

Nevada Board of Agriculture
Meeting Minutes
Thursday, August 31, 2023 at 9:00am



Meeting Location: Nevada Department of Agriculture
4780 East Idaho Street
Elko, NV 89801
775-778-0270

Video Conference: Nevada Department of Agriculture Nevada Department of Agriculture
2300 East St. Louis Avenue 405 S. 21st Street
Las Vegas, NV 89104 Sparks, NV 89431
702-668-4590 775-353-3601

Virtual Meeting Information: <https://us02web.zoom.us/j/89335614867>
Meeting ID: 893 3561 4867
Phone: +1-669-444-9171
Phone Access Code: 893 3561 4867

Public notice

Below is an agenda of all items to be considered. Action may be taken on items preceded by an asterisk (*). Two asterisks denote possible closed session (**). Items on the agenda may be taken out of the posted order, items may be combined for consideration, and items may be pulled or removed from the agenda at any time at the discretion of the chairperson. Unless noted as an action item, discussion of any item raised during a report or public comment is limited to that necessary for clarification or necessary to decide whether to place the item on a future agenda.

Public comment may be presented in-person, by computer, phone, or written comment. Written comments may be submitted by completing a public comment form available online at agri.nv.gov/Administration/Board_of_Agriculture/Board_of_Agriculture_Public_Comment/. Written comments can also be submitted via fax to 775-353-3661, email to h.rincon@agri.nv.gov, or to any of our offices listed below.

- a. Nevada Department of Agriculture: 405 S. 21st Street, Sparks, NV 89431
- b. Nevada Department of Agriculture: 4780 E. Idaho Street, Elko, NV 89801
- c. Nevada Department of Agriculture: 2300 E. St. Louis Avenue, Las Vegas, NV 89104

The chairperson may limit public comment that is repetitious, does not relate to a matter within the board's jurisdiction or prevents the meeting from continuing in an orderly manner. All public comments should be addressed to the Board of Agriculture and not an individual member. The board asks that your comments are expressed in a courteous manner. All public comment is limited to three minutes per person. Unused time may not be reserved by the speaker nor allocated to another speaker.

Reasonable efforts will be made for members of the public who have disabilities and require special accommodations for assistance at the meeting. Please call Holly Rincon at 775-353-3619 to make arrangements.

Notice of this meeting was posted on or before 9 a.m. on the third working day before the meeting at the following locations: Nevada Department of Agriculture, 405 S. 21st Street, Sparks, NV 89431, Nevada Department of Agriculture, 4780 E. Idaho Street, Elko, NV 89801, Nevada Department of Agriculture, 2300 St. Louis Avenue, Las Vegas, NV 89104. Copies of the agenda, supporting documentation and meeting minutes are available, at no charge, at the Nevada Department of Agriculture website at agri.nv.gov or www.notice.nv.gov or by visiting the Nevada Department of Agriculture, 405 S. 21st Street, Sparks, NV 89431.

Agenda

1. Open meeting-call meeting to order by Chair Woody Worthington at 9:00 a.m.

A. Pledge of Allegiance

B. Moment of Silent Reflection

- J.J. – Rural Nevada has had a rough week. Please keep these families in your thoughts;
 - Halstead and Hutchinson Families for the loss of Brodey
 - Officer Anthony Francone raised in Ely
 - Matt Gibbs from Eureka and raised in Wells
 - Trenton Montero raised in Winnemucca

C. Virtual attendee reminders

D. Roll call – Total attendees – 44

- Board of Agriculture (11):
 - Woody Worthington
 - Jim Snyder
 - Bernard Petersen
 - Valerie Drake
 - Pete Paris
 - Brooke Neubauer
 - Craig Schank, DVM
 - Heather Lackey
 - Paul Noe
 - Dave Coon
 - Charlie Frey, Jr.
- Nevada Department of Agriculture (19):
 - Director J.J. Goicoechea
 - Deputy Director Doug Farris
 - Amara Vigil
 - Chad Sestanovich
 - Ciara Ressel
 - Holly Rincon
 - Shelley Pope
 - Patricia Hoppe
 - Ian Knight
 - Bill Striejewske
 - Peter Mundschenk, DVM

- Brittany Mally
- Jake Dawley
- Dillon Davidson
- Ashley Jeppson
- Shanon Pascual
- Marko Markovic
- Jeanette Durbin
- Julia Miller-Ketcham
- Deputy Attorney General Richard Yien (1)
- Public attendees (13):
 - Dr. Boyd Spratling
 - Mimi Diebold
 - Allison Hinkle
 - Chris Rose
 - Gabby Everett
 - Leana Carey
 - R. Jennings
 - William Payne
 - Alex Tanchuck
 - Annie
 - Sarah C.
 - V. Miller
 - Mark Ono

2. Public Comment

- Wendy Grobman from Wild Horses Connection provided public comment stating, “We have to save these beautiful animals.”

3. Minutes

- A. *Approve June 9, 2023 minutes (*for possible action*)
 - Motion to accept meeting minutes from Jim Snyder.
 - Pete Paris seconded the motion.
 - The motion passed unanimously.

