



# Montana Board of Livestock Meeting Minutes

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

April 23, 2024

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)

**(Greg Wichman attended meeting by ZOOM)**

William Kleinsasser (swine producer)

Nina Baucus (cattle producer)

Lily Andersen (dairy & poultry)

## Staff Present

Mike Honeycutt, EO

Brian Simonson, Deputy EO

Evan Waters, Centralized Services

Rick Corder, Centralized Services

Tom Shultz, Centralized Services

Dale Haylett, Centralized Services

Mike Spatz, Centralized Services

Lindsey Simon, Centralized Services

Donna Wilham, Adm. Assistant to EO

Dr. Tahnee Szymanski, MT State Vet

Dr. Greg Juda, Director, MVDL

Britta Sekora, AH Bureau

George Edwards, LLB

Jay Bodner, Brands Enforcement

Alicia Love, Meat, Milk & Egg Inspection

## Public Present

Ellie Brighton, MSGA

Krista Lee Evans, MMPA

Kraig Glazier

David L. McEwen

SECRP

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## MEETING CALLED TO ORDER

**(:08) 8:00 AM**

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

## CALL TO ORDER AND INTRODUCTIONS

**(:08) 8:00 AM**

Chairman Gene Curry said the first order of business was Introductions:

- Nina Baucus, Cattle Representative, north of Helena
  - Ms. Baucus reported that they have a cow/calf operation and also raise sheep. She added that they raise their fair share of predators as well
  - Lambing was over, she said, and that she had received her “pink slip” the previous Thursday

- Ms. Baucus said that calving was pretty close to over and spoke again about the serious problem they had with their three-year-olds that she spoke about at the last BOL meeting
  - All kinds of blood and liver tests had been taken in Iowa, testing everything they could, and it was thought that the problem was the animals were low on minerals, even though the problem only seemed to affect the 3-year-olds, Ms. Baucus said
  - Ms. Baucus said that if she could, she was going to talk her son into selling the whole group as they lost 30 or so calves a year ago and did the same this year, where the calves were dropped, took a breath or two and then they were dead
  - Lily Andersen shared that during a nutrition conference she had attended they talked about how a drought 2-3 years ago would affect a current cow herd
- Lily Andersen, Dairy & Poultry Representative, south of Livingston
  - Ms. Andersen said that they were done calving and were being kept busy milking cows every day
  - Ms. Andersen said they picked up seed the day before and were now starting to farm
- William Kleinsasser, Swine Representative, Augusta
  - Mr. Kleinsasser reported that things were going good in the pig world with prices and futures both looking good
  - Seeding was about half way done, Mr. Kleinsasser said, adding that the wind they get, doesn't affect the seed that much, and that if it's not blowing over 40 mph, you're fine
- Jake Feddes, Cattle Representative, Manhattan
  - Mr. Feddes said that now that they're done calving they were doing AI, to heifers the previous week and to cows the next day, putting those embryos in to assure he had a job next January
  - He said that even though the cattle market had been on a roller coaster, now it was holding steady and that it was shaping up to be pretty good this summer
- Greg Wichman, Sheep Representative, Hilger, North of Lewistown
  - Mr. Wichman reported that they were smack dab in the middle of everything with lambing hitting hard and about 2/3 of the way done and calving about half done
  - He said that the grass was greening up and people were starting to farm
  - Mr. Wichman shared that his son was having some of the same situation in their 3-year-old cows that Nina Baucus talked about, but the calves didn't die when they were born, but just looked rough and it didn't look like they would ever be good critters. He thought it probably would be a good idea for Nina to con her son into selling that group of cows
- Alan Redfield, Cattle Representative, Paradise Valley
  - Mr. Redfield reported that they were almost done calving with just a couple yet to go

- He said that he had just put out fertilizer and then the previous week, received between 8-10 inches of snow and now it was so muddy in the meadow you couldn't keep cows on it
- Gene Curry, Cattle Representative, Valier
  - Mr. Curry reported that they didn't have mud, but the dust had been blowing. He said they started seeding the Saturday before and that in the ground there was nice moisture
  - He said that being allocated only four inches of irrigation water, it was going to be pretty tight and trying to grow alfalfa on that was almost impossible, adding that he was hoping Mother Nature would give a little rain to supplement that irrigation and dryland this summer
  - Mr. Curry said the crew was spaying heifers that day and that feeders would go in on, he thought, Friday
- Karli Johnson, State Government Affairs Representative for the Montana Farm Bureau, introduced herself, sharing that she and her husband raised Black Angus cattle and also kids, right outside of Choteau
- Ellie Brighton, Government Affairs Representative for the Montana Stockgrowers Association introduced herself
- Lindsay Simon, Agency Counsel for the DOL, introduced herself

## **BOARD ADMINISTRATIVE ITEMS**

**(9:36) 8:10 AM**

### **(9:36) 8:10 AM – BOARD APPROVAL OF PAST MEETING MINUTES**

Gene Curry entertained a motion to approve the minutes of the last BOL meeting

## **MOTION/VOTE**

**(9:40) 8:10 AM**

**Nina Baucus moved to approve the minutes, as presented, from the Montana Board of Livestock March 26, 2024 meeting. Alan Redfield seconded. The motion passed.**

Gene Curry brought up a discussion that in his opinion, there was not a need for such extensive BOL minutes where everything was recorded:

- Mr. Curry said he had spoken to various people and read about what needed to be recorded in minutes and said that anything that required a motion needed to be recorded but said, that he didn't believe that all discussion needed to be recorded
- Nina Baucus said that it was quite difficult to find something on the recording, adding that there were producers who read the minutes and that Donna had been complimented by them and also the Auditor's office because of those people appreciating what was written in them. She said that even though 40 pages was a long way through, it was still much easier going through those pages than trying to listen to the recording, because going through that was a nightmare

- Lindsey Simon said that there was nothing legally that precluded putting more than what was required in the minutes, as long as the action items were included. She said she would recommend, too, the time stamps, as they helped pinpoint where in the recording those took place
- Alan Redfield said that he understood where the Chairman was coming from regarding the minutes, but with the history of what the DOL had done prior to Mr. Honeycutt's arrival at the DOL, fairly often, the minutes didn't match the BOL meeting, diminishing what happened and he thought that was why now, we're expected to do more
  - Mr. Redfield said he fought hard to pass the bill that required the DOL to record the BOL meetings and he felt that, at least for while, don't back up from what we were doing now, because the BOL was trusted now and that hadn't been the case in the past
- Mr. Honeycutt said that on the DOL website, both the written minutes, once they were approved, and the recording were posted. He said that the minutes needed to be a true transcription to the recording
- He shared that last year he had been contacted by an attorney whose client claimed that they had not gotten due process when they had an issue in front of the BOL several years prior. But, watching the recorded video of the meeting, the attorney realized that his client had told him the opposite of what actually happened. Mr. Honeycutt said that from a legal standpoint, the actual video came in more handy in that case. But, for historical reference, that was different and he would ask that the BOL not editorialize the written minutes so there was no difference between them and the actual recording

## **OLD BUSINESS**

**(21:50) 8:22 AM**

### **(21:56) 8:22 AM – UPDATE ON GOVERNOR'S OGSM STRATEGIC MANAGEMENT AND EXECUTIVE OFFICER STRATEGIC GOALS**

Mike Honeycutt said that he and Brian Simonson had attended the monthly Ops Review meeting with the Governor on April 15, 2024:

- Tracking through the latest slaughter numbers for both the custom exempts and the State-inspected plants, Mr. Honeycutt said that the numbers were still really strong, looking similar to last year's, which was interesting, especially if there were less animals on the landscape
  - When Ryan Osmundson, the Budget Director, asked about market cattle movement, Mr. Honeycutt told him that a lot of animals had moved through the market this year, which was good for the commission companies, but, depending on how producers chose to market their cattle, there could be a down cattle cycle and more cattle going through the markets
- With per capita starting to roll in, Mr. Honeycutt said that for the first time this year, the DOL revenue was actually more than expenses and both were below the appropriated budget

- Also because of per capita, the State Special Revenue cash available went up about a million and a half dollars since last month's timeframe, with over \$16 million for State Special Revenue cash reserves
- Mr. Honeycutt was able to report that DOL vacancies were down to 9, as they had been running around 11-12
- Traction was being gained on hiring an Assistant State Veterinarian, Mr. Honeycutt said, and that interviews were scheduled on the same day as the Ops review
- Mr. Honeycutt said that he was able to report that the DOL was trying to successfully get removed from litigation regarding the Craig neighbor dispute over goats and he thought that they might be dropping the entire suit
- Dr. Tahnee Szymanski had been having some good conversations with the game managers for the Crow Tribe, working collaboratively with them to maybe do some elk surveillance on that side of the Bighorn Mountains on the reservation
- The Missoula market was scheduled to have their last sale in a couple weeks, Mr. Honeycutt said, and the Ramsay market was looking at utilizing some of those facilities as a compiling station, which would save a lot of transportation costs if producers had the ability to work through a Commission company, bring their cattle to Missoula and then get them to Ramsay
- Mr. Honeycutt reported one low to the Governor regarding USDA funding in both APHIS and FSIS. APHIS was cutting the Federal Umbrella funds going to states. FSIS' new philosophy was that they would fund "up to" 50%, which was not acceptable as the DOL made their budget on a two-year basis and if the funding wasn't a full 50%, how would the DOL close the gap
- Although the High Path Avian Influenza discovered in dairy cattle was a low reported to the Governor, Mr. Honeycutt said it hadn't affected Montana yet, but was still something on the disease landscape that was causing the DOL to be part of lots of meetings and discussions
- A new Field Training Officer (FTO) manual had been done and Jay Bodner had done a lot of work revamping the FTO program, which the DOL utilized to get new Investigators up to speed. Mr. Honeycutt said there was one more FTO on staff to be trained and that would have to be done through the Law Enforcement Academy. By imbedding those FTO responsibilities into the job description, Mr. Honeycutt said that he hoped in the future that the DOL would be able to offer differential for those employees who would take on that responsibility
- The letter had gone out to meat establishments regarding label audits and now the DOL had been working with establishments on those label audits
- The DOL had worked proactively with industry the day before on milk inspection fees and what needed to be done there
- Although no CIS had gotten across the finish line yet, two more meat processing establishments in eastern Montana would soon be getting their Grants of Inspection, Mr. Honeycutt said
- Mr. Honeycutt said that one goal for the DOL was to plan an event to recognize the folks that helped with the establishment of the new VDL facility
- Dr. Tahnee Szymanski had worked on some language to propose back to the Adaptive Management Plan that would like to see IBMP Partners represent

