



Montana Board of Livestock Meeting Minutes

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

August 28, 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)

William Kleinsasser (swine producer)
Greg Wichman (sheep producer)
Lily Andersen (dairy & poultry)

Staff Present

Mike Honeycutt, EO
Brian Simonson, Deputy EO
Mike Spatz, Centralized Services
Rick Corder, Centralized Services
Tom Shultz, Centralized Services
Dale Haylett, Centralized Services
Brendan Boots, Centralized Services
Lindsey Simon, Centralized Services

Donna Wilham, Adm. Assistant to EO
Dr. Tahnee Szymanski, MT State Vet
Dr. Greg Juda, Director, MVDL
Dr. Brad De Groot, Animal Health
Dr. Heidi Hildahl, Animal Health
Jay Bodner, Brands Enforcement
Alicia Love, Meat, Milk & Egg Inspection
George Edwards, LLB

Public Present

Ellie Brighton, MSGA
Nolan Gibbs (intern)
Sarah Kiser (intern)
Ken Kleinsasser

Kali Wicks, Treasure State Strategies
Cheryl Curry
Max Grebe, LPW Architecture

MEETING CALLED TO ORDER

(:09) 8:00 AM

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

CALL TO ORDER AND INTRODUCTIONS

(:09) 8:00 AM

Chairman Gene Curry called the meeting to order and requested Introductions:

- Lily Andersen, Dairy & Poultry Representative, south of Livingston
 - Ms. Andersen reported that snow was spotted in the mountains driving to the BOL meeting that morning
 - They were working on their second cutting of hay

- All the parts and pieces to build their new dairy barn were there and Ms. Andersen said it would be put up quickly so they could start milking 60 cows/day
- William Kleinsasser, Swine Representative, Augusta
 - Mr. Kleinsasser reported that hog prices were still keeping pretty good and sow prices were very good with last week's prices around 75 cents
 - Harvest was in the bin, he said, and haying was finished. Mr. Kleinsasser added that although the crop wasn't what it was last year, this year was still a very good crop and they would survive
- Jake Feddes, Cattle Representative, Manhattan
 - Mr. Feddes reported that their hay all got rained on the night before, but they were able to get some hay and straw baled yesterday
 - Mr. Feddes said they were getting ready to wean the bull calves and put them in the feedlot where they would be growing until March
 - On the Meat Shop front, Mr. Feddes said they had received a USDA grant and would be getting some new equipment and different things in place
 - The first Superior sale had been held the week before in Sheridan, Wyoming and Mr. Feddes attended. He said the futures had gone down 40 cents in the past month, but cattle prices had not gone down that much
 - Most of the calves sold at the sale, Mr. Feddes said, but yearlings took a bigger hit than the calves for what the cash trade was. He said it was too early for bred stock to sell, but he said they actually sold a bunch and those ran \$200 to \$400 higher than they were in that same sale the year before
- Greg Wichman, Sheep Representative, Hilger, North of Lewistown
 - Mr. Wichman reported that they had shipped lambs on Monday, getting rid of most of them. He added that they were a little lighter than he would like, but with Mother Nature's spigot turned off, the good grass went to hard, dry stuff and lambs didn't do well with that
 - The market, Mr. Wichman said, was a little lower than he'd like and the coyotes were a little hungrier than he'd like
 - Mr. Wichman said that they did get a good hay crop but that water would be an issue on a couple of their leases
- Alan Redfield, Cattle Representative, Paradise Valley, south of Livingston
 - Mr. Redfield reported that they were able to get their second cutting of hay done. He said that some of the grass in the mountains was still green
 - Everybody was out of water, Mr. Redfield said, except for him because he was on the creek, although he had barely enough water to run the pivot
- Gene Curry, Cattle Representative, Valier
 - Mr. Curry reported that they had just started harvesting and that the crops weren't very good. He said they weren't very good to start with and then they got about 50% hailed out on their east place. He said the yield at their west place was not a shiny crop either
 - Mr. Curry said his neighbor's crop was totaled because of catching the edge of two storms. His bin was just 1/3 full of wet winter wheat

The BOL discussed wildfire situations:

- Jake Feddes reported that Feddes Angus made a donation to the Oregon Fire Fund
- Regarding the ongoing wildfire in southeastern Montana and northeastern Wyoming, Mike Honeycutt said that early reports were that a lot of people lost winter pasture and there would be a lot of people looking for somewhere to go and also for supplemental feeding. He expected that lease ground was at a premium price and so the supplemental feed would be really important to have
 - The MSGA announced, Mr. Honeycutt said, that they got 100 tons of hay donated in the first day for the ranchers affected by the fire, and there were other people trying to put something together for hay sources
- The DOL has been contacted regarding carcass disposal for animals lost in the fire, Mr. Honeycutt reported, and conversations had been happening regarding the best method of disposal for that number of animals, whether burial, composting or burning of the carcasses. Also discussed was what human resources the DOL could provide for help with picking up and moving carcasses and Brands staff to help producers in identifying brands and help in documenting information for insurers and banks
- Mr. Honeycutt said that there had been significant losses in the Ashland district of the Forest Service, and said there were areas where water improvements were gone and hundreds of miles of infrastructure as well
- Jake Feddes reported that a Superior representative had announced on the radio that there were a lot of contracts that wouldn't get filled. He shared that one customer of his in Colstrip knew of someone who had already found and shot over 200 head. One fellow he knew from Buffalo, Wyoming had lost his shop, two tractors and a bunch of other equipment. Mr. Feddes added, it was going to be a mess, a big mess

The BOL discussed bear activity:

- Gene Curry reported that the berry crop in their country wasn't very good and that there would be hungry bears and wolves in their country in the Fall
 - Mr. Curry shared a story about a grizzly bear that had discovered some good chokecherries in a shelter belt on a property of theirs east of Valier. He said the bear had been feeding on those berries and also on some wheat that fell from an auger onto the ground
- William Kleinsasser said they had a lot of bear activity in their area as well this year with five sows and each having two cubs. He said a big black bear, in broad daylight was also spotted in the middle of their potato patch

BOARD ADMINISTRATIVE ITEMS

(14:08) 8:14 AM

(14:08) 8:14 AM – BOARD APPROVAL OF PAST MEETING MINUTES

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

MOTION/VOTE

(14:16) 8:14 AM

Alan Redfield moved to approve the minutes, as presented, from the Montana Board of Livestock July 31, 2024 meeting. William Kleinsasser seconded. The motion passed.

OLD BUSINESS

(14:37) 8:14 AM

(15:15) 8:15 AM – UPDATE ON GOVERNOR’S OGSM STRATEGIC MANAGEMENT AND EXECUTIVE OFFICER STRATEGIC GOALS

Mike Honeycutt reported that he had been asked to do this report for the last 3 ½ years and that the OGSM report he was giving had been shared with the Governor on August 20, 2024:

- Mr. Honeycutt said that he was able to talk about end-of-the-fiscal year figures at this Ops Review
- Fiscal year slaughter figures bucked the trend of decreasing cattle numbers, Mr. Honeycutt said, with the 2024 slaughter figures slightly outpacing the figures for fiscal year 2023. He added that both State-inspected and custom exempt plants did just a few more animals year-over-year than they had done previously
 - Mr. Honeycutt explained that 2022 was an anomaly year with slaughter numbers because of both COVID and drought going at the same time
- There would be no financial report given today, Mr. Honeycutt said, because we were only six weeks into the budget year. But, he said he was able to report to the Governor that in July, the first month of the new fiscal year, the trends were all good with revenue higher than expense and expense less than the money that had been budgeted and the DOL was rolling into this new fiscal year with a healthy liquid cash balance
 - The DOL spent only 93% of its budgeted authority, Mr. Honeycutt reported, and that was a high
- For the first time since he could remember in being with the DOL, Mr. Honeycutt said he was able to report in his Ops Review that we were not actively recruiting to fill a vacancy, every job the DOL needed to hire had been hired
- Mr. Honeycutt said that the FY25 cattle movement numbers through Commission Companies was not a big deal yet, but that the FY24 final numbers were only slightly behind FY23. He added that the numbers in FY23 and FY24 did represent higher than average culling
- Hosting a successful International Livestock Identification Meeting, Mr. Honeycutt said, was reported as a high in the Ops Review
- Dr. Tahnee Szymanski being able to establish relationships with both US and Canadian counterparts and being part of the conversation at the International Foreign Animal Disease exercise was reported as a high to the Governor
- The big low for the month reported to the Governor, Mr. Honeycutt said, was the E.coli situation in Flathead County

