary period and there were also some who had received approval to get Federal jobs when those became available
 - Along with several Meat Inspector openings, the Bureau Chief Position in the Meat & Poultry Inspection Bureau had not been filled yet, but, Mr. Honeycutt thought they were close to filling the vacant Label Specialist position
- Mr. Honeycutt reported to the Governor that regarding market capital movement, that through March 2022, the markets were pretty close to moving as many cattle through as had gone through all of last year, and that last year was a high year in comparison to the year before
 - One BOL member was directed to partner with the market in regards to tracking cows that went through the market as open, pregnant, ones that went out of state and those that went out of state but would be coming back to Montana. One other BOL member thought that information could possibly be added as part of the inspection data
 - Mike Honeycutt said that paper inspections data may not be entered into the system for 3 to 6 months and so he wouldn't be able to get accurate numbers to report to the BOL
 - Jake Feddes said that he knows of cows being shipped out of state to sell won't show up on the Montana market report. He added that some heifers were being sent out of state, and even though they're coming back to Montana, their calves aren't, so there are even more calves than the state market report shows

- In reporting DOL highs and lows to the Governor, Mr. Honeycutt said that one high was the Cooperative Interstate Shipment (CIS) agreement being signed
 - There was a May 24, 2022 deadline on some grants for meat processing plants that wanted to move to the CIS program
 - The Governor, according to Mr. Honeycutt, made a big deal about the increase in new meat processing and there was a lot of positive momentum and press on it
- Mr. Honeycutt was able to report to the Governor that the DOL IT projects were moving forward at a good clip
- Mr. Honeycutt was glad to report that there was release of quarantine on some of the Brucellosis-affected herds and because of good results on the elk captures this year, there was not a suggestion of DSA expansion
- As far as reporting DOL lows to the Governor, Mr. Honeycutt told him that there were still some pending retirements between now and the end of the year and some had already been executed since he gave his last report, including the Meat Bureau Chief. He also reported that two Veterinarians and the Brands Enforcement Administrator had left the DOL
- The detection of High-Path Avian Influenza in Montana and its corresponding issues to commercial flock and wildlife had been a stressor on the DOL
- Drought issues were reported, causing market-related cattle movement, but that was before some big snowstorms that came into the state
- Bison issues creating pressure on the DOL were reported to the Governor, including the Yellowstone National Park Bison and EIS issue, along with the finding of no significant impact on the APR BLM leases
- Also added to the DOL low list was the controversy with one of its attached agencies that took some time to work through
- DOL employee, Alex Dachs had been waiting for an opening to get his FDA State Ratings Officer training completed and he was finally going to be able to get that training done
- The FMD Functional Exercise had been completed
- Mr. Honeycutt was able to tell the Governor that the effective date for the new Brands Policy had been promoted and the Brands Enforcement Division was getting ramped up for the increased applications expected to come as a result of that
- After the calving season is done, Mr. Honeycutt reported to the Governor that cleanup of Tuberculosis testing from last year would begin. Dr. Zaluski said he expected the testing of those herds would be in the fall
 - Completion of Tuberculosis testing was delayed not only because of the challenge on animals before, during and after calving, but test results could be skewed during that time frame
 - Dr. Zaluski explained that problems can arise with cows mothering back up with their calves after separation due to going through the chute more than once, so that is why it is not a good idea to TB test during branding.

- One of the DOL goals reported to the Governor was that Livestock Law Enforcement Officers would become more proactive at shows, rodeos and doing truck stops to enhance enforcement compliance
- Mr. Honeycutt reported that there was a livestock indemnity program through USDA that covered losses of calves in weather conditions, such as the spring snowstorms that just came through, and to check with their County FSA office regarding that program
 - Regarding the Avian Influenza in the state, Mr. Honeycutt said that those folks who needed to depopulate their flocks could get indemnity from USDA, but USDA was also providing some reimbursement for decontamination of their facilities, which he said could sometimes be more costly than the loss of the birds
- Mr. Honeycutt said that the Governor had asked for a baseline tracking on slaughter numbers on both State-inspected and custom exempt facilities
 - One problem that hadn't yet been broken through yet, according to Mr. Honeycutt, was that slaughter in Montana had increased, but in some cases, it had been backed up a year to a year and a half
 - Mr. Honeycutt said that across the board, slaughter numbers in the state were up, but, that poultry slaughter had been the driver of those increased numbers
- Mr. Honeycutt said that he had heard nothing but positive things about the process of how the DOL was doing things in the OGSM process. Between the monthly OGSM meetings and the monthly Cabinet meetings, Mr. Honeycutt said that the DOL and the Governor's Office were plugged in
- Mr. Honeycutt reminded the BOL that the June to December horizon for listing goals for OGSM might be on the next meeting's agenda

NEW BUSINESS

(47:31) 8:48 AM

(47:35) 8:48 AM – DISCUSSION ON PROPOSED MCA CHANGE CONCEPTS TO FORWARD TO OBPP BY MAY 6TH

Mike Honeycutt explained that Budget Office request from the DOL was not a submission of a completed proposed change in legislation, but a concept of what that change in legislation would be and those changes were due by May 6, 2022:

- If approved by the Budget Office, proposed changes were then submitted for review to the DOL's oversight committee, which is the Economic Affairs Interim Committee, who decide whether or not they want to give the proposed changes priority. If the proposal makes it over those two hurdles, a sponsor for the bill drafters must be found to make sure the bill gets written, drafted and put forward during Legislative Session
- Mr. Honeycutt said that much of what was presented for change came from the Red Tape Review, but he didn't feel, speaking for staff, that if the BOL didn't

choose to move some of those proposed changes forward that the staff would be highly offended

(54:09) 8:55 AM – Animal Health and Food Safety Division Legislative Concepts

- **81-2-109 – Expenses, How Paid – Lien and Foreclosure**
 - Dr. Marty Zaluski explained that the requested changes in this statute would bring the language to be similar to what other states had in their statutes
 - Dr. Zaluski explained that South Dakota and possibly North Dakota, put the onus on the rancher to have their cattle corralled when the animals were to be dealt with by the State Veterinary staff

MOTION/VOTE

(58:25) 8:59 AM Alan Redfield moved to move forward to the Legislative process, the discussed proposed changes to MCA 81-2-109, Expenses, How Paid – Lien and Foreclosure. Greg Wichman seconded. The motion passed.

- **81-2, Part 3 – Disease Control Area**
 - Dr. Marty Zaluski explained that this statute, which outlines the establishment of the Disease Control area uses language that was no longer in use
 - Dr. Zaluski further explained that the DOL had a lot more efficient ways to establish disease regulations if livestock owners wanted to have enhanced surveillance for disease, and that it shouldn't take 75% of producers in a given area to petition the DOL to enact additional disease surveillance
 - Nina Baucus cautioned the BOL that once a statute was removed from the books it would be difficult to put it back on if it was ever needed down the road. Alan Redfield said repeal was easy, but changing language, etc. through the Legislative process was not
 - Dr. Zaluski said that the code did not hurt the DOL for being there, but was an extremely cumbersome process for livestock owners to request that there be enhanced surveillance in a disease program and thought there were other methods to do that, but it was not a huge deal to keep it on the books
 - Mike Honeycutt said that the statute would come in handy if there was a present risk and people in a geographic area wanted to establish a DSA, but the BOL and staff were not responsive to it
 - Dr. Zaluski shared the history of how the DSA originally was started and progressed to what it was today
 - Jake Feddes said that 75% stated in the statute would be a difficult number to reach, but it helps give producers some power. He said that producers coming to appeal to the BOL only need 51% of the votes
 - Dr. Zaluski said that if someone petitioned the BOL to force him to write an official order regarding a disease he felt was not significant

that would impact other sections of the state, he would not want to go there

- The BOL decided to leave the statute in place
- **81-2-502 – Licenses – Garbage Fed to Swine**
 - Dr. Marty Zaluski said that the BOL had approved this for change prior to the last Legislative Session
 - Dr. Zaluski explained that the “garbage” concern comes primarily from feeding swine meat refuse and then selling the swine at a commercial level. Mike Honeycutt added that African Swine Fever could very readily be transmitted through foodstuffs

MOTION/VOTE

(1:24:03) 9:25 AM Jake Feddes moved to move forward to the Legislative process, the discussed proposed changes to MCA 81-2-502, Licenses – Garbage Fed to Swine, and corresponding changes in all of Chapter 5. Ed Waldner seconded. The motion passed.

