



Montana Board of Livestock Meeting Minutes

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

December 14, 2023

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

Board Members Present

Gene Curry, Chairman (cattle producer)

Greg Wichman (sheep producer)

Nina Baucus (cattle producer)

(Alan Redfield attended the meeting by ZOOM)

William Kleinsasser (swine producer)

Jake Feddes (cattle producer)

Lily Andersen (dairy & poultry)

Staff Present

Mike Honeycutt, EO

Brian Simonson, Deputy EO

Jay Bodner, Brands Enforcement

Don Berryman, Brands Enforcement

Holly Berry, Brands Enforcement

Kelly Calnan, Brands Enforcement

Brenna Brunt, Brands Enforcement

Becky Waid, Brands Enforcement

Wes Seward, Brands Enforcement

Kim Dallas, Brands Enforcement

George Edwards, LLB

Evan Waters, Centralized Services

Tom Shultz, Centralized Services

Rick Corder, Centralized Services

Mike Spatz, Centralized Services

Donna Wilham, Adm. Assistant to EO

Dr. Tahnee Szymanski, MT State Vet

Dr. Merry Michalski, Animal Health

Dr. Greg Juda, Director, MVDL

Dr. Erika Schwarz, MVDL

Alicia Love, Meat, Milk & Egg Inspection

Jennifer Meitzen-Alm, Meat, Milk & Egg

Valerie Dunlap, Purchasing

Public Present

Ellie Brighton, MSGA

Celia Rigler, Governor's Office

Jennifer

Dalin Tidwell, USDA Wildlife Services

Jess

MEETING CALLED TO ORDER

(:05) 8:00 AM

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

CALL TO ORDER AND INTRODUCTIONS

(:05) 8:00 AM

Chairman Gene Curry said the first order of business was Introductions, and he requested that Nina Baucus start those off:

- Nina Baucus, Cattle Representative, north of Helena
 - Ms. Baucus said that some of the heifers they sold didn't bring as much as they would have like to have gotten
 - She said she was enjoying the weather, but they were going to need snow or rain and she knew it would come
- Lily Andersen, Dairy & Poultry Representative, south of Livingston
 - Ms. Andersen reported that the weather was so nice that they had gotten a lot of projects done
- William Kleinsasser, Swine Representative, Augusta
 - Mr. Kleinsasser said they ran a diversified operation with chickens, cattle and pigs but that he mainly focused on the pig side
 - The pig market was tough right now and in dire straits, adding that a finishing pig would bring \$90 but that it cost \$170 to raise one
- Jake Feddes, Cattle Representative, Manhattan
 - Mr. Feddes reported that the there was snow on the mountains, but the weather had been great with calves were still out on pasture. They hadn't had to feed anything yet and would be hauling everything home the next Monday
 - Heifer calving would be starting in about a month, Mr. Feddes said and if the weather held, it would make calving a lot easier
 - The cattle market, Mr. Feddes said, had taken a pretty significant dip from where we were last fall, but it was still better than where it had been in years past and definitely better than the hog market
 - Although there were some good sales, Mr. Feddes said that the bred cattle market wasn't nearly as good as people thought it was going to be
- Greg Wichman, Sheep Representative, Hilger, North of Lewistown
 - Mr. Wichman said that they had cows and sheep just north of Lewistown
 - Mr. Wichman said he felt the interest rates were dampening everything. The land market had come back up and was decent but not great. The wool market he said, was totally dead with black face at 8 cents and even the best stuff was barely a dollar
 - The weather had made the haystacks last a lot longer, Mr. Wichman said, and you didn't have to go look at the cows but once a week to make sure the water tank still worked and to throw out some salt
 - He said it would be a white Christmas but that he wanted only about two inches of snow, just enough to make it white
- Alan Redfield, Cattle Representative, south of Livingston
 - Mr. Redfield reported that they were having an open winter as well and had not been feeding with cows on the hay meadows which had a lot of regrowth and so they were doing really well
 - He said he had been building fence which was helping them get a leg up on things
- Gene Curry, Cattle Representative, Valier
 - Mr. Curry said they were never caught up on things at their place

- He reported that if you needed some bred heifers they would have some in the sale that coming Saturday that would get just about any calving date you would want
- Mr. Curry said that snow came early and then melted, but that the ground didn't freeze and so they were still trying to build onto the feed lot and put in a scale

BOARD ADMINISTRATIVE ITEMS

(6:21) 8:06 AM

(6:21) 8:06 AM – BOARD APPROVAL OF PAST MEETING MINUTES

Gene Curry requested approval of the minutes of the last BOL meeting

MOTION/VOTE

(6:29) 8:06 AM

Nina Baucus moved to approve the minutes from the Montana Board of Livestock November 14, 2023 meeting. Greg Wichman seconded. The motion passed.

OLD BUSINESS

(6:58) 8:07 AM

(6:58) 8:07 AM – UPDATE ON GOVERNOR'S OGSM STRATEGIC MANAGEMENT AND EXECUTIVE OFFICER STRATEGIC GOALS

Mike Honeycutt reported on the final OGSM meeting of the year where he and Brian Simonson met with the Governor on November 28, 2023:

- Current slaughter numbers through November, Mr. Honeycutt said, were very comparative to last year as it seemed to be stabilized where we were at with capacity
- Mr. Honeycutt reported that the DOL had not been spending all of its budget, but that revenue was behind expense at this time of year
 - A big revenue driver Mr. Honeycutt mentioned was that starting in January, reminders would be sent out, reminding people to pay their per capita fee and that with a Legislative change now in place, those payments would be due at the time it was reported rather than in May
- Mr. Honeycutt said that the big gap on the DOL vacancies was in the Meat, Milk & Egg Bureau, as they were still trying to fill some of those new positions that had just been granted by the Legislature. He said that in the Brands area, in the Billings market a person got promoted to a Supervisor and they were trying to backfill that position. He said there was also a gap in the markets because not all of the short-term positions were filled at any given time
 - The DOL was still trying to fill the Attorney position and the Assistant State Veterinarian position
- The big thing for today, Mr. Honeycutt said was that the items that had been listed for the December horizon were finished and he was now asking for thoughts on items to address for the next six-month horizon, which he hoped to have in place for the next OGSM meeting that would be in January

- Mr. Honeycutt said that the Governor had also requested long-term goals, lofty, high-minded goals for the agency's future and what you'd like it to look like or have the capability to do five years down the road
- The new Lab would always be something to mention and focus on, Mr. Honeycutt said, at least until we would actually move into it
- Alan Redfield requested that per capita fees should be addressed, perhaps sending flyers out to Realtors who sold ranches, so they could let folks know there were per capita fees. He said that perhaps it could also be mentioned at recertification classes with someone present to answer questions
- Nina Baucus said that she hoped to assure that whatever software program was introduced that it was up and running as perfectly as possible before moving forward with anything else, especially with being short-staffed in the IT area of the DOL
 - Gene Curry said he thought we should keep pushing forward, as most people worked to whatever bar they were required to do, adding that he didn't want to set the standard too low. Mike Honeycutt said that soon after the first of the year, that open IT position should be filled
- Gene Curry said that a time frame should be decided on for the groundbreaking of the new Lab. He said that we should figure out how to get more producers in the state to utilize the State Lab rather than going to outside labs, adding that there had to be a focus on fixing whatever problems there were in the past with the Lab, whether it was turn-around time or no diagnosis
- William Kleinsasser said that the best advertisement was when producers talked to each other and that if a good job was done, the Lab would get the business. Gene Curry said that change was always difficult and that we were all creatures of habit and so people needed a reason to try the State Lab out
- Mike Honeycutt said that the entire inventory department should be put on a phase replacement schedule and then plan the budget accordingly. He said that there was a computer replacement schedule already in place and that the markets receiving the hand-me-down Helena computers had been a practice gone for a long time
- Nina Baucus said that there shouldn't be a problem with applying for market permits online, saying that she was told to apply for it the night before, which she said was unacceptable
- Jake Feddes requested that biosecurity be dealt with and he would like the BOL to get an update on where we were as far as if there were an infectious disease introduction into the state what could we do, and that a realistic plan should be put together
- Mike Honeycutt said that Meat Inspection was one of the "Big Four," and increasing value-added, adding that a big focus for the Governor was that he thought everybody had a role in increasing value-added manufacturing
 - Mr. Honeycutt said that the DOL should be working to make sure we were set up to provide the regulatory scheme and the compliance for those industries. We should be prepared for growth, working to bring on new CIS and other opportunities for people to choose different types of programs and businesses

