

MINUTES OF THE NEW MEXICO LIVESTOCK
BOARD REGULAR AND RULE MAKING MEETING
THURSDAY, DECEMBER 12, 2019
9:00 A.M.

2019 JOINT STOCKMEN'S CONVENTION
SANDIA RESORT AND CASINO
BALLROOM B
30 RAINBOW ROAD
ALBUQUERQUE, NM 87113

CALL TO ORDER: Chair Manzanares calls the meeting to order at 9:00 a.m. Secretary Conniff calls roll.

ROLL CALL - Board Members Present:

Rita M. Padilla-Gutierrez	Edward Torres
Kathy Longinaker	Tara Vander Dussen
Molly Manzanares	Tony Casados
John Conniff	

Absent:

Tobin "Toby" Dolan
Morgan Switzer-McGinley

Quorum Established

NMLB STAFF PRESENT:

Belinda Garland, Executive Director	Gary Mora, Area 3 Supervisor
Shawn Davis, Deputy Director	Barry Allen, Area 1 Supervisor
Ralph Zimmerman, NM State Veterinarian	April Riggs, Area 2 Supervisor
Troy Patterson, Area 4 Supervisor	Julie Gauman, IT
Andrew Silva, CFO	Darby Makloski, District 1 Inspector

VISITORS:

Gerald L. Chacon, Cebolla Livestock Assoc.	Jeff Bilberry, Singleton Ranches
Dara Melton, End of the Road Rescue	Troy Sauble, NM Farm and Livestock Bureau
Tom Mobley	Charlie Rogers, Clovis Livestock
Bill Sauble, Sauble Ranch Co.	Alonzo Gallegos, Rancher
Debbie Sauble, Sauble Ranch Co.	Jim Thorpe, JT Land and Cattle LLC
John Wenzel, NMSU	Juan Sanchez, NMLGC
Tim Hanosh, NMDA	Pat Boone, NMCGA
Tommy Padilla, Rancher	Bronson Corn, Producer
Ty Bays	Jason Saulan, Horton Ranches
Chuck Wagner	Jim Bob Burnett
Buddy Eby	Mike Wear, Wear Ranch
Trent Bilberry	Arturo Archuleta, NM Land Grant Council
Cole Gardner	Joe Bill Nunn, SWNW Grazing Assoc
Lincoln M. Davis	Tom Dominguez
Grant Mitchell, Singleton Ranches	Kim Chesser
Tom Spindle, Bill King Ranch	Jeff Decker, NMCGA
Gary Stone, OCCA	Samantha Uhrig, Trich Committee
E.D. Edwards, Armendariz Ranch	Jim McCauley
Charlie Rogers, Clovis Livestock	Kendal Wilson
Jeremiah Moxley	

APPROVAL OF AGENDA:

Board Member Vander Dussen moves to approve the agenda as presented. Board Member Conniff seconds the motion. Motion passes.

APPROVAL OF MINUTES:

Minutes from the November 1st, 2019 Board Meeting presented. Board Members Casados and Padilla-Gutierrez both requested that the minutes reflect that their vote was not to oppose the appointment of Director Garland but to oppose the selection process used to select the Director. Board Member Vander Dussen asked that the minutes be changed to reflect she telephonically joined the board meeting at 2:10 p.m. not at 2:40 p.m. Board Member Casados moves to approve the November 1, 2019, board meeting minutes with the corrections noted. Secretary Conniff seconds the motion. Motion passes.

2020 OPEN MEETINGS AND PUBLIC PARTICIPATION RESOLUTIONS:

NM Livestock Board 2020 Open Meetings Resolution: Board Member Casados moves to adopt the 2020 Open Meetings Resolution. Board Member Padilla-Gutierrez seconds the motion. Motion passes.

NM Livestock Board 2020 Public Participation Resolution: Board Member Casados moves to adopt the 2020 Public Participation Resolution. Director Garland proposes grammatical corrections to the resolution. Board Member Casados requests that the board consider enforcement of the resolution. Resolution should go to committee to review. Board Member Casados motion to postpone and go to committee with the resolution. Secretary Conniff seconds the motion. Motion passes.

