

Name of Organization: Nevada Board of Agriculture  
Date and Time of Meeting: December 14, 2010 @ 8:30 a.m.  
December 15, 2010 @ 8:30 a.m.  
Place of Meeting: Nevada Department of Agriculture  
405 S. 21st Street  
Sparks, NV 89431  
Phone: (775) 353-3601

---

Minutes  
December 15, 2010

**A. Introduction of Board Members and Guests**

Board Members Present:

Dean Baker  
Charlie Frey  
Grady Jones  
Ramona Morrison  
Paul Noe  
Alan Perazzo  
Jim Snyder  
Boyd Spratling  
Dave Stix, Jr.  
Hank Vogler

Board Members Absent:

Paul Anderson (Excused)

Staff Members Present:

Tony Lesperance, Director  
Sandie Foley  
Katie Armstrong, DAG  
Dr. Phil LaRussa  
Jay Ludlow  
JoAnn Mothershead  
Blaine Northrop  
Holly Pecetti  
Mark Jensen  
Ron Cerri  
Lon Beal  
Linda Lesi  
Holly Pecetti  
Lee Lawrence  
Chuck Moses  
Margi Scheid

Guests:

Shelley Blotter, DOP  
Amy Davey, DOP  
Teri Thienhaus, DOP  
Meghan Brown, Nevada Cattlemen's  
Nancy Lesperance  
Mark Evans, DOP  
Ron Grogan, DOP  
Geoff Dorman, NV Appeal  
Doug Busselman, NV Farm Bureau

Ed Foster  
Keith Forbes  
Anette Rink  
Billie Brazeal  
Dr. Dan Crowell

**C. EPA 4<sup>th</sup> quarter 2010 update.**

Chuck Moses gave his EPA 4<sup>th</sup> quarter update to the Board. Report is in packet.

**D. Report on the Workshop and Hearings for the revisions to NAC 555, LCB File No. R-062-10. The revisions include the addition and deletion of text and increase of some fees.**

Lee Lawrence gave an overview to the Board regarding the workshop and hearings, and the revisions to NAC 555, LCB File No. R-062-10.

**7. E Request the Board of Agriculture to adopt as permanent, proposed changes to NAC 555, (LCB File No. R-062-10) as discussed in Item 7.D.**

**Grady Jones made a motion that we approve the changes as listed here.**

Acting Chair Morrison asked that Grady read in the regulation number for the record.

**Grady Jones added to his motion: LCB File No. R-062-10. Paul Noe seconded the motion.**

**Motion passed.**

**8. Petroleum Technology Bureau**

No Report.

**9. Weight and Measures Division**

Lon Beal: We did do, and of course we did have a discussion at the last meeting about livestock scales, just wanted to tell you that we did complete the livestock scales for 2010. The issue with the livestock scales that we missed in northern Elko County were dealt with. All of those. Joan was able to get up there. I pulled up an inspector from Las Vegas and brought him up into the Elko area which freed Joan to travel around and take care of those. So, those are done. Joan inspected and sealed the scales.

Boyd Spratling: What is going to be the status in the future with getting those actually sealed or are you going to allow private contractors to do it and what is the status of going down the road?

Lon Beal: We've allowed private contractors to do this under a one-time exemption and of course, we have some flexibility in statute and in code and regulations for this. Obviously, we prefer to do this ourselves. We regulate the RSAs. These people are actually registered with us. We regulate them. They bring their weights to us on a periodic basis. We actually calibrate their weights here at the lab. In the future, and this has been done in the past also, in the future, we're talking about rural areas. Sometimes some of these things are just hard to get to; weather changes, etc. I'm sure everybody here is familiar with the situation. We have had the flexibility to be able to allow private contractors in there. We've had some discussions internally about in the future changing the way we do this. There's still some issues that we need to work out.

There is a very good possibility that we could have the ranchers, scale operators contract with a RSA and then we just simply follow the RSA around and do a witness test. That's always a possibility. We can definitely do it that way. But there are some issues with that too that haven't been worked out. So, in the future we're looking at that option because we are stretched pretty thin; equipment wise we're shorthanded and people wise we are shorthanded. Sometimes when we get out there the scale is broken and then we have to reschedule.

We've been doing some cost analysis overall. Currently right now, we bring in revenue wise about \$31,000 from the livestock scales and that program costs us over \$60,000. We really need to look at this.

Dave Stix, Jr.: What is your overall as all of Weights and Measures?

Lon Beal: I have those figures, but I don't have them here. We've been working on livestock scales so...I mean I can pull it up. We can certainly go over those, but I don't think that was on the agenda at this point. I'm not sure we have time for that. That would take time, but I can get those figures, absolutely.

Dave Stix, Jr.: It's not important. I hope in the future we can engage in some discussion and try to find out how everybody feels. I think the Director, Tony, I was going to look for you to give some input if we're seriously going to go down the road of cost savings. Remember we had this same issue with Brands Inspections. We've got people out there and the brand inspections aren't covering the costs to send an inspector out there. But, if we charge them enough to cover the costs, then it puts them out of business. So, we all agree in the livestock industry that the big guy is going to help carry the little guy on these inspections. That's just the name of the beast. So, and that's why I asked the question, if we're just picking on the livestock scales, I can see how that is costly. But, I think that is where we need to go when we start talking about this. We either cut it off completely and say the producer can send a certified inspection from whoever they hire and 4 days later or a week later, we get a sticker in the mail. To me that's cost savings. But to have a person working for the state following this person around, and Lon and I have talked

about this being a regulatory agency, and at some point we have to say that the Department itself is actually going to do it. And that's the discussion we need to engage in in the future.

Director Lesperance: I'm looking at a number of alternatives at this point in time. I'm really not prepared to discuss those at this time. I will tell you point blank there will be a full scale discussion of Weights and Measures at the next Board meeting and I will respond to the very complaint that you register at this point in time. I'm responding to the very complaint that Board member Baker registered yesterday and I will address these problems myself personally and there will be a full report with whatever changes are necessary at the next Board meeting.

Lon Beal, Package Checks and Price Verifications: This was something that kind of caught me by surprise here a lit bit. I sort of inherited this situation since coming into the Division. There has always been this unfunded mandate that been discussed and in fact actually presented to legislature two years. One of the things I mentioned was the unfunded mandate. The way I got that information was stuff that left from the prior administrator. I came in kind of close to the legislative session. I didn't really have time to write things up. So, I plagiarized a lot of this stuff. One of the things was the unfunded mandate which was the package checks and price verifications.

Looking at it, looking for sources of revenue, I went back and took a look at it and I carefully read the statute and carefully read the fee structure that is defined in regulations in the NAC and I came to me suddenly that it wasn't an unfunded mandate. Somebody didn't follow through. They never went to workshop and hearings to establish the fees. So, it's my intent and I'd like to start this at the next Board meeting, put it together. I've never done a workshop or hearing. I'm still unclear in the process. I need to be clear on the process and I want to take a look at that fee and how we can start charging for package check and price verifications. I think that conservatively, that there has been hundreds of thousands of dollars of lost revenue as a result of this. Currently it's been an issue that we are mandated to do. It's been kind of a secondary to our operation. We don't do it the way that we should be doing it.

