



**BOARD OF LIVESTOCK MEETING MINUTES**  
**May 19 and 20, 2014**  
Helena, MT 59601

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Monday May 19, 2014

1:00 p.m.

Called to Order

Board Members Present:

Jan French, Chair, cattle producer  
Ed Waldner, swine producer  
John Lehfeldt, sheep producer  
Linda Nielsen, cattle producer

Brett DeBruycker, cattle producer  
Jeffery Lewis, dairy producer  
John Scully, cattle producer

Staff Present:

Christian Mackay, Executive Officer  
Dan Turcotte, Milk & Egg Bureau  
John Grainger, Brands Enforcement  
Steve Merritt, Public Information

Sherry Rust, executive assistant  
George Harris, Centralized Services  
Dr Marty Zaluski, Animal Health

Public Present:

Kraig Glazier, Wildlife Services  
Chelcie Cremer, MT Farm Bureau  
Jim Brown, MT Woolgrowers Assn  
Gene Curry, MT Stockgrowers Assn  
Tom Linfield, USDA-APHIS-VS  
Randall Nett, MT Public Health & Safety  
Pat Flowers, MT Fish, Wildlife & Parks

Brent Roeder, MT Woolgrowers Assn  
John Youngberg, MT Farm Bureau  
Pat Murdo, Legislative Services  
Roger Lloyd, Legislative Fiscal Division  
Jennifer Medjic  
Kerrie Pride, MT Public Health & Safety

Board Communications:

- Jan French, Hobson
  - lots snow in the mountains and the river is full
  - neighbors calves sold in the country
- Jeff Lewis, Corvallis
  - dairy industry is looking better,
  - replacement heifer prices are good
  - green, could use more water
- Ed Waldner, Chester
  - hog prices are really up
  - it is spring but still cold
- Brett DeBruycker, Dutton
  - going well so far, done seeding/spraying
  - still feeding a lot of cattle, not much grass yet been too cold
  - great bull sale, feedlot is good right now
  - feeders look to be high so ranchers should do well this fall



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- grass calves out to range
- John Lehfeldt, Lavina
  - sheep are steady, wool prices nearly as good as last year
  - tremendous breeding season, lots of twins
  - good season, pretty good rains
- Linda Nielsen, Nashua
  - finished last of the bull sales, nine in a row
  - calves are turned out
  - lightning storm yesterday
- John Scully, Ennis
  - range tour May 28 at 10 am, starts at Yellowstone Heritage Center
  - bad hail around Billings, some in Ennis

Approval of Minutes:

John Lehfeldt moved to approve the March board meeting minutes as presented. Linda Nielsen seconded. The motion carried unanimously.

Interim Authorizations and Activities:

There were no interim activities.

Executive Officer Reports:

Ed Waldner moved to approve the executive officer report as presented. Linda Nielsen seconded. The motion carried unanimously.

Brands Enforcement, John Grainger

- Request to Board: CAN brand vs CAN tattoo  
Charlie Lewis, Joliet, MT
  - bought a bull in Canada
  - requesting an exception to hot brand and authorization to use an ear tattoo
  - would save obtaining an individual permit each time the bull moves into US for show and returning him to Canada after showing
- Comment from Travis Elings, District Investigator
  - if tattoo is used and the animal is here longer than a year inspectors would consider it a Montana bull, with no way of knowing otherwise unless the animal has a hot iron CAN brand

A holdover request from the March meeting regarding the same issue was not discussed as the requesting agent did not attend to put forth his views.

The board stated the rule must be followed and declined Mr. Lewis' request.



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- Administrative Rule proposal - Out of State Feedlot
  - pertains to put-together cattle at feedlots and markets
  - would not pertain to cattle going to grass
  - inspectors are writing tickets but there is no clear rule regarding this
  - request authorization to draft and publish an administrative rule proposal covering this issue

Brett DeBruycker moved to authorize publication of the proposed administrative rule for public comment. Jeff Lewis seconded. The motion carried unanimously.

Chairman Jan French thanked Travis Elings, District Investigator, for attending the meeting, as well as those who attended the last meeting. The board would like to see it continue in future meetings.

