



## MINUTES BOARD OF LIVESTOCK MEETING

---

JANUARY 13 & 14 , 2014  
SCOTT HART AUDITORIUM  
302 N ROBERTS, HELENA, MT

### BOARD MEMBERS PRESENT:

Jan French, Chair, cattle producer  
Ed Waldner, swine producer  
John Scully, cattle producer  
Absent: John Lehfeldt

Brett DeBruycker, cattle producer  
Jeffery Lewis, dairy producer  
Linda Nielsen, cattle producer

### STAFF PRESENT:

Christian Mackay, Executive Officer  
Dan Turcotte, Milk & Egg Bureau  
Dr Marty Zaluski, Animal Health  
Dr Tahnee Szymanski, Animal Health  
Steve Merritt, PIO

Sherry Rust, executive secretary  
George Harris, Centralized Services  
Dr Bill Layton, Veterinary Diagnostic Lab  
Dr Eric Liska, Animal Health

### PUBLIC PRESENT:

John Steuber, USDA AAPHIS WS  
Jeanne-Marie Souvigney, Greater Yellowstone Coalition  
Kathryn Qannaiahu, EMWH  
Roger Lloyd, Legislative Fiscal Div.  
Bonnie Rice, Sierra Club  
Bill O'Connell, GWA

Les Graham, MLMA  
Jim Hagenbarth, producer  
Stephanie Adams  
Tom Linfield, DVM, USDA APHIS VS

1:00 PM

CALL TO ORDER:

MONDAY JANUARY 13, 2014

### ADMINISTRATIVE ITEMS

#### Board Communications:

- Jan French, Hobson
  - good moisture all winter
  - some cold days but not much wind
- Jeff Lewis, Corvallis
  - wet, lots of rain, snow in the mountains
  - dairy industry looks solid, milk holding, feed down
- Brett DeBruycker, Dutton
  - cold snap in December for ten days, then nice until now
  - fat cattle are up and feeder cattle have sky rocketed
  - should begin calving around February 1
- Linda Nielsen, Nashua
  - cold
  - calving soon

**MINUTES**  
**BOARD OF LIVESTOCK MEETING**

---

- John Scully, Ennis
  - no snow, very dry
  - elk populations post hunting out on the flats causing feed issues
  - calving starts next month
- Ed Waldner, Chester
  - hog prices are good
  - feed prices are down
  - received 4" of snow yesterday afternoon, the most snow in the last five years

Approval of Minutes:

Ed Waldner moved to approve the board meeting minutes as presented. Jeff Lewis seconded. The motion carried.

Interim Authorizations and Activities:

- Chair authorized out of state travel
  - required Milk Lab training in Portland, OR

Brett DeBruycker moved to approve the chair's interim activities as presented. John Scully seconded. The motion carried.

Executive Officer Reports:

Brett DeBruycker moved to approve the executive officer report as presented. John Scully seconded. The motion carried.

Division Reports

Veterinary Diagnostic Lab, Dr Bill Layton

- Accreditation Update
  - laboratory reply due Wednesday from last fall review
  - decision will probably be made this summer with another review in the fall
- Out of State Travel Request
  - training required supervisor of milk lab pre-approved
- Salmonella Enteritidis Testing
  - FDA PIPP program requires testing for environmental samples of egg
  - test being used at this time has proven weak
  - found several false positives, followed up with retests here and in Washington
  - PCR tests were negative
  - suggests replacing that test (\$18 per test) with a better sensitivity PCR test
  - request board approval

Ed Waldner moved authorize use of appropriate test and charge accordingly. John Scully seconded. The motion carried.

- Tissue processor

**MINUTES**  
**BOARD OF LIVESTOCK MEETING**

---

- processor being used was purchased through lease and buy out
- option to lease a new processor at \$1,100 month (total \$58,323) plus a bedding station (worth \$13,500) included at no cost
- would provide a new, improved processor and lab would also keep the old processor for back up or in case of a surge
- request board authorize seeking of bids prior to proceeding

Brett DeBruycker moved to proceed with seeking bids and bring those back to the next board meeting. John Scully seconded. The motion carried.

- Decreased revenue in PCR testing
  - caused by pooling of samples

Wildlife Services, John Steuber

- the busy season is coming up with calving and all
- have a new pilot out of Big Sandy flying the USDA Super Cub
  - trying to get another fixed wing plane to use
  - saves up to 2/3 on gas, maintenance etc. over the helicopters
- Lewis & Clark and Liberty Counties have validated cattle petitions
- wolf depredations are down
- grizzly bears are moving down onto the prairies

Milk & Egg, Dan Turcotte

- Montana Egg
  - still on the old 4 day 10 hour a day contract
  - but working 5 days
  - last day is overtime
  - new egg grader, Terry Calvin starts today
  - will continue working with the old contract for the near future

2:10 P.M. RECESS

2:23 P.M. RECONVENE

- Chair Jan French present Evaleen Starkel with her 30 year service pin.

Animal Health, Marty Zaluski

- Proposed ARM rule changes
  1. housekeeping an clarification of fees
  2. housekeeping regarding marketing of livestockRequest authorization to publish amended rules as presented.

