

**CALL TO ORDER** 9:03 A.M. THURSDAY, DECEMBER 1, 2016

**ROLL CALL:**

Bill Sauble	Don "Bebo" Lee
Loren Horton	David Kincaid
Effie Walker	Bob Frost
Donald Martinez	Kevin Elfering

**NMLB STAFF PRESENT:**

William Bunce, Executive Director	Shawn Davis, Area 1 Supervisor
Ray E. Baca, Deputy Director	Julie Gauman, IT
Andrew Silva, CFO	Dr. Ralph Zimmerman, State Veterinarian
Gary Mora, Area 3 Supervisor	April Riggs, Area 2 Supervisor
Priscilla Pena-Johnson, HR Manager/Administrator	

**VISITORS:**

Tate Pruett, Westall Ranch	Larry Dominguez, NMDA
Tim Hanosh, DVM, NMDA	William Hurt
Bill Cardenas	Bob Alexander
Joe Bilbury	Tom Dominguez

**APPROVAL OF AGENDA:**

Ms. Walker moves to approve the agenda. Mr. Horton seconds the motion. All in favor. Motion passes.

**APPROVAL OF MINUTES:**

Minutes from the September 15, 2016 Board meeting presented. Ms. Walker moves to approve the minutes as presented. Mr. Frost seconds the motion. All in favor. Motion passes.

**2017 OPEN MEETINGS RESOLUTION:**

The 2017 Open Meetings Resolution is presented. Mr. Kincaid moves to approve the resolution as presented. Mr. Horton seconds the motion. All in favor. Motion passes.

**GENERAL PUBLIC COMMENT:**

No public comments.

**FINANCIAL UPDATE:**

Mr. Andrew Silva, CFO, presented the agency's financials. Mr. Silva explained that our budget has been reduced by 6% in the personnel category. The FY 2018 Budget recommendation is a flat budget with \$200,000 less in general funds. Overall we will see \$250,000 reduction.

Committee hearing asked about a procurement violation. Purchase of vehicles was not a violation. We have a letter from GSD stating there was no procurement violation. All committee members are aware of the determination and were sent a letter with the explanation.

Mr. Silva also discussed the fund balance. A senate bill recommended that \$500,000 be swept from our fund balance. The agency is challenging that sweep from our Fund Balance. Money that the NMLB generates should not go into the state's fund for distribution to other agencies. The fund balance is critical for emergency purposes.

Mr. Silva discussed the 2016 audit. There were no findings. During the audit it was brought up that the auditors were asked by the State Auditor's Office to really look at fund balances. The auditors looked at the wording of our fund balance and they questioned whether or not it was a reverting fund. General Counsel assisted in showing that it is a non-reverting fund in accordance with the language. The agency is not restricted in how it uses those funds. But it is restricted in the sense that we cannot revert it to the general fund to be distributed. Mr. Silva would like to move that fund balance to a more restricted account. Mr. Silva plans to move fund balance from an unrestricted to a restricted account. No board action is necessary. The board would like to see the details documented.

**DISTRICT LINES:**

Mr. Bunce presented a petition from within the board to combine Districts 26, 24 and 9. Discussion occurred. Mr. Bunce stated that this area comprises 1/3 of the northern border and that staffing will be difficult. Mr. Martinez stated that currently these lines go through our communities. Mr. Mora, Area 3 Supervisor, stated that as it is, District 9 is a big district. Inspectors try to work with the producers if they are moving within those districts. It will be difficult during quarantines. Mr. Elfering pointed out that this situation must occur in other districts as well. Right now they have access to I-40. You are just expanding the issue. Mr. Horton expressed concern regarding the direct corridor through 9 from the Colorado border through I-40. Staffing the area was also discussed. There were 35 producers who signed the petition. No one in the audience spoke either for or against this proposal. The Board determined that a series of meetings will be held in the area to get an understanding of what the issues are and how the board can address the issues.

**STATE VETERINARIAN'S REPORT:**

Dr. Eckhoff is attending the Bi-National Fever Tick Meeting this week. Dr. Zimmerman reported that there were 12 negative foreign animal disease investigations in the federal fiscal year 2015-2016. He also stated that New Mexico is Brucellosis free. New Mexico is also Tuberculosis free. New Mexico has one active T.B. trace and one active Brucellosis trace. The state had 83 Trichomoniasis quarantines in place at the beginning of the year. Currently there are 44 Trichomoniasis quarantines in place. Outreach has been good and will continue. Dr. Zimmerman has visited two local sale barns and plans to visit the southeastern part of the state this month. Dr. Zimmerman was also the first State Veterinarian to visit with producers at the Eastern New Mexico State Fair in the 94 year history of the fair.