Brucellosis research, monitoring and mitigation in bison movement to manage how Brucellosis should be dealt with within the Yellowstone Bison herd because, Mr. Honeycutt said the DOL concern was that Brucellosis was becoming less and less a central theme of those conversations at the IBMP meetings

- Dealer renewals were due on May 1, 2024, Mr. Honeycutt said, and Jay Bodner would report on that further during his presentation time
- Mr. Honeycutt said he was able to report to the Governor that some of the IT needs, the AI project in the Brands Division was advancing forward, which would help assure that brand inspections, for example, in the DSA, would be as real-time as possible to help track movement or do any sort of compliance work that needed to be done if there was an issue
- With multiple types of people that the DOL deals with, some who desire obtaining information on their own online, not wanting to deal with paper and then those who don't have connectivity or maybe want to still have the functionality of paper, the DOL wants to be able to offer those types of services to either, Mr. Honeycutt said
- Mr. Honeycutt said there had been conversation about how to spend broadband grant money in the DOL to serve rural Montana
  - One idea Mr. Honeycutt had was to, rather than spend a lot of money to lay out fiber down roads that didn't have many houses on them, to instead give the grants to people to get Starlink or some other satellite-type services that would give them connectivity without having to rely on fiber or point-to-point connection. He added that it might also be a faster way to get people connected than with fiber optic cable as well
  - Mr. Honeycutt explained that personal hotspots worked off cellular, and so he suggested for the Inspectors who were having trouble with connectivity, that cell phone boosters in vehicles, which were already successfully being used in West Yellowstone and Gardiner, could be used. Alan Redfield agreed and said, let's put them in the Inspectors' trucks, Nina Baucus added that the staff should look at that and have information ready for next month's BOL meeting when the budget was discussed
  - Mike Honeycutt said that the cell phone boosters could also be added to the Meat Inspectors' vehicles, which, in the end, could be a cost savings because of the ability for them to work from their truck during lag time between visiting facilities
  - Jake Feddes reported that because their phone lines were so old and the internet kept going in and out, they got Starlink at their meat processing facility and also at their house and it had been wonderful

## **NEW BUSINESS/EXECUTIVE OFFICER UPDATES**

**(46:09) 8:46 AM**

## **(46:37) 8:46 AM – HUMAN RESOURCES UPDATES**

Mike Spatz, Human Resource Officer for the DOL, introduced himself

## **(46:47) 8:47 AM Staff Openings, Recruitment and General Updates**

Mike Spatz reported on the standard Staff Openings and Recruitment information for the DOL:

- Mr. Spatz reported that currently, there were 11 positions that the DOL was actively recruiting, adding that the number of vacancies in the DOL consistently ran between 8-11, and that was, in his opinion not a horrible number for this agency
- There were very good applicants for the Assistant State Veterinarian position and those interviews had been held, Mr. Spatz said, and they were proposing looking into a second interview for the top candidates out of that pool
  - Mike Honeycutt added that they thought it was good to include a one-day field test for the second piece of the interview to see how the candidate would interact with some other DOL staff and how they would operate in the field environment
- Mr. Spatz said that the staff Veterinary position had been posted, and even though the start on that was slow, he was hopeful to get some good applicants in that pool
- Mr. Spatz reported that there had been a new Brands employee hired since the last BOL meeting and an accepted offer for an employee that would start in the near future and three other offers waiting for acceptance
- One position had been vacated since the last BOL meeting, Mr. Spatz said, and notice had been received of a future resignation in the Animal Health and Brands area
- There were several employment changes in the Brands Enforcement Division since the last BOL meeting, Mr. Spatz said
  - There had been an internal hire for the Billings Livestock Commission Assistant Market Supervisor, Mariah Malcolm, who was hired on March 30, 2024 and that meant that her position would need to be filled
  - Colton Black started on March 25, 2024 as a Market Inspector in the BLS
  - Natalie Burrows would be starting in Miles City as a Market Inspector
  - An offer had also been extended to a candidate in the Great Falls Market, and that applicant declined the offer, and so the Great Falls Market Inspector position would need to be reposted
  - The BLS Market Inspector position was set to close on April 26, 2024
  - Interviews for the vacant District 16 Investigator position were held. Mike Honeycutt said that particular position was a “hybrid” position that covered Blaine and Toole County would also take care of the Chinook market
- Mike Spatz said that he was confident the vacant position in IT would be hired from the pool of applicants they had received, as they were all very good. The position had been reformatted to be more of a support level, entry position rather than an analyst position, meaning the job description was changed and had to go through the reclassification process by the Department of Administration
  - Jake Feddes questioned how the DOL was saving money by now paying for 3.5 IT people rather than the 3 people it had previously. Mike Honeycutt said the DOL was going back to 3 people at a much lower rate

- of pay than it was previously and that the shared CIO position was paid for as we go
- Mike Honeycutt explained that he would not describe the IT area of the DOL as being behind in their work, but they were keeping up and that having that third IT person on board would take a lot of pressure off of them. He added that vendor support on the new technology coming into the DOL had been a lot of help, but, as that help faded out, more of that responsibility would be on the IT staff
  - Mike Spatz said that starting next BOL meeting he was going to assist Managers in the DOL by consolidating some of the recruitment information that was presented and handle their requests for hire during his presentation time rather than during each Bureau's or Division's time
    - Mike Honeycutt reminded the BOL that their current Policies and Procedures require that all replacing of positions in the DOL be brought before the BOL
    - Lily Andersen said that, especially in the Milk Inspection area, there was a lot of industry concern about the hiring and she felt that transparency was key and it was critical that it was being done by the BOL. Gene Curry said he felt that it has been the history for this BOL to approve those hires, but that it seemed like a waste of time, even though that probably wasn't the perception of the industry. Jake Feddes said it wasn't necessarily a waste of time but that the recruitment process took a lot of time, especially in those position that we know need to be filled, adding that speeding up the recruitment process might even keep DOL vacancy numbers down
    - Mike Honeycutt said that with some vacant positions, they were posted ahead of BOL approval to get the recruitment process going and then, once the BOL gave approval for hire, the candidates were there and interviews could begin
  - Mike Honeycutt said, that based on the conversation so far in the meeting today, that it was probably well overdue to evaluate the BOL Policies and Procedures. It was decided by the BOL to have DOL Counsel, Lindsey Simon review the BOL Policies and Procedures and Gene Curry requested that BOL members go through them as well before discussing whether or not they fit today's world

**(1:12:34) 9:13 AM UPDATE ON ONGOING FEDERAL PROCESSES**

Mike Honeycutt called Lindsey Simon to help with this portion of the agenda, saying that next time, he would add to the agenda a Legal Update segment. He said that Ms. Simon would be attending a Federal Cooperation Group meeting later that day where State agencies met to talk about regulatory burden coming from the Federal government and how the Governor's Legal Office and how, as a State, those issues should be attacked

**(1:13:37) 9:14 AM BLM Sage Grouse Planning**

Mike Honeycutt said the new BLM Sage Grouse Plan had been released and that he thought some of the bigger concern was that Montana was being punished for their successes with sage grouse:



- Mr. Honeycutt explained that in 2015 states were asked by the Federal government to put together plans for sage grouse management and in 2019, a new Federal administration reversed all that and states could change their State plans but were allowed to not change if they so desired. Montana did not change from their 2015 Sage Grouse Management Plan which had been very successful in recovery of the sage grouse
- The new BLM Sage Grouse Management Plan, Mr. Honeycutt said, did not give Montana any credit for its successes that it had with their State Plan and now there was a lot of concern about additional habitat and how that would be managed
- Karli Johnson, MFBF said the plan was 1000 pages and they were still in the analysis process of it. Ellie Brighton, MSGA said that how some of the areas would be designated in the Plan would obviously be a huge issue for grazing
- Lindsey Simon said she believed the draft Environmental Impact Statement comments were due on June 13, 2024 and so the DOL would be submitting those to the Governor's Office to ensure consistency across the Executive Branch agencies on May 20, 2024

**(1:18:21) 9:18 AM BLM Grazing Rules**

Mike Honeycutt explained that the BLM Grazing Rules were not a rule change anymore, but were policies and that those were still ongoing with no new grazing policies released as of yet:

- Mr. Honeycutt said the Conservation and Landscape Health rule was announced the previous week and was concerning from a grazing aspect because of the prospect of restoration leases which would expand the multiple use doctrine on BLM land. He felt that on both the Conservation and Landscape Health rule and the BLM Sage Grouse planning that no policy changes had been seen from BLM on actual grazing so far was because they need to be put in place first and then adjust policies
- The DOL had been part of conversations regarding the flexibilities of the leases on BLM, Mr. Honeycutt saying that there had been some good suggestions from lots of the cooperators. He said that flexibility could cut both ways, because there had also been conversations about being flexible with species and that in some cases, especially during drought, you may need to get off the BLM grazing ground earlier than your lease shows, but that was still up in the air about what they would do
- Mr. Honeycutt said that his belief was that those who currently held leases would be able to continue to hold them. But, if those leases became available in the future, that was where the changes would be enacted. He said that there was a lot of belief and concern from BLM that the leases were not being used properly, but he felt there was little evidence to support that. Mr. Honeycutt questioned why the laws weren't used to enforce that and why policies would need to change to adjust it? He said that rulemaking processes required public comment, but policy changes did not and when they're announced, they became effective immediately

- Wildlife restoration was one of the goals that BLM wanted to achieve, Mr. Honeycutt said, not just the multiple use doctrine of how the BLM lands would be used. He said that we would have to pay very close attention going into the future when Regional Management comes up for debate because some BLM districts of the state were under Regional Management Plans. In the case of the Custer-Gallatin National Forest Plan, which is the USDA and Forest Service, if there ever was a conflict between bison and cattle, the bison would win. If in BLM country, basically, the eastern 2/3 of the State, if there were a conflict between livestock and wildlife, then we should defer to the wildlife to win that conflict, meaning no grazing
- Nina Baucus shared that they had dealt with some very serious rules as far as Forest Service and predators went, having been pulled off Forest Service grazing leases with their sheep because of grizzlies and now cannot put a camp on the Forest Service and all camps had to be put on private ground

**(1:34:28) 9:34 AM EPA Effluent Standards for Meat Processors**

Mike Honeycutt reported that the EPA Effluent Standards to Meat Processors had already passed:

- Mr. Honeycutt explained that the EPA at the Federal level had been sued by a group of NGOs that they were not controlling point source pollution coming out of Meat Processors in terms of water quality the way they should according to the Clean Water Act. And, because of that, the EPA went into rulemaking, putting out new Effluent Standards regarding things going into the water being monitored and controlled
- In reading the rule, Mr. Honeycutt said it appears that currently, only larger processors, such as JBS, Cargill, Tyson and Smithfield would be affected, but, said that the DOL wanted to submit comments anyway in case the smaller establishments were pressed upon in the future
- It was duplicitous, Mr. Honeycutt stated, that with the USDA hand the Federal government was handing out money to increase local processing and then on the EPA hand, was potentially moving in a direction that created a barrier for entry
- Mr. Honeycutt said that the Montana Department of Environmental Quality was committed to commenting on behalf of Montana with talking points that the DOL had given them and their water quality people had agreed with the DOL that it was something going ahead with to get our position stated

**(1:38:48) 9:39 AM EPA Animal Waste Emission Standards**

Mike Honeycutt reported that he had been pressing on DEQ about Animal Waste Emission Standards because they were the ones who had the relationship with the EPA:

- This came about, Mr. Honeycutt reported because a lawsuit was brought against the EPA for not doing enough to enforce the Clean Air Act and monitoring the emissions coming from large-scale livestock production
- Mr. Honeycutt said he felt the standards were very much targeted at larger feeding operations in the Midwest, including poultry, pork or feedlot cattle, but if the rule were ever expanded into the smaller industry thresholds it could mean

further regulation on the emissions of methane and other things coming from those facilities and having to pay money to monitor and mitigate those emissions

- The proposed EPA Animal Waste Emission Standards were not in the actual rulemaking process yet and were just focused on the Meat Processors. Mr. Honeycutt said that he had fought for Montana's smaller feedlots at the State level, leaning on help from Jay Bodner because there had been a push on the State level to get rid of the exemptions for small feedlots, meaning they would be treated the same as somebody who's feeding 5000 head, not just 20

### **(1:43:50) 9:44 AM YNP Bison/ IBMP Operations**

Mike Honeycutt reported on a myriad of Yellowstone National Park issues:

- Mr. Honeycutt said that he had received indication to expect a decision on the YNP Bison EIS (Environmental Impact Statement) by July and then there would be an opportunity to make comment again
- The EIS would include one of three alternatives, the first alternative allowed the lowest number of bison in YNP, around 3000 and the management methods for population control of bison would be shipping or consigning them and shipping them to meat processing. There would not really be trapping for quarantine and then dispersing to the Tribes. Hunting would probably be curtailed. The second alternative would allow more bison in YNP and provide a bit more of the above strategy for management. The third alternative would provide YNP to have up to an 8000 bison threshold
- Mr. Honeycutt was concerned with Alternative #3, in allowing the 8000 bison threshold in YNP, as the Park had never had a population more than 6000-6500 in his time at the DOL. He said the out-migration was not easy and allowing such a large bison population threshold would be much more intense management. Alternative #3 would also not include ship to slaughter and may not do quarantine
- Alan Redfield reported that in speaking with some of the people in YNP, they're really pushing and looking at Alternative #2
- Mr. Honeycutt said that Dr. Tahnee Szymanski had reported to him that there was some bison hunting going on today by the Tribes, but still the removal numbers for the year were still under 100. Nina Baucus said that at the last BOL meeting, Dr. Szymanski reported that only 23 bison had been taken
- Alan Redfield expressed concern about a rancher who had a piece of ground right at Yankee Jim Canyon said at the IBMP meeting that they wanted to work with the IBMP partners and have the YNP bison on their property. He said that piece of property was in the valley and if the bison were allowed on there it would be a wreck
  - Mr. Redfield said that he shared at a watershed meeting where the Park Superintendent was present that if you don't allow the DOL to haze bison where they needed to be hazed, you've signed a death warrant for that bison because we would have to kill it and you don't want to let that happen. The Park Superintendent, according to Mr. Redfield said that he had not met with the rancher

- Mike Honeycutt reported that a recent Bozeman Daily Chronicle article stated that there had been a kickoff meeting in Bozeman with a group who wanted to petition the Federal government to declare a lot of the land adjacent to YNP in Montana and Idaho as a national monument, which would go all the way over to Henry's Lake and into the Targhee National Forest, not to end grazing, but trying to stop development and natural resource extraction. Mr. Honeycutt said it might also restrict motorized access and stop someone from sub-dividing a place in the mountains or putting in a new ski resort or a mine. Alan Redfield added that it might also affect water rights
- The next IBMP meeting, scheduled at Chico, Mr. Honeycutt said, was in May and Dr. Tahnee Szymanski had put together some requests for us to keep Brucellosis alive in the Adaptive Management Plan

**(1:56:36) 9:57 AM USFWS Bison ESA Analysis**

Mike Honeycutt said that there was no update on the Bison ESA Analysis, but it was still ongoing:

- FWP was taking the lead on the issue, Mr. Honeycutt said because it was a wildlife issue, but the DOL had contributed information for that to send back to the US Fish & Wildlife Service as they had given the DOL the opportunity to share their thoughts about bison as an endangered species
  - Mr. Honeycutt said there were a lot of reasons we don't believe Yellowstone bison were an endangered species. While the DOL pointed to population numbers of those YNP bison, an FWP geneticist had contributed a lot of science about the genetic integrity of the herds that they don't meet the threshold of an endangered species. Mr. Honeycutt said with them living in Yellowstone National Park most of the time we don't do anything to them when they're there, there's plenty of regulatory control and plenty of restraint to keep them from being annihilated
  - Alan Redfield said that a good sponsor would be the Tribes because if you put those bison on an endangered species list, they would not be able to hunt them. Mike Honeycutt said he couldn't imagine that any of the management techniques utilized today would be acceptable if those bison were listed as an endangered species
- Nina Baucus said she could ask Dr. Szymanski during her presentation time about why the bison were going in the opposite direction of where they normally go in the Spring

**(1:59:57) 10:00 AM BLM Solar Environmental Assessment Report (Non-Agenda Item)**

Mike Honeycutt reported on the BLM Solar Environmental Assessment:

- Lindsey Simon reported that it was a programmatic change to the plan and that interested parties would have a "bite of the apple" when specific projects were put up but they were setting up baseline procedures to streamline the process
- Action alternatives, Ms. Simon said, would be to reduce the number of acreage that would be deemed appropriate for solar development in the state

- Ms. Simon said that the comments she submitted just emphasized what we want them to consider that involved livestock grazing, once they get to the project phase. She said that she had not seen comments from other agencies as of yet
- Mr. Honeycutt said that the biggest thing the DOL was concerned about with this was that it would be another use for BLM land that would take it out of grazing. He said, too, that even though solar was long in lifespan, it's still a temporary use and that roads would have to be put in on those lands that would have to be maintained. Once it would come to the point of decommissioning the array, how do you return that landscape back to the way it was before you put solar panels on it and would it be suitable for grazing or for wildlife habitat, and how would those solar arrays affect sage grouse
- Nina Baucus said that you cannot graze cattle on solar farms because the height of the two doesn't work out, but that sheep were often used to keep vegetation down
- Lindsey Simon said that in the proposed draft, the range management plan applied to all the Western states
- William Kleinsasser said that all these Federal plans that were discussed today seemed to want to put us all out of business. Gene Curry said, they want to move everybody to town off the land, but what were they gonna eat?

