

+-

Name of Organization: Nevada State Board of Agriculture

Date and Time of Meeting: December 9, 2008, at 9:00 am
December 10, 2008, at 9:00 am

Place of Meeting: Boulder Station Hotel & Casino
4111 Boulder Highway
Las Vegas, NV 89121
Telephone: (702) 432-777

Minutes

December 10, 2008

1. Call to order by Chairman Alan Perazzo.

The meeting was called to order by Chairman Alan Perazzo at 9:00 am.

Governor Jim Gibbons was present at the beginning of the Board meeting and spoke to the Board and members of the audience.

He expressed his deep appreciation to the Director for the changes that he has brought to the Department and for the work he is doing. He said he was extremely pleased that the Director was with the Department and helping bring it into the twenty-first century. He said that the Director has worked across agency lines working with the Department of Wildlife and the Department of Conservation and Natural Resources to help build policies that are important to all stakeholders that have an interest in the outdoors.

He has brought water users into the same room and formed a water policy that is extremely important to the State of Nevada. He has improved communications with the Board and throughout the Department.

The Governor said a lot of great things are going on in the Department of Agriculture and the Board has a wonderful opportunity to see Nevada and this critical industry move into the twenty-first century. I have great confidence on where the agricultural industry in this State will go because of the capabilities and

abilities of all of you, the knowledge you bring and the experience you bring to this Board. He said he couldn't be more pleased to have a Board that reflects the industry the way you do, that looks to the future and says, "this is what our industry, our State needs". He thanked everyone being strong stalwarts and good custodians of this very vital, very fragile industry we call agriculture in the State of Nevada.

Chairman Perazzo welcomed everyone to the second day of Nevada State Board of Agriculture meetings.

The staff of the Las Vegas office was presented to the Board and audience. Each person did a self-introduction and gave a brief background of themselves, and the job they are doing for the Department.

Las Vegas Staff Members:

Russ Dapsauski
Dave Walch (afternoon session)
Nicolas Youtsos
Rodney Zarling
Xenia Duranovic
Richard Slasiak
Scott Chichowlaz
Greg Hymas
Jay Steele
JoAnn Warner
Shannon Rudolph
David Scheller
Larry Johnson
David Armstrong
Kathleen Bednarz
Paul Frigo
Marv Berson

Board Members Present:

Paul Anderson
Dean Baker
Dave Barton
Dan Hetrick
Jim Johnson
Ramona Morrison, Vice Chair
Alan Perazzo, Chairman
Benny Romero
Boyd Spratling
Hank Vogler

Board Members Absent:

Marta Agee

Staff Present:

Tony Lesperance, Director
Sandie Foley
Dr. Phil LaRussa
Katie Armstrong, Dep. Atty. General
Holly Pecetti
Dr. Anette Rink
Mark Jensen
Bill Striejewski

Guests:

Nancy Lesperance, Liberty L & L
Lorrie Foley
Robert Combs, R. C. Farms
Diana Riggs, R. C. Farms
John Sande, Jones Vargas
Mike Ingham, Consultant/WSPA
Joseph Baranello, Jones Vargas
Peter Krueger, NPMA

The Board members introduced themselves to the Las Vegas employees and gave a brief background on themselves.

Robert Combs introduced R. C. Farms Public Relations Director, Diana Carrigan. Mr. Combs said he has enjoyed working with the Board of Agriculture since 1963. He said he has been in Nevada for 46 years and he is very proud to be a Nevadan. He said he was working hard to preach conservation of resources and not just food scraps that we feed to our livestock. Mr. Combs said he was looking forward to working with the Director and this entire Board.

8. Animal Industry

Items A, B, C, D was presented in a power point presentation.

Dr. LaRussa told the Board that the presentation from Animal Industry is informational.

We have two laboratories; one is located in Reno and one in Elko. Two employees that appear on the handout are no longer with the Division; Sandie Foley, the Executive Secretary and Lon Beal, now the Administrator for Measurement Standards. Sandie still performs 100% of the permitting activity for animals coming into the State of Nevada. As you can see from her activities here, she is not at the office 24 hrs. a day and she is not there seven days a week. I have been conversing with Sandie about how can we work better and we are thinking of trying to automate permits so we can be more responsive. We realize we will have to work smarter.