**TRICH COMMITTEE REPORT:**

Dr. Zimmerman stated that the feedback from the Trich Committee has mostly been positive. Mr. Nunn voiced his opinion and that of the Southwest Grazing Association that it was an overextension of the government interfering with their business. The rancher knows best how to manage their ranch. The State Veterinarian's Office encourages producers to work with their veterinarian and their livestock inspector. The committee would like to see the website and a brochure used to list Trich-Certified Veterinarians. The Trich committee will continue to meet and follow-up on issues.

**AMENDMENT TO 21.30.6.11 NMAC:**

Action will only be taken on the four amendments that were proposed and went through the comment period. Chairman Sauble read each of the proposed amendments.

Mr. Cornelio Salazar commented that he believes that people should be required to show they tested because a lot of people are still not checking bulls. The board needs a list with the proof of the testing. He hopes a common sense approach can be taken.

Mr. Horton motions to accept the changes to NMAC 21.30.6.11 as presented. Mr. Kincaid seconds the motion. All in favor. Motion passes.

**AGREEMENT BETWEEN NM AND AZ ON LIVESTOCK INTERSTATE MOVEMENT:**

The agreement would apply statewide. Mr. Elfering motions to authorize Dr. Zimmerman to finalize this Agreement with the Arizona State Vet between New Mexico and Arizona regarding Livestock Interstate Movement as presented. Mr. Lee seconds the motion. All in favor. Motion passes.

**CLOSED EXECUTIVE SESSION:**

Chairman Sauble moves to go into closed executive session pursuant to NMSA 1978 10-15-1(H) (7) for a legal update on WHOA cases and 10-15-1 (H) (2) Limited Personnel Matters – Executive Director Position and Report from the Personnel Committee. Mr. Lee seconds the motion.

**ROLL CALL VOTE:**

Bill Sauble - Y	Don "Bebo" Lee - Y
Loren Horton - Y	David Kincaid - Y
Effie Walker - Y	Bob Frost - Y
Donald Martinez - Y	Kevin Elfering – Y

The NM Livestock Board goes into closed executive session after a five minute break at approximately 10:39 a.m.

**RETURN FROM EXECUTIVE SESSION:**

Chairman Sauble moves to return to open session noting that nothing was discussed in Executive Session except what was listed on the motion to close and that no action was taken. Ms. Walker seconds the motion. All in favor. Motion passes.

**ROLL CALL VOTE:**

Bill Sauble - Y  
Loren Horton - Y  
Effie Walker - Y  
Donald Martinez - Y

Don "Bebo" Lee - Y  
David Kincaid - Y  
Bob Frost - Y  
Kevin Elfering - Y

The NM Livestock Board returns to open session at approximately 12:25 p.m.

Mr. Elfering moves to appoint Mr. Bob Alexander as Interim Executive Director for 6 months beginning on January 1, 2017. A nationwide search for an Executive Director should be conducted. Ms. Walker seconds the motion. All in favor. Motion passes.

**DEPUTY DIRECTOR'S REPORT:**

No questions.

**EXECUTIVE DIRECTOR'S REPORT:**

Mr. Bunce went through his 2016 Report to the Governor. He recommended that recruitment be undertaken for the vacant field veterinarian. The current staffing is inadequate. He stated that the agency has tried to achieve a balance between brand and certified inspectors. Mr. Bunce also stated that one attorney on a part-time basis is just not enough. Complete and winnable case preparation is critical.

**BOARD CONCERNS:**

Ms. Walker asked if Caviness can charge New Mexico cattle an additional Beef Council fee if they have already paid the fee on the NM inspection. Mr. Bilbury stated that Caviness is collecting the Texas Sate Beef Council fee. This is not related to the National check off fee collected in New Mexico. Mr. Baca stated he would follow up on this question.

Mr. Kincaid expressed appreciation to Mr. Bunce for his preparation and submission of the 2016 Report to the Governor's Office.

**ADJOURNMENT:**

Ms. Walker moves to adjourn. Mr. Frost seconds the motion. All in favor. Motion carries. Meeting adjourned at approximately 12:58 pm.

APPROVAL:

