

MINUTES OF THE NEW MEXICO LIVESTOCK
BOARD (NMLB) MEETING
THURSDAY, JUNE 10, 2021
12:30 P.M.

VIRTUAL MEETING:
<https://www.gotomeet.me/NMLB/nmlb-regular-board-meeting-june-10-2021>
BY PHONE:
[1 877 309 2073](tel:18773092073) Access Code: 805-193-125

CALL TO ORDER: Chair Molly Manzanares approximately 12:34 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)
Tara Vander Dussen, Board Member

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
Troy Patterson, Area 2 ROM
Jessica Baca, IPRA
Justin Gray, Area 1 Supervisor

OTHER ATTENDEES:

Loren Patterson, NM Cattle Growers
Steven Etter, Pueblo of Laguna
Richard Bonine, Pueblo of Laguna
Grant County Cattle Growers
Katie Goetz, NMDA
Marshal Wilson, NMDA

Katelin Spradley, NM Farm and Livestock Bureau
Max Henkels, NMDA
Shelleen Smith, NM Cattle Growers
Taylor Riggins, Nm Cattle Growers

APPROVAL OF AGENDA:

Secretary Conniff moves to approve the agenda. 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
Board Member Vander Dussen - Yes

Motion to approve the agenda for the March 11, 2021 NMLB Meeting passes 7-0.

APPROVAL OF MINUTES:

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Minutes from the March 11, 2021 Board Meeting presented.

Secretary Conniff moves to approve the March 11, 2021 board meeting minutes. Vice President Dolan 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	Board Member Vander Dussen – Yes

Motion to approve the minutes of the March 11, 2021 NMLB Meeting passes 7-0.

PUBLIC COMMENT:

Chairwoman Manzanares announced that public comments will be held to 3 minutes per person and time cannot be given to another speaker.

Written comments submitted by Ms. Nancy Henry were summarized by Director Garland and reported to the Board.

* Full comments may be requested by contacting the NMLB at 505-841-6161

No other public comments were made.

TERMINATION OF COOPERATIVE AGREEMENT (16-R3-78-0021) BETWEEN NMLB, USFS AND BLM:

Director Garland stated the agreement was put into effect in 1979 and many articles within are outdated and no longer feasible. Board Member Casados asked if terminating the agreement would affect any current working conditions with the two agencies. It will not affect anything.

Board Member Casados moves to terminate the cooperative agreement. Board Member Longinaker seconds the motion.

ROLL CALL VOTE:

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

Motion to terminate cooperative agreement (16-R3-78-0021) passes 7-0.

PRESENTATION ON GILA NATIONAL FOREST LIVESTOCK DISPOSAL:

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Mr. Ty Bays presented to the Board the possibility of the USFS gunning down the estray livestock in the Gila Wilderness. He and Mr. Buddy Eby proposed the Board enter into a MOU with the USFS to help with the removal of the cattle. Director Garland presented a different avenue for the USFS to pursue to help with the removal of the cattle. Lengthy discussions occurred.

*Full presentation and discussion are available in the recording for the June 10, 2021 NMLB Board Meeting.

Secretary Conniff moves to defer the agenda item to a Special Meeting to be held within three (3) days. Board Member Longinaker 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 Padilla-Gutierrez - Yes	Board Member Vander Dussen – Yes

Motion to defer the agenda item to a Special Meeting to be held within 3 days passes 7-0.

Discussion between Director Garland and Board Members in regard to when the Special Meeting could be held. OMA requires a Special Meeting be advertised a minimum of 72 hours before the meeting is held. There would not be enough time to advertise the meeting in the three days set in the previous motion.

Secretary Conniff moves to cancel the previous motion to defer the agenda item to a Special Meeting to be held within three (3) days. Board Member Longinaker 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 Padilla-Gutierrez - Yes	Board Member Vander Dussen – Yes

Motion to cancel the previous motion to defer the agenda item to a Special Meeting to be held within 3 days passes 7-0.

Director Garland suggests the Board set a specific date to hold the Special Board Meeting.

Secretary Conniff moves to defer the agenda item to a Special Meeting to be held on Thursday June 17, 2021. No Second.

Board Member Longinaker requests the meeting be held on Friday June 18, 2021.

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Secretary Conniff amends his motion by stating the Special Meeting will be held on Friday June 18, 2021. Board Member Vander Dussen seconds the motion.

ROLL CALL VOTE:

Vice Chair Dolan – Yes	Board Member Padilla-Gutierrez - Yes
Board Member Casados - Yes	Board Member Switzer-McGinley – No Vote
Board Member Longinaker - Yes	Board Member Torres – Absent

Motion to defer the agenda item to a Special Meeting to be held on Friday June 18, 2021 passes 6-0.

