

**MINUTES OF THE NEW MEXICO LIVESTOCK BOARD MEETING
MONDAY, JUNE 9, 2014
LAS CRUCES CONVENTION CENTER, BALL ROOM 2
LAS CRUCES, NEW MEXICO
CONVENE AT 9:00 A.M.**

Call to Order by Chairman Sauble at approximately 9:13 a.m.

Change in the agenda: Item 4 discussion will occur when the DA's office arrives at the meeting.

Roll Call Taken: David Kincaid; Donald Martinez; Kevin Elfering; Bebo Lee; Bob Frost; Jerrod Harral; Loren Horton; Bill Sauble; Effie Walker, not present.

NMLB Staff members present were: Ray Baca, NMLB Executive Director; Allison Hedgecock, NMLB General Counsel; Julie Gauman, IT; Andrew Silva, CFO, Shawn Davis, Area Supervisor; Gary Mora, Area Supervisor; Troy Patterson, Area Supervisor; Priscilla Pena-Johnson, Administrator.

Guests: T.P. Griffin; Heather Willson, End of the Road Ranch; Carol Johnson, End of the Road Ranch; Debbie Coburn, Four Corners Equine Rescue; Greg Collier; Larry Pickett, Attorney; Katie Goetz, District Attorney's Office; Jason Turner, NMSU.

Approval of last board meeting minutes:

Mr. Elfering motioned to approve the minutes from the May 5, 2014 board meeting as presented. Mr. Horton seconds the motion. All in favor. Motion carries.

Financial Report:

Mr. Andrew Silva, NMLB Chief Financial Officer, discussed the adjusted budget. He also discussed how the fund balance works and how the on-going brand renewal process works with the fund balance. He also discussed the agency's FY14 annual audit and the selected firm to conduct the audit.

FY15 Mill Levy Rate:

The rate has been set at 10 mills for all classes of livestock except dairy. The mill rate for dairy is currently taxed at 5 mills. Mr. Horton moves that the fiscal year mill levy rate for livestock, including but not limited to horses, asses, mules, cattle, sheep, goats, swine, bison, ratites, camelids, and such other livestock as are subject to property taxation shall be set at 10 mills, with the exception of mill levy for dairy cattle, which will be set at 5 mills. Mr. Elfering moves to amend the motion to include farm-raised Cervidae. Mr. Horton seconds the motion to include farm-raised Cervidae. Mr. Harral asks for the reason for dairy being set at 5 mills rather than 10. Mr. Sauble explains that the reason for the dairy being set at 5 mills rather than the 10

because the values submitted by the Taxation and Revenue rate roughly twice the value of beef. Roll call vote taken.

David Kincaid – Yes
Donald Martinez – Yes
Kevin Elfering – Yes
Bebo Lee – Yes
Bill Sauble – Yes
Loren Horton – Yes
Jerrod Harral – No
Bob Frost – Yes

The motion to set the FY15 Mill Levy Rate passes by 7 – 1 vote.

Pre-Hearing Under 30-18-1(J):

Chairman Sauble explains that the Cruelty to Animals section of Chapter 30, in 30-18-1(J), states “but if there is a dispute as to what constitutes commonly accepted agricultural animal husbandry practices or commonly accepted rodeo practices, the New Mexico Livestock Board shall hold a hearing to determine if the practice in question is a commonly accepted agricultural animal husbandry practice of a commonly accepted rodeo practice.” The purpose of this pre-hearing meeting is several-fold, is to establish a date for a hearing, hearing from both sides as to a request for procedures and what evidence will be allowed.

Mr. Pete Dominici Jr. representing Mr. Collier, addressed the board.

Ms. Cynthia Clark from the District Attorney’s Office, addressed the board.

Mr. Collier, defendant, addressed the board.

Chairman Sauble set the date for the hearing on August 6, 2014. The board will go into Executive session prior to convening and send notice to all parties outlining the process for the hearing.

After a 5 minute break the board goes back into session at 10:54 a.m.

Rule Changes:

Bovine Trichomoniasis. Mr. Horton moves to approve rule. Mr. Harral seconds the motion. All in favor. Rule is passed

Exhibition Livestock. Mr. Kincaid motions to approve rule. Mr. Harral seconds the motion. All in favor. Rule is passed.

Horse Rescue or Retirement Facilities. Mr. Horton motions to approve rule. Mr. Elfering seconds the motion. All in favor. Rule is passed.

Horse Shelter Rescue Fund. Mr. Elfering motions to approve rule. Mr. Harral seconds the motion. All in favor. Rule is passed.

Public Comment:

Mr. Melford Denetclaw from the Navajo Nation addressed the board. He stated he would like to see the horse roundup methods re-evaluated. He also requested assistance for a friend who had horses stolen.

Ms. Susan Hemmerle stated that several issues were forwarded on the licensing rules to the agency. Changes to rescue fund appreciated. She also expressed appreciation to the agency for working with her organization.

Closed Executive Session:

Chairman Sauble moved that the board go into executive session pursuant to NMSA 1978 10-15-1(H)(7) to discuss pending litigation. Mr. Frost seconded the motion. Motion Carries. Board goes into Executive Session at 12:11 p.m.

At approximately 12:40 p.m. Chairman Sauble moved to return to open session. Chairman Sauble stated that nothing was discussed in Executive Session except the pending litigation. Roll call vote taken.

Jarrold Harral – Yes
Donald Martinez – Yes
Loren Horton - Yes
Bob Frost - Yes
David Kincaid - Yes
Kevin Elfering - Yes

Back in open session. A written order establishing the procedures for the August 6th 30-18-1(J) hearing will be sent to both parties.

Adjourn:

Chairman Sauble moves to adjourn. Mr. Horton seconds the motion. Meeting adjourned at approximately 1:00 p.m.

Bill Sauble
7/21/14