- Market Supervisor Meetings - need to encourage conformity in processes for Fort Supply system
  - started a monthly phone meeting, first one went pretty well
  - the next meeting scheduled in June
  - July first is the annual meeting in Billings
    - will work on providing conformity amongst the markets from input at the meeting
    - each market will input the same data into the central office system in the same manner
    - will provide consistent data available for an accurate, efficient Annual Report
- will work on monthly input process for District Men so by the fifteenth of each month a report is available for the prior month

Meat Inspection, Gary Hamel

- Slaughter statistics 2013
  - 15,799 animals reported under inspection
  - top 5 plants slaughtered 53.83% of the animals
  - types of animals:
    - 15,005 - chickens, turkeys
    - 204 - ratites
    - 134 - rabbits
    - 182 bison
    - 82 - elk
    - 7,530 - swine
    - 3,221 - steers/1,223 heifers
- meat products produced in Montana - 2013 (includes boxed meat)
  - ground meats (raw non intact) 1.98 million pounds



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- ground poultry (raw non intact) 27,497 pounds
- raw intact 2.7 million pounds
- raw intact poultry 154,918 pounds
- heat treated shelf staple products 173,000 pounds
- 1,173 pounds of poultry products
- fully cooked product -786,963 pounds
- fully cooked not shelf staple poultry - 44,643 pounds
- heat treated not fully cooked (bacons, etc) - 202,955 pounds

2:44 p.m. Recess  
3:15 p.m. Reconvene

Milk & Egg Bureau, Dan Turcotte

- New cheese plant to begin processing tomorrow at Lauren
- Attended the regional Conference for Dairy in Portland
  - issue w/FDA food safety mod act
  - would replace the Pasteurized Milk Ordinance and whole the system we deal with now
  - will be moved to FISMA, a different branch of FDA from Milk Safety to Food Safety which dictates to the states vs. the current state cooperative system
  - lot of changes if stays with FISMA
  - Gary Hamel worked on a FISMA committee to clarify egg rules and thousand bird exemption to provide conformity for consumers to access rules and produce food products
- General Updates:
  - Egg licensing is completed
  - one load of eggs exported to Canada as of today
- Twelve Day Rule Court Case
  - court is not taking comments this time
  - a five member group will sit on it
  - should have a decision soon

Raw Milk Update, Jeff Lewis

- Met in January with writers of the bill proposed in the last Legislative session
  - they would like to see the board implement a raw milk administrative rule, or do something before the legislature does it so we can dictate the best foundation
  - the majority want some regulation
- Several states have some regulation
  - Washington requires the most tests



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- Oregon is a little less stringent
- Idaho raw milk is allowed but they are not testing for pathogens
- looked at South Dakota rules that were just passed
- Board comments included
  - let's do it, need to be proactive
  - whatever rules put in place the raw milk producer must be responsible for all costs
  - none of the raw milk costs may be passed on to pasteurized dairy producers
  - only have six months until the next legislature, they will do something if we don't

The board charged Jeff Lewis, Christian Mackay, Dan Turcotte and Sherry Rust to find five key points in surrounding states, bring information to next meeting

Public Information Office, Steve Merritt

- cattle theft increasing in other states
  - checking press releases for other states of cattle theft reports
  - Livestock Crimestoppers showed 4 cases in the Madison fall of 2013
  - Montana has not seen the large theft numbers as other states
- Lab survey
  - working with Dr Zaluski and Dr Layton to ascertain who uses, why the use it and who and why not using it
- New website
  - Tracy is working on some items
  - should be up and running by fall
- Press release is pending to remind producers to report thefts or possible thefts

USDA Wildlife Services, Kraig Glazier

- Quite a few turnovers recently
  - Stan Colton, Denton pilot, retiring, may come back to work part-time
  - Hired two specialists for Fergus County
  - hired Kurt Medkee for Stillwater area
  - hired specialist for C130 bird issues
- Wolf report
  - work ongoing now on four different packs
  - regular hunting season 230 wolves taken (140 shot, others trapped)
  - recently caught a wolf just north of Helena, collared it - since moved to the Northern Front
  - dead moose found on road with wolf tracks all around
- Other predator issues
  - Grizzly bear damage up - Eureka and along the Northern Front



