

MINUTES OF THE NEW MEXICO LIVESTOCK
BOARD (NMLB) MEETING
THURSDAY, DECEMBER 10, 2020
12:30 P.M.

VIRTUAL MEETING:
<https://www.gotomeet.me/NMLB/nmlb-rulemaking-hearing-december-10-20200>
BY PHONE:
1 866 899 4679 Access Code: 485-523-845

CALL TO ORDER: Chair Molly Manzanares approximately 12:31 p.m.

ROLL CALL:

Molly Manzanares, Chair	Edward Torres, Board Member (Not Present)
Tobin Dolan, Vice Chair	Tara Vander Dussen, Board Member
John Conniff, Secretary	Tony Casados, Jr., Board Member
Rita Padilla-Gutierrez, Board Member	Morgan Switzer-McGinley, Board Member
Kathy Longinaker, Board Member (Not Present)	

Quorum Established

NMLB STAFF PRESENT:

Belinda Garland, Executive Director	Stephanie Lujan, HR Manager
Shawn Davis, Deputy Director	April Riggs, Area 2 Supervisor (Briefly)
Leif Rasmussen, Interim Legal Counsel	Troy Patterson, Area 4 Regional Manager
Julie Gauman, IT	Steven Howard, Area 1 Regional Supervisor
	Barry Allen, Area 1 Regional Manager

OTHER ATTENDEES:

Bill Sauble	TJ Trujillo
Troy Sauble	Jonas Moya, NM Cattle Growers
Amanda Keeler Adame	Valerie Huerta, NM Farm & Livestock Bureau
Shelly Keeler May	Debbie Coburn
Katie Goetz	Anthony Parra
Randall Major	Larry Dominguez
Loren Patterson	

APPROVAL OF AGENDA:

Executive Director Garland proposed an amendment to the agenda: Move Item # 8 to Item #16. This would be to allow the Board to discuss this item in the Executive Session.

Board Member Padilla-Gutierrez moves to approve the agenda with the amendment. Secretary Conniff seconds the motion.

ROLL CALL VOTE:

Vice Chair Dolan – Yes	Board Member Switzer-McGinley – Yes
Board Member Casados - Yes	Board Member Torres – Absent
Board Member Longinaker – Absent	Board Member Vander Dussen - Yes

Motion to approve the agenda for the December 10, 2020 NMLB Meeting passed 6-0.

MINUTES OF THE NEW MEXICO LIVESTOCK
BOARD (NMLB) MEETING
THURSDAY, DECEMBER 10, 2020
12:30 P.M.

VIRTUAL MEETING:
[https://www.gotomeet.me/NMLB/nmlb-
rulemaking-hearing-december-10-20200](https://www.gotomeet.me/NMLB/nmlb-rulemaking-hearing-december-10-20200)
BY PHONE:
1 866 899 4679 Access Code: 485-523-845

APPROVAL OF MINUTES:

Minutes from the September 10, 2020 Board Meeting presented.

Board Member Casados moved to approve the September 10, 2020 board meeting minutes. Secretary Conniff seconds the motion.

ROLL CALL VOTE:

Vice Chair Dolan – Yes	Board Member Switzer-McGinley – Yes
Board Member Padilla-Gutierrez – Yes	Board Member Torres – Absent
Board Member Longinaker – Absent	Board Member Vander Dussen - Yes

Motion to approve the minutes of the September 10, 2020 NMLB Meeting passed 6-0.

PUBLIC COMMENT:

Executive Director Garland announced that public comments will be held to 3 minutes per person and time cannot be given to another speaker.

Executive Director Garland stated that one person had emailed in public comments to be read into record. However, those comments are in direct violation of the Guidelines on Public Participation that were discussed and adopted by the Board at the Board Meeting on March 10, 2020, so they will not be read into record.

No other public comments were made.

PUBLIC HEARING – PUBLIC COMMENT ON PROPOSED AMENDMENT TO 21.32.2 NMAC, BRANDING OF LIVESTOCK:

Chair Manzanares identified herself as the hearing officer, the date is December 10th, 2020 and time is 12:39 p.m. Chair Manzanares stated that the public comments for this Public Hearing would be limited to 2 minutes per person and cannot be allocated to anyone else.

Three written comments were emailed in:

- 1) Beverly Idsinga – Executive Director, Dairy Producers of New Mexico (DPNM)
The letter states that the DPNM supports the proposed amendments to the branding of livestock under 21.32.2 NMAC.
- 2) Valerie Huerta – Director or Organization, New Mexico Farm & Livestock Bureau (NMF&LB)
The letter states that the NMF&LB supports the proposed amendments to 21.32.2 NMAC of Branding of Livestock as long as the following requirements are included:
 - Alternative methods are controlled and limited
 - The alternative methods are restricted to a permitted Concentrated Animal Feeding Operation (CAFO) and do not change ownership
 - Once ownership does change, unless transferred to a slaughter facility, the cattle are then subject to New Mexico Hot Brand regulations

MINUTES OF THE NEW MEXICO LIVESTOCK
BOARD (NMLB) MEETING
THURSDAY, DECEMBER 10, 2020
12:30 P.M.

VIRTUAL MEETING:
<https://www.gotomeet.me/NMLB/nmlb-rulemaking-hearing-december-10-20200>
BY PHONE:
[1 866 899 4679](tel:18668994679) Access Code: 485-523-845

- 3) Randell Major – President, New Mexico Cattle Growers Association (NMCGA)
The letter states that NMCGA does not support unnecessary alterations or changes to New Mexico brand laws. This stance is based upon the organization’s member-driven policies regarding animal identification. NMCGA policy regarding any animal health program and identification mechanisms advocates for the following overarching principles:
1. Keeping New Mexico as a brand state and in force, keeping branding as the primary tool to identify cattle ownership in New Mexico.
 2. Protect the financial well-being of cattle producers in New Mexico.
 3. Protect accountability when it comes to livestock health, and treatment.

No other comments were emailed, mailed or called in.

ADOPTION PROPOSED AMENDMENT TO 21.32.2 NMAC, BRANDING OF LIVESTOCK:

Board member Vander Dussen asks for the full support of the Board and adds that this will not impact unconfined cattle and will assist NM dairies in maintaining their milk contracts. Board Member Rita Padilla Gutierrez asked for clarification of NMCGA’s position. Executive Director Garland explained their position as in support but with caution. Secretary Conniff asked for clarification between a statute change and a rule change. Executive Director Garland and Chair Manzanares explained that it is a rule change from the assigned committee.

Board Member Vander Dussen moved to approve the Amendment. Board Member Padilla-Gutierrez seconded the motion.

ROLL CALL VOTE:

Vice Chair Dolan – Yes	Board Member Switzer-McGinley – Yes
Secretary Conniff – No	Board Member Torres – Absent
Board Member Longinaker – Absent	Board Member Casados - No

Motion to approve the Amendment to 21.32.2 NMAC passed 4-2.

PUBLIC HEARING – PUBLIC COMMENT ON PROPOSED AMENDMENT TO 21.32.10 NMAC, LIVESTOCK BOARD FEES:

No comments were emailed, mailed or called in.

ADOPTION PROPOSED AMENDMENT TO 21.32.10 NMAC, LIVESTOCK BOARD FEES:

Vice Chairman Dolan moved to approve the Amendment. Board Member Casados seconded the motion.

ROLL CALL VOTE:

Secretary Conniff – Yes	Board Member Padilla-Gutierrez – Yes
Board Member Longinaker – Absent	Board Member Switzer-McGinley – Yes
Board Member Vander Dussen - Yes	Board Member Torres – Absent

MINUTES OF THE NEW MEXICO LIVESTOCK
BOARD (NMLB) MEETING
THURSDAY, DECEMBER 10, 2020
12:30 P.M.

VIRTUAL MEETING:
[https://www.gotomeet.me/NMLB/nmlb-
rulemaking-hearing-december-10-20200](https://www.gotomeet.me/NMLB/nmlb-rulemaking-hearing-december-10-20200)
BY PHONE:
1 866 899 4679 Access Code: 485-523-845

Motion to approve the Amendment to 21.32.10 NMAC passed 6-0.

FINANCIAL UPDATE:

Update on FY20 Audit:

Mr. Andrew Silva, Chief Financial Officer, stated that the Audit for NMLB FY20 fiscal year was completed and submitted timely. The audit cited two (2) minor infractions that were carry overs from the FY19 Audit. Both infractions have been addressed and should not be carried over into the FY21 Audit.

Board Member Rita Padilla Gutierrez asked if one of the findings would bring on any lawsuits. CFO Silva explained that it would not be an issue in upcoming audits.

Update on New Building:

CFO Silva stated that the RFP for new office space is moving along. There are five (5) proposals submitted and the committee has reviewed them. We are scheduled to do on-site visits to the five locations on Friday December 18, 2020. If no acceptable locations were proposed, the agency may move to the next step to keep the process moving. We will keep the Board updated.

Chair Manzanares commented that the audit was successful. Board Member Dolan asked about the Revenue and Expense handout provided in the board book. Executive Director Garland explained that we are using fund balance to keep the agency operating. The agency will need to either look at increasing self-revenue or getting more from general funds moving forward.

DISCUSS/ACT LEGISLATIVE PROPOSALS FOR 2022 LEGISLATIVE SESSION:

Meat Inspection

Executive Director Garland stated that the Legislative Bill to reinstate the State Meat Inspection Program is moving forward in the next Legislative Session. Director Garland and Secretary Witte testified at the Economic Development Legislative Committee in regards to the NMLB rebuilding that program across the state. It was stated, in the presentation, that the state must fund the program and then may request reimbursement once all of the minimum federal requirements have been met. The committee voted on and approved for the bill to move forward to be presented at the 2021 Legislative Session.

Director Garland also stated that we are standing by our proposed budget of approximately two million dollars being required to implement and operate the Meat Inspection Division for one year. The NMLB has submitted paperwork, to DFA, for funding provided that the bill passes. There is a request for a Supplement of \$500,000 for FY21 & FY22 to start off the program. This would be for the hiring of key staff and the ordering of equipment. There is also a request for a Special Appropriations for \$1,578,734.00 to operate on for FY22. The big obstacle to re-instating and succeeding with the program is sufficient funding. Federal reimbursement can take up to a year.

MINUTES OF THE NEW MEXICO LIVESTOCK
BOARD (NMLB) MEETING
THURSDAY, DECEMBER 10, 2020
12:30 P.M.

VIRTUAL MEETING:
<https://www.gotomeet.me/NMLB/nmlb-rulemaking-hearing-december-10-20200>
BY PHONE:
1 866 899 4679 Access Code: 485-523-845

CLAIMS FOR ESTRAYED LIVESTOCK:

Francisco Melendez #1213-13-10452:

Regional Operations Manager Allen presented the facts and claim from Francisco Melendez regarding this claim for strayed livestock. Chair Manzanares asked why the Board was considering this claim. Regional Operations Manager Allen stated that the original request was denied. Board Member Casados asked what the recommendation was from Inspector Sink. Regional Operation Manager stated the recommendation was to deny payment.

Board Member Casados moved to deny payment the claimant. Secretary Conniff seconded the motion. It was clarified that the motion was to deny payment.

ROLL CALL VOTE:

Vice Chair Dolan – Yes

Secretary Conniff – Yes

Board Member Casados - Yes

Board Member Longinaker – Absent

Board Member Padilla-Gutierrez – Yes

Board Member Switzer-McGinley – Yes

Board Member Torres – Absent

Board Member Vander Dussen - Yes

Motion to deny payment passed 6-0.

UPDATE ON HIDALGO COUNTY:

Deputy Director Davis stated that at the September Board Meeting, several producers and industry members discussed their concern about the ability of the NMLB to provide adequate service for the inspections due to the retirement of the inspector in their area.