John Scully move to authorize as presented. Linda Nielsen seconded. The motion carried.

**MINUTES**  
**BOARD OF LIVESTOCK MEETING**

---

- Out of State Travel Request
  - Foreign Animal Disease Diagnostician training at Plum Island.
  - Dr Eric Liska will attend in June if accepted
  - Federal cooperative agreement funds will be used
  - Animal Health will have two FADD trained personnel Eric and Dr Tahnee Szymanski

Jeff Lewis moved to authorize the out of state travel as presented. Ed Waldner seconded. The motion carried.

- Colorado Import Testing
  - presently Colorado is requiring Montana cattle be tested for brucellosis upon import
  - One Montana producer lost a sale because of this issue
  - Colorado State Vet is reconsidering his position
  - Arizona required testing of Montana cattle prior to import
  - Missouri has agreed to not retest Montana cattle due to our stringent testing program
  - Christian suggested it may be necessary to travel to states to provide input to avoid additional testing
  - might travel to Texas for May meeting to follow up on their testing
- New IBMP EIS process, Christian Mackay
  - the park service is looking at a new EIS because of changes in the past 15 years
  - started working on a contract between Forest Service and the State of Montana (FWP & DOL)
  - Governor will likely sign off on it but the state will not be bound by federal decisions unless in contract
  - have been successful maintaining a free roaming bison population while maintaining health cattle
  - population number is the issue and need to tie tolerance of bison outside the park to a population
  - bison management funds have been reduced to \$200,000 with emphasis on disease

**Public Comment**

Jim Hagenbarth, former member citizen working group

- the group was assembled in December 2010
- recommendations presented to IBMP partners in 2011
- the problem with population is a huge issue
- expanded area could be used for hunting to manage population
- there are places where bison can go without a threat to livestock or elk
- winter range drives the population issue
- speaking for the on action option

**MINUTES**  
**BOARD OF LIVESTOCK MEETING**

---

- if interested in numbers of bison outside the park we must know the total population, but under the current park program we cannot know the number

Bill O'Connell, producer and former member citizen working group

- need expanded area for hunting
- Taylor Fork would be sufficient

Jim Bailey, Gallatin Wildlife Association

- EA states this decision does not change in any way IBMP rules

Errol Rice, Montana Stockgrowers Association

- representing the beef industry
- from a resource management encourage the board to consider the no action option

Board member John Scully directed several questions to Dr Zaluski

1. is there any kind of budget in the EA?  
answer: discussed in the EA but no hard numbers
2. Can bison transmit brucellosis to elk?  
answer: yes
3. Can elk transmit brucellosis to bison?  
answer: yes
4. Can both transfer brucellosis to cattle  
answer: yes
5. The document does not contain metrics for bison leaving an allowed area what controls and budget is there for this?  
answer: Christian - the control mechanism would be no hazing back but without hard population number we cannot estimate costs and did not budget for more than currently budgeted
6. What percent of park bison are affected?  
answer: 45 to 50 percent, 69 percent of breeding females affected in a recent test
7. Elk?  
answer: 15 to 17 percent
8. If there was an agreement to a population number should there not be a process in place to assure that population  
answer: hunters took 250 in 2010/11 bison hunting season (highest number taken)
9. What is the annual population increase?  
Christian answer: 15 percent, could be an increase of 800 head with the current population  
The document does not establish a population number under the fair hunt

Les Graham

- Farm Bureau is in favor of option B which is no change

John Hagenbarth

- it comes down to numbers and it will be very difficult to change

**MINUTES**  
**BOARD OF LIVESTOCK MEETING**

---

- I believe if they came up with a number, if they could address the parameters could have space for a fair hunt

Christian commented that the Governors and livestock producers are trying to get the park service to manage population, tolerance is tied to population

John Scully suggested the board support option a because a few things need to addressed: population, hold to that population, true cost of the spreading of disease, DSA is going to grow thereby increasing risk

Brett DeBruycker moved that the board support Option A, no action. Jeff Lewis seconded. The motion passed.

Discussion to establish a process of maintaining population numbers, get ready for the new federal, the 3,000 number is not arbitrary and could go into the EA

John Scully moved that Dr Zaluski and Christian Mackay bring together a group and come back to address the issues. Bring suggestions to the next meeting. Linda Nielsen seconded. The motion carried.

- Elk Capture Study
  - in conjunction with Fish, Wildlife and Parks
  - helps form the DSA boundary, imperative to Animal Health in assessing herds at risk
  - Quentin Kajula explained the processes and areas tested thus far
  - looking at Tobacco Roots for next testing site
  - meeting some resistance from landowners, may ask Dr Zaluski and Christian to visit key landowners from that area
  - Brett DeBruycker volunteered to attend the meetings with key landowners

PRODUCER ORGANIZATION UPDATES

PUBLIC COMMENT

Mr. Edward McHugh, regarding 12 day pull date

- spoke against the board's decision to keep the 12 day pull date
- recommends an 18 day pull date

5:25 P.M.