- Gene Curry said that another thing that needed to happen in the next six months was keeping the budget balanced in the Dairy end of things
- Nina Baucus said that she felt the DOL needed to be ahead of the game in pushback regarding Yellowstone Buffalo. She felt that more surveillance was needed and that the DOL needed to do some serious looking at what we were doing about the Brucellosis program to try and be ahead of any creative thinking that might be against us
 - Mike Honeycutt shared that USDA deemed the Montana DSA program more efficacious than other programs in other states and that we were lucky because 98%+ of the DSA producers in Montana voluntarily whole-herd tested each year, which didn't happen in other states as strongly in their DSAs. He said that some states had even pulled back regulations against Montana because of mitigating the risk the way they have
 - Jake Feddes said that education from the DOL at producer events about the value of the DSA program had helped the industry both inside and outside of the DSA
 - Regarding surveillance, Dr. Tahnee Szymanski said that the DOL had regular conversations with FWP about the DSA boundaries and that FWP's live elk capture surveillance data specifically told where those animals were moving during the risk period. She said that lately there had been some challenges in getting landowner buy-in for the surveillance, but that there was still lots of conversation to have about surveillance

NEW/BUSINESS/EXECUTIVE OFFICER UPDATES

(50:15) 8:50 AM

(50:36) 8:51 AM – HUMAN RESOURCES UPDATES

Mike Spatz, Human Resource Officer for the DOL, introduced himself saying that what he had prepared for the BOL was pretty brief

(50:58) 8:51 AM – Staff Openings, Recruitment and General Updates

Mike Spatz updated the BOL on staff openings, recruitment and some general updates in the DOL:

- Mr. Spatz reported that there were currently 15 openings in the DOL with a few of those having offers that had gone out and some that would be going out to shrink that number a little bit
 - Although this was the time of year that recruitments slowed down, Mr. Spatz said, they had gotten job openings posted and had gotten applicants for jobs
 - Five positions, all resignations, two in animal Health and three in Brands, had been vacated since the last BOL meeting and three resignations were going to happen at the end of the pay period, which was the next day
 - Mr. Spatz said that one of the resignations was a career choice due to pay and the other ones were people who were looking at other opportunities. He said he tracked reasons for departure because the DOL wanted to

know if pay was the issue which would help an agency build a case to raise pay

- Mike Honeycutt said that he thought there were people who just made an assumption that Montana was going to be cheaper to live in than where they currently were living and that turned out to be wrong. But, in some cases, he said it was housing inventory. He said that one employee took maternity leave and decided at the end of that they didn't want to come back to work
- Mike Honeycutt said that sometimes there was a tendency to assume that government was not paying well, but he was not aware of any DOL employee who started a position below \$19/hour
- Mike Spatz said that some of the jobs at the DOL were very specific, such as some in the Brands Division, and there were no other pay comparisons to compare to. Jake Feddes agreed saying that there were fewer and fewer people that had the knowledge to be around cattle or to cut meat and that could be why it had been taking longer to fill some of the positions. Mike Honeycutt said that a lot of internal promotion and moving around of employees caused vacancies and took time as well
- Nina Baucus requested that Mike Spatz put together a list of how long any of those given positions had been open. Mike Honeycutt said that the Legislative Budget Committee had a list of all the vacancies in the DOL, but it had been run two weeks previous and might not include all the current vacancies
- The second interview for the Assistant State Veterinarian position had been completed and Dr. Szymanski had made an offer but it was rejected due to housing
 - Dr. Tahnee Szymanski said that she thought the salary offered for the Assistant State Veterinarian position was between \$111,000 and \$117,000. Mike Honeycutt added that the DOL also typically offered relocation and those types of things
 - Mike Spatz said that Veterinarians were a really specific industry that would limit the pool. He said there were only 3000 Attorneys in Montana at any given time and so those pools were extremely limited as well. Dr. Szymanski said that other states were having a hard time filling Veterinarian positions as well
- Greg Wichman said he felt that the DOL was leaving some very qualified candidates behind and was formulating a plan on how to exactly address that situation. He requested some time after the first recess to address the Assistant State Vet position if necessary

(1:01:28) 9:01 AM – End-of-Year Performance Evaluations

Mike Spatz reminded the BOL that the DOL was working on the year-end performance evaluations:

- Mr. Spatz said that the year-end performance evaluations process started at the beginning of November and employees were expected to complete their pieces

for their Managers by the end of November. He added that the completion rate of those stood at about 81%-82%

- Managers had until the beginning of January to get their comments to employees and then have meetings and complete the process by the end of January 2024. Mike Honeycutt said that the State Talent System that's set up for those evaluations closed down by that time

(1:19:03) 9:19 AM YELLOWSTONE BISON EIS UPDATE/IBMP OPERATIONS UPDATE

Mike Honeycutt updated the BOL on the Yellowstone Bison EIS and the IBMP Operations Plan:

- Mr. Honeycutt said that no Record of Decision had been released yet regarding the Yellowstone Bison EIS and so the DOL was not aware of what alternatives that Yellowstone National Park was going to pick on their way forward or when that could happen
- The DOL had been trying to get a Winter Operations Plan signed, but Mr. Honeycutt said that there were a couple of partners in disagreement about some language that someone wanted to put into that plan. He added that it was highly likely that we would go into another year and not sign an Operations Plan
 - The last time a Winter Operations Plan had been signed was about three or four years ago, Mr. Honeycutt said
- Mr. Honeycutt said that whether there was a Plan signed or not, the DOL knew what the law required them to do and they would do their job. He added that if the drier and warmer conditions persisted that history showed that bison migration would not be as strong as it was the previous year, but he said it would be good if a migration occurred because then 1000 to 1500 more bison could be taken to keep the population level in the Park closer to what it was now
- Alan Redfield said that it wasn't looking like much of a bison migration at the moment, but the Park had fed a bunch of bison at the back end of the Park and thought they would want to capture those. Mike Honeycutt said that the Park did desire to capture more bison into the quarantine program
- Nina Baucus shared that in a book she read called "The Return of the Grizzlies" the author said that when the wolves were reintroduced, the elk started leaving the Park and when they left the Park they came into Montana and brought Brucellosis with them. Gene Curry said that when he was in college you could drive up to Gallatin in the Spring and see huge herds of elk but now, to feel safe, many have moved to ranches because of the wolves

(1:26:40) 9:27 AM PREPARATION FOR EO ANNUAL REVIEW

Mike Honeycutt reminded the BOL that January was typically the time when the Executive Officer annual review was done:

- Gene Curry requested that the annual review not be done in January as he would not be attending that meeting in person. He requested it wait until the February meeting

- Gene Curry said he would send out the current EO review form and that perhaps the BOL would have some additions of what they would think should be addressed in the EO's annual review
- Nina Baucus requested that Gene Curry include the list of recommendation that the BOL gave to Mike when he sent the form to them, as then the BOL could see what he did on the recommendations

(1:28:48) 9:29 AM DISCUSS LONG-RANGE GOAL SETTING

Mike Honeycutt said that some of the things already discussed that morning might be more for long-range goals, but he wanted to give an opportunity for the BOL to talk about it. He said the Governor wanted agencies to think about their future five years from now:

- Mr. Honeycutt said that the items Mr. Feddes had talked about of where the DOL was with basically a secure food and livestock supply would be big picture items to know if the DOL was adequately prepared to deal with whatever disease introduction happened, the plans in place, equipment needed and the documentation and processes and procedures to be taken
- Different programs, such as the Swine Health Improvement and the National Poultry Improvement Programs had already been worked on in the DOL, Mr. Honeycutt said, adding that Dr. Tahnee Szymanski had presented to Woolgrowers producers at their annual convention regarding Secure Wool Supply. He said that a big lift would be doing a Secure Beef Supply presentation to cattle producers
- Mr. Honeycutt stressed the importance of preparation before a shutdown and how to get producers to address the situation at a local level and coming up with a plan to get people back to commerce
- Regarding the long-term IT plan, Mr. Honeycutt said that an underlying piece of what the DOL was doing had to do with traceability, which had been very well demonstrated during the TB outbreak situation Montana faced recently. The capabilities of the VDL were also tested during that outbreak
- Improving the speed of traceability and improving the capabilities of the VDL, including getting more producers signed up under biosecurity programs and working with and developing relationships with other government partners were all things to work on along the way to having a secure stock supply in the case of an outbreak
 - Gene Curry questioned what would happen to in-transit trucks coming from Canada if there was an FMD outbreak in that country? Nina Baucus talked about truckloads of hogs or horses coming into Montana and where would they be unloaded if there was a stop-order
 - Jake Feddes said that not just Canada, but with any truckload of animals on the road during a disease outbreak, there would not be anyone in the state of Montana that would say go ahead and unload your animals on my place
 - Dr. Szymanski explained that the very skeletal framework that USDA had was that when a stop movement started, the plan was to, if you were already in transit, continue to your destination, which she said would not

be that simple because of some of the discussion she was hearing from the BOL. She added that she hoped to receive NADPREP grant funds so they could be utilized to focus on how to structure some sideboards and planning for a 72-hour stop movement in Montana