## **10. Livestock Identification Division**

### **A. Division Update**

JoAnn Mothershead: There's been some talk about the command trailers and vehicles. Something I wanted to bring up was the fact those 2 command trailers that we have and 4 vehicles were purchased with a FEMA Anti-Terrorism Grant. No money came out of the Brands Division, nor out of Plant Industry.

We have been extremely busy. There are a lot of cattle moving all over the state. I've got inspectors that are going 2 and 3 different places in a day. I've had office

staff go out in the field to do inspections because we've run out of field inspectors. And the people that call for an inspection, that is what we do. We try to provide the service.

### **1. Movement Permits**

In the packet, I don't whether Sandie got it to you or not. I was busy getting the trip permit stats in the packet when I sent it to her. What I have here is hot off the press as of Monday. In 2009 the total animals permitted was 25, 289. For the year 2010, the total was 39, 419. The renewal notices have been coming in at a high rate of speed. Dr. LaRussa has been very helpful in this process.

### **2. VRE Horses**

Tony mentioned yesterday the VRE horses. In the packet, there is fact statement that Don Henderson did. These horses were originally called estrays, but after a Willis Lamm meeting with the Attorney General, they are saying that they are actually feral horses. Our advertising process has to be different for those. If we have a band that's causing problems in the neighborhood, we're supposed advertise that for 4 weeks in a row. In the meantime, they're destroying property and in the meantime, there are getting hit. It's not only a safety issue, but it's a property damage issue. I don't know what the solution is. In reading the fact statement, I would say that there are a lot more horses out in that area that it can sustain.

### **3. Update on sale yard activities**

Nevada Livestock Marketing had a large sale in November. I do not have all the stats from that. The numbers from the Nevada Livestock Marketing office still are not jiving. It did cost us in brand inspections, time and mileage, over \$3,000.

### **4. Enforcement activities**

Randy Lawrence is going to trial on January 19<sup>th</sup>. He was the one accused of theft in the O'Neil Basin area. We hope that perhaps he will be charged.

### **5. NAC Changes**

The NAC changes had to be resubmitted to LCB.

### **2. Board Business con'd**

**K. Presentation to the Board of the Climate Study results that was conducted in November by the Nevada Department of Personnel**

Director Lesperance: I would like to go back to a few things that have led to this point in time. Keeping in mind, I was asked to by Board members and the Governor in a meeting back in January, 2008, if I would consider becoming Director of the Department of Agriculture because there were a lot of problems.

The Governor was thoroughly aware of the problems within the Department and they were discussed at that point in time between the two Board members that were present, the Governor, and me. I agreed to take on the assignment. I will briefly go through some of the problems and the consequences of some of the decisions that had to be made – some of them had to be done right off the bat.

I think I had been in this position about 2 weeks, basically assumed the position March 1, 2008. There was an upcoming IFC meeting which I had to go to defend the purchase of 50 tons of hay which we did not have money for in this Department. The request was for sufficient money to buy 50 tons of hay for horses involved in the Virginia Range Program. This would have been taxpayer money. I made it absolutely clear that I would not support requests for taxpayer funds for hay at this point in time or any point in time for the Virginia Range horses.

That kind of started some of the problems I had. I met with this Board and I believe at this point in time, there were only three members of this Board that were at that meeting in April, 2008. Those three members would be Alan, Ramona, and Hank. I indicated at that time, that the Department of Agriculture was far too dependent upon general funding and it was top heavy in administration. Because I was committed to the Board members as well as to the Governor to make the necessary changes in this Department, I set out to do that and have been working on that every since. I believe at this point in time, we're no where near the dependency of general funds as we were and I believe we are not nearly as top heavy in administration as we were.

Do these types of decisions make the Director overly popular with the staff? I can assure they don't and I understand that. Do I enjoy terminating people? It is probably one of the most painful things I've ever done in my life. I have run businesses, I've owned businesses, I've run major ranches and my management style over the years in private industry never hardly ever resulted in having to terminate anyone. My management style is if you work with me, I expect you to work, I expect you to progress and if you can't do that, they usually figure it out and look for employment elsewhere. In my entire life, I only actually fired one or two people. The problems we had here weren't a question of firing, it was a question of how do we pay for people if we don't have the money? So, I had to make a lot of tough decisions. These were not popular decisions. I think it put everybody on edge. I think that led to a lot of the problems we have today. Yes, I clearly recognize there were significant personnel problems within this Department. I think a lot of it came about from the uncertainty of where we're at and where we're going. I have worked to try to resolve those [issues]. I have not been particularly

successful and I say that with a great deal of sincerity. I have not been successful in resolving some of these problems.

They continue to escalate. I've gone to Personnel and they suggested mediation. That was not fruitful. Finally, I went to Teri and laid it out on the line. I need help, what can you do? Is there a program you have in Personnel that can do this? Teri suggested this Climate Study which I don't know how often it has occurred. Probably not real often I suppose, but it seemed to me to make sense. The Climate Study required the approval of the Governor and that approval was obtained.

I entered the Climate Study very, very positively with Personnel. I indicated I would support it 100%. I will live by it or die by it as the case may be and I will listen to your recommendations and put them into effect the best I can regardless what those recommendations might be.

You recently got back the copy of the Climate Study. It basically did not a surprise to me in any way, shape, or form. I did have one problem with it that I'd like to briefly mention. I had a problem with negative comments that were put in the report and I was unsure what good could come out of negative comments. I did visit with my administrative staff and all of filled out the form. I would just simply say that none of the administrative staff, including myself, put in any negative comments in there. If the Board would like I could provide you pages of negative comments going the opposite direction. I see absolutely no good to be obtained from finger pointing, negative comments or anything else.

I entered this and I sent around an e-mail to the staff and indicated we all better participate in the Climate Study from a positive standpoint, because this is going to have a lot to do with who your next Director is. I think it's time we all pull together and establish a criteria of correctly hiring a Director for the Department because the future of the Department, I think, lives or doesn't live with the success of that next Director. We've gone through a difficult period of time, there have been a lot of changes and whoever your next Director is has got to hold it together.

This Department is a very small Department. It faces a lot of obstacles in government at this point in time. It could well be swallowed by Business and Industry which I think would be a fatal mistake at this point. I think it would be the worse thing that can happen. It is being considered. And if we can't clean up our act and become organized and do what needs to be done, then you don't have much defense against being swallowed by Business and Industry. These are the reasons I requested this and these are the reasons I told Personnel I'll live by it and I'll implement whatever changes, if I'm allowed to, I will implement whatever changes are necessary. Those are my comments in regards to this and I thank Teri and her staff for taking the time.

Amy Davey, Department of Personnel: We are here this morning to discuss the Climate Study that the Department of Personnel conducted on behalf of the

Department of Agriculture. And to answer your questions, there is a team of us here that includes our Personnel Department Director, Teresa Thienhaus, and also in Las Vegas is our state EEO Director, Ron Grogan. We all participated in this Climate Study. You can probably pick out those of us that are here from the Department of Personnel. We kind of stand out, our work attire appears to be a little more formal than yours does. In any event, we hope to answer your questions and to provide you with some information about the Climate Study.