- A Statewide online payment system problem created issues with being able to take online payments for permits from the DOL, Mr. Honeycutt reported to the Governor
- Mr. Honeycutt reported to the Governor that there was public health concerns regarding the ongoing HPAI issue in the nation with concerns being raised by the WHO and others about the longer that HPAI stuck around in mammals that could it be the next pandemic level situation
- Listeria sampling, Mr. Honeycutt reported, had been moving to a monthly process in meat plants, adding that in the last couple of weeks there had been a Listeria situation with a plant that arose from a routine Listeria sampling
 - Mr. Honeycutt said that he reported to the Governor that the DOL would be working with Meat staff, especially regarding situations like the E.coli one, doing post mortems to discuss what went wrong, were situations like that happening anywhere else, how do we re-educate staff and get them refocused to make sure there would not be another situation like that
- Also in the Meat side of the world, Mr. Honeycutt was able to report that the DOL had 11 active applications for meat inspection service and said that as of yesterday, the first Cooperative Interstate Shipper plant made it across the finish line. It was a soup company out of Big Timber
 - Mr. Honeycutt said that the DOL was requesting more staffing in the Meat area of the DOL because there was a lot of potential growth still yet to come in that area
- Mr. Honeycutt said that USDA wanted to get an idea of how widespread on the landscape HPAI might be, and so he and Dr. Tahnee Szymanski had discussed whether or not to do confidential, voluntary bulk sampling in Montana for HPAI in milk before it was pasteurized and could it be done with the staffing and resources the DOL currently had
 - Also discussed, Mr. Honeycutt said, regarded developing a sort of voluntary sampling program for HPAI in meat carcasses
 - Mr. Honeycutt said that right now, the USDA focus was to slaughter test cull dairy cattle but that he would imagine, at some point, they might want to look at all beef
 - Lily Andersen said that regarding confidential, voluntary testing of bulk milk tanks, it was not super positive in the Montana dairy industry to do that. She expressed that she didn't know how it would be helpful to test a bulk milk tank if it was a blend of several different dairies' milk. She said the key component of doing that though, would be that the testing was confidential and that dairies would still be able to ship their milk
- There was information coming forward from the HPAI situation in Colorado that genomically, some of the recent poultry infections of HPAI were actually coming from dairy cows because possibly, workers from dairy and poultry farms lived in the same house and caused a cross-contamination. Because of that information, Mr. Honeycutt said that the DOL found some gaps in our armor on biosecurity and needed to be prepared for what the DOL might be asked to do by Federal groups regarding HPAI

- Mr. Honeycutt said that when Senator Ellis asked him at the most recent Budget Committee meeting about what would the DOL be doing about raw milk, he told her that the current law didn't require licensure of those things. He said that even though there were several people on the raw milk side of things, the DOL had still maintained relationships and could go back and talk to them about issues that had arisen. He added that pasteurization did kill the live HPAI virus in milk.
- There was under-reporting of food-borne illnesses, Mr. Honeycutt said, because the vast majority of people with good immune systems recovered from certain viruses they got and might think their stomach just felt bad that day and didn't go to the doctor about it. He said that the person with the recent E.coli in Flathead County was in their upper 80s and already had some chronic illnesses.
- Mike Honeycutt said that there was a lot of conversation going on around HPAI and now the talk in the US is the development of vaccines, but, the more information the DOL could get, maybe the more confidence they could give to public health officials.
- Gene Curry said that when HPAI was found in poultry, you decimated the entire flock, but when it was found in dairy cows, it caused a reduction of milk production for a time, and in humans it caused itchy eyes. He said the risk was higher for poultry and that over-reaction was probably a risk that the dairy industry and the DOL was going to have to face.
 - Mike Honeycutt said that we wanted to make sure that Animal Health and livestock voices stayed in the HPAI conversation because it was an easy leap for those not in our world to say that this was how you handled HPAI in poultry, just do the same thing in cattle. But, there was a lot of difference between euthanizing and replacing poultry versus a herd of dairy cows.
 - Alan Redfield reminded the BOL of how an entire herd was taken out with the first Brucellosis case, which happened to be one of his neighbors, and now, the DOL did reactors.
- Mike Honeycutt said that the final enactment of the EID Interstate Shipment rule was within the next six months and there was still uncertainty on the DOL side that needed to be shored up.
 - Dr. Tahnee Szymanski had been receiving pressure, Mr. Honeycutt said, about the availability of the EID tags because we did not believe we were going to be supplied at the beginning with enough free tags to meet Montana producers' needs and there was a cost difference.
 - Montana was a unique situation and used more tags than some other states, Mr. Honeycutt said, because we export a lot of cattle, driving the need for those tags. Because of the rule in place that still allowed for tagging after movement into the state when they reached a tagging site, Mr. Honeycutt said that Montana was tagging a lot of other states' cattle in Montana. Also, Mr. Honeycutt said that official ID was needed with cattle leaving the DSA as well.
 - Who was going to absorb the cost of the extra tags needed, Mr. Honeycutt said, because Contract Veterinarians might wonder if it was worthwhile for

- them to continue be a Contract Veterinarian at a market if they had to absorb that tag cost
- Dr. Tahnee Szymanski and Mike Honeycutt were able to speak with Colin Woodall, the Director of NCBA at ILIA regarding Montana's need for more EID tags when he told them that some states had been receiving more of an allotment than they needed. Mike Honeycutt said that the DOL needed to work on USDA to do more to help support Montana if they were going to roll out the EID rule
 - On the commerce side, Mike Honeycutt said that being able to tag cattle at the markets is something that some of our businesses could offer to their consigners. Gene Curry said that the DOL was going to have to absorb some of the tag cost and allocate the tags fairly, because if a producer got an allotment of tags and then two weeks later another producer went in for their tags, but they were all gone, that wouldn't sit well
- Mike Honeycutt said that Jay Bodner's goal by the end of the year was to be able to scan paper inspections, utilizing Google AI, to reduce some of the data entry and also give a little more real-time data in our system
 - Also in the Brands area, Mr. Honeycutt said, they were working on a system for tracking violations where when a warning was issued anywhere in the state, it would be input into the system and that information could be accessed if it happened again
 - The Snowflake application continued to be worked on, Mr. Honeycutt said, where records from different areas of the DOL, including Brands ownership records, VDL records through VADDS and Animal Health CVI records could be compared to records from other agencies, such as the Department of Revenue and be searched. Mr. Honeycutt said that the system would help us in disease tracing and also provide a proof check for per capita rolls
 - Mr. Honeycutt announced that USAHerds was going to be retired and move to the new Core 1 system in the Animal Health area. He said that we would have to hire people to maintain USAHerds or pay a lot of money to upgrade to their next level
 - Dr. Tahnee Szymanski worked with Animal Health staff to look and see if they wanted to continue with USAHerds, but they believed Core 1 was the system they wanted to use
 - Mike Honeycutt said that one black mark against USAHerds a couple years ago was when the DOL had some significant security issues with it. He said that the DOL needed to be doing security risk assessments on all of the systems they currently had
 - Sarah Kiser and Nolan Gibbs, both legal interns, introduced themselves. They had come from the Department of Agriculture and came over to the DOL where Lindsey Simon was working with them to help them gain some knowledge
 - Jake Feddes said he had been hammering on the biosecurity issue for three years. Mike Honeycutt said the DOL continued to work on that with Secure Beef Supply, Secure Wool Supply and swine, preaching the message at the producer

level. He said that the NPIP program had also gotten really good uptake with poultry producers getting involved in the state

- Jake Feddes said that he felt the reason there weren't enough cattle producers involved in the biosecurity was because there was no big biosecurity threat in the cattle industry right now. Mike Honeycutt said, if you've got plans in place already, odds were that you would be ahead of the curve and getting back into commerce if some sort of major crisis happened
- Gene Curry said that the dairy industry was maybe not quite as secure with biosecurity, but with the HPAI situation in dairy cattle, it might be a little higher priority for the dairy industry to look into
- Lily Andersen shared that a DFA producer was required to have a biosecurity plan in place and that if you wanted to be a Gold Standard Farm, there were other requirements to be met as well

NEW BUSINESS/EXECUTIVE OFFICER UPDATES

(1:16:56) 9:16 AM

(1:17:20) 9:17 AM – HUMAN RESOURCES UPDATES

Mike Spatz, Human Resource Officer for the DOL, introduced himself and thanked the BOL for having him this morning

