

**Name of Organization:** Nevada Board of Agriculture

**Date and Time of Meeting:** March 4, 2014, 9:00 a.m.

**Place of Meeting:** Nevada Department of Agriculture  
405 So. 21<sup>st</sup>. Street  
Sparks, NV 89431-5557  
775-353-3601  
775-353-3661

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**Minutes**  
**March 4, 2014**

**Board Members Present:**

Dave Stix, Jr., Chairman  
Paul Anderson, Vice Chairman  
Jim Snyder  
Boyd Spratling  
Paul Noe  
Timothy Dufferena  
Ramona Morrison  
Brian Nakaguchi  
Charlie Frey  
Alan Perazzo  
Pete Paris

**Board Members Absent:**

None

**Staff Members Present:**

Jim Barbee  
Dennis Belcourt, Deputy A.G.  
Gina Breslow  
Dale Hanson  
Flint Wright  
Donnell Barton  
Dave Jones  
Damon Hernandez  
Robert Leavitt  
Jeff Suttich  
Tatjana Vukovich  
Amber Smyer  
Jay Ludlow  
Shawn McFalls  
Robert Little  
Dawn Rafferty  
Jamie Greer  
Ashley Jepson

**Guests Present:**

Mark Jensen  
Audrey Spratling  
Cliven Bundy  
Carol Bundy  
JJ Giogochea  
Leanna Stitzel

**1. Open meeting-call to order by Chairman Dave Stix, Jr. at 9:06 am**

- A. Pledge of Allegiance
- B. Roll call
- C. Oath of Office for New and Reappointed Board Members

**2. Public Comment – none**

### 3. Minutes

- A. \*Approve December 5, 2013 Board Meeting Minutes (*for possible action*)

*Jim Snyder moves to Approve, Boyd Spratling Seconds; Motion Passes Unanimously*

### 4. Directors Report

- A. Update to Board – Jim Barbee, Director – Report attached (*for information*)

- Laptops used 1<sup>st</sup> time today for Board Members to view Board Packets Online.
- Budget Season for FY15 Legis. Session:
  - a. LV Metro Bldg to be sight of New NDA. B&G to share 9,000 sq. ft. for NDA Chem. Labs, Petro, tall Garage Bays for W&M plus Warehouse space for F&N Commodities.
  - b. Evaluating possible staff needs: PIO 1, Global Info. Syst. Spec., Rangeland Spec/Wildlife Biologist
- Currently reviewing new FIMSA/FDA rules re: Veterinarian/Antibiotics and Antibiotics in Feed – NDA to help set policy. NASDA has been discussing this at National Levels. Thinking is to work with Fed. Gov't. rather than wait for them to set Policy and guidelines.

**Boyd Spratling, DVM:** is this mostly regarding Vets – how much of this is “Feed related”?

**Jim:** it's extremely vague and complicated but we're reading through it now

**Dave Stix, Jr.:** Department needs to back Industry to put antibiotics in the Feed – if we wait until the calves get sick, it's too late.

**Flint Wright:** Producers can still get antibiotics, will just need a Veterinarian prescription “For Therapeutic Reasons Only”. Really something for another meeting. Dairy/Poultry/Pork producers will be mostly affected by regs. Poultry will be affected the most, some operations treating with antibiotics “day one” & not stopping until chicken goes to harvest. Those days are over.

**Dave Stix, Jr.:** Public needs to realize Cattle Producers and Dairymen are business people and wouldn't put something “unnecessary” into feed – it doesn't make sense. We've been fighting this antibiotic thing for years. I guess instead of treating them, we just sit back and watch them die a horrible death.

**Flint:** agrees there will be an issue with “at risk” calves, Veterinarians will have to write prescriptions for the Feed with Antibiotics. Bottom line – it's going to raise the cost of your production.

**Jim:** Next Board meeting, we will have briefing on four parts of FIMSA Rules:

1. Food Manufacturing
2. Produce Safety
3. Feed Manufacturing
4. Veterinary Prescriptions

**Ramona Morrison for record:** Federal Gov't is asserting authority over State and State must deal with it now because of the Separation of Powers. Some Federal Agencies have Police Powers – BLM/USDA/FDA do not – FBI/DEA do. This Board should seek legal counsel for Agency & Board Members personal liability regarding any Federal Police Action, such as raid on a Rancher's property. Sometimes Federal Agencies enforce laws that they have no right to enforce by waving the Supremacy Clause while completely forgetting The Constitution. Due process is already in the law, Agency need to be on top of this.

**Jim:** This is the reason NDA wants to be the Agency representing regulatory control over this issue. The State can set policy how and what takes place within these laws. Next Board Meeting FIMSA Rules should be ready for Board.