Lon Beal is the IT Resource Technology for the entire Department. And as the Director mentioned, he is also doing other duties.

Dr. Rink oversees all the laboratory activities and performs every function of the State Veterinarian.

The left of the chart shows the Virginia Range Estray and National Identification System program officers. Holly Pecetti administers the NAIS program and Mike Holmes works in the field with the Virginia Range Estray horses.

Brucellosis:

Brucellosis national status – nationally they wanted to declare the freedom of Brucellosis at the last USAH Association meeting. They couldn't do it because Yellowstone seems to leak out some brucellosis here and there. So cattle herds in Montana and Wyoming have recently become infected from exposure to Elk out of the Yellowstone area.

We perform testing on a monthly basis of the milk from all the dairies and testing occurs at slaughter. The vast majority of slaughter testing is done at slaughter houses in other states. Testing is done on eligible animals, twenty months of age or older that are breeding animals. We have found on a routine basis, anywhere from 2 – 5 animals that are suspect from those slaughter houses every year. So far this year we have found two dairies – one in an extremely large area in southern Nevada and a reasonably sized dairy in Churchill County. We went out and tested all animals. They were clean – it was cross-reaction.

We vaccinate about 85,000 animals a year in Nevada. Nationally, they want to say cut out vaccination because we have a new tool. We have adult vaccination. If you get the disease and it starts spreading rampantly throughout all of your herds, we can come in and adult vaccinate and that might slow it down a little bit. My suggestion to the Board is that we continue vaccination for multiple reasons. One of which, it is the primary method that we identify animals within the State.

Swine brucellosis does not exist in captive herds. It does exist in many places in feral swine. Florida has gotten rid of their problem in feral swine, but Texas is still notorious for its problem. Because brucellosis is not in commercial herds, we are considered brucellosis free nationally.

Tuberculosis

Currently there are four states that are known to have problems; California, New Mexico, Minnesota, Michigan. Minnesota and Michigan both have the problem that it has gotten into the wildlife. And once it is into the deer, the cervids, you have an extremely difficult time trying to eradicate it. Depopulation is being tried in certain areas, but it is an extremely difficult problem. Hawaii declared themselves TB free, however, their feral swine is loaded with TB. New Mexico has a problem they say is associated with animals coming across the border. They utilize feedlots on the Texas side of the border for Mexican steers that just came across that are right next to replacement heifers. That situation, with the dairies associated in the El Paso area and Roswell area, has caused a lot of problems in the State of New Mexico.

On December 26, 2007, California found one animal. When they found the animal and announced it the first part of January, they said the animal came from Nevada. Within a week we tested the animals at the feedlot that they indicated and found it to be completely clean and stopped everything associated with Nevada getting a bad name.

On September 18, 2008, California lost its TB free status due to multiple infections around the Fresno area in dairy cattle only. They went Modified Accredited Advanced status. Federal rules mandate that all intact breeding animals coming to the State of Nevada are required to have a TB test 6 months or older. Pastures to pastures were also mandated that if a Nevada producer goes to a pasture in Modoc County and then back they had to have a TB test also. We didn't believe that to be righteous, went forward to Washington D. C. and got a waiver. A producer does not have to have a TB test on a pasture to pasture at this time.

Flexibility is a new word coming out of USDA. My interpretation of flexibility is if you don't like the rules right now, let's be flexible and not do it. USDA is going to have a listening session. This listening session will be in Sacramento, this Friday at the Sheraton Hotel in Sacramento beginning at 8:00 am where they will listen to input before they make decisions.

Virginia Range Estray Program

The vast majority of the horses that are on the range are in good flesh. They have been eating well; they look good and are extremely small. We have in regulation 569.040 that no one is allowed to feed the animals, however, it continues. Funding for this program is one of the items this State probably won't be able to continue indefinitely. There was survey done in 2000 by NRCS that said it would be a good idea to have 600 animals on the Virginia Range. We took a helicopter up a couple of months ago and counted about 80-90% of the range and came up with 1,448 animals.