**(2:06:43) 10:07 AM – LEGISLATIVE INTERIM ACTIVITIES UPDATE**

Mike Honeycutt said there was not a whole lot to report on Legislative Interim Activities since the last time they met:

- Brian Simonson would be attending the Legislative Audit Meeting that day, which would be a final review of the audit they did on the Board of Milk Control a couple years ago. Scott Mitchell, who was the Chair at the time of the audit and was still on the Board of Milk Control, would be attending the meeting with Mr. Simonson, along with Milk Control staff
- The concern, Mr. Honeycutt said, was that one of the audit findings was that they were listed as not fully implemented, which could raise some questions with the Committee. The issue was that they had made a recommendation that all excess quota would be reduced and they thought that would increase milk prices, but, quota was not supply
  - Mr. Honeycutt said that an argument they were prepared for today was that growth would be disincentivized in the industry if all quota went away because if people wanted to expand, they couldn't get quota if you don't have it
- Another reason the audit finding was only partially implemented was because none of us really understood whether quota was a true property right and if it was reduced then you were to pay assigned market value to the producers or the quota didn't go away. And, if it was a property right and it was taken away, there would be litigation that would not be fun
- In the end, Mr. Honeycutt said, what was done was that when a dairy went out of business and no one bought their quota within 30 days, that quota would automatically be redistributed equally across the pool

- Mr. Honeycutt said that even though the Auditors may say, “do that,” it was a Board of Milk Control decision and that the Board needed to listen to the wants and needs of the industry they were regulating and they did that, coming up with a solution that had agreement from everybody

**(2:11:43) 10:11 AM – RULES, LEGISLATION AND BUDGETING FOR 2025 SESSION**

Mike Honeycutt reminded the BOL on the moratorium coming up this Fall, prior to Legislative Session on submitting rules and so he said that June was the last time rules should be approved for the year to assure they had time to get adopted before the moratorium went into place:

- Mr. Honeycutt also reminded the BOL that the first week of May was the deadline to submit Legislative concepts to the Office of Budget and Program Planning that we plan to pursue. Jay Bodner had some he would be presenting to the BOL later today
- Budgets were due to OBPP the first week of June and so during the May BOL meeting, budget additions would need to be approved by the BOL

**(2:14:17) 10:14 AM RECESS**

**(2:14:17) 10:30 AM RECONVENE**

**(2:14:17) 10:30 AM – EXECUTIVE OFFICER ANNUAL REVIEW (Closed Executive Session May be Required)**

**(2:14:17) 10:30 AM EXECUTIVE SESSION**

**(2:15:52) 12:15 PM RECONVENE**

Gene Curry closed Executive Session and called the regular meeting back to order. He said the BOL had conducted the evaluation of our Executive Officer, which ended up being a positive evaluation and Mike Honeycutt had agreed to continue on directing the DOL. There was no action to be taken

**(2:16:51) 12:16 PM PREDATOR CONTROL**

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

Dalin Tidwell, State Director for USDA Wildlife Services, introduced himself saying that he appreciated the opportunity to update on predator control work and the things that USDA Wildlife Services was a part of in the state of Montana:

- Mr. Tidwell reported that the helicopters were in good working order with all the upgrades and retrofitting and everything was in full tune and ready to go with no upcoming big expenses or anything of note

- Compared to last Federal fiscal year, coyote numbers were down, Mr. Tidwell said, adding that last year was a record-breaking year with the number of calls and damage and the coyotes taken. He reported that the number of coyotes taken so far this year with the 707 Hobbs was 4107, but with all the extra groundwork and such, they were sitting at around 6,000 taken so far, but that the heavy flying season tapered off at the end of May
- Mr. Tidwell reported that going towards Fall of last year, there had been a string of constant lion damage, mostly goat and sheep damage, and already this fiscal year, 11 lions had been taken
- Grizzly bears started early this year with Wildlife Services' first investigation coming the last week of February and it had progressed since then, Mr. Tidwell said, with 20-25 investigations, eight of them out of Glacier County. He did say that not all were confirmed grizzly bear, but six of the Glacier County IRs were confirmed probable and some actions had been taken. So far this fiscal year, one grizzly bear had been removed and two transferred to custody, one of which the Tribe chose to relocate
- So far there had been no black bear damage reported as Dalin Tidwell said their damage usually tends to be more of a Spring thing
- Mr. Tidwell reported that just shy of 22,000 European Starlings were addressed and removed, mostly out of a Billings area feedlot and landfill. He said that an avicide, particular to blackbirds, was utilized. He explained that those birds were an invasive species and were still part of Wildlife Services' control work in some of those spaces
  - Mr. Tidwell explained that it had been almost a two-year effort with the starlings that were specifically removed because of the human health and safety risk as thousands of them were roosting at a site in town and defecating all over the place. He said that at the feedlots they were also consuming feed that had a financial impact on those feedlots
  - There was an emerging study, Mr. Tidwell said in their Wildlife Research Center to study starling transmission of the Avian Influenza
- After 12 or more years, Mr. Tidwell reported that Blaine County signed a full cattle petition that would facilitate Wildlife Services to have the funding needed to get a trapper on the ground with enough funds to have an aerial program as well in that area. Mr. Tidwell said they had already done a lot of coyote work in that area because of them plaguing the producers quite a bit. Although they were still in the paperwork phase of hiring a Specialist to carry the program in that area, they had found a local who was a trained gunner with great wildlife and trapping experience
- Mr. Tidwell said that it was directed through the Secretary of Agriculture that Wildlife Services remove M-44s from where they had placed them from the whole country, and that had been done. He said that the Pocatello Supply Depot who manufactured them could no longer purchase the supplies to make them, but the supply left in stock could be sold to private applicators. He added that they did not rely heavily on M-44s in Montana, averaging only about 200 coyotes/year using that tool

- There had been an injunction that Judge Malloy put on FWP, Mr. Tidwell reported, that there would be no trapping outside of the recreational wolf trapping season. Mr. Tidwell said that somehow, Wildlife Services got pulled into the lawsuit with FWP, or basically the State, regarding that wolf trapping
  - Mr. Tidwell explained that the Judge recognized Title 81 as being exempt from the recreational trapping, but in the same statement it gave FWP the authority to authorize scientific purposes to maintain their wolf monitoring program and the trapping they do for putting wolf collars out
- As it stood now, Mr. Tidwell said, any trapping they would do outside of recreational season could only be for collaring and they would not be able to lethally remove the wolf, even in the trap. It would mean the wolf could be collared and released to fulfill that scientific purpose
  - The recreational wolf trapping, Mr. Tidwell said, ended in the past on February 15<sup>th</sup> and so under the current MOU with FWP if a wolf got into someone's calving lot outside of that recreational time, Wildlife Services direction would be to trap the wolf and put a collar on it. If the wolf were caught coming into the carcass and identified, it could be taken, because there were no limitations on the killing of wolves separate from the trapping injunction as it was interpreted. The collaring data, Mr. Tidwell said narrows down the responsible wolf and pardons the wolves that were not part of the problem
- Mike Honeycutt explained that the petitioners in that Flathead/Lolo lawsuit had now requested that the injunction be extended beyond the wolves and to coyotes as well, but that the judge would have to decide if they make the same decision. Mr. Honeycutt said it was obviously something the DOL would fight because FWP did not manage coyotes, those were managed under DOL codes
  - Mr. Honeycutt said if the coyote issue were added to the injunction, he thought their end game was, because coyotes were not a game species, that they were looking for more regulatory control of where traps could be set and how often they needed to be checked. He added that if they said you couldn't trap coyotes in certain areas when the grizzly bears were awake, that would mean that coyotes could not be trapped during lambing or calving season, and that would be detrimental
- Mr. Tidwell said that they had an agreement with FWP that was specifically to help with collaring of wolves but also included some control work as well, specifically aerial work. FWP also provided the collars, now GPS collars, that each Specialist could request to have a couple available. Information obtained from the collars, Mr. Tidwell explained, was fed into FWP's wolf management monitoring program to determine population levels on the landscape. The data from the collars was also made available to Wildlife Services whose Specialists worked with FWP Wolf Specialists to help identify which wolf packs were likely to be the cause of depredations
- The grizzlies would be out, Mr. Tidwell said, Nina Baucus and Alan Redfield adding that they were already out in the Yellowstone area
- Wildlife Services, as part of their National Wildlife Disease Program across the country, were literally on the front line of the deployments that went out regarding



Avian Influenza, Mr. Tidwell said, going onsite with Vet Services and doing the depopulation of the operations that had become infected and also did surveillance around the poultry operations to detect Avian Influenza as well

- Mike Honeycutt said that Dr. Tahnee Szymanski would be giving a full report from the Veterinary side on the Avian Influenza in dairy cattle, which he said was a mechanical spread

Dave McEwen requested that the BOL take a very positive step, a very hardline with FWP concerning the ruling on trapping for scientific data and make sure that collaring that it was an integral part of predator management:

- Mr. McEwen said that when the wolf became a predator it fell into the DOL's lap because they were in charge of livestock security, and so the wolf collar data needed to be transferred to Wildlife Services immediately so that management actions could be taken
- Management of depredating wolves had never impacted the number of wolves needed to keep them off the endangered species list, Mr. McEwen said, and it worked. He said that when it was said that wolves didn't impact that much livestock, evidently those that said that, didn't own the livestock they impacted, because it did, and the impact from wolves was significant
- Mr. McEwen said that with raw milk sales now in the state of Montana, Avian Flu was going to become a very big issue and he said the State Vet should be in contact with APHIS to get everything under control with Avian Flu and CWD as well
  - He reported that one article, unsubstantiated, said that two people died from eating CWD-infected meat
- He hoped that the State Vet didn't pass up the opportunity to test the elk for Brucellosis that the wolves killed in the football field in Gardiner and also test the offending wolves to see if wolves were a carrier of Brucellosis

### **(3:01:03) 1:01 PM LLB PREDATION CLAIMS REPORT AND GENERAL UPDATES**

Mike Honeycutt said he didn't believe that George Edwards was going to be on today and so he gave the LLB Predation Report and Updates:

- Mr. Honeycutt mentioned that grant applications on the LLB's new grant form were available and those would be accepted through 5:00 PM on May 31, 2024. And then, the grants were scheduled to be awarded during the LLB's June meeting. Mr. Honeycutt added that there was an adequate amount of funding for a few more large projects
- Predation claim reports, Mr. Honeycutt said, had started to pick up a lot from where they were last month. He said that for the first time, there was a claim from Powder River County and it was a lion

### **(3:03:40) 1:03 PM LUNCH**

### **(3:03:43) 1:35 PM RECONVENE**

Gene Curry called the meeting back to order

## **ANIMAL HEALTH & FOOD SAFETY DIVISION REPORTS**

**(3:03:50) 1:35 PM**

### **(3:03:50) 1:35 PM – MEAT, MILK & EGG INSPECTION BUREAU**

Jay Nelson, EIAO, introduced himself and said that he would be doing the update for the Meat, Milk & Egg Inspection Bureau, as Alicia Love was in Denver attending a milk conference. He said that the current Grade B rules that Alex Dachs was going to present, were not ready for this meeting

### **(3:05:21) 1:37 PM General Updates**

#### **(3:05:27) 1:37 PM Updates on Potential New Plants**

Jay Nelson updated the BOL on potential new plants requesting State inspection in Montana:

- There were potential new plants coming on board, Mr. Nelson said, in Malta, Sidney, Glendive and Big Timber
  - Mr. Nelson said that the plant in Big Timber would not be doing slaughter, but soups and chilis
- Both Alicia Love and himself had most recently walked through the Sidney and Glendive plants, Mr. Nelson said, and even though they're close, they're not yet ready to come on

#### **(3:06:36) 1:38 PM Progress Toward CIS Plants**

Jay Nelson reported the Bureau's progress with establishments requesting to go CIS:

- Mr. Nelson said he had just completed a Food Safety Assessment (FSA) at an establishment in Kalispell that had applied to go CIS. He said there was another establishment in the Bozeman area that had applied to go CIS and their FSA was scheduled to take place sometime in June

#### **(3:07:45) 1:39 PM Status Updates on New Positions**

Jay Nelson reported that two offers had gone out to fill new Inspector positions. Another interview took place on Monday

#### **(3:08:08) 1:39 PM Requests to Hire – Meat Inspector for Lolo/Missoula Area**

Jay Nelson requested that the BOL approve filling the position of a Meat Inspector in the Lolo/Missoula area:

- Mr. Nelson said that the Inspector, who had been doing a good job for the DOL, had given two weeks' notice. He left to go to work for USDA where his reasoning was that wages were higher and the benefits were great

## **MOTION/VOTE**

**(3:22:20) 1:54 PM**

**William Kleinsasser moved to approve the hire a Meat Inspector for the Lolo/Missoula Area as presented by Jay Nelson. Jake Feddes seconded. The motion passed.**

### **(3:08:54) 1:40 PM Sampling Letter to Establishments**

Jay Nelson explained that he was personally involved with a letter that was going to be sent to all the establishments in Montana that conducted slaughter:

- Mr. Nelson reported that a CFR rule required that generic E.coli testing be conducted by those establishments, starting in the first full week of June followed by 13 consecutive generic E.coli tests. The regulation was established by USDA so that the establishment could measure their process of cleaning carcasses that they were slaughtering
- Problems arose, Mr. Nelson said, when some establishments had finished their 13 consecutive E.coli tests within five to six weeks. He said the intent of the regulation was that they were to start the testing the first full week of June and then take a test every week they slaughtered. Once the lab results were received, the establishment was to be charted to monitor their own process
- Mr. Nelson said that the letter was sent because establishments didn't understand the regulation. He added that failure for an establishment to conduct this testing could result in them getting suspended with notice or a type of enforcement action or a suspension with notice
- The letter, according to Mr. Nelson, would be sent about a month before that first full week of June. The Bureau was also going to coordinate the letter with a continuing education class for Inspectors, with three of them scheduled, one in Helena in May and two more in Missoula in May so that they will be able to clearly communicate with their plants what is required with this regulation
- Mr. Nelson explained that charting the lab results helped the plants monitor their own carcass cleaning processes. Swabbing samples of the carcass submitted for the testing, Mr. Nelson said, was to be done on the predominant species slaughtered
- Mike Honeycutt clarified that custom exempts were not subject to the sampling regulation, but State-inspected establishments who conducted slaughter

### **(3:23:12) 1:55 PM Milk Fee Discussion (Non-Agenda Item)**

Gene Curry requested that Krista Lee Evans, Government Affairs for the Montana Milk Producers Association, come forward to report on the milk inspection fee meeting that had taken place the day before with milk producers. He said that she had a proposal on behalf of those milk producers to solve the budgetary problem in the milk budget:

- Krista Lee Evan reported that the producers had met a few times over the last few months and the day before had sat down with DOL staff and Mr. Curry and had a good conversation on how to address the budget shortfall in the milk inspection arena
  - It was proposed that in the initial process to get through until July 1, 2025, that the inspection of processors be funded by general fund and the inspection of farms be funded by State Special Revenue, which was fee-generated and charged against the farmers initially. It would initially start at a split, 70% general fund for processors and 30% for farmers

- Gene Curry said that the budget was just shy of \$400,000, and so 70% of the cost would be around \$280,000 and the remaining \$120,000 would be from fees collected from the producers
- Ms. Evans said that the farmers suggested that they would keep their per hundredweight and minimum/maximum fees the same until any of that bridge funding was paid back and then the BOL would take another look at what the true cost was
  - Gene Curry explained that the budget shortfall in the DOL's Milk Inspection Fee budget would hit in October and so, with zero budget left at that time, it was proposed that to get the money to backfill those inspection fees, they would continue their fees until after the 2025 budget cycle to backfill that amount of money that would come out of per capita fees to run the program until the beginning of the next fiscal year. And if it was not successful to get general fund, then the parties would revisit at that time and decide where they wanted to go
  - Krista Lee Evans said that it was almost like a loan from per capita funds to cover that window of time and then the producers would pay that back by keeping the fees and pay that per capita loan off
  - Ms. Evans said that the producers did not want to have the Legislature give enough general fund to take care of the shortfall but thought this was a good compromise way to address the challenges associated with the really small processors that had niche markets
  - Mike Honeycutt said that this would be a cost share way of funding, general fund/State Special Revenue. He said the Meat area of the DOL had a cost share way of funding as well, but it was a mix of Federal/State
- Gene Curry explained that BOL agreement was needed to ask the Legislature for general fund money in the budget and then also agree to the "loan" toward the producers, understanding that if the requested general fund didn't pass muster through the Legislative process that we would be revisiting this again
- Krista Lee Evans announced that effective June 1, 2024, she would no longer be representing dairy folks because she had accepted a position with Calumet and Montana Renewables in Great Falls as their Director of Government Affairs
- Ms. Evans said the concern from the producers at yesterday's meeting was that Montana was losing dairies and so there should be less work. Gene Curry said that less money was coming in because there were fewer farmers paying and minimums weren't being met and so it had been proposed to raise all fees and keep it as a Special Revenue instead of going to general fund. But, Mike Honeycutt pointed out how that would penalize some producers. Those small producers might be put out of business
- Ms. Evans said that it was important to point out that the 70/30 split was very conservative, as she thought that when those began to be coded separately, that it would be seen that the processors were taking up 80%-85% of the Inspector's time and once that is known, the DOL would go for that additional general fund increase in the 2027 Legislative Session

## **MOTION/VOTE**

**(3:40:03) 2:12 PM**

**William Kleinsasser moved to accept the proposed solution to the upcoming budget shortfall in the dairy inspection program as presented by Krista Lee Evans of the Montana Milk Producers Association. Alan Redfield seconded. The motion passed.**

**(3:41:16) 2:12 PM - VETERINARY DIAGNOSTIC LABORATORY**

Dr. Greg Juda, Director of the Montana Veterinary Diagnostic Lab in Bozeman, introduced himself to the BOL

**(3:41:41) 2:13 PM New Lab Construction Photos**

Dr. Greg Juda had submitted some recent photos of the construction of the new Lab and discussed updates on the construction progress:

- Although there was still a lot of dirt to be seen in the photos, forms and footers for cement work were starting to be seen and Dr. Juda reported that it had been decided to raise the incinerator floor where the pads were going another 18 inches or so and that he expected they would be pouring footers for it within the next two weeks and then start on the walls
- Dr. Juda said that the construction meeting they just had was the first one since the middle of December, but things were now rolling in earnest and that Swank said that they had four more people coming in the next week to work on some of the forms and set-up
- Although the tentative completion of the new Lab complex was set for October 2, 2025, with the approximately 90-day pause factored in and the schedule for casework installation, Dr. Juda expected that the completion date of that Lab would not be until winter or early spring
- There would be some new equipment in the new Lab, probably three pieces, that would be requested for in the budget planning process for the 2025 biennium, and most of that would be milk-oriented. The biological safety cabinets, deli refrigerators and freezers would be slated to be paid for with the ARP-NAHLN funding bucket, that \$1 million that had been gifted by USDA
- William Kleinsasser said that he had shared at a yearly meeting he attended a couple weeks ago about the new Lab that was being built and the producers there were very excited because they send their salmonella test swabs to Indiana State University. Mr. Kleinsasser said there were 60 flocks in Montana right now and each producer had about 30,000 birds. The tests would not just be for salmonella, but also for AI and another test he didn't know, but could find out
  - Dr. Juda said that we should be able to do that type of testing now and he could have Dr. Schwarz follow up with him on specifics, if that would be of interest to him
- Gene Curry said we need to utilize the facility as much as we could and sell that to producers and Veterinarians and it would be up to the VDL to retain the confidence once they get the people using them. Nina Baucus said turnaround time was very important. William Kleinsasser added that for salmonella tests for

eggs, those eggs could not be shipped to Montana Egg or Wilcox until the results were back and so that testing would have to be done promptly