(1:17:34) 9:17 AM Staff Openings, Recruitment and General Updates

Mike Spatz reported on the Staff Openings and Recruitment information for the DOL since the last BOL meeting was held:

- Mr. Spatz said that it had been a nice few weeks where there were zero postings and everything was full, but as of today, there was a Meat Inspector position that had been posted in Shelby
 - Mr. Spatz explained that the Shelby job was one that had been moved from the Ekalaka area to Shelby
 - Mike Honeycutt said that it had been the first time in his 8 ½ years with the DOL that they had not been recruiting for something
- At the VDL, Mr. Spatz reported that there would be another position posted later in the week due to some internal movement and that there would be an open Brands position out there as well
- The Staff Veterinarian in the Animal Health area of the DOL was scheduled to start on October 21, 2024
- Since the last BOL meeting, Mr. Spatz said that there had been four new hires and one internal promotion and zero vacated. He added that we had become aware of two future resignations, however
- One employee in the Meat area of the DOL had been reported as a resignation last month. But, since that time, Mr. Spatz said they decided to rescind their resignation and were staying in their position
- Mikayla Davis-Snellman was hired as the District 9 Livestock Investigator in the Dillon area and started on August 19, 2024

- Mr. Spatz said that the Brands Division was looking at posting a permanent part-time Inspector position in the Chinook area that was currently covered by a short-term worker
 - Mike Honeycutt explained that this would move the position vacated with the Missoula market closing up to Chinook where there was a need
- Jay Bodner, according to Mr. Spatz, was considering looking into posting a roving Inspector position to help cover three separate markets in the eastern Montana area, as there had been some need for coverage on different days
 - Mike Honeycutt said that this would be the additional position granted in the last Legislative Session that had yet to be filled. He added that with the throughput being seen in places like Sidney, Glendive and Miles City, he thought the position was warranted
- Mr. Spatz reported that Kat Shipman had been hired as a Meat Inspector in the Malta area. Ethan Cunningham started on August 26, 2024 as a Relief Inspector in the eastern Montana area and Doug Arnold also started on August 26, 2024 as a Relief Inspector in the Superior area
- James Torreano, Mr. Spatz said, had been promoted to a Microbiologist position at the VDL, and this week, his office position would be posted

(1:23:57) 9:23 AM Requests to Hire – Compliance Supervisor and Full-Time Egg Grader in the Meat, Milk & Egg Inspection Bureau

Alicia Love was looking at some minor restructuring in the Milk and Egg Bureau, Mr. Spatz said:

- One change would be to create an internal recruitment for Compliance Supervisor as there was currently not a Compliance Supervisor in that unit. Also, Ms. Love would move the Regional Meat Inspection Supervisors to report to the EIAO
 - Mr. Honeycutt explained that currently, there were two Compliance Specialists, and the restructure plan would move one into a Supervisory position and the other Compliance Specialist and the Label Specialist would both report to the Compliance Supervisor
 - The restructure plan would also bring the Regional Meat Inspection Supervisors under direct report to the EIAO who already trained plant personnel, and Mr. Honeycutt said is the person that should be managing those Regional Meat Inspection Supervisors
 - Mr. Honeycutt explained that the restructure idea had been talked about for a long time, but with the recent E.coli issue, it was seen that the need for putting it into place and dividing the labor made more sense. He added that the restructure would not add any positions but only change reporting structures
- Alicia Love said that when there was a serious compliance enforcement issue, Compliance staff ended up coming directly to her anyway because the nature of the work was so different. She said that Jay Nelson, the EIAO, was not a Compliance Investigator, he was a Trainer and a Food Safety Expert
- Mr. Honeycutt complimented Jay Nelson, saying that as the EIAO he was mostly focused on Food Safety Assessments and what was happening in-plant and that

during some of the issues that the Meat area of the DOL had dealt with recently, he had proven himself

- Jake Feddes said that he thought the restructure idea was a great plan as he felt Alicia Love was overwhelmed 97.8% of the time with the amount of people that have to report to her and this would help for the Compliance group of employees to not have to report to her on every single thing that they were doing. Alicia Love added that she would propose to not change how the DOL handled appeals from the Meat Industry but that appeal would go jointly to the EIAO and whoever the Area Supervisor was and then the appeal would continue on to her

MOTION/VOTE

(1:48:35) 9:48 AM

Jake Feddes moved to approve the new organizational chart for the Meat, Milk & Egg Inspection Bureau, presented by Alicia Love, that would promote Jay Nelson to Compliance Supervisor. Alan Redfield seconded. The motion passed.

Mike Spatz said that there was one more Request to Hire on the Egg Grader side:

- Mike Spatz reported that one of the full-time Egg Graders had given notice that they would be leaving the DOL in October, and with the Egg Grader training process being very long, it was requested to begin the recruitment process for that position so that there could be a short overlap with the new hire for training. He added that the Egg budget would support the short overlap
- A Friendly Amendment was added by Alan Redfield to the motion that if the part-time person currently employed as an Egg Grader filled the full-time position, that the part-time position could be filled as well

MOTION/VOTE (With Friendly Amendment Added)

(1:52:02) 9:52 AM

William Kleinsasser moved to grant the request to hire a full-time Egg Grader, with a friendly amendment added by Alan Redfield that if the position was filled by the part-time person, that position could be filled under this same request. Lily Andersen seconded. The motion passed.

Mike Honeycutt encouraged anyone who was in Great Falls and have never done so, to visit the Egg Plant to see Elaine and Terry, the Egg Graders, at work. He said those employees were on 12-hour shifts because it was tough to switch people in the middle. If capacity was expanded, Mr. Honeycutt said it would put the DOL in a position to add a position, but if more eggs were being processed, there would be more revenue coming in to be able to fund that

(1:58:36) 9:58 AM Governor's Award for Excellence

Mike Spatz reported on this year's Governor's Award for Excellence recipients in the DOL:

- Mr. Spatz explained that this award recognized State employees for outstanding performance that was above and beyond their normal call of duty. Nominations were made by staff and management and submitted to the Department of

Administration back in July who then notified the DOL of who the final nominations and recipients would be of the award

- Nomination criteria, Mr. Spatz said, was different than it had been in the past and included not only demonstrating performance above and beyond the regular expectations of their job, but also included demonstrating exceptional, innovative approaches which produced significant results, attaining significant improvements with efficiencies in government processes and/or demonstrating exceptional customer service significantly beyond the scope of the employee's performance
- Mr. Spatz said that the Governor's award ceremony would take place on September 30th and that the goal was that those DOL recipients would be invited to a future BOL meeting for formal recognition by the BOL
- Three awards were given in the DOL for the Governor's Award for Excellence this year, Mr. Spatz said
 - Michele Satre, with the Milk Control Program, Jonathon Sago, a Veterinary Pathologist at the VDL and a Brands Team consisting of Kim Dalla, Brenna Brunt, Kevin Ramsey, Jessica Sivumaki, Wes Seward and Jacob Eshelman, who were recognized for their work with the new system updates in the field and markets
- Mike Honeycutt pointed out that some agencies had people that didn't get selected at all. He added that he felt that a feather in the cap of the DOL was that all nominees that had been submitted were selected as recipients

(2:05:24) 10:05 AM RECESS

(2:05:32) 10:26 AM RECONVENE

(2:05:39) 10:26 AM LEGAL COUNSEL UPDATE (May Require Executive Session)

Lindsey Simon, DOL Legal Counsel, introduced herself

(2:05:39) 10:26 AM MAR 32-24-345 Pertaining to Animal Contagious Disease Control – Review of Public Comments

Lindsey Simon, who also identified herself as the Administrative Rules Reviewer for the DOL, reported on public comment received on a published notice of proposed adoption amendment and repeal for Animal Health Disease Control rules:

- Ms. Simon reported that there was only one public comment received and it was in regard to Subsection 4 of the new rule
- Mike Honeycutt reported that the public comment came in a letter from Cynthia Johnson, President of the Montana Farm Bureau Federation
 - According to Ms. Johnson's letter, Lindsey Simon said that the comment suggested that in Subsection 4 of the new rule, the word "cattle" be changed to "livestock" in the line that read, "If there is a mortgage or lien recorded with the department on cattle slaughtered and indemnified in accordance with the provisions of this subchapter, the warrant paying the indemnity shall be made payable jointly to the owner of the cattle and the lien holder or mortgagee."

