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PUBLIC MEETING OF THE  
NEVADA DAIRY COMMISSION  
TRANSCRIPT OF PROCEEDINGS

Thursday, December 17, 2015

SPARKS, NV

Reported By: SUSAN E. BELINGHERI, CCR #655

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APPEARANCES

COMMISSION MEMBERS

Christopher Cook - Chairman  
Troy G. Crowther, Commissioner - Via Videoconference  
John Collier, Commissioner

Donnell Barton, Administrator, Food & Nutrition Division  
Kathy Easley, AA3  
Harry B. Ward, Deputy Attorney General  
Trudy Myers, Intern  
Al Trace, Dairy Farmers of America  
Kimberly Whitfield - Via Videoconference

Public Meeting - 12/17/2015  
Nevada Dairy Commission

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3 CHAIRMAN COOK: Let us convene the  
4 December 17th, 2015, meeting of the Nevada State Dairy  
5 Commission.

6 Donnell, would you please do the  
7 formalities.

8 MS. BARTON: I sure will. Thank you.

9 This is the time and place set for the  
10 regularly scheduled meeting of the Nevada State Dairy  
11 Commission for the month of December 2015. The meeting  
12 has been scheduled and noticed in compliance with  
13 pertinent statutes, including the Open Meeting Law. A  
14 copy of the agenda has been handed to the court reporter  
15 with the request that it be part of the official  
16 transcript of these proceedings.

17 My name is Donnell Barton, the administrator  
18 for the Food and Nutrition Division with the Department  
19 of Agriculture. Present today are Mr. Christopher Cook,  
20 chairman; Mr. Troy Crowther, member of the Commission;  
21 and Mr. John Collier, member of the Commission.

22 Those who present statements or evidence to  
23 the Commission during this meeting are requested to be,  
24 to first be acknowledged by the chair and to identify  
25 themselves for the record.

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 CHAIRMAN COOK: Would you proceed to the  
2 first agenda item, please.

3 MS. BARTON: Yes. That one is public  
4 comment.

5 CHAIRMAN COOK: Opportunity for any members  
6 of the public to comment. There will be another  
7 opportunity at the close of the meeting.

8 Seeing none, let's move on to the next item  
9 on the agenda.

10 MS. BARTON: Okay. The next one is for  
11 possible action, license application. We have two  
12 different distributors who are applying for  
13 applications. The first one is Art of Flavors, and they  
14 seek a license to distribute ice cream, sherbet,  
15 novelties, frozen yogurt in the Southern Nevada  
16 Marketing Area.

17 The applicant's prices and cost have been  
18 reviewed by members of the Dairy Commission staff and  
19 are in compliance with the agency's laws and  
20 regulations.

21 And the applicant will be responsible for  
22 the assessments.

23 CHAIRMAN COOK: I'm assuming that since this  
24 is a Las Vegas-based applicant, that they would show up  
25 at the meeting down there if they were interested, and I

1 don't see anybody there. So we have no one representing  
2 the applicant. Is there anything else that the staff  
3 can add to this application?

4 MS. BARTON: Not that I'm aware of.

5 CHAIRMAN COOK: This is a new applicant?

6 MS. BARTON: This is a new applicant.

7 CHAIRMAN COOK: I'm not familiar with the  
8 name.

9 MS. BARTON: Yes. Yes, it is.

10 MS. EASLY: I'm sorry. Yes.

11 CHAIRMAN COOK: Okay. All right. Do we  
12 know where they're going to be distributing?

13 MS. BARTON: In Southern Nevada.

14 CHAIRMAN COOK: To who, though? What type  
15 of customer?

16 MS. BARTON: It says they're going to  
17 distribute ice cream, sherbet, novelties, frozen yogurt.  
18 I'm looking to see if there's anything else on here.

19 CHAIRMAN COOK: Just to retailers, or  
20 casinos?

21 MS. BARTON: It doesn't say. It just says  
22 "Southern Nevada Marketing Region." It does not --  
23 "processing-distributor." It doesn't say "peddler  
24 distributor" or "retail stores" on their application.

25 CHAIRMAN COOK: This is a new manufacturer

1 of ice cream, I would assume?

2 MS. WHITFIELD: Mr. Chairman -- this is  
3 Kimberly Whitfield. They process gelato, they have a  
4 shop, and they, they plan on distributing to the  
5 casinos.

6 CHAIRMAN COOK: Okay.

7 MS. WHITFIELD: For the purpose of the  
8 processing --

9 CHAIRMAN COOK: So there's also a retail  
10 outlet that they sell out of that --

11 MS. WHITFIELD: Yes.

12 CHAIRMAN COOK: Okay.

13 MS. WHITFIELD: It's primarily gelato.

14 CHAIRMAN COOK: Okay. Thank you. All  
15 right. I have no further questions. Commissioners?

16 MR. COLLIER: I have none.

17 MR. CROWTHER: No questions.

18 CHAIRMAN COOK: Okay. Seeing no further  
19 questions, any members of the audience or the staff?  
20 Questions? Comments? None? Then I will entertain a  
21 motion.

22 MR. COLLIER: Mr. Chairman, I move that we  
23 accept the processing and distributor application for  
24 Art of Flavors, located in Las Vegas, Nevada, for  
25 seeking a license to distribute ice cream, sherbert,

1 novelties, frozen yogurt, in the Southern Marketing  
2 Area.

3 MR. CROWTHER: Second.

4 CHAIRMAN COOK: Having a motion and a second  
5 and no dissenting votes, the motion carries and the  
6 license application is approved.

7 MS. BARTON: And our second licensing is for  
8 Sasa Sweets, also located in North Las Vegas. And this  
9 applicant seeks a license to distribute ice cream,  
10 sherbert, novelties, and frozen yogurt in the Southern  
11 Nevada Marketing Area.

12 The applicant's prices and costs have been  
13 reviewed by members of the Dairy Commission staff and  
14 are in compliance with this agency's laws and  
15 regulations.

16 And the applicant will be responsible for  
17 the assessments.

18 CHAIRMAN COOK: Okay. Again, I see nobody  
19 present representing the applicant. So is there  
20 anything else that can be added to this? Is this a  
21 similar situation?

22 MS. WHITFIELD: Again, Kimberly Whitfield.  
23 They, they actually process speciality ice cream, like  
24 bars, that they sell at the upscale malls here, and the  
25 container mall and places like that. Erica Ryan and I

1 actually went and toured the, the operation where they  
2 make it. So she will be inspecting the facility as  
3 well.

4 CHAIRMAN COOK: Pretty small scale  
5 operation?

6 MS. WHITFIELD: Very small.

7 CHAIRMAN COOK: Okay. All right. I have no  
8 further questions. Commissioners?

9 MR. COLLIER: I have none.

10 MR. CROWTHER: No questions.

11 CHAIRMAN COOK: Okay. Seeing no questions  
12 from the commissioners, is there any questions or  
13 comments from the staff? None? Questions or comments  
14 from members of the public? Seeing none, I will  
15 entertain a motion.

16 MR. CROWTHER: Mr. Chairman, I would move  
17 that we approve the processing-distributor license  
18 application by Sasa Sweets from Las Vegas, Nevada, to  
19 distribute ice cream, sherbet, novelties, and frozen  
20 yogurt in the Southern Nevada Marketing Area.