Director Lesperance told the Board that he has started a complete investigation and said he is relying heavily upon our investigators in the Brands Division. They are in turn working with some additional people outside our Department because there are a lot of other things going on with the Virginia Range horses. He said he wouldn't discuss that issue at this meeting because he doesn't know all the facts as yet. He said he has been able to open personal communications with some of the horse advocacy groups and is making some progress to bring some common sense into this. If you can convince the State legislature to take the horses off my back, nobody would be happier than me. I am under impression that is not going to happen. But just in case it doesn't happen and we have to continue to manage these horses.

I have to have a plan in place and I am doing everything within my power to bring about as much force to change this direction. And we are doing an in-depth investigation of a lot of people. I will come forward with the report when that is done. As much as people love those horses, we are coming to the conclusion that some of the people who love those horses, love them because they have been able to turn them into cash in Mexico. I think that is part of the investigation.

Trichomonosis Update

We went through the hearing process. At the last Board meeting, we brought forward the proposed rule and the proposed rule has gone forward to the Assembly with LCB numbers. We were quite happy when we went through hearings that we had individuals that believed the changes to be positive.

Sample submission – samples are currently being submitted in three multiple type methodologies. If bulls are coming from another state, their samples are submitted to a laboratory outside of the state. We recognize those laboratories if that state recognizes those laboratories for that testing. Some of the tests being performed are different from tests we perform here. Within the State, we have approximately 6 laboratories that private entities run for testing Trich and we have our laboratory where we run quite a few of them at our labs in Elko and Reno.

E. NAIS Update

Holly Pecetti went to the Nevada Cattlemen's Association meeting in Hawthorne in mid –November. She reported that the Department had a booth there and covered several topics on animal industry and animal health and the NAIS program. Holly was pleased with the response. Several new applications were completed and she distributed more information on animal ID and premise registration. She said the Department's goal is to continue to register premises and do outreach and education on the animal ID program and the value it has to the producers.

We have micro chipped the Virginia Range horses that we have brought in as far as our processing evaluation. Overall, we have had very, very good retention. The micro chips are inserted in the left neck. Every time we work them, we read them and we have yet to find a failure.

Statistics on premise registration as compared this year over last year is holding at number 10. I think there is saturation in the program, but we are holding our spot which hopefully put us in a good position to continue the program at maximum levels with USDA funding.

F. Lab Update

Arbovirus

In 2008, Nevada is still the only state that conducts statewide surveillance for all three arboviruses: WNV, WEE and SLE. The money we are receiving from the State Health Division right now through the CDC grant to the State enables us to do West Nile Virus testing specifically, but because the actual workup of the collection and the workup of the samples in the laboratory for West Nile testing are fairly costly and time consuming, testing in addition for Western Equine Encephalitis and St. Louis Encephalitis only adds a fairly minor amount in terms of costs. CDC is happy to let us use the money to actually test for all three endemic arboviruses.

Statewide we collected and tested 2,900 mosquito pools this year. This was fairly mild West Nile Virus year. We found only 38 positive pools for West Nile. We didn't find any SLE or WEE in mosquitoes this year. In the past, we usually found a couple to half a dozen of St. Louis encephalitis infected mosquito pools and then also some Western equine encephalitis.

Our horse testing numbers have gone down significantly. That is consistent with all the other states where West Nile Virus has become endemic. The reason for that is mostly because a lot of horse owners do actually vaccinate their animals. There a couple of horses, very small number of horses, that will still become clinical after vaccination and become infected with West Nile. The major reason for decline in submissions is that practitioners don't actually submit any more samples for horses because a lot of practitioners actually now diagnose West Nile Virus clinically. If you look at the very small numbers, we have 8 horses; they were all clinical so that meant they showed CNS symptoms by cramping or muscle fasciculation, incoordination or similar symptoms. Only two were actually positive for West Nile Virus. So only 25% of these horses that were clinical and samples were submitted for confirmation of West Nile, actually only 2 had West Nile. So, there are still a number of other diseases out there that cause the same symptomology.

The bird testing has gone down significantly. We only tested 24 birds this year. Four positive for West Nile, one positive for St. Louis Encephalitis. The reason why our bird numbers have gone down significantly is because (a) we have really ramped up our mosquito surveillance and (b) people are not prepared to submit birds any more. We don't have field personnel that can go out and collect birds. So the birds that are being tested in the lab right now are for those people who really absolutely want to know.