- A previous Subchapter of the new rule had listed the types of animals eligible for indemnification as “cattle, domestic bison, sheep, goats, swine, alternative livestock and poultry” Ms. Simon said, and in conversation with Dr. Tahnee Szymanski, she did look favorably on making the change in Subsection 4 to say, “livestock” rather than just “cattle.” Ms. Simon further suggested that the word “livestock” in Subsection 4 of the new rule be listed as “animal” as specified in MCA 81-2-201, because there were definitions of livestock in various parts of the rules and statutes
- Jake Feddes questioned why horses were not included as one of the types of animals considered to be eligible for indemnification. Mike Honeycutt said that the new rule aligns to what was eligible for Federal agents or diseases they pay indemnity for, and that we would not be able to add horses for reimbursement to the new rule because they were not listed in the statute
- Another public comment given by Cynthia Johnson in her letter suggested that a per capita fee payment be added as a requirement of receiving indemnity. Mr. Honeycutt said that this too, would have to be listed in statute before it could be added to the new rule and he encouraged working with the Legislature on that portion of her comments

MOTION/VOTE

(2:10:01) 10:30 AM

Alan Redfield moved to approve the adoption of the new rule, “Indemnity for Animals Destroyed Due to Disease,” as amended, listed in MAR Notice # 32-24-345. Jake Feddes seconded. The motion passed.

Lindsey Simon said that she thought Mr. Honeycutt’s recommendation regarding the per capita public comment from Cynthia Johnson was worth taking into consideration

- Mr. Honeycutt said to also take into consideration what was in the best interest of the industry, because if per capita payment was required for indemnity and there was an animal that needed to be destroyed and needed to be tested but per capita hadn’t been paid on that animal and the owner then said, no, they would not destroy it, then that left a diseased animal on the landscape which created a risk. He added that our objective in the rule was to get a potentially disease-infected animal off the landscape not to try and force per capita fee payment

(2:20:30) 10:41 AM Coyote Litigation Update

Lindsey Simon reported that there had been a little bit of development in the Coyote Litigation:

- Ms. Simon reminded the BOL that the DOL was not a party in this litigation but the State of Montana and FWP were part of that
 - According to Ms. Simon, yesterday, the Federal Court Judge issued an order amending the wolf trapping injunction’s geographic scope. She said that there had also been an attempt in that lawsuit to ask for inclusion of coyote trapping but there was no significant movement on that issue since her last update to the BOL on that

- Ms. Simon reported that the 60-Day Notice of Intent to potentially add the DOL to the suit had expired, but the case had been set for trial. She said she expected to see a ruling that would clarify if and when the DOL would have a role in that
- It was decided by the BOL to go into Executive Session to address an update on legal issues pending in the DOL

(2:23:27) 10:44 AM EXECUTIVE SESSION

(2:24:39) 11:31 AM RECONVENE

Gene Curry called the meeting back to order again, adding that there was no action required after the closed session on legal updates

(2:25:33) 11:32 AM UPDATE ON ONGOING FEDERAL PROCESSES

Mike Honeycutt reported on three ongoing Federal processes in the DOL

(2:25:40) 11:32 AM YNP Bison EIS/IBMP Operations Update

Mike Honeycutt said that there was not a lot to report on Yellowstone Buffalo as an ongoing Federal process:

- The EIS Final Record of Decision, Mr. Honeycutt said, had been issued and discussed at the last BOL meeting
- Preparations for the Fall IBMP meeting, Mr. Honeycutt said, were going on right now
- Mr. Honeycutt reported that he and Dr. Szymanski had sent a letter to their fellow IBMP partners saying they thought that action needed to be taken by IMBP to change facilitators. The letter, he said, put the DOL on record with the request, but he said we would see if the IBMP partners were in agreement with it
 - It was further explained by Mr. Honeycutt that the Forest Service was the current lead partner right now. He said that it was on record now that the DOL was not exactly happy with how things were being facilitated in the current role and that we were not getting out of those IBMP meetings what we should be getting out of those meetings
- Some buffalo that were out of tolerance on the west side of the Park had to be dealt with by the DOL a couple weeks ago, Mr. Honeycutt said, adding that it was late in the season for something like that to happen

(2:28:11) 11:35 AM – LEGISLATIVE INTERIM ACTIVITIES UPDATE

Mike Honeycutt reported that the following day, the DOL was scheduled at 1:00 PM for a 10-minute segment on the agenda of the Economic Affairs Interim Committee:

- Mr. Honeycutt said that he and Jay Bodner would be attending that meeting and present four concepts, combined into three pieces of legislation
 - One concept dealt with traveling with official documents
 - One concept dealt with repealing the duty of inspection of dead animals in feedlots and the penalties associated with it

- One concept dealt with stamping of carcasses with ink stamps inside Meat Inspection plants
- Mr. Honeycutt said that change of ownership inspections should be done before animals were slaughtered and that was the protection against theft. And so stamping the carcasses was not something necessary today
- Mr. Honeycutt explained that approving legislation for pre-introduction meant that it could then get a slot for a bill to be written

(2:31:02) 11:38 AM – BUDGETING FOR 2025 SESSION (Executive Planning Requests)

Mike Honeycutt reported that the DOL had a meeting with our Budget Analyst a week or so ago and that meeting went well:

- Mr. Honeycutt said that the only follow-up from the meeting was that the Budget Analyst was asking more questions about the Milk Fee fund switch
 - Questions asked were why general fund, why not per capita fee or another fund source, to which Mr. Honeycutt said he offered back the explanation that we were trying to avoid getting the milk industry back into the crosshairs of fee increases
 - No final blessing had come from the Office of Budget Program Planning, as of yet, and Mr. Honeycutt said that it could be a while before that came. The Governor’s budget proposal was due to the Legislature on November 15, 2024
- Gene Curry said that it all the more reinforced the fact that the Milk Industry needed to ramp up their lobbying, and he told Lily Andersen that the BOL would support that. Mr. Honeycutt said that even if the Milk item got into the Governor’s budget, it would be a long road to the end, because it would still have to go through the Legislature

(2:33:36) 11:40 PM PREDATOR CONTROL

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

Mike Honeycutt announced that he did not believe Dalin Tidwell would be presenting this week, as he thought he was on vacation through August 29, 2024:

- Gene Curry said that he spoke with Mr. Tidwell the week before when he was at a meeting on interaction with livestock and predators
 - Mr. Curry said that Dalin shared that coyotes were still the largest cause of livestock loss in the state of Montana
 - Although Mr. Tidwell said that things had still been pretty quiet, he anticipated the same thing happening with the grizzly bear that Mr. Curry spoke about, and that was, because of the lack of the berry crop as a food source this time of year, the bears would be searching for other food sources and that might cause an increase of predator activity in the fall
 - Mr. Curry said that Mr. Tidwell also shared with him his concern over the lawsuit over them not being able to take out problem bears

- Alan Redfield shared that the wolves and bears that had come out of the Basin were going wild and that people running cattle in that area were losing about one every other day, and they were all yearlings. He said the bears were cleaning up the carcasses that the wolves had killed and that it was real tough for the producer

(2:37:37) 11:44 PM LLB PREDATION CLAIMS REPORT AND GENERAL UPDATES

George Edwards, Executive Director with the Montana LLB introduced himself and said that he had spoken with Dalin Tidwell the week before as well:

- Mr. Edwards reported that Mr. Tidwell told him that although things were starting to pick up a little bit, it was still slow. Mr. Edwards aid that he was working on about six claims that day and that didn't seem to fit with what had happened in the previous seven years. He agreed with Gene Curry, saying that taking out those problem bears did reduce predation overall
- Alan Redfield said that he was not certain whether Wildlife Services had been able to analyze the losses that the producer he had just shared about in the Tom Miner Basin area, but he was going to ask the producer about it. Gene Curry added that we hope they would be able to submit a claim and get reimbursement for all their losses
- George Edwards shared that he had just processed his first Park County claim that day
- Mr. Edwards reported that his board had decided to go to a straight 30% cost share for the rancher and the LLB would pay 70% for loss prevention grants. He said he was revamping that grant form and would be starting to solicit grant applications again on October 1, 2024 and then the LLB Board would probably be meeting in December or January to have another grant meeting

(2:42:44) 11:49 AM LUNCH

(2:42:48) 12:31 PM RECONVENE

Gene Curry called the meeting back to order

ANIMAL HEALTH & FOOD SAFETY DIVISION REPORTS

(2:43:15) 12:31 PM

(2:43:20) 12:31 PM – MEAT, MILK & EGG INSPECTION BUREAU

Alicia Love, Bureau Chief for the Meat, Milk & Egg Inspection Bureau, introduced herself and said that she only had a couple items to present that day