- Nina Baucus asked about sterility standards when sheep shearers traveled from country to country using their same tools wherever they did their job
 - Dr. Szymanski said that the level of scrutiny applied to potential pathways for introduction of something like FMD or ASF into the United States was pretty exhaustive, but, she would be willing to do some digging in regards to traveling sheep shearers
 - Mike Honeycutt said that he was searching for long-range items that the DOL could control and develop, such as research could be done regarding the sheep shearing issue, then a protocol developed and then education of wool producers could be done
- Alan Redfield suggested that one long-term goal would be the education of the Legislature on what the DOL actually was and does because every two years, 40% of the House changed and had not always gotten better on the knowledge of agriculture
 - Nina Baucus suggested pulling together a financial book containing DOL information that could be taken over to the Legislature. Mike Honeycutt said that a book had been developed that was part of the DOL's one-time-only Session that had just continued to be used each Session, but that more could be added to it in regards to DOL policy and education about agriculture

(1:50:30) 9:50 AM RECESS

(1:50:40) 10:05 AM RECONVENE

CENTRALIZED SERVICES DIVISION REPORTS

(1:50:48) 10:05 AM

Gene Curry reported that Mike Honeycutt had left the meeting for a little while to attend his daughters' Christmas party and would return

Brian Simonson, Deputy Executive Officer for the DOL, introduced himself

(1:52:02) 10:07 AM – FISCAL BUREAU

(1:52:07) 10:07 AM November 30, 2023 State Special Revenue Report

Brian Simonson reported that with such a brief amount of time that had passed since the previous BOL meeting, not much had changed in his State Special Revenue Report:

- Mr. Simonson reported that Market Inspection Fees made a big jump from last month, doing approximately \$328,000 in business this year, bringing that number to a positive \$164,831 over this time last year. He said that last month they

thought they were behind in revenue collections and reporting, but the figures seen should be reflective of what was being seen in the Brands markets

- Gene Curry said it would be interesting to know the total cattle inspection numbers as Brian Simonson said that the inspection numbers in his report were only those cattle inspected at the markets as the Local Inspectors kept the money they received from inspections and they did not show up on his report
 - Alan Redfield suggested checking with the Beef Council as they received the checkoff dollars from the Local Inspectors when an inspection was done
- Per Capita Fee collections and Investment Earnings were strong this, year, Mr. Simonson reported
- Mr. Simonson said that the \$16,000 number showing in Milk Inspections was because of an extra payment in there and that the \$6,000 down last month was a more accurate figure
 - On the other hand, the Egg Inspection numbers were down, Mr. Simonson reported, because a payment was missing and that number should bounce back up around \$6,000 to the good next month
- The VDL number, \$8,728, showed they were outperforming this time last year, which also was a strong period
- The Wolf Voluntary Donation Funds was outpacing this same time last year by nearly \$8,000. Mr. Simonson explained that those funds came in as a donation when hunting, fishing and conservation licenses were purchased and collected by FWP and then transferred to the DOL. The DOL then transfers those funds to USDA Wildlife Services for Wolf Mitigation

(1:58:18) 10:13 AM December 31, 2023 Through June 2024 Budget Projections Report

Brian Simonson reported that for this Budget Projections report, not much had changed from the last BOL meeting:

- Mr. Simonson explained that the Fiscal Year '24 budget had been reduced by \$427,000 compared to the previous month because of the O&M for the new Lab that had been allocated to plus-up the DOL's authority when the new Lab started. He said that the money was not for DOL use, but the law required that the DOL have that money earmarked before the start of the Lab
- Mr. Simonson further explained that the \$427,000 was rolled into the standard budget in the new Legislature and the DOL didn't see that occur, but it was caught in September and OBPP explained what had been done. Mr. Simonson said now that \$427,000 was carved away again and wouldn't show up in the budget until the new Lab opened and there was a need for additional O&M because of the additional square footage of the new facility
- The Total Operations in the FY24 budget had been reduced by \$255,000 across the board, Mr. Simonson said, adding that most of that was because of Supplies
- The Equipment number earmarked for capital replacement needed more authority and went down \$172,000. Mr. Simonson said that there was some equipment already included in the construction budget for the new Lab and was separate from that figure. He further explained that the DOL wanted to keep the

Equipment listed under proprietary funds so that the cash would roll over every year rather than utilizing general fund that would go back into the State Treasury

- Even with the Overtime in the Brands Enforcement Division still going strong, Mr. Simonson said that he wanted to point out that as a whole, their budget was still positive
- Mr. Simonson said that total Personal Services were being projected as \$296,000 positive, and that was authority and was mostly in Brands
- The \$168,000 figure in Contracts, Mr. Simonson said, stemmed mostly from extra authority in Egg, with a chunk of it in CSD and Brands
- Supplies were running in the negative, Mr. Simonson said, because \$145,000 had been removed from the budget and that negatively affected what the Lab was going to have left at the end of the year for supplies. He added that the Lab had run negative in Supplies for several years, but that was the cost of doing business
- Mr. Simonson explained that the biggest component in the Rent figure was the actual physical rent for the DOL building, but that another big component was from the leasing of vehicles in Meat and Brands. He said that for the most part, the space at the markets were not being paid by the DOL except for a minimal fee each year
- According to Mr. Simonson, Diagnostic Fees took a big jump with the removal of the equipment for the O&M for the new Lab and showed a negative \$256,000. He added that even with the removal of budgetary funds, the \$405,000 Total Budgeted Funds figure was still very positive and very in line with what had been done year-over-year

(2:09:04) 10:24 AM November 30, 2023 Budget Comparison Report

Brian Simonson reported that he did not have a lot to say regarding his November 30, 2023 report:

- Because of an extra pay period the previous month, Mr. Simonson said that most of the number in Personal were double what they were showing. He said last year, the extra pay period fell in this month
- The \$360,795 in total Personal Services year-over-year number showed overspending, but most of that was because of the \$1.50 or 4% pay increase and fuller employment, which Mr. Simonson said was well within the budget
- The \$54,786 supplies number did not improve from last month. It was still a positive number, Mr. Simonson said, but he attributed it to the Lab not spending as much as they did at this time last year
- The Claims number was a new listing for LLB receiving \$150,000. Mr. Simonson said that nearly \$80,000 of it had been processed so far this year
- Mr. Simonson said that the Personal Services portion of the budget was 37% expended with 38% of the payroll completed. Operations were 37% expended with 34% of the budget year lapsed, which was something that typically happened at the beginning of the cycle, Mr. Simonson said
- The \$82,345 number listed under Per Capita Fee was HB10 dollars that were used to pay GlideFast and Google invoices, according to Mr. Simonson

- The Animal Disease Traceability figure of \$80,869, Mr. Simonson said, was an increase of nearly \$50,000, which he thought was due to some repair maintenance, utilizing ADT Federal Dollars
- Jake Feddes questioned the Overtime figure of \$62,765 listed in the Brands Enforcement Division. Brian Simonson said that a big chunk of that overtime, which had almost doubled, was because of the rollout of the new software system. Gene Curry added that with all that went with the training required, the rollout was an expensive change and one that required more overtime this year than anticipated

(2:20:33) 10:35 AM UPDATE ON DOL IT INFRASTRUCTURE

Brian Simonson gave an update on the IT Infrastructure at the DOL

(2:21:02) 10:36 AM Internet Service Providers, Methods and Speed for External Offices

Brian Simonson reported that every market had the best delivery system of broadband IT that was currently available:

- Mr. Simonson said that the Glasgow and Ramsay markets did not have good broadband, but that Glasgow was upgrading to fiber optics. The solution for Ramsay might be to move forward with Starlink because the cost of installing fiber optics was something more research needed to be done on to determine the actual cost
- Missoula, Chinook, Lewistown, Sidney, Glendive, Miles City and BLS had high speed with no problems with internet deliver. PAYS, Dillon, Great Falls and Three Forks all used cellular internet and were up to speed

(2:23:55) 10:38 AM DOL IT Hardware Inventory and Replacement Schedule

Brian Simonson explained a handout listing the age of computers and other equipment in the DOL:

- Mr. Simonson explained that the DOL had a five-year phase replacement plan in place, spending about \$40,000/year on that plan. The plan replaced between 125-130 computers, depending on if something would break
- Copies of the handout were not available, so a break was taken to fix the problem

