

MINUTES – QUARTERLY MEETING of the NEBRASKA BRAND COMMITTEE

**Monday June 27, 2022
9:00 a.m. CST
Location of Meeting
Peppermill
502 US-20
Valentine, NE 69201**

Call to Order

The Meeting was called to order by Adam Sawyer at 9:12 a.m.

Tanya Storer read the Open Meetings Act statement and directed the public to the copy of the Act present in the meeting room.

- **Roll Call**

Adam Sawyer	Present
Chris Gentry	Present
Tanya Storer	Present
Duane Gangwish	Present

- **Adoption of Agenda**

Tanya Storer moved to approve the agenda as presented
Chris Gentry seconded the motion
No Discussion

Adam Sawyer	Yes
Chris Gentry	Yes
Tanya Storer	Yes
Duane Gangwish	Yes

Motion passes

- **Current Business**

1. **Introduction of Attendees**

Adam Sawyer-Chair Nebraska Brand Committee
Chris Gentry- Nebraska Brand Committee Member
Tanya Storer- Nebraska Brand Committee Member
Duane Gangwish- Nebraska Brand Committee Member
John Widdowson-Executive Director, Nebraska Brand Committee
Brent Deibler- Area 4 Investigator

Dean Anderson- Chief Inspector /Business Ops
Kortnie Shafer- South Supervisor
CJ Fell- Area 3 Investigator
Becki Vineyard- Office Manager, Alliance
Mark Fahleson- Legal Counsel
Melody Benjamin- Nebraska Cattleman
Tom Hughson- Area 2 Investigator/ Chief Investigator
Scott Lindsey- West District Supervisor
Danna Schwenk- IT Coordinator
Marie Farr- Chairman, Nebraska Cattlemen
Shawn Hanks- Southeast Supervisor
Kayla Jessie North Supervisor
Brenda Masek Nebraska Cattlemen
Jim Olson Windmill feedyard
Dudley Prochazka public
Joe Prochazka public
Robyn Prochazka public

Present via Webex:
Mista White Brand Recorder
Spike Jordan Press
Rick Leonard Ag Committee
Jacob Leaver Budget Office
TL Meyers UNL

2. Election of Vice Chair

Adam Sawyer opened the floor for nominations
Chris Gentry nominated Tanya Storer for the Vice Chair position
Duane Gangwish seconded the nomination
Tanya Storer nominated Chris Gentry for the Vice Chair position
Adam Sawyer seconded the nomination
Adam Sawyer made three calls for more nominations. No further nominations were made.

Vote for Tanya Storer
Adam Sawyer Yes
Chris Gentry Yes
Tanya Storer No
Duane Gangwish Yes

Vote for Chris Gentry
Adam Sawyer No
Chris Gentry No
Tanya Storer Yes
Duane Gangwish No

Tanya Storer was elected Vice Chair

3. Approval of Minutes

- a. March 15, 2022, Regular Meeting
- b. June 14, 2022, Meeting Minutes

Duane Gangwish moved to accept the minutes for both meetings as presented

Adam Sawyer seconded the motion

No discussion

Adam Sawyer Yes

Chris Gentry Yes

Tanya Storer Yes

Duane Gangwish Yes

Motion passes

4. Dudley Prochazka: Brand Recording Issue

Dudley Prochazka presented a history of the brand that he was trying to get recorded and the reasons for it being expired.

Mista White explained the reasons for rejecting the brand application as unrecordable. John Widdowson and Mista White further explained the current recordable process and conflicting brands.

Chris Gentry moved to approve the Brand application as presented based on history and circumstances.

Tanya Storer seconded the motion

No further discussion occurred

Adam Sawyer Yes

Chris Gentry Yes

Tanya Storer Yes

Duane Gangwish Yes

Motion passes

5. E Inspection Update

Danna Schwenk presented on the progress of the E-Inspection program with John Widdowson assisting with the timeline moving forward.

Duane Gangwish gave an update on the progress based on his involvement with the working group.

Chris Gentry asked about getting together to go through the working group's progress in detail.

Tanya Storer asked questions about meeting statutory requirements.

A plan was made to find the best date to get the Committee members and working group together to discuss their findings and to assess the plan moving forward.

6. Jim Olson Windmill Feeders

Jim Olson of Windmill Feeders presented his operation and how it works in relation to EIDs and his health requirements for accountability on cattle leaving the state. He feels that the uniqueness of his operation could make brand inspection unnecessary. He stated that the State Vet and Brand inspector are doing the same job.

Duane Gangwish spoke to the similarities with heifer development yards in the state. He also spoke to the statutory requirements that we must follow in regard to ownership. Stated to stay tuned as the E-Inspection program should be what he is looking for.

Danna Schwenk reassured that we are working in that direction and would like Windmill feeders' involvement.

John Widdowson mentioned that this is why we are working on E-inspection, so that we have answers for producers in these and similar situations.

Jim Olson asked that if the same paperwork that is sent to the state vet is sent to the Brand Committee could there be a reduction in fees?

John Widdowson stated that this was a timely request with the up coming E-inspection working group and that a lot of the boxes would be checked.

Adam Sawyer stated that we are working toward this but at this time nothing can be done.

7. Executive Session

Duane Gangwish moved to go into executive session to protect the public interest to receive confidential and privileged legal advice related to pending and/or potential litigation, strategy relating to legislative matters, and confidential personnel matters.

Adam Sawyer seconded the motion

No discussion occurred

Adam Sawyer Yes
Chris Gentry Yes
Tanya Storer Yes
Duane Gangwish Yes

Motion passes
Moved into executive session at 10:43 a.m.

The Committee came back into open public session at 12:54 p.m.

