

MEETING NOTICE AND AGENDA

Today's Date: February 6, 2008

Name of Organization: NEVADA STATE BOARD OF AGRICULTURE

Date and Time of Meeting: February 12, 2008 8:30 am
February 13, 2008 8:30 am

Place of Meeting: Department of Agriculture
350 Capitol Hill Ave
Reno NV 89502
775-688-1180

This meeting will be available by teleconference in Las Vegas and Elko NV. The locations are the Department of Agriculture office at 2300 McLeod Street, Las Vegas NV and the Department of Agriculture office at 4780 Idaho Street, Elko NV

AGENDA

Public Comment during the Board meeting will be received for action items 2 through 12 and will be limited to two minutes per person. Persons are invited to submit comments in writing on the agenda items and/ or attend and make comment on the agenda items at the Board meeting.

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

The Nevada of Board Agriculture can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During public comment period, speakers may address matters listed (items 2 thru 12) or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comment by the Board. However, responses from the Board to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Board will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for staff action, or ask that a matter be listed on a future agenda.

The following items may be discussed and/or acted upon, but may be taken in a different order to accommodate the interests and time limitations of persons attending.

Call to order by Chairman Lawrence Waugh

1. Board Business

- A. Introductions (Waugh) **INFORMATION**
- B. *Director resignation (Waugh) **INFORMATION**
- C. *Develop a plan including establishing the time line and selection criteria for recruitment of a new Director and/or the appoint a new Director (Waugh) **ACTION**
- D. Election of Officers **ACTION**
- E. *Approval of minutes from December 10, 11, and 12, 2007 meeting
ACTION
- F. *Discussion of and possible decision to send letter regarding the reorganization of Cooperative Extension and Extended Studies programs (Hetrick, O'Brien)
ACTION
- G. Develop policy and procedures for review of Deputy Attorney General (DAG) legal opinions, including circulation of DAG legal opinions to the Board and Board review requirements prior to action upon legal opinions (Morrison) **ACTION**
- H. Develop policy and procedures for development and final approval of agenda (Morrison) **ACTION**
- I. Sexual Harassment training (Session) **INFORMATION**

2. Director's Report (Rise)

- A. *Goals and Objectives update **INFORMATION**
- B. *Possible training opportunities for Board consideration **ACTION**
 - 1. Administrative Hearings
 - 2. Ethics
 - 3. Developing and Setting Goals and Objectives
 - 4. Open Meeting Law
 - 5. Parliamentary Procedures
 - 6. Responsibilities of a Board
 - 7. Robert's Rules of Order
 - 8. Administrative Rulemaking
 - 9. Sexual Harassment

Public Comment

3. Division of Administration (Gimlin)

- A. Board Policies
 - 1. Does the Board of Agriculture desire to continue receiving board packets two weeks prior to the scheduled board meeting or would three to five days be sufficient? **ACTION**

Public Comment

2. Does the Board of Agriculture desire to adopt a policy that Board members may earn \$10 per hour while on Department business, up to a maximum of \$80 per day? NRS 561.075 (1) states “While engaged in the business of the Department, each member of the Board is entitled to receive a salary of not more than \$80 per day, as fixed by the Board.” **ACTION**

Public Comment

B. Audit update INFORMATION

1. Progress reports
 - a. Division of Internal Audits report #08-03
 - b. Legislative Counsel Bureau Audit LA06-12
 - c. *US EPA Limited Scope Desk Review, conducted between March 27 and October 27, 2007

C. Budget update INFORMATION

1. *FY2008 Board of Agriculture budget
2. *FY2008 Department summary
3. *Budget reserves
4. *Biennial budget process, tentative schedule for agency request phase

D. Division Report INFORMATION

1. Pilot project with the State Controller’s office
2. Agriculture web page update
3. *Examples of internal reports
4. External projects completed by the Division

4. Division of Plant Industry

A. *Division update (O’Brien) INFORMATION

B. *Changes to Agricultural Product Inspection Fees R089-07 update (O’Brien) INFORMATION

C. *Nevada Garlic and Onion Growers’ Advisory Board; structure, purpose, and function (Marty) INFORMATION

D. *Request to disperse monies pursuant to NAC 566.30, the Nevada Garlic and Onion Growers’ Advisory Board would like to recommend that an expenditure of \$10,000 be made toward continued funding of Biotech Research conducted by the New Zealand Institute for Crop and Food Research (Marty) ACTION