(2:25:32) 10:40 AM RECESS

(2:25:41) 10:44 AM RECONVENE

CENTRALIZED SERVICES DIVISION REPORTS (Continued)

(2:25:41) 10:44 AM

Gene Curry called the meeting back to order

(2:25:53) 10:44 AM – FISCAL BUREAU (Continued)

Gene Curry requested that Brian Simonson continue his presentation

(2:25:54) 10:44 AM DOL IT Hardware Inventory and Replacement Schedule (Continued)

Brian Simonson continued explaining the replacement schedule handout information:

- Brian Simonson explained that many of the computers at the VDL were desktops because they were attached to a system and worked better from a permanent fixed desktop. Desktops were also about half the price of a laptop, he said
- Some of the laptops were called a Laptop+ because they allowed more robust editing
- The routers and computers in Miles City and Glendive were replaced with new ones to see if that would deal with the bottleneck issues they were having, but, it did not seem to change the issue

(2:30:23) 10:49 AM Potential Future Costs for Hardware Upgrades Not Already Planned in Approved Budgets

Brian Simonson answered the question of, if the internet delivery system at the markets needed updating, what would be needed:

- Mr. Simonson explained that after testing it, the delivery system was not necessarily a problem, but it was the application that needed to be enhanced. He said that there was a pretty robust computer replacement system already in place in the DOL and that if there was a situation or issue that came up, that would be addressed
- The Starlink technology was the only one that might be available and would be faster than the technology currently being used at certain markets, Mr. Simonson said
- Jake Feddes said that he utilized Starlink technology both at his home and at his Meat Shop, adding that the business cost was significantly more expensive. Mr. Simonson said that with no graphics or video being handled, the residential Starlink speed would probably be enough

(2:32:34) 10:51 AM Contingencies for Unplanned Outages of Internet Service

Brian Simonson explained to the BOL the contingencies for unplanned outages of internet service in the DOL:

- Mr. Simonson said that in the markets they had the ability to launch a hotspot as a backup for an internet outage which would provide an internet connection to their computers and then it would function as it did with the broadband connection. He explained that it might be slower. Another backup, he said, would be paper
- A concerted effort was being made, Mr. Simonson said, to replace all of the hardware in the markets, which would be something happening with the FY24 budget. He added that even with most of that already being done, there had not been incremental improvements made with the internet issues
 - Jay Bodner agreed with Mr. Simonson, saying that even with new upgrades with the computers and Ramsay and Miles City having new routers, the speed of the system hadn't dramatically changed. The slowest market for internet speed was at Glasgow, and so they were

waiting for fiber optic to be put in place, which he hoped would dramatically increase the speed of the system

(2:38:09) 10:56 AM Milk Inspection Fees Discussion

Brian Simonson said that he had notes on what had been discussed regarding milk inspection fees at the last BOL meeting:

- Lily Andersen said that there really hadn't been any changes since then, but that there had been no response from any group. Gene Curry said that in discussion with Mike Honeycutt, they did not want to take action on the issue without the industry being involved because of the pushback received last time when the BOL raised the fees
- Mr. Curry said that he wanted the industry involved ahead of time and have an understanding of the problem and he was hoping to hear from the industry and start on the process by January or February. He said he felt the industry was the one who needed to present the solution
- Lily Andersen reported that Rob Adamson said at a Meadow Gold meeting that they needed more Montana milk to fill his contracts and was currently having to haul some loads in from Idaho. She reported that they were looking to increase their herd and thought the Hutterites were discussing increasing their herds as well
- The funding for milk inspection fees had originally come from general fund, Nina Baucus said, but was now paid for by the dairy folks. Gene Curry said to change that funding back to general fund would need to be done by the Legislature and the dairy industry would need to decide if they wanted to get on board with it so everyone would be on board and going in the same direction, as there would have to be a lot of lobbying
- Greg Wichman said he was not going to make a decision about the situation without a lot of information as he didn't know the industry or the people
- Brian Simonson explained that the crisis the DOL was facing was a \$100,000 deficit by June 2024. He said that if Legislation was passed, it wouldn't take affect until July 1, 2026, meaning there would be another \$100,000 deficit added onto the current deficit until the Legislation would kick in
 - Mr. Simonson said that the DOL had authority already to cover that deficit but didn't have the revenue coming in. He said that the DOL using Egg budget money to pay for Milk Inspectors would be illegal
- Gene Curry explained that Mike Honeycutt could probably be the facilitator and lead from the DOL to the industry to get them to come together in Helena to discuss the situation

(2:50:10) 11:08 AM PREDATOR CONTROL

(2:50:10) 11:08 AM LLB PREDATION CLAIMS REPORT AND GENERAL UPDATES

With Mike Honeycutt having stepped out of the meeting for a time, Brian Simonson presented the Predation Claims Report and General Updates, submitted by George Edwards:

- The Livestock Loss Board held a meeting on December 2, 2023 where they gave out some grant money and Mr. Simonson said that the LLB was anticipating doing another round of grants in the Spring
- Mr. Simonson said that the report also showed that claims were down, pointing out that at this time last year, predation claims were 244 and this year were at 129
- Gene Curry said that there had been more depredation of grizzlies in his country than anywhere else, with most of them being done in the Spring, adding that if you could not find a carcass, it was hard to get on the list
 - Greg Wichman said that they had two or three bears wandering around and that they had probably gotten some calves, but, with new people in the area not knowing what to look for or what to do if a carcass was found, scavengers had probably gotten to the carcass and there was not enough left of it to prove anything for a claim
 - Nina Baucus felt that with some of the problem bears being taken out, that was why the grizzly bear depredation stuff had quieted down
- Brian Simonson pointed out that there was not much difference in the dollar value of claims from year-to-year, but that was because there had been some significant registered animal claims made
- Gene Curry asked BOL members about mountain lion problems in their area
- Greg Wichman said that they had quite a few lions but not a lot of depredation, he felt, because there were still enough deer and other animals to keep them happy
- Nina Baucus said that they had lion problems but with so many big guard dogs, they tended to stay away
- George Edwards said that he was on ZOOM if anyone had any questions for him

(2:55:00) 11:13 AM PREDATOR CONTROL

Update on Activities of USDA Wildlife Services – (Presented by Dalin Tidwell, Montana State Director)

(Mike Honeycutt returned to the meeting at 11:13 am, 2:55:35)

Dalin Tidwell, State Director for USDA Wildlife Services introduced himself and gave an update of their activities:

- Mr. Tidwell said that since the last BOL meeting, it had been quiet and that it had been a week or more since they had to deal with a grizzly bear
- Every 10 years, Mr. Tidwell said that USDA Wildlife Services renewed their MOU with Woolgrowers, Stockgrowers and the DOL and that all of those were within a year of that renewal cycle
 - For the national program, Mr. Tidwell said that locally, they met with all the Ranger Districts and the individual Forest Service people to renew annual work plans which were renewed in January of each year
- Mr. Tidwell said that one frustrating thing for USDA Wildlife Services was that BLM Director Stone-Manning decided to ban use of M-44s on BLM properties. He reported that they were not actively using M-44s on BLM land in Montana and that across the nation, it was only about .4% of all the M-44s out that were

actually used on BLM land, adding that you never wanted to lose a tool you use when it was appropriate

- The M-44s, Mr. Tidwell explained were a very valuable, tightly-regulated, very species specific tool, specific to canines, such as coyotes and even feral dogs. He went on to say that looking at the records, current usage of the M-44s in Montana were pretty much on private land
- The banning of the M-44s on BLM land had been written into the MOU that USDA Wildlife Services did with the BLM, Mr. Tidwell said
- Mr. Tidwell said that regarding the Federal budget, USDA Wildlife Services was getting prepared to absorb an upcoming 5% cost of living increase for employees
- Mr. Tidwell reported that the Western Environmental Law Center, representing Wild Earth Guardians, Western Watershed Project, and Trap-Free Montana brought a lawsuit against the Secretary of Agriculture, the Secretary of the Interior, the Director of US Fish and Wildlife, the Director of USDA Wildlife Services, Administrator of APHIS and the State Director (Dalin Tidwell) challenging some of the specifics under the Endangered Species Act Section 7 consultation as the US Fish and Wildlife involvement and the NEPA Environmental Assessment analysis that they had
 - Montana FWP, Mr. Tidwell said, had been granted an intervention, which would give their legal counsel the ability to stand alongside of USDA Wildlife Services and give their State legal support as well
 - Mr. Tidwell said he felt very strongly that with their documentation and their administrative record and analysis they had a pretty strong defense of their work and the record they had
- Over the last four-year average, Mr. Tidwell reported that they did about 60 investigations of mountain lions each year, but, last year, that number was down to 35, a 42% reduction. The four-year average number of grizzly bear investigations was typically about 156, but this year was down to 112, a 28% reduction. Wolf investigation averages over the last four years was 98, but that dropped down to 58 this year, a 40% decrease. Black bear investigation numbers over the last four years was 28, but that had increased to 45, a 62% increase
- Mr. Tidwell said he was not sure of why the change in trend numbers, but felt with grizzly bears it could have been the removal of some “bad actors” who had been habitual in killing from year to year. Wolf hunting and the trapping season obviously helped. But, he reported that take numbers in fiscal year ‘23 were down over the same four year average, with grizzly bear take down 52% of normal, wolf take down 64% of normal and mountain lion take down 55% of normal. He said that black bear take was up by 47%
- A huge part of the USDA Wildlife Services aerial program in Montana was dealing with coyotes, Mr. Tidwell said, and accounting for their damage, which was just a small snapshot of all the loss that actually occurred. He reported that the take on coyotes was up 37% for this last year, a total of over 8,000 in just the aerial program and with the ground work included, he thought the count was 10,547