- Dr. Juda said he would work with Dr. Schwarz to put together a summary of the testing capabilities and turnaround times and send that to Mike for his weekly BOL update
- Mike Honeycutt said there was a time, maybe during Dr. Layton's time, when the eggs were tested for salmonella at the VDL and it was creating a problem for Wilcox because they were taking our presumptive positive as a positive and we had to convince the VDL to change how they were reporting their results

### **(3:56:57) 2:28 PM Request to Hire – Replacement FTE for Molecular Diagnostics**

Dr. Greg Juda requested that the BOL approve the hire of a full-time employee in Molecular Diagnostics to replace one who was going to leave the position to pursue a PhD in Microbiology in New Hampshire:

- Dr. Juda said that they knew this employee would be leaving after a period of time when he joined the VDL, but he had given a two-year commitment and so his last day would be the week of July 4<sup>th</sup>
- Dr. Juda said that this employee had come out of Carroll College, and with having experience in real-time PCR, when he started at the VDL, he hardly needed any training

## **MOTION/VOTE**

### **(4:00:12) 2:32 PM**

**Alan Redfield moved to approve the hire of a Molecular Diagnostics Lab Technician, as presented by Dr. Greg Juda. Jake Feddes seconded. The motion passed.**

### **(4:00:52) 2:33 PM Groundbreaking Discussion**

The BOL discussed the upcoming Groundbreaking Event for the new Lab Complex:

- Although May 2, 2024 and May 8, 2024 had been discussed previously by the BOL as tentative dates for a Groundbreaking Event for the new Lab Complex, Mike Honeycutt reported that he had conversations with MSU who were requesting a May 28, 2024 Groundbreaking Event date. Mr. Honeycutt said they wanted to do it together, but they were hoping to recognize the private donors who gave \$1 million to the Wool Lab, which he said he had no problem with, but, that date was during the Montana Stockgrowers Association Mid-Year event and Dr. Szymanski, Jay Bodner and himself were on their agenda
- Gene Curry said there were probably some premiere stakeholders and Legislators who would be part of the whole process. Mike Honeycutt said that the Governor wanted to be there as well and so he would need to check on his schedule. The University would be invited as well, Mr. Honeycutt said, and when he spoke with them he wanted to be sure they would not be offended if we held an event separate from theirs
- Because of MSU graduation, Gene Curry said the hotel rooms would be \$1000/night. Dr. Juda said, after graduation, the cost of a hotel room in Bozeman was \$400/night

- Jake Feddes said he would not be available on the 23<sup>rd</sup>. Mike Honeycutt said that Brian Simonson won the Smith River lottery and would be floating the River May 20-May 24.
- It was decided by the BOL to schedule the groundbreaking on May 24, 2024 and the next BOL meeting on May 28, 2024 at 1:00 pm
- Mike Honeycutt requested that the BOL members let him know of anyone to be invited. He said his priority of people to invite would be former BOL members who had been part of the effort, Legislators who were part of the effort and stakeholder organizations

## **ANIMAL HEALTH & FOOD SAFETY DIVISION REPORTS (Continued)**

**(4:17:44) 2:49 PM**

Dr. Brad DeGroot presented in person and Dr. Tahnee Szymanski presented by ZOOM

### **(4:18:23) 2:50 PM – ANIMAL HEALTH BUREAU**

Dr. Tahnee Szymanski reported that although she would be available for any comments or questions, she would be turning today's presentation over to Dr. Brad DeGroot, Brucellosis Program Coordinator

### **(4:18:52) 2:50 PM HPAI Updates**

Dr. Brad DeGroot said that the Avian Influenza virus discussion earlier sounded pretty spirited, so he asked if there were any questions the BOL had before he began the HPAI Update:

- Nina Baucus asked that, with HPAI being reported only in dairy cows, was there a possibility of it getting into feedlots and what biosecurity measures were being taken with the whole feedlot to make sure it was not being exposed or infected?
  - Dr. DeGroot said that the DOL did not have control over production practices by feedlots, but the USDA was emphasizing biosecurity practices in all of their recommendations. And in the DOL update that was sent out, it was emphasized to Veterinarians that they needed to focus on biosecurity with their clients.
  - Currently, the strongest evidence was that the transmission from cow to cow was mechanical transmission in the milk parlor and milking equipment, and the highest viral loads have been in the mammary secretions in the milk. It was much less likely it would cause a similar clinical syndrome in any beef cattle because typically, there were no lactating animals in the feed yards
  - Dr. Tahnee Szymanski reported that there were several large feedlots in Texas and Kansas in close proximity to the affected dairies who were concerned about that HPAI transmission. But in a report received from the Kansas State Veterinarian, those animals still remained healthy. The biosecurity break might be that the passage of the virus back from cattle to poultry was that it was moving on equipment or feedstuffs or people
- Dr. DeGroot reported that observations were that cows more than 100-150 days out in milk were more prone to show the syndrome, but that those clinical signs in

affected cows typically were resolved in about three weeks. An important thing to remember was that abnormal milk could not be included in the milk supply and those cows were taken out. However, if their milk got dumped into a drainage system that wound up in a lagoon where geese and ducks landed, potentially, they could pick up the virus that way

- Dr. Szymanski said that it is not yet known how long prior to the development of clinical signs were the animals shedding the virus or how long after the resolution of clinical signs do those diseases animals continue to shed the virus
- Dr. DeGroot said that the CDC made some stringent recommendation about personal protective equipment for milkers, including goggles, face masks and gloves. He said that for one individual who contracted conjunctivitis after working with cows, it was not entirely established that it was due to the H5N1 Avian Influenza Virus
- Dr. DeGroot reported that although the USDA had not given a detailed report as of yet, only online seminars, they believe there had been relatively few transmission events from birds to cows, but that most of the transmissions found in the 32 herds in eight states were from cow-to-cow transmission following shipment from one operation to another
- Mike Honeycutt said that the DOL had been monitoring our imports and had no reason to believe that any of our dairies had imported animals from strong, affected areas
- Dr. Szymanski said that the genetic sequencing of the HPAI virus in cattle did not contain any of the markers expected to be associated with mammalian adaptation, meaning an ease of transmission from mammal to mammal, but because it could be passed back to birds or poultry, it was concern enough about the virus on the landscape to be really careful on any sort of premise that raised multiple species
- The FDA, Dr. Szymanski said, was doing a tremendous amount of work trying to look at the viral load in milk and the potential consequences for human health with raw milk. She said that there was not so much a food safety concern as far as meat was concerned or with commercially available pasteurized milk
- Dr. Szymanski said there were about five regularly scheduled phone calls per week with different combinations that the DOL participated in. Those included the National Assembly of State Veterinarians, USDA, APHIS, the FDA and CDC
- Dr. Szymanski said that she thought here in Montana we had demonstrated over the last two years with HPAI how good the biosecurity was on some of our operations
- Jake Feddes shared that some of his cattle that had calved in January were near 100 days or more in milk and with their feedstuffs stored outside and lots of ducks and geese coming into their feed ground right now, was it a concern for beef producers across the state whose cows as well were reaching that 100 days of milk threshold and waterfowl going north and south, could they start seeing symptoms in their calves nursing those cows
  - Dr. Szymanski said that there had been no reports in beef cattle, but she said it wasn't known if there were some unique factors of dairy cattle versus beef cattle that were lactating. Gene Curry said we hoped it wasn't



something that turned into an economic factor at the beef counter. Mike Honeycutt said it wasn't ruled in until science proved it was ruled in, but it would be wise for beef producers to watch their herds and to watch every species

- Gene Curry shared that two years ago when he was seeding, every pass he would see a dead goose, but there were none this year. Jake Feddes said he had not seen any dead birds on their feeding grounds
- Dr. Szymanski shared that over the last 2 ½ years HPAI had been detected in grizzly bears, coyotes, skunks, fox and cats because they had ingested large amounts of the virus because of exposure to feces from dead birds or consuming dead birds. She reported that recently in Minnesota there were some goat kids diagnosed with HPAI on a premises where HPAI had been found in poultry. Both shared the same water source. She said in the mammalian species that had been diagnosed, it has been neurologic signs that they demonstrated
- HPAI did not sustain well on a hot and dry landscape, Dr. Szymanski said, adding that the virus seemed to last longer in the cool and damp

#### **(4:54:26) 3:26 PM TB Update**

Dr. Brad DeGroot reported on the latest Tuberculosis traces in animals in the state of Montana:

- Dr. DeGroot said that an animal that had been through commerce and had been on a ranch in southeastern Montana and then moved to another ranch in Wyoming was found to be with TB when it was slaughtered in Nebraska
- Most of the herd this cow had originated from had gone to Wyoming four years ago as short-term cows that calved out, raised the calves and then the cows went to slaughter from there. A handful of the cows from that herd were not followed to slaughter and were presumed to possibly be on other ranches, but, according to brand inspection and CVI data, there were none of the cows that remained in Montana to test
- Dr. DeGroot said that because the herd was liquidated four years ago and from the standpoint of cost benefit in terms of TB tracing, the Montana State Veterinarian's office, the USDA and Animal Health officials from other states made the determination that trying to continue to hunt down cows in Montana would not be a high-value exercise. He said there were no other Tuberculosis diagnosis slaughter trace backs to this same ranch in Wyoming

#### **(4:59:34) 3:31 PM Brucellosis Update**

Dr. Brad DeGroot reported there were three operations where the DOL had been monitoring Brucellosis suspect cows:

- As of the submission of the agenda request, Dr. DeGroot reported that two of those suspects had been cleared up with one taken to necropsy and culture, but no Brucella were isolated from the culture. The heifer's FPA values dropped under 40. And then, the third cow had been salvage slaughtered with specimens sent to the NVSL and early this week, the results showed no growth on any of the specimens. So, Dr. DeGroot said, all three cows were determined to be negative and the herds were unaffected and were back into commerce

- There were still two herds in Montana that had been under long-term quarantine where they're operating in areas using methods where separation between free-ranging elk and livestock could not reliably be maintained, Dr. DeGroot said, but added that their business was such that they could still operate profitably that way
- Dr. DeGroot said that last Spring at a market test there was another herd the diagnosis was made on, and so that herd was scheduled to have the postpartum Brucellosis test. If everything was negative at that point, that would clear quarantine. That test was scheduled for either May 4<sup>th</sup> or May 11<sup>th</sup>, depending on when the rancher could get a crew put together to get the bleeding done

**(5:04:20) 3:36 PM RECESS**

**(5:04:23) 3:46 PM RECONVENE**

Gene Curry called the meeting back to order

## **BRANDS ENFORCEMENT DIVISION**

**(5:04:25) 3:47 PM**

Jay Bodner, Brands Enforcement Division Administrator, introduced himself

### **(5:04:46) 3:47 PM REQUEST TO HIRE – Market Inspector at Billings Livestock Commission Market**

Jay Bodner reported that this request was not on the agenda, but he was requesting that the BOL approve the hire of a Market Inspector in our Billings Livestock Commission Market because that person just recently resigned:

- Mr. Bodner said that they had a good, strong candidate and he hoped that they could get a couple of the Billings positions filled

## **MOTION/VOTE**

**(5:05:14) 3:48 PM**

**Jake Feddes moved to approve the hire of a Market Inspector at the Billings Livestock Commission Market. Alan Redfield seconded. The motion passed.**

### **(5:05:45) 3:48 PM LEGISLATIVE AND ARM REVISION PROPOSALS**

Jay Bodner explained that because these had been in front of the BOL twice before, he would not go through them line-by-line:

- The first three proposed changes, Jay Bodner said, were Legislative proposals

### **(5:06:04) 3:48 PM MCA 81-3-211-*Inspection of Livestock Before Change of Ownership or Removal from County Transportation Permits* – Proposed Revision**

Jay Bodner said that this proposed revision to code would allow for digital copies of inspections:

- Mr. Bodner said that these digital copies would be only for travel and transportation purposes, not change of ownership

**(5:06:41) 3:49 PM MCA 81-3-215-Inspection of Dead Animals in Feedlots: Proposed Repeal/MCA 81-3-232 – Penalty for Non-Inspection of Dead Animal in Feedlot – Proposed Repeal**

Jay Bodner reported that these statutes, dealt specifically with inspection of dead animals in feedlots and the BOL had already discussed them

**(5:06:58) 3:49 PM MCA 81-9-112-Inspection and Marking of Hides and Meat of Slaughtered Cattle or Horses – Records – Bill of Sale – When Inspection Not Necessary – Proposed Amendment**

Jay Bodner reported that he had originally been looking at repealing ARM 32.18.404 and ARM 32.18.403, but found that they were both attached to this statute, MCA 81-9-112:

- Mr. Bodner said that if the changes were made to this statute, then we would go back and repeal all of the ARM rules that were tied to the statute
- A change had been made on the statute for Mr. Feddes that hadn't been seen by the BOL as of yet, and Mr. Bodner said he had run it through our Legal Counsel
- Mr. Bodner said that previously, the last #4 Subsection was struck out. But, Legal saw no need for that because it didn't necessarily apply if those other changes were made

## **MOTION/VOTE**

**(5:08:14) 3:50 PM**

Alan Redfield moved to approve the proposed amendments in *MCA 81-3-211-Inspection of Livestock Before Change of Ownership or Removal from County Transportation Permits* and in *MCA 81-9-112-Inspection and Marking of Hides and Meat of Slaughtered Cattle or Horses – Records – Bill of Sale – When Inspection Not Necessary* and also approve the proposed repeal of *MCA 81-3-215-Inspection of Dead Animals in Feedlots* and *MCA 81-3-232-Penalty for Non-Inspection of Dead Animal in Feedlot*, as presented by Jay Bodner. William Kleinsasser seconded. The motion passed.

**(5:09:49) 3:52 PM PADLOCK RANCH – Follow Up from January 2024 BOL Meeting**

Jay Bodner said that he would be giving a follow up from the previous discussion with Mr. Hill and Mr. Patterson of the Padlock Ranch at the January 2024 BOL meeting:

- Mr. Bodner said that following that BOL meeting, the Brands Division worked with the District Investigator in that area at the time, looking up the last 10 years of records, that included brand inspections, with the Padlock Ranch name on them. Market inspection records were also gone through. Lost and stolen reports were shared with the International Livestock Identification Association
  - Up to this point, there had been only one animal show up through the inspection process that could be traced back to the Padlock Ranch that did not have a clear title change, and that cow showed up in Miles City where the proceeds from the sale of that cow were held and they ended up releasing the interest on it. Padlock got paid on it, and visited with the

reservation and BIA about the cow, and according to Mr. Bodner, that was where the investigation stopped

- Mr. Honeycutt explained that the cow was traced back to the reservation and because that was under Tribal Authority, they could not go back to check and see if there were more of their cattle there. He said the person who checked the animal in was under Reservation software, but if the same thing had happened outside the reservation the DOL could have probably gone in and asked to do a whole herd inventory and see what was found, but we don't have authority on the reservation
- Mr. Bodner said that the Padlock Ranch land borders the Crow Reservation and he thought they either owned or leased pastures within that area as well
- The Padlock Ranch was offered the opportunity, Mr. Bodner said, to participate in this BOL meeting or to comment, but they weren't available, but asked that this information be shared
- Mr. Bodner said that the Padlock Ranch said they wanted to continue the discussion with a reward pool and indicated they were willing to put up \$20,000 for a reward pool for a tip that would lead to the arrest and conviction of theft of their cattle
  - Alan Redfield said he visited with a former BOL member in that area who now was retired but had done a bunch of checking around and there were people who were trying to put together a reward thing with Padlock
  - Gene Curry expressed his hesitation with the BOL participating in a reward for just the Padlock Ranch and not the arrest and conviction of livestock theft in Montana
- Jay Bodner explained that there had been some changes made in the CrimeStoppers Program. He said the BOL was in charge of the program and would administer the reward, but the Brands Division would assist the BOL in working through the process if they wanted to move forward in that direction
- Along with working with the District Investigator, Mr. Bodner said that a lot of work had been done in getting some posters out in several access points to try to make a bigger presence there
- Historically, Mr. Bodner said, CrimeStoppers bylaws said you could offer up to \$1000, but he found an old poster that looked like they had offered up to \$3000, but he didn't believe there had been any conviction for any of those
- Jake Feddes felt it was a slippery slope if the BOL started working with one producer for a reward on one person's cattle, but he could see a pool for any cattle theft a conviction was gotten on
- Mike Honeycutt said that what would be appropriate would be to say that the award would be payable by the entity, not the State, if there was information received that lead to a conviction. The BOL would advertise and be the check person, but he added that we would want to make sure that the person who was guilty of the crime was not the one who was trying to claim the reward
- If the BOL would put up its own money because of a hotbed of problems, the offer would be broad, Mr. Honeycutt said, saying any theft or any conviction of theft in that area. He said he had no doubt that Padlock would follow through in what they committed

- Jay Bodner said he could visit with our District Investigator in the area to see what he's hearing or what he's seeing regarding theft on other ranches in that area. Gene Curry said that without cooperation the DOL was fairly limited as to what we could do as far as trying to carry that on to a conviction
- Mr. Bodner said that the Padlock Ranch losses were pretty significant, the high end one year was almost 200 head and there had been a number of 100 head years that were also missing during a 10-year period of time they checked
- Mr. Honeycutt said it was a precedent-setting decision about accepting a private reward. In the old CrimeStoppers program, there was an ability to do that, but the money has to be given to the DOL now and then it was put aside so that it was there when the person did get paid. He said that in some CrimeStoppers meetings he took part in, the reward system had not been very fruitful in producing a lot of leads that lead to anything, but the rewards were not \$20,000 either
- Gene Curry said that the discussion would be tabled for now

#### **(5:30:46) 4:13 PM BRANDS ENFORCEMENT UPDATE**

#### **(5:30:46) 4:13 PM Market and Dealer License Renewal**

Jay Bodner reported that they were currently in the process of market and dealer license renewals:

- Mr. Bodner reported that 215 renewal letters had been sent out in mid-March with the due date being May 1, 2024. About ¾ of those renewals had come back with very few calls or questions regarding the letter
- Mr. Bodner said that Packers and Stockyards had stopped doing a monthly update of their current dealers but had resumed that update on March 1<sup>st</sup> and April 1<sup>st</sup>, which he said was a help in the renewal process to know which dealers were in good standing with Packers and Stockyards

#### **(5:32:58) 4:15 PM Administrative Rules Published**

Jay Bodner updated the BOL on administrative rule changes in the Brands Enforcement Division:

- Mr. Bodner reported that the Records to Be Kept rule had been published on April 12, 2024, with the help of our Legal Counsel
- One comment had been received, Mr. Bodner said, and he provided them with more background on the language that had been added, which was very little, but included the video auction in that. Mr. Honeycutt said, it sounded like a misunderstanding because they thought the rule was completely new, not that just a little piece of it was changed

#### **(5:34:22) 4:17 PM Hide Inspection Communication**

Jay Bodner updated the BOL on an informational letter he had drafted regarding hide inspection, to make sure that State and Federal and custom exempt plants were familiar with that:

- Mr. Bodner said that the letter was very short and had been reviewed internally through the Brands Division and Animal Health Division and also with Legal to

make sure that all the bases were covered. The informational sheet that will accompany the letter for the producers still needed to be finalized, but should be done quickly

### **(5:35:13) 4:18 PM Continued BOL Discussion Regarding the Padlock Ranch**

The BOL continued discussion regarding the Padlock Ranch situation:

- Gene Curry questioned whether the DOL had any cooperation agreement with any of the reservations. Jay Bodner said that currently, there were no active MOUs with any of the reservations
- Mike Honeycutt said the one that was with Fort Belknap had expired and was never redone. One agreement was attempted with the Crow and only got as far as trading language back and forth and then the conversation went away. An attempt at an MOU with the Northern Cheyenne became very one-sided and the DOL left the table on that one because there was not something on our side that gave us value. The conversation with the Blackfeet was very positive but petered out, even though, without an MOU, the Blackfeet had been very conscientious about livestock movement on and off the reservation and had asked for DOL participation on check-ins
- Mr. Bodner said that as some Deputy Inspectors phased out, it had been tough to find replacements that would work for both agencies. Gene said that Tribal Deputy Brand Inspectors use our books and the information comes to the DOL
- Mike Honeycutt said that other regulatory enforcement agencies have had Tribal issues as well. The Department of Corrections has had issues with Parole Officers and their access and travel jurisdiction. The Highway Patrol might be able to patrol the US and State roads, but not Tribal roads. Game Wardens have similar issues with certain areas of the state, having MOUs in some areas and other areas where they won't do anything inside the boundaries of the reservation
- Nina Baucus requested that there be time on the next BOL agenda for Market Reps to come by on ZOOM to hear what their response was to the Brands program and if they had any concerns or suggestions
  - Jay Bodner said that no matter what day the meeting was held, there would probably be a sale on that day

## **CENTRALIZED SERVICES DIVISION REPORTS**

### **(5:44:30) 4:27 PM**

### **(5:45:10) 4:27 PM – FISCAL BUREAU**

Brian Simonson, Chief Financial Officer, introduced himself

### **(5:45:24) 4:27 PM Per Capita Fee Collections Update**

Brian Simonson said that of all his reports, this was the biggest mover and the numbers were surprising to him at this point in the process:

- Mr. Simonson reported that as of April 15, 2024, there were 14,250 reporters for \$4,775,330 in revenue. Both figures were within 5% of last year's figures, the revenue figure being 5% over this time last year

- It looked like, Mr. Simonson said, that shifting the due date for payment from May 31<sup>st</sup> to March 1<sup>st</sup> had been adapted to fairly well for people, as 93% of the per capita reported had been collected, for a total of \$4,421,000, just \$353,000 of what had been reported
- For those who did not report, Mr. Simonson said, they go into the estimate process and get a bill with last year's numbers on there and they're to pay that amount or to report "0." 3151 of those estimated reports had been sent. If a report is still not received those will go through the due process of collections at some point.
- Penalties and interest for late filers is 1.5%/month of the balance due, but not to exceed 15% total of what their amount due is. And, the interest on the balance due accrues daily at 6.25 annual percentage rate. Mike Honeycutt explained that if a person had a refund of some sort from the State, but they still owed the DOL per capita fee, the Department of Revenue would say, no, you don't get that refund, because it was owed to the DOL and those are considered offset funds in the DOL financials

**(5:55:19) 4:37 AM March 31, 2024 State Special Revenue Report**

Brian Simonson reported that not a lot had changed on this report, but being a March 31<sup>st</sup> report you would expect about 70% of the revenue collected to date:

- Mr. Simonson said that there was a negative \$76,702 listed in Market Inspection Fees, and according to Jay Bodner, there's a big disparity in the cattle numbers and that should look a lot like the previous year. Mr. Honeycutt said that would represent about 38,000 head, which wasn't very much and might just mean that people moved a lot more earlier in the year than they typically did and now things were starting to slow down
- Per Capita numbers were coming in as expected, Mr. Simonson said, as well as Milk Inspection and Egg Grading numbers
- The VDL was right on track, doing the same amount of business this year in the month of March as they did the previous year, sitting at a positive \$35,000 over last year
- Now that the conservation and fishing license season was here, the Wolf Voluntary Donations had picked up as well, and Mr. Simonson said it was tracking really close to what it was last year. Mike Honeycutt said the money goes to Wildlife Services for collaring wolves. Gene Curry commented that those numbers tell him that the hunters understood that if they wanted to have some elk or deer to shoot, the wolf population can't get out of had or there wouldn't be any calves survive

**(5:59:16) 4:41 AM April 2024 Through June 2024 Budget Projections Report**

Brian Simonson reported on the latest budget projections in the DOL:

- Mr. Simonson reported that Salaries had increased quite a bit this last go-round, showing \$349, 613, adding that across the board, everybody was experiencing more vacancies than our vacancy savings figure

- Brands was having an overtime issue and a lot of money was pumped into that with the last EPP to cover it, Mr. Simonson said
- Personal Services showing \$388,673, was a fairly robust number compared to last year, Mr. Simonson said, but that was coming in at about the same rate as in prior years
- On the Operation side of Contracts, Mr. Simonson explained that the \$236,277 amount, at least a significant chunk of it, was divided up with \$80,000 in DSA, \$90,000 in Eggs, and \$61,000 in CSD. He said the DSA testing was less than usual
- Supplies showed \$28,000 with the VDL getting a \$50,000 augment which helped limit the damage going on in Supplies
- Rent's positive reaction of \$68,402 was because Meat got a budget amendment for \$98,000, which a lot of went into Rent and also Other Expenses. Mr. Simonson explained that almost all of that figure was for vehicles in Meat & Poultry. Rent came out of CSD's budget and every program contributes money into that pot
- Total Operations showed a positive \$364,515 this month, while Equipment, Claims and Transfers were all pretty standard, not moving from last month
- The Federal Umbrella was closing out in March and so that negative \$89,000 number showing was an anomaly because Mr. Simonson said that we would shift money back from General Fund into there and reconcile and then those numbers would shift back again. He said it was projected to have three-quarters of a million dollars in authority at the end of the year right now and 1/3 of it could be carried forward
  - Mike Honeycutt questioned how much of the general fund plus number had been dictated by the additional staff in Meat Inspection because he didn't want to get too excited about next year, because it could be a product addition now that those positions were filled
- Brian Simonson said that he would say that DSA was accounting for about \$100,000 of that \$307,000, because testing was down. In Meat and Poultry, which was showing \$216,000 to the positive, most of that they were trying to realize in the Federal dollars and not in general fund. He added that there was a big augment on overtime and in Operations as well. He said hopefully we fix Meat & Poultry and we'll see when we get everybody fully employed what it looks like
- Mike Honeycutt said the deadline was the following week for Bureaus and Divisions to get their proposals to Brian and himself

**(6:06:12) 4:48 AM March 31, 2024 Budget Comparison Report**

Brian Simonson reported on the March 31, 2024 Budget Comparison Report:

- Mr. Simonson said that the DOL was \$442,000 over last year's spending in Personal Services, which was a combination of pay increases and more vacancies last year than we had this year. He reminded the BOL that we were projecting to be \$360,000 to the positive
- Contracts showed \$38,000, which was the VDL and DSA negatively contributing to that number



- The VDL was doing fairly well on supplies, Brian Simonson saying that the negative \$29,000 amount was a good thing
- The one-time-only purchase in the VDL under Equipment was an explanation for the \$83,000 number there
- Mr. Simonson said that it was still odd for him to look at the LLB's new \$150,000 under the Claims section. Mike Honeycutt explained that the statutory appropriations, included LLB's \$300,000, the \$575,000 per year for Wildlife Services and the \$150,000 remediation which got added as an amendment during the Section C Subcommittee
- Brian Simonson explained that if LLB had money left at the end of the year from the \$300,000, that typically, half of it would go to Wildlife Services, 10% would go back into the LLB operational side of the budget, as that budget usually did suffer from the 5% vacancy rate because of having just one employee in that area and then the rest went into a savings account
- On the budget amendment statutory appropriation side, this time of year, those number should be "0," unless there was something about that appropriation that made it carry forward into future years. So, Mr. Simonson said that the \$300,000 for LLB was concerning because it was a real down year, and he hoped that wasn't an anomaly, but, that stuck out. Mike Honeycutt said that he had been asked about that in the Interim Budget Committee why that statutory appropriation hadn't been touched. Mr. Honeycutt said that the Committee had given them \$150,000 additional in HB2 and so that was why they hadn't touched it
- Mr. Honeycutt said that all the money had been spent out of HB2, about \$123,000 and the \$300,000 was for claims. Brian Simonson said that the \$100,000 was part of LLB's grant funding and all of that was spent except for \$2,000 of that this year and that was why LLB was having a meeting in June to use the rest of it
- Brian Simonson said that the Federal Umbrella funding, that \$47,000 number, expired on March 31<sup>st</sup>, and Evan Waters said that he had until June to reconcile those expenses and that number would go near "0" in the next month or so
- The money being paid for the incinerator at the new Lab complex was going through the process but had not hit the books as an expense as of yet. Mike Honeycutt said that the million dollar pot that money was being taken out of did not have to be spent for three years


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

**(6:18:42) 5:01 PM**

Mike Honeycutt announced that Ellie Brighton, MSGA, was the only person left from the public:

- Ms. Brighton thanked the BOL for having her at the meeting adding that they would not be seeing her in May because of the MSGA mid-year event. She hoped that all the BOL members would be able to attend

**MEETING ADJOURNED**  
**(6:19:34) 5:02 PM**



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Gene Curry, Chairman