- New NV Ag license plate handed around, ready first round production of 1400. Buy Nevada/FFA to benefit
- Computers & server crash issues from Dec. are fixed
- Sage Grouse – The Governor has reinforced SEC is the only “Voice” on the Sage Grouse Issue. There is a meeting in March re: Horse/Sage Grouse and drought issues.
- PARC informational meeting yesterday – PARC has not met in many yrs. First formal committee meeting will be April 9, 2014.
- Jim hands out old recorded Bundy Court Orders. No specific date for BLM Bundy roundup yet. State Brand Inspectors will be present to inspect Cattle Brands ONLY, per court order, but will not participate in this action in any other manner.
- Update on continuing recovery and remarkable progress of Ed Foster

**Boyd Spratling** asks for information on Drone program

**Jim:** looking at all utilizations – Many uses in crops and pesticides.

**Boyd:** What about FAA regulations?

**Jim:** We’re talking about really small remote control “toys”. NDA bought one that goes to about 400 feet high. Any private citizen can buy one of these and fly it at this altitude, but as a Regulatory agency, NDA has to register with the FAA – we are going through the process of making sure we cover all bases.

**Ramona:** “No-notice” or “secret inspections” will be a concern. Regs need to be spelled out.  
**Jim:** Agree. This program is to be Public & Producers should be comfortable with it. At some point they might want us to help them use it for Buy Nevada Marketing with their own products.

- B. Marketing & Communications Update – Bob Conrad (*for information*) Delayed – see below
- C. Ag Report – Tatjana Vukovich – (*for information*)
- D. International Marketing Update – Jeff Suttich (*for information*)

**Charlie Frey:** GREAT program – very important. UNR Coop Extension should be contacted & included, as they would benefit greatly.

**Jim:** Agreed. Currently meeting with Mark Walker, Dean, UNR Co-op twice monthly to discuss several working ideas, incl. Ag Business Conference

**Dave:** We need to be careful with which countries we’re dealing with, especially with exportation of Hay. China is driving up prices – one Exporter wants 15,000 acres of hay & is trying to go through NNDA to purchase land in Battle Mtn. to get it. And, most of the powdered milk products are also going to China.

- E. Introduction of New Agriculture Literacy Staff Member, Amber Smyer

## 5. Administration

- A. Update to Board – Dale Hansen, Administrator (*for information*)

- Dale Hansen hands “Expenditure Report” to Jay Ludlow & for Gayle to Upload to Website
- Server crash causes rebuilding of several of Dale’s programs.
- internal audits ongoing and going well
- Fleet control, uniforms, PC upgrade is almost complete and running very smooth
- Jim commends Dale for his hard work and dedication with organizing of Div of Admin

***Break - After Break:***

**Paul Anderson:** Two comments: Like the Laptops and think they are working well. Requests all presented docs to be in Board Packet prior to meeting so everyone can see what we see.

**Dave:** agrees. Thinks having the packets emailed ahead as done this meeting to read at home, and following along online is working well, but yes, docs should be in packets.

**\*ITEM 4.B. Marketing & Communications Update – Bob Conrad (*for information*)**

**6. Plant Industry**

A. Update to Board – Dawn Rafferty, Administrator (*for information*)

B. \*Request Board Approval for use of Alfalfa Seed Research and Promotion Account Funds to refund Travel expenses (not to exceed \$5000) for two NV alfalfa seed producers who attended the National Alfalfa and Forage Alliance Washington D.C. Fly-in event on 2/11/14-2/13/14.  
**(for possible action)**

***Paul Noe motions to Approve, Jim Snyder Seconds; Motion Passes Unanimously***

C. \*Request Board Approval for payment of the 2014 NAFA dues, when assessed, from the Alfalfa Seed Research and Promotion Account. **(for possible action)**

***Ramona Morrison moves to Approve, Paul Anderson Seconds; Motion Passes Unanimously.***

D. \*Adoption of permanent NAC 587.340 change to Certificate of Origin adding \$25 fee for processing. Board approved Temporary Reg due to timing with session. The process was repeated to become permanent. No changes to original submission. **(for possible action)**

***Ramona Morrison moves to Approve, Paul Noe Seconds; Motion Passes Unanimously***

E. \*Request Permission to go to workshop and hearing for NAC 555 changes related to Pest Control Operator licensing. **(for possible action)**  
**Presenter, Robert Leavitt,** Las Vegas, explains Draft NAC

***Charlie Frey moves to Approve, Paul Noe Seconds; Motion Passes Unanimously***

F. \*Request Permission to go to workshop and hearing for NAC changes to 555.010 to amend noxious weed list. **(for possible action)**  
**Presenter, Robert Little,** explains that Noxious Weed List currently in Board Packet is incorrect. Robert handed out correct version to Board & Jay Ludlow.