21 MR. COLLIER: I'll second that motion, Mr.  
22 Chairman.

23 CHAIRMAN COOK: Okay. Having a second and  
24 a -- a motion and a second and no dissenting votes, the  
25 motion carries. But I will add parenthetically, Troy,



1 that it is your responsibility to go sample these and  
2 bring a full report back as to the quality of the  
3 products.

4 MR. CROWTHER: I'll take, I'll take that on.  
5 I'll take that on. Yeah. Okay.

6 CHAIRMAN COOK: Okay. Thank you. The  
7 things you're required to do as a -- or asked to do as a  
8 dairy commissioner.

9 MR. CROWTHER: I know. I know.

10 CHAIRMAN COOK: Okay. Donnell, would you  
11 proceed, please.

12 MS. BARTON: Okay. So the next agenda item  
13 is approval of the minutes from the November 19th Dairy  
14 Commission meeting. And there has been one suggested  
15 change. It's on page 36, line 7, to change it from  
16 "instead" to "interested."

17 CHAIRMAN COOK: Okay. Any other  
18 observations or corrections anybody else spotted that  
19 need to be noted? Seeing none, I'll entertain a motion  
20 on the minutes.

21 MR. COLLIER: Mr. Chairman, I move that we  
22 approve the Dairy Commission meeting minutes for the  
23 November 19th, 2015, meeting, with the very -- with the  
24 correction as noted.

25 MR. CROWTHER: Second.

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 CHAIRMAN COOK: Okay. Having a motion and a  
2 second to adopt the minutes from the prior month's  
3 meeting and no dissenting votes, the minutes, with the  
4 noted corrections, are adopted.

5 MS. BARTON: Okay. And the next, the next  
6 one is an update on the Starlicide program.

7 So Mr. Hettrick and I spoke yesterday and  
8 today, and so good news and bad news. Mark Jensen with  
9 USDA cannot get Starlicide anymore. They're just not  
10 making it where we can purchase it. But we do have an  
11 alternate plan. The -- Anna Vickrey is going to send  
12 out a letter to the dairymen to outline this  
13 alternative.

14 And so it's called Avitrol Double Strength  
15 051. And there are two pest control companies in the  
16 state that can administer that. One is out of Spring  
17 Creek and the other one is out of Smith valley. But the  
18 other alternative is that the dairymen themselves can  
19 administer this by coming in and taking a training on  
20 January the 4th and the 5th, and then on the 5th they  
21 would take a test. And their only cost would be the \$50  
22 to take the test. And that's a requirement from the  
23 statute, so we're not able to waive that.

24 Other information about that, about Avitrol  
25 Double Strength, is it cost \$325 for five pounds, it

1 won't kill as many birds as the Starlicide will, but --  
2 and it usually takes three to five days of baiting for  
3 the birds. And it will kill one in nine birds.

4 And then what happens, you know, instead of  
5 just having, like, 20,000 birds die with the Starlicide,  
6 with this one, when the birds become poisoned they'll  
7 begin to send out distress signals and act erratically,  
8 which causes the other birds to disperse. So it kind of  
9 gets them to go away for a little while. They will come  
10 back, and so you'll just have to do that re-application.

11 We have \$10,000, currently, in our budget.  
12 We can go as high as \$29,000. And so we can pay up to  
13 \$2,000 to each dairyman to purchase this product. But  
14 they'll have to pay -- we'll pay 80 percent, and they  
15 have to pay 20 percent up the \$2,000.

16 So that's the update on the Starlicide at  
17 this point.

18 CHAIRMAN COOK: Okay. And this is a  
19 relatively recent development? Have the dairymen had a  
20 chance to hear about this yet?

21 MS. BARTON: I don't believe so. Anna is  
22 sending out the letter today or tomorrow. We just --  
23 the way -- in my discussions with Lynn yesterday, is  
24 they had just found that alternative yesterday. They  
25 had been working with Mark Jensen to see if he was going

1 to be able to get any more of that Starlicide, and they  
2 were not going to be able to get any.

3 MR. COLLIER: Did the manufacturer quit  
4 manufacturing it? Or what's the problem?

5 MS. BARTON: Lynn didn't say that they had  
6 quit manufacturing, just that it was not available.

7 CHAIRMAN COOK: I wonder if it's not  
8 available by regulatory reasons from the federal  
9 government, or not available because of market forces  
10 or --

11 MS. BARTON: The way Lynn said it, so I'm  
12 not quite sure, but the way Lynn said it, it's more  
13 about markets forces than some regulatory issue.

14 MR. TRACE: Al Trace, Dairy Farmers of  
15 America. Is -- under the old programs, did the dairymen  
16 have the opportunity, the option to come in to take the  
17 test also, or this is just with the new --

18 MS. BARTON: With the new --

19 MR. TRACE: -- chemicals and --

20 MS. BARTON: With the Starlicide it had to  
21 be with, through USDA. So this is, with this chemical,  
22 it's a different type, and so it can be used with, by  
23 other folks that don't, that have different kinds of  
24 certifications, for lack of my saying it correctly.

25 MR. TRACE: I'm just trying to, as dairymen,

1 sort it through if it would be advantageous for the  
2 dairymen to come in and take the test so they could do  
3 it themselves, or not. I'm thinking, as a dairyman,  
4 probably not, because they'll look at it as they have to  
5 pay the extra expense. Because it still, the old  
6 program is still the 80/20; right?

7 MS. BARTON: Right.

8 MR. TRACE: Yeah. I mean, I'm not being  
9 negative, I'm just trying to --

10 MS. BARTON: No. No, no. And we're, the  
11 folks that do the training and do the testing are  
12 willing to do it in Fallon. So they were trying to set  
13 that up so that that would occur in Fallon so it  
14 wouldn't be as hard a drive for folks to get there --

15 MR. TRACE: Sure.

16 MS. BARTON: -- to go to the training and  
17 the testing.

18 MR. TRACE: It's good to know there's an  
19 applicator in Smith Valley, because we do have two  
20 dairies down there, so -- and they will both participate  
21 in the program, I believe. Yeah.

22 CHAIRMAN COOK: So we're not going to  
23 require them to come here to do it, we can actually do  
24 it out there.

25 MR. TRACE: Yeah.

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 MS. BARTON: In Fallon.

2 MR. TRACE: That would be better, I think,  
3 in terms of getting them to come out. As you know, we  
4 have a hard time getting them to come out when we have  
5 meetings. Come to Reno.

6 MR. COLLIER: Yeah. I, I would have to  
7 think that for a dairyman to take two full days out of  
8 his --

9 MS. BARTON: I'm sorry. Half a day each.

10 MR. COLLIER: Well, even two half days --

11 MS. BARTON: Right.

12 MR. COLLIER: -- is, is questionable.

13 MS. BARTON: Right.

14 CHAIRMAN COOK: Well, actually, three days,  
15 because you've got to come back the third day and take  
16 the test.

17 MS. BARTON: No, that test would be on the  
18 5th. The 4th would be training in the afternoon, and  
19 then the 5th, the morning, the test.

20 MR. TRACE: Some of the dairymen have, I'm a  
21 little bit out of my environment, but they already have  
22 a pesticide application license, I think. That would be  
23 separate from this, maybe?

24 MS. BARTON: That's my understanding.

25 MR. TRACE: Yeah. Okay.

1 MR. COLLIER: Is there, would there be any  
2 private enterprise firms that could do that for them?

3 MS. BARTON: Just two. There's one in  
4 Spring Creek and one in Smith Valley that are currently  
5 licensed.

6 MR. COLLIER: That they, that the dairymen  
7 could contract to go have them do that?

8 MS. BARTON: Correct.

9 MR. COLLIER: Then why wouldn't the  
10 dairymen -- if I was a dairyman, why wouldn't I want to  
11 do that rather than spend two days out of my life  
12 getting testified and certified?

13 MR. TRACE: I think as a dairyman, they will  
14 do that, John. They will have --

15 MR. COLLIER: I'd contract with those guys.

16 MR. TRACE: Yeah.

17 MS. BARTON: And I think it was just to give  
18 the dairymen an option.

19 MR. COLLIER: An option.

20 MR. TRACE: Sure.

21 MS. BARTON: Yeah.

22 MR. COLLIER: Well, that's a viable option.

23 MR. CROWTHER: Is it possible, for example,  
24 if one, you know, one dairyman decided they wanted to do  
25 it, and they, can they do it on, get certified and then

1 apply it on their dairy as well as other people's  
2 dairies so that -- you know, maybe just get one person  
3 out there, one dairyman, that the rest of them pitch in  
4 and he does it for all of them.

5 MS. BARTON: You asked me a question I do  
6 not know the answer, but I can get you an answer for  
7 that. I talked with Lynn and Robert Little, who's over  
8 the pesticide certification yesterday, and they did not  
9 mention that to me in the discussion. But I can get an  
10 answer for you and let you know.

11 MR. TRACE: That's an excellent question,  
12 Troy. Yeah.

13 CHAIRMAN COOK: Or what if somebody from  
14 DFA, as a, as a co-op service?

15 MR. TRACE: Possibly, you know.

16 CHAIRMAN COOK: Just thinking, you know, if  
17 you had somebody that, you know, troubleshooters that  
18 travel --

19 MR. TRACE: Sure.

20 CHAIRMAN COOK: -- around the country that  
21 you could get certified and say, "Look, January you're  
22 going to go out to Nevada and Fallon and you're going to  
23 do" --

24 MR. TRACE: Kill birds.

25 CHAIRMAN COOK: -- "pesticide application.



1 You're going to kill birds." You know.

2 MR. TRACE: Yeah.

3 MR. CROWTHER: The other question, though,  
4 is how many days did you say they have to bait?

5 MS. BARTON: Three to five.

6 MR. CROWTHER: Three to five days. Do they  
7 have to be certified, does the person baiting have to be  
8 certified as well?

9 MS. BARTON: That's my understanding, is  
10 yes. So that, so, like, the, the two contract  
11 companies, they would have to come out to the dairy for  
12 three to five days to bait each one of those days.

13 MR. CROWTHER: Okay. So whoever, whoever is  
14 doing this needs to, they're going to take some pretty  
15 significant time out of their life to go do this.

16 MS. BARTON: Right.

17 MR. CROWTHER: Yeah. Anyway --

18 MR. TRACE: Are the two applicators, that we  
19 want to call them --

20 MS. BARTON: Sure.

21 MR. TRACE: -- are they the, the same two  
22 that we had in the previous program, or --

23 MS. BARTON: Not that I'm aware of.

24 CHAIRMAN COOK: The previous program were  
25 government employees.

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 MR. TRACE: That's what I thought.

2 CHAIRMAN COOK: Federal government  
3 employees.

4 MR. TRACE: Yeah. Where is -- I'm showing  
5 my ignorance. Where is Spring --

6 MS. BARTON: Spring Creek is out by Elko.

7 MR. TRACE: Okay.

8 CHAIRMAN COOK: Outside of Elko. It's a  
9 bedroom community to Elko.

10 MR. TRACE: So it seems like for the  
11 dairymen here, they would utilize the Smith Valley  
12 folks, would be --

13 MS. BARTON: Correct.

14 MR. TRACE: -- geographically be closest.  
15 Okay.

16 MS. BARTON: And Trudy, if you would do me a  
17 favor and ask Shawna is she could go over and see if  
18 Robert Little is in his office and ask him to come over.  
19 We can try and get an answer to the question.

20 MR. CROWTHER: How available is this? I  
21 mean, does this have to be -- how far in advance does  
22 this have to be ordered?

23 MS. BARTON: I'm going to guess not that far  
24 in advance, because the way Lynn talked, we could, you  
25 could, if you were licensed, you could purchase it over

1 the internet. So I would think it would probably take,  
2 you know, maybe five to seven shipping days.

3 MR. CROWTHER: Well, the reason I ask is if  
4 this other product is, because of market conditions, is  
5 not available, then everybody that's like us, that can't  
6 get it, is going to be going to what we're talking  
7 about. So we need to jump on this and purchase some of  
8 this soon.

9 CHAIRMAN COOK: Well, I'm curious whether  
10 this is a long-term sort of thing. Is this just this  
11 year or, or this season, or is it something that, you  
12 know, next year it will be back to normal, we can get  
13 the Starlicide? We can, you know --

14 MS. BARTON: We did not talk whether it was  
15 long-term or --

16 CHAIRMAN COOK: Yeah, I realize we're asking  
17 you a bunch questions that you can't --

18 MS. BARTON: Right. No, but I can, I can  
19 get answers for you, but they just did not talk about if  
20 it was a long-term or a short-term solution. And I'm  
21 hoping that Robert's available.

22 MS. MYERS: Shawna is not here, but  
23 Bernadette is trying to help me locate Robert.

24 MS. BARTON: So he's, just so you know --  
25 you know where Lynn's office is?

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 MS. MYERS: No.

2 MS. BARTON: Okay.

3 MS. MYERS: Is that at the end?

4 MS. BARTON: It's at the very end. So if  
5 you go, if you walk straight across that hallway,  
6 Robert's office is the same place that Lynn's office is,  
7 but on the other side of the hallway.

8 MS. MYERS: Okay.

9 MS. BARTON: Okay?

10 MS. MYERS: I'll go find him.

11 MR. TRACE: I should know this, but I'm  
12 trying to promote it, so I want to make sure.

13 MS. BARTON: Okay.

14 MR. TRACE: \$2,000 is available for each  
15 dairyman on an 80/20.

16 MS. BARTON: Uh-huh.

17 MR. TRACE: What would be the total cost?  
18 Is it dependent on, if I had 2,000 cows and you have  
19 500 -- it don't matter how many cows you've got, right?

20 MS. BARTON: I think it would depend -- oh,  
21 there he is. I think it would depend on the, on the,  
22 probably the size --

23 MR. TRACE: Yeah. Yeah.

24 MS. BARTON: Hey, Robert. This is Robert  
25 Little.

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 MR. LITTLE: Hi.

2 MS. BARTON: Robert, I'm asking you to join  
3 the Dairy Commission for a few minutes.

4 MR. LITTLE: Sure.

5 MS. BARTON: They have some questions about  
6 Avitrol --

7 MR. LITTLE: Okay.

8 MS. BARTON: -- and about the person -- so  
9 one of the questions was, is can a, if I'm a dairyman  
10 and I come in and take the test, but my neighbor next  
11 door wants me to apply it, can I?

12 MR. WARD: Why don't you go ahead and state  
13 your name for the record.

14 MR. LITTLE: Yeah. Robert Little with the  
15 Department of Agriculture.

16 So you can. You can apply it, or you can  
17 actually oversee your neighbor, or your neighboring  
18 dairy. As long as you're on site, you can work with him  
19 on applying it at that dairy as well.

20 MS. BARTON: Okay. And another question is:  
21 Do you think there's going to be a problem with us  
22 getting the Avitrol since nobody is -- if nobody's going  
23 to be able to get Starlicide, is it going to be a  
24 problem for us to get Avitrol?