(2:43:33) 12:32 PM General Updates

(2:43:47) 12:32 PM FSA and Possible CIS Plant Update in Big Timber

Alicia Love updated the BOL on Montana's CIS Program:

- After conducting a Food Safety Assessment at a soup manufacturing plant in Big Timber who had expressed interest in the State’s CIS program, Ms. Love said she had received this week a recommendation from USDA for this plant to enter the CIS program. Ms. Love announced that we now officially have a CIS plant on line in state of Montana
- Ms. Love said that there had been some complicating issues the State was encountering, trying to bring plants on line for CIS, but after having a conversation with the person responsible for CIS at USDA and receiving advice on how to work through the CIS program more efficiently with our Federal counterparts, she did not think we would see those “hiccups” going forward with future plants going CIS. She added that once a couple plants in the state went to CIS, she felt it would be easier to build support within the industry to bring more plants online to the program to grow their business with out-of-state customers
- The soup plant in Big Timber, Ms. Love shared, was pretty straightforward in their communication with the DOL about why they chose to go CIS rather than going USDA, saying that the DOL had always been extremely responsive to them, had been approachable, available to meet their business needs and that they felt comfortable with Montana’s program
 - Gene Curry gave kudos to Alicia Love and their employees and thanked them for how they conducted business, saying that “people do business with people”
- Ms. Love explained that one of the downsides to CIS was that if you wanted to do State-inspected and CIS products, you had to have a separation of time and space and that every quarter, USDA would come in and do a mini Food Safety Assessment. She said that the CIS website does say that technically, CIS was eligible for out-of-county export of their product

(2:49:35) 12:38 PM Travel Request for Alicia Love – ASMID Conference

Alicia Love requested that the BOL approve out-of-state travel for her to attend the ASMID Conference in Nashville, a Meat Program Directors conference that met twice a year:

- Ms. Love reported that the Area Supervisors attended the last Conference
- The ASMID Conference, Ms. Love said, helped the DOL keep ahead of the game on regulatory changes, as USDA usually did a couple of presentations. It was very beneficial as well, she said, to communicate with other states and receive their input on new food trends and regulations
- Mike Honeycutt said that the DOL had, for as long as he had been with the DOL, sent someone annually to this conference

MOTION/VOTE

(2:51:31) 12:40 PM

Alan Redfield moved to approve out-of-state travel for Alicia Love to attend the ASMID Conference in Nashville, Tennessee on October 9-12, 2024. William Kleinsasser seconded. The motion passed.

(2:52:00) 12:41 PM BOL Egg Staffing Discussion

Mike Honeycutt said that the BOL had been discussing about the possibility of having to change staffing at the Egg Plant due to increased egg production and possibly upping the number of hours of operation:

- Alicia Love explained that if the volume of eggs were to get high enough, it may get to the point where an Egg Grader might not be able to meet ratio requirements for the amount of inspection required for the number of eggs
 - Ms. Love said that they had seen some temporary increase requests for service for inspection and if that continued, she said they would need to have a discussion about maybe changing the number of staff in that area
- William Kleinsasser reported that from January to December of 2024, there would be about 160,000 birds coming on line with some in production, but that in 2025, it would slow down to around 40,000 because of a new type of egg production some of the Colonies planned to try, after hearing Wilcox Consulting talk about it
- There were enough commercially organic eggs, Mr. Kleinsasser said, and this new type of production they were planning would be a range barn sitting out in the middle of 50 acres with only 20,000 birds allowed per barn. The barns themselves, he said, also had to be a certain square footage and had 24/7 access to the outdoors, which he said would be a challenge when it was 40 below zero

(2:57:10) 12:45 PM - VETERINARY DIAGNOSTIC LABORATORY

Dr. Greg Juda, Director of the Montana Veterinary Diagnostic Lab in Bozeman, introduced himself to the BOL, adding that he had a pretty short, sweet agenda today

(2:58:18) 12:47 PM Operational Update

Dr. Greg Juda reported on some Operational Updates at the MVDL, saying that things were going well there:

- Dr. Juda said that the Front Office position at the MVDL would be posted as James Torreano, who had been in that position, took the Clinical Pathology position that had been open
 - The primary purpose of that Front Office position, Dr. Juda said, was to receive samples, accession and then put the information into the Laboratory Information Management System. They also answered phones, answered client questions and did some invoicing
 - Dr. Juda said that James Torreano had been doing a great job in his new position, but that he had also been doing some of his former responsibilities and spot duty because of being a little short staffed in the Front
 - One individual, Dr. Juda said, had inquired about possible employment, and with them being a former intern with the MVDL, he said they would be definitely reaching out them, letting them know that the job posting was open
- The new APHL Fellow, Bridget, had been in training in Molecular Diagnostics. Dr. Juda said that currently at the MVDL, there were four APHL Fellows and two

of them had decided to stay at the MVDL for now, which he said would help out tremendously during the Fall testing season

- Dr. Juda reported that there were several outstanding testing supply orders in the works because of peak testing season in the Fall. Those orders, two of the most expensive orders, for CWD and FPA, were in the hands of the State Procurement Bureau and those numbers would be hitting the books this Fall
 - Dr. Juda said that the CWD testing supplies were mostly for FWP, with some for North Dakota, and would be covered financially, along with the direct labor to conduct those tests as well
 - Dr. Erika Schwarz was preparing for the Fall testing schedule by working on a testing schedule for rotating Lab personnel during that time
- The new Dimension Chemistry Analyzer was working well and up and running, Dr. Juda said. Currently, they were working to validate it against the old instrument and so, for a time at least, they had two of those instruments running in the Lab
- It was reported that an incubator in the Virology Lab was broken and Dr. Juda said that if a new one had to be purchased that they would need to modify the NAHLN funding plan to do that
- The parking lot at the MVDL was currently blocked off due to installation of water lines for the new building. Dr. Juda said that parking for the MVDL personnel hadn't been an issue, but it was a bit of an inconvenience for clients dropping off samples and parcel delivery services, and so he hoped that project would be wrapped up shortly. He said that a sign had been put out to guide those people where to go
- Dr. Juda reported that there was an expected power outage scheduled between 8:00 am and 12:00 pm for approximately 30 minutes at the MVDL the next day and that would impact their operations and network connection. The purpose of the outage was to reroute overhead power lines underground to the existing Marsh Lab Building

(3:07:08) 12:55 PM Out-of-State Travel Request

Dr. Greg Juda reported that after some discussion with Brian Simonson, he would be pulling the out-of-state travel request for now that he had posted to the agenda and look at some other options

(3:07:41) 12:56 PM New Building Construction Update

While waiting for Max Grebe, LPW Architecture, to arrive, Dr. Greg Juda shared with the BOL about what they were seeing for construction progress on the new Lab complex:

- Dr. Juda said that it was pretty impressive to see the structure going up and he had no idea how tall the building would be for a one-story building
- The projected delivery date for the incinerator was November 12, 2024, and the door size had been increased to 12 feet, Dr. Juda said, so that when the incinerator did arrive, it could be wheeled in rather than having to drop it through the roof

Max Grebe, LPW Architecture and Architect of Record for the Combined State Labs Project, introduced himself and updated the BOL on the ongoing construction of that project and showed several photographs of the progression:

- Mr. Grebe reported that all subgrade work at the Lab Complex in Bozeman was completed and currently, the construction crew was working on the CMU walls, which were concrete masonry walls that provided structural support and a durable surface on the interior, especially in areas of heavy traffic and animals such as the material handling corridor of the MVDL and even in part of the Wool Lab where there was wool handling and a storage garage
- Steel erection would be starting in the next couple of weeks, Mr. Grebe said, and with all the steel processed, approved, fabricated and onsite, that should go up relatively quickly. And, to help control water a little bit, Mr. Grebe said they would then get the roof on the building to get it covered. He expected that around May of 2025, the building shell would be largely completed
- Sheetrock, insulation, miles of piping and duct work and sheet rock would need to be done before the building was actually functional inside, and Mr. Grebe expected that to take about a year and a half. The installation of the owner-provided equipment was scheduled for January 1, 2026, with building occupancy right around February 1, 2026
- Mr. Grebe explained that most of the equipment moving was not included in the contract and so there would come a period of time where the contractor would give everyone the opportunity to move their equipment into their spaces. He anticipated it would be about a month or so of time allotted for that equipment to get set up and in commission
- Dr. Juda said that they would probably have a chart made that outlined the entire move so that the whole Lab was not shut down at one time. He said that some funds had been put into the EPP process for moving and that there were certain pieces of equipment that would have to be “white-glove” ushered in, such as the Maldy, which would have to be moved, reinstalled and qualified. He was hoping to time the arrival of the new equipment purchased with additional NAHLN supplemental funding so it could be moved directly into the new Lab without having to be stored and then moved
- Greg Wichman reported that the funding for the Wool Lab was not completely there and that they were still chipping away at it. He said that there was some National Wool funding that might be able to be used as a loan to finish up and then it would be paid off as time goes by
- Max Grebe said that they would have to relocate a power line that would be a little tricky going in from the north, but that work wouldn’t happen until close to the end of the project. The water line install that was currently disrupting the parking lot would be about the end except for one or two borings to do underneath Garfield Street to connect into MSU’s system and that shouldn’t create any disruptions.
- Regarding parking lot areas, because the site of the new Lab Complex was so low, Mr. Grebe said there was still a fair amount of fill work to take place to bring up the site. He said the fill was being brought in by truck from another University project where they had excess fill