The Climate Study could also be called maybe an employee satisfaction survey, an employee attitude study. The reason why we call it a Climate Study is because we were asked to look at the work environment in the Department of Agriculture and the many things that make up the work environment with the people who work here. We didn't study any programs, we didn't study budget issues, we studied things having to do with personnel, with human resources, and with the work environment.

We used 3 methods of collecting information about the Department of Agriculture. The first was an on-line survey program, about 65 questions long. It was fairly lengthy. People who participated in the survey told us it took them about an hour to complete the survey. We were provided with a list of about 79 names from the Department of Agriculture. Fifty-eight people completed the survey. So we had a response rate of about 73% on the survey itself.

Then we came here. We visited the Department of Agriculture office in Las Vegas and we also went to Elko. And we had what we call feedback sessions. In those feedback sessions we presented the results of the survey themselves and then we asked employees and management to give us some clarification about those responses. We also offered individual one-on-one interviews with employees. We had about 21 employees statewide take us up on those interviews. They were fairly extensive interviews. They lasted about 1 hour each.

So we collected information in those 3 ways and then categorized that information into the five categories that you see on the front page of this Executive Summary. Issues having to do with the Department, communication issues, culture and attitudes, satisfaction, and leadership issues. Before we go into looking at this summary, I want to ask the Board members how familiar they are, how much time they had to look at this. I don't want to cover it line by line if you digested it pretty well.

Chairman Perazzo: Did everyone receive a copy of this? We got this day before yesterday by e-mail. Extra copies were distributed. The question being asked is has everyone looked at this, viewed it, looked at it, scanned it, or something.

The Board responded they had seen it.

Amy Davey: So, you're familiar with it. I also want to mention that a Climate Study is a fairly common place practice in private industry. It is something that is a

management tool that is quite often used by corporations and private industry groups to learn more about their effectiveness and learn more about their organization. So this is not something that the Department of Personnel invented. This is something we do see used as a management tool. It's typically, you know state government is different. These kinds of things are open information, but typically when this would be used in a private corporation, it would be a little more confidential than what our environment allows. So, this document has been provided to you, but not...because this is an open meeting and it's available, but it's not being published as part of a public memoir.

So, if we go through the elements of the survey. The first section that we talk about or that we summarized for you were questions that we asked about the Department of Agriculture. And the reason why we put some of these comments in here, I'll just say this was a 65 question survey, but we had about 299 write-in comments, avalanche of write-in comments. People felt very strongly about certain things. To illustrate some of those things, we did use comments that came directly from staff. What you're seeing in this study, it is not a research study, it's not a scientific paper, it's an opinion survey, it's a feedback, it's input from the staff of the Department of Agriculture.

Chairman Perazzo: On the first page, where it says, "employees were asked why they or other employees did not participate in the survey process" and they gave two answers, "employees were afraid of retaliation and/or they didn't believe the survey would result in positive change". Did you receive those comments from those that did not participate or did you receive those from those that participated and.....?

Any Davey: Both. We heard from employees that participated before we took the survey. We had individuals call the Department of Personnel and say how honest is this and how confidential is it? We're very concerned. I'm not sure I want to take the survey. I need some guarantee of confidentiality. When we came on site to the Department of Agriculture locations, I personally had at least one employee stop me in the hall and say, "you know, I wanted to participate, but I wasn't sure that it would come back as to what I said". And employees in the feedback session indicated there were some fear of retaliation and some concern about what they said. Which is why it is paramount that we keep all the information confidential.

Chairman Perazzo: I guess my question then is how confidential is it or was it? Obviously, I never received anything that an individual said this or an individual said that.

Amy Davey: Completely confidential. I will tell you we went through extremes in order to guarantee that confidentiality. We used a survey tool which is completely anonymous and accessed through the Internet. I mean it would take a forensic computer specialist to try and go back and find somebody who took that survey. Secondly, that was the reason why we did not print verbatim the comments that employees wrote in because in their self expression, they would sometimes self

identify. We were very careful to summarize and bring those comments forward in a way that would not compromise anybody's identity.

Hank Vogler: My question is what did you consider as personnel? How many did you talk to, did you send this to the individual part time brand inspectors, some of the people that are in the outlying areas? What were your figures – you have figures in here about this percentage or that percentage?

Amy Harvey: We received a list from the Department of Agriculture which I believe excluded seasonal or part time brand inspector personnel, because it was felt that they did not have the same interaction and they were not in the offices and were not affected by or would have as much affect from the work climate. Seventy-nine people received the survey.

In the section about the Department, we asked general questions about the effectiveness of the Department, the work environment, the teamwork, and cooperation among the employees. And what we've done here is summarize the results of the questions that we asked. What we're going to do, we're going to talk about some of the concerns and we're going to talk about recommendations. Our focus really is on partnering with the Department of Agriculture in terms, as Dr. Lesperance said, moving forward with making some recommendations for change and for improvement. So, we'll talk about the results and at the end we're going to talk about what our recommendations would be for improvement.

In the first section about the Department, areas of concern were departmental policies and procedures being strengthened, being applied consistently. We had feedback from employees that internal policies were not necessarily aligned with the Department's mission and vision. They were not expressing in the best case scenario what the Department was supposed to do. The internal process was not supporting those things.

We also had a lot of feedback about conflict; conflict in the leadership and in the administration of the Department which is creating some challenges for those that are working in the Department and challenges for the effectiveness of the Department of Agriculture. There is conflict in leadership, I think that is pretty apparent. And it was mentioned often. This is creating a climate in the Department that I think is counter productive. Some of the comments here, "effective policies are not in place for fiscal oversight and HR practices". We had some indication that staff was working more than they should be or were volunteering to work more than they should be.

We had employees tell about behaviors among the staff and the Department was not professional, are not courteous. They are not treating each other courteously or professionally and that has filtered down. There is conflict among the staff as well and it is creating a climate where people are not working well together in a professional way.

The next section that we asked employees about was about communication within the Department. Fifty-six of the people who responded said that communication was not effective and they felt they were not well informed about things that were going on within the Department. Some of the key comments that highlight communication issues having to do with staff meetings, people concerned that there was not enough face-to-face or one-on-one communication. We were hearing that communication has broken down at some levels. People are not communicating well or effectively. You know, it can be a process improvement. People suggested that we have staff meetings that are more frequent, or we had processes in place for getting the communications out. People also suggested if we didn't e-mail so much, if we actually had face-to-face conversations or picked up the phone and spoke, that might help us get on the same page a little better.

One of the major concerns in this area was that there is a lack of trust in their realm of communications. Fifty percent of the respondents felt that open and ethical correspondence was not practiced in the Department. That is a trust issue when people feel that they are not being openly communicated with or they are receiving critical information. We also had a lot of feedback that there being a sort of underground communication network. People felt pretty uncomfortable with. They called it the grapevine, they called it gossip, they said that people don't speak to each other, they go around each other, things get from one end of the building to other end of the building pretty lightning fast but not through communication channels.