***Ramona Morrison moves to Approve, Paul Noe Seconds, motion Passes Unanimously.***

**Gina Breslow, Executive Assistant for the record, in response to Vice-Chairman Anderson's concerns on late Docs not being available to public:** All docs have been handed to Jay (IT) to take down hallway to Gayle Willmoth (Admin) and are being uploaded "as we speak" for public viewing. **Currently no NRS according to Dennis Belcourt** that docs must be uploaded during the meeting, but we're trying to keep up with this today.

## 7. Consumer Equitability

### A. Update to Board – Dave Jones, Administrator (*for information*)

- Operation Dollar Recovery
- Operation Oil Testing

**Paul Anderson:** Encourage NDA out to Industry to inform them of when/where they will start with this.

- Operation Livestock Scales
- New Technologies – needs for capabilities to test

*Lunch Break – After lunch:*

## 8. Food & Nutrition

### A. Update to Board – Donnell Barton, Administrator (*for information*)

## 9. Animal Industries

### A. Update to Board – Flint Wright, Administrator (*for information*)

- Correction of Gathers: Numerous complaints of property damage & two horses killed by vehicles. All horses were turned over to Return to Freedom & adopted out. Another gather was assisted by a Private property owner on Old Hwy 395 & So. Meadows, who even kept the horses corralled for two weeks. As yet unidentified suspect cut fences & released horses back onto Hwy 395 causing a major public safety problem. Thankfully all horses were safely gathered again and no one was hurt.
- Working on VRE Agreement, although not in final stages.
- Ewell Brand Inspections Company has been excellent to work with – will be tested on one truck before using in the field – workshop and hearing TBD
- BLM has requested State Brand Inspectors to be present for Cliven Bundy roundup. There is no date set, again, the Brand Inspectors are ONLY on site for Brand Inspections, period.

### B. \*Nevada Wool Growers Association 12/1/13 Letter of Request for balance of monies

### C. 2013-14 Budget - \$36,058.46. (*for possible action*)

*Charlie Frey moves to Approve, Boyd Spratling Seconds; Motion Passes Unanimously*

### D. \*Review of NAC Trichomoniasis Regulations re: notification of neighboring herds (*for possible action*)

Mike Greenlee, DVM Presents. After discussion:

*Boyd Spratling motions to Approve:*

*“State Veterinarian will notify all Category Two Veterinarians in the State of Nevada of Herds under “HOLD ORDER” and The State will notify all neighboring Herds of the potential “HOLD ORDER” based on the Epidemiology Investigation”*

*Ramona Morrison Seconds; Motion Passes Unanimously*

### E. Report to Board from Director and DAG on Resource Management Plan as it pertains to Agency Status and Coordination to find if Board has legal standing on this issue (*for information*)

### F. Report to Board from DAG, Dennis Belcourt, on legal foundation for Documents and Statements presented to Board from Constituents at 12/5/13 meeting regarding BLM Winnemucca Office EOU Grazing Agreements as it pertains to private lands (*for information*)

- Dec 24, 2013 new Response from D. Messmer, BLM to Tim DeLong included in packet
- In future, Director will cover BLM/EOU Grazing under Resource Management Plan and will inform Tim DeLong by Letter.

#### **10. Board Member Presentations**

A. \*Ramona Morrison – Submission of Letter from N-6 Grazing board Chairman, Hank Filippini to State Bar of Nevada, Re: Estate of Michael David Adams vs. Susan Fallini, Case No. CV24539. Ramona requests open discussion and suggestion that Ag Board write letter to State Bar to request Disciplinary Action in this matter regarding “Gross Misrepresentaion” or Nevada Open Range Law, and serious violation of rules of ethics. *(for possible action)*  
*Tabled for Next Meeting*

B. \**Director’s Evaluation – (for possible action)*

Director Barbee’s Evaluation publicly discussed, letter of praise and vote of confidence of the entire Board of Directors signed and dated by Chairman David Stix, Jr.

*Alan Perazzo moves to Approve, Ramona Morrison Seconds; Motion Passes Unanimously*

#### **11. Public Comment**

- **Email from Paul Tamera to Mike Stremmler** entered into record by Jim Barbee
- **Cliven Bundy from Las Vegas:** Has two Trespass Counts against him & his cattle are being seized and says NDA is cooperating. Is there an MOU with the Dept. of Interior? Does the Board know about the “Service” on NDA?

#### **12. Adjournment**

**Discussion: Next Meeting: Wednesday, June 4, 2014, 9am Sparks**

*Alan Perazzo moves to Adjourn, Jim Snyder Seconds; Motion Passes Unanimously*  
**Chairman Stix, Jr. adjourns meeting at 3:38pm.**