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- 62 calves taken by coyotes
- raven damage is increasing
- fox damage on lambs
- lion killed piglets and llama in the Bitterroot
- rabid skunks reported

Producer Organizations

- Montana Farm Bureau Federation, John Youngberg, Chelcie Cremer
  - Summer Conference June 10 through 12 in Kalispell
- Montana Woolgrowers Association, Brent Roeder
  - first ewe sale will be held in conjunction with the ram sale September 10
  - ram sale September 11 in Miles City
  - lambs doing well, grass is greening up
- Mountain States Cooperative, John Lehfeldt
  - July 17, 18 and 19, annual meeting in Great Falls
- Western Dairy Association, Ed Waldner
  - annual meeting, Thursday May 22
  - Great Falls Holiday Inn starting at 9:30
- Montana Stockgrowers Association, Gene Curry
  - Mid-year meeting is July 13 and 14 in Miles City

4:00 p.m. Adjournment



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Tuesday May 20, 2014

8:00 a.m.

Called to Order

Board Members Present:

Jan French, Chair, cattle producer  
Ed Waldner, swine producer  
John Lehfeldt, sheep producer  
Linda Nielsen, cattle producer

Brett DeBruycker, cattle producer  
Jeffery Lewis, dairy producer  
John Scully, cattle producer

Staff Present:

Christian Mackay, Executive Officer  
Dan Turcotte, Milk & Egg Bureau  
Dr. Bill Layton, VDL  
Steve Merritt, Public Information  
Dr. Eric Liska, Animal Health  
Chad Lee, Milk Control Bureau

Sherry Rust, executive assistant  
George Harris, Centralized Services  
Dr. Marty Zaluski, Animal Health  
Dr. Tahnee Szymanski, Animal Health  
George Edwards, Livestock Loss Board

Public Present:

Kraig Glazier, Wildlife Services  
Chelcie Cremer, MT Farm Bureau Fed  
Jim Brown, MT Woolgrowers Assn  
Gene Curry, MT Stockgrowers Assn  
Pat Flowers, MT FWP  
Jeanne Rankin, MT Veterinary Medical Assn, MSU Extension Ag Security  
Errol Rice, MSGA  
Karen Simpson, LAD  
Stuart Daggett, Mt Vet Med. Assn  
Jim Hagenbarth, producer  
Joe Gutkoski, president, Yellowstone Buffalo Foundation  
Jeanne Marie Souvigney, GYC

Brent Roeder, MT Woolgrowers Assn  
John Youngberg, MT Farm Bureau Fed  
Pat Murdo, Legislative Services  
Roger Lloyd, Legislative Fiscal Division  
Nick Gevock, MT Wildlife Federation  
Rick Ripley  
Joel Clairmont, MT Department of Ag  
Alan Redfield,  
Laura Lundquist, BCD  
Kiersten Iwai

Centralized Services Division Report, George Harris

- EPP Planning Process 2016-17
  - a detailed state special revenue analysis was presented to the board
  - summarized a list of EPP items per department
  - presented prioritized list for board approval prior to May 28 submission to OBPP
  - per capita budgeted funding and expenditures at the Veterinary Diagnostic Laboratory has increased to nearly \$700,000 each year. Additional bills have come in that may increase expenses by another \$200,000 by FYE 14, this may be the result of additional testing



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- MDOL major EPP priority is to obtain more general fund for public health related tests i.e.: brucellosis, salmonella, plague, West Nile Virus and other zoonotic diseases posing risk of contagion to humans done at the VDL in lieu of per capita fee
- the board approved a request for \$850,000 general fund above base at the VDL and in lieu of per capita funding

Linda Nielsen moved to approve EPP Budget priorities as proposed. Ed Waldner seconded. The motion carried unanimously.

John Lehfeldt moved to amend the proposed EPP DSA testing budget from \$30,000 to \$60,000 per year. Linda Nielsen seconded. The motion carried unanimously.