Amy Davey: In section 3, we talked about the culture and attitudes. When we talk about the culture of the Department, cultures can be very strong factors in a working environment, they can be positive, they can be negative and what we were hearing was some very negative issues about the culture here for the employees. We did have positive and negative responses. We did have employees say there are some things that they really enjoyed for instance, that the Department was flexible; the work arrangements. They did say that employees from different divisions did work together cooperatively on certain projects and programs.

One of the major areas though that we see as a concern here is the lack of performance accountability. That seems to be at every level in the agency here. And it was a concern to the employees as well. Fifty-seven percent employees said that employees are not held accountable for their performance and 95% said this was important to them. We heard a lot of examples of this. We understand that the performance appraisal process is not working as well as it could in the Department. People aren't getting the feedback that they should through performance appraisals and evaluations. They said it was important to them.

There are some comments we included here: employee loyalty is scrutinized. They talk about the conflict that exists in the leadership and lack of team spirit and

attitudes of fear and mistrust. We also heard several employees say, thanks for doing this, but we don't believe it's going to result in any positive change.

Amy Davey: We had a section where we asked employees about their overall satisfaction about their jobs. This is important obviously because when employees come to work and they enjoy their job and they feel satisfied in their work and feel like they are supported in their environment, then you get better programs. You get better performance out of your employees. In the section on satisfaction, what we found, you are have a very dedicated Department of Agriculture employees. Eighty-four percent of the employees, even though they said we have all these problems, said they felt a sense of accomplishment in their job. And when we asked employees in the feedback session and in the interviews, what contributed to that sense of accomplishment, everybody said they felt committed to the work they do, they felt committed to the mission of the Department or the mission of their particular job. Even if they didn't know what the mission / vision was for their Department or for their division, they did feel committed to the work they did. I think that is a good indicator of the quality employees that you have in the Department of Agriculture.

Unfortunately, 47% of the employees wouldn't recommend their Department as a good place to work. Responses were split between people saying they had high morale and those who said they did not.

The comments were, "we have a very divided staff that this time; I love my job when I'm away from the office, I personally enjoy my job very much and feel that the work I do is important". Employee's comments in this area consistently cite the job and interaction with the public as satisfying elements of the job. We did have some people talk about the state budget cuts and how it is affecting them as well. When asked what could be done to increase their job satisfaction, employees offered the following comments: a change in the attitude of leadership to teamwork vs. antagonism and distrust; they commented among other things on the selection process that the Board uses when their determining the leadership for the agency. They enjoy their work, but just don't like their working environment.

Amy Davey: The next section that we're going to talk about is the section having to do with leadership in the agency. And we did break this down into three distinct levels of leadership. The first being the level of direct supervisors. The second being division administrators, and third thing the Director.

In the section on supervisor, we asked employees about their supervisor, we asked a lot of questions. We asked 9 questions. This is one of the biggest sections, because we know that most of the time when an employee is unhappy with their work environment very often it has to do with their direct supervisor. That is the person they interface with. And frankly we were quite surprised by the feedback which was very positive towards their direct supervisors. For the most part employees said they felt they were on the same page with their direct supervisors. They received the respect they needed, the support they needed from their

supervisors. So, overall the responses were very favorable. Positive responses range from 64% - 81%. None of the negative responses were higher than 24%. Employees responded most positively to the statement: "I am treated with respect by my supervisor". Other significant responses: employees said that their supervisors communicate goals and expectations and some said they felt that their supervisors did provide some feedback to them. These responses were considerably more favorable in terms of this level of leadership. We asked employees what steps their supervisor takes to keep their morale high, and they offered the following comments: supervisors give positive encouragement; they support me in my decisions; give me a positive feedback on completed assignments and thank me for work well done.

We also asked employees suggestions for their supervisors that would help the supervisor be more effective, and employees said: respect and value your performing employees; and listen to complaints or suggestions.

In the interviews and feedbacks sessions, some of the employees came to us and said my supervisor is a division administrator so that is who I was thinking of when I answered this section or my supervisor is the Director and that is who I was thinking of when I answered this section. But, overall employees were responding fairly favorably to their individual front-line supervisor.

Amy Harvey: We had 2 sections on upper management – division administrators and agency director. The questions for these sections were the same. There were 6 questions. We asked the same questions about division administrator as we did about the director. This provides a frame of reference. We understand that line staff don't always have direct interaction with the division administrator or the director. So, we gave them the opportunity to respond to those questions in a similar way.

The division administrators overall were fairly favorable, not as positive as the responses for supervisors. But their range of positive responses was fairly high at 57% - 69%. There were a couple of concerns of the following statements: "my division administrator uses practices that promote good employee relations in the workplace and my division administrator provides leadership to employees". These are both people management issues. Another thing we heard, one of the things in the survey is when the division administrator got this part of the survey, they had answer questions about themselves. So, what they told was for the most part they selected a neutral answer so that they didn't influence the answer one way or the other. We did know some of the numbers were adjusted for that fact as well.

Write in comments for division administrators were mixed. A number of comments focused on improving or maintaining good communication. Other comments in the division administrator section were directed at accountability (a theme in the survey). There are some examples of comments there about their division administrator. Overall the division administrators fared pretty well and in our interviews and discussions with employees, the sense that we got is that the division administrators

had to buffer some of what's going up and down. They are in that middle layer of leadership and they're buffering some of the information that comes down as well that would affect the employees.

Amy Harvey: The next section of questions that we asked was about the agency director. And these questions were identical to the questions about the division administrator. We grouped this information into this section: Leadership: Director and the Board. We did not ask questions about the Board. But we did get write in comments and feedback and concerns. Employees just said that as top leadership, the Board has a roll in the culture of the agency and the direction of leadership of the agency. So, we included those comments to the Board and about the Board in this section on top leadership.

The survey responses demonstrated a significant impact that the Director has on the Department of Agriculture's climate. We did see a contrast – very marked contrast – on how employees answered the survey for the division administrators vs. director. Again, we asked the same questions. We asked questions that focused on personal traits, such as conduct and integrity, general management, teamwork, employee relations and leadership. And what we saw were that the positive responses on questions for division administrator ranged from 57% - 69%. Positive responses for the Director ranged from 27% - 45%. Negative responses for the division administrators ranged from 12% - 19%. Negative responses for the Director ranged from 43% - 57%. Respondents felt that the Director contributes more negatively to the workplace climate than the division administrators.

Employees did submit 299 write-in comments. That is a huge amount of comments for us to sort through and filter. Forty-three, or 14% of these comments were negative or critical of the job being done by the Department Director. Seventeen comments specifically suggested that the Director should resign or be replaced. And then we list some of the key areas of concern of the employees.

Amy Davey: This is the best part. You had a lot of questions about issues in the Department and where the responsibility lies or maybe how those things can be addressed. In this section, we did summarize what we saw as those issues. What employees reported to us; the feedback that we got. We tried to come in asking as many questions as we could and then to synthesize all that information into something that would be useful for you and to categorize in a way that you could look at this and say, okay here are some challenges or here are some areas where we can improve things. But, our goal was not to just come in and say employees are mad about this or this really stinks, or anything else. Our goal was to come in with the idea that there would be some organizational change that could really improve overall the agency's effectiveness as well as the employee's workplace.

