

**Name of Organization:** NEVADA STATE BOARD OF AGRICULTURE

**Date and Time of Meeting:** May 21, 2008 8:30 am  
May 22, 2008 8:30 am

**Place of Meeting:** Nevada Farm Bureau  
2165 Green Vista Dr. Suite 205  
Sparks, NV 89431  
1-800-992-1106 or 775-674-4000

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## Minutes

### **May 21, 2008 8:30 am**

This meeting was available by teleconference in Las Vegas, Winnemucca and Elko, NV. The locations were the University of Nevada Cooperative Extension, 8050 S. Maryland Pkwy., Suite 100 Las Vegas, NV, the University of Nevada Cooperative Extension, 701 Walnut Street Elko, NV and the Great Basin College, 5490 Kluncy Canyon Rd, Winnemucca, NV 89445

1. **Call to order by Chairman Lawrence Waugh**

A. Self-Introductions for Board Members and Meeting Attendees

Introduction of Board Members

Dan Hetrick  
Dave Cassinelli  
Hank Vogler  
Alan Perazzo  
Lawrence Waugh  
Jim Johnson  
Harvey Barnes  
Dave Barton  
Ramona Morrison

Introduction of Staff

Katie Armstrong  
Steve Grabski  
Gina Session  
John O'Brien  
Charles Moses  
Phil LaRussa  
Holly Pecetti  
Chris Collis  
Dave Walch  
Russ Dapsauski  
Tony Lesperance  
Wendy Stewart

Elko Participants

Meghan Wereley

Absent Board Members

Marta Agee  
Benny Romero

Introduction of Guests

Nancy Lesperance  
Charley Frey  
Eric Grimes  
Bevan Lister  
Dean Baker  
Susan Lynn  
Rose Strickland  
Dan Gralian  
Julie Wilcox  
Andy Belanger  
Rick Holmes  
Joe Guild  
Doug Busselman

Las Vegas Participants

George Knapp  
Matt Adams  
R.V. Smith  
J. Delnalle  
Scott Leedom

- B. Introduction of Katie Armstrong, Deputy Attorney General  
Chairman Waugh introduced Katie Armstrong and welcomed her to the Department.

## 2. **Board Business**

- A. Director's Appointment Letters and the Approval of the Length of Appointment  
Jim Johnson requested a legal opinion regarding Director Lesperance's appointment and stated that he felt Director Lesperance was doing a great job. Hank Vogler questioned Jim Johnson as to why he was questioning the appointment. Jim Johnson replied he just wanted to be sure it was all proper. Katie Armstrong of the Attorney Generals office said she had looked at the appointment and that under NRS 561.115, the Director is appointed by the Board with the approval of the Governor, so Jim Johnson is correct that the Director in essence serves at the pleasure of the Board. It is the decision of the Board to appoint, and when the Board wants to appoint someone different the Board can. **Harvey Barnes made a motion to approve the Director's appointment letters and the approval of his length of appointment. Hank Vogler seconded the motion, and the motion carried unanimously.** A request was made of Director Lesperance to give at least six months notice before retiring from the position. Director Lesperance agreed to give at least six months notice.
- B. Goodbye and Good Luck to Gina Session, Jim Connelley, John O'Brien, Rick Gimlin , and Martin Larreneta  
Gina Session, Jim Connelley, John O'Brien, Rick Gimlin, and Martin Larreneta were all thanked for their many years of service to the state of Nevada, the Department of Agriculture and to the Board.  
A picture of Nevada scenery was presented to Gina Session, Deputy Attorney General, for 13 years of service to the Department of Agriculture.
- C. Approval of Minutes from February 12 & 13, 2008  
**Harvey Barnes made a motion to approve the minutes with the three corrections (two typographic errors and the addition of Alan Perazzo's name added to those in attendance) Ramona Morrison seconded the motion, and the motion carried unanimously.**
- D. Presentation by Charley Frey on Nevada Viticulture Industry  
Charley Frey and Eric Grimes, Director of Churchill County Economic Development Authority made a presentation on Nevada's Viticulture Industry and the three tiered system that impacts the marketing of the wine. They requested a letter of support to change this system to be more equitable to the small vineyards.
- E. Presentation on Wildlife/Agriculture Issues by Bevin Lister, Member of the Nevada Board of Wildlife Commissioners  
Bevin Lister gave a presentation on the areas of interaction between the departments, the challenges the departments face and how we can work together to protect and improve Nevada, its ranges and habitats for the benefit of all.
- F. Water Briefing by Joe Guild, Southern Nevada Water Authority (SNWA)  
Joe Guild introduced Richard Holmes, Director of Environmental Resources for the Southern Nevada Water Authority, who has direct authority over ranch operations. He gave a brief presentation on the overall scope of SNWA, the in state water projects and how ranch operations fit into the operations of SNWA. SNWA has been tasked to manage the existing resources in Southern Nevada and to develop and manage future water supplies to meet the demands of its seven member entities.  
SNWA works closely with the surrounding states to manage drought and maximize the collective use of the resources of the Colorado River. With the onset of drought they