- **81-2, Part 2 – Expenses, How Paid – Indemnity**
 - Mike Honeycutt said that this was brought before the BOL before, the requested changes that would update the process by which the State would pay indemnity for animals destroyed due to disease and also create an indemnity fund to be used for claim
 - The proposed indemnity fund could have roll over funds added each year up to \$10,000 and cap the fund at \$100,000
 - Dr. Marty Zaluski explained that the language being struck was highly outdated, especially with low indemnity fees listed and that there was no indemnity allowed for Brucellosis
 - Mike Honeycutt said that the BOL would be the authority to decide if payment was made or not. Dr. Zaluski said that an appraisal system exists for figuring the value of an animal

MOTION/VOTE

(1:33:47) 9:35 AM Alan Redfield moved to move forward to the Legislative process, the discussed proposed changes to MCA 81-2, Part 2, Expenses, How Paid – Indemnity. Nina Baucus seconded. The motion passed.

(1:39:43) 9:41 AM – Meat & Poultry Inspection Bureau Legislative Concepts

- **81-9-226 – Chief Meat Inspector – Deputies Qualifications**
 - Mike Honeycutt explained that the proposed change in this statute was to remove outdated language requiring a Chief Meat Inspector
 - Dr. Zaluski explained that by definition, the Chief Meat Inspector was appointed by the BOL, but, according to code that Inspector was a regular

classified position that reports to the State Veterinarian who reports to the Executive Officer

- Mr. Honeycutt went on to explain that that the structure of the DOL had been simplified by a past Legislature. The Chief Meat Inspector was not an “at-will” staff person, appointed, like he was by the BOL, but a classified staff person

MOTION/VOTE

(1:45:55) 9:47 AM Jake Feddes moved to move forward to the Legislative process, the discussed proposed changes to MCA 81-9-226, Chief Meat Inspector – Deputies Qualifications. Sue Brown seconded. The motion passed.

- **81-9-218 – Exemptions – Slaughter**
 - Mike Honeycutt explained that it would be due diligence for the BOL to put changes in this statute forward to assure that Montana’s custom exempt laws meshed completely with the Federal Meat Inspection Act (FMIA)
 - Current FIMA only exempts custom exempt operations from the day-to-day inspections, but, MCA 81-9-218 exempts custom exempt operations from all regulatory oversight, except for the requirement to procure a license from the DOL
 - Mr. Honeycutt explained that the statute changes were brought to the 2019 Legislative Session, but, it had only gotten through the Economic Affairs Committee as a placeholder, but died because it never got a sponsor

MOTION/VOTE

(1:50:46) 9:52 AM Jake Feddes moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-9-218, Exemptions – Slaughter, regulating custom-exempt facilities, as required by the Federal Meat Inspection Act. Sue Brown seconded. The motion passed.

- **81-9-229 – Assignment of Inspectors – Slaughterhouses Meat & Poultry Inspection**
 - Mike Honeycutt explained that proposed changes in 81-9-229 would give the DOL the ability to charge a fee when inspecting non-amenable species, those that were not covered by the FMIA
 - Dr. Marty Zaluski made a clarification that current code does allow the DOL to charge for overtime for those non-regulated species, but does not specifically provide the DOL authority to charge for regular time
 - Mike Honeycutt said that USDA facilities that operate in Montana are inspected by Federal Inspectors, but must still have a license to operate from the State Meat & Poultry Inspection Bureau. Federal facilities in the state that slaughter, say, bison or alpacas call the inspection of those non-amenable species a “voluntary” inspection
 - Mr. Honeycutt said that the DOL wants the ability to legally charge fees for inspection of items that people are volunteering to have inspected. He

explained that there is a disharmony for what the FMIA considers amenable and what the State of Montana considers amenable

MOTION/VOTE

(2:01:28) 10:02 AM Sue Brown moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-9-229, Assignment of Inspectors – Slaughterhouses, Meat & Poultry Inspection, including the ability to charge for inspection for slaughter of non-amenable species. Greg Wichman seconded. The motion passed.

- **81-9-217 – Definitions – Slaughter**
 - Mike Honeycutt explained that by removing, rabbits, buffalo or alternative livestock from a requirement for inspection, it would allow the DOL to continue to inspect those species, but, the DOL could charge for it
 - According to Mr. Honeycutt, a constituent of one Legislator was pushing to have rabbits be under an exemption from inspection, comparable to the poultry 1000-bird exemption
 - Jake Feddes said he was concerned if there was an exemption for rabbits, would bison producers or producers of any animal that could carry Brucellosis be able to bring their animal into slaughter plants without additional surveillance
 - Alicia Love explained that passive requirements and amenable handling requirements were from Federal law. She added that it becomes complicated when talking about humane handling of rabbits being slaughtered, because there was no Federal standard for that, so, how does a person inspect that? She said that at least elk and bison have a comparable anatomy to another species to know how to humanely handle those

MOTION/VOTE

(2:13:02) 10:14 AM Greg Wichman moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-9-217, Definition– Slaughter, to be able to harmonize the list of species amenable under the Federal Meat Inspection Act with Montana Code Annotated. Alan Redfield seconded. The motion passed.

(2:13:45) 10:15 AM RECESS

(2:13:52) 10:25 AM RECONVENE

NEW BUSINESS (Continued)

(2:13:59) 10:25 AM

(2:13:59) 10:25 AM – DISCUSSION ON PROPOSED MCA CHANGE CONCEPTS TO FORWARD TO OBPP BY MAY 6TH (Continued)

It was decided by the BOL to just discuss the high priority items from the Red Tape Review, rather than the low and medium priority ones

(2:13:59) 10:25 AM – Brands Enforcement Division Legislative Concepts

- **81-8-213 – Definitions – Livestock Markets and Dealers**
 - Rather than discuss each change in definition, it was decided by the BOL to make a general motion regarding all the definition changes needed regarding Livestock Markets and Dealers to align with Federal Packers and Stockyards definitions and work on the actual verbiage changes for submission by fall

MOTION/VOTE

(2:21:51) 10:33 AM Sue Brown moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-8-213, Definitions – Livestock Markets and Dealers, to establish clarity and consistency with Federal Regulations. Nina Baucus seconded. The motion passed.

- **81-8-264 – Satellite Video Livestock Auction Market – License to Transact Business-License Fee-Contract-Renewal**
 - Mike Honeycutt explained that the reason for change in this statute had been discussed during the Red Tape Review, where it was discovered that the language was outdated and unclear and that it should be updated to fit with industry
 - The definition was rooted in the 1990s, according to Mr. Honeycutt, and satellite video auctions were different, now utilizing internet options and internet sales

MOTION/VOTE

(2:23:33) 10:35 AM Sue Brown moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-8-264, Satellite Video Livestock Auction Market – License to Transact Business-License Fee-Contract-Renewal, to update language to fit with industry. Jake Feddes seconded. The motion passed.

- **81-4-203 – Open Range Defined – Animals Unlawfully Running at Large**
 - Mike Honeycutt said that when this controversial statute had been discussed during Red Tape Review, it was found that there was a lack of clarity as to what open range was when comparing DOL statutes with FWP statutes, property statutes and transportation statutes
 - Gene Curry commented that when the actual language was established to propose to the Legislature, the BOL can discuss whether or not they want to get into that can of worms

MOTION/VOTE

(2:25:36) 10:37 AM Nina Baucus moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-4-203, Open Range Define

– **Animals Unlawfully Running at Large, to update language to establish clarity with other agencies and provide clarity for citizens of the State of Montana.** Alan Redfield seconded. The motion passed.

Mike Honeycutt said that the DOL was still awaiting some feedback from the Montana Association of Counties on that statute in case they had some ideas

- **81-4-301 – Herd Districts – Creation, Size and Location**
 - Mike Honeycutt explained that there was some County authority tied up in this statute. Alan Redfield added that the League of Cities and Towns would be involved as well

MOTION/VOTE

(2:27:20) 10:39 AM Alan Redfield moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-4-301, Herd Districts – Creation, Size and Location, to have a clear definition of Herd Districts. Ed Waldner seconded. The motion passed.

(2:28:59) 10:40 AM – Centralized Services Division Legislative Concepts

- **81-23-102 – Policy – Milk Price Control**
 - Mr. Mike Honeycutt explained that the proposed changes in MCA 81-23-102 would update Milk Control policy declarations and remove inappropriate and outdated language
 - The Board of Milk Control had requested for this action and so the BOL would not take action on MCA 81-23-102
 - Mr. Honeycutt said that the BOL would like to soften the language of that statute that Brian Simons said speaks of unfair, unjust, destructive, demoralizing trade practices that the producer processors are putting on the processor
- **81-7-101 – Definition – Predatory Animal Control**
 - Mr. Mike Honeycutt said that the suggested change in MCA 81-7-101 would be a softening of the language, for example, rather than saying destroying animals, to instead say controlling populations

MOTION/VOTE

(2:32:12) 10:43 AM Alan Redfield moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-7-101, Definition – Predatory Animal Control, to highlight the language that could be written better for current times. Greg Wichman seconded. The motion passed.