INTRODUCTION OF EXECUTIVE DIRECTOR, BELINDA GARLAND:

Board welcomes Executive Director Garland.

RATIFICATION OF ESTRAYS:

Estray #148-2-02539 & 148-2-02540: Mr. Gallegos addressed the NM Livestock Board. Area 2 Supervisor April Riggs addressed the Board. Mr. Casados moves to ratify the Inspector's estray. Secretary Conniff seconds the motion. Motion passes.

Estray #048-A4-1959, 1957, 1955 and 1940: Mr. Edwards, Armendariz Ranch Manager, addressed the board. Area 4 Supervisor Troy Patterson addressed the board. Board Member Casados moves to ratify the Inspector's estray. Board Member Vander Dussen seconds the motion. Motion passes.

VALLES CALDERA FENCING ISSUES:

Deputy Director Shawn Davis addressed the board. He presented information on communications with the National Park Service. NMLB responded, sorted and identified the cattle. No further actions were taken by the NMLB. This issue has been resolved. Chair Manzanares thanked Mr. Davis for following up on this issue.

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He stated that after review they are on board to address the trespass livestock on their own and only ask for NMLB assistance in the event an owner cannot be found or there are unbranded livestock. The issue of fences being damaged will be ongoing but they will be diligent in getting these issues resolved.

Chair Manzanares thanked former Chair Sauble and his wife for his continued assistance and for his many years of service to the NM Livestock Board.

FINANCIAL UPDATE:

Mr. Andrew Silva, CFO, presented a financial update. He also presented information on the financial audit which was completed on time.

DEPUTY DIRECTOR'S REPORT:

Mr. Shawn Davis, Deputy Director, presented an update to the board.

EXECUTIVE DIRECTOR'S REPORT:

Director Garland outlined her immediate priorities. HR issues to be addressed include filling vacancies and ensuring the responsibilities of staff are distributed properly. Also a priority are ensuring that Inspectors have equipment they need and that they are safe and ensuring that the fleet is being handled properly. Another focus is the upcoming legislative session.

BOARD CONCERNS:

Next meeting date: By law required to have two meetings. Members have requested more meetings. February 4, 2020 is recommended.

Board Member Padilla-Gutierrez presented information on the NM Land Grant Council. Members from the Land Grant Council were present. Arturo Archuleta, Program Manager for the NM Land Grant Council, introduced Juan Sanchez, Chairman, and Andrea Padilla, President of the Town of Tome Land Grant and President of the NM Consejo. All addressed the board and offered collaboration and information to the Board.

RECESS:

Board Member Casados moves to take a ten minute recess. Secretary Conniff seconds the motion. Motion passes. Board takes a ten minute recess at 10:35 a.m.

Chair Manzanares calls the meeting back to order at approximately 10:45 a.m.

Chair Manzanares states that the next meeting date should be voted on. Board Member Casados moves to have a board meeting on February 4, 2020, subject to change. Board Member Longinaker seconds the motion. All in favor. Motion passes.

STATE VETERINARIAN'S REPORT:

Dr. Zimmerman, State Veterinarian, presented an update to the board.

PUBLIC HEARING:

Chair Manzanares, serving as Hearing Officer, opens the public comment portion of the agenda to hear comments on the proposed amendments to 21.30.6 NMAC, Sections 8, 9, 11 and 16 on December 12, 2019, at approximately 11:15 a.m. Hearing is being held at the Sandia Resort and Casino at 30 Rainbow Road in Albuquerque, New Mexico. The Notice of Hearing was published in the New Mexico Register, Volume 30, Issue 21, and in the Albuquerque Journal on November 10th and December 7th, 2019. The Notice has also been made available on the NM Livestock Board website since November 7th, 2019. Comments will be limited to three minutes. Time cannot be given to anyone else and is forfeited if not used. We will begin with Dr. Zimmerman who will give us background information on the issue.

Dr. Zimmerman would eventually like to eradicate Trich, not just control it. 14 meetings held around the state with producers. During meetings of the Trich Committee, 6 areas were identified for action:

1. Slaughter Surveillance
2. Testing Neighboring Premise of Quarantine
3. Testing of Trespass\Estray Bulls of Unknown Owners
4. Fines on Breaking Quarantines
5. Minimum Breeding Season Exposure for Testing <65 days
6. 45 days to have Herd Plan ready for input by vet and inspector

Presented proposed changes to the last board in June of 2018. They agreed to move forward with changes.