25 MR. LITTLE: So we have two companies in

1 Nevada right now that, that are dealers of Avitrol.  
2 Both of them, we've talked to them, they don't -- they  
3 have a little supply on hand. It's not a product that's  
4 used widely in Nevada, so they don't really stock up on  
5 it. But from the manufacturers, they said that they can  
6 still get it at this time. So it's not, there is no  
7 national-wide -- nationwide shortage on it.

8 CHAIRMAN COOK: Is the Starlicide shortage,  
9 is it being cut off for regulatory reasons, or is it  
10 just the --

11 MR. LITTLE: So it's not on our side that's  
12 doing that. That's through the USDA. USDA has their  
13 own manufacturing services that they do for a number of  
14 herbicides or pesticides, or control type pesticides.  
15 They are the producers, the manufacturers of it. Why  
16 they've, why they're low, I don't know. I was just told  
17 that they aren't going to be able to supply it this  
18 year.

19 CHAIRMAN COOK: So this is just temporary?  
20 It's --

21 MR. LITTLE: For all I know, it is just this  
22 year. Whether they're looking to, you know, ramp up  
23 their numbers next year or not, that's their own  
24 internal decision. I don't know. I can look into it, I  
25 just don't have an answer for you.

1 CHAIRMAN COOK: No. I'm concerned that it's  
2 being banned, it won't be available in the future,  
3 period.

4 MR. LITTLE: And that's a, it's a valid  
5 concern. I don't know that it's being banned, I just  
6 know that they're low on it this year and they won't be  
7 able to supply it for this year. What they're, you  
8 know, regimented, or what they're looking for for the  
9 future, I don't know. I can find out, and I would be  
10 happy to find out for you and then pass it along to  
11 either Donnell or Lynn or whoever --

12 CHAIRMAN COOK: The thing that I'm curious  
13 about, my, my understanding of the way the Starlicide  
14 worked is the baiting was just done to draw the birds to  
15 feed that was away from the feed bunks that the dairy  
16 cows ate in, and then after two or three days of that  
17 you put the Starlicide down. It sounds here like the  
18 way the term "baiting" is being used, it's, the treated  
19 feed is put out three to five days before you start to  
20 see any effects or any impact.

21 MR. LITTLE: On Starlicide or for the  
22 Avitrol?

23 CHAIRMAN COOK: On the Avitrol.

24 MR. LITTLE: So the Avitrol product, yeah.  
25 So they call it a pre-baiting, which you would do two to

1 three, five days prior. So what you're doing is you're  
2 getting them used to going to that feeding source, to go  
3 to that. The way that the mix is -- which is a little  
4 bit different from Starlicide, where Starlicide, pretty  
5 much everything that eats it dies. This one is a mix  
6 where one in, like, ten birds will actually get sick and  
7 die. They will eat so much that they get -- and what it  
8 does is it causes that bird to send out more of a  
9 distress signal. It will start flopping around on the  
10 ground. One in ten birds will die, or one in nine. I  
11 can't remember the exact total. And it pretty much  
12 freaks the other birds out, and then they dissipate and  
13 they don't come back.

14 The way that the Avitrol works, they've had  
15 good success with it. I've never used it. I've never  
16 actually seen it used. It's not really my game. But we  
17 have a number of people who use Avitrol in, like, the  
18 Las Vegas area for pigeon control, and they say it works  
19 really well down there for that.

20 And so, you know, for the, what you guys are  
21 using it for you're not having, necessarily, nesting  
22 birds that are a year-long thing, like pigeons will do,  
23 it's supposed to work pretty well for starlings and  
24 whatnot as a dispersal mechanism and they go elsewhere.  
25 So --



Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 CHAIRMAN COOK: So it sounds like what we're  
2 going to have to do is have all the dairymen  
3 corroborate, because all you'll be doing is pushing them  
4 from dairy to dairy unless we can get them all to do it.

5 MR. LITTLE: Yeah. When you're looking at,  
6 you know, where all of our dairies are fairly  
7 centralized, you know, in one area, you would be pushing  
8 them essentially over to your neighbor if they're going  
9 to be going that way. So, yeah, a coordinated effort on  
10 trying to control them would probably be the best  
11 method. Especially for, like, the Fallon area. I can  
12 see, you know, the dairies that we have in Pahrump -- is  
13 it only just one dairy in Pahrump at this time? You  
14 would be moving it off yours and they would be just  
15 going elsewhere.

16 CHAIRMAN COOK: Yeah.

17 MR. LITTLE: So, yeah, a coordinated effort  
18 would probably work out much better.

19 MR. TRACE: Hey, Robert, if the dairymen  
20 were to get certified -- is that the word we use?

21 MR. LITTLE: Certified, yes. They would get  
22 their --

23 MR. TRACE: Is that good forever, or would  
24 he have to come in the following year and get  
25 recertified?

1 MR. LITTLE: Right now that certification is  
2 good for four years.

3 MR. TRACE: Four years.

4 MR. LITTLE: Uh-huh.

5 MR. CROWTHER: On the Starlicide, one of the  
6 questions that we asked early on in this is when these  
7 birds die, they're laying on the ground, and say, you  
8 know, a domesticated animal comes and eats it, or other  
9 animals eat it, does this cause a problem for them?

10 MR. LITTLE: Like a secondary kill, or make,  
11 at least, the secondary sick? I don't know. I haven't  
12 read the actual Starlicide label to make sure. I know  
13 with the -- I'm sorry. The Avitrol label. I know with  
14 the Starlicide label you are supposed to pick up  
15 carcasses off the ground once they've eaten it and the  
16 bird has, has passed. So I think the same is true for  
17 the Avitrol, that you're supposed to pick up dead birds  
18 as well. As far as a secondary kill, though, I'm not  
19 positive if it does pose a risk to other animals. I  
20 would have to get a copy of the label and look at it.

21 CHAIRMAN COOK: How do you spell it?

22 A-v-e-t --

23 MR. LITTLE: I think it's A-v-i --

24 MS. BARTON: It's A-v-i-t-r-o-l.

25 MR. LITTLE: Yeah.

1 MS. BARTON: Double Strength 051.

2 MR. LITTLE: Yeah. I would have to get a  
3 copy of the label. I don't have one with me right now.  
4 But I would say there is a possibility of, you know,  
5 secondary damage to a, you know, a secondary type  
6 animal, but I don't know what that, what that risk is.

7 MR. COLLIER: What, what, from the  
8 standpoint of the Department of Agriculture standpoint,  
9 what is the, what are they gonna do to mitigate the  
10 public's concern about finding dead birds in their front  
11 yards? Now, last year that was handled very poorly,  
12 and -- in my opinion -- and it seems like, to me, that  
13 you guys have the resources, and you have the public  
14 relations people on staff that could do some advanced  
15 forewarning.

16 MS. BARTON: Sure.

17 MR. COLLIER: Particularly for the people in  
18 Churchill County --

19 MS. BARTON: Right.

20 MR. COLLIER: -- that this affects. So that  
21 we don't wind up with another big article in the  
22 newspaper with Lynn Hettrick's picture in it.

23 MS. BARTON: Sure. He'd probably appreciate  
24 that, wouldn't he?

25 MR. COLLIER: And it would, it would give

1 you guys more of a black eye --

2 MS. BARTON: Sure.

3 MR. COLLIER: -- than what you, perhaps,  
4 might have.

5 MS. BARTON: Sure.

6 MR. COLLIER: I'm just bringing that up,  
7 because I think it would be something that you would  
8 want to give some thought to this year, ahead of time.

9 MS. BARTON: Yes. Sure. I agree with that.

10 MR. LITTLE: I would agree with that, too.

11 MR. CROWTHER: And I think one of those  
12 questions needs to be addressed in that, this secondary  
13 poisoning, I guess.

14 MR. LITTLE: Yeah.

15 MR. CROWTHER: Because, you know, the  
16 public's going to want to know that.

17 MR. LITTLE: Yeah. I don't know that  
18 after -- you know, I don't know how quickly, how,  
19 quickly the Avitrol product works, you know, if the bird  
20 would really even fly off of the site and then possibly  
21 perspire [sic] elsewhere. But, again, I would have to  
22 take a look at that, that label to see if that would be  
23 a concern as well.

24 MR. CROWTHER: I know that we were, we were  
25 at least satisfied by the answers on the Starlicide

1 that, that there would not be secondary poisoning. We  
2 were told that that, the drug, or the chemicals that  
3 kill the bird would not impact any other animals in the  
4 way that it killed the bird.

5 MR. LITTLE: Right. And that may be true  
6 for Avitrol, I just don't know. I haven't read the  
7 label yet.

8 CHAIRMAN COOK: Well, let's hope it's only  
9 one year.

10 MR. TRACE: Yeah. Hey, Robert, maybe you're  
11 not the person to ask, and maybe I should know this, but  
12 what would be the average -- is this the proper way to  
13 ask? -- what would be the average cost for an average  
14 sized diaryman to -- you know, if I'm a dairyman and I  
15 have a thousand cows -- of course it don't do with cows.

16 MR. LITTLE: Right. It would be --

17 MR. TRACE: Your commodities, how large that  
18 is?

19 MR. LITTLE: I really couldn't talk any  
20 numbers. I don't even know how much the product cost  
21 per whatever, so I would have to look into that.

22 MS. BARTON: Yeah. The cost is --

23 MR. TRACE: It would be equivalent with the  
24 old, maybe? Or maybe not.

25 MS. BARTON: It's \$325 for five pounds,

1 and --

2 CHAIRMAN COOK: I'm assuming that's a  
3 concentrated --

4 MS. BARTON: Correct, I would think so as  
5 well. And then we do the 80/20 split up to \$2,000 for  
6 that.

7 CHAIRMAN COOK: That kill rate just doesn't  
8 sound very effective. You're getting one out of nine or  
9 one out of ten.

10 MR. LITTLE: It's not determined to be --  
11 you're not trying to kill everything, though. It's more  
12 of a dispersal type, the way that --

13 CHAIRMAN COOK: It's a whole different  
14 approach.

15 MR. LITTLE: Different approach completely.  
16 I'm trying to bring up a copy of the label so hopefully  
17 maybe I can answer some of you guys' questions.

18 MR. COLLIER: Is that, is that method more  
19 effective or less effective than use of the Starlicide?

20 MR. LITTLE: I don't know of any studies one  
21 way or the other on it. And again, this is a product I  
22 don't normally -- I wish -- so Chuck Moses is our, is  
23 our pesticide expert that we have here, and he's dealt  
24 with a number of our companies here in Nevada that use  
25 it, and he could probably attest to it a little bit

1 better than I can. I don't know it that well.

2 MR. COLLIER: Is this a funding issue with  
3 the federal government, if they're the manufacturers of  
4 this, or is there funding that's been cut back to  
5 manufacturer this product, the Starlicide?

6 MS. BARTON: I have not heard anything.

7 MR. LITTLE: I've not heard that it's a  
8 funding issue. But again, you know, I don't know why  
9 they don't have it. All we've been told is they will  
10 not have -- there's a national shortage and they were  
11 looking at making allocations for it across the nation  
12 on what states would get how much, and whatever else.  
13 And so we were just told that there probably wouldn't be  
14 much for Nevada, or for, you know, any of the, really,  
15 any states this year. So --

16 MR. CROWTHER: Does this change. The  
17 product that's proposed -- you know, we've approved the  
18 use of -- we've approved this program. Does changing  
19 the chemical that's used require a new amendment or a  
20 new proposal that we vote on, or can it just be changed  
21 as part of the program? Do we need to provide some  
22 action today on this?

23 MR. LITTLE: I don't know what the contract  
24 looked like prior to that, if it was --

25 CHAIRMAN COOK: I, I don't, I don't think

1 so, Troy. Because I think the program that we approved  
2 was just basically to fund a starling control effort,  
3 and I, I don't think it was necessarily product specific  
4 or, or, you know, something that tied our hands.

5 MR. CROWTHER: Okay.

6 CHAIRMAN COOK: The only question that I  
7 would have, though, is because last year it involved the  
8 USDA, people are actually the ones that did it, and if  
9 they're not necessarily going to be involved in it this  
10 year, I'm wondering if that, that maybe changes the  
11 nature of this program. But if the farmers themselves,  
12 or the dairymen themselves are licensed to do put their  
13 own applications on, or they want to go out and  
14 contract, what's the difference whether they're  
15 contracting with a couple of different private entities  
16 or they're doing it with a government agency?

17 MR. TRACE: See, with the dairymen in Fallon  
18 in particular, which they are in pretty close proximity,  
19 with this application it's dispersing the birds, so,  
20 with the other one it's killing them, I guess. Right?

21 CHAIRMAN COOK: Right.

22 MR. TRACE: So it is advantageous for  
23 everybody. Because if you're putting it on and I'm not,  
24 you're just going to bring the birds over to my house.

25 MR. COLLIER: Exactly right.



Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 CHAIRMAN COOK: Pushing the problem down the  
2 road.

3 MR. COLLIER: So you've got to have total  
4 cooperation with all the dairymen out there for this to  
5 be effective, and that could be difficult.

6 MR. TRACE: So a letter, you said at the  
7 outset, is going out. Anna's putting a letter  
8 together --

9 MS. BARTON: Anna is putting a letter  
10 together to go out to the dairymen to talk about the  
11 product, what it does, that we'll have the training  
12 available, and the, the funding for that.

13 MR. TRACE: Yeah.

14 CHAIRMAN COOK: Well, I'm wondering if maybe  
15 there isn't somebody at the county level in Churchill  
16 County that could take on responsibility for getting it  
17 out and getting it down on the ground all at the same  
18 time. You know, maybe they've got some kind of a pest  
19 control entity in the health department out there.

20 MR. COLLIER: Doesn't, doesn't the extension  
21 service, wouldn't they have interns under the  
22 supervision of an extension agent? Couldn't they,  
23 couldn't they take care of getting this program  
24 administered and carried out?

25 MS. BARTON: I'm looking at Robert, because

1 he, he knows the regulations better.

2 MR. LITTLE: I'm trying to think.

3 MR. COLLIER: I mean, it seems to me, isn't  
4 that what the extension, one of the purposes of the  
5 extension service?

6 MR. LITTLE: Well, the extension service  
7 doesn't exist to do pest control. So, I mean, most  
8 companies, most any entity that's out there that is  
9 doing pest control is a licensed company to do pest  
10 control. So when I think about extension services and  
11 those who are, you know, maybe out in a particular area,  
12 like Jay Davidson, you know he's not really out there to  
13 do pest control. He's, you know, more crop advice and  
14 things likes that. Or, you know, agricultural  
15 advisement. I don't think that he -- I don't even know  
16 if Jay, to be quite honest with you, or anybody out in  
17 Churchill County, or anybody with cooperative extension,  
18 has a restricted use pesticide certification. That's  
19 not to say that they couldn't get one, but I don't know  
20 that that's really their scope, is to go get that one  
21 and then supervise people doing pest control. I don't  
22 know that that's really in their scope of work.

23 MR. CROWTHER: Mr. Chairman, I think what  
24 we're talking about, getting this information out to the  
25 dairymen, I hope -- hopefully it's very clear that this

1 is a dispersal program. Because I can, I can envision  
2 some lone diaryman coming in here in the spring saying,  
3 you know, "You guys pushed all the birds to me, and my  
4 whole feedlot was totally" --

5 CHAIRMAN COOK: Yeah. That's what I'm  
6 thinking, is some guy who is maybe one of the marginal  
7 producers and doesn't want to spend the money, or can't  
8 spend the money, is going to end up being hammered with  
9 all these birds.

10 MR. CROWTHER: Perhaps even a beef, somebody  
11 that's raising beef cattle. You know, they're going  
12 to -- we'll push all those birds over to them. Or you  
13 know, something else, some other industry that's  
14 affected by the --

15 CHAIRMAN COOK: Well, we're due to have our  
16 January meeting out there, aren't we?

17 MS. EASLY: January's meeting will be in  
18 Fallon, yes.

19 CHAIRMAN COOK: I'm wondering if we can  
20 maybe push that topic to the, you know, to be a big  
21 agenda item to try to get as many of the dairymen to  
22 show up.

23 MR. TRACE: Good idea. That would be  
24 important. Because I would say that the dairymen that  
25 participated last year were very happy and very

1 satisfied with the program. So it would kind of grow it  
2 a little bit. We don't want to take one step forward  
3 and two back.

4 CHAIRMAN COOK: Yeah. We made some great  
5 progress, and --

6 MR. LITTLE: So in a coordinated effort -- I  
7 think right now we're trying to push, for putting  
8 together a workshop and everything to, for farmers and  
9 dairymen to get their RUP certification, if this was,  
10 you know, something that they wanted to do, we were  
11 looking at the 4th and then the testing on the 5th.  
12 Would that, would that work in conjunction with when --  
13 or would your guys' January meeting be after that?

14 MR. COLLIER: It would be after that.

15 CHAIRMAN COOK: The third Thursday of the  
16 month.

17 MR. LITTLE: Right.

18 MR. COLLIER: And if you're wondering about  
19 January 4th and 5th to do this, and here it is, the 17th  
20 of December, you've got to do a little quick work here  
21 to get the word out there. Somebody's got to give some  
22 leadership to this thing.

23 MR. LITTLE: Yeah. I mean --

24 MR. COLLIER: I mean, that's awful quick.

25 MR. LITTLE: Well, you know, knowing that

1 we're heading into the colder months and the starlings  
2 are going to be more and more of a problem, we were  
3 trying to get it done as quick as we possibly could to  
4 get, you know, people trained and get them certified.  
5 If it benefits the dairymen more for us to push that  
6 training off until further in January, that's fine. We  
7 were just trying to react as quick as we could and get,  
8 you know, a viable option to them as quickly as  
9 possible.

10 CHAIRMAN COOK: I don't know. Al, what's  
11 your thoughts about trying --

12 MR. TRACE: Well, I was going to ask, but I  
13 lost my train of thought.

14 Some, some of the dairymen have, already  
15 have a pesticide license, I want to say. I'm thinking.  
16 And maybe I'm thinking not in Nevada --

17 MR. LITTLE: It's probably the same thing,  
18 it's a restricted use pesticide certification. Unless  
19 they're doing work for hire and they're putting  
20 themselves out for hire, they don't have a license.  
21 They would have a restricted use pesticide  
22 certification.

23 MR. COLLIER: That they can administer it  
24 themselves.

25 MR. LITTLE: They can administer -- and they

1 would -- that would, if they have it, they could do  
2 Avitrol today.

3 MR. TRACE: For this.

4 MR. LITTLE: Yeah. At least the training.

5 MR. TRACE: Yeah.

6 MR. LITTLE: And the workshop. And I will  
7 mention that there are two licensed companies in Nevada  
8 right now that have the, the certification, the  
9 classifications under their license to do this work. If  
10 there were dairymen that felt that this wasn't work that  
11 they wanted to do themselves, that would be work for  
12 hire that they could hire to come in and do it. One is  
13 actually in Smith Valley, and then one is -- oh, you  
14 already went over that -- in Spring Creek.

15 MR. TRACE: And I would say, Robert, I  
16 think -- and again, not being negative -- but most  
17 dairymen would rather have it hired done. They're just  
18 going to say "too busy" -- unless they already have what  
19 you just described.

20 MR. LITTLE: Totally understand. So --

21 CHAIRMAN COOK: Well, I think the important  
22 thing is to get them notified to the point that, "Look,  
23 it's either all of you or none of you. Because if just  
24 a handful of you do it, you're going to be pushing the  
25 birds to the guys that don't do it, and" --

1 MR. TRACE: And I know you can't speak for  
2 Anna, but if she could make that clear in the letter --

3 MS. BARTON: Sure.

4 MR. TRACE: -- and then maybe also, to your  
5 point, say -- which would be another good way to get  
6 people out, the dairymen, to the January meeting that's  
7 going to be in Fallon, you know, "further discussion,"  
8 or something to that, you know, "we can discuss this in  
9 detail at the January meeting, which, by the way, will  
10 be in Fallon."

11 CHAIRMAN COOK: I'm not sure how the  
12 budgetary thing would work out, but maybe if a large  
13 group of them decide to contract it out and call this  
14 guy in from Smith Valley and say, "Okay, give us a  
15 price," and then split it up based on either per cow --

16 MR. TRACE: Right.

17 CHAIRMAN COOK: -- you know, per head basis,  
18 or on an acreage basis, or somehow figure out how you're  
19 going to allocate the costs.

20 MR. TRACE: Yeah.

21 CHAIRMAN COOK: And then they all come in  
22 and say, "Okay, here's our bill. We want our \$2,000."  
23 And then we just kick that into the pot.

24 MR. TRACE: Yeah. I think it's important  
25 now just to notify them as soon as we can in as much

1 detail as we can, kind of a little bit of change.

2 MS. BARTON: And then encourage them to try  
3 and come to the January --

4 MR. TRACE: January meeting, which will be,  
5 you know, in Fallon.

6 MR. COLLIER: It might be a thought, too, to  
7 have this testing done in, in February also. Who, who  
8 does this? Is it the State Department --

9 MR. LITTLE: It's our staff, but they are  
10 also trying to coordinate speakers and things like that  
11 to get it. So that's why if the 4th and the 5th, you  
12 think that's too premature --

13 MR. COLLIER: I think it's really quick. I  
14 think it's just really quick.

15 MR. LITTLE: We can do it. We can  
16 accomplish that. It's about a half-day training, and  
17 then the next day is a, is the test.

18 CHAIRMAN COOK: So it's not two days of  
19 training, it's half days?

20 MR. LITTLE: Half day of training and then a  
21 half day for the examination. We schedule for a half  
22 day for the examination. Some people take longer, some  
23 people take shorter. We just schedule for a, you know,  
24 a four-hour block. And then most people get it done in  
25 about two hours.



Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 CHAIRMAN COOK: I'm wondering, to your  
2 comment, if we maybe don't do a follow on a month later.

3 MR. COLLIER: Yeah.

4 CHAIRMAN COOK: That way it would be post  
5 the January meeting, if we maybe try for something in  
6 the early February to repeat what was done in early  
7 January.

8 MR. LITTLE: Yeah.

9 CHAIRMAN COOK: Then those guys that weren't  
10 able to make it, or the word gets out --

11 MR. LITTLE: So I guess my question is, I  
12 mean, how -- if, you know, it's a four-hour, four- to  
13 five-hour training that we would be doing, and we try to  
14 get as many people into it as we possibly can, what are  
15 we talking numbers here? What would you guys estimate  
16 would be the amount of people that you're trying to get  
17 in? So, I mean, if we're only doing a class for four  
18 people and a month later doing a class for four people,  
19 that's not really --

20 CHAIRMAN COOK: Right. It's not  
21 cost-effective.

22 MR. LITTLE: Not very cost-effective for us.  
23 But if we could --

24 MR. TRACE: Well, if I understand your  
25 question, there's 18 dairies -- well, 17 in the Fallon

1 area, 2 in Smith Valley.

2 MR. LITTLE: Right.

3 MR. TRACE: So, I, again, I just don't think  
4 we'll get them out. I don't think you'll even get four  
5 people that are interested to take the test.

6 MR. LITTLE: And that would be my only  
7 concern, trying to split it up to two different training  
8 sessions.

9 CHAIRMAN COOK: But that's --

10 MR. TRACE: And I'm not being negative. We  
11 can try to promote it. But, I mean, because the people  
12 who have done it before liked it, and they liked the  
13 results, and the other part they liked is they didn't  
14 have to do anything.

15 MR. COLLIER: How many, how many dairies did  
16 we have participate in total last year?

17 MS. EASLY: Oh, I don't have those figures  
18 in front of me.

19 MR. COLLIER: Did we have four?

20 MS. EASLY: I'm thinking it was about seven  
21 or eight or so.

22 MR. COLLIER: So we had about half of the  
23 dairies out there participate in it. Because if we do,  
24 if we embark upon what we're doing, talking about this  
25 year, we're going to create a problem for other

1 people -- other dairies. And for the beef guys.

2 CHAIRMAN COOK: Right.

3 MR. COLLIER: And this is, this is, can be a  
4 public health issue, too. I mean, so, you know, we  
5 ought to give some thought to that aspect of it.

6 Because it's my understanding that, you know, this gets  
7 into the feed and the cows digest it, and, you know --

8 MS. BARTON: They do it separate from what  
9 the cows --

10 MR. LITTLE: Yeah. You put it away from the  
11 feed. Yeah. I was kind of reading the label, and I  
12 couldn't find anything on secondary kill, but I wasn't  
13 reading the exact label. But you're supposed to do,  
14 bait away from where you're feeding the cows.

15 CHAIRMAN COOK: That's the whole point, is  
16 to draw the birds away from the food bunks and, you  
17 know, get them out there and -- don't you recall the  
18 discussions that we had about that, that, you know, the  
19 birds --

20 MR. COLLIER: Yeah.

21 CHAIRMAN COOK: -- the starlings pick out  
22 the prime feed --

23 MR. COLLIER: Right. Right. In the feed  
24 bunkers.

25 CHAIRMAN COOK: -- in the feed bunkers. And

1 by putting some of that out --

2 MR. COLLIER: Over in a separate place.

3 CHAIRMAN COOK: -- away, you pull them away  
4 and you, at least, recondition them to go to that line  
5 of feed that may be set up two or three feet away from  
6 the --

7 MR. COLLIER: But they're still defecating  
8 in the food bunker.

9 CHAIRMAN COOK: Well, that's why you try to  
10 pull them away as much as possible.

11 MR. COLLIER: But you're not going to get  
12 them all. That's the problem.

13 CHAIRMAN COOK: And that's the difference  
14 between something that kills them and just disperses  
15 them.

16 MR. COLLIER: That's right.

17 CHAIRMAN COOK: So it's going to be a whole  
18 different treatment. I don't know. I really, I really  
19 think we're getting to the point where it's got to be  
20 all or none. Everybody in it or nobody does it.

21 MR. CROWTHER: I have a question. Even if  
22 all the dairymen do this, where are the birds going to  
23 go?

24 CHAIRMAN COOK: To Las Vegas.

25 MR. COLLIER: Your front yard.

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 MR. CROWTHER: Yeah. I mean, who else, who  
2 is going to be affected now that these are moving away  
3 from the dairies?

4 MR. COLLIER: The people in the community of  
5 Fallon.

6 MR. LITTLE: Yeah. I mean, they'll probably  
7 go urban and try to, you know, find other food sources  
8 within town or, you know, wherever else. But the  
9 dispersal method is supposed to, you know, they  
10 shouldn't be returning to the same spot where they know  
11 it's an issue. So, yeah, you are kicking the can down  
12 the road, per se, to some other possible industry or to  
13 residents or something else.

14 MR. CROWTHER: Well, if they're being  
15 diluted around the, the county or wherever, then that's  
16 fine. I mean, the problem is that they're eating up a  
17 food source that is costing somebody, you know, a lot of  
18 money, whereas if they're, you know, just living off  
19 something that's, you know, naturally in the  
20 environment, that's, that's something different.

21 MR. LITTLE: Agreed.

22 CHAIRMAN COOK: Well, since they're an  
23 introduced species, we don't worry about them. We just  
24 want to get rid of them. But remember, Troy, what  
25 happens in Las Vegas, stays in Las Vegas. So when they

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 get down there --

2 MR. COLLIER: Don't send them back.

3 CHAIRMAN COOK: -- you take care of them.

4 MR. CROWTHER: Yeah, we, we've had to take  
5 care of them down here.

6 MR. COLLIER: Get them in those casinos and  
7 give them free drinks and put them on the slots.

8 CHAIRMAN COOK: Well, I think we should put  
9 on the agenda for the January meeting another detailed  
10 discussion. And maybe you can coordinate with Kathy and  
11 Lynn about trying to fire up all the dairymen out  
12 there --

13 MR. TRACE: Yeah.

14 CHAIRMAN COOK: -- that this is something  
15 they should pay attention to.

16 MR. TRACE: Yeah.

17 MR. CROWTHER: Is this a meeting that should  
18 be held in Fallon, perhaps?

19 CHAIRMAN COOK: Well, we're going to have  
20 our January meeting there anyway.

21 MR. TRACE: I think it was already  
22 scheduled.

23 MR. CROWTHER: Okay.

24 CHAIRMAN COOK: So if you want to come up  
25 and get cold.

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 MR. CROWTHER: January in Fallon.

2 MR. COLLIER: It's lovely.

3 CHAIRMAN COOK: It will give you a chance to  
4 press the flesh with our producers.

5 MR. COLLIER: It might even be snowing.

6 MR. LITTLE: So, then, I guess a quick  
7 question, then. Are we still happy, then, if we try to  
8 hold this workshop on the 4th and 5th?

9 CHAIRMAN COOK: Proceed with it and we'll  
10 see how it's received. And then if we don't get a good  
11 reaction and response, hopefully we can get them to come  
12 out to the, to the monthly Dairy Commission meeting  
13 later in the month. And we'll try to emphasize to them,  
14 "If you guys want us to do this, we need your  
15 cooperation."