RE-ESTABLISHMENT OF THE IN-STATE MEAT INSPECTION PROGRAM BY THE NMLB:

Director Garland went over the events surrounding HB33 during the 2021 Legislative Session. Ultimately the bill did not pass due to the expiration of time on the Senate Floor. Director Garland advised the Board they have authority to re-establish the program based upon Board Powers in the Livestock Code. Director Garland asked for guidance on the Board's pleasure of using Special Appropriations to begin setting up the program.

Letter of Support from the New Mexico Agriculture Industry was read by Director Garland.
*Full reading of the letter is available in the recording for the June 10, 2021 NMLB Board Meeting.

Board Member Vander Dussen moves to reinstate the In-State Meat Inspection Program. Board Member Padilla-Gutierrez seconds the motion.

ROLL CALL VOTE:

Vice Chair Dolan – Yes	Board Member Longinaker - Yes
Secretary Conniff - Yes	Board Member Switzer-McGinley - Yes
Board Member Casados - Yes	Board Member Torres – Absent

Motion to reinstate the In-State Meat Inspection Program passes 7-0.

Chairwoman Manzanares called for a motion to give authority to Executive Director Garland to work with the FSIS to set up the In-State Meat Inspection Program.

Board Member Vander Dussen moves to give authority to Executive Director Garland to work with the FSIS to set up the In-State Meat Inspection Program. Secretary Conniff seconds the motion.

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ROLL CALL VOTE:

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

Motion to give authority to Executive Director Garland to work with the FSIS to set up the In-State Meat Inspection Program passes 7-0.

**** NOTE: Board Member Vander Dussen was excused from the meeting at 2:27 PM**

CREATION OF RULES FOR THE NMLB TO ADMINISTER MANAGEMENT OF LARGE HERDS OF ESTRAY LIVESTOCK:

Director Garland asked the Board if they would like the Administrative Staff to start drafting Rules for Promulgation to help deal with large herds of estray livestock. The Board agreed that would be beneficial.

*Full discussion is available in the recording for the June 10, 2021 NMLB Board Meeting.

Secretary Conniff moves to have staff start drafting Rules for the Board to administer the management of large herds of estray livestock. Board Member Casados 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	Board Member Vander Dussen – Absent

Motion to have staff start drafting Rules for the Board to administer the management of large herds of estray livestock passes 6-0.

PROPOSED BUDGET FOR THE IN-STATE MEAT INSPECTION PROGRAM:

Director Garland and CFO Silva presented a budget to spend the \$500,000.00, awarded to the NMLB in Special Appropriations during the 2021 Legislative Session, to begin the setup of the In-State Meat Inspection Program. Director Garland stated the budget is subject to change depending on the availability of pickups being manufactured and the needs of the program.

*Full discussion is available in the recording for the June 10, 2021 NMLB Board Meeting.

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Board Member Longinaker moves to accept the proposed budget to spend the Special Appropriations of \$500,000.00 to set up the In-State Meat Inspection Program. Board Member Padilla-Gutierrez seconds the motion.

ROLL CALL VOTE:

Vice President Dolan – Yes
Secretary Conniff - Yes
Board Member Casados – Yes

Board Member Switzer-McGinley – Yes
Board Member Torres – Absent
Board Member Vander Dussen - Absent

Motion to accept the proposed budget to spend the Special Appropriations of \$500,000.00 to set up the In-State Meat Inspection Program passes 6-0.

2022 LEGISLATIVE MATTERS:

A. Creation of New Bill, for the 2022 Legislative Session, to Re-Establish the In-State Meat Inspection Program

Director Garland asked the pleasure of the Board in creating a new bill to re-establish the In-State Meat Inspection Program. Director Garland stated with their previous vote it the opinion of the administrative staff that no bill is needed. Instead, the staff will pursue an operational budget of FY23.

No Action was taken by the Board to create a new bill, for the 2022 Legislative Session, to re-establish the In-State Meat Inspection Program.

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

No Bills were brought forward by any Board Members.

****NOTE: Board Member Longinaker was excused from the meeting at 2:35 PM.**

FINANCIAL UPDATE:

Update on New Office Location:

CFO Silva stated that we have completed the move into our new office located at 2105 Osuna Rd NE South Building. CFO Silva advised the Board that we had made plans to be in the new site beginning July 1, 2021. However, the old office building was red tagged by Albuquerque City Zoning, windows were being knocked out so there was no heat or air since the beginning of April. Contractors were literally tearing down the building around us. Due to all of the unsafe working conditions, we were forced to leave the building earlier than planned.

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Purchase of Uniforms for the Field Staff:

CFO Silva stated that with staying in line with previous years he is requesting authorization of r\$25,000.00 to purchase uniforms for the field staff.

Secretary Conniff moves to approve \$25,000.00 to purchase uniforms for the field staff. Board Member Switzer-McGinley seconds the motion.