Public Comment

E. *EPA quarterly report (Moses) INFORMATION

F. *Homeland Security Grant update (Moses) INFORMATION

G. *Request to go to workshop and hearing on the scale insect quarantine (O’Brien) ACTION

Public Comment

H. *Update on the red palm mite (O’Brien) INFORMATION

I. *Las Vegas office update (Dapsauski) INFORMATION

5. Division of Resource Protection (Jensen)

- A. Division update **INFORMATION**
- B. *United States Department of the Interior, Fish and Wildlife Service (FWS) is considering listing the pygmy rabbit as a threatened or endangered species. Comments are due to the FWS by March 7, 2008. **INFORMATION**
- C. *How other western states are funding wildlife damage management programs. **INFORMATION**

6. Division of Animal Industry

- A. Introduction of new State Veterinarian (Rink) **INFORMATION**
- B. Animal Disease update (La Russa) **INFORMATION**
 - 1. Brucellosis
 - 2. Tuberculosis
- C. National Animal Identification update (Pecetti) **INFORMATION**
- D. Virginia Range Estray Program update (Holmes) **INFORMATION**
- E. Laboratory update (Rink) **INFORMATION**
 - 1. *Arbovirus testing
 - 2. *Big Horn Sheep update
 - a. *NDOW/UNR/NDOA position statement
 - b. Disease investigation into most recent die-offs
 - c. *March 2008 Workshop
 - 3. Trichomonas Fetus testing (T. fetus testing)
- F. *Request permission to go to workshop and hearing to amend NAC 571(Regulation non-codified, LCB File No. R135-06) A regulation relating to cattle; providing identification, testing and quarantine procedures for cattle to help control and eradicate Trichomonosis, revising provisions governing entry of cattle into this State; and providing other matters properly relating thereto. Permanent regulation changes currently under consideration pertain to inclusion of lease bulls, open adult cows, current protocol for issuance of VS 1-27, and other industry concerns. Consider implementation of emergency regulations pertaining to the items listed above (LaRussa) **ACTION**

Public Comment

7. Division of Measurement Standards

- A. Weights and Measures update (Grabski) **INFORMATION**
- B. Petroleum Laboratory update (Miller) **INFORMATION**
- C. Update on workshop postings for changes to specifications of motor fuel in NAC 590.065 (SB324) to comply with changes in NRS 590.070 (Miller) **INFORMATION**
- D. *Request to go to workshop and hearing on NAC 590.051, change from PS 121-99 specification to ASTM D-6751 (Miller) **ACTION**

Public Comment

- E. National Conference on Weights and Measures (Grabski) **INFORMATION**
- F. Sparks Headquarters Capitol Improvement Project update (Fraga) **INFORMATION**

8. Division of Livestock Identification

- A. Staff update (Connelley) **INFORMATION**
- B. Brand re-recording progress (Connelley) **INFORMATION**
 - 1. Number of brands re-recorded
 - 2. Transfers
 - 3. Anticipated date of publication of the 2008 Brand book
- C. *Report on impound of trespass livestock by federal agencies (Connelley) **INFORMATION**
 - 1. Presentation by Gina Session on the history of Federal impoundments and brand inspections by the Nevada Department of Agriculture (Session) **INFORMATION**
- D. *Agricultural enforcement activities (Connelley) **INFORMATION**
- E. Statistics (Connelley) **INFORMATION**
- F. *Request to go to workshop and hearing on NAC 565.210, changes to the brand district boundaries(Connelley) **ACTION**

Public Comment

9. Employee Comments and Suggestions to the Board of Agriculture **INFORMATION**

10. Public Comment **INFORMATION**

11. Scheduling and Arrangements for Next Board Meeting **ACTION**

12. Adjournment **ACTION**

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

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

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

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

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

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

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

Las Vegas Office
Nevada Department of Agriculture
2300 McLeod Street
Las Vegas NV 89104-4314

Sparks Office
Nevada Department of Agriculture
2150 Frazer Avenue