- **81-7-102 – Department to Supervise Destruction of Predatory Animals – Cooperation With Other Agencies – Administration of Money**
 - Nina Baucus said MCA 81-7-102 reflected the same as MCA 81-7-101

MOTION/VOTE

(2:33:46) 10:45 AM Nina Baucus moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-7-102, Department to Supervise Destruction of Predatory Animals – Cooperation With Other Agencies – Administration of Money, to highlight the language that could be written better for current times. Sue Brown seconded. The motion passed.

- **81-7-104 – Predator Control Money – Use of Proceeds**
 - Mike Honeycutt explained that the proposed verbiage change in MCA 81-7-104 would change a “shall” to “may” for allocating additional per capita fee to Predator Control, allowing for future flexibility and reflecting current policy. He added that the DOL’s allocation of per capita fees for Predator Control was entirely through MCA 15-24-925

MOTION/VOTE

(2:35:36) 10:45 AM Jake Feddes moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-7-104, Predator Control Money – Use of Proceeds. Sue Brown seconded. The motion passed.

- **81-7-401 – Killing of Dogs Harassing, Destroying or Injuring Stock**
 - Mike Honeycutt explained that the proposed changes to MCA 81-7-401 would add guard dogs to the exception list, something that had already been discussed during the Red Tape Review
 - Under the current language, according to Mr. Honeycutt, only herding dogs were exempt from killing

MOTION/VOTE

(2:36:23) 10:48 AM Alan Redfield moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-7-401, Killing of Dogs Harassing, Destroying or Injuring Stock which would add guard dogs to the exception list. Ed Waldner seconded. The motion passed.

- **81-7-503 – Residency Requirement – Aerial Hunting of Predatory Animals**
 - Brian Simonson explained that this does not eliminate the residency requirement entirely
 - Mike Honeycutt said that when this statute had been brought forward in a previous Legislative Session, that it didn’t go through, partly because of the Committee that dealt with it, having been assigned to House Natural Resources rather than House Ag

MOTION/VOTE

(2:36:46) 10:48 AM Nina Baucus moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-7-503, Residency Requirement - Aerial Hunting of Predatory Animals. Greg Wichman seconded. The motion passed.

- **81-7-505 – Resident Landowners Authorized to Aerially Hunt Over Their Own Lands Without Permit – Conditions**
 - Mike Honeycutt said that this statute had been discussed during the Red Tape Review and would remove an unnecessary annual reporting requirement from ranchers hunting over their own property
 - Brian Simonson reported that they never get those reports but added that the proposed changes to this statute would not remove the requirement to sign the permission for other people to aerial hunt on their land

MOTION/VOTE

(2:40:01) 10:51 AM Jake Feddes moved to move forward to the Legislative process, the discussed, proposed changes to MCA 81-7-505, Resident Landowners Authorized to Aerially Hunt Over Their Own Lands Without Permit - Conditions. Sue Brown seconded. The motion passed.

(2:41:19) 10:52 AM – EXECUTIVE OFFICER UPDATES AND DISCUSSIONS

(2:41:23) 10:53 AM – Update on Yellowstone National Park Bison EIS and IBMP

Mike Honeycutt reported on the status of the Yellowstone National Park Environmental Impact Statement (EIS) and the recent Interagency Bison Management Plan Meeting:

- Mr. Honeycutt said that the DOL had received a notice on January 28, 2022 from the Department of Interior with regard to a new bison management plan for bison within Yellowstone National Park (YNP):
- The EIS contained a notice of intent to consider three alternatives as the Bison Management Plan for YNP going forward. Mr. Honeycutt reported that he was informed they were putting forward the three alternatives for public comment
 - #1 A No-Action Alternative – Current Management
 - Continue to manage the bison pursuant to the 2000 IBMP and that the acceptable population of Yellowstone Bison would be 3,500-5,000 after calving with tribal hunting utilized as one method of population control
 - #2 Enhanced Restoration and Tribal Engagement Alternative
 - This alternative sets the population of Yellowstone Bison at 4,500-6,000 after calving and capture of migrating bison would be at the Stephen’s Creek facility
 - Mr. Honeycutt explained that their estimate of the current bison population in YNP is at 5,500, but, he said that removals this winter had been abysmal, at less than 100 because the winter didn’t push them out
 - #3 Food Limited Carrying Capacity Alternative
 - This alternative mean that they believe this is the number of bison that the range of Yellowstone would support. That number would be 5,500-8,000

- Mr. Honeycutt explained that for this alternative, they admitted that substantially larger harvests would have to occur outside the Park. The quarantine program and hunting would be their primary methods for removing bison
- The DOL had just put their comments in on all three alternatives, Mr. Honeycutt said, and that it had been reported in the news
- Alan Redfield commented that there were so many problems with the whole thing
 - Mr. Redfield said that the Greater Yellowstone Coalition supported it and supported Alternative #3
 - The grass and range management in the Park had not been taken into account, according to Mr. Redfield. He said that State NRCS had a whole issue on the range conditions at the Park and that the Forest Service had MSU do a range analysis outside the park that was not printed
 - Mike Honeycutt said there were actually two studies published by Range Scientists out of MSU and that both of those studies said, whether you're talking the west side of tolerance up to the Taylor, up to the Gallatin, that those habitats would support bison, but not support another large ungulate. Mr. Honeycutt said that this would mean that bison moving into an elk area would push the elk out and that would push Brucellosis further across the landscape and displace species
 - Alan Redfield said that there were groups of elk in the Paradise Valley, one spot with about 40 head of elk with an 80% positive Brucellosis rate on it. The elk had been living in a subdivision area where they cannot be hunted, but spread infection
 - Mr. Redfield said that Park elk had come as far north as their place, located 28 miles out of the Park, and that by the time they get there, they're so weak that some would not survive to get back if it was a bad winter. He added that they had set electric fence around their haystacks to protect his hay supply
 - Mr. Redfield felt that the YNP herd was closer to 8,000 and added that the bison hunts were a problem, because the place to hunt was the half-mile stretch right outside the Park on Forest Service ground and it ended up being not so much a hunt as a slaughter that brought grizzlies from the Park into the area and was such a short distance to the property lines of residents in that area
 - Mr. Redfield said that the Lamar Valley plots that had been fenced out for decades were degrading, that the species in that area were totally different than years ago because animals were starving in there. He added that in the Gardiner Basin in 2017 and 2018 the bison were eating cactus and that bulls had come out of the Park in the middle of summer, some wandering into housing developments where dogs would chase them
- Mr. Honeycutt said that the DOL comments were that the EIS didn't contain what was described as a "No-Action" Alternative because that alternative would be what was existing after the 200 Record of Decision and that the 20+ years of

adaptive management that had been decided with different people at the table needed to be its own 4th Alternative, which would be a true “No-Action” Alternative

- Mr. Honeycutt said that the DOL received support from FWP on its stand as well and that the Governor’s Office supported the DOL’s comments that none of the three alternatives were acceptable and made a point that they didn’t feel the State of Montana had been properly consulted
- Mr. Honeycutt reported that he had some testy conversations regarding the DOL’s stance at the last IBMP meeting
- Mr. Honeycutt said that the DOL had always advocated removing bison down closer to the 3,000 number level and he explained that at the December IBMP meeting when the YNP biologist was asked about how many bison they thought could be removed from the population in a given year without doing significant damage to the viability and health sustainability of those animals, that biologist said you could remove up to 25% a year without doing significant damage
- Mr. Honeycutt said that at IBMP there was a report on the customer gaps in the National Forest Plan and that bison were written into that Forest Plan with the concept of the Forest Service being that there was now tolerance and had been for a few years, some tolerance for bison outside the Yellowstone National Park
 - What this could mean, Mr. Honeycutt said, if the Forest Plan moves forward with that, the concept of how bison should be managed on National Forest, if there was a conflict between livestock and bison on National Forest land, the decision would prefer the bison
 - Alan Redfield said that when you start talking Forest Service land, that country was almost vertical and that the bison would head instead to the river bottom, going over the divide out of Gardiner Basin, crossing private ground first
- Mr. Honeycutt said that the Superintendent of Yellowstone National Park had committed to working more closely with the State, and Mr. Honeycutt hoped that mean adding maybe some new alternatives to the three offered or even reworking some of the alternatives
- Going back a bit in history, Mr. Honeycutt explained that the original Record of Decision established a population of 3,000 Yellowstone bison in YNP. When IBMP was formed there was a Winter Operations Plan for adaptive management added for an annual setting of that number. In 2016, because of the creep up in numbers of bison, a hunt took around 300 bison, the highest year, he thought, had ever been taken in a hunt.
- There was a way, Mr. Honeycutt thought, to manage the bison population in YNP, to reduce the potential of disease and its transference but also maintain a healthy, genetically-viable population for our citizens to enjoy and also preserve the Park’s landscape
- Mr. Honeycutt explained that the bison didn’t like to migrate into Idaho or Wyoming and that they’re pretty much on the northern range and northwestern part of the Park by West Yellowstone, and that was why the bison migration was largely on the State of Montana