- Predator Control Allocation

- three counties continue to request predator control funds for their own programs
  - Powder River \$11,384
  - Carter \$10,188
  - Richland \$5,741
  - Total \$27,313
- request board authorization to expend funds as presented

John Lehfeldt moved to authorize fund allocation as presented. Jeff Lewis seconded. The motion carried unanimously.

- LIMS update for Veterinary Diagnostic Laboratory

- federal Homeland Security grant funding of \$200,000 will be used to purchase an off-the-shelf system to replace the faltering lims in place at VDL
- lowest qualifying vendor bid was VADDS for \$165,000 including data transfer
- capable of adding milk bureau and additional systems later
- balance of funds will be used for equipment and required hardware to implement the new system
- the vendor will interface with USA Herds system in place in the Animal Health division

- Milk Control Bureau

- new bureau chief, Chad Lee
- getting up to speed, utilizing written processes
- next Milk Control Board meeting is on June 10





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- Livestock Loss Board, George Edwards
  - loss claim numbers are down so far
  - board met last in April with small attendance
  - current project is compost programs

Veterinary Diagnostic Laboratory Division, Dr Bill Layton

- Grants and Contracts
  - NALM membership renewal brings \$55,000 funding contract
  - applying for \$4,000 per for 5 years for rabies training at CDC
  - contracted with Veterinary Services for testing - 5 year \$200,000
- West Nile Virus (new test available)
  - the cost of the original test was \$75, we charged \$25
  - we will use the less expensive, effective commercial test beginning July first
  - request board authorization of \$20 fee for this new WNV test

John Lehfeldt moved to authorize the fee as proposed. Brett DeBruycker seconded. The motion carried unanimously.

- Miscellaneous
  - MSU building meeting of building supervisors
    - replacing carpet
    - completed the parking lot annual maintenance -our cost was \$800
  - Issues with postal service
    - delay coming out of Billings (up to ten days)
    - causes issues with tests
    - evaluate or use courier
  - VDL participation with MSU/Washington State veterinarian program
    - slides, observe, small tours of students through the lab
    - purpose is to bring student interest back to Montana
- Out of State Travel
  - AAVLD meeting in Kansas City
  - Layton and Marshall authorized to attend
  - Dr Marsh would like to attend an associated meeting two days prior also in Kansas City for a two day added expense

John Lehfeldt moved to authorize the out of state travel as presented. Jeff Lewis seconded. The motion carried unanimously.

- Accreditation Review
  - should be finished with site visit before August 15



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- August date not set until after July 1 review
- will either be accredited or lose it
  
- The board asked for clarification of costs of tests vs fees
  - why and where are losses coming from
  - should some tests (or lab) be eliminated
  - trying to keep fees down to encourage producer participation
  - example of losses:
    - Brucellosis test cost \$3.65 per test we charge \$1 to \$1.5 and do up to 40,000 tests per year
    - PCR pooling will have an approximate deficit of \$100,000

The board charged George Harris to provide a detailed third level financial sheet to them.

Comments from the public:

Gene Curry: need to get the information out to producer organizations at the upcoming annual meetings

Jim Hagenbarth: the way the lab has been funded is not adequate, maybe look at terminating the lab and look at contracting out for essential tests

Jeanne Rankin: supports the lab as a representative of the Montana Veterinary Medical Association, first time we have seen the depth of the issues at the lab

Animal Health Division, Marty Zaluski

- Adult Vaccination as import requirement
  - how best to accommodate non-vaccinated cattle coming into the state
  - recently 195 cattle from Canada were adult vaccinated after completing quarantine, of which several cows aborted with positive tests for Brucella (RB-51) on six
  - recommended a review/change of current rule which requires that imported non-OCV cattle must be adult vaccinated
  - there is much variability in how neighboring state accept non-OCV cattle
    - some states only allow import going directly to slaughter
    - others to an approved feedlot
    - while some others allow a long term quarantine until animals are not pregnant
    - other states have no restrictions aside form a brucellosis test
  - several options
    1. status quo
    2. return to former policy of no import of non-OCV females
    3. long term quarantine
    4. allow entry with a brucellosis test



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- Dr Zaluski recommends test to meet our requirements, risk of brucellosis from Canadian cattle is infinitesimal

The board requested a draft Administrative Rule at the next meeting

- Administrative Rule proposed change, Tahnee Szymanski
  - to 32-3-1201 concerning Rabies
  - to make our regulations consistent with DPHHS

Brett DeBruycker moved to authorize publication on the draft changes for comments. Linda Nielsen seconded. The motion carried unanimously.