- Mr. Grebe said that he would plan to attend the BOL meetings every month to bring updates and fresh photos, unless he heard otherwise
- The BOL discussed how the current Lab was built in 1960 or 1961 and how exciting it would be the day we move into the new Lab

(3:35:56) 1:24 PM – ANIMAL HEALTH BUREAU

Dr. Tahnee Szymanski was in Idaho attending meetings, but said she would be joining the BOL meeting online and would be listening and interject when needed:

- Dr. Brad De Groot, Brucellosis Program Veterinarian for the DOL, introduced himself

(3:36:38) 1:25 PM Out-of-State Travel Request – Cattle Trace Symposium

Dr. Brad De Groot requested that the BOL approve out-of-state travel for Dr. Heidi Hildahl to attend the Animal Disease Traceability meeting, scheduled for November 18-19, 2024 in Kansas City at the American Royal Center:

- Dr. De Groot said that the meeting would be an opportunity for Dr. Hildahl to participate in industry-driven discussion, decisions and make important contacts within that space. Mike Honeycutt said the fees of \$1025 would be paid using Federal Animal Disease Traceability funding

MOTION/VOTE

(3:38:01) 1:26 PM

Greg Wichman moved to approve out-of-state travel for a Veterinarian to attend the US Cattle Trace Symposium on November 18-19, 2024 in Kansas City, Missouri. Jake Feddes seconded. The motion passed.

(3:38:26) 1:27 PM Disease Updates

Dr. Brad De Groot said that the Disease Updates would cover Brucellosis, Chronic Wasting Disease and the H5N1 Avian Influenza in cattle and Tuberculosis

(3:38:42) 1:27 PM Brucellosis Updates

Dr. Brad De Groot reported that there were two slaughter traces open:

- Dr. De Groot further explained that cull cows from the ranches went to slaughter and tested non-negative at slaughter. Both ranches agreed to go ahead and test the two affected herds, which was planned for this Fall
 - One of the ranches was looking for an alternative to doing a whole herd test, but no suitable alternative had been found as of yet
- Both herds had been under quarantine for a long period, but it had not been a particular hardship for them because they had a business model that allowed them to do what they do while under quarantine to generate revenue
- Dr. De Groot said that the ranches were located in areas where it was difficult to keep elk separate from the livestock and so typically, they come up with some non-negative reactors every year or so

(3:41:16) 1:30 PM Chronic Wasting Disease Update

Dr. Brad De Groot reported that a herd of alternative livestock that had been CWD negative for a long period of time and maintained good biosecurity, had some animals that had been sent to Utah show up CWD-positive:

- Although there had been some question about Utah's identification, Dr. De Groot said that it had now been confirmed that this herd was infected and now the DOL was working on a cooperative agreement with USDA to indemnify those animals so that DOL costs would be covered
- No live animals had been brought into the herd for several years and so the current working hypothesis of where the infection entered the herd, according to Dr. De Groot, was through a change in feed sources, changed hay sources and that CWD was picked up from the feed. So now, not only were animals being tested, but their feed was being tested as well
 - Alan Redfield wondered if a deer had possibly been baled up, possibly rotted and got mashed in the bale. Dr. De Groot said that the prions were very durable in the environment and maybe some dirt had been picked up where an infected carcass had lain
- Dr. De Groot said that USDA had taken a keen interest in the high infection rate of CWD in this herd and were assisting with specimen collection, which would be sent to the Agricultural Research Service to see what could be learned from this unfortunate case, where the entire herd would be depopulated
 - Whatever the source of the contamination was, Dr. De Groot said that it was something that nearly every animal in the herd had come in contact with
- Although Dr. De Groot said that categorically he could not say that there was no risk to the domestic livestock industry, CWD had been confined to large, free-ranging ruminants, wild cervids and there had been no indication there was a propensity of the prion agent to cross into other species. He added that although both CWD and BSE have similar clinical signs, they were distinct agents at a molecular level
 - Dr. De Groot said that the current hypothesis regarding cross-species of prions was that the Scrapie prion went to BSE and then that prion morphed into the new variant, Creutzfeldt-Jakob Disease in people
- Once the herd was depopulated, Dr. Szymanski said, that the property had to sit empty of any species for the next five years. It would be required that some sort of environmental mitigation be done on the property after depopulation and that property would be categorized as having a high level of likely contamination because we were seeing clinically-affected animals
- Mike Honeycutt said that USDA Wildlife Services would be helping with the depopulation effort, just as they had in previous depopulation efforts

(3:53:35) 1:42 PM HPAI in Dairy Cattle Update

Dr. Brad De Groot gave an update on the H5N1 Influenza Virus Infection (HPAI) in cattle:

- Dr. De Groot reported that so far, the HPAI had been documented in lactating dairy cattle but, there had been no indication that there was any problem in beef cattle

- The Food Safety Inspection service, according to Dr. De Groot, was conducting a meat sampling study to see if they could detect any prevalence of the virus in meat at slaughter
- Numbers of infected dairies, according to Dr. De Groot, currently stood at 192 premises in 13 states, with some of those infections concentrated in dairies found in the states of Texas, Colorado and Idaho
 - The National Conference on Interstate Milk Shipments and the FDA were working with USDA to establish a silo study, which was a double-blind study, collecting milk specimens from dairy producers, Dr. De Groot reported, adding that there were some dairy producers who were leery of participation in the study
 - Producers in both Idaho and Colorado, Dr. De Groot said, which were both very high-prevalence states, had expressed a broad willingness to participate in the double-blind study. But, if dairy producers in the low-prevalence states declined to participate, it could result in an artificially elevated prevalence estimate which could bring some rather draconian measures from the CDC and FDA
- Gene Curry mentioned an incident in Minnesota where goats were drinking water from the pond where waterfowl had swum and contracted HPAI and so he questioned whether the virus could cross over into sheep as well
 - Dr. De Groot said the goats that contracted the HPAI were very young goats, and the adults were not clinically affected like the baby goats
- Greg Wichman said that if the sheep got very sick, you'd probably see a break in the wool, but other than that, you wouldn't notice

(4:03:00) 1:51 PM Tuberculosis Update

Dr. Brad De Groot updated the BOL on cattle Tuberculosis issues the DOL was currently dealing with in the state:

- Dr. De Groot reported that assurance testing of the 2021 TB slaughter trace had started and that there was a good start being made on one of the larger groups and many other of the cattle scheduled for that assurance testing
 - Dr. Tahnee Szymanski said that there were around 1,000 total animals to be tested with a group of around 300 animals being tested that week and then the next week there would be two groups tested, one group having 200 head and the other 400 head. The final 100 would be caught up sometime in the next couple of weeks
 - All of the testing supplies for the testing, according to Dr. Szymanski, were either provided directly through USDA at no cost to the DOL or ordered using our Federal Cooperative Agreement and charged to the zoonotic portion of that agreement. The salary, overtime and travel associated with the investigation came out of Animal Health funds and occasionally, when District Investigators were needed to accomplish the work, some Brands time was spent on it as well
 - Mike Honeycutt said that with Tuberculosis testing, it was a tough thing because the animals had to be handled twice. Animals had to be injected and then later gone back to and the test would be read

- Regarding the Remington Fire situation, Dr. Szymanski reported that the DOL had provided guidance to folks from local DES on disposal of carcasses and had also offered up assistance.
- Dr. Szymanski said that she and Dr. Hasel, the State Veterinarian from Wyoming, had been in communication and that if any producers in the area of the Remington Fire needed to move across state lines to get back on grass, there was a place in process where they could move. The DOL would get them legal when they got to their destination so that no regulatory burden was created in getting those animals back on grass

