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**CALL TO ORDER**      10:00 A.M. Thursday, June 15, 2017

**ROLL CALL:**

Mr. David Kincaid  
Chairman Bill Sauble  
Mr. Loren Horton  
Mr. Bob Frost

Mr. Donald Martinez  
Mr. Kevin Elfering  
Mr. Bebo Lee

**NOT PRESENT:**

Effie Walker

**NMLB STAFF PRESENT:**

P. Robert Alexander, Interim Executive Director  
Ray E. Baca, Deputy Director  
Dr. Alex Eckhoff, Field Veterinarian  
Dr. Kreg Evetts, Field Veterinarian  
Joseph Holloway, Chief General Counsel

Shawn Davis, Area 1 Supervisor  
April Riggs, Area 2 Supervisor  
Andrew Silva, CFO  
Priscilla Peña-Johnson, HR Manager/Administrator

**VISITORS:**

Loran Patterson  
Debbie Sauble  
Beverly Idsinga, Dairy Producers of NM  
Randy Summers

Tanner Anderson, NM Farm & Livestock Bureau  
Jessica Johnson, Animal Protection of NM  
Caren Cowan, NM Cattle Growers

**APPROVAL OF AGENDA:**

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

**APPROVAL OF MINUTES:**

Minutes from the April 5, 2017 telephonic board meeting presented. Mr. Frost motions to approve the minutes as presented. Mr. Elfering seconds the motion. All in favor. Motion passes.

**FINANCIAL UPDATE:**

Recommendations for Distribution of Horse Rescue Funds - discussion occurred on the Registered Horse Shelters Committee. Not as much money to distribute this year. Committee consists of two of the rescues and Animal Protection of New Mexico.

Mr. Elfering moves to accept the committee recommendations. Mr. Horton seconds the motion. All in favor. Motion passes.

FY18 Mill Levy Rate - The statute requires that the NM Livestock Board set the rate. Currently at 10 mills for cattle and 5 mills for dairy.

Mr. Horton moves to set the FY18 mill levy for livestock, including but not limited to horses, asses, mules, cattle, sheep, goats, swine, bison, raites, camelids and such other livestock as are subject to property taxation, shall be set at 10 mills, with the exception of the mill levy for dairy cattle, which shall be set at 5 mills. Mr. Elfering seconds the motion. All in favor. Motion passes.

Mr. Silva stated that the mill levy revenue is about 2.3 million which is around the same as 2014 and a little bit higher in 2016. It is about average and has been stable over the past 3 years.

Disposal of State Vehicles – The NMLB has 2 – 4 vehicles, 2 trailers and possibly one vet box to auction over the next month possibly. Discussion occurred on the travel trailers/command posts that were given to the NMLB by Homeland Security several years ago and incorporated into our inventory. The trailers, by sitting in our lot, are deteriorating. Sky lights are breaking and people are breaking into them and living in them or mice infestations. Cheaper to lease one if needed. Not used since Katrina.

Mr. Elfering moves to approve the disposal of state vehicles. Mr. Kincaid seconds the motion. All in favor. Motion passes.

State has swept funds.

**STATE VETERINARIAN'S REPORT:**

Dr. Alexandra Eckhoff presented the State Veterinarian's Report on behalf of Dr. Zimmerman, who was out of state. Dr. Eckhoff introduced the new Field Veterinarian, Dr. Kreg Evetts. The State Veterinarians Office is now fully staffed. Dr. Evetts will be working out of Tucumcari. Dr. Eckhoff reviewed the State Veterinarian's Report. Dr. Eckhoff also discussed the Economics of Trichomoniasis in New Mexico Beef Herds done by Dr. John Wenzel. The incidence of Trichomoniasis in New Mexico has been reduced. Texas will run a pilot project on the electronic tags.

**DEPUTY DIRECTOR'S REPORT:**

In addition to the Deputy Director's Report, Mr. Baca shared that the NMLB has 3 cadets graduating from the NM Law Enforcement Academy on June 30<sup>th</sup>. Francisco Lovato in Albuquerque, Skylar Davis in Alamogordo and Jason Welborn in Socorro. All are at the top of their class. Two more cadets going to next Academy. One in Farmington and one in Roswell. Interviews were conducted to fill District 22, 17, 26 and 3.

Under larceny, Mr. Baca commended Dennis Alarid and Gary Mora for their success in prosecuting a case in Pecos. Three calves killed. Investigation was good and suspect pled guilty.

Chairman Sauble pointed out that HB 2 for budget performance measures on road stops are supposed to be at 85 road stops per month. Stats are significantly under that. Budget wise we are not meeting

our goals. Discussions have been ongoing with Mr. Silva, Mr. Baca and Mr. Alexander. Staffing has been an issue. The agency will start an IOP - Incident Operations Procedures - which includes saturations around the state in coordination with the area supervisors. We learned from the community meetings that they want more law enforcement, more patrolling and more road stops. Start working on that especially now with all the new graduates. In July we will be meeting with area supervisors to coordinate the saturations.