Again, if you look at the summary you going to see what it is that we found. Those are things that you're going to have to think about and you're going to have to decide what kind of impact that has and what can be changed about those things. The

base on our findings, we are recommending that organizational change needs to be embraced at the top of the organization. Considerable time and energy is going to need to be taken to engage in employees in changing their environment. It is going to require employees at all levels to participate in order to improve a culture, improve an environment. It takes everybody to contribute positively just as a negative environment affects other people who contribute negatively.

Employees are going to need to see leadership, taking action, to change the work environment or this organization will become more dysfunctional. You have a lot of things pulling on you. To that end, we've made the following recommendations. I'm going to go ahead and read them:

- The Board and Director need to evaluate the Department mission and vision to determine if it is relevant to the current environment and make revisions if necessary.
- The Board needs to set specific and measurable performance objectives for the Director and the Department based upon the Department's mission and vision to evaluate management and organizational effectiveness. Additionally, they must establish communication protocols to obtain information about the Department's activities and the ongoing relationship with the Director.
- The Director must create an environment where respectful, professional discussion and debate of issues can occur at all levels, free from fear of retaliation.
- The Director and the Division Administrators must create an environment where they and employees understand standards of acceptable and unacceptable behavior and practice open communication. We suggest the establishment of perhaps a "Communication Code of Conduct" that holds all employees accountable for professional interpersonal communication.
- The Director and the Division Administrators must examine where Departmental policies are appropriate and establish, communicate and consistently apply policies and/or procedures to bring the agency into compliance with any statutes, regulations and policies such as recommending the establishment of internal control procedures and personnel policies that support the needs of the agency.
- Performance expectations must be established and clearly communicated for all employees and accountability for meeting performance standards must be routinely measured via the State's performance appraisal process.
- The Director and Division Administrators must also review and evaluate effectiveness of the internal support functions, fiscal, personnel, and administrative support within the Director's Office to determine if they are serving the best interest of the organization and supporting the programs.

We get to the point that where we wanted to come and say here's your information, now here's what you can do about it. And that was the purpose of making recommendations. It wasn't just come here and say this is what employees said

they didn't like. It was to say there are ways to effect organizational change and to improve the environment for everyone. And to overall improve the effectiveness of the Department of Agriculture does. All along our position has been as Director Lesperance indicated at the very beginning, our position has been to be a business partner with the Department of Agriculture. That's what personnel does, that's what Human Resources does and that is what our roll has been in this. That is how we see ourselves continuing to partner with you in any way we can.

## **L. Director's Evaluation**

Chairman Perazzo: Everybody's has received a copy of that. All 11 Board members including the Director had an opportunity to fill out the evaluation and give that back to me. As I was going over the evaluations last night, what I decided to do and we're going to have some open discussion here. I want to over some things first because on the front cover of the Director's evaluation, it says, "conducted properly the evaluation appraisal will benefit the agriculture industry in the State of Nevada by":

- Enchancing the Chief Director's effectiveness,
- Assuring the Board that its policies are being carried out.
- Clarifying for the Director and individual Board members the responsibilities the Board relies on.
- Strengthen the working relationship between the Board and Director.

I guess in a nutshell these are 4 reasons that we do this evaluation. Obviously, the next paragraph is, 'the ultimate objective is to ensure the advancement and protection of agriculture in the state through effective management of the Department of Agriculture.

And then it went through some guidelines and I'm sure everybody has already went through this, but I just want to hit on a few highlights. When you give your evaluation, and most of you did this, if your comments were extremely low, or extremely high rated, you had some written explanation. We are going to have some open conversation about this that you can bring those up or I'll read it to you. It said for the Director to fill out and complete an evaluation which he has done also. I think he was very fair to himself, sometimes to a fault. The evaluations, just so everybody realizes, I'm the only one who's looked at those. They should not be given to the Director unless the Board and the Director have made a prior agreement that it will be shared. We haven't done that. I guess we could talk about that, but hopefully we can all discuss and collaborate and talk a little bit about this. Hopefully, give some good praise as well as corrections needed, or whatever.

After that then a conference with the Director, I guess that is what this is. And that's why I think they're asking us if there should be a closed meeting or an executive meeting, because through the procedure it almost sounds that we, as a Board, discuss this and now we're going to have a conference with the Director and discuss

the evaluation openly and frankly with the Director and formulate goals for the Director for the upcoming year.

Note: The second line of numbers (bolded) represents the vote count.

Note: Ten Board members responded to this evaluation.

A. Relationship with Board

Very Well				Poorly	
1	2	3	4	5	
<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>		1. Appears prepared for all meetings.
<b>3</b>	<b>5</b>	<b>2</b>			2. Prepares complete and organized materials for Board Meeting.
<b>2</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>2</b>	3. Keeps Board informed on issues, needs and operations.
<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>		4. Provides advice and recommendations to assist Board.
<b>3</b>	<b>4</b>		<b>1</b>	<b>2</b>	5. Correctly interprets and executes Board policy.
<b>4</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>	6. Is responsive to Board members concerns.
<b>1</b>	<b>3</b>	<b>4</b>		<b>2</b>	7. Maintains a timely flow of communication to the Board.
<b>3</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>2</b>	8. Seeks and accepts constructive criticism from Board.
<b>3</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>2</b>	9. Develops and maintains a harmonious, impartial relationship with the Board.
<b>4</b>	<b>3</b>	<b>2</b>		<b>1</b>	10. Supports and correctly interprets Board policy to staff, public, media
<b>3</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>1</b>	11. Assists Board in development of goals, missions, beliefs.
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	12. Provides all Board members

<b>4</b>		<b>3</b>		<b>3</b>	same information.
1	2	3	4	5	13. Major changes are brought before the Board prior to implementation.
<b>3</b>	<b>1</b>	<b>4</b>		<b>2</b>	
1	2	3	4	5	14. Seeks Board input.
<b>4</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>	

B. Administration of the Department

1	2	3	4	5	1. Develops annual objective with the Board.
<b>1</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>1</b>	
1	2	3	4	5	2. Works with staff to ensure the the efficient operation of the Department.
<b>2</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>2</b>	
1	2	3	4	5	3. Responds to issues in a timely fashion.
<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>		
1	2	3	4	5	4. Develops, implements, evaluates, and budget process.
<b>4</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>	
1	2	3	4	5	5. Efficiently uses time.
<b>4</b>	<b>2</b>	<b>2</b>	<b>2</b>		
1	2	3	4	5	6. Seeks to involve members of the agriculture community in the decision-making process.
<b>2</b>	<b>5</b>		<b>2</b>	<b>1</b>	
1	2	3	4	5	7. Facilitates the effective design, use, and maintenance of facilities.
<b>4</b>	<b>2</b>	<b>3</b>			
1	2	3	4	5	8. Demonstrates effective long and and short range planning.
<b>4</b>	<b>2</b>	<b>1</b>		<b>3</b>	
1	2	3	4	5	9. Facilitates the management of programs efficiently and effectively.
<b>3</b>	<b>2</b>	<b>2</b>	<b>3</b>		
1	2	3	4	5	10. Maintains and improves communication between and among all segments of the
<b>2</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>1</b>	

agriculture community.