have had to look at a more balanced water portfolio, which does not rely on just the Colorado River, but on other resources as well. They have a commitment and a responsibility to environmental stewardship of natural resources.

Joe Guild then spoke about the ranches and the 23,284.5 acres of private deeded acreages, surface water rights of 33,902.61 acre-feet associated with these acreages, ground water rights of a little over 6,000 acre-feet and 56,379 Animal Unit Months (AUMS). Most of these are active sheep AUMS. They are operating the ranches as sheep, cattle and hay operations. They also have a little over 1,700 acres of alfalfa. All of the ranches are operating at historic levels within a very narrow range. The commitment of the SNWA is to operate these ranches in a historic way and not change the operations in any significant way, other than what the surrounding ranches would do in the normal course of planning and operating their ranches. The surface water rights will be used to support the ranches and maintain the commitments to sustainability and the environmental protection in the valley. They are committed to become a part of the community and to preserve the cultural and historic aspects of the valley. The Spring Valley Oral History Project should help with documenting the history of the area. The environmental stewardship is a very important part of the SNWA's commitment to protect all of the resources in Spring Valley. The ownership of these properties provides the SNWA with some flexibility to protect all the biological resources in the region.

G. Water Briefing by Dean Baker, Rancher

Dean Baker gave a presentation on his knowledge and interactions with the SNWA his opinion of the damage done by pumping water to southern Nevada. This is a water mining operation with a huge, environmental impact and in his opinion this will be disastrous for the farming and ranching in the areas that water is exported from.

H. Discussion of and Possible Decision to Establish a Written Board Position on Water in Nevada

**Harvey Barnes moved that this Board establish a water policy in Nevada and to have the Director write a draft policy and bring it back to the Board next meeting. Dan Hetrick seconded the motion, and the motion carried unanimously.** The Director will ask for help from members of the Board.

I. Goals and Objectives Update

These goals and objectives will be discussed and an update given at the next meeting.

3. **Director's Report**

A. Department Update

- Banner
- Ground breaking for new building
- Federal Legislation on Clean Water Act letter
- Update on the budget shortfall
- John O'Brien retiring, Dawn Rafferty acting administrator
- Jim Connelley retired, Chris Collis acting administrator
- Rick Gimlin transferred to the Department of Public Safety, his position will remain open; Maureen Groach, Ed Foster and Director Lesperance will share his responsibilities
- Martin Larreneta, Gary McCuin, and one position in Accounting will not be filled at this time.
- Some positions in Livestock Enforcement have been eliminated due to finances
- The Department has survived the current budget cuts
- 2009-2011 budget cuts may be as much as 14 ½ percent equaling \$581,624 in general funds

- Budget cuts will be prorated across all departments, both fee, general funded
- The next Board meetings will be by video conference, one meeting will be face to face each year
- The department will update and improve recording equipment
- SAGE group
- The Department of Agriculture will be sound, leaner and more effective when all this is done
- The Department has an exceptional bunch of employees
- Budget reorganization outline
- Introduction of Dawn Rafferty
- Agribusiness in Nevada
- Agricultural Water Summit “Nevada’s Vanishing Agricultural Water”