4. Board Management

- A. *Discussion on Prescribing Rules for the Management and Government of the Board of Agriculture – Woody Worthington, Chair (*for possible action*)
 - DAG Yien explained that NRS 561.105 provides for the Board to create rules for the management of government of the Board and encouraged discussion to prescribe and adopt those rules.
 - Pete Paris made a motion to appoint Jim Snyder, who is the most senior member of the Board, to be the lead in the absence of Chairman Worthington.
 - Chairman Worthington discussed earmarking Jim Snyder as the most senior member, and then that the backup up would be the next senior member, and so on.
 - Motion by Chairman Worthington to incorporate a rule to have Jim Snyder act in

- place of the Chairman in his absence.
 - Valerie Drake seconded the motion.
 - Motion passed unanimously.
- B. Virtual Meeting Option in Light of Executive Order 2023-002 – Woody Worthington, Chair *(for possible action)*
- Chairman Worthington read Executive Order 2023-002 and stated that the era of Zoom meetings needs to be put in the past and that he feels the Board should attend meetings in person and be readily available for the people the Board represents.
 - Jim Synder agreed and believes the Board should show up for meetings as it allows.
 - Comment by Director Goicoechea regarding an article that was sent by Director Robb that Zoom (the company) and the White House have both ordered their employees back to the office.
 - Chairman Worthington reiterated that Zoom will still be available to the public, and this guideline will be applicable to the Board Members. No need for action as all are in agreement and know this will be the way we're moving forward.

4. Board Member Updates on Represented Industries

- A. Industry Updates – Board Members *(for information)*

5. Director's Report

- A. Report – J.J. Goicoechea, Director *(for information only)*
- Comment by Chairman Worthington; appreciate the job you and your team are doing; what the Fiscal team did with closing the budget by the deadline was remarkable.

6. Administrative Services

- A. Board Update – Amara Vigil, Administrator *(for information only)*
- Budget Account 4545 Livestock Inspections
 - Budget Account 4552 Pest, Plant Disease & Noxious Weed Control

Chairman Worthington called for a 10-minute break at 10:23 a.m.

Chairman Worthington called meeting back to order at 10:37 a.m.

7. Animal Industry

- A. Board Update – Chad Sestanovich, Administrator *(for information only)*
- Bernard Petersen welcomed Chad to the team.
 - Jim Synder also welcomed Chad to the team and asked about bird (starling) control.
 - Deputy Director Doug Farris advised that Mark Ono with Wildlife Services would handle that.

8. Food and Nutrition

A. Board Update – Patricia Hoppe, Administrator *(for information only)*

- Reminder that this is the last year for the Universal Free Lunch program and reiterated how important it is for parents to fill out the free and reduced-price meal eligibility form and turn it in. The funds for the 2024-25 school year will be federal funds from the United States Department of Agriculture (USDA) and what the Department receives to administer the program will be based on the forms submitted.

9. Measurement Standards

A. Board Update – Bill Stiejewske, Administrator *(for information only)*

- Valerie Drake had a question regarding the regulations for electric car charging station testing.
 - Administrator Stiejewske answered that the Department will be the ones to create those regulations; currently trying to figure out how to truly regulate it. California and New York are the only states currently doing this testing. NDA will learn from these states and try to get it right.
- Bernard Petersen had a question regarding livestock scales; how many certified truck scales there are in Nevada? Are they presently on an annual renewal for the state of Nevada? Do you have any idea how many livestock and truck scales yet need to be certified in the state?
 - Administrator Stiejewske answered that he is not sure of those numbers but will find out. Measurement Standards certifies over 50K scales a year. Director Goicoechea also commented that the weighing of livestock on trucks was not on the radar. Measurement Standards will work on that schedule and ensure they are done.

10. Plant Health and Compliance

A. Board Update – Ashley Jeppson, Administrator *(for information only)*

- Paul Noe asked how people will know what can be sold with regards to the new neonicotinoid pesticide bill, AB162? The way the bill reads, the restriction is on the use of those products not on what can be sold. Is that correct?
 - Per Administrator Jeppson, the NDA will be trying to help retailers and will be contacting them to help them know who they can sell to as the bill is worded for the user. The NDA is drafting messaging now that will go out to retailers. People will have to know the active ingredients of the products being sold, and whether or not they have the certificate from the NDA giving permission to sell it. They will have to update their labels and state what is specific to Nevada. EPA will have to drive the changing of those labels. If the labels are not changed, they will not be sold in Nevada.
- Jim Snyder asked how far north do the fire ants occur?
 - All reports indicate they have been in southern Nevada parks; all have been in Clark county.

11. Public Comment

- Dr. Boyd Spratling addressed the role of the Board stating this Board has the responsibility to vote on all regulation changes. There is back and forth on where that is; I think this Board should be voting on every regulatory change and I would encourage this Board to push that responsibility moving forward. The Board should supply their knowledge and experience for those regulations. Also, a written comment was submitted that states, “Board Members: Please note the “statutory” duties of the Board of Agriculture. Note that approving proposed regulation by the Director is not mentioned (in the following statute). This in support of my live comments.” NRS 561.105 Duties; rules and regulations.
 1. The Board:
 - (a) Must be informed on an interested in the entire field of legislation and administration charged to the Department.
 - (b) Shall report to the Governor and Legislature on all matters which it deems relevant to the Department and concerning any specific matters previously requested by the Governor.
 - (c) Shall advise and make recommendations to the Governor or the Legislature relating to the policies of the State concerning livestock and agriculture.
 - (d) Shall establish the policy of the Department.
 - (e) Shall adopt such regulations as it deems necessary for the operation of the Department and for carrying out the provisions of the laws and programs administered by the Department.
 2. The Board shall prescribe rules for its management and government.
(Added to NRS by 1961, 497; A 1985, 369; 1993, 1722; 1999, 3656)
- Leana Carey Progressive Rancher Magazine, and President of the new 501c3 Lahontan Valley Cattlewomen, and a Board Member of the Churchill County Farm Bureau stated she wished to give a giant thank you to Chairman Worthington for setting the conversation of Agriculture on an upturn across Nevada, and it is an honor to work with Woody and the Department of Agriculture

12. Adjournment

- Jim Snyder moved to adjourn.
- Bernard Petersen seconded the motion to adjourn.
- Motion passed unanimously and the meeting was adjourned at 12:03 p.m.

A. Final roll call