(4:08:52) 1:57 PM RECESS

(4:08:55) 2:11 PM RECONVENE

Gene Curry called the meeting back to order

BRANDS ENFORCEMENT DIVISION

(4:09:00) 2:11 PM

Jay Bodner, Brands Enforcement Division Administrator, introduced himself

(4:09:09) 2:11 PM REPORT ON LIVESTOCK HAULER CHECK STATIONS – SUMMER 2024

Jay Bodner updated the BOL on the compliance check stations for this summer, which he said were normally set up along the interstate, but also included compliance checks at Fairs:

- *Cascade County 4-H Sale*: July 11-12, 2024. 37 steers were checked. One BG10 Cattle Inspection conducted. One verbal warning issued
 - Mr. Bodner explained that at a lot of the rural county fairs around the state, most animals that participated were home-raised from the ranch, not only leading to pretty good compliance, but less paperwork requirements as well
- *Great Falls Turf Club (horse races)*: July 13, 20, 27, 2024. No violations issued. Four annual horse inspections and one lifetime inspection issued
 - Mr. Bodner said he felt there was better compliance at this year's event because we continue to show up for the compliance checks
- *State Fair in Great Falls*: July 30, 2024. 12 steers, 21 heifers, a couple bulls and some heifer calves were checked. Two verbal warnings, county-line violations were issued. Three show permits were issued and two change of ownership inspections were conducted
- *Park County Fair*: July 22, 2024. Clay Vines, the Inspector there, said that basically, compliance was good
- *Musselshell County Fair*: July 22, 2024. The DOL was present there for their sale and everyone was compliant
- *Flathead County Fair*: August 12, 2024. 49 steers were checked. Compliance was really good with only two duplicates needed

- The Inspector reported that the person in charge of the steer barn was someone he had previously trained and had been in 4-H. Mr. Bodner said that same Inspector had worked through a lot of 4-H kids over the years and now that those kids had grown up and become Superintendents in the 4-H Clubs, and that they continue on and were very strict on requirements
- Mr. Bodner said that the DOL provided assistance with the Fairs during the beginning of the 4-H year in October and remained available if any 4-H Clubs want the DOL to come to their group and talk about requirements
- *Carter and Fallon County Fairs: August 6, 2024 and August 14, 2024.* Fallon County had 32 steers. Compliance was good
- *Dearborn Truck Stop (between Helena and Great Falls): August 2, 2024.* 29 producers were checked. 41 horses were checked. Five written warnings for no county-line inspection or failure to stop were written. One citation was issued for illegal import. Five verbal warnings were given for failure to stop at the check point
 - Mr. Bodner said that they did not have cell service in the area and even though there were rest areas on both sides of the interstate, they did not have enough staff to check both ways, but that they did have six Investigators present at the rest area on the interstate going towards Great Falls and they were busy
 - Although there were signs set up, three on one side of the interstate and one in the median, Mr. Bodner said that there were people who still drove past the check station and it kept their chase truck busy. He said that typically, a notice to appear was written to those people and then, those citations were dropped off with the county judge and it was a \$135 bond that they paid
 - Mr. Bodner said that there had been a law that was previously passed to increase the fines paid, but it appeared that the illegal import fine had been missed. Lindsey Simon said she had contacted the Judicial Branch person who worked with the Bonds Committee and she said that they'd address it, but that bond book was only updated every two years
 - Lindsey Simon, according to Jay Bodner, would be providing some additional information to Investigators about that particular citation, so that they could add additional information to the citation, referencing some of the statutes dealing with it and possibly the judge would look at those and they could make a decision from there
 - Jay Bodner said that Ty Thomas was on the Bond Committee and with him leaving his position, he did not know whether or not the DOL would necessarily get a direct replacement on it
 - Ms. Simon explained that the way the new law was written, it should be pretty clear guidance on what that bond should be, but added that the amounts listed there were just a recommendation for the Judge to use
 - According to Mr. Bodner, the typical response for driving past the checkpoint was they didn't see the signs. He said that along with posting the four signs, there was also an orange flag sitting on top of them

- *Greycliff Rest Area*: Compliance check was set up between 10:00 AM – 5:00 PM. 31 stops total. 5 inspections were written for 8 horses and two annuals were written. Four written warnings were written. No notices to appear or citations were written. 13 trailers were stopped that did not stop
 - Mr. Bodner said the reason this Compliance check stop was set up in conjunction with the Bozeman Stampede Rodeo. Six Investigators were present
 - Even though some trailers were not hauling livestock, Mr. Bodner said that they typically stopped those, too. Gene Curry said that in Glacier County, the signs used there applied to “trucks hauling livestock” and so he could understand why, if you were running an empty trailer, you maybe would not stop. Mr. Bodner said that if they were hauling a load of sheep, the trailer would look empty
 - One Investigator, according to Mr. Bodner, requested a faster chase truck, like maybe a Ford Raptor, to draw them down
- *Wibaux Weigh Station*: August 15-16, 2024. The first day there were 22 stops, 45 horses, 16 cattle, two non-inspection permits were written for horses, one notice to appear due to no CVI entering Montana, and one trailer was stopped, but was empty. The second day there were 36 stops, 57 horses, two non-title inspections
 - Mr. Bodner said that one of the non-title inspections was written to return to North Dakota and that when that happened, the DOL contacted the North Dakota Law Enforcement Stock Inspector to do some follow up on their end
 - There were four Investigators working the compliance check those days
- *Drummond Scale*: August 15, 2024. 29 trailers were checked. 41 horses, four rodeo bulls. Some trip inspections were done for some of the horses. Five post-entry permits were issued. Two written warnings were issued for failure to stop or failure for county-line inspections. Citations were written for six failure to stop at the check station and five for failure to obtain county line inspections
 - Five Investigators worked at this compliance check station, and Mr. Bodner said it was at the discretion of those running the stop and the Area Supervisor for whether or not to issue citations. Mike Honeycutt said putting a tracking system together would help ferret out habitual offenders in some of those situations
- Mr. Bodner reported that they had not purchased any Starlink transport mobile-type devices yet, but were going to try their first Starlink satellite at PAYS in Billings, the biggest city where they had some of the poorest internet and no options available
- Within the Service Now application, Mr. Bodner said that there was a section where violations could be input and he had seen a number of the Investigators, after they had finished at the truck stops, inputting that information
 - Mike Honeycutt said that he and Jay Bodner had been thinking that sending some administrative staff or Market Inspectors to the truck stops would not only give them something different to do for the day, but also give them a window into what other people’s jobs and responsibilities

were. He said that the DOL had a good track record of Investigators being successful if they had spent some time in another area of the Brands Enforcement Division, learning how to read brands, for example

- *Miles City*: August 21-22, 2024. On the first day there were 14 stops, 20 horses and 97 cattle. Two non-title inspections were written. One notice to appear had been written that were traveling without an inspection. There were eight trailers that failed to stop and two empty trailers that failed to stop. On the second day, there were 29 stops, 57 horses and 15 calves. Two non-title inspections were written. There was one notice to appear written who was without an inspection. Seven trailers failed to stop
 - Six Investigators worked at this compliance check station that was set up in conjunction with the PRCA Rodeo
- Mr. Bodner said that there was a truck stop set up that day between Bozeman and Livingston and that he would provide updates on that at the next BOL meeting
 - Alan Redfield said that last year, when that particular truck stop was set up, the signs were big enough that the DOL had posted and he even had three phone calls from people who wondered why you were stopping people
 - Jay Bodner said that a couple of the signs were kind of dirty and maybe there would be an opportunity to buy some new ones. Mike Honeycutt said that he had suggested Jay Bodner see if the MDT could provide signs or maybe one of their boards
- Jay Bodner reported that the word he got from his Investigators running the compliance checks was that they hadn't met a lot of people who were really upset and he himself hadn't received any complaints and all in all, he thought it was pretty good interaction with the producers that were stopped. Gene Curry said that any livestock producer should appreciate that
- Jay Bodner explained that they typically didn't run those compliance checks during Fall shipping season because they ran short of staff to do that during that busy time of year, but on the other end of that, they did those compliances in the yards
 - Mike Honeycutt said that he had conversation with Jay Bodner about compliance things that could be done without having to do a physical truck stop. He said that one thing would be to do more follow up on Market Consignment Permits
- One Investigator had explained to Mr. Honeycutt that if you wrote a non-title inspection for horses, you would essentially be creating a document that proved ownership and it could be used to do so. And even though we have the ability to get people down the road with those, follow up on the other side was important because it could later be used to prove ownership