#### 4. Division of Administration

##### A. Budget Update

1. FY2008 Board of Agriculture Budget
2. FY2008 Department Summary
3. Budget Reserves

##### B. Audit Update

1. Progress Reports
  - a. Division of Internal Audits Report #08-03  
Making progress, Medical Marijuana move, update meeting on June 5, 2008
  - b. Legislative Counsel Bureau Audit LA06-12  
2 more audit findings completed

##### C. Division Update

1. Pilot Project with the State Controller’s Office
2. Agriculture Web Page
3. External Projects Completed by the Division

#### 5. Plant Industry Division

##### A. Division Update

- 2009 Bill Draft requests
- Plant Industry Budget
- Restricted Use Pesticide Certification
- Pest Control Licensing
- Retirement and Good Bye

##### B. Request Permission to Adopt Changes to Fees for the Inspection and Grading of Agricultural Products, and Issuing Phytosanitary and Other Certificates LCB File No. R089-07

There was some discussion as to whether this was a new fee or an increase in the cost of doing business. **Hank Vogler made a motion to adopt changes to the fees for the inspection and grading of agricultural products, and issuing Phytosanitary and other certificates LCB File No R089-7. Harvey Barnes seconded the motion, and the motion carried unanimously.**

##### C. Introduction of Scott Marsh, Noxious Weeds Regulatory Specialist

When Tina Mudd left the department to take another position, it was decided to do some reorganization of this program. It was decided to hire for the regulation and weed free forage portion, and Dawn Rafferty would take the grants and cooperative management programs. The Department hired Scott Marsh; he is responsible for the weed free forage and the weed abatement programs.

D. Noxious Weeds Program Update

Scott Marsh has been meeting the producers and encouraging other producers to join the weed free program. He has also been meeting with those that have noxious weeds, educating them and working with them to abate the weeds. There is a change in color of weed free hay twine; it is now purple and yellow, which are the colors designated by the National Association of North American Weed Management.

Dawn Rafferty spoke about the \$29,000 grant from APHIS, to help the Cooperative Weed Management Associations (CWMA) within the state conduct biological control on the noxious weeds. This grant is to be used for insects, books and other supplies that the CWMAs might need. We received \$127,000 for the 2009 Forest Service grant which was down from last year when we received \$170,000. We put out 10 grants for the weed management areas of \$5,400 each, and gave two grants to Cooperative Extension. One grant is to help with education and the other to help Earl Creech, the new noxious weed specialist, to publish a new state weed ID book.

E. Request permission to go to Workshop and Hearing for changes to NAC Chapter 555, Regulation of Nurseries and Nursery Stock

Peggy McKie requested to go to Workshop and Hearing to make three changes to NAC 555; one was an administrative fee to help businesses remember to retain their records for three years. The other changes are to add additional wording to our label requirements referring to plants that are not container grown and to address the problem of container grown plants being sold with undersized root systems. **Jim Johnson made a motion to proceed to Workshop and Hearing on NAC 555.125, NAC 555.130 and NAC 555.150. Ramona Morrison seconded the motion, and the motion carried unanimously.**

F. Request to go to Workshop and Hearing on NAC 555.410 to Discontinue Monthly Restricted Use Pesticide Reporting Requirement for Urban and Structural Licensees

Chuck Moses requested to go to Workshop and Hearing on NAC 555.410 to remove the monthly reporting requirement. The licensees must still keep all records for two years. **Harvey Barnes made a motion to allow Plant Industry to go to Workshop and Hearing on NAC 555.410. Dave Barton seconded the motion, and the motion carried unanimously.**

G. Request to go to Workshop and Hearing on NAC 555.670 to require a 6 Month Waiting Period Before Taking the Pesticide Exams, After Being Caught Cheating on an Exam

Chuck Moses requested that they be allowed to go to Workshop and Hearing on 555.670. **Dave Barton made a motion to allow go to Workshop and Hearing on NAC 555.670. Dave Cassinelli seconded the motion, and the motion carried unanimously.**