Our surveillance season 2008 was between the end of February and middle of November. Clark County has longest mosquito season. In the northern part of

the State, we start at the end of May and end in the latter part of September. Surveillance has happened again in every county this year. We have Washoe County, Lyon County, Douglas County, Mason Valley and Clark County have their own surveillance. In the rest of the State, the Department of Agriculture coordinates the surveillance in those counties that do not have their own mosquito abatement district and this is paid through the West Nile Virus Agreement. We have 23 different mosquito species in the State of Nevada alone that are competent vectors for West Nile Virus, Western Equine Encephalitis, and St. Louis Encephalitis. So it is here to stay. We have submitted another grant proposal through the State Health Division. We have not heard yet whether there will be funding for West Nile Surveillance in 2009.

Avian Influenza Surveillance

We are also conducting Avian Influenza Surveillance. Basically at that time of the year in the Fall, when we are ramping down our arbovirus surveillance, Avian Influenza Surveillance starts ramping up. We are a so-called "tiered two" state in the Avian Influenza Surveillance plan for the country. The species that make us a tier-two state is the Tundra Swan that is a highly susceptible species that has been shown to carry Asian avian strain of H5N1. We have so far this year tested just under 600 samples and that is only about 60% of what we tested in the two previous years. Fifty-four percent of these are live bird surveillance when NDOW conducts banding and the rest is hunter kill. We do find about 15% that actually carry any type Avian Influenza virus. So these samples are matrix positives, that means these have any type of Avian Influenza A virus. Of those, mallards are actually the ones that seem to be infected at the highest level. The H5 & H7 genotypes are actually the ones we are looking for. We have found so far only 5% or a total of just five H5 positives. There were not H5N1s so we are not too concerned and again this is a result that is strictly based on wild bird surveillance. So this does not put us in a position where we cannot have international trade with poultry products.

We have not found any H7 positives yet, but we have found some of those in the past. This is also a virus type that can actually mutate into a highly pathogenic form and in most species. There is a list of different species that we have to do surveillance on. The actual sample taking is done by the Department of Wildlife Services and this year, apparently we did not get a whole lot of Tundra Swans or certainly a lot less than we have done in the previous years. Also we didn't find as much virus as we have in previous years.

We are starting up an upland game bird shooting preserve surveillance program. There are only about eight of them left in the State because the Department of Wildlife has significantly increased the fee for licensing. We are down from about 20 preserves to about 8. We have a whole array of upland game birds that are getting imported into this State. Some of them are raised in this State, so we are going to do surveillance in December and January on those.

AAVLD – Standardization of Trich testing

Another issue we are working on right now is our RT-PCR fetus testing capability. The American Association of Veterinary Laboratory Diagnosticians just had a meeting in North Carolina together with the United States Animal Health Association. One of the problems is we don't really have a good handle on what other states do in terms of Trich testing. Some of the states have approved tests that are probably of questionable reliability. Their sensitivity and specificity either have not been established or are significantly lower than what we are doing right now. Our standard test is the microscopic evaluation for five days and these pouches have been incubated. Once we have identified a presumptive positive from microscopy, we then go ahead do a PCR-RFLP to speciate a parasite that was observed under the microscope. That is a very lengthy process and some times interferes with shipping plans that producers have, however, our current regulation instructs us to do this 3 times running if you have identified a positive bull in a herd. And if the entire bull battery is tested three times, we have a 97% level of confidence that we have actually identified every single positive bull in that herd.

What we are looking for in a test is that we have at least a 95% sensitivity; that means that if there is a positive, we have a 95% likelihood of actually finding it. And if we do have a positive, then it's more than a 95% likelihood of actually being what we are looking for. There is a real time PCR out there and it's being evaluated in different states. We're talking, between the labs, of actually using a standardized protocol and standardized reagents. That has been the problem in the past. That's why we have been reluctant to move away from the in-pouch test because there were no internal standards that were applied to these tests. Now that we have the technology and the reagents, we running some tests in the lab and if it turns out that we can reproduce Texas's, Oklahoma's and Arizona's results, we'll probably offer this test starting July 1. This will be a one time test. It will be a pouch submitted to the lab and would be a real time PCR without prior incubation and the turn around time would not be the current 5 to 7 days. It would be between 24 to 48 hours, depending on when we received the samples.