- Currently, Mr. Tidwell reported, there were no major items or maintenance coming up for the helicopters, but that by the end of the season, 60 Charlie would need a new replacement engine, which had already been acquired and it was currently being overhauled
 - Mr. Tidwell said he was very pleased with Joe Stapleton from Lewistown who had been doing maintenance contract work for USDA Wildlife Services. The modification work on the Federal helicopter that USDA Wildlife Services had acquired from Alabama was just being finished up by Mr. Stapleton and would be ready to go within the next couple of days and then it would be stationed in Helena. The 95 Tango DOL helicopter was being moved from Helena to Billings and the 88 Hotel helicopter was being traded off for parts
- John Steuber, who was the Assistant Regional Director for USDA Wildlife Services, would be retiring, Mr. Tidwell reported, adding that he was a great mentor and it would be a hard loss to replace him. He added that they were fully staffed right now, but there had been rumors of some retirements in the future with a handful of Specialists in the 38-42 years of service area
- Mr. Tidwell explained that the non-lethal initiative monies worked through NGOs, helping producers with preventative tools and was a cost-share plan providing funding for fencing-type things and labor for the installs and for Range Riders as well
- George Edwards reported that the law pertaining to predation claims on tribal land changed a number of years ago and that the LLB did not have to have an agreement with the Tribe to provide payments, but if the Tribe wanted to do a loss prevention effort there had to be a Tribal agreement if they were working directly with the Tribe itself and not the ranchers
- Mr. Edwards told the BOL that he had processed a couple claims the day before, but had updated the numbers on the DOL web page, where the current predation claim numbers were posted
- The reason for having another LLB meeting, Mr. Edwards said, was because of the \$197,000 in grant monies available, only \$60,000 in grant requests had been paid out at the last meeting. He added that if anybody was looking at a major project, start working on putting that together now, because this was the one year there would be money available for larger grant requests

(3:30:06) 11:48 PM LUNCH

(3:30:45) 12:29 PM RECONVENE

BRANDS ENFORCEMENT DIVISION

(3:30:50) 12:29 PM

Jay Bodner, Brands Division Administrator, introduced himself

(3:31:05) 12:29 PM – GLIDEFAST/SERVICENOW – SYSTEM DEMONSTRATION

Jay Bodner announced they would be doing their first demo for the BOL on the new ServiceNow program in the Brands Enforcement Division:

- Mr. Bodner introduced Kim Dallas, Administrative Staff Supervisor in the Brands Enforcement Division, Becky Waid, Brand Horse Inspection and backup Brand Recorder and Brenna Brunt, Market Compliance
- As was discussed at the last BOL meeting, Mr. Bodner said that making upgrades to releasing cattle through the multi-line clearances had been implemented for about two weeks with a strong, positive response from staff since it improved releasing cattle and saved a lot of staff time
- On the mobile, Mr. Bodner said the screen had been reconfigured, moving some items not necessarily used out of the way
- Also fixed, Mr. Bodner said was the BE-10 Cattle Inspection form that had previously not been saving markings
- Mr. Bodner reported that there were a list of improvements that the Division was looking at prioritizing
 - Waive multiple fees so it would work similarly to the multi-line clearance items where you could just click and waive several at one time
 - Increase font size on the clearance and tallies
 - Improve the DSA tracking system
 - Make Lifetime Card issues less labor-intensive to reduce staff time
 - Although the mobile program had been pretty well developed, Mr. Bodner said, there were a couple other minor mobile aspects to improve
- Mr. Bodner pointed out that initially the improvements in the software for the markets was being focused on heavily but would be branching into other aspects of the Brands Division
- Jake Feddes said he felt it would be important for the BOL to see the program run at full speed once the market demo was done to give an idea of how fast it could be done
- Becky Waid walked the BOL through a Field Inspection and a Lifetime Horse Inspection utilizing the new software
- Brenna Brunt walked the BOL through a Market Sale, just putting in a few animals for the demonstration
- Gene Curry thanked both ladies for walking through those demos with the BOL, adding that it was very informative. Greg Wichman commented that they did a wonderful job and said that a lot of the issues of a month ago had been fixed. Jake Feddes said that the demo was very informative but said he could see with the big learning curve of the program why some of the employees had gotten frustrated with it
- Launch date of the new software program was discussed
- Jake Feddes said he had received lots of calls from markets and he asked why the September launch date of the program was not delayed until February or March when things slowed down in the markets
 - Jay Bodner said that with the higher volume of cattle coming through the markets during that time, defects in the software were found more quickly and the contractor was basically right there to help with issues

- Mike Honeycutt said that it had been understated that support for the new program would have been lost had the launch been so in the Spring. Launching the project in September meant that support for all the fixes needed were included in the cost of the project
 - Jake Feddes said that reason should have been given to the public three months earlier because the market owners and producers would have understood that reason

(4:59:32) 1:58 PM REQUEST FOR HIRE

Jay Bodner said that he had three positions he requested the BOL approve for hire

(4:59:43) 1:59 PM District Investigator – District 16 (Blaine, Hill and Phillips Counties)/District Investigator -District 25 (Deer Lodge, Granite, Jefferson, Southern Lewis & Clark, Powell and Silver Bow Counties)/Market Inspector – Miles City

- Jay Bodner explained that the District 16 Investigator position would also be a Market Supervisor for the Chinook market
 - The position became vacant on November 26, 2023 when the individual moved on to what they characterized as a once-in-a-lifetime opportunity, which was stated in their resignation letter
- The District 25 Investigator position was occupied by a person who had been at the DOL for seven years and would be vacating that position the following day. Mr. Bodner said that he had not yet had a chance to visit with the departing Investigator, but he had gathered that the reason for vacating the position was because of another opportunity
- The Market Inspector position in Miles City was vacated, Mr. Bodner thought, because he and his spouse purchased another place and would be running that. Mr. Honeycutt said that the person had also been out on leave for the last three months and not available to the market, and perhaps that had been a compounding issue for the departure

MOTION/VOTE

(5:02:28) 2:01 PM

Alan Redfield moved to authorize Jay Bodner to approve the hire of a District 16 Investigator, the hire of a District 25 Investigator, and the hire of a Market Inspector for the Miles City in the Brands Enforcement Division. Lily Anderson seconded. The motion passed.

(5:02:53) 2:02 PM OUT -OF-STATE TRAVEL REQUEST

(5:02:53) 2:02 PM Western States Livestock Rural Enforcement Association Conference

Jay Bodner requested that the BOL approve travel for three Brands Enforcement Division staff to attend the Western States Livestock Rural Enforcement Association Conference, one that the DOL had been associated with and attended each year:

- Mr. Bodner said that attendees to the March 5-7, 2024 Conference to be held in Reno, Nevada would be himself, Ty Thomas, who is also a State Director, and one of the Brands Area Supervisors

MOTION/VOTE

(5:04:15) 2:03 PM

Greg Wichman moved to approve travel for three Brands Enforcement Division employees to the Western States Livestock Rural Enforcement Association Conference, March 5-8, 2024 in Reno, Nevada. Jake Feddes seconded. The motion passed.

