

**MINUTES OF THE 350TH COMMISSION MEETING
TEXAS ANIMAL HEALTH COMMISSION**

February 18, 2004

The Texas Animal Health Commission Meeting was called to order by Chairman Richard Traylor at 8:30 a.m. in the Texas Animal Health Commission Conference Room in Austin, Texas.

Commissioners Not Present: Commissioner Reta Dyess
 Dr. William F. Edmiston, Jr.
 Commissioner Chuck Real

Item 1 - Welcome and call to order by Chairman Traylor

Item 2 - Approval of Minutes

A motion to approve the minutes of the 349th Commission Meeting held on December 3, 2003 was made by Commissioner Davenport and seconded by Commissioner Wood. The motion carried unanimously.

Item 3 – Report of the Executive Director and Approval of Actions for the period 12/3/03 through 2/17/04.

Prior to presenting his report, Dr. Hillman announced there was a potential case of low-path avian influenza in Texas in the vicinity of Gonzales. He noted this was a preliminary report. The final report from NVSL had not been received. Staff were immediately deployed to the location.

Dr. Hillman presented a report of significant activities and issues and out-of-office trips that occurred from December 3, 2003 through February 17, 2004

Dr. Sherron expressed appreciation to Carla Everett, Dave Tomkins, and Dr. Bob Hillman for the excellent manner in which they handled the BSE situation occurring in Washington state in December 2003. Their efforts were a great help to the Texas cattle industry. The commissioners expressed their thanks with applause.

Commissioner Traylor requested the HR Subcommittee chaired by Commissioner Martinez review the management-to-staff ratio imposed by HB 3442 as it affects Texas Animal Health Commission. The HR Subcommittee should submit their recommendation to the Commissioners at their meeting on May 25, 2004 for either meeting the 1:11 staff ratio or achieving a waiver prior to the targeted date of August 31, 2007.

Commissioner Traylor addressed the following issues mentioned in Dr. Hillman's report:

Animal ID: Commissioner Traylor emphasized the support of TAHC as a pilot group for the Animal ID program.

Inspection Fee: Commissioner Traylor noted that after receipt of the requested Attorney General's opinion regarding inspection fees, TAHC needs to coordinate with industry to develop language for the next legislative session to ensure the ability of TAHC to charge an inspection fee.

BSE outbreak in December. Commissioner Traylor commended TAHC and industry on an outstanding job in their response to this situation.

Compensation & Benefits for TAHC: Commissioner Traylor stated that this should be a high priority in assuring critical positions are competitively paid.

Commissioner Wood inquired as to whether the Animal ID program would include exotics? Dr. Hillman responded that language could apply to all livestock, but the final decision as to whether exotics would be included based on the USDA's interpretation has not been made. Dr. Hillman will make inquiries and get an answer to this question.

Commissioner Sherron moved and Commissioner Martinez seconded the motion to approve the actions of the Executive Director for the period from December 3, 2003 through February 17, 2004. The motion carried unanimously.

Item 4 – Audit Subcommittee Report

Dr. Rangel, Chairman of the Audit Subcommittee gave a report on the actions covered by the Audit Subcommittee today, February 18, 2004 @ 8:00 a.m.

Issues covered were:

- (1) Follow up of prior audit recommendations on Legal and Compliance functions.
- (2) Internal Audit of Field Office Area 7
- (3) Internal Audit of Field Office Area 5

Commissioner Sherron moved and Commissioner Windham seconded the motion to approve the agency Audit Subcommittee Report as discussed today. The motion carried unanimously.

Item 5 – Tuberculosis Report – Texas

Dr. Dan Baca provided an update on the TB activities in Texas. This included an update on:

- (1) the TB infected herd in Hamilton County
- (2) the Texas Tuberculosis Action Plan
- (3) TB Certification Training
- (4) Fee-Basis Testing
- (5) Current Enforcement Policy

Commissioners Sherron and Traylor emphasized the importance of the cattle industry participating in the TB testing.

John Cowan, representing the Dairy Farmers of America and the Texas Association of Dairymen, addressed concerns regarding the TB program involving Mexican roping cattle coming into the United States and concerns with fair market appraisal.

Item 6 – Presentation of Animal Health Program Update

Dr. Coats presented a report updating the status of various Animal Health Programs.

Rick Nabors gave an update on the experience with the FP (Fluorescent Polarization) machines. Two training sessions were conducted with the TAHC inspectors. The inspectors have been effectively using the FP machines.

Dr. Coats noted that the 10 head of Japanese cattle (Area 7) in his report were inspected in February 2004 .

Commissioner Sherron asked for additional information on the Japanese cattle and requested a report at the next Commission Meeting.