H. Request to go to Workshop and Hearing on NAC 555.690 to implement a Fee for Lost, Stolen or Damaged Credentials

Chuck Moses requested permission to go to Workshop and Hearing on NAC 555.690. **Dan Hetrick made a motion to continue on to Workshop and Hearing on NAC 555.690 with a suggestion to change the wording to penalty instead of fee. Harvey Barnes seconded the motion and the motion carried unanimously.**

N. U.S. EPA-Nevada Department of Agriculture Second Quarter Report

- Code Enforcement
- Ground Water Protection Program
- Worker Protection Program
- Endangered Species Program
- Certification

- NDOA Safety
  - USDA-APHIS/ SIC
  - USDA-Recordkeeping
- O. Non-Compliance Report  
The notice of non-compliance is an enforcement document that is intended to serve as notice of warning or as a citation (monetary penalty or fine) for non-serious violations. This document is intended to be issued in the field. It can be used for other purposes, such as documenting compliance or for receiving pesticide products for disposal. Per Dave Barton, Board Member, Industry does not want this at all.
- P. Las Vegas Office Report and Building Assessment
- Las Vegas Office Facility Condition Analysis report
  - Las Vegas break-ins to vehicles
  - Clark County School District investigations and trainings
  - Nursery program meetings, trainings and licensing files moved to Reno
  - Exam trainings moved to DMV, next door
- I. Approval of Proposed Changes to NAC 587.173 and NAC 587.175 Regarding Prohibited and Restricted Noxious Weed Seed  
Steve Marty requested that changes be made to NAC 587.173 and NAC 587.175 to add Nevada Noxious weeds by reference into the prohibited noxious weed seeds list and to update the restricted noxious weed seed list. **Dave Cassinelli made a motion to make the proposed changes to NAC 587.173 and NAC 587.175. Dan Hetrick seconded the motion, and the motion carried unanimously.**
- J. Appointment of members to the Nevada Alfalfa Seed Advisory Board  
Mike Phillips, Dan Hetrick, Jim List, Rod Diede, and Rick McClintick were recommended by the Nevada Alfalfa Seed Advisory Board at their April 10, 2008 meeting as new members to the Nevada Alfalfa Seed Advisory Board. This Board should have seven members but at this time they can only find 5 members; they will continue to recruit for the other two members. **Harvey Barnes made a motion that the Nevada Board of Agriculture concur with the Nevada Alfalfa Seed Advisory Boards appointment of Mike Phillips, Dan Hetrick, Jim List, Rod Diede, and Rick McClintick. Ramona Morrison seconded the motion, and the motion carried unanimously.**
- K. Approval of payment for National Alfalfa and Forage Alliance 2008 dues \$4,282.63 to be paid from the Alfalfa Seed Research and Promotion Account  
**Dan Hetrick made a motion to pay the 2008 dues of \$4,282.63 to the National Alfalfa and Forage Alliance. Dave Cassinelli seconded the motion, and the motion carried unanimously.**
- L. Appointment of Clifford Shirk to the Nevada Organic Advisory Council to fill a member vacancy due to a resignation. Clifford Shirk was recommended by the Nevada Organic Advisory Council at their April 11, 2008 meeting  
There was some discussion as to where this Board fits under the umbrella of Department of Agriculture. It was suggested that the Organic Council come to the next Board meeting to discuss their charter. **Dave Cassinelli made a motion to accept Clifford Shirk as a member of the Nevada Organic Council. Dan Hetrick seconded the motion, and the motion carried unanimously.**
- M. Ammonium Nitrate Update  
Chris Mason updated the Board on ammonium nitrate changes, and he asked that we request the Governor contact the Secretary of the Department of Homeland Security with a request to delegate authority in this matter to the State of Nevada and enter into a cooperative agreement with the Nevada Department of Agriculture.

