

MINUTES OF THE NEW MEXICO LIVESTOCK
BOARD (NMLB) MEETING
THURSDAY, SEPTEMBER 9, 2021
12:30 P.M.

VIRTUAL MEETING:
<https://www.gotomeet.me/NMLB/nmlb-board-meeting-sept-9th-2021>
BY PHONE:
[1 877 309 2073](tel:18773092073) Access Code: 859-809-805

CALL TO ORDER: Chair Molly Manzanares at 12:41 p.m.

ROLL CALL:

Molly Manzanares, Chair
Tobin Dolan, Vice Chair
John Conniff, Secretary
Tony Casados Jr., Board Member
Kathy Longinaker, Board Member

Rita Padilla-Gutierrez, Board Member
Morgan Switzer-McGinley, Board Member
Edward Torres, Board Member (Not Present)
Vacant Position

Quorum Established

NMLB STAFF PRESENT:

Belinda Garland, Executive Director
Shawn Davis, Deputy Director
Ralph Zimmerman, State Vet
Leif Rasmussen, Chief Legal Counsel
Stephanie Lujan, HR Manager
Julie Gauman, IT
Andrew Silva, CFO

Barry Allen, Area 1 ROM
April Riggs, Area 2 ROM

OTHER ATTENDEES:

Randell Major, NM Cattle Growers
Robert Witters
Bill Sauble
Troy Sauble, NMFLB
Katelin Spradley, NM Farm and Livestock Bureau
Lela Kriner

Nancy Henry
Crystal Vigil
Patience O'Dowd
4 Unidentified Callers

APPROVAL OF AGENDA:

Board Member Padilla-Gutierrez asks for the presentation of unmarked law enforcement vehicles be moved ahead of the Executive Session. Chief Legal Counsel Leif Rasmussen stated his preference is to keep the matter in Executive Session. He will be giving his legal analysis to the Board Members; the Board can then take a position to move it elsewhere.

Board Member Longinaker makes a motion to have an open discussion about brand inspectors in the unmarked law enforcement vehicles. Chief Legal Counsel stated the discussion would have to be its own agenda item. He stated another option would be to move up the Executive Session. No Second, motion dies.

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Board Member Padilla-Gutierrez moves to change item # 15, Executive Session, to item # 7 on the agenda

Board Member Longinaker seconds the motion.

*Full discussion is available in the recording for the September 9, 2021 NMLB Meeting.

ROLL CALL VOTE:

Vice Chair Dolan – Yes

Secretary Conniff – Yes

Board Member Casados - Yes

Board Member Switzer-McGinley – No

Board Member Torres – Absent

Motion to approve the September 9, 2021 Agenda with amendment passes 5-1.

APPROVAL OF MINUTES:

Minutes from the June 10, 2021 Board Meeting presented.

Secretary Conniff moves to approve the June 10, 2021 Board Meeting Minutes.

Vice Chair Dolan seconds the motion.

ROLL CALL VOTE:

Board Member Casados – Yes

Board Member Longinaker – Yes

Board Member Padilla-Gutierrez - Yes

Board Member Switzer-McGinley- Yes

Board Member Torres – Absent

Motion to approve June 10, 2021 Board Meeting Minutes passes 6-0.

APPROVAL OF MINUTES:

Minutes from the June 18, 2021, Board Meeting presented.

Secretary Conniff moves to approve the June 18, 2021 Board Meeting Minutes.

Board Member Padilla-Gutierrez seconds the motion.

ROLL CALL VOTE:

Vice Chair Dolan - Yes

Board Member Casados – Yes

Board Member Longinaker – Yes

Board Member Switzer-McGinley – Yes

Board Member Torres – Absent

Motion to approve the June 18, 2021 Board Meeting Minutes passes 6-0.

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PUBLIC COMMENT:

Executive Director Garland announced that public comments will be held to 2 minutes per person and to please follow the Public Participation Guidelines.

Public Comment from Lela Kriner

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

Public Comment from Nancy Henry

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

Public Comment from Patience O’Dowd

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

Public Comment from Crystal Vigil

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

No other public comments were made.

CLOSED EXECUTIVE SESSION:

Vice Chair Dolan moves to go into Closed Executive Session.

Secretary Conniff seconds the motion.

ROLL CALL VOTE:

Board Member Casados – Yes

Board Member Switzer-McGinley – Yes

Board Member Longinaker – Yes

Board Member Torres – Absent

Board Member Padilla-Gutierrez – Yes

Motion to go into Closed Executive Session passes 6-0. Meeting closes at 1:00 PM.

RETURN FROM EXECUTIVE SESSION:

Secretary Conniff moves to leave Closed Executive Session and confirm that nothing else was discussed in Closed Executive Session other than items listed on agenda.

Board Member Switzer-McGinley seconds the motion.

