

South Dakota Brand Board

Meeting Minutes

February 21, 2024

The South Dakota Brand Board met on February 21, 2024 in Rapid City, SD. Members present were Scott Vance, Lyle Spring, and Haven Stuck. Myron Williams was present remotely. David Paul was absent. Brand Board staff and others present were Debbie Trapp, Tim Quinn, Adam Masters, Matt Clair, Jim Wenning, Cheyenne Tant, Amy Hatheway, Kevin Couch, Vivian Couch, Jason Ostenson, Matt Kammerer, Chuck Willard, Raydelle Sperle, Doris Lauing, Tom Costello, Florence Thompson. Bob Haivala joined the meeting later.

Pres. Vance called the meeting to order.

Motion by Stuck to adopt agenda as amended, second by Spring. Motion carried.

Oath of Office – Myron Williams: Oath will be mailed to Myron for completion.

Open Comments: Doris Lauing asked about effective date of the new Brand Board member's appointment, would like expiration dates and phone numbers of Brand Board members posted online; Matt Kammerer stated he now understands some of the difficulty in getting producers to follow thru with items/actions need to resolve holds.

Brand Enforcement – Director Trapp introduced Jim Wenning who has been hired as a Brand Enforcement/Livestock Investigator. Jim is stationed in Pierre. Investigator Masters gave the report for the investigators: Reports of Missing Livestock and Late Shipper Permits have decreased; Continuing to work on other livestock ownership inspection violations. He had attended the Black Hills Stock Horse Sale and many of the breed sales held during the week of the Stock Show. Investigator Quinn reported seven law enforcement agencies were represented at the training held in Mobridge -livestock ownership inspections laws were reviewed; Two cases have been submitted to states attorneys; Plan to schedule additional regional training meetings with law enforcement agencies. Attorney Haivala commented on working towards the Brand Board's livestock investigators getting authority to make arrests for Title 22 crimes.

Director Trapp gave the Brand Inspection Report for January 2024: Livestock Markets –86,354 head, Locker Plants 537 head, Locals – 79,199 head, Lifetime Horse Permits – 58 head, for a total of 166,148 head. Year to date inspection numbers rank the lowest out of the past seven years.

Director Trapp gave the Director's report: Welcome to Jim Wenning who was sworn in February 20, 2024 as a Brand Board livestock investigator - he will attend Reciprocity Training to obtain SD Law Enforcement Certification - he has previous law enforcement experience in North Dakota; need to discuss obtaining arrest authority for Title 22 crimes prior to next legislative session; Thank you to Walworth County Sheriff's office for hosting and to Investigator Quinn for helping organize the meeting with other law enforcement agencies to discuss the enforcement of Livestock Ownership Inspections laws; Computer development for upgrading inspection program is progressing - this will provide for the development of electronic local inspection forms; Brand inspectors recovered approximately \$700,000 in stray livestock in 2023

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and we greatly appreciate the good job they are doing; Four new brand inspectors are currently training at Belle Fourche; Brand Renewal notices will be sent out this falls so advising brand owners to make sure brand registrations have their current address; Thank you to the staff who have been working very diligently to cover the extra duties due to legislation and the review process.

Motion by Stuck to approve the Regular Brand Board Meeting Minutes of the December 19, 2023 meeting, second by Spring. Motion carried.

Director Trapp presented financial information as of January 31, 2024. Fund Balance - Brand Fund \$1,684,902.90; Brand Inspection Fund \$384,333.98; Theft Prevention Fund - Ownership to be established - \$251,750.59, Unrestricted – \$206,325.15. Motion by Williams to approve Financial Report as presented, second by Spring. Motion carried.

Pres. Vance acknowledged letter received from Fall River County Commissioners which had been sent to Nebraska Cattlemen, SD Cattlemen, SD Brand Board and Nebraska Livestock Marketing Association regarding USDA implementing EID tagging by 2026. Director Trapp read email from SD Cattlemen's Association regarding some confusion in draft of National Cattlemen's Beef Association supporting EID in all cattle by 2026. The email stated this was not the intent of the policy which was amended in committee to clarify. Brands are still evidence of ownership.

Update on Legislation during the 2024 session: HB 1145 represented changes from Ad Hoc meeting discussions - passed both chambers; HB 1252B was to create districts from which Brand Board member are appointed- was moved to 41st Day in House Agriculture and Natural Resources Committee; HB 1060 regarding changes to establishing mileage reimbursement rates - currently moving thru the legislative process; Jake Longbrake, from Dupree area, to fill Brand Board member seat that had been held by David Paul; Myron Williams's 3 year appointment to the Brand Board was confirmed.

Discussed fund balance of the Livestock Ownership Inspection Fund. The Brand Board will need to transfer funds from the Brand Fund to the Livestock Ownership Inspection Fund if the fund balance is not sufficient to cover expenses.

Discussed the fee for Lifetime Travel Permit for horses, which is set in Administrative Rule 12:10:02:05. Motion by Spring to proceed with process of an Administrative Rule's Hearing to increase the Lifetime Travel Permit fee for horses to \$40.00, second by Stuck. Motion Carried.

Motion by Spring, to allow Gregory Locker Plant, Burke SD to be on Open Locker Plant for Nebraska cattle, second by Vance. Motion Carried.

Next Brand Board meeting set for March 27, 2024 in Rapid City at 10:00 am MT.

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Pres. Vance declared a 5- minute recess at 11:45 am. Pres Vance declared the meeting back in session at 11:50 a.m.

Motion by Spring to enter executive session pursuant to SDCL 1-25-2 (1 & 3) personnel and legal at 11:53 a.m., second by Vance. Motion carried. Came out at 1:38 p.m.

Update on Internal Control Review: Review has been completed and copies were emailed to members of the Ad Hoc meetings and House Ag and Natural Resources Committee members. The weaknesses found in the review are common with most State boards having limited staff, with weaknesses being corrected. During review process, auditor commented on the volume of manual processes needed for payroll and volume of documents presented. Expenses, other than mileage reimbursements to brand inspectors, are submitted to the State Auditor's office for review prior to payments being made by the auditor's office.

As no other business came before the board, Pres. Vance declared the meeting adjourned.

Scott Vance, President

Debbie Trapp, Executive Director

These minutes were filed for the record on _____.