- Regarding seasonal tolerance of bison, Mr. Honeycutt explained that tolerance was seasonal for females and year-round for bulls in the Gardiner Basin. On the west side of the Park, up to the Taylor, just north of Gallatin Gateway, it's year round for both females and bulls. Alan Redfield added there were only a few cattle left in those areas deemed tolerance right now and that some groups had bought out the permits
- Alan Redfield said he thought the State should work on a statement and policy that no, we're done here, and that bison could not come out of Gardiner Basin, period
- Nina Baucus said than in talking with Jim Hagenbarth, who summer grazes in Idaho, if bison come in, he, as a producer, was asked to shoot them
- Dr. Zaluski explained that the population of YNP bison had grown around 13% a year, without any additional removal.
- Dr. Zaluski said that even though bison and elk were both carriers of Brucellosis, the spread of Brucellosis had been managed better in bison than in elk because producers don't usually range where bison were allowed, but, the ranges of cattle with elk was thousands, if not tens of thousands greater
- Mike Honeycutt said that some folks grazing sheep on National Forest ground had lost their grazing because of Big Horn Sheep in certain areas of the state. But, this was the first step in Montana he was seeing it applied to bison
- Sue Brown said that losing the YNP genetics was a big deal for the United States and that Montana could not fiscally take the responsibility of trying to protect the bison genetics and building more quarantine stations and having a place for the bison
- Mr. Honeycutt said that in the State's comments regarding the three Alternatives, there was not a lot being proactively done on the YNP side of the border, and that possibly if they desire to expand quarantine facilities, that might instead be done on the YNP side of the border rather than on the Montana side of the border
- Mr. Honeycutt said that if there were and issue of 4,000-5,000 bison outside the Park, that would be a burden on the DOL to manage that, especially with just two full-time people on staff to do that. He said it would be a burden on FWP to manage that as well and so, the State would like to see additional measures added to the Alternatives for YNP to take
- Alan Redfield said it's not fair to the animals, what's being done and that you can't do to the ground what had been done because some of that ground would never recover

(3:38:27) 11:50 AM – Update on BLM Finding of No Significant Impact for APR BLM Grazing

Mike Honeycutt reported that on March 30, 2022, the BLM finalized their bison grazing proposed environmental assessment for BLM grazing leases that American Prairie Reserve (APR) has control of, because of the ranches they purchased in southern Phillips County:

- Mr. Honeycutt said that BLM issued a finding of no significant impact which, the DOL, FWP, DNRC and the Governor's Office had a concern about that being inadequate
 - Mr. Honeycutt said that the DOL had cited in their comments, an inadequate economic analysis, seeing almost 8,000 AUNs permitted use there that were going into a non-commercial use and what does that mean for the long-term economy of the Malta area and Phillips County
- Also cited in the comments, Mr. Honeycutt cited the DOL's concern with the complicated landscape potentially developing in that part of the state where there were domestic bison with APR, a potential of Tribal bison, possibly wild bison on the CMR Wildlife refuge, and how do you manage that? Who would have jurisdiction of that?
- Alan Redfield said that in his figures for that particular range, based on the soil types, there was not room for the bison and the elk both on the APR landscape
- Mike Honeycutt said that although the APR had some serological Brucellosis suspects, through another test, that was confirmed negative. He said that the APR veterinarian declared their bison to have a clean bill of health

(3:47:37) 11:59 PM LUNCH

(3:48:45) 12:31 PM RECONVENE

PREDATOR CONTROL

(3:48:58) 12:32 PM

Mike Honeycutt announced that Dalin Tidwell was on vacation and that George Edwards was not able to attend the BOL meeting today

(3:49:58) 12:33 PM – Predation Claims Report and General Updates

Mike Honeycutt gave highlights of George Edwards' Predation Claims Report from the Livestock Loss Board (LLB):

- Mr. Honeycutt explained that there were low numbers on this report, typical for this time of year
- Every year, Mr. Honeycutt said, Mr. Edwards received late claims, but, in November of 2021, the LLB received a claim from April 2019 that he just added to the 2021 numbers
- 2021 looked to be a record year in predation numbers and predation claims paid out by the LLB
- Mr. Edwards, according to Mike Honeycutt, wanted the public to be aware that the LLB had adequate funding to pay off claims
- In looking at the 2021 totals, predation claims payments were just shy of \$346,000, with majority of that being cattle, \$149,000 being paid of sheep and \$30,000 being paid on goats and other species payments were less than \$5,000
- Mr. Honeycutt said there was a high number of mountain lion kills on sheep and that bear predations were overtaking wolf predations in what was being paid out

- Nina Baucus thought that possibly people were just getting used to applying for predation claims on mountain lions and that could be why there were more claims reported for them

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS/COMMENTS FROM PRODUCER ORGANIZATIONS

(3:56:30) 12:39 PM

Gene Curry said there were some public on the ZOOM that wanted to comment:

- Mr. Curry requested that the comments made be totally respectable and not made personal
 - Mr. Curry also reminded the public that the LLB was totally independent from the BOL and had no authority over them
- Trina Jo Bradley, Executive Director of the Rocky Mountain Front Ranchlands Group introduced herself
 - Ms. Bradley said she lived in northern Montana on the Rocky Mountain Front
 - Ms. Bradley reported that she had shared all of her correspondence with Mike Honeycutt and the Governor's Office and hoped that Mr. Honeycutt had shared it with the BOL.
 - She said there were many people concerned about what was happening with the LLB right now and thought that a higher level of awareness was needed
 - Mike Honeycutt said that the information that came in from multiple folks had been shared with the BOL as he received it
- Linda Owens, Project Director for the Madison Valley Ranchland Group said that all had received the letters and that it needed to be brought to their attention so none of them would get blindsided by their fellow ranchers or the public
 - Ms. Owens said that it was good listening to the meeting discussion and that the Bol was doing a great job
 - Mike Honeycutt said that Ms. Owens was one of the people he had received a letter from
- Alan Redfield said that he received a text from Kraig Glazier, of the USDA Wildlife Services and he thought the DOL's newest helicopter would probably not be ready until July

EXECUTIVE OFFICER UPDATES AND DISCUSSIONS (Continued)

(4:01:21) 12:44 PM

(4:01:21) 12:44 PM – Department Salary Analysis, Process Requirements for Salary Adjustments, Snapshot

Mike Honeycutt said that Nina Baucus had expressed that it had been about two years since the DOL did a salary analysis:

- Mr. Honeycutt said that salary analysis was typically done about this time of year to prepare for the next biennial budget and for Snapshot
- Mr. Honeycutt explained that the EPP budget requests was where new FTEs were requested and that Snapshot was where requests for plussing up salaries was requested. Snapshot was due on July 12, 2022
- November 15, 2022 was the date Mr. Honeycutt said all classified State employees were to receive a 55-cent raise that had been decided by the Legislature-approved budget. They had received no raise the previous year
- Mr. Honeycutt explained that the BOL had set salaries typically, at 80% of the market midpoint, except in the case of highly-specialized or competitive positions, such as at the VDL. He said that the DOL was the only Department in State Government that hired a job classification of Livestock Investigators
- Although there was no need for a decision on salaries to be made that day, Mr. Honeycutt wanted to give the BOL a chance to “ruminate” on the salary figures he provided to them
- Mr. Honeycutt reviewed the salary levels of what he felt were the greatest risks in the DOL at the time to get to the 80% of market midpoint salary range. Those positions were the Compliance Specialist, District Investigators and the Market Supervisors
- Mr. Honeycutt said he was told that the new administration was working on some things with a master contract with unions that would help alleviate some of the concerns of having contract negotiations be scheduled during off-years from the biennium
- Brian Simonson had done research, Mr. Honeycutt said, on the DOL hiring a staff attorney and that would be in the neighborhood of \$110,000-\$130,000 per year or possibly more. Through Agency Legal Services, the DOL pays \$130-\$140 per hour for Attorney time and \$70 an hour for Paralegal time
- Mr. Honeycutt said an FTE would be repurposed and that attorney could possibly be the Rule Reviewer and act as the Public Information Officer, handling public records requests

Gene Curry said that he thought the new Director at the Department of Agriculture was making in the neighborhood of \$15,000 more per year than Mike Honeycutt was making, and he asked the BOL if they would like to move ahead with a decision on raising Mr. Honeycutt’s salary:

- Brian Simonson said that to get Mike Honeycutt’s salary to match the Director of the Department of Ag’s salary, it would have to be increased by \$7.70 per hour

MOTION/VOTE

(4:43:33) 1:26 PM

Sue Brown moved to approve a salary increase for Mike Honeycutt to \$62.50 per hour. Alan Redfield seconded. The motion passed. (This motion was rescinded)

The motion was requested to be rescinded in order for an effective date of the raise to be added to it

MOTION/VOTE

(4:51:01) 1:34 PM

Alan Redfield moved to rescind the previous motion regarding the pay raise of the Executive Officer. Jake Feddes seconded. The motion passed.