## 6. Measurement Standards Division

- A. CIP Status
  - Ground Breaking
  - Contract
  - Pictures
  - Fencing
  - Funding
- B. Weights and Measures
  - 1. Bureau report
    - a. Staffing
    - b. Inspection Status
    - c. GL Suite program status
    - d. Collection of fees status
  - 2. Temperature compensation at retail devices
    - a. Alaska is prohibiting temperature compensation

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### Minutes May 22, 2008

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#### 1. Call to order by Chairman Lawrence Waugh

##### A. Self-Introductions for Board Members and Meeting Attendees

###### Introduction of Board Members

Dan Hetrick  
Dave Cassinelli  
Hank Vogler  
Alan Perazzo  
Lawrence Waugh  
Jim Johnson  
Harvey Barnes  
Dave Barton  
Ramona Morrison

###### Introduction of Staff

Katie Armstrong  
Steve Grabski  
Jack Spencer  
Holly Pecetti  
Phil LaRussa  
Chris Collis  
Russ Dapsauski  
Tony Lesperance  
Wendy Stewart

###### Absent Board Members

Marta Agee  
Benny Romero

###### Introduction of Guests

Doug Busselman  
Bob Dickens  
Dan Gralian  
Mark Atkinson  
Carol Able  
Sharon Lamb  
Willis Lamb  
Eileen Cohen  
Betty Retzer  
Lacy J Dalton  
Kathy Graves  
Sheila Schwadel  
Cathylee James  
Etta Butler  
Shirley Vittorino  
Shirley Allen  
Linda Blochouab

7. **Board Business Continued**

A. Introduction of Dr. Marc Johnson, Executive Vice President and Provost, University of Nevada.

Director Lesperance introduced Dr. Marc Johnson. Dr. Marc Johnson gave some history on his experience and then spoke with the Board regarding methods to improve the working relationship between the Department of Agriculture and the University, in the interest of serving the people of Nevada and the world. **The Board extended an invitation to the University and the College of Agriculture to come to Board meetings and give presentations.**

8. **Petroleum Technology Bureau**

A. Petroleum Technology

1. Request to go to workshop and hearing to modify NAC 590 in order to accommodate year round ethanol blending of gasoline.

a. With the signing of the 2007 Energy Independence and Security Act, the volume requirements for blending renewables into transportation fuels in the Federal Renewable Fuels Standard have been dramatically increased. For example, the 2008 requirement for blending ethanol increased from 5.4% to 9.0%. As a result, the petroleum industry, through its various trade organizations and through individual company initiatives, has been actively engaged in many states seeking changes in state gasoline regulations aimed at facilitating the required ethanol blending.

**Dave Cassinelli made a motion to go to workshop and hearing on NAC 590. Lawrence Waugh seconded the motion, and the motion carried unanimously.**

2. Bureau Report

- a. Hired a new chemist, Barbara Shaw in Las Vegas
- b. The number of fuel samples has decreased with the decrease in the number of inspectors in the Las Vegas office
- c. Eco Kat is moving to the Dayton area. This is a company looking to locate in Northern Nevada and convert organic waste into fuel.
  - a. Air Quality
  - b. New equipment
  - c. ASTM meeting

9. **Resource Protection Division**

A. Division Update

- Lambing
- Goose round up
- Newsletter
- Golf course trapping
- Coyotes
- Rabies

## 10. Livestock Identification Division

### A. Division Update

- Blaine Northup
- Sterling Wines
- George Dorsa
- Xenia Duranovic
- District lines and brand inspections

### B. Budget Reorganization

Income is fixed and cost going up, we may need to look at changes. Will need to watch cost vs. income, and we will need to work together to see what we can do to increase revenue or reduce costs. Bottom line: the money must come from industry. We need more cattle.

### C. Brand Department

- Fallon sale yard reorganization
- Brand Book at state printing
- Brand numbers stable
- Head tax at \$60 thousand dollars at this time
- Does SNWA pay head tax as a non profit?

### D. Enforcement Statistics

Number of vehicles stopped is way down, compliance up when enforcement is up. Plants and Animal Health also benefit when enforcement is consistent.