ROLL CALL VOTE:

Vice Chair Dolan – Yes

Board Member Padilla-Gutierrez – Yes

Board Member Casados – Yes

Board Member Torres – Absent

Board Member Longinaker – Yes

Motion to leave Closed Executive Session and confirm that nothing else was discussed in Closed Executive Session other than items listed on agenda passes 6-0. Meeting re-opens at 1:34 p.m.

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RESCHEDULE DECEMBER 9, 2021 MEETING

Director Garland stated she was contacted by NM Cattle Growers Association (NMCGA), and they are going to have their December annual meeting at the Albuquerque Hotel. They asked if the NMLB would like to have their meeting on December 14, 2021 at 1:00 PM, to coincide with the NMCGA meeting.

Board Member Casados moves to reschedule the December 9, 2021 meeting to December 14, 2021 at 1:00 PM.

Secretary Conniff seconds the motion.

ROLL CALL VOTE:

Vice Chair Dolan – Yes

Board Member Switzer-McGinley – Yes

Board Member Longinaker - Yes

Board Member Torres – Absent

Board Member Padilla-Gutierrez – Yes

Motion to move the NMLB Meeting from December 9, 2021 to December 14, 2021, passes 6-0.

UPDATE ON THE IN-STATE MEAT INSPECTION PROGRAM:

Director Garland stated a meeting was held with Acting SPO Director Ricky Serna letting him know the NMLB voted, in the June meeting, to move forward to reestablish the MPI Program. Director Serna was informed paperwork would be submitted to create the positions of MPI Director and HR Analyst. These positions will be term positions. If we do get reoccurring funding at the FY22 legislative session those positions will be changed to PERM Positions.

In early August, a memo was sent to the Governor’s Office, requesting Leif Rasmussen be appointed to the NMLB as Chief Legal Counsel on a full-time basis. NMLB has been informed that a posting has been put out to hire legal counsel for the NMLB and the Department of Game & Fish. At this time, not sure what will happen with the Legal Counsel position.

In order to move forward with the promulgation of rules, a consulting contract will be entered into. Three possible contractors are being interviewed and a decision will be made soon.

Contact has been made with FSIS and they are available to help in any way they can.

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

UPDATE ON ESTRAY PROCESS ADOPTED AT THE SEPTEMBER 10, 2020 MEETING:

Deputy Director Davis provided the NMLB with a list of all Estrays from January 1, 2021- Current date. He stated 13 claimants were paid out totaling \$17,655.10, 2 claimants were denied after review from the Inspector, the Supervisor, and Deputy Director Davis. The total amount received from Estray funds from January 2021 to Current date is \$66,610.85. This is held in Escrow for 2 years pending any ownership claims for those funds.

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2022 LEGISLATIVE MATTERS:

A. Update on Potential Legislative actions.

Director Garland stated there may be some bills presented at the 2022 Legislative Session in regard to the Livestock Laws. There may be a bill presented by the Grant County Cattle Growers Association to amend the stray laws, no confirmation on that right now. Another gentleman stated a bill may be presented for a change in regard to the inspections of horses.

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

B. Creation of Any Other Bill for the 2022 Legislative Session

No Bills were brought forward by any Board Members.

FINANCIAL UPDATE:

Update on Horse Rescue Special Appropriations:

CFO Silva stated the Horse Rescue Fund received, in the 2021 Legislative Session, Special Appropriations of \$150,000.00. In addition, \$12,847.00 has been received from donations making the fund total \$162,847.00 to be awarded to Horse Rescues. They have met with the committee and have agreed they would utilize an application process to review horse rescue needs. They will make an award recommendation presentation to the Board at the December meeting.

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

Review of Proposed FY23 Budget:

CFO Silva stated this year we are adding the Meat Inspection Program to our budget request. It is the 2nd program for the NMLB. The NMLB has the P685 Livestock Inspections and P686 which is the Meat Inspections Program.

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

STATE VETERINARIAN'S REPORT:

State Veterinarian Dr. Ralph Zimmerman addressed the Board.

Topics Covered:

West Nile Virus Cases; Bovine Tuberculosis (TB); Rabbit Hemorrhagic Virus; and Bovine Trichomoniasis (Trich).

West Nile Cases are rising in horses and they have reminded people to get horses vaccinated. The Eastern and Western and Venezuelan Encephalitis are also mosquito borne and they are encouraging owners to make sure horses have all vaccinations. Report from Mexico outbreak of Venezuelan Encephalitis breakout, no updates recently as to if it's traveling north. There was a positive equine infection anemia horse. Dr. Eckhoff went and bled all horses, and all came back negative. They have hit a dead end on tracking the horse carrying it.

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TB testing next week is 3rd annual assurance test about 5,000 head at Artesia Dairy and at the end September and beginning of October the 2nd trace out test at the Willard Dairy, 4800 head. Completed testing at the Dexter Complex in July.