MOTION/VOTE

(4:51:36) 1:35 PM

Sue Brown moved to approve a salary increase for Mike Honeycutt to \$62.50 per hour, effective May 7, 2022. Alan Redfield seconded. The motion passed.

MOTION/VOTE

(4:53:45) 1:37 PM

Alan Redfield moved to approve a salary increase for the five job codes discussed by the BOL, raise the top two to 80% of the market midpoint and raise the bottom three to the average of the State. Ed Waldner seconded. The motion passed.

It was decided to wait on discussion of hiring a staff lawyer until more number crunching could be done

BRANDS ENFORCEMENT DIVISION

(4:59:28) 1:43 PM

(4:59:28) 1:43 PM – Brands Division Appeal – Ed McCauley, Horse Estray

Mike Honeycutt reported that Ed McCauley was with them today and that the BOL had been given a copy of a letter from him, where Mr. McCauley had listed several points:

- Mr. Honeycutt said that Point 1 listed by Mr. McCauley was to do something with the Investigator that missed the brand on the horse
- Point 2 was to do something with that individual's Supervisor
- Point 3 was loss of use of the horse for 18 months (potential monetary compensation) and feeling an apology was warranted
- Mr. Honeycutt said he had no issue with writing an apology for missing the brand and the things that set the whole thing in motion over the course of two years. He said he'd put that in an official communication for Mr. McCauley as to what the DOL had done or the things his situation had caused to change for the DOL
- The Bar-One-Bar, according to Mr. Honeycutt, put on an estray animal was the law and shall means it was to be done in every case
- Mr. Honeycutt said the horse should not have been left in the possession of someone else and that adjustments had been made on the staff to not do that
- Mr. McCauley said that the more he looked at the situation, everything was done wrong and they were just left out in the cold and were just hopeful that

someplace down the line their horse would turn up because they were unable to find it

- He said the horse was found within a half mile of their property but it had been advertised as being 11 miles south of Boulder. Mr. McCauley said he didn't know how his horse got into a cattle guard, but it was injured when it was found
- Mr. McCauley said that the procedural stuff that the DOL was supposed to do when an animal was defined as an estray wasn't done and that there was no contact with the local Stock Inspector
- Mr. McCauley said the horse was picked up on October 15, 2019 and was sold on November 5th. He added that he noticed it was missing December 8th, from a big pasture where they run their horses
- Mr. McCauley said an apology hadn't been extended from the DOL and maybe they were due some compensation for the loss of their horse, but giving the DOL a number was pretty hard to do
- Mr. McCauley said he thought there needed to be some changes in the DOL and how they go about this stuff
- Some members of the BOL asked about the horse's brand being haired up at the time it was found
- Mike Honeycutt said he would dispute Mr. McCauley and that the Sheriff's Office was notified, the public notice was a legal notice put in the paper and that you can't control how they read in the paper. Regarding the proximity, Mr. Honeycutt pointed out that the horse had been in that same location for the last two years, prior to any contact with Mr. McCauley. The people whose property the horse was found on were the people who bought the horse at the auction
- Sue Brown explained the procedure that the State needed to go through regarding firing of employees. Mr. Honeycutt said because of that procedure, there were certain things that needed to be addressed internally and was not appropriate to go into detail in a public setting
- Mr. McCauley said that he paid \$428 to the people who had purchased his horse for the vet fee but did not take any bill of sale from them, even though they offered
- Jake Feddes thought that paying Mr. McCauley something would help rectify the situation

MOTION/VOTE

(5:28:21) 2:11 PM

Jake Feddes moved to pay Mr. Ed McCauley \$500 for loss of use of his horse for 18 months. Greg Wichman seconded. The motion passed.

(5:31:03) 2:14 PM RECESS

(5:31:16) 2:23 PM RECONVENE

BRANDS ENFORCEMENT DIVISION (Continued)

(5:31:20) 2:23 PM

(5:54:04) 2:24 PM – ESTABLISH RULES FOR HORSE OWNER AMNESTY MCA 81-10

Ty Thomas presented the proposed changes that had been put together by Ethan Wilfore regarding Horse Owner Amnesty, MCA 81-10:

- Mr. Thomas said that Horse Amnesty was in place, but that this request would be to set a Horse Amnesty Fee into rule
- Mr. Honeycutt said that currently, there was no fee established at all, and that if someone turns a horse in, technically, the DOL could not charge them anything. He said that he thought the statute gave the one surrendering the horse immunity from being charged with animal cruelty
- The proposed rule also contained procedures regarding surrendering the horse and adoption of the horse, such as transporting the horse to a licensed market, doing a change of ownership inspection and paying the DOL a surrender fee that was set by the BOL
- The surrendered horse would be advertised for adoption or sale for a period of 10 days, unless the horse gets claimed back by the original owner, and the State Stock Inspector determines if an exception should be made for the well-being of the animal
- Mr. Honeycutt explained that there were two fees being established, the surrender fee and the adoption fee
- Nina Baucus questioned allowing the original owner to take the surrendered horse back into their possession, in case it was going into a bad situation

MOTION/VOTE

(5:44:45) 2:37 PM

Sue Brown moved to move forward in the rulemaking process, proposed new rules, as discussed for Horse Owner Amnesty, attached to MCA 81-10. New rules would include a surrender fee of \$25 plus the inspection fee; an adoption fee of \$100 plus market/department expenses and the removal of 2(b) regarding a horse claimed by the original owner. Nina Baucus seconded. (Jake Feddes dissented) The motion passed.

(5:54:06) 2:46 PM– Assistant Market Supervisor at BLS/Part-Time Market Inspector in Glasgow

Ty Thomas said that Brands

(5:49:59) 2:42 PM– OUT-OF-STATE TRAVEL REQUEST

(5:49:59) 2:42 PM – International Livestock Identification Association (ILIA) Meeting in Fort Worth, Texas

Ty Thomas requested that the BOL approve out-of-state travel to the ILIA conference in Texas for three participants to Fort Worth, Texas in July:

- Mr. Thomas said that going to this conference would be a help in building the ILIA conference to be held in Montana in 2024

- Mike Honeycutt said that that each year the DOL sends representation to this conference and that he and Ty, having passports, attended the conference in Calgary
- Funding to pay for this travel would be from brands inspection fees or per capita, with estimated costs around \$5,000 for all three participants

MOTION/VOTE

(5:52:36) 2:45 PM

Ed Waldner moved to approve the out-of-state travel for three Brands Enforcement Division staff to attend the International Livestock Identification Association conference, July 17-20, 2022 in Fort Worth, Texas. Greg Wichman seconded. The motion passed

(5:54:04) 2:46 PM– REQUEST TO HIRE POSITIONS

(5:54:06) 2:46 PM– Assistant Market Supervisor at BLS/Part-Time Market Inspector in Glasgow

Ty Thomas said that Brands would like permission from the BOL to hire an Assistant Market Supervisor at BLS and a Part-Time Market Inspector in Glasgow:

- Mr. Thomas said that Cindy Newman had retired from her Assistant Market Supervisor position at BLS and that the Part-Time Market Inspector position became open in Glasgow when that person moved into a District Investigator position

MOTION/VOTE

(5:54:52) 2:47 PM

Sue Brown moved to approve the hire of an Assistant Market Supervisor at BLS and a Part-Time Market Inspector in Glasgow for the Brands Enforcement Division. Nina Baucus seconded. The motion passed

(4:55:30) 2:48 PM – Discussion of Brands Administrator Opening

Mike Honeycutt wanted to discuss with the BOL whether or not they wanted to make any changes to the existing job description for the Brands Administrator:

- Ty Thomas had graciously stepped in as Interim Brands Administrator, Mr. Honeycutt said, until the vacancy was filled. Mr. Honeycutt said that he was also helping during the transition, splitting up on some of the duties
- Mr. Honeycutt said that the document he was handing out was one he and Sheila Martin had put together showing the existing job description and he was wondering if anyone believed there was anything in that job description that should be updated or looked at
- Mr. Honeycutt explained that changes to the Brands Administrator job description would have to go through a reclassification process and that according to Policies and Procedures, the BOL was to be involved in Division Administrator hirings
- Nina Baucus wanted to be sure that IT experience was listed on the job description and the person have public relations ability

- Mike Honeycutt said he could check into whether or not a full BOL interview of the candidates could be private rather than public, but that he was not targeting filling the position until after the first of the fiscal year so that some vacancy savings could be made

(6:04:03) 2:57 PM – VETERINARY DIAGNOSTIC LABORATORY

It was decided to move the Veterinary Diagnostic Laboratory presentation ahead of the Animal Health Bureau presentation. Max Grebe, LPW Architecture updated the BOL on the Combined State Labs project:

- Mr. Grebe said that he had just come from a series of meeting with all of the Combined State Labs stakeholders that was held in Bozeman. As a result of those meetings, he said, although the Lab layout would generally stay as it stood now, there would be some changes in design to the project
- An addition to the project was the MSU Wool Lab, as MSU had decided to rejoin the project and had contributed funding towards that portion
 - Max Grebe said that what he had perceived from the powers that be, was that MSU had allocated \$6 million towards the Wool Lab portion of the project, with \$4.5 million going towards the cost of construction
- Although the Combined State Labs project would be constructed on MSU property, Marina Little, Planning Manager for the State of Montana Architecture & Engineering Division, said that MSU would be leasing space from the VDL
- Max Grebe said that what he had perceived from the powers that be, was that MSU had allocated \$6 million towards the Wool Lab portion of the project, with \$4.5 million going towards the cost of construction
- Regarding a teaching perspective, Mr. Grebe said that the Wool Lab had a specific teaching lab space for wool-related activities. A large open conference room, a common area, about 1,200 square feet in size, would be part of the Combined State Labs structure and could be used for another teaching space
 - Dr. Juda said that a proposed necropsy viewing area may not be a dedicated space, but the concept of having viewing into the necropsy could be shielded if something sensitive was going on and possibly, there could be an additional viewing station utilizing A/V
 - Dr. Juda explained that with the Board-Certified Pathologists and Veterinary Biologists on staff, they would be qualified to teach necropsy courses. He added that in the ARPA application submitted for Federal funding for COVID dollars to help finance the DOL portion of the Lab, there was an education component within it
- Based on the amount of traffic going in and out of the Wool Lab, Mr. Grebe said there would be a second entry to the Wool Lab, dedicated to their functions
- Location of the new Combined State Lab building would be just north of the existing Marsh Labs, on a property that borders 19th. Mr. Grebe said that location had good utility access, having both sewer and water relatively close
 - Mr. Grebe said they will be approaching the City of Bozeman and discuss the possibility of improving the Lincoln and 19th streets intersection, but, if that happened, who would pay for it

- The design schedule of the Lab was about two months behind, not only because of the addition of the Wool Lab to the complex, but also establishing a site, Mr. Grebe said
 - Another impact on the schedule of the Lab opening, according to Mr. Grebe was the construction cost escalation, and right now, he was thinking there would not be quite enough money for the project. Mr. Grebe said at this point, completing of the Lab design would be early spring of 2023 and groundbreaking in summer of 2023. Occupancy, originally planned for October 2024 would now potentially be in summer of 2025
 - Marina Little reported that estimates on the construction projects they're doing were coming in 20%-30% higher than the original estimate and that there were a lot of State projects they've been unable to complete
- Max Grebe said that if FWP decided they wanted to be part of the new Combined State Lab project, they would have to tell them, sorry

(6:30:30) 3:23 PM – FY23 NAHLN Financial Plan

Dr. Greg Juda reported that the FY23 USDA NAHLN Financial Plan had been approved earlier that day:

- As a Level 2 NAHLN member, Dr. Juda said that the MVDL had been awarded \$150,000 to be used for NAHLN-related infrastructure spending, which could include salaries, travel, equipment, supplies, contractual services and other supplementary items
- Dr. Juda said he planned to utilize part of the money to replace aging equipment
- A tissue processor, to be mainly used in Histology and Pathology, would be replaced because it had experienced some glitches as of late that required service calls on short notice
- A dead air box unit, utilized by Molecular Diagnostics would be used in High Pathogenic Avian Influenza
- Aging incubators needed replacing
- A plate washer, which is specific for CWD testing would be replaced, helping to increase throughput
- Service contract expenses on all the new pieces of equipment would also be part of the award. Dr. Juda said he had found that signing up for three-year rather than one-year contract renewals was the most cost-effective
- LIMS enhancements were also added to the award, which were primarily three on-site visits for technical upgrades to the Veterinary Laboratory Information Management System

MOTION/VOTE

(6:35:39) 3:28 PM

Greg Wichman moved to grant Dr. Greg Juda the authority to spend \$150,000 in NAHLN dollars at the MVDL as presented by Dr. Greg Juda. Sue Brown seconded. The motion passed.

(6:36:36) 3:29 PM – MVDL Operational Update

Dr. Greg Juda said there were just a couple high-level items to bring the BOL up to speed:

- Dr. Juda was happy to report that the MVDL was fully-staffed, and with his three-year anniversary at the MVDL being the next day, that was something he hadn't been able to say in three years
- Dr. Juda reported that the MVDL had been under fairly heavy obligations with the Avian Influenza outbreak, but, that even with the number of submissions they had been getting from FWP for wild birds found dead, he said that they had been able to keep their head above water
 - Dr. Erica Schwarz was recognized by Dr. Juda for her excellent work in spearheading the Avian Influenza efforts
- Dr. Juda announced that they were currently screening 15 applicants to the Association of Public Health Laboratories (APHL) fellowship program, and if successful, that fellow would be able to work for a year at the MVDL at no charge to the State
 - Although the rent situation in Bozeman was challenging with an 18%-21% increase, year-over-year as of March, he said the APHL would also provide the fellow with a housing stipend to cover that cost
- Dr. Juda explained to the BOL that in running year-over-year Brucellosis test numbers, they were down 5,000 tests, representing \$15,000-\$20,000 in testing fee income. Regarding CWD testing, Dr. Juda said they were prepared to take on the increased supplies spend in order to get a return on test fees, and he expected to break even or even turn a few dollars. He added that he did want to be very careful that the producers in the state weren't footing the bill for something like CWD that didn't serve the livestock producers in the state
- Gene Curry requested that sometime in the future, that Dr. Juda do a compilation of the new tests that the BOL approved for the MVDL to show if the approval was a wise decision
- Mike Honeycutt explained that the if the MVDL was able to get to \$1.5 million in test fees this year, that \$143,000 negative currently showing could be turned into an almost \$300,000 positive. Mr. Honeycutt said that the MVDL started off each biennium with nearly a \$200,000 hole in the projections, but he wanted to give kudos to Dr. Juda, because in his six years at the DOL, Mr. Honeycutt said that if the MVDL reached the \$1.5 million in revenue, that was almost a doubling of the MVDL revenue from where it was in 2016

ANIMAL HEALTH & FOOD SAFETY DIVISION REPORTS

(6:51:27) 3:44 PM

(6:51:40) 3:44 PM - ANIMAL HEALTH BUREAU

Dr. Tahnee Szymanski, Assistant State Veterinarian, introduced herself, saying that she had just four relatively simple items to present to the BOL

(6:51:47) 3:44 PM – Brucellosis Update

Dr. Tahnee Szymanski updated the BOL on Brucellosis in the state:

- Since the first of the year, Dr. Szymanski said there were two infected herds confirmed in Montana, one in Gallatin County and one in Madison County
- The Gallatin County herd had been released from quarantine, completing parturition after calving test at the beginning of April and will need to do an assurance test in the fall
 - Of the eight adjacent herds identified, all were notified and four remained under quarantine
 - With calving season coming up, Dr. Szymanski didn't expect a lot of the Brucellosis testing to happen until around branding time
- The Madison County herd was waiting for post-calving tests, which was expected to happen in mid-June. If no other positive animals were found at that time, that would be their quarantine-releasing test
 - All of the adjacent herds to the Madison County her had been identified and completed testing
 - One group of heifers that were moved under quarantine to a location outside of the DSA with a negative test were slated to be spayed this coming weekend, Dr. Szymanski said, and that would take them out of the program

(6:53:17) 3:35 PM – Request to Hire Animal Health Program Veterinarian

Dr. Tahnee Szymanski requested permission to hire a Brucellosis Program Veterinarian:

- Dr. Szymanski explained that Dr. Eric Liska recently took a new position with private industry and his position was vacant
- The position was responsible for responding to non-negative tests at the VDL, working with DSA producers, conducting epidemiological investigations, field work as needed and assisting with many of the DOL's internal programs, such as the Johnes program, TB testing, seasonal programs and answering import/export questions
- Dr. Szymanski explained that the PD would be updated to better quantify some of the non-Brucellosis related tasks the position could potentially be responsible for. She said that the position would be considered a Program Veterinarian with the primary responsibility being the Brucellosis program
- Nina Baucus requested that the job description included that the person have actual practice in the field. Dr. Szymanski said that it was loosely included in the job description, recommending three years of previous practice experience

MOTION/VOTE

(6:56:26) 3:48 PM

Alan Redfield moved to approve the hire of an Animal Health Program Veterinarian in the Animal Health Bureau. Jake Feddes seconded. The motion passed.