Hearing Officer Manzanares calls a recess of the public hearing so that people may attend the Cattle Growers Luncheon.

Mr. Benny Wooton addresses his public comments to the Board since he is unable to return to the meeting after the recess.

The NM Livestock Board takes a recess at approximately 11:40 a.m. The NM Livestock Board returns at 1:30 p.m. Dr. Zimmerman reviewed the amendments and presented the following changes to the proposed amendments:

21.30.6.9 Intra State Breeding bulls.

1) Change of ownership (sold to slaughter buyer)

b. Any New Mexico producer that tests for trichomoniasis annually (whole herd bull test), and has a defined breeding season, will be exempt from slaughter surveillance, upon presentation of the annual trichomoniasis test results.

21.30.6.7 Definitions

E. "Approved veterinarian" means an accredited veterinarian that has attended trichomoniasis training that is approved by the New Mexico State Veterinarian. Such training must include preputial sampling, sample handling and shipping, appropriate record keeping, and official bull trichomoniasis identification. A trained and certified designee, in the employ of the veterinarian of record for a New Mexico licensed sale yard, may work under the guidance of said approved veterinarian. These lay trich testers are limited to working at licensed New Mexico sale yards.

Director Garland read public comments submitted via email between 12:00 p.m. on December 3, 2019 through 4:30 p.m. on December 11, 2019.

Chair Manzanares opened the floor for public comments. Public comment on the proposed amendments to 21.30.6 NMAC, Sections 8, 9, 11 and 16 was made by:

Dr. John Wenzel	Pat Boone
Dr. Tim Hanosh	Mike Wear
Ty Bays	Joe Bill Nunn
Chuck Wagner	Jim McCauley
Buddy Eby	Jim Bob Burnett
Jeff Bilberry	Jason Saulan
Bebo Lee	Charlie Rogers
Bronson Corn	Jeremiah Moxley

Director Garland read two more comments received via email.

Chair Manzanares calls a recess until 5:05 p.m. Board will reconvene at 5:05 p.m.

The Board returns on record at 5:03 p.m. on December 12, 2020. No further comments were received on proposed amendments. Public hearing on proposed amendments to 21.30.6 NMAC, Sections 8, 9, 11 and 16 is closed at 5:04 p.m.

Board Member Casados motions to adopt proposed amendments to 21.30.6 NMAC, Sections 8, 9, 11 and 16. Board Member Vander Dussen seconds the motion.

Board Member Longinaker comments that strong enforcement is of utmost importance. Deputy Director Davis commented that livestock inspectors would enforce, charge and follow up on prosecution on these violators.

Board Member Casados comments that the board listened to the different viewpoints. He would like to see every bull tested in New Mexico but knows that doing something is better than doing nothing. He fully supports the changes to the rule.

Board Member Vander Dussen motions to accept the changes to the amendments. Secretary Conniff seconds the motion.

ROLL CALL VOTE:	
Rita Padilla-Gutierrez – Y	Paul Torres – Y
Kathy Longinaker – Y	Tara Vander Dussen – Y
John Conniff – Y	Tony Casados - Y

All in favor. Motion passes.

Board Member Casados motions to adopt the proposed rule changes to 21.30.6 NMAC, Sections 8, 9, 11 and 16. Board Member Vander Dussen seconds the motion.

ROLL CALL VOTE:	
Rita Padilla-Gutierrez – Y	Paul Torres – Y
Kathy Longinaker – Y	Tara Vander Dussen – Y
John Conniff – Y	Tony Casados - Y

All in favor. Rule Amendments to 21.30.6 NMAC, Sections 8, 9, 11 and 16 are passed.

ADJOURNMENT:

Board Member Vander Dussen moves to adjourn. Secretary Conniff seconds the motion. Meeting adjourned at approximately 5:20 p.m.

APPROVED BY:



John N. Conniff, NM Livestock Board Secretary



Molly Manzanares, NM Livestock Board Chair