(5:04:48) 2:04 PM BRANDS ENFORCEMENT UPDATE

Gene Curry commented that the software demonstration was really good that had been given by Brands Enforcement Division staff

Jay Bodner said that the General Updates he had to give did not require BOL action

(5:02:32) 2:05 PM Google AI

Jay Bodner gave an update to the BOL on where the Brands Enforcement Division was on the Google AI project:

- Mr. Bodner said that the Google Team met twice a week. The Team included two individuals, and soon, three individuals from the Department of Administration, who were the Project Manager for the effort, State IT folks also attended the meetings, along with Google individuals and their contractor, Blue Vector, Brands Staff and Brands IT staff also joined the meetings
 - During the meetings, Mr. Bodner said that the Team went through a detailed schedule of who was going to do what and when they were going to do it to keep on task, on time and on track
- Google AI testing was scheduled to start the week of December 18, 2023, but taking the week of December 25th off and then resuming testing starting in the first week of January 2024. Google AI was scheduled to go live the week of January 15, 2024
- Mr. Bodner explained that Google AI picked up the majority of the information from a scan of a Local Inspector's handwritten inspection paper and put it into the Brands system. Compliance staff would still need to finalize the information, adding some manual information, such as the brand. The staff time spent on each inspection would be reduced and the information would be as up-to-date as they were received in the Brands office
 - The information received for producers, Mr. Bodner said, was as secure as State information was today. Mike Honeycutt said that State government information had a high level of security on systems to assure that someone could not get into the system. It would be more secure, Mr. Honeycutt said, than the backlog of paper inspections sitting on people's desks waiting to be put into the system

- Mr. Bodner explained that the Local Brand Inspectors would still manually mail the inspections to the Brands office and then Brands staff would scan them into the system
 - Currently, Mr. Bodner said, the backlog of inspections went back 18 months. Mr. Honeycutt added that it had been at that level for as long as he had been with the DOL as we had never really been able to catch up, because that would require doubling the Helena Brands staff to be able to do that. He said that temps could not be hired unless there were vacant FTEs to apply against them according to State HR
- Regarding tracking cattle from local inspections, Mr. Bodner said that as of right now, there was no great way to do that in real time, because the Brands Division's hands were tied by how quickly that information was sent to the Brands Division office. Mike Honeycutt said he was hopeful that there would be connectivity of all areas of the DOL because everybody's information mattered to everyone else and that the direction the DOL was taking in technology would hopefully give the ability to do that much more quickly

Jay Bodner said that an educational letter had been sent out to all licensed dealers and markets in Montana that included the draft rule ARM 32.15.120 – Records to Be Kept, so they could comment on it if they wanted. The comment period ran through December 29, 2023

ANIMAL HEALTH & FOOD SAFETY DIVISION REPORTS

(5:24:03) 2:23 PM

(5:24:10) 2:24 PM – MEAT, MILK & EGG INSPECTION BUREAU

Alicia Love, Meat, Milk & Egg Inspection Bureau Chief, introduced herself

(5:24:34) 2:24 PM General Updates

Alicia Love shared some general updates from the Meat, Milk & Egg Inspection Bureau

(5:24:34) 2:24 PM New Establishments Expressing Interest in State Inspection

Alicia Love updated the BOL on new meat and milk plants coming on board in Montana and interested in State inspection:

- Ms. Love reported that a new cheese plant had been licensed in the Bozeman area
- Three plants in far eastern Montana, Ms. Love said, were looking for a Grant of Inspection for meat. She expressed her thankfulness that her Bureau already knew about two of the plants expressing interest and that there was an employment offer that had been extended for the Glendive Meat Inspector position
- It was announced by Ms. Love that Darcy Alm, Office Manager, who had been with the Milk & Egg Bureau for 8 years and the DOL for 10 years, had accepted a higher paying position at the Department of Administration. Ms. Love said she would probably not be requesting to fill that position until the next BOL meeting, as she wanted to re-evaluate the position

(5:26:32) 2:26 PM Request to Hire – Inspector for NW Circuit/Kalispell Area

Alicia Love requested that the BOL approve the hire of a Meat Inspector in the Kalispell area:

- Ms. Love said that one of their Kalispell Meat Inspectors was leaving and taking a job in an IT position that would pay better

MOTION/VOTE

(5:27:01) 2:26 PM

William Kleinsasser moved to approve the hire of an Inspector for the NW Circuit/Kalispell Area in the Meat, Milk & Egg Inspection Bureau. Nina Baucus seconded. The motion passed.

- Alicia Love said that although they were still working to fill some vacancies, they were getting applicants for all of those vacancies, showing that the DOL was making good progress on their pay range

(5:27:37) 2:26 PM General BOL Discussion with Alicia Love

- Alicia Love reported that they were working on setting up an online payment system for meat licenses and that, hopefully it would be up and running by next year
- Gene Curry requested an update on a custom meat plant in Gallatin County that had approached the BOL because of non-compliance issues and had been given until December 31, 2023 to fix those issues (Discussed at 6/20/23 BOL Meeting)
 - Alicia Love reported that the establishment owner chose to withdraw their application, which nullified the variance granted and she said it was her understanding that the business was attempting to sell their custom meat plant
- Ms. Love said that the Bureau had sent out a letter in September asking plants to contact them if they would still want State inspection, adding that she had gotten just limited responses on that. She was hoping to do a bigger announcement to those plants regarding the Montana Meat Producers Association conference scheduled for April 2024
- After a question from Nina Baucus regarding applications for new meat plants, Ms. Love said that there were maybe 11-12 and shared that a jerky plant, just south of Missoula was close to coming on to inspection. There also was a plant in Bozeman that was also working on processing. The facility in St. Ignatius said that they were going to try to build a different plant. A facility out of Kalispell was changing ownership, but Ms. Love said she hadn't heard any action on that situation. Two facilities around Billings she thought were going to State inspection, with one stating they still needed to work on their HAACP Plans. One plant south of Billings said they were still doing construction for their plant
- Ms. Love said that the four new FTEs added by the last Legislature had definitely been helpful. But with the new Eastern Supervisor living close to Havre and seven hours from his plants in far eastern Montana, she could see a benefit to

adding another Supervisor for the eastern area and also getting another Relief Inspector

- USDA had put out some grant money, Ms. Love said, that did not stipulate that you had to be a CIS or USDA plant, but that you could get the grant money as a State plant as well and she was waiting to see what the trends would look like come spring or summer if USDA loosened the reins on that money
- The new cheese plant that was coming on had just a couple of employees, a small operation, but Ms. Love said they were excited to have them

(5:35:11) 2:34 PM - VETERINARY DIAGNOSTIC LABORATORY

Dr. Greg Juda, Director of the Montana Veterinary Diagnostic Lab introduced himself to the BOL, adding that he would not be asking for any money that day

(5:35:45) 2:35 PM MVDL Operational Update

Dr. Greg Juda reported that the Operational Update would be brief

(5:35:56) 2:35 PM MALDI Installation and Training

Dr. Greg Juda reported that the new MALDI spectrophotometer had been installed:

- Staff training on the MALDI occurred on November 21st and November 22nd, but the machine would still need to be validated before it could be used for operations at the VDL
- Dr. Juda explained that this state-of-the-art machine could identify a cultured organism by just placing it on a plate, pushing a button and the MALDI would identify the organism. He added that the VDL was one of the last labs in the country to get one of those pieces of equipment
 - The MALDI, Dr. Juda said, would be a help for certain test modalities at the VDL, especially in culture and microorganism identification but would not help in pathology workups, say, on an abortion
- With respect to non-diagnosis or non-definitive diagnosis on abortion, Dr. Juda said that Dr. Sago's rule-of-thumb from his school was that you would only find a definitive diagnosis in an abortion workup at a rate of about 40% or less of the time. Dr. Juda further explained that there was a high degree of uncertainty for an abortion workup because abortions could happen for various reasons, maybe the tissues taken were not the right ones or where you were at regionally
- Dr. Juda said that he thought in a situation where culture was part of a necropsy or pathology workup, if a longer culture was required along with traditional biochemical methods, that would likely be communicated with the Veterinarian and an interim report would be issued, even though the results of the culture might not be in that report. It would, however, allow the VDL to get a complete report out a lot more quickly
 - Even if a Pathologist couldn't give a definitive diagnosis on a disease state or cause of death, Dr. Juda said that sometimes a negative answer was just as good because then the Clinician could use that information for rule-outs

(5:41:17) 2:40 PM Brucella Testing Season Update

Dr. Greg Juda reported on the Brucella testing numbers at the VDL:

- The numbers had been pulled just two days previous by Dr. Steve Smith and had already been presented to the Interim Budget Committee
- Year-to-Date '23 numbers were 69,856 tests; year-to-date '24 numbers were 68,311, Dr. Juda said, consistent numbers which meant that Brucella test revenue numbers should look about the same

(5:42:12) 2:41 PM NAHLN Subaward from Colorado State University

Dr. Greg Juda reported that the NAHLN Subaward from Colorado State University, which was part of the American Rescue Plan for additional funding of \$1 million, had been approved and the agreement had been executed:

- With that approval, Dr. Juda said, the financial plan spending could begin, with the incinerator for the new Lab being the big ticket item for that funding
- Dr. Juda said there were about two years for the VDL to purchase the items that had been listed in their financial plan, with the incinerator using over half of those funds

(5:43:13) 2:42 PM Incinerator Purchase

Dr. Greg Juda reported that he, Brian Simonson and Evan Waters had initiated contact with State procurement regarding the purchase of the incinerator for the new Lab building:

- Dr. Juda said that they were still waiting to hear back from State procurement, and once they did, they could move forward in terms of a purchase of the incinerator. Lead time on that incinerator would be about six months, with it arriving sometime in the summer to hopefully, line up with when Swank Enterprises would like to place it in the new Lab footprint
- The down payment on the incinerator would be 10% down of the total purchase price and Dr. Juda said he was not sure yet which funding mechanism would be used for that. He said that once that down payment was put into the SABHRS system, the DOL staff would submit for reimbursement of that through the Colorado State Settle Board Office

(5:44:57) 2:44 PM New Lab Construction Update (Planning for Ground-Breaking/Kickoff Event)

Dr. Greg Juda said he wanted to update the BOL on what he saw when he looked at the construction site of the new Lab each day:

- Dr. Juda said that a lot of dirt had moved, with several 20-foot tall piles of dirt on the site. It appeared that the excavators had dug out the footprint of the building and still needed to get all the loose overburden out of that area. He expected that soon he would see a lot of traffic through the site bringing in the structural fill
- So far, he said, there had not been any disruption to the VDL's operation or to clients as a result of the construction
- Mike Honeycutt said that the DOL had been asked to be the lead to coordinate with the other Lab partners (Department of Agriculture and the Wool Lab) in the

planning of the groundbreaking event and then to let Max Grebe know not only the timeframe of the event, but who was going to be there

- Gene Curry said that the BOL needed to find a window of time to schedule a ground-breaking of the new Lab and he hoped it would be before the building was half finished.
- Mike Honeycutt reminded the BOL of the importance of not leaving anyone out of the invite to the groundbreaking event that had played a key part in its coming into being
- Jake Feddes commented that if you opened up the date of the groundbreaking to a time that wouldn't work for the ones being invited, you could go year-round. He said he thought the best choice of a date would be to choose one when the weather would be decent
- The BOL chose a mid-February to mid-March time frame for the groundbreaking event. That would give plenty of time to approach the other Lab partners and for everyone to get their list of attendees compiled

(5:51:40) 2:51 PM New Porcine Diagnostic Test Offerings Request

Dr. Greg Juda explained that with no action taken on his request at the last BOL meeting to add some new porcine diagnostic test offerings at the VDL, he was going to revisit that request:

- Dr. Juda said that he had asked Dr. Schwarz to do some homework regarding the two additional tests be added to the offerings as well, as requested by William Kleinsasser. Based on feedback from USDA and from clients, it was found that the two additional tests were specifically for viral diseases that were of the highest importance to the swine industry
 - Although the mycoplasma test could be done with traditional culture now, it would be able to be done in a much more rapid time frame when the MALDI was brought on, according to Dr. Juda
- Dr. Juda explained that in terms of the tests fees relative to the cost of the PCR test being requested, costs were covered, because labor in the Molecular Diagnostics section was fixed and turn around time would be worked into the standard workflow in that section of the VDL. The cost of commercially validated test kits would run about \$100, for a cost of about \$10 in material cost per sample, and have a shelf life of up to two years
- In Fiscal Year 2022, 1,019 tests on domestic pigs were performed at the VDL. That number went to 1,385 in Fiscal Year 2023
- Mike Honeycutt said that he had a bit of discontent about adding the additional porcine diagnostic test offerings when they were first presented at the last BOL meeting, because he was concerned that the VDL might become the Iowa State of the Pacific Northwest and would be losing money with each test performed. But there would be some additional revenue collected for the necropsy fee if there was also a pathological workup done, so that issue had been satisfied. He said that offering the extra tests would also help the VDL provide better service for clients onsite without referring them out to other labs
- William Kleinsasser said that even if the VDL tests would cost \$1, \$2 or \$5 more, it wouldn't be the end of the world. He said, the beauty of having those tests

done for their swine at the VDL was that if it was urgent enough, he could drive the samples to Bozeman to get a faster response

- Mike Honeycutt said that he and Dr. Szymanski had spoken with some swine Veterinarians who had shown a preference for continuing to send their samples out of state because those labs saw value in those labs seeing so much more pork-centric samples on a regular basis than the VDL
- Dr. Tahnee Szymanski explained that there were different categories of samples that Labs received
 - Surveillance samples were received from healthy pigs being introduced into the Colonies that were done to assure those animals were clear to go into the population. Dr. Szymanski said that the VDL was very likely not capturing surveillance samples in the near future as it could cost another \$600,000 to \$1 million to give the VDL the diagnostic capabilities to run those types of tests
 - Diagnostic samples, on the other hand, were ones from a single pig that had died and were done, more or less, for commercial producers, 4H producers, people that owned a smaller number of pigs and had sick pigs. Dr. Szymanski said the diagnostic tests were the ones that the VDL was looking at doing
- Dr. Juda explained that the cost per sample for running a test on the MALDI would be less than the cost for PCR. The cost of running an ELISA test would be somewhere in between. But he added, all three of those would have a very quick turn-around time

MOTION/VOTE

(6:02:41) 3:02 PM

Jake Feddes moved to approve the addition of Porcine Diagnostic Test Offerings at the MVDL, as presented by Dr. Greg Juda. Nina Baucus seconded. The motion passed.

Dr. Greg Juda reported that Max Grebe had been in discussion with the Department of Agriculture and with the Wool Lab regarding security in the construction zone of the new Lab complex, adding that a construction fence had been put up around the area

(6:05:33) 3:05 PM RECESS

(6:05:40) 3:19 PM RECONVENE

Gene Curry called the meeting back to order and announced that the BOL would be going into a short Executive Session

(6:06:09) 3:20 PM EXECUTIVE SESSION

(6:06:22) 3:49 PM RECONVENE

Gene Curry called the meeting back to order and announced that there was no action that needed to be taken as a result of the Executive Session

ANIMAL HEALTH & FOOD SAFETY DIVISION REPORTS (Continued)

(6:06:30) 3:50 PM

Dr. Tahnee Szymanski, Animal Health and Food Safety Division, introduced herself

(6:24:39) 3:50 PM – ANIMAL HEALTH BUREAU

Dr. Tahnee Szymanski, State Veterinarian, introduced herself and announced that she had just one action item and then some updates to present to the BOL

(6:06:46) 3:50 PM Indemnity Request – Park County Reactor

Dr. Tahnee Szymanski said that the 2023 Legislature had updated the DOL's ability to pay indemnity and that this was the first request brought before the BOL since that change:

- Dr. Szymanski explained that an indemnity fund had been created where the DOL could put in up to \$10,000/year and accrue up to \$100,000
 - The indemnity fund would be available for Brucellosis in particular, when a serological reactor was euthanized in an attempt to culture it. She explained that USDA would not pay indemnity on those animals to the producer and would only pay them a \$250 diagnostic purchase of the animal, which she said did not cover the cost of the animal
 - Dr. Szymanski went on to explain that the indemnity fund would potentially help correct the loss to the producer, and would not necessarily fully compensate the individual for the price of the animal
- Dr. Szymanski said that her request today was for the BOL to consider paying indemnity on an 8-year old pregnant cow from Park County that ended up being a serological reactor, had been euthanized for tissue culture and eventually came up negative in the culture results. She also requested help from the BOL to decide what the value of that animal would be
- To help decide on the value of the euthanized pregnant cow, Dr. Michalski had submitted a valuation table that Veterinary Services used in indemnity cases. Dr. Szymanski explained that since the passage of the indemnity fund legislation, there had been no process set for determining value of animals by the DOL
 - Different valuation methods were discussed, including summaries of sales of animals late in November at Headwaters Livestock Auction and USDA valuation data, valuation of the animal at the closest market the day the animal was declared dead, which was the method the Livestock Loss Board used for paying predation claims. Alan Redfield shared that for

purebred, not registered cows, he averaged between \$1100 and \$1200/head on 12 cows during November

- Dr. Szymanski said that the state had averaged one infected herd/year, meaning that one to two serological reactors/year were taken each year. She added that during the Tuberculosis outbreak in Madison County, 62 animals had been euthanized and the producer was able to challenge the amount that USDA gave them
- Mr. Honeycutt said that the DOL would not be paying the full bill for the Brucellosis serological reactors. Dr. Szymanski further explained that the value of the animal decided upon by the BOL would have the \$250 diagnostic purchase fee deducted from it for payment by the DOL indemnity fund

MOTION/VOTE

(6:22:05) 4:05 PM

Greg Wichman moved to approve pay \$1250 indemnity, minus the \$250 USDA diagnostic purchase, for a total of \$1000 on the 8-year-old pregnant purebred cow in Park County euthanized due to non-negative Brucellosis tests, as presented by Dr. Tahnee Szymanski. William Kleinsasser seconded. The motion passed.