(6:56:46) 3:49 PM – Highly Pathogenic Avian Influenza Update

Dr. Tahnee Szymanski updated the BOL on the High Pathogenic Avian Influenza situation in Montana:

- Dr. Szymanski said that nationally, High Path AI was in around 27 states and as of an hour ago, there was confirmation of eight flocks affected by it in the state – Gallatin, Fergus, Pondera, Missoula, Glacier, Cascade, Toole and Judith Basin Counties
- Dr. Szymanski explained the general process, once High Path AI is confirmed in a flock
 - The flock is placed under quarantine
 - All the remaining birds on the property have to be depopulated
 - A disposal process must take place that includes the removal of the litter from those houses, due to the viral load it could carry. Dr. Szymanski said that burial had been utilized for most of the disposal
 - A fallow period of 150 days where no poultry can be brought back onto the location. The fallow period can be shortened if the property goes through an active cleaning and disinfection which can include a wet scrub with a disinfectant that's effective against AI, or a heating cycle where a temperature of over 100 degrees is maintained in the house for 7+ days. All of the methods above, Dr. Szymanski said, should inactivate all of the virus
 - An environmental sampling process is then done
- Dr. Szymanski said that USDA had negotiated with our trading partners, Dr. Szymanski reported, and said that the response to AI would be complete depopulation of all birds on a location where it was detected
- Dr. Szymanski said that they are trying to make the argument with USDA that folks who work in the layer barn don't work in the fryer barn and might be considered separate, but hadn't made great progress on that, so far
- Dr. Szymanski reported that both she and Dr. Zaluski and the Colonies had a call with USDA that same week regarding the direction they want to move in should High Path AI be found in additional Colony flocks
- According to Dr. Szymanski no layer barn had yet been affected and she thought it might be because of how they were managed
- Ed Waldner said that mallard ducks one Colony was raising for Fish and Game got in with the fryers and that was where the disease started. He said that the layer barn and the litter barns were negative, but USDA said that all had to be gotten rid of because of being on the same premises
- Gene Curry reported that there were dead snow geese at least every other pass while he was seeding. Dr. Szymanski said that the wild waterfowl were what primarily transported High Path AI across the landscape
- In Wildlife Services' surveillance of wild birds, Dr. Szymanski said they typically carry a Low Path strain, which occasionally mutates into a High Path strain that cycles its way through. She hoped that as the weather warmed up and the migratory season ended, the disease would come to a conclusion, because the virus does not do well in warm circumstances

- Dr. Szymanski said that the High Path AI strains were more capable of infecting domestic poultry with high mortality rates and that mortalities in ducks was atypical for the disease
- Alan Redfield said that he had read an article regarding sterilization of litter in affected barns using a propane heater that is driven through the barns. Dr. Szymanski said that USDA reported to them that the AI had not been diagnosed in birds less than 22 weeks of age, and they thought that was because of the higher temperature kept in houses with young birds in them
- Dr. Szymanski reported that working pretty heavily with Brands field people, a 10-kilometer surveillance zone had been set up around all of the affected premises to help identify other poultry owners and surveille movement of poultry and poultry products. The DOL had also been coordinating with State and local DES as well to accomplish a lot of the work
- The affected Montana flocks, according to USDA were considered backyard facilities, as their threshold for a commercial facility was 75,000 birds

(7:10:18) 4:02 PM – Request to Change Camelid Administrative Rule

Dr. Tahnee Szymanski reported that this agenda item was added because of requests submitted to the office from a couple individuals from Montana. She had added two letters from producers stating the request to the BOL packet:

- Dr. Szymanski explained that the camelids affected in this rule would be llamas, alpacas and camels
- Current regulations, according to Dr. Szymanski, require negative Brucellosis and Tuberculosis tests for importation and most surrounding states don't have any sort of testing requirements for camelids to enter
- Dr. Szymanski said that the disease risk in those species for either Brucellosis or Tuberculosis was very minimal, and, in fact, she said a lot of the Tuberculosis tests were not validated for some of the species
- There were some respiratory pathogens and parasites that camelids could share with domestic livestock species, Dr. Szymanski explained, but, they were not in the regulated category

MOTION/VOTE

(7:12:17) 4:05 PM

Nina Baucus moved to publish the proposed changes to import requirements for camelids listed in ARM 32.3.225-Camelids, as presented by Dr. Tahnee Szymanski. Sue Brown seconded. The motion passed.

(7:14:56) 4:07 PM – MEAT & POULTRY INSPECTION BUREAU

Alicia Love introduced herself as the Acting Director for the Meat & Poultry Inspection Bureau

(7:15:15) 4:07 PM – CIS Progress

Alicia Love updated the BOL on the progress of the Cooperative Interstate Shipment (CIS) Program in Montana:

- Ms. Love reported that an application had been developed for plants to enter the CIS program, along with a brochure and a Frequently Asked Questions document. She added that, although the brochure was not website-friendly, the Frequently Asked Questions document would be added to the website and the brochure would be printed for public distribution
- Three public sessions on the CIS Program would be held in Lewistown, Kalispell and Helena, Ms. Love reported, with space for 40 participants at each location
 - Dr. Marty Zaluski added that the Helena meeting would be available on ZOOM as well so that people could attend remotely

(7:17:48) 4:10 PM – Hiring Update

Alicia Love said that she wanted to discuss the continuing problem with vacancies in the Meat & Poultry Inspection Bureau:

- Ms. Love said that since the last BOL meeting, no progress had been made in filling any vacancies
- Although there was anticipation that the vacant Label Specialist position would be filled, the candidates for that position were internal, which would further exasperate the hiring problem
 - Ms. Love said that the Label Specialist position wage was \$21.71 per hour and the Inspector wages were \$18.36 per hour
- Currently, Ms. Love said that there were three Inspector vacancies and she was concerned about the upcoming Fair slaughters, as some dates were looking troublesome
 - Ms. Love said that one option to fill the additional inspections needed during Fair time with Supervisors, Compliance people and perhaps herself. She said that her last option would be to reduce services to the industry, which she would prefer not to do
 - Federal Inspectors might be asked to help, but, Ms. Love said she understood that they were running thin on their Inspectors as well
 - The Fair time in the state ran from the end of June until September and that 36 additional slaughter inspections were requested and possibly a few more plants might submit requests
 - Jake Feddes said that 90% of the animals that go through the Fair go custom exempt. Mike Honeycutt said that in talking with Dawson County that there were some who have an impression that their first slaughter had to be done under inspected slaughter, but Mr. Honeycutt thought maybe they could be better educated about how to refine their process to make custom exempt a possibility
 - Jake Feddes said to call up the Extension Agents and say, hey, this is a problem, we need to figure this out. Greg Wichman said, in Fergus County the animals get killed somewhere and then it gets scattered back out to all the custom exempt spots to “slice and dice,” but, he said it could be done

- Alicia Love said that she would brainstorm to see if some tension could be alleviated during the Fair season

(7:33:58) 4:26 PM – Request for Out-of-State Travel to Georgia

Alicia Love requested from the BOL approval for the Meat & Poultry Inspection Bureau Chief to travel to the National Association of State Meat and Food Inspection Directors (NASMFID) Conference in Georgia in July:

- Ms. Love said that even though flight prices were volatile right now, she estimated that the cost to send one person would be \$1,678 for flight, registration and hotel fees that would come from the Meat & Poultry Inspection Bureau budget
- Ms. Love said that the conference was a good way for the DOL to find out what was going on with other State programs and to hear about USDA changes
- Mike Honeycutt said that this meeting is one that the DOL sends someone to each year and that was why it was included in the DOL's base budget

MOTION/VOTE

(7:35:40) 4:28 PM

Alan Redfield moved to approve out-of-state travel for the Meat & Poultry Inspection Bureau chief to attend the National Association of State Meat & Food Inspection Directors Meeting in Savannah, Georgia on July 12-14, 2022. Sue Brown seconded. The motion passed.