ADJOURNMENT

**MINUTES**  
**BOARD OF LIVESTOCK MEETING**

---

8:15 a.m.

CALL TO ORDER

WEDNESDAY JANUARY 14, 2013

BOARD MEMBERS PRESENT:

Jan French, Chair, cattle producer

Ed Waldner, swine producer

John Scully, cattle producer

Absent: John Lehfeldt

Brett DeBruycker, cattle producer

Jeffery Lewis, dairy producer

Linda Nielsen, cattle producer

STAFF PRESENT:

Christian Mackay, Executive Officer

Dan Turcotte, Milk & Egg Bureau

Steve Merritt, PIO

John Grainger, Brand Enforcement

Patty Thompson, Milk Control Bureau

Sherry Rust, executive secretary

George Harris, Centralized Services

Gary Hamel, Meat Inspection

Marty Clark, Brand Enforcement

George Edwards, Livestock Loss Board

PUBLIC PRESENT:

John Steuber, USDA APHIS WS

LES GRAHAM, MLMA

Jim Brown, Woolgrowers Association

Division Reports Continued

Centralized Services, George Harris

- Per Capita Fee
  - compared per capita revenue vs expenditures 2008 through 2012
  - reviewed fiscal issues
  - Revenue is trying to pass collection of per capita back the department
    - if and when the business equipment tax goes away we may become responsible for collections
    - couple of sessions down the road
    - will need a change in the manner in which collection is done
    - will require at least a data person and a compliance person
- EPP
  - February and March begins the EPP process
  - last EPP the chairman and a couple of board members meet with Christian and George on setting the budget, worked well

John Scully moved that a committee be formed for assisting in the EPP process. Brett DeBruycker seconded. The motion carried.

- Legislative Audit Update
  - the legislative auditors are just finishing up their audit
  - findings and recommendations not received yet

**MINUTES**  
**BOARD OF LIVESTOCK MEETING**

---

- FY 2014 Budget Status Report
  - reviewed each division budget status
  
- CSD Updates
  - Milk Control Bureau, Patty Thompson
    - resigning in April
    - recruiting begins soon for her position
  - 66 producers currently in the state (1 new and 3 closed)
    - 28 Daigold producers and the prison
    - 38 Meadow Gold producers
  
- Livestock Loss Board, George Edwards
  - 96 head reported thus far
  - \$86,675 paid out
  - expect about \$100,000 in claims by year end

Public Information, Steve Merritt

- starting development on a complete outreach plan
- seeking board input

10:05 A.M. RECESS

---

10:20 A.M. RECONVENE

---

Brands Enforcement, John Grainger

- New market auditor, Laura Hughes
  
- ARM on number brand
  - held over from last meeting
  - every district man agreed either clean it up or delete it

Ed Waldner moved that Brand Enforcement bring a recommendation for solution to the next meeting. Linda Nielsen seconded. The motion carried.

- Brand Exception Request
  - South Dakota producer bought ranch in Montana with a small amount of land in Wyoming. She currently owns a Montana brand but requests an exception to obtain a Montana brand that we do not issue.

Ed Waldner moved to deny the request. Linda Nielsen seconded. The motion carried.

- horse amnesty draft
  - still in the draft stage



**MINUTES**  
**BOARD OF LIVESTOCK MEETING**

---

- Brand Ownership ARM 32.18.105
  - housekeeping changes
  - per attorney suggestion amending the rule to contain the and/or definitions as they were originally because it conforms with state law for other properties.

John Scully moved to request attorney recommendation and follow that recommendation. Brett DeBruycker seconded. The motion carried.

Meat Inspection, Gary Hamel

- Out of State Travel request
  - to attend inspector training in Dallas
  - to assure he has the same knowledge as his inspectors
  - February 3rd through 8th.
  - funding is in his budget

Ed Waldner moved to authorize the travel as presented. John Scully seconded. The motion carried.

- Wilsall Poultry plant
  - requested an exception as colony raised on site
  - did not qualify under that exception
  - found a solution in the small enterprise exemption
  - working on labels now, not yet up and running
- Montana Best Meats
  - plant was sold, then the old owner got it back
  - will change the name back to Forsella
  - worked with the new/old owner to fix issues to allow him back under inspection
  - visit to the plant showed it was not ready to come under inspection
  - owner is required to complete repairs and cleaning prior to inspection by the department
  - is not running now except to do wild game as allowed

PUBLIC COMMENT

- Jim Brown, MT Woolgrowers
  - letter builds on requests 2010, 2011 to increase levels going to predator control proportional to the amount taxed
  - Christian commented that sheep producers pay approximately \$66,000 in per capita

Dr Zaluski informed the board that the park(Yellowstone) published the decision to not conduct remote vaccination with the park today, making population imperative from department standpoint.

**MINUTES  
BOARD OF LIVESTOCK MEETING**

---

NEXT BOARD MEETING

MARCH 17 & 18, 2014

11:31 A.M.

ADJOURNMENT

12:00 P.M. Executive Session

Employee right to privacy exceeds public right to know.

---

JAN FRENCH, CHAIR

DRAFT