Tanya Storer moved to come out of executive session
Duane Gangwish seconded the motion
No discussion

Adam Sawyer Yes
Chris Gentry Yes
Tanya Storer Yes
Duane Gangwish Yes

Motion passes

Moved into regular session at 12:56 p.m.

8. Consideration and Acceptance of Financial Statements

a. Financial Statements

Becki Vineyard presented the financial statements with a focus on end of the year.

Adam Sawyer complemented all on a good job managing the budget.

Duane Gangwish moved to accept the financial statements as presented
Chris Gentry seconded the motion

No discussion

Adam Sawyer Yes
Chris Gentry Yes
Tanya Storer Yes
Duane Gangwish Yes
Motion passes

b. 23-25 Bi-Annual Budget Discussion

Becki Vineyard and John Widdowson asked if the Committee had any items that they wanted taken into consideration for the new biennial budget.

No action taken

9. Legislative Updates

John Widdowson stated that there was nothing to report.

10. Nebraska Brand Committee Policy, Rules, and Regulation Review and Updates

Mark Fahleson discussed the court's order in Adams v. Widdowson et al and the steps that will be taken moving forward.

Tanya Storer moved that the Committee will fully comply with the district court's June 18, 2022, order in ALCC v. Widdowson, et al with respect to the named plaintiff while the order remains valid and in effect.

Adam Sawyer seconded the motion
No discussion

Adam Sawyer Yes
Chris Gentry Yes
Tanya Storer Yes
Duane Gangwish Yes
Motion passes.

Chris Gentry moved that due to the court's order in ALCC v. Widdowson and based on a reading of that order, that the Committee temporarily suspend the December 2021 vote regarding registered feedlot inspections and to temporarily allow cattle to be placed in a registered feedlot without a brand inspection being performed, provided they are (1) moved directly from the purchase point of origin to the Registered Feedlot and the required paperwork accompanies the cattle; or (2) moved directly from a backgrounding feedlot, whether registered or unregistered inside the boundaries of the Nebraska Brand Inspection Area or from a feedlot outside the brand inspection area as long as the owner of the registered feedlot owns said cattle and there is no change of ownership; (3) the integrity of the cattle from original purchase must remain the same; and (4) the required evidence of ownership must accompany the cattle from the backgrounding lot to the registered feedlot. This arrangement shall remain in place until any potential appeal in ALCC v. Widdowson is resolved, should an appeal be taken.

Tanya Storer seconded the motion.

No discussion
Adam Sawyer Yes
Chris Gentry Yes
Tanya Storer Yes
Duane Gangwish Yes
Motion passes.

11. Review and approval of the South Dakota Reciprocal Agreement

Tom Hughson discussed the South Dakota Reciprocal Agreement and recommended that it continue as is.

Adam Sawyer moved to approve the South Dakota Reciprocal Agreement

Duane Gangwish seconded the motion

No discussion

Adam Sawyer Yes

Chris Gentry Yes

Tanya Storer Yes

Duane Gangwish Yes

Motion passes.

12. Staff Updates and Ratification of Personnel changes

Becki Vineyard presented the personal changes.

Chris Gentry moved to approve the personal changes

Duane Gangwish seconded the motion

No discussion

Adam Sawyer Yes

Chris Gentry Yes

Tanya Storer Yes

Duane Gangwish Yes

Motion passes.

13. Estray Reports

Dean Anderson presented and explained the estray cases recommended to transferred to the state school fund per statute.

Tanya Storer moved to school fund the presented the cases.

Adam Sawyer seconded the motion.

No discussion
Adam Sawyer Yes
Chris Gentry Yes
Tanya Storer Yes
Duane Gangwish Yes
Motion passes.

14. Strategic Plan Review

John Widdowson asked if the Committee had any updates for the strategic plan.
No action was taken by the Committee.

15. Fee Schedule Review and Discussion

John Widdowson stated that there were no requests from the staff to make any changes at this time.

No action taken by the Committee.

16. Technology Report - IT Coordinator Danna Schwenk

Danna Schwenk expanded on her written report.

17. Investigators Reports

C J Fell and Brent Deibler expanded on their written reports.

18. Registered Feedlot Audit Updates.

Dean Anderson gave a brief report that there were no major issues to report, and any discussion of individual feedlots would be presented in the Supervisors individual reports.

19. District Supervisors Reports

- a. Kortnie Shaffer
- b. Shawn Hanks
- c. Kayla Jesse
- d. Scott Lindsey

The above supervisors each expanded on their written reports.

20. Chief Investigators Report

Tom Hughson expanded on his written report.

21. Chief Inspector Report

Dean Anderson expanded on his written report.

22. Executive Directors Report

John Widdowson thanked the staff and Committee for all they have done over the past year to help move the Nebraska Brand Committee ommittee forward. He asked for any direction from the Committee.

Adam Sawyer stated that a lot of the meat and potato problems have been solved and that we have come along way and could not have done it with out the staff we have in place.

John Widdowson thanked the Committee for their decision on the June 14th special meeting and how that would help the field staff.

23. Public Comment

Brenda Masek thanked the Committee for all the effort they have put in, in moving forward over the past year and that the Nebraska Cattlemen will support them as much as possible with any legislation.

Mel Benjamin stated that she had not received any calls from producers about the pay raise given to the inspectors like she anticipated she would and takes that as a sign that the producers are supportive of the Committee's decision.

Jacob Lever thanked Becki and John for the relationship they have built over the past year and stated that we would be available if there are any questions.

24. Adjournment

Duane Gangwish moved to adjourn the meeting.

Adam Sawyer seconded the motion

No discussion

Adam Sawyer Yes

Chris Gentry Yes

Tanya Storer Yes

Duane Gangwish Yes

Motion passes.

Meeting adjourned at 2:30 p.m.