USAHA working group on Best Management Practices

Dr. Rink summarized a couple of the important issues that were raised. All our cattle and sheep producers are familiar with Bluetongue virus. The United States has been endemic for five different serotypes for as long as we have had Bluetongue virus surveillance in this country. Since 1999, we have had introductions of seven additional serotypes. There is a total of 24 serotypes identified and they used to be regionally specific to continents and then to regions within the continent. The reason why introductions of Bluetongue virus into the United States has now actually taken at an unprecedented level has to do with global warming. The midges are the vectors that actually transmit

Bluetongue. Apparently there is a combination of these insects that are coming in from south and central America that are being blown in here, and that has always happened, but because of the colder climate in the northern hemisphere, they were not able to (a) transmit virus, (b) survive the winter. So it was a short term problem and the virus that they carried essentially died out with them.

We still have these climatic occurrences where we have storms that carry these insects of very long way, but now they are able to survive winters, particularly in the southwest. Also, the higher the average daily temperature, the more likely it is that more midges actually become competent vectors with these viruses. That is the reason why in addition to the original five serotypes, we now have a series of serotypes that have become established in the United States. These are going to be here to stay.

G. USAHA Topics Update

In 2007, there was a joint resolution from the Sheep and Goat committee and from the Wildlife Disease Committee to form a working group under the auspices of USAHA to develop best management practices that identify research priorities for Bighorn Sheep and domestic livestock interaction. At the meeting, two co-chairs were supposed to put together a group of livestock and wildlife representatives that were supposed to meet over 12 months and come up with Best Management Practices and a list of research priorities in October, 2008.

There was so much political squabbling going on behind the scenes, they had to renegotiate who was going to be on these committees and so the committee actually got underway in August. Then it looked like it was supposed to be a rush job and a couple of us went on strike and said, "no, we're going to do this right, because we are going to have one shot at this and we are not going to be pressured into submitting something to USAHA that is not something that all of us can somehow agree on". There are a couple of things we cannot agree on, and we are still debating how this is supposed to be written up in these Best Management Practices. One of them is the grazing guidelines for sheep and goats and how to address packing goats.

The research priorities the folks on the domestic livestock side would like to have addressed is the belief that wandering Bighorn sheep rams are a very significant factor in epizootics. We do not know what type of infectious dose that is actually necessary to infect the Bighorn so that it develops clinical disease. We also don't understand a lot about the dormant infections that Bighorn Sheep just like domestic sheep have. That is something that for the longest time has been disputed by wildlife biologists. So that is where a lot of research emphasis need to be put in the future.

The other thing that needs to be addressed is the immuno-suppression of Bighorn Sheep. Bighorn Sheep don't seem to have a immune system that

actually works in their lungs. They are significantly more susceptible to pneumonia than any other known species, wildlife or domestic. Even those that are evolutionary closely related to them. It is not clear what happens here, which means it needs to be addressed in some way and this problem is also a reason why they can't be vaccinated successfully.

There is a significant interest to identify immunization strategies for domestic sheep. If we work with the hypothesis that domestic sheep could spread disease to Bighorn sheep, could we maybe vaccinate domestic sheep so that don't shed. Basically, how do we make them 'sterile' so that they cannot pass on any pathogens. Pathogens that seem to be of significance, such as the Pasturellaceae are foremost in the minds of a lot of Bighorn biologists.

The Bighorn sheep is the most highly prized species. People need to start working on identifying ways to actually immunize them. That is not easy in wildlife populations, however, one of the big issues that a lot of us see are the constant movements of Bighorn sheep from one Bighorn sheep herd to another Bighorn sheep herd. A lot of biologists have ignored that for a long time. They have randomly picked up Bighorn sheep and then transplanted them into an established Bighorn sheep herd. So if you believe in disease transmission through closely related species or same species of animals which is logical, why are we managing against contact with domestic sheep if we just put these Bighorn sheep into established herds and then we don't follow up or test beforehand? What happens in the next 2- 5 years after a transplant? These are things that need to be addressed.

There is some resistance by the Wildlife people to look into this. I have observed a bit of reluctance there because what if we now find that it has never been the domestic sheep in the first place? And what if we do find that it was the Wildlife biologist that caused most of the die off?

