

State Brand Board

Minutes of the Meeting

January 27, 2010

The South Dakota State Brand Board met on January 27, 2010 at the State Brand Board office in Pierre, SD. Chairman Mark Kimball called the meeting to order at 11:00 a.m. Members present were Wanda Blair, Tom Conger, Mark Kimball, Bart Blum and Curt Mortenson. Others present were Harold Deering, Larry Stearns, Wray Shouldis, Karen Webber-Boyer, Jim Murphy, and Ken Halligan.

Conger moved that the agenda be adopted. Blair seconded the motion which passed.

Blair moved and Mortenson seconded the motion that the minutes for November 18th meeting as well as the December 16th and 22nd Conference Calls be approved. Motion carried.

Director's Report: Stearns reported that in November, 2009, there were 57 applications, 16 approved applications, 31 new brands, 57 transfers and 4 brand books sold. In December there were 36 applications, 2 approved applications, 45 new brands, 41 transfers and 3 brand books sold. To date in January 2010 there have been 19 applications, 2 approved applications, 7 new brands, 64 transfers and 2 brand books sold.

Included in the meeting packet were:

1. The Nov-Dec 2009 reports of expenses, revenues and cash balances for the Brand Board.
2. Investigator's Report.
3. Brand Inspection Report.
4. Legislative report.

The director announced that we have scanned nearly 60,000 tallys to date in the office but the scanning is on hold through the renewal period. We nearly completed reviewing grazing (trailing) permits. We reported that there are about 5,000 renewals processed and that we had about 400 returned for incorrect address. Nearly all of those have been resent. At the end of the process, a list of those people who cannot be located will be posted on the website and sent out as a press release. Stearns also announced that he had met with GOAC and that the meeting had gone well; we upgraded the oldest brand system computer as it was too slow to work on the network and that Shorty Zilverberg received his 10-year longevity pin.

Investigators Report: Zilverberg reported that in November, 2009, there were 20 total cases reported. Of these, there was one stolen case, 9 were missing cases, 0 stray cases, 5 violation cases, and 5 complaint/info cases. Thirteen cases are still active. Three head of livestock were reported stolen and 104 head missing with no stray cases. Three cases were reported by office personnel, ten were reported by brand inspectors, none by a witness, six by victims, and one by other agencies. He reported that there was 22 head recovered by the owner, and none by investigation. He reported that in December, 2009, there were 17 total cases reported. Of these, there was one stolen case, 5 were missing cases, 1 stray case, 3 violation cases, and 7 complaint/info cases. Fifteen cases are still active. Fourteen head of livestock were reported stolen and 47 head missing with no stray cases. Six cases were reported by office personnel, six were reported by brand inspectors, two by witnesses, one by victims, and two by other agencies. He reported that there was 14 head recovered by the owner, and 61 still missing. Zilverberg also reported on the status of a number of cases and introduced Shad Stromer to the board members.

Chief Brand Inspector's Report: Shouldis reported that for November 2009, there were 253,621 head inspected. They consisted of 172,323 inspected at markets, 80,991 locally inspected and 307 inspected at

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locker plants. There were 3,376 head held for proof of ownership. In December 2009, there were 72,190 head inspected at markets, 40,008 locally inspected and 305 at lockers for a total of 112,502 head inspected. There were 1,811 held for proof of ownership. There were 2 new holds that came into the office in November 2009 consisting of 2 heifers for \$1,276.33 and in December 2009, 5 holds for \$2,173.09 consisting of 3 cows, 2 calves and 1 steer. There were six holds paid out consisting of 2 cows, 1 steer, 1 heifer, 1 bull and 1 horse. In November, 2009, 72 strays were returned: 28 cows, 12 calves, 21 steers, 10 heifers and one bull. For December, there were 32 strays returned: 24 cows, 2 calves, 3 steers and 3 heifers. Mortenson asked about the unusually high number of holds in October. Shouldis said that there is no one reason for the increase. He also added that numbers sold at livestock markets were down in October because of weather. Conger suggested that the number of holds could be analyzed to see if more or less were being cleared at the sales barn.

Conger reported that he had received calls that there was need for another inspector in the Edgemont area and said that he told them to send names of those they felt were qualified to Wray Shouldis.

Hold Hearing #BB001: No proof of ownership was provided for the cow in question. Mortenson moved to escheat the \$708.13 to the Theft and Prevention Fund. Conger seconded the motion which carried. Shouldis reported on efforts to locate livestock owners in hold cases and that at times he locates all paper work from neighboring states and the owner won't send the duplicate certificate fee to clear the hold.

The other scheduled holds were cleared prior to the meeting after notices were sent to possible owners.

Legislative Update: Mortenson reported on testifying on both bills before the Senate Agricultural and Natural Resources Committee. The administrative fine bill was defeated in a 9-0 vote. After the shipper's permit bill was amended to limit the bill to 25-head, it was defeated in committee by a 5-4 vote. Members discussed how to better educate legislators in the future on the Brand Board issues.

Open Comment: Murphy asked if the truck drivers were prosecuted in one of the cases the Zilverberg reported on in his report. Zilverberg stated that the livestock owners accepted all blame in the case.

ILIA-WSLIA Conferences: Conger moved to send Stearns, Shouldis, and Zilverberg to the ILIA conference in July. Blair seconded the motion which carried. Mortenson moved that Zilverberg and Stromer go to the WSLIA Conference in March. Blair also seconded this motion which carried. The members commented on the importance of attending these conferences and the resulting contacts.

The meeting recessed for lunch and resumed at 1:30 pm.

Highway Signage: Stearns reported on being contacted by the Department of Transportation about highway signs which informed travelers of the Livestock Inspection Area. Deering was asked to provide a joint powers agreement for the Board to consider at the next meeting. The director will also provide new signs for contact information for the new investigator to livestock markets.

The meeting recessed for ten minutes before holding the election of officers. Blair moved that Kimball be re-elected president and Mortenson vice-president of the Board. Conger seconded the motion which carried.

Conger moved the meeting go into executive session to discuss legal and personnel issues. Blair seconded the motion which passed. At 2:45, Blair moved and Blum seconded the motion to recess the executive session and reconvene to the Governor's Conference Room to continue discussing personnel

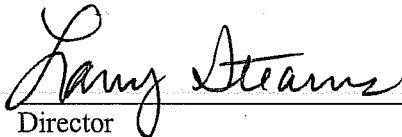
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matters. The motion carried. Conger moved the meeting come out of executive session; Blum seconded the motion which carried. Mortenson moved and Blair seconded the motion that the meeting adjourn, motion carried. The meeting adjourned at 4:00 pm.

The next meeting was scheduled for March 24, 2010 at 10:30 a.m. CSDT.

Respectfully submitted,

Larry Stearns


Director


President

These minutes were filed for the record on 4-20-2010.