- Out of State Travel Request
  - Dr. Zaluski has been asked to chair the Annual Cross Border Livestock Conference
  - requests authorization to attend with accommodations/travel covered by cooperative agreement funds

Brett DeBruycker moved to so authorize. Ed Waldner seconded. The motion carried unanimously.

- DSA adjustment, Dr Eric Liska
  - request board approval to publish a proposed administrative rule notice for public comment to adjust the DSA boundary base on winter 2014 elk surveillance results - draft provided
  - impacts about 12,000 cattle, 4 or 5 purebred breeders in the area

John Scully moved to authorize the administrative rule proposal for publication for comments. Linda Nielsen seconded. The motion carried unanimously

12:00 p.m. Recess

12:10 p.m. Reconvene

- Bison EA for year round tolerance
  - the issue is the lack of population management within the park
  - there is a number in the IBMP, but nothing to hold participant to that number
  - best way to impact risk is population reduction
  - Christian Mackay recommended the board look hard at this proposal as the best solution on our part
  - Dr. Zaluski stated because the disease issue will continue into the foreseeable future this proposal addresses the issue of over-population
  - as directed by the board in the last meeting adjusted the population down to 3,000, proposal is a pilot project for five years then evaluate success



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1. minimum population 2,500 within Yellowstone (population count to be done by MDOL) - to start next April
2. lethal removal, decision on who and when made by the State Veterinarian
3. anticipate costs to MDOL to go down while FWP goes up
4. if the board votes to go ahead proposal will be put before the IBMP for vote as a state decision to allow tolerance one the population is down to 3,000
5. IBMP partners can either accept as an adaptive management or not

**Public Comment**

- Errol Rice, MSGA, the industry cannot support this proposal
- Jim Hagenbarth, bulls only after the date
- Nick Gevock, Montana Wildlife Federation, lot of support for this
- Joe Gutkowski, Yellowstone Buffalo Foundation, since 1988 have slaughtered over 7,000 bison, this is the first suggestion for expansion of range - supports option B, opens up a wildlife corridor
- Taylor Brown, Northern Ag Network, urged the board to remember who the board represents - this proposal will allow year round habitat for diseased bison - must make the agencies adhere to the policy in place now
- Rick Ripley, the industry does not support this option
- letter from Druska Kinkie, producer, presented to the board
- Katherine Qpenlizenp, concerned about the EA without number constraints, concerns about lethal removal and loss of meat to recipients
- Alan Redfield, range analysis 36,000 acres to contain those bison, do a range and soil analysis to see what the land can handle
- Matt Skogen, alternative B, no added risk, better hunting opportunity, better management of the landscape
- Kiersten Iwai, Sierra Club, agrees with Matt
- John Youngberg, Mt Farm Bureau, is there cattle in the area, who is responsible for fencing?
- Christian Mackay - fencing through cooperative effort some done along private property and it is working - approaching other properties
- Jim Hagenbarth - worked with the board to assure no added risk in this adoption - supports the move, but has reservations regarding implementation of the plan, flawed
- John Scully, needs to be a complete plan that includes financial costs, disease issues, believe it is in absolute violation of state law "species in need of disease control"; EA has been changed therefore subject to MEPA; belongs in a whole plan presented by the governor to the IBMP
- Linda Nielsen, probably vote against it



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- John Lehfeldt, looking a major landscape destruction and impact
- Ed Waldner, represents the livestock industry so would vote no

John Scully moved to postpone this decision indefinitely and ask that MDOL cooperate with Fish, Wildlife & Parks and the industry as the Governor approaches IBMP.

Jeff Lewis seconded. The motion carried unanimously

Next Board Meeting                      July 29, 2014 (one day meeting - 9 to 5)

1:29 p.m.                                      Adjournment

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Jan French, Chair

DRAFT