Dr. Coats stated that there were unofficial reports of a potential for an avian influenza episode in the Gonzales area. TAHC has responded.

Dr. Coats provided a report summarizing a Breeders' Cup Meeting held on February 4, 2004 at Lone Star Park in Grand Prairie, Texas. This meeting was attended by Dr. Andy Schwartz, TAHC Area 3 Director.

Item 7 – Administration/Budget Status Report

Bruce Hammond gave a summary of the TAHC budget for this fiscal year as of January 31, 2004. He mentioned future activities included the development of the agency Strategic Plan. Because the rules and guidelines have not been developed, the due date for the plan has not been set. Bruce anticipates the due date to be late June.

Commissioner Sherron moved and Commissioner Wood seconded the motion to approve adjustments to the Fiscal Year 2004 operating budget as presented and discussed today. The motion carried unanimously.

Item 8 – Consideration of and possible action on Agency Contracts and Purchases.

Greater than \$5,000 but less than \$10,000 from 12-01-03 through 01-31-04

*PCFIA Brucellosis Quality Assurance Fluoricon-Performance Verification Particles (PVP's) 20x 5ml bottles/Box – 36 boxes

\$10,000 or Greater

*Proposed lease within the city limits of Trinity, Texas – 2/1/05 through 2/31/2010

Dr. Sherron requested other locations be considered since Trinity was not a livestock industry town. Commissioner Traylor requested management investigate other locations for the Area 2 office.

*Bovigam TB-Mycobacterium Tuberculosis Gamma Interferon Test Kits – Avian PPD- Bovine PPD

*Extend Local Emergency Veterinary Response Contract

*Digital Cameras

*LCD Projectors

Commissioner Sherron moved and Commissioner Windham seconded the motion to approve the contracts and purchases requested for the period from December 1, 2003 through January 31, 2004. The motion carried unanimously.

Item 9 – Presentation of Awards

Service Awards were presented to:

Rone Allen, Inspector for Area 7, for 30 years of TAHC Service.

Louis Collins, Austin Laboratory Technician, for 30 years of TAHC Service.

Richard Hanson, Inspector for Area 4, for 30 years of TAHC Service.

Rick Nabors, State/Federal Laboratory Director, for 30 years of TAHC Service.

Erlinda Rodela, Administrative Technician in Program Recors, for 25 years of TAHC Service.

Special Recognition Awards were presented to:

The family of Elton Brown in honor of his outstanding contributions toward the development and implementation of the EIA program in Texas.

Dr. Dan Baca for his outstanding contributions to the Texas Animal Health Commission during his employment with the agency and his exceptional efforts in the implementation of the TB Program.

Item 10 – Consideration of and Possible Action on Regulation Adoptions regarding:

- (a) **Chapter 54, Fowl Registration**
- (b) **Chapter 51, Entry Requirements**

The proposed regulations were sent out for comment and 20 comments were received. Every comment was reviewed. Appropriate changes were made based on these comments. May 1, 2004 was approved as the implementation date of these regulations.

Commissioner Bozka moved and Commissioner Wood seconded the motion to adopt the new Chapter 54, **Fowl Registration**, to be located in Volume 4 of the Texas Administrative Code as discussed today and that notice of the adopted amendments be published in the *Texas Register*. The motions carried unanimously.

Gene Snelson gave an overview of the proposed amendments to Chapter 51, Entry Requirements. Commissioner Bozka moved and Commissioner Davenport seconded the motion to adopt the amendments to Chapter 51, **Entry Requirements**, located in Volume 4 of the Texas Administrative Code as discussed today and that notice of the adopted amendments be published in the *Texas Register*. The motions carried unanimously.

Item 11 – Consideration of and Possible Action on Regulation Rule review Adoptions regarding Chapter 57, Poultry

Commissioner Bozka moved and Commissioner Sherron seconded that the Rule Review for Chapter 57, **Poultry**, as found in Sections 57.10 through 57.12 of Volume 4 of the Texas Administrative Code, be adopted as discussed today, and that notice of adoption of the rule review be published in the *Texas Register*. The motion carried unanimously.

Item 12 – Recognition of Public Comment

No additional Public Comment was made.

Item 13 – Set Date for the 351st Commission Meeting

The next meeting will be on May 25, 2004 at 8:30 a.m. There will be an HR Subcommittee Meeting at 8:00 a.m.

Dr. Sherron commended Commissioner Traylor and the other commissioners on the efficient manner in which the commission meetings have been conducted. A lot of business has been accomplished during the time allotted.

Item 14 – Adjournment

Adjourned at 11:20 a.m.