Chairman Sauble also noted that we are showing 74 cruelty and abuse cases. Out of those 99% are equine. Area 1 and Area 3 make up the majority of the areas where the cases occur. Down from the past years but still happening. The agency continues to do follow up on calls from people who are reporting no feed or shelter. There may be other reasons for reporting the issue. More educating would eliminate the reporting. Mr. Davis stated that backyard horses are the primary issue in Area 1. Horses that are bought for someone that maybe doesn't know about horses. We don't see the reports on ranch horses.

**EXECUTIVE DIRECTOR'S REPORT:**

Executive Order from the Governor moving personnel management to the State Personnel Office from the agencies. The executive director shared the proposed agreement and presented to the board. Look at it and comment. Chairman will sign the agreement in the end. Hiring, training, payroll all of those things will go to SPO. Mr. Horton asked if testing and interviewing will continue. The SPO would handle that. Interviews and testing would still be under our control. Mr. Elfering stated that it would be a more efficient system statewide. Chairman Sauble asked what the cost will be to the office. Not clear at this point. They indicated that they understood NMLB's position and they may need equipment or something of that nature. Office will be in Albuquerque and Santa Fe. Payroll is handled through DFA but agency is responsible for input at the agency. Payroll will be processed by State Personnel. Mr. Elfering asked about grievances. State Personnel Office would handle those. Mr. Elfering sees that as a positive for smaller agencies. Nothing to act on today. It is mandated by the Governor's Office. Review it carefully.

Mr. Alexander introduced Mr. Joseph Holloway our new General Counsel. Mr. Holloway is being split between EXPO NM and the NMLB. Mr. Holloway stated that the agreement regarding personnel services is positive in many ways. Automation may be a problem but it will save money. Mr. Elfering asked if there was going to be some adjustment in the office to generate savings to the agency. Mr. Alexander stated that we would see some degree of savings but we are still waiting to see how it works out. Specifics are not there at this time.

Mr. Alexander went on to discuss the agency's issues with personnel. Is there a way to look at management in a different way? The military approach from top to bottom is not capturing the employees out in the country. Information should come up and not just from Albuquerque. We are looking at changing our culture and how we manage personnel. Mr. Frost asked who would lead. Mr. Alexander stated that we would all lead. Mr. Lee asked if the chain of command would need to be changed. Yes the org chart is being reviewed. Leadership training is part of that. Emotional Intelligence

is more important than an IQ. Will be working on teaching that to our management leadership. Mr. Alexander stated that the SPO is providing training on how to resolve conflict, time reporting and IPRA.

We have also been working on the policy on outside employment. We are trying to make it clear for employees. Our employees come out of the agricultural background. Employees are still dealing with their family ranch. Mr. Elfering asked if there were any restrictions for disease control of facilities they can and can't go on. For example if they have birds, are they allowed to go on ranches that also have birds? There are some things that can be transmissible. Dr. Eckhoff responded that they follow protocol before they go anywhere else. They will follow the same protocol as any other ranch.

Mr. Alexander also discussed the agency's coordination with other agencies or organizations. He also commended Dr. Ralph Zimmerman for rendering aid during a vehicle accident on I-10. The mother of the young man expressed her thanks. Mr. Alexander also discussed the lease of the office space in Albuquerque which will expire in 2020. A team of staff members has been identified to review options for relocation and to develop a plan.

Mr. Alexander discussed the petition to combine Districts 24, 9 and 26. Community meetings were held in Taos, Abiquiu and Cuba. Mr. Alexander presented a summary of the meetings. Suggestions for other combinations also discussed at the meetings. Majority of meeting participants indicated they opposed the combining of the districts. Issues raised in opposing were theft concerns, manpower issues, disease concerns and needing more law enforcement. Participants who supported the combining of districts stated inspections weren't being done anyway, affects community relationships, scheduling inspections can be difficult, inspection fees are too costly and inspectors could help other districts. The NMLB did receive 2 letters opposing the combining of districts. Some people said the boundaries of these districts should be moved. The majority of the meetings were no change.

No public comments were made at the meeting regarding the combining of districts.

#### **PUBLIC COMMENTS**

Tanner Anderson with NM Farm & Livestock Bureau addressed the board. Mr. Anderson stated that getting inspections is difficult and has been taking up to 2-3 days to even get confirmation that they are coming out. Several different areas. Most occurring on the western side of the state.