## 11. Animal Industry Division

### A. Animal Disease Update

Disease out breaks in Texas of Wildebeest associated malignant catarrhal fever transmitted to domestic heifers. Cattle will be depopulated and the Wildebeest will be depopulated by hunting. This type of catarrhal fever is new to the United States.

Texas also has cattle fever ticks that have escaped their quarantine. Texas is asking the federal government for about 5.3 million dollars to eradicate the Texas fever tick.

Recent publications by the Humane Society of the United States have expanded the interest in the handling of domestic livestock at meat packing, slaughter houses and auction yards. The Department is reemphasizing the standards in handling of livestock

#### 1. Tuberculosis

- 1 herd positive
- 2 more possible herds- culture can take up to 12 weeks
- No knowledge of direct impact to the State of Nevada at this time

#### 2. T. fetus testing and NAC Update

- Review group on May 28, 2008
- Veterinary workshop June 4, 2008
- Actual workshops in July
- Confidentiality seems to be the largest issue

### B. Virginia Range Estray Program Update

- Interim Finance Committee in April gave 15 thousand dollars to Department of Agriculture to add additional facilities for expected VRE horse needs, it was not necessary to use this money, it will be available to use in future years.
- This spring some horses were released back into the wild with the help of the wild horse associations and the public

### C. National Animal Identification Update

- 57,400 dollars will be available for NAIS this year
- Tag approvals
- Agricultural statistics

### D. Presentations by Russ Mason and Dr. Mark Atkinson, Nevada Department of Wildlife

- Russ Mason, Chief of the Game Division for the Department of Wildlife, spoke about the changes to the NACs on Elk damage, incentive tags and compensation for Elk damage that the Department of Wildlife proposes for this year's Legislative session.
- Dr. Mark Atkinson, Wildlife Health Specialist for the Nevada Department of Wildlife spoke about a wildlife health plan/ workable comprehensive plan of study wildlife in Nevada. The aims and goals of the comprehensive plan are as follows:
  1. To develop long-term consistent disease monitoring programs in key wildlife species in Nevada.
  2. To detect and understand the causes of illness and death in wildlife.
  3. To define the impact of infectious and non infectious diseases and parasites upon wild populations in Nevada.
  4. To investigate and understand disease relationships between wildlife and domestic livestock.
  5. To evaluate the role of wildlife in the transmission of human disease in Nevada.
- He is very pleased to find that the relationship between the Department of Wildlife and the Department of Agriculture has been very productive, open, progressive, and welcoming to the idea of working together to try and solve some of the big issues that would be very difficult to solve independently. Thank you Dr. LaRussa and Dr. Rink for helping to make this relationship easy to develop and productive.

### E. Laboratory Update

#### 1. Arbovirus testing

Starting at the end of March, several positive birds were found in the Western United States, but there were no positive Mosquito pools; with the recent warm weather the prevalence of mosquitoes has increased. Dead bird sampling has continued year-round for West Nile Virus. We have also been testing horses for West Nile Virus and have not found any positives.

#### 2. Bighorn Sheep update

##### a. NDOW/UNR/NDOA position statement

##### b. Status of disease investigation into most recent die-offs.

Two herds have been tested, and there is not an overlap between the pasteurilla species that have been isolated from the 5 collection animals. No identical pasteurilla species have been identified. The third producer has not allowed the Department to come on to their property to sample their herd but has agreed to allow us to sample the herd at the Livestock Market, but they have not sent any animals to market as of yet.

##### c. March 2008 workshop

The abstract is available to anyone who would like to read it. This workshop left Dr. Rink with a positive feeling that we are making progress in approaching each other. There is a willingness to communicate and find a common ground.

#### 3. Miscellaneous

New laboratory management system should be online by July 1<sup>st</sup>.

12. **Department Employee comments and suggestions to the Board of Agriculture**

No employee comments from Las Vegas, Elko or Reno

13. **Public Comments**

Willis Lamm, Kathy Lee James, Betty Retzer, Kathy Graves, Carol Able, Lacy J Dalton Eileen Cohen, Shirley Allen, Shelia Schwadel, Lee Graves, Mandy McNitt, Linda Blochovak, Shirley Vittorino, Etta Butler all gave a short presentation on the Virginia Range Horses.