(4:49:01) 2:51 PM Remington Fire Discussion (Non-Agenda Item)

Jay Bodner added additional information to the Remington Fire Discussions that had already taken place that day:

- Mr. Bodner said that he and Dr. Tahnee Szymanski provided some updates on where we were at during the Agency-wide Fire Call that was held every Monday as fire conditions increased
 - There was one phone call received alerting the DOL to the fact that some help might be needed in identifying the brands of some deceased livestock and to take pictures for insurance purposes. Mr. Bodner said they reached out to EIS to see the contact, but he said that neither the Area Supervisor or the District Investigator had received any call to go do that specifically, yet. But, he said we were standing at ready, if need be
- Mr. Honeycutt said that the DOL wanted to be able to assist folks. He added that at some point, folks would begin to think about any programs they could apply for or things they could do to try and get some money back, but he said it was very difficult to ask producers to be thinking about that when they're dealing with things as they happen
- Jake Feddes suggested putting a page on the DOL website for the indemnity part that DOL handled that would explain the documentation needed and that our District Investigators, Brand Investigators and whoever, were available to help
- Jay Bodner reported that a lot of the livestock hadn't been found yet and it could take some time for people to dig out of this situation. Mike said he had heard one report of someone who had completely burned out, losing 400-500 head and there was more of that out there and it would be a big number

(4:53:54) 2:56 PM Online Permit System Discussion (Non-Agenda Item)

Jay Bodner updated the BOL regarding the Online Permit System situation:

- Mr. Bodner reported that after being down, that system was now up and running. The Sheep permit area was down for little bit that day, he said, but was up and running again now
- The State, according to Mr. Bodner, was working on some additional security measures and was hoping to avoid having people having to use passwords and usernames
- A few calls were received about the system being down, Mr. Bodner said, but they had added a message to the phone notifying people about it
- Mike Honeycutt said what was learned from the scenario was that even though they're not always in the most convenient locations, that having vendors with some paper books around was a help to still allow people to get a permit. Gene Curry added that with the cyber criminals around, wouldn't it be ironic if 10-15 years down the road the only secure communication would be written on paper
- Jay Bodner said that they were very clear in their message that having the online system down was no free pass to travel without any paperwork and they still needed to get something written, to call your Inspector. Mike Honeycutt shared that he had gotten calls on a weekend morning from folks, trying to do the right thing, who failed in being able to get an online permit and he told them, if they were going to Billings, that he'd get a message to Kevin Ramsey that you tried and would be showing up at the market without a permit
- Mike Honeycutt said, even regarding CVIs, if someone goes to pick up a bull from say, Oregon and got there and the sale fell through, but someone

approaches them and offers to sell them another bull, but it doesn't have a Trich test, if they call the DOL, we would have the option to say, when you get home quarantine it and well get a Vet out there to test it and when the test clears you're free to do with it what you want. That way, Mr. Honeycutt said, they don't have to wait 30 days in Oregon or go home and return to Oregon until the Trich test clears

- Jay Bodner said, we don't want to impede commerce, but we also want to make sure we have good compliance

(5:00:49) 3:03 PM BRANDS ENFORCEMENT UPDATE

(5:00:51) 3:03 PM Staffing

Jay Bodner updated the BOL on the staffing situation in the Brands Enforcement Division:

- Mr. Bodner reported that after 22 years, Ty Thomas, the Assistant Brands Administrator, would be leaving the DOL on September 6, 2024
 - Mr. Bodner expressed the value of Mr. Thomas' expertise, adding that he had gained a lot of knowledge just being able to work around him. He said that Mr. Thomas had offered to let him continue to call him, and he said, he probably wouldn't do it on a daily basis but would continue to utilize his talents, expertise and knowledge moving forward
 - Mike Honeycutt said that Ty Thomas had been burning the candle at both ends, and in the middle as well since he bought the bowling alley in Lewistown. And because he would not be able to give his best to his State job and to his job as a business owner, which was where his focus had to be, he would be leaving the DOL
 - Mr. Thomas, according to Mike Honeycutt, was one of those people who would be pretty close to being irreplaceable, and the DOL would have to figure out how to replace him, divide out his work and get done what he was doing. Mr. Honeycutt said that the DOL had a short-term worker position tied to Lewistown and Mr. Thomas said no, he wasn't interested
- Mr. Bodner said that the Dillon district position had been filled with Michaela Snellman, who was already enrolled in the Law Enforcement Academy at the end of April 2025. Ms. Snellman worked in the livestock market in Dillon for quite a few years and with a ranching background as well, was good around cattle
- In looking at the trends of four of the markets in eastern Montana, Mr. Bodner reported that they were all on an increasing trend and so he was looking at a roving position for that area. And so, that would be advertised, filed and would hopefully, provide assistance there

(5:04:39) 3:07 PM ServiceNow, Google AI

Jay Bodner gave a rundown of the current status of ServiceNow and Google AI applications within the Brands Enforcement Division:

- With just under a year under their belts with the ServiceNow application, Mr. Bodner said that overall, the system was working relatively well and even though

they were dealing with some upgrades and fixes, the staff had become very efficient at running the system

- Mr. Bodner said that during that first year with Service Now, to avoid impeding commerce, the focus was on making sure the market systems could run, but now the focus would probably turn to the compliance side of things, like how brands were issued
- State IT typically ran upgrades every two weeks, and Mr. Bodner said that staff was becoming accustomed to those and were making sure that theirs were done as well
- Regarding Google AI, Mr. Bodner said that the program had been much more complex and was taking much longer than anticipated. He said they were currently looking at some upgrades to increase the accuracy on the system of two forms, 2020 and 2021 and were utilizing those. The biggest challenge, he said was building the link from Google AI to the ServiceNow link, as that link was complex and was not currently up and running yet and did not have an exact time frame of when the actual deployment would occur
 - Mr. Bodner said that Google AI would allow handwritten inspections that came in to be scanned and have a lot of searchable capabilities even if they had not been put into the ServiceNow platform. He added that Google AI was reading about 80% of the fields, but they were still working on bumping up the accuracy. Mike Honeycutt said that there was not anything out there that would read a hand drawn brand image and match it up
- Mike Honeycutt reported that this was the time of year the Brian Simonson was loading all of our financial info in the State IBARS system and would not be giving a presentation until the next BOL meeting

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

(5:15:39) 3:18 PM

Gene Curry called out to any producer organizations for comment:

- Mike Honeycutt reported that Kali Wicks had been out on ZOOM earlier, but had dropped off, attending by ZOOM because she was under the weather. Everyone online now, he said, worked for the DOL

SET DATE FOR THE NEXT BOARD MEETING

(5:16:18) 3:18 PM

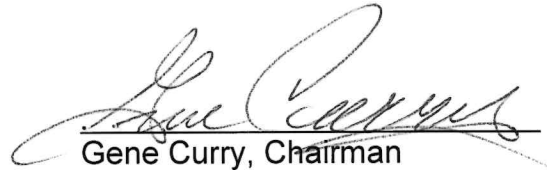
Gene Curry requested that the BOL make a decision on when to schedule their next meeting:

- Jake Feddes said that September 26th sounded good as it was Cheryl Curry's 75th birthday
- Mike Honeycutt said that he didn't see anything on his calendar that would stop September 26th

- Lily Andersen said that at 5:30 pm that day she was supposed to be at the Park County Annual Farm Bureau Meeting
- Gene Curry asked the BOL if they thought it would be of value to hold a board meeting in Bozeman or Livingston
 - Jake Feddes said that he didn't think it was a bad idea at all. Alan Redfield said that Greg Wichman might think it would be good to have one in Great Falls
 - Gene Curry said it would be a challenge to get staff there, but, with the ZOOM capability, they could all participate
 - Jake Feddes said that September would be a hit and miss time of year to move the meeting. Gene Curry added that Fall would probably not be the best time and with weather always an issue, it might be best to consider doing something like that in the Spring
- Mike Honeycutt said that September 25th would be a good day, and if the 26th were chosen as meeting day, we would have to get done in time for folks to get back to Livingston for that obligation or maybe front-load the action items so they could leave
- Gene Curry set the next BOL meeting for Thursday, September 26, 2024

MEETING ADJOURNED

(5:23:26) 3:26 PM



Gene Curry, Chairman