#### **DISCUSS/ACT – DISTRICT 9, 24 and 26 LINES**

Mr. Martinez stated that he attended all three meetings. In 1988 Nan Morrison cited Mr. Manzanares for stealing a cow. Mr. Manzanares spoke the loudest regarding stealing. Go back several years to when an inspector supervisor at the time also talked about districts 26 and 9. Not concerned about the district lines but concerned about the people who went to him and asked him if it was possible to combine. Mainly their concerns were because the lines go through their communities. Concern on 9 and 24 ranchers coming in from New Mexico from Colorado. See how many get inspected going out. Mr. Martinez stated that it doesn't really matter to him. District lines are not necessarily county lines. Mr. Sauble stated that his biggest objection he has to changing the district lines is that if eliminate those

lines you open it up from Colorado to I-40 with no inspections. Biggest concerns expressed to him are incidents of theft and the forest land issues of livestock getting shot. Also the biggest request has been for more law enforcement, more road stops and just more active people on the ground to try to put a stop to some of that. The other thing brought up was disease. Have to review theft, shootings and disease control. It would take a lot of study but is there rational to adjusting the lines. Wherever you draw the line, you will split somebody. More study on moving from summer to winter ranch similar to commuter herd agreement. Would want a study before we move district lines.

Mr. Horton stated that after reviewing the information brought by Mr. Alexander and listening to this discussion, he is not in support of combining the lines. A study of district lines will require thorough study.

Mr. Elfering stated that he would never be able to please everybody. He doesn't know if there is any good way. You may start opening up where other districts are going to do the same thing. It does not just apply to these districts. It applies to the entire state. No consensus makes it difficult. Right now, there is not enough evidence to compel that change.

Chairman Sauble stated that the lack of an inspector in 26 was brought up as an issue. The agency has identified somebody for that position. Mr. Horton stated that based on the information he has heard, no action should be taken here today. Mr. Elfering stated that he does not think it should be forgotten. People are pretty passionate about it and we should take a closer look. It requires more study.

**CLOSED EXECUTIVE SESSION:**

Chairman Sauble moves to go into closed executive session pursuant to NMSA 1978 10-15-1(H) (7) Pending Litigation – WHOA/High Plains Livestock/Wild Horses and Public Lands Legal Opinion Paper and 10-15-1 (H)(2) Limited Personnel Matters - Management Concerns – Personnel Committee. Mr. Horton seconds the motion.

Roll Call vote:

Chairman Bill Sauble - Y	Bebo Lee - Y
Loren Horton - Y	David Kincaid - 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 11:39 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 no action was taken. Mr. Horton seconds the motion.

Roll call vote:

Chairman Bill Sauble - Y	Bebo Lee - Y
Loren Horton - Y	David Kincaid - Y
Bob Frost - Y	Donald Martinez - Y
Kevin Elfering - Y	

NM Livestock Board goes back into open session at approximately 12:55 p.m.

**BOARD CONCERNS:**

Chairman Sauble was at the Western States Animal Health meeting in Las Cruces. Harmony Equine Center presented. The presented information where with any equine pending court ordered disposition, the center would take the equine and house them at no charge. Would like to see this explored in New Mexico. The equine center said they would take our equine at no charge to the board. Would they be allowed to go to Colorado? Not sure but it would be a good thing to look into. Very good reputation.

In addition the equine take up an enormous amount of resources. Very controversial in some parts. Under 77-13-4 states that the owner has 5 days after notice is given to claim the animal. Otherwise they are sold. But under 77-13-5, says where the Director determines that it is impractical to publish notice, the estray may be sold immediately without notice. Chairman Sauble would like to see a rule that after the 5 day holding period, the first right of refusal will go to the registered rescues. They would reimburse 100% of the cost. If they did not take the horse, then it would be put up for sealed bid auction. If in poor condition, the horse would be euthanized. Would like some input from the board. Not for action here today. But maybe we could put together a proposed rule for the Governor's Office legal review. Still do the 5 day period, but no owner comes forward, we go to the rescues. If they don't take them, we would go to bid. Mr. Baca stated that no one has come forward on equine that he is aware of. We are looking at a loss in revenue. Average bid on equine right now is \$185 - \$500. Public bidders will not have the opportunity to bid under the new process. Mr. Horton would like to see both sides of this. Discussion only at this point. Can we gather information on how many horses are sold in a given year that aren't sold or claimed? Yes that data is available. Mr. Davis stated that anything that would drive the cost up on the horses is a good thing. Cheap horses that are available to the public is a bad thing.

At our last December meeting, we put Mr. Alexander to run as interim director. The term was to run through July 1<sup>st</sup>. Shortly after the legislative session, we had started advertising for candidates but it was put on hold because of the governor's hiring freeze. Now that the freeze has been lifted, we need to schedule a telephonic meeting as soon as legally possible to advertise, I would ask that we extend Mr. Alexanders contract and then continue the advertising and the interview process.

**ADJOURNMENT:**

Mr. Horton moves to adjourn. Mr. Frost seconds the motion. All in favor. Motion carries. Meeting adjourned at approximately 1:11 pm.

APPROVAL:

*Bill Sauble*