9. Measurement Standards Division

B. Request permission to adopt as permanent, Gasoline Variance and Waiver procedures, as described in SB 324 (74th Session, Nevada Legislature, 2007).

Gasoline: Adoption of variance and waiver procedures from compliance with motor vehicle fuel standards.

Paul Anderson said that the industry believes that this variance is workable. We believe that it is important to have the variance in place in case of supply disruptions. It is a temporary variance though and not one that would not be lasting. Based on supply disruption is what we are looking at here.

Director Lesperance clarified to Paul Anderson. I think you meant that the variance will only come into compliance when there is a disruption, but the

variance itself is on the books indefinitely in the future. It is a temporary fix when we have a disruption, but it will be always be there in the future if a disruption occurs. Is that not correct?

Paul Anderson said yes that is correct.

Paul Anderson made a motion to go to vote with this.

Ramona Morrison seconded the motion.

Public Comment:

Mike Ingham who represents the Western State Petroleum Association (WSPA). addressed the Board.

WSPA strongly supports your adoption of the proposed gasoline variance procedures. WSPA has worked long and hard with Department staff and other stakeholders to arrive at the set of procedures before you today. With your approval, the Department will have the authority and procedures they need to deal with fuel supply disruptions in a timely way, helping to ensure supply to motorists in Nevada while minimizing their exposure to off-specification products.

Peter Krueger representing the Nevada Petroleum Marketers Association addressed the Board. He said are not opposed to this regulation. We had an opportunity to be a part of the process which worked through a number of issues, but I am here to tell you that while we are not opposed to it, this will not solve the problem that plagues our segment of the industry.

Motion passed.

C. Request permission to adopt as permanent, proposed changes to NAC 590.051, LCB File No. R209-08.

A regulation relating to motor vehicles fuel; adopting by reference certain publications concerning biodiesel fuel; and providing other matters properly relating thereto.

Paul Anderson made a motion to vote on R209-08.

Ramona Morrison seconded the motion.

Public Comment:

Mike Ingham representing the WSPA said he supports the Board's adoption of the proposed updates to the state's specifications for biodiesel, and biodiesel/diesel fuel blends. He said WSPA believes motorists in Nevada are

best served by receiving products blended in accordance with the latest industry-consensus specifications, and thus we support your approval of these proposed changes.

Peter Krueger representing Nevada Petroleum Marketers Association. We have worked again with industry on this. We think it is a good move. I think members of the Board and administration is familiar that biodiesels are going to become a greater, greater part of our fuel mix here in the State. We are in support of this.

Motion passed.

D. Request permission to adopt as permanent, proposed changes to NAC 590.065, LCB File No. R111-08.

A regulation relating to fuel; adopting by reference the most recent edition of certain standards for gasoline published by ASTM International; providing exceptions from those standards for certain ethanol blends; and providing other matters properly relating thereto.

Paul Anderson made a motion to table this action until next Board meeting R111-08.

Benny Romero seconded the motion.

Public Comment.

Peter Krueger representing Nevada Petroleum Marketers Association said we are the organization that in testimony believe this post regulation is premature. We applaud adoption of the agreement between all parties on the 120-day provision. In the past, there have been many regulations out of ASTM and the National Weights and Measures group adopt "by reference". We all agreed and that's why you saw the new language and it is in this proposal as well, the 120 days the Board has to act if it is in fact deemed to be have been passed. But that is fair because that gives interested parties a chance to get together and talk to staff and say "hey, we have a problem with this or we're supportive of this". So that part of it is fine and until we see the final copy that will come out of ASTM in the form of D-4814 which will include a lot of this.

Mark Ingham representing the Western States Petroleum Association said WSPA supports your adoption of the proposed updates to the State's regulations concerning gasoline, and gasoline/ethanol blends. Year around ethanol blending is spreading rapidly across the U. S. in response to the federal Renewable Fuels Standard. That standard calls for increasing volumes of ethanol to be blended into gasoline each year. Current projections suggest we will reach the point where every gallon of gasoline everywhere must be blended with 10% ethanol

sometime in the 2012-2013 timeframe. Ethanol blending in Nevada is imperative if fuel suppliers are to meet their obligations under the Renewable Fuel Standard.