ROLL CALL VOTE:

Vice President Dolan – Yes	Board Member Padilla-Gutierrez – Yes
Board Member Casados - Yes	Board Member Torres – Absent
Board Member Longinaker – Absent	Board Member Vander Dussen - Absent

Motion to approve \$25,000.00 to purchase uniforms for the field staff passes 5-0.

Set Mill Levy Rates:

CFO Silva stated the current Mill Levy Rates are 10 Mills for Cattle and 5 Mills for Dairy Cattle. He asked for approval to set the FY22 Mill Levy Rates the same as the current rates. CFA advised the Board there has been a significant decrease in the funds the NMLB is receiving from Mill Levies.

Board Member Casados moves to approve the Mill Levy Rates at 10 Mills for Cattle and 5 Mills for Dairy Cattle. Board Member Padilla- Gutierrez seconds the motion.

ROLL CALL VOTE:

Vice President Dolan – Yes	Board Member Switzer McGinley – Yes
Secretary Conniff - Yes	Board Member Torres – Absent
Board Member Longinaker – Absent	Board Member Vander Dussen - Absent

Motion to approve the Mill Levy Rates at 10 Mills for Cattle and 5 Mills for Dairy Cattle passes 5-0.

STATE VETERINARIAN’S REPORT:

State Veterinarian Dr. Ralph Zimmerman addressed the Board.

Topics Covered:

Bovine Tuberculosis (TB); Bovine Trichomoniasis (Trich); Rabbit Hemorrhagic Virus; and Vesicular Stomatitis (VS).

From August 2020 thru May 2021, there have been 2,413 bulls tested under slaughter surveillance with 55 positives; 2.27% incidents of bulls tested. There have been more tested privately that probably are not in the reported numbers. The positives were found in 22 Counties, 27 Herds and found an extra 7 Herds by neighbor testing. There are currently 54 quarantines in place. The program is doing what was intended and we are finding Trich in places we did not expect.

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Still testing for TB in the Dexter Complex. Still looking for assistance to help with the indemnity buyout of the positive herds. Going back to Roswell area in July for the next whole herd test.

Rabbit Hemorrhagic is becoming active again. Working with a pet shop owner that has positive cases. The entire western part of the United States now has positive cases.

No positive VS cases this year.

*Full report is available in the recording for the June 10, 2021 NMLB Board Meeting.

DEPUTY DIRECTOR'S REPORT:

Deputy Director Davis addressed the producers at the NMCGA meeting in Ruidoso and had a lot of positive feedback from the producers in regard to the inspectors.

Deputy Director presented to the DA's across the state in regards to what the NMLB does.

Challenges: Disposition in 30 days; Unlawful Branding. Case numbers were reported. Larceny cases are on the rise. The largest number of cases are Animal Cruelty.

More positions filled now than has been in the past 20 years. This makes a strong inspection field.

*Full report is available in the recording for the June 10, 2021 NMLB Board Meeting.

EXECUTIVE DIRECTOR'S REPORT:

Executive Director Belinda Garland addressed the Board.

Topics Covered:

Update on the Pueblo of Laguna: Working through the estray process with cattle sold at Cattlemen's Livestock Auction.

Move to the new office location. Special thank you to all the staff who worked very hard to complete the move.

Thank you to Shawn & Doc for representing the agency at meetings across the state.

Congratulation to Inspector Don Gatlin for recently graduating from the Law Enforcement Academy with high honors.

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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 – Absent	Board Member Torres – Absent
Board Member Padilla-Gutierrez – Yes	Board Member Vander Dussen – Absent

Motion to go into Closed Executive Session passed 5-0. Meeting closes at 3:10 PM.

****NOTE: Board Member Casados was excused from the meeting at 3:13 PM.**

RETURN FROM EXECUTIVE SESSION:

Board Member Switzer-McGinley moves to leave Closed Executive Session. Board Member Switzer-McGinley amended the motion to confirm that nothing else was discussed in Closed Executive Session other than items listed on agenda. Secretary Conniff seconds the motion.

ROLL CALL VOTE:

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

Motion to leave Closed Executive Session and confirm that nothing else was discussed in Closed Executive Session other than items listed on agenda passed 4-0. Meeting re-opens at 3:30 p.m.

BOARD CONCERNS:

No Comments

ADJOURNMENT:

Board Member Switzer=McGinley moves to adjourn the Board Meeting. Board Member Padilla-Gutierrez seconds the motion.

ROLL CALL VOTE:

Vice -Chair Dolan – Yes	Board Member Longinaker – Absent
Secretary Conniff – Yes	Board Member Torres – Absent
Board Member Casados - Absent	Board Member Vander Dussen – Absent

Motion to adjourn the meeting passed 4-0. Meeting adjourned at 3:34 p.m.

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APPROVAL:


John Conniff, Secretary


Molly Manzanares, Chair