C. Public Relations

1	2	3	4	5		1. Is prompt and effective in addressing concerns of the agriculture community.
<b>5</b>	<b>3</b>	<b>1</b>	<b>1</b>			
1	2	3	4	5		2. Promotes the Department through the development of rapport with the media.
<b>2</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>1</b>		
1	2	3	4	5		3. Supports Department activities through attendance at ag. events.
<b>3</b>	<b>3</b>	<b>2</b>	<b>2</b>			
1	2	3	4	5	DK	4. Builds positive Department image through frequently speaking to community groups regarding Dept. opportunities and challenges.
<b>1</b>	<b>3</b>	<b>2</b>	<b>3</b>		<b>1</b>	
1	2	3	4	5	DK	5. Publicly exhibits support for Board decision.
<b>3</b>	<b>4</b>		<b>3</b>		<b>1</b>	

D. Staff and Personnel Relationship

1	2	3	4	5	DK	1. Develops and executes sound personnel procedures.
<b>1</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>2</b>	
1	2	3	4	5	DK	2. Assists administrators with the process of personnel recruitment, selection and retention.
<b>3</b>		<b>2</b>	<b>1</b>	<b>1</b>	<b>3</b>	
1	2	3	4	5	DK	3. Treats personnel with respect and and impartiality.
<b>2</b>	<b>2</b>	<b>2</b>		<b>3</b>	<b>1</b>	
1	2	3	4	5	DK	4. Develops, maintains and implements an annual system of personnel evaluation.
<b>1</b>	<b>1</b>	<b>2</b>			<b>6</b>	
1	2	3	4	5	DK	5. Utilizes staff talents appropriately.
<b>3</b>	<b>2</b>		<b>2</b>	<b>2</b>	<b>1</b>	

1	2	3	4	5	DK	6. Strives to maintain high morale and positive work atmosphere.
2	2	1	1	3	1	

E. Leadership

1	2	3	4	5	DK	1. Serves as a model for professionalism.
2	2	3		3		
1	2	3	4	5	DK	2. Provides leadership and support for program development, implementation and eval. process.
3	1	1	2		3	
1	2	3	4	5	DK	3. Works with administrators to improve their professional abilities and skills.
1	3	1		2	3	
1	2	3	4	5	DK	4. Hold deficient administrators accountable for improvements in performance.
2	1	2		1	4	
1	2	3	4	5	DK	5. Visits satellite offices on a regular basis.
2	4	1	1		2	
1	2	3	4	5	DK	6. Inspires others to highest professional standards.
2	1	2		3	2	
1	2	3	4	5	DK	7. Creates a climate that encourages new ideas and new approaches.
2	1	1	3	2	1	

F. Personal Qualities

1	2	3	4	5	DK	1. Maintains high standards of integrity, ethics and honesty.
4	3	1	1	1		
1	2	3	4	5	DK	2. Exercises sound professional judgment that reflects self confidence and maturity.
3	1	2		3		
1	2	3	4	5	DK	3. Devotes the time and energy necessary to fulfill the responsibilities of the position.
6	3	1				
1	2	3	4	5	DK	4. Works cooperatively with

<b>3</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>1</b>		individuals and groups.
1	2	3	4	5	DK	5. Maintains a positive attitude.
<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>1</b>		
1	2	3	4	5	DK	6. Exhibits poise and a pleasant demeanor when faced with unpleasant or stressful situations.
<b>2</b>		<b>2</b>	<b>2</b>	<b>3</b>	<b>1</b>	
1	2	3	4	5	DK	7. Writes and speaks clearly and effectively.
<b>5</b>	<b>3</b>	<b>2</b>				

Director Lesperance: I just rapidly went down there and I see that I didn't fair very good on No.12 and that is of concern to me, 'provide all Board members with same information'. I think all Board members get the packet.

Boyd Spratling: I'll start this off. If you've got an outlyer, which...I'm an outlyer as far ....read off the response was from the Board.

Alan Perazzo: You mean on No. 12? Provide all Board members with information. We got (4) No.1; (0) No. 2; (3) No. 3; (0) for No. 4; (3) for No. 5.

Boyd Spratling: I see myself as an outlyer – on the bottom end.

Alan Perazzo: What you're saying Boyd is that you're probably one of those that put 5 – you feel like you don't get the same information.

Boyd Spratling: I think the information goes beyond the Board packet. And maybe this same question relates further when it talks about impartial relationship with the Board based on mutual trust and respect. A lot of my comments throughout this evaluation mirror the same concerns and probably about the same split that we saw in the percentages in the Climate [Study] evaluation. I think we'll probably see reflected on the Board's evaluation. Because I think we have a definite split as to how people perceive that we are dealt with in our relationship with the Director. I think there are probably several of you asked the same question, a different question maybe relating to the same problem. I think communication between the Director and certain segments of the Board and even certain segments of the industry, some are very good and some are very poor. He has some very poor relationships with certain Board members and maybe we felt that in the Climate [Study] evaluation, even some staff felt that way. I think if we get back to the question of impartiality, I think there is a tremendous difference in how that information flow, not just the Board packet, the information flow from the Director to Board members has a lot of variations; a lot of disparity.

Dean Baker: There is more than one person in this room whom I have pleaded with to call Tony. They don't think he's communicating good with them. I have pleaded with them to call. The reason I feel like I can communicate with him [Tony] is mostly because I call him.

Boyd Spratling: I don't think as a Board member that is my job – to call. I think the person who is employed....I don't think it's my job to call and to get information equal with other Board members.

Dean Baker: If you have a question, how do you expect him to know what's in your mind?

Boyd Spratling: I think I'm seeing that this same thread of thought, in my evaluation which I wrote out prior to ever seeing the Climate [Study] evaluation, is that I'm getting information through the grapevine. It's a negative situation because it's not complete, it may or may not be accurate. A lot of the issues that come up with... you know, I'm either testing cows or putting hay up, one of the two, and so I'm not going be...I don't live next door to somebody who will stop by and have coffee...I'm in Elko County. There is a distance disparity I realize that, but I'm hearing stuff through the grapevine, so I'm hearing again just like with the Climate of the personnel, the staff, that communication is not a good solid communication. My first call is through the grapevine. And, so I'm seeing a real similarity between my communication ability with the Director as the staff does as reflected in the Climate [Study] report.

Dave Stix, Jr.: Mr. Chairman, can I give you some advice on this that might help it move a little easier? Going through here and I'm understanding how you graded these totals, I don't see much benefit of you walking us through each one. We can read and see what the numbers were with each category. I think really now is the time to go around, because what's going to happen is we are going to get to each individual item and this is going to happen. Okay? Why don't you start going around the room and let each individual member discuss in their own words how they evaluated, what's some of the reasons, the weaknesses, the strengths and just go around the horn and ultimately at the end of the day, where we go from here today will determine how this Board feels as a whole, where it's going to go,

Chairman Perazzo: Okay, I think that is the fair assessment. What I was hoping to do Dave was to take the first page or this section on the relationship with Board and stay focused on that as a section and then the administration of the Department, that section, then the public relation, and go through each section as opposed as to just doing the whole thing at once. Is that what you're having in mind or is that.....? That what it says in the instructions, just go around and give everybody an opportunity.....I would say this, I don't have a ball game tonight, but I do want to get done, so if we can take just a couple minutes and express maybe your concerns or....things on relationship with the Board.