Suppliers who choose to blend ethanol year around in Nevada, currently must do so under a temporary enforcement discretion issued by the Department last June. Some suppliers may not be comfortable blending under enforcement discretion. Therefore, it is important to finalize these proposed rule changes to allow suppliers maximum flexibility and to maximize Nevada motorists' access to ethanol blends.

The proposed updates to Nevada's gasoline specifications before you today both encourage and facilitate ethanol blending while at the same time helping to protect Nevada motorists from off-specification fuels. We urge your approval of these proposed changes today.

Motion passed. Dissenting votes by Board members Hank Volger and Boyd Spratling.

E. Update on labs in Reno and Las Vegas

Bill Striejewski reported to the Board that in late August, Christy Lew came over to the petroleum lab from a position in Plant Industry to fill the lab chemist position that I vacated when I became Senior Petroleum Chemist. I would like to comment that she has been a great addition and Bill said he was thrilled to have her. She has made my life much easier and is a great chemist.

Also, in late August, the Las Vegas lab received a new instrument for testing percent ethanol and gasoline. It came at a time when there were issues regarding percent ethanol and gasoline in Las Vegas. This instrument has been very effective in helping to reducing those problems. It is small enough that if need be, a chemist can jump into a truck with an inspector and go to the source.

Currently there is an opening in the Las Vegas lab. The position has been posted and the will close on December 24.

I want to compliment Shannon Rudolph and her continued excellent attitude and work habits and the way she has really driven things in the Las Vegas lab. It is a relief to me that I can trust and depend on Shannon.

With money present in the '09 budget, new vapor pressure testers have been purchased for each lab.

The assessors are just about the most important piece in our labs. The models we have now, while they still work, are at a point where they are difficult and expensive to service. The old instruments will still be available, however, when

we get extremely busy or when the new instruments are being sent in for calibration.

Earlier in the year due to some inspectors staffing issues, the sample load was down in Las Vegas, but now that Dave (Walch) is back, sampling is up and at the level it needs to be at. Sample loads in both labs are up and about previous levels.

A. Power point presentation

Dave Walch, Regional Supervisor/Manager, Las Vegas office. I run the Measurement Standards Division. I am directly involved in the Sparks-Reno office and the Elko office. I have been with the Department for 12 years. I started as an inspector, inspecting metrologist and metrologist supervisor.

There are approximately 37,000 devices that we check; gas pumps, store scales, cement hoppers, pharmacy scales. We do bar-code scanners at grocery stores. We look at vendor's items such as Frito-Lay potato chips, bread. We make sure when it says a pound, it is a pound.

In Las Vegas, we currently have 23,000 devices that we check. In Reno, we have 8,500, Elko has almost 3,000.

We are looking for fraudulent devices now. Fraudulent scales are being found all over the country and gas pumps. Dave said he has worked the Secret Service and the FBI the last couple of weeks. Current scam at the gas pumps - they go in where you put your debit card and actually pull the whole box out and put their own in there and sit in a remote unit, in a van or apartment building and for a 24-hour period gather all your information.

There are two metrology labs in the Department; the main metrology lab is in Reno and one in Las Vegas. A metrologist looks at the way trends are going. . The more accurate the device comes, the more accurate the error should be. Metrologists regulate RSA's (registered service agents). RSA's are the people who fix the gas pumps and store scales. The Department licenses and regulates them. We also do all their standards.

2. E Presentation of Governor's proclamations to former Board members Harvey Barnes, Dave Cassinelli, and Lawrence Waugh.

Hank Vogler moved to present these proclamations from the Governor at a future meeting.

Benny Romero seconded. Motion passed.

10. Department employee comments and suggestions to the Board of Agriculture.

No comments.

11. Public Comments

No comments.

12. Travel Claims and Salary

None

13. Date of Next Meeting

Ramona Morrison moved that the Board hold the meeting on February 24th or the alternative March 3rd based on the confirmation from the Farm Bureau.

Dave Barton seconded the motion. Motion passed.

Ramona Morrison made a motion to adjourn the meeting.

Jim Johnson seconded the motion. Motion passed.

Meeting was adjourned at 3:00 pm