Attended trial at the border in regard to electronic tags for ID to all cattle. Currently the tracking of cattle crossing the border is a paperwork mess and electronic ID would be easier to track where and what truck the animal got on. The Nogales test was successful. The Santa Teresa had some hiccups.

Rabbit Hemorrhagic

Virus has gone quiet since June. Mostly have positive cases reported then. Quarantine ends in October. All western states have reported positive cases.

Bovine Trichomoniasis (Trich).

As of the end of May, Roswell tested 688 bulls on slaughter surveillance, Belen 823 tested, Clovis 305 tested, Clayton 524 tested, they did not find a positive bull at Clayton. Pecos Valley tested 25, 40 bulls tested from private vets, Texas tested animals, with 8 more reported. 2413 bulls tested for slaughter surveillance and 55 positive bulls as of the end of May. Trich incidents, strictly on slaughter surveillance 2.27%. This does not include the rest of bulls and herd and continued testing on routine test but still significant incidents. Total 77 positive Trich cases thru September. The Trich program is doing its job and it's putting a huge dent in the Trich incidents in the state.

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

DEPUTY DIRECTOR'S REPORT:

Deputy Director Davis addressed the Board.

Topics Covered:

Deputy Director Davis stated at the December 2021 meeting he will have a full report of law enforcement activity for the year.

Deputy Director Davis, for the record, wanted to correct a statement stated earlier by a member of the public stating her case was dropped and she was wrongly accused. The case was dismissed because it was refiled for grand jury and COVID is holding up that case.

They have seen some good cruelty cases from the field. Benjamin Gonzales is handling cases up north. Benjamin is a very sharp inspector and is making his way through them. Justin Gray in Roswell area picked up a horse severely crippled and still being used for riding. They are waiting for that to go to court. The inspectors are very good at what they do when it comes to cruelty. Michele Ingram is working a sheep theft case. The biggest headache is COVID at this time, its incredibly difficult getting things through the courts.

Board Member Longinaker gave an applause to Benjamin Gonzales for his help.

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EXECUTIVE DIRECTOR'S REPORT:

Executive Director Belinda Garland addressed the Board.

Topics Covered:

Director Garland advised the Board that a call was received from Anthony Madrid. Director of range management for the Gila National Forest. He is taking over the issue with the stray cattle and moving forward with a solution to correct the situation. Not sure what action he is taking. The gunning of the cattle has been set aside for the time being.

On 8/14/2021, Director Garland, Dr. Zimmerman, Deputy Director Davis, and Inspector Don Gatlin attended the Grant County Cattle Growers Summer meeting. Director Garland and Dr. Zimmerman spoke at the meeting.

Jessica Baca, our IPRA person, is working on articles to go into the NM Stockman Magazine, the Clovis Livestock newspaper, and the NM Roundhouse. We will continue to do that every month.

Made it thru the end of the Fiscal year and completed evaluations so employees would receive their 1.5% Legislative increase.

As for the building, everyone is settling in. We opened to the public 8/20/2021. We are functioning full force. Working on litigation matters. The brand books are in production and will know status in 10 days. Director Garland stated we are working very hard to keep positions fully staffed. Keeping 2 positions vacant which they did not receive funding for. We hope all we have done will bring positive reactions when we present at the legislative session.

Director Garland thanked all staff throughout the state and in the office for the diligent dedicated work they do every day.

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

BOARD CONCERNS:

Board Member Casados is concerned that in-person meetings are not being held.

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

Board Member Longinaker asked if the meetings can be moved to an earlier time.

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

Board Member Padilla-Gutierrez suggested a sack lunch when doing a virtual meeting.

*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

Board Member Casados has a problem with Public Comment. If someone has a problem, they need to follow proper etiquette by following the proper channels.

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Chair Manzanares asked the Board if they had any issues with moving the time of the meeting.
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Chair Manzanares asked Director Garland if she has any comments on allowing Public Comment. Director Garland stated she would have to review the OMA (Open Meetings Act) in regard to the requirement of public comment.
*Full comments are available in the recording for the September 9, 2021 NMLB Meeting.

ADJOURNMENT:

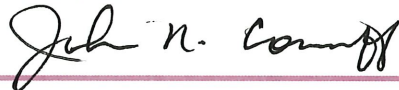
Board Member Switzer-McGinley moves to adjourn the Board Meeting.
Vice Chair Dolan seconds the motion.

ROLL CALL VOTE:

Secretary Conniff – Yes	Board Member Padilla-Gutierrez –Yes
Board Member Casados - Yes	Board Member Torres – Absent
Board Member Longinaker –Yes	

Motion to adjourn the meeting passed 6-0. Meeting adjourned at 3:01 p.m.

APPROVAL:



John Conniff, Secretary



Molly Manzanares, Chair