Actions: Two (2) contract deputies were put into place and both were trained and began to work. Jessica Dominguez from District 7 was put in charge of ensuring inspections were done and all needs of District 16 were being met. Other inspectors from neighboring districts have assisted and they are Janice Blandford and Don Gatlin.

Outcome: Since September 1, 2020, 148 inspections were completed. No complaints of inspectors missing or being late to a scheduled appointment have been reported to management. Deputy Director Davis stated that combined effort of the team in Area 4 headed up by Regional Operations Manager, Troy Patterson, has been nothing less but exceptional.

Chair Manzanares stated that this is an example of the outstanding work going on in the field.

STATE VETERINARIAN'S REPORT:

State Veterinarian Dr. Ralph Zimmerman reminded the Board "We are a staff of three veterinarians and one data entry person - we've had quite a few issues, both native diseases and foreign animal diseases, with multiple program diseases both state and federal, and animal welfare issues as well."

Topics Covered:

Bovine Tuberculosis (TB); Brucellosis; Equine Health Issues; Foreign Animal Disease Investigations (FAD); Scrapie; National Poultry Improvement Plan (NPIP); Animal Welfare Cases; Bovine Trichomoniasis (Trich); and Animal Disease Traceability.

*Full report is available in the December 10, 2020 NMLB Board Book.

MINUTES OF THE NEW MEXICO LIVESTOCK
BOARD (NMLB) MEETING
THURSDAY, DECEMBER 10, 2020
12:30 P.M.

VIRTUAL MEETING:
[https://www.gotomeet.me/NMLB/nmlb-
rulemaking-hearing-december-10-20200](https://www.gotomeet.me/NMLB/nmlb-rulemaking-hearing-december-10-20200)
BY PHONE:
[1 866 899 4679](tel:18668994679) Access Code: 485-523-845

Vice Chair Dolan asked about Coggins positive horse, how prevalent in NM and what resources are used to trace. Dr. Zimmerman said he did reach out to our inspector's to assist with locating possible owner's and addresses. Biggest in Quarter Horse racehorses along with Piroplasmosis, most likely via illegal entry.

DEPUTY DIRECTOR'S REPORT:

Deputy Director Davis addressed the Board.

Topics Covered:

Livestock Inspection Activity; Recovered Livestock; Road Stops and Livestock Traffic Surveillance; Incident Investigations; Special Investigators Activity; Training, Response to Emergency Events; BodyCam Implementation; COVID Operations.

*Full report is available in the December 10, 2020 NMLB Board Book.

EXECUTIVE DIRECTOR'S REPORT:

Executive Director Belinda Garland advised the Board that testimony has been presented to the Legislative Economic Development Committee in regards to the State Meat Inspection and the Legislative Finance Committee for the FY22 Budget. The yearly update was presented at the NM Cattle Growers Association (NMCGA) virtual meeting the day before. The agency remain diligent in following the Governor's Health Orders and following guidelines from the NM Department of Health. Brand renewals are almost completed and at this time there are 22,531 registered Cattle and Horse Brands and 1,686 registered Sheep and Goat Brands. With renewals almost complete the Brand Book is being worked on. Over 21,000 renewals have been completed. The 2020 Governor's Report was completed and submitted. Director Garland read the first page of the report which were her thoughts on the past year. And with those thoughts, the proud announcement of the NMCGA Inspector of the Year award will be presented to Mr. Justin Grey on Friday December 18, 2020. Mr. Grey was nominated by a NM State Police Officer who worked with him on a cattle truck accident and was very impressed by his work and dedication. Executive Director Garland gave notice to all of the employees and their hard work over the past year.

Chair Manzanares thanked Executive Director Garland for all of her work.

10 Minute Meeting Recess at 2:15 p.m.

CLOSED EXECUTIVE SESSION:

Board Member Casados moved to go into Closed Executive Session. Vice Chair Dolan seconded the motion.