(7:36:34) 4:29 PM – MILK & EGG BUREAU

Dr. Marty Zaluski told the BOL that he was still Interim Bureau for the Milk & Egg Bureau and would be sharing with them at the next BOL meeting the proposal for bringing the Milk & Egg Bureau and the Meat and Poultry Inspection Bureau together as one

(7:37:14) 4:30 PM – General Updates

- Dr. Zaluski reported that the Milk & Egg Bureau would be getting a visit from an FDA Ratings Officer for Billings and Great Falls to review their processing plants.
- The review would also be an opportunity for Alex Dachs to get additional SRO training, even though Mr. Dachs might need to go out of state to complete the number of reviews of dairies and processing plants to get under his belt to be an SRO himself
- Gene Curry proposed to the BOL to set up a BOL meeting in Great Falls and also schedule a tour of that egg processing facility there, but, that probably wouldn't happen until winter time when people weren't quite as busy

CENTRALIZED SERVICES DIVISION REPORTS

(8:10:13) 5:09 PM

Mike Honeycutt reported that Buddy Hanrahan's ITS Update was "Matt Damoned" again this month. Mr. Honeycutt apologized to Buddy, but said that time ran out for his ITS Update

(7:41:03) 4:33 PM – FISCAL BUREAU

(7:41:03) 4:33 PM – Request to Hire Milk Control Accountant

Brian Simonson reported that he was requesting to be able to hire a Milk Control Accountant:

- Although the current Accountant in the Milk Control Bureau hadn't put his retirement in writing, he had expressed several time that August 2022 would probably be his retirement date, and Mr. Honeycutt said that if someone wasn't hired and allowed to sit with him for a few months, the pain of him being gone would be felt by the DOL big time
- During the Board of Milk Control meeting that Mike Honeycutt and Brian Simonson attended, the Board felt the highest need at the moment was to hire another Accountant, and they proposed to do that as soon as possible to give adequate turnover
- Mike Honeycutt said that the plan is for the DOL to meet again early in June with the Board of Milk Control to discuss the next hire, because there is still a vacant Auditor position and Program Manager or Analyst position
- Linda Grady, who previously did auditor work for the Milk Control Bureau had come back to do some of the reports on the contract
- Mike Honeycutt thought that rather than a Program Manager, a Dairy Analyst should be hired who could do some of the number crunching and projections, someone with a heavy accounting-type focus

MOTION/VOTE

(7:44:48) 4:37 PM

Sue Brown moved to approve the hire of an Accountant in the Milk Control Bureau. Nina Baucus seconded. The motion passed

- Mike Honeycutt explained that the Board of Milk Control felt they had been missing was the industry analysis portion and that as a Bureau Chief, Chad was only supervising one person. They felt they needed someone to crunch numbers and provide information back to producers and back to the Board of Milk Control about how various actions they might take would affect the industry and they didn't need a Supervisor to do that
- Brian Simonson said that because of the performance audit review of taking the industry's temperature on what was being done with the quota system, he and Mr. Honeycutt came away from the meeting that there was some potential down the road for removing quota from the system through sale or transfer when people go out of business. The ability to adjust quota based on market conditions was rejected by the Board of Milk Control
- Mike Honeycutt said during the Board of Milk Control meeting, it was said that they did not mind paying additional fees for what they needed. Mr. Honeycutt

said that he told one person after the meeting and said that he didn't feel additional feeds needed to be paid for Milk control staff but possibly additional fees to get at least one of the Sanitarian positions back

- Mr. Honeycutt said the DOL was trying to save on supervisory positions by combining the Bureau Chief for the Meat & Poultry Inspection Bureau and the Milk & Egg Bureau. But, he said, another Sanitarian was needed
- Nina Baucus said that the BOL needed to look at the dairy inspection fees because the cap was causing issues. Mike Honeycutt said that the dairies were fewer, but other people had picked up their cows and that now, more dairies were reaching the cap, because, no matter how much bigger they get, they never pay any more

(7:56:36) 4:49 PM – Per Capita Fee Collections Update

Brian Simonson updated the BOL on per capita fee collections:

- Mr. Simonson said that a correction needed to be made to the 2021 per capita fee collections number because it was last month's number. Instead of \$11,367, the number should be \$15,706, meaning the DOL was at 98.88% of last year
- Greg Wichman said, he expected it to be a lot worse. Nina Baucus asked if possibly a lot of those cattle that went out of state weren't paying per capita in the first place. Mike Honeycutt said that perhaps the DOL was not correct in what was assumed to have gone out of state
- Mike Honeycutt said that the DOL could possibly dig into some brand inspection or market report information to find out how many cattle went out of state
- Mr. Honeycutt said that perhaps people culled their herd earlier than they normally would have because of the drought and to be very careful how much you extrapolate
- Nina Baucus was it behooved the DOL to get a handle on the situation the best it possibly could, including how many left the state, how many were left and how many did not pay per capita
- Greg Wichman said in talking with a guy the other day, the man was a little bit more cynical saying that there was enough FSA money, so that people were inflating their numbers and they got more money from FSA per animal than what they were going to pay
- Mr. Simonson said that the numbers could well shift, whether up or down, he wasn't sure, because the Department of Revenue punches in estimated numbers from last year's report if they had not received payment from producers yet

(8:05:25) 4:58 PM – March 31, 2022 State Special Revenue Report

Brian Simonson said that he only had a few things to report on here because everything looked pretty standard:

- The \$406,000 in New Brands and Transfers was nearly two times as large at what was being brought in, but was still a function of rerecord
- Because the DOL was in a new rerecord cycle, Mr. Simonson said that the rerecord brands number would grow \$30,000 + every month over this time last year and would slow after January 1, 2023. He said the \$175 rerecord fee was showing up in that number

- The Market Inspection Fees number was still a good number, Mr. Simonson said, but was going down. Mike Honeycutt said that the number shown equates to roughly 100,000 more head going through the markets
- Mike Honeycutt said to be careful that you could be seeing a shift of marketing versus what's an actual real increase in movement. He said there were more animals put through the markets and Local Inspectors did fewer field inspections
- The per capita fee number was dated, Mr. Simonson said, but confirmed that the DOL was doing much better than they were a month ago
- There was no real change in Milk Inspection or Egg Grading and they were coming in as expected. It is expected that over time, Egg would grown a little more and Milk would go down a little
- The \$40,649 number for the VDL was an improvement of \$12,000 over the previous month, doing \$93,000 in business last month
- Mr. Simonson said, that the VDL was only \$120,000 from what the budget authority was and if they're bringing in \$90,000 each month, they'll meet the budget authority
- The Wolf Donation fund took in \$29,000 last month

(8:11:09) 5:03 PM – April 2022 Through June 2022 Expenditure Projections

Brian Simonson updated the BOL on Expenditure Projections for the period:

- Mr. Simonson reported that Personal Services was down and projected to be in the hole \$39,000, primarily driven by overtime
- An additional \$300,000 in vacancy savings was taken to get to our budget, Mr. Simonson said
- The overtime number grew by \$14,000, which, according to Mr. Simonson, was half of last month, which was half of the month before, meaning it was getting cut down by quite a bit
- Overtime had been larger in the fall and winter due to the activity in the markets and then the Tuberculosis investigations, CWD and Meat Inspection due to vacancies
- Brian Simonson said that the big driver in the Operations side is the \$132,000 in Contracts and the \$142,000 in Rent, and CSD pretty much holds all of that excess authority
- The Supplies number of \$125,000 in the hole comes pretty much from the VDL, but, Brian Simonson reminded the BOL that the VDL was also bringing in \$1.5 million in revenue
- Mr. Simonson said one item not listed yet in the report, but had been confirmed with Tahnee was that under Transfers, that \$175,000 was already spent and that there was \$64,000 of unused elk collaring money and so, because of not spending as much with FWP as we had in the past, there will be money available for other operational investigations and things

(8:15:21) 5:07 PM – March 31, 2022 Budget Status Report

Brian Simson reported that regarding the budget status, the stories were very familiar:

- The Meat & Poultry Inspection Bureau were down \$100,000 in general fund, but that there were scenarios to take care of that at the end of the year
- The Shielded Egg Program was at \$181,000
- Milk Inspection was showing \$67,000 to the good; The Milk Control Bureau was \$105,000 to the good
- Mike Honeycutt said if the VDL gets anywhere close to the \$1.3 million number they were at in revenue last year, that negative \$143,000 goes away. Some of the fee revenue in the VDL could be used to free up general fund in the Meat & Poultry Inspection Bureau, to bring it to zero, as all fund types need to zero up
- Brian Simonson added that he was pretty sure that one of the EPP requests would be to plus up, possibly, travel and overtime, in the Meat Inspection Program
- Mr. Simonson said that the VDL lab fees were currently at \$1.1 million and the hope was to get to \$1.5 million by the end of the fiscal year, proprietary funds that would help close gaps in general fund
- Like fund sources within the DOL can be shifted within the same program, and so funds from the VDL, the Meat & Poultry Inspection Bureau and the DSA can be shifted to offset shortages
- For Personnel, 70% had been expended, Mr. Simonson said, which was right on par

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS/COMMENTS FROM PRODUCER ORGANIZATIONS

(8:24:18) 5:17 PM

Gene Curry said there was just one member of the public left in the audience, and that was Rachel Cone:

- Rachel Cone commented on how much information had been covered that day by the BOL
- Ms. Cone briefly discussed the Montana Farm Bureau's work regarding C121, a property tax initiative and I181, water resources in the Madison and Gallatin Rivers

SET DATE FOR THE NEXT BOARD MEETING

(8:25:59) 5:18 PM

Mike Honeycutt said the BOL needed to meet in May because the next deadline for EPP items was on June 6, 2022 and time was needed to put them together:

- Mike Honeycutt said that a Friday meeting during the week of the 25th was probably not a good idea, as some people might want to take the Friday before Memorial weekend off
- It was decided to schedule the next BOL meeting for Thursday, May 25, 2022

MEETING ADJOURNED
(8:28:48) 5:21 PM


Gene Curry, Chairman