Dan Gralian, president of the Nevada Cattleman's Association said that he has attended several of the meetings in the last few years and is impressed with the tone, feeling, commitment and pulling together of the staff. Director Lesperance, the Board and the staff should be commended. Thank you.

Meghan Wereley in Elko said that the video feed was great. Thank you.

7. **Board Business Continued**

B. Update on Senator Harry Reid's Wilderness Proposal

Matt Tuma from Senator Harry Reid's office gave an update on public lands legislation, and possible public lands legislation, that Senator Harry Reid is considering. The Nevada Wilderness Proposal (in Lyon, Mineral and Esmeralda Counties) is not in any form of legislation, it has not been endorsed by Senator Reid, and it has not been pushed by Senator Reid. Lyon County has decided at this time to not have a lands bill but Mineral County is still looking at a lands bill. They have not said yes to any proposal, no legislation has been drafted or introduced at this time. Clark County, Lander County and White Pine County all have land bills at this time. Matt Tuma also gave an update on the Walker River water; there are monthly meetings with stakeholders, but there is no draft legislation at this time.

Much discussion on Wilderness Study Areas, lengths of time in these study areas, and the Department urges Senator Reid to look at these study areas and their usage.

- a. Update on Senator Harry Reid's Wilderness Proposal by Emery Thran, Coalition for Public Access. Mr. Thran was unable to attend.

13. **Public Comment**

Alan Perazzo and Eric Olson presented the difficulties that the Dairy industry is experiencing. In March, the Nevada Dairyman lost contracts in California (due to the real seal campaign) but were told that they would continue to have access to the Las Vegas market. This contract was lost last week and a few days ago they lost part of the Model Dairy contract.

According to Eric Olson there is no difference in taste or quality of milk from Nevada, California, Oregon, or Washington. The real seal label is a marketing ploy to keep milk from all other states out of California. This is in conflict with the Federal Interstate Commerce Clause. The dairymen would like the Department to send a letter in support of the Nevada Dairies to the Governor and the Attorney Generals Office.

14. **Scheduling and Arrangements for next Board Meeting**

**Ramona Morrison made a motion to hold the next meeting at the Nevada Farm Bureau on August 26<sup>th</sup> and 27<sup>th</sup>, 2008 with video conference to Elko, Winnemucca and Las Vegas. Hank Vogler seconded the motion, and the motion carried unanimously.**

15. **Adjournment**

**Ramona Morrison made a motion to adjourn the meeting. Dan Hetrick seconded the motion, and the motion carried unanimously**

**ACTION** indicates that the Board may take action on an item. **INFORMATION** indicates an INFORMATION item for the Board. \*Denotes supporting documents in the Board Packet.

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please call Wendy Stewart at the Nevada Department of Agriculture, (775) 688-1180, ext. 281 as soon as possible.

Items on the agenda may not necessarily be considered in the order in which they appear on the agenda.

**Public Comment** during the Board meeting will be for all matters, both on and off the agenda, and be limited to two minutes per person. Additionally, public comment of two minutes per person will be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/ or attend and make comment on that agenda item at the Board meeting.

The Chairman and the Board of Agriculture intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence, and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.

The Nevada Board of Agriculture can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comment by the Board. However, responses from the Board to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Board will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for staff action, or ask that a matter be listed on a future agenda.

This Notice of Meeting has been posted at the following locations:

Reno Office  
Nevada Department of Agriculture  
350 Capitol Hill Avenue  
Reno NV 89502-2923

Winnemucca Office  
Nevada Department of Agriculture  
1200 E Winnemucca Boulevard  
Winnemucca NV 89445-2999

Elko Office  
Nevada Department of Agriculture  
4780 Idaho Street                      2300 McLeod Street  
Elko NV 89801-4672

Las Vegas Office  
Nevada Department of Agriculture  
Las Vegas NV 89104-4314

Sparks Office  
Nevada Department of Agriculture  
2150 Frazer Avenue  
Sparks NV 89431-5566