ROLL CALL VOTE:

Secretary Conniff – Yes

Board Member Switzer-McGinley – Yes

Board Member Padilla-Gutierrez – Yes

Board Member Torres – Absent

Board Member Longinaker – Absent

Board Member Vander Dussen - Yes

Motion to go into Closed Executive Session passed 6-0. Meeting closes at approximately 2:30pm.

MINUTES OF THE NEW MEXICO LIVESTOCK
BOARD (NMLB) MEETING
THURSDAY, DECEMBER 10, 2020
12:30 P.M.

VIRTUAL MEETING:
<https://www.gotomeet.me/NMLB/nmlb-rulemaking-hearing-december-10-20200>
BY PHONE:
[1 866 899 4679](tel:18668994679) Access Code: 485-523-845

RETURN FROM EXECUTIVE SESSION:

Board Member Casados moved to leave Closed Executive Session and confirm that nothing else was discussed in Closed Executive Session other than items listed on agenda. Secretary Conniff seconded the motion.

ROLL CALL VOTE:

Vice -Chair Dolan – Yes	Board Member Switzer-McGinley – Yes
Board Member Padilla-Gutierrez – Yes	Board Member Torres – Absent
Board Member Longinaker – Absent	Board Member Vander Dussen - Yes

Motion to leave Closed Executive Session and confirm that nothing else was discussed in Closed Executive Session other than items listed on agenda passed 6-0. Meeting re-opens at approximately 2:55 p.m.

DISCUSS/ACT – APPOINTMENT OF CHIEF LEGAL COUNSEL:

Director Garland advised the Board that the Governor's Office has permanently assigned Mr. Leif Rasmussen as the agency's Chief Legal Counsel. His time will be split between the NMLB and the Department of Game and Fish.

Board Member Vander Dussen moved to officially appoint Mr. Leif Rasmussen as the Chief Legal Counsel for the NMLB. Secretary Conniff seconded the motion.

ROLL CALL VOTE:

Vice -Chair Dolan – Yes	Board Member Padilla-Gutierrez – Yes
Board Member Casados - Yes	Board Member Switzer-McGinley – Yes
Board Member Longinaker – Absent	Board Member Torres – Absent

Motion to appoint Mr. Leif Rasmussen as the NMLB Chief Legal Counsel passed 6-0.

Leif Rasmussen thanks the Board.

BOARD CONCERNS:

Next Meeting date set for March 11, 2021. If something comes up during the 2021 Legislative Session that the Board needs to discuss/act upon a special meeting will be set up and the Board Members notified.

Board Member Casados asked that inspectors of the NMLB be invited to attend the Board Meetings. He feels it is good to have everyone see what is happening in the meetings and helps them feel more cohesive. Director Garland stated that employees will be invited in the future. Secretary Conniff stated that some inspectors do but more should attend when they can. Secretary Conniff also stated that it is one of the hardest working groups he has seen and appreciates all the employees do.

MINUTES OF THE NEW MEXICO LIVESTOCK
BOARD (NMLB) MEETING
THURSDAY, DECEMBER 10, 2020
12:30 P.M.

VIRTUAL MEETING:
[https://www.gotomeet.me/NMLB/nmlb-
rulemaking-hearing-december-10-20200](https://www.gotomeet.me/NMLB/nmlb-rulemaking-hearing-december-10-20200)
BY PHONE:
1 866 899 4679 Access Code: 485-523-845

ADJOURNMENT:

Board Member Padilla-Gutierrez moved to adjourn the Board Meeting. Board Member Vander Dussen seconded the motion.

ROLL CALL VOTE:

Vice -Chair Dolan – Yes

Secretary Conniff – Yes

Board Member Casados - Yes

Board Member Longinaker – Absent

Board Member Switzer-McGinley – Yes

Board Member Torres – Absent

Motion to adjourn the meeting passed 6-0. Meeting adjourned at approximately 3:00 p.m.

APPROVAL:



John Conniff, Secretary



Molly Manzanaraes, Chair