Dr. Tahnee Szymanski said that USDA had already paid the producer their diagnostic purchase of the animal

(6:23:16) 4:06 PM Animal Health Updates

Dr. Tahnee Szymanski gave some Animal Health Bureau updates to the BOL

(6:23:21) 4:06 PM Brucellosis Testing and Active Investigations

Dr. Tahnee Szymanski reported on the Brucellosis testing and active investigations of cattle herds in Montana:

- Dr. Szymanski explained that the Animal Health Bureau's number of animals tested for Brucellosis was less than the VDL's Brucellosis test numbers on those animals, because several of those animals had multiple tests
- Currently in Montana, Dr. Szymanski said, there were still three affected herds
- The Park County animal that the BOL had just approved indemnity for was culture negative as of the previous Friday, meaning that the herd was not designated as an infected herd and was released from quarantine
 - Dr. Szymanski said that this was the DOL's first time of releasing a herd from quarantine, knowing that they would immediately be sold as bred animals. She said that there was a possibility that the indemnified animal had been exposed to the Brucella organism, based on its history given by the producer and because of that the DOL had requested one additional test on the females before they went out
 - There was one animal tested that had a non-negative test result that would be eligible for retest the following week
- Nina Baucus requested additional information that Dr. Szymanski had shared in a quorum given at the MSGA Convention regarding Brucellosis

- Dr. Szymanski explained that she had shared at MSGA about the results of some Brucellosis research that the USDA Agriculture Research Service had done. The theory was that vaccination would change how the immune system responded to the presence of the Brucellosis bacteria in the body and that it didn't seem to be mounting the same level of response that the FP screening test recorded
- Dr. Szymanski said that she shared that information because it was inconvenient for a lot of people to be told after results of Brucellosis testing that a cow would have to be held for 30 days until that cow could be retested. But, even though the DOL would love to do away with that requirement, the last thing the DOL wanted to do was say, we're "pretty sure" your animal wasn't infected and let them go. The DOL best served the program by it being proven the animal was not Brucellosis-infected before letting them go
- The DOL was awaiting more results on the entire battery of tests that ARS was doing to give some further direction in how to manage low value FPs
- Although there was a known risk that an infected animal could leave the DSA, Dr. Szymanski said that had not proven to be the case so far in Montana. She added that was why everything from the DSA had to have an official ID in it

(6:29:59) 4:13 PM Recent HPAI Cases in Montana: Backyard Poultry and Domestic Cat

Dr. Tahnee Szymanski updated the BOL on High Path Avian Influenza in the State:

- Since October, Dr. Szymanski said, there had been seven confirmed HPAI infections in Montana in Glacier, Flathead, Park, Sweetgrass, Wheatland, Missoula and Lewis & Clark Counties.
 - Two of the seven HPAI cases were considered commercial poultry flocks and all the rest were backyard flocks, spanning about 82,000 birds.
 - Both commercial premises had been depopulated and had gone through cleaning and disinfection. One of those had a negative environmental sample and would be eligible to bring birds back in and get back into production. The other facilities had samples collected but were waiting for negative test results to come back before birds could be brought back in
 - Dr. Szymanski said that the backyard flocks facilities would just do a 120-day fallow period, sitting empty over the winter and be eligible to have birds back again in the spring
- A point of interest that Dr. Szymanski pointed out was that in the Missoula County backyard flock, a stray kitten had been found by the owner in the coop after all the chickens had died. The kitten was eating leftover feed and feces and showed respiratory and neurologic signs. Testing found that the kitten was not positive for rabies but was positive for HPAI. Dr. Szymanski said it was a good reminder that there was potentially some risk to domestic mammals that were getting high volumes of exposure to HPAI

(6:32:02) 4:15 PM Atypical Canine Respiratory Disease

Dr. Tahnee Szymanski reported on the atypical canine respiratory disease that had been in the news a fair amount lately:

- Dr. Szymanski said the multiple US states and Canadian provinces had been reporting a spike in respiratory disease this fall raising some concerns
 - Cases were more severe
 - Cases don't seem to be responding to some traditional treatments
 - Not one single agent had been identified that would be causing the disease, as it had not been associated with High-Path Avian Influenza or COVID
- Dr. Szymanski said that there were a lot of people working on trying to find the causative agent, and she suspected it was one of the usual suspects, but that had not yet been successfully found as of yet
- Current recommendations going out to Veterinarians, Dr. Szymanski said were that if you see a respiratory case, take the samples really early rather than later

(6:33:34) 4:17 PM General BOL Discussion

There was general discussion between the BOL and Dr. Tahnee Szymanski:

- Dr. Szymanski reported that because there had been no additional public comments regarding the proposed administrative rule changes discussed at the last BOL meeting regarding Testing Within the DSA, Garbage Feeding in Montana and Livestock Animal Health Division Fees, per the BOL's action taken at the meeting to move ahead with adopting those changes, that was what was done
- Nina Baucus requested that the DOL work with FWP to do some elk testing in the south-central area of the state as she said there had been enough potential Brucellosis-positives headed that way
 - Dr. Tahnee Szymanski explained that the Park County animal was the only one that had substantial enough test results that it was thought it was a true Brucellosis exposure and potential infection. She added that the cows found in Carbon, Sweetgrass and Wheatland Counties had blipped on the initial test, but everything afterwards was negative, and so she didn't think there was a trend for potential Brucellosis in those areas
 - According to Dr. Szymanski, the DOL historically met in the spring to discuss movement of the elk on the landscape and decide where the elk capture locations would occur during the end-of-February, early March time period each year. She said that the 2024 elk capture location had been decided and the next meeting with FWP is when the 2025-2026 capture seasons and locations would be discussed and decided
 - Dr. Szymanski shared a graphic Montana map with the BOL showing all of the surveillance that FWP had done on elk for the last 12 years and, utilizing that map and the movement information gotten from monitoring elk already collared, was what helped inform where to conduct the next elk capture location
- There had been more landowner resistance, Dr. Szymanski said, allowing FWP to do live elk capture on their properties

- Alan Redfield said that there had also been an issue in Park County where some landowners were resisting allowing the elk hazing back into Yellowstone National Park. He wondered if it might be that they didn't want their fences knocked down.
- Mr. Redfield said that they had been seeing herds of a thousand head of elk during hunting season, going into hay meadows and with that high of a concentration of elk, there was a bigger chance of having issues
- The State of Wyoming, according to Dr. Szymanski, heavily relied upon hunter harvest samples, which she said was a time frame for collecting samples that Montana did not use because it was outside of the risk period. She said that collecting samples during the February-March risk period told the DOL where the elk were during the risk period

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

(6:45:48) 4:29 PM

Gene Curry asked if the one remaining person in the audience had any public comment:

- Ellie Brighton, representing the Montana Stockgrowers Association, had attended the BOL meeting in person and commented that she always learned things while attending the BOL meetings, adding that it was nice talking to the BOL that day

SET DATE FOR THE NEXT BOARD MEETING

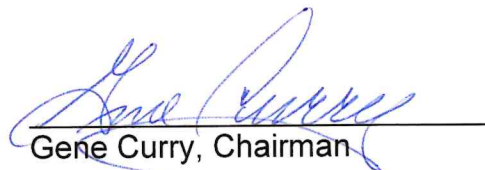
(6:46:36) 4:30 PM

Gene Curry requested that a date be set for the January BOL meeting, saying that he would be joining the meeting by ZOOM because he would be in Arizona:

- Mike Honeycutt announced that as far as staff went, January 24th and January 25th were open. He said that the Economic Affairs Interim Committee were scheduled to meet on January 17th, but he did not have a time for when the DOL would need to be there
- Jake Feddes said that he would be calving but he would be able to be at a meeting on the 25th. Alan Redfield agreed that the 25th would be a good day for him as well
- The next BOL meeting was scheduled for January 25, 2024 in the BOL conference room in Helena, MT

MEETING ADJOURNED

(6:50:37) 4:34 PM


Gene Curry, Chairman