Ramona Morrison: I appreciate Boyd's comment because I think that as in any organization I think that communication is critical as to whether or not it functions smoothly and so forth. And I think whatever we can do there to help the Board....we have continued new members, so we've got a lot of fluctuation in the Board over time. And over time we've developed relationships. I think to any extent that we can start having an open line of communication with the Director's office, I started it by picking up the phone, but I agree it needs to go both ways, especially as the issue explodes for instance. From my point of view I think maybe e-mail out.. do we have any open meeting law problems with that? Just e-mail to the Board saying here's what's up?

Katie Armstrong: I think more of the issue is that everybody starts (coughing) and then the serial communications start and you know that type of stuff.

Ramona Morrison: But directly to him is not an open meeting problem?

Director Lesperance: Can I send an e-mail to all Board members? I have done this in the past and then it was brought to my attention that I shouldn't.

Katie Armstrong: Did I bring it to your attention or who brought it to your attention?

Director Lesperance: I believe previous....really early on.

Katie Armstrong; Well, let me look into it just to make sure I'm on solid footing.

Hank Vogler: It's your response. If the Director sends us all an e-mail saying that he wants a certain information relayed to us, whether it's by letter or whatever it is and it's all carbon and all our names on the carbon copy, that's fine. But, if we start having a subcommittee meeting and start flashing stuff back to him along those lines, then that's a violation, but not the information. It is our opinion back to him that was when you walked over to the other side of the street.

Director Lesperance: I understand exactly what you're saying and I believe my own evaluation of myself pretty well indicated there's a problem. Would it be helpful if I did send out an e-mail to the Board on some sort of semi-routine basis even if there really wasn't anything in it other than letting you know that nothing has happened in the last few weeks. You meet 4 times a year. There is 3 months, 13 weeks or so in between. Would a Board e-mail every week or every two weeks, would that.... and I could put down anything significant that happened or if I see a wreck coming or whatever it might be? Would that be helpful?

Boyd Spratling: Anything would be beneficial. Frankly, you know as far as .... you know, Sandie letting us know the deadline is for agenda items and I receive the packet and that's pretty much sums up my communication with the Department.

Director Lesperance: I don't have any problem doing this. I don't have any problem with telephone calls. You all have my office number, my home phone here in Reno is 622-9167. I'm here all the week. Some weekends, I go to the ranch. Probably 3 out of 4 weekends, I will be at the ranch at some time. Telephone number there is 578-3770. My office number 353-3613. My cell phone number is 721-3088.

Ramona Morrison: I haven't had a problem here, but I come from a large family so I subscribe to this theory, if you want anything done you gotta kind of be a pain in the neck. So I've always just picked up the phone and probably been a pain the neck around here.

Boyd Spratling: On that front page, the only thing I want to comment on is, being an outlier again, is 'seeks and accepts constructive criticism from the Board'. There is one instance that was extremely disturbing to me during the Board meeting, when Dr. Lesperance got mad, got up and left the meeting. I think that was not professional...that was not acceptable to me for our Director and Executive Secretary to this Board, to get up and walk out. That disturbed me...that bothered me for a long time.

Paul Noe: I agree that the communication sometimes could be better, although I have always received copies of letters that the Director has sent out to individuals. I've always received those. I do agree though that I think a regular communication whether that be an e-mail, and that's probably the best way I would think to be done. Just a blanket e-mail to all the members to let them know what situations, if any, are on the table so that we can if need be call and ask questions about it. And on an individual basis, I assume that is no problem. You just pick up the phone and call the Director about that. I do feel that sometimes Tony gets emotional about things, but that's part of his character and yes, it could be more professional at times, but at least it shows he cares about things. It does make a difference about how passionate somebody is about their job and I just feel that Tony is that, sometimes to a fault.

Director: Back to this e-mail...would a specific day of the week or a specific time, so we are all on the page, would that be helpful? I tend to operate on a very routine procedure. I will tell her to tell me at 11:00 on Tuesday morning you've got to do this. And if she doesn't tell me, I don't do it because I've got too many other things on my mind. So, what I'm saying, would it be helpful if we had a specific time, day of the week and I can tell her – probably that's the best way I'll get it done.

Charlie Frey: Of course, I don't know a lot I just started, but what I've heard today would be the Personnel Department of the State of Nevada and they are agreeing to come in help us. I think what they did was (noise - plane flying over). I think Tony's willingness to help correct some of the problems and then create some stability and hopefully all the administrative supervisors or staff will cooperate with Personnel. I think I'm leaning that way and I like the idea of not reinventing everything. It's just what I see here and again it's just with a grain of salt because I've been on the Board for only two days.

Grady Jones: I agree with Paul. I don't have a lot to add to that. I think communication being an e-mail would solve most of the concerns – any that I have which would be just a few in that regard – is getting information. The other stuff, maybe I just haven't been here long enough, but I felt that he comes completely prepared. I heard you [Director] ask in the 3 or 4 meetings that I've been here, many times, what do you want me to do? You said those words to the Board. So, I kind of took that as seeks and accepts. The criticism – I haven't had the opportunity to witness anything.

Dave Stix, Jr.: Briefly, I would like to make a comment about the Climate [Study] report. One thing that I found useful about it is when I make the determination and evaluation of an individual, I want to be able to do it with my own observations and my own working relationship or what I've seen with my own eyes. And the one thing about the Climate Study was that there are many things in it that I saw that paralleled my evaluation. Obviously, I think I was also 1 on the communication and right on task about sending out bi-weekly or weekly report. I think that's the main thing.

On those same lines, I was very critical of Tony on major changes that were brought before the Board prior to implementation. You'll find I'm the first person that when it comes to everyday operations and minutia items, as a Board, we need to stay completely out of the way. But, when it comes to major changes to change the policy of this Board, they need to be brought to the Board as a whole. When each one of us leaves this room today, we're David Stix and Hank Vogler, members of this Board, but as a body sitting here together, we make our decisions together as a Board. The major changes need to be brought before the Board and I understand some of the changes that Tony had to make, had to be made in difficult circumstances, but some of them could have been done with a special Board meeting, have a full discussion. And I would hope that when he leaves those meetings or anytime he was going to make a decision that is going to have major implications, that he would want the backing of the Board so when word gets out there, we can defend his actions. So, on that first page, those are the two main issues – the third one is, 'assist the Board in the development of goals, missions, and beliefs'. This one I am a stickler on because we have no way of really doing any good in the evaluation of Tony unless we sit down with him and he has to bring them to the Board. He has to come to us and say these are my goals, objectives and I'm going to prioritize them for the next year. And we sit down with him and we help approve those and we add to them, detract, adjust them and at the end of the year, we can go over those goals. Today, I don't know if any Board member prior in the recent years, but in the last year, that has not happened and again, circumstances with the budget and what have you, that is most critical way that we judge our Director because we set these goals and they have to meet them.

Hank Vogler: I have heartburn about one thing throughout this entire evaluation and its same thing that its impossible for any group of people to get along 100%. And its impossible in any organization not to have some dissention, or some ruffled feathers

every once in awhile. It's just part of life. And when we have an evaluation of our Director, and if there would be somebody that would have less than a stellar view of our Director, we are giving them ammunition by discussing this...to me that should be discussed amongst the Board, the Director and the Deputy Attorney General. And I am tremendously scared of that open meeting law having been the brunt of it and the state spent over \$2 million defending the Tax Commission or more over this very same thing. The more knowledge you have of the deal, the bigger the fine if you get caught. So, about the only communications that I have unless somebody calls me and directly asks me a question of what's going on up there about this? I'll probably call Tony or Sandie or whatever department, or Anette Rink, or whoever I think can address the situation. I don't correspond with the rest of the Board or anybody. And if I receive an e-mail from Tony or any of the rest of you, I'm not going to acknowledge it because I don't want to violate that open meeting law because they will come and get you. And they are looking for heads, trophies to hang on the wall. I don't want it to be me. So, I'm probably the poorest communicator with Dr. Lesperance.

Jim Snyder: I had some comments that I have – some negative things to say. But I wanted to start out saying that I have never questioned Tony's commitment to agriculture, his dedication, and devotion to agriculture. It is very evident to me that those are in place. Also, I'm aware that Tony and his wife have made considerable sacrifices of their lives and their time and their treasure and I'm thankful for that. I'm also thankful for the fact that we are not dealing with the kinds of issues that apparently previous Boards were [dealing] with previous Directors. I do think that communication has been limited. I take some responsibility for that and I think the e-mail, regular e-mail would help that situation. I have felt that I am somewhat on the outside; that some Board members get more inside information than I do. Communication there would be helpful. I agree with Dave on the development of goals, missions and beliefs. We talk about some of these things here and there, but maybe we need a little more structured attack on these.

Dean Baker: I probably have a problem when I've know Tony a long time. I started out being hugely impressed with him and also watching us dump him off one night and making him walk. I think it was in Fallon. I don't know if he remembers it. Other people laughed at him. I learned – it was an educational experience years ago.

I agree with what Jim said about the relationship and Tony's attitude. The communication thing I agree with Boyd, I agree with everyone. I think it is a problem. I dislike the restrictions of this open meeting law. I think it makes this Board to some level ineffective. Tony has to deal with it. We have to deal with it. And yet we can get a problem, when it's a little tiny problem and talk about it and sort of beat it up in a closed session. I think that is just a tragedy for this Board and this kind of thing. The communication also – the reason I'm on this Board – among other things, is Cattlemen's put my name on the list for consideration for this Board. My lifetime of dealing with the Farm Bureau, the Cattlemen's, they are part of the way that agriculture gets protected whether its cattle, whether its farming, whatever it is. And

so I have a feeling that I need to communicate with them and I don't do a good job of that I don't think. But, I wish that would be not be a necessity of a whole raft of things, but I wish that Ron and Meghan would get it on and send it on to Ron or feel an obligation of any issue, grazing, water other things that the Board talks about and Tony works on, so that those of us who are dealing with that know what was being done, what the Board, what the Department's problems were or things that needed to be understood.

Alan Perazzo: My thoughts on this whole deal and I guess my view and I may do it a little different than others, but I have a hard time giving anybody a 'one' and I have a hard time giving anybody a 'five' unless its totally way down there. I think like we can always improve and so I don't ...but, there was a couple of things that kind of stood out in my mind, 'provides all members with the same information'. To be frank with you, with the exception of a few e-mails on some sensitive things, I look who I get the e-mails from when they are sent to me either Sandie or Tony. Every Board member is on there and so I guess in my mind that was a higher mark. It's not only referred to exactly that kind of information, but I feel like he's done a pretty good job as far as keeping the whole Board informed. I know this last week, he called me and I know it's just because I was the Chairman and asked me as far as a situation was taking place and without going into detail, we talked about it. I offered some suggestions and we communicated. I don't think it was something that the whole Board needed to know at that time.

Director Lesperance: One thing, I am going to ask Sandie to remind me at 11:00 am every Monday morning to write the entire Board an e-mail. Is that agreeable? That way you'll have it Monday noon. That is one thing I will start doing next week. And the other thing Dave, about goals, I told you what my goals are and they are right in front of me. I have two, well as of today, I have 3 major goals: (1) to keep the front door of this building open during this year, and (2) to do everything possible to keep the Department from being gobbled up by Business and Industry, and (3) to work as positively as I know how with Personnel to get these problems resolved. Those are my 3 goals in front of me. I think they supersede almost anything else at this point in time.

Jim Snyder: Tony has communicated those goals to us and I agree. And I guess maybe we should be more proactive to take those opportunities to communicate our own ideas about what the goals and objectives we should have. But, the Board should be developing goals and objectives.

The Administration of the Department; Public Relations; Staff and Personnel Relationship; Leadership; Personal Qualities: the results of the evaluation were presented to the Board and discussed by the Board. Each segment was presented by Chairman Alan Perazzo and Board members gave their evaluation and views.

**Hank Vogler made a motion to endorse Dr. Lesperance in his present position. Grady Jones seconded the motion.**

**Question: Motion passed with two dissentions; Jim Snyder and Dave Stix opposed.**

**11. Department employee comments and suggestions to the Board of Agriculture.**

Margi Scheid and Linda Lesi, employees of the Department, came forward with comments.

**12. Public comments**

Charlie Frey: I have a request for an agenda item for the next meeting. I think we have a real serious problem and crisis if you want to call it that. There are 9 farms within a 2-miled radius of my farm that have been taken out of production. The water rights have been stripped from the ground, the water moved and I think it's a real serious problem. I am going to name some names because this is important. Lee Hutching's ranch is gone, Georgie Siking's is gone, Walter Knox's is gone, part of Butch Christie's is gone, Johnny Ature's is gone, Joe Siking's is gone, Gary Johnson's is gone, Gary Snow's is gone. Those are nine within a two-mile radius of mine that have completely closed up. And if you take a look at the seriousness of this, because we have dilapidated corrals, fences, ditches, noxious weeds, all kinds of serious problems. We talking about the economy of the state and the fertile soil and the problem that is created. If we want to try to sustain agriculture, I think we ought to take a look at this as a Board next time and I think we all understand that the gift and estate taxes force many of these farms to close. They're required to sell. In our area, the Fish and Wildlife buys most of them. The market value that they're getting for these farms are exceeding the revenue potential that these farms can generate. And what a lot of these farmers don't really realize, they are many ways you can address those issues, but you have to do it through setting up trusts and things like that so they can transfer their ownership interest in these farms and ranches to the next generation.

**13. Date of next meeting**

**Hank Vogler made a motion that the next Board meeting be held March 8 & 9, 2011. Paul Noe seconded the motion. Motion passed.**

**14. Adjournment**

**Charlie Frey made a motion to adjourn. Grady Jones seconded the motion. Motion passed.**

Meeting adjourned at 3:43 pm.