16 MR. LITTLE: Okay.

17 CHAIRMAN COOK: Otherwise some poor schmuck  
18 at the end of the road is going to get bombarded with  
19 starlings. Okay.

20 MS. BARTON: Okay?

21 CHAIRMAN COOK: Anything else for that  
22 particular agenda item?

23 MS. BARTON: I don't.

24 MR. LITTLE: I'm good.

25 MS. BARTON: Thank you, Robert.

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 MR. LITTLE: Not a problem. Happy to help.

2 MS. BARTON: I'm glad you were available to  
3 bring you in.

4 MR. LITTLE: If you have any additional  
5 questions, Donnell can get ahold of me, but there's a  
6 business card with my electronic information.

7 CHAIRMAN COOK: Thank you.

8 MR. LITTLE: You're welcome.

9 MS. BARTON: Thank you.

10 CHAIRMAN COOK: Okay.

11 MS. BARTON: The next is the staff report.  
12 And so on the table are the current prices, fluid milk  
13 prices for the different categories and by class for  
14 your review.

15 And then we also have, I'm going to turn it  
16 over to Kimberly, and she has an update on our budget.

17 MS. WHITFIELD: You all have copies? This  
18 is the agency budget summary year-to-date as of  
19 yesterday, 12/17/2015. Our net revenue year-to-date,  
20 ties DAWN -- is our, that's our system that after all  
21 the deposits and everything has, have been run through  
22 the controller's office, or the treasurer's office, the  
23 posting as it would apply.

24 So our revenue year-to-date is \$772,880.06.  
25 Our net revenue year-to-date, excluding balance forward,



1 is negative \$29,585.94. Our projected net revenue at  
2 fiscal year-end, excluding the balance forward, is  
3 \$249,489.01. And then the projected balance forward at  
4 fiscal year-end is \$1,051,955.01.

5 And I guess you can see from here that the  
6 agency reserves are now over \$900,000. It's \$929,865.

7 And the only other thing that I'd like to  
8 comment on here, the Las Vegas metro building line item  
9 there, GL 80, towards the bottom, we did have some  
10 activity this month at \$24,819. That's one of the first  
11 disbursements, I guess, for the renovations that are  
12 going on over there. And as I understand it, we're  
13 still scheduled for March to be moving in. Is that  
14 correct, Donnell?

15 MS. BARTON: That's correct.

16 MS. WHITFIELD: Okay. And that's about it.

17 CHAIRMAN COOK: So the reserve continues to  
18 grow.

19 MR. CROWTHER: Does this projected net  
20 revenue factor in the, what we did last month as far as  
21 the, eliminating the assessments?

22 MS. WHITFIELD: No. There have been no  
23 adjustments on this at all. This is based on what the  
24 original work programs were and the budget that was  
25 originally submitted.

1 MR. CROWTHER: Okay. So this will likely go  
2 down by a fair amount, this net revenue.

3 CHAIRMAN COOK: Well, wasn't the only thing  
4 we changed was the assessment on fluid milk?

5 MR. CROWTHER: Right.

6 MS. BARTON: Right.

7 MS. WHITFIELD: These figures you're looking  
8 at are actually pretty much through November, because  
9 all assessments -- the reports aren't due until the 20th  
10 of the month, so most of the activity for December isn't  
11 even showing on here yet.

12 MR. CROWTHER: But that, that reduction in  
13 assessments doesn't take effect until January.

14 MS. WHITFIELD: Right.

15 MR. CROWTHER: So we're going to have six  
16 months of no assessments for this fiscal year. But  
17 that's not reflected in this projected net revenue; is  
18 that, is that correct?

19 MS. WHITFIELD: That's correct. No  
20 adjustments have been made to how this worksheet was  
21 developed from the original budget.

22 MR. CROWTHER: I would like to see this  
23 projected net revenue and projected balance forward  
24 reflect that so we can get a, maybe a truer sense of  
25 what we're going to be looking at with the fiscal

1 year-end.

2 MS. WHITFIELD: Okay. I'll look into that  
3 and try to have that for you for next month.

4 CHAIRMAN COOK: Our fiscal year starts  
5 July 1?

6 MS. BARTON: Correct.

7 MS. WHITFIELD: Yes.

8 CHAIRMAN COOK: We're four months in. And  
9 then we were going to, the fluid milk assessment stopped  
10 effective January 1; right?

11 MS. EASLY: Correct.

12 MS. BARTON: Yeah. And from what I've  
13 heard, it will be about \$200,000 less.

14 MS. EASLY: A year.

15 MS. BARTON: A year.

16 MS. EASLY: So if we subtract half of that,  
17 that's what we'll hit this fiscal year. Because we'll  
18 have six months of no assessments on fluid milk.

19 CHAIRMAN COOK: So if we're lucky we finish  
20 out the fiscal year at an 800-and-some-odd thousand  
21 dollars reserve balance, which is still way more than  
22 we're supposed to have.

23 MS. BARTON: But I think that we could be  
24 making some changes to the dairy lab, and that would be  
25 a question for Anna, to talk about all of the changes

1 that she's making.

2 CHAIRMAN COOK: Yeah. We've hired the  
3 biologist; right?

4 MS. BARTON: We have. The microbiologist is  
5 in. There's some additional equipment she's looking at  
6 purchasing, so that could help to take down that  
7 balance. I just don't know by how much. So that could  
8 be a question that we propose for Anna the next  
9 go-round.

10 MS. EASLY: And I found out that our trailer  
11 is finally coming, so the payment for that will be going  
12 out as well.

13 CHAIRMAN COOK: That's, what, about \$10,000?

14 MS. EASLY: Uh-huh.

15 MS. BARTON: It's actually on its way up.  
16 It was in Las Vegas yesterday and headed this way.

17 CHAIRMAN COOK: Cool.

18 MR. CROWTHER: The trailer's here?

19 CHAIRMAN COOK: And where is Moolisa? She  
20 still down south?

21 MS. BARTON: She's here.

22 MS. EASLY: No. She's in the lobby.

23 CHAIRMAN COOK: Oh. I didn't even notice  
24 her.

25 MS. BARTON: She's all decorated for

1 Christmas.

2 MR. COLLIER: We have another one.

3 CHAIRMAN COOK: We're working on another  
4 one; right? Don't we have another one in the works?

5 MS. EASLY: We're working on a second  
6 Moolisa for the Las Vegas office, but we're holding off  
7 on that until after the move.

8 MR. COLLIER: Are we going to have any  
9 babies, little calves?

10 MS. EASLY: No. Just Moolisas.

11 CHAIRMAN COOK: Okay. All right. Well,  
12 thank you. A nice problem to have. If you have to have  
13 a problem, having too much money is --

14 MS. BARTON: I agree.

15 CHAIRMAN COOK: If there is such a thing as  
16 too much money.

17 MS. BARTON: I would agree with you on that  
18 one.

19 MR. COLLIER: Is there any, is there any  
20 future projections or thoughts for adding staff for the  
21 dairy operation, or for the Department of Agriculture?  
22 You know, like more public information officers or  
23 anything like that to be a part of this budget?

24 MS. BARTON: I think that that will come  
25 next spring when we start to develop the budget. We

1 usually do that budget development in the spring. I  
2 will say that for public information officers, those are  
3 probably one of the hardest positions to get in State  
4 service. For some odd reason, they don't like to fund  
5 them. We, we had one when we moved here to the  
6 Department of Agriculture, and we got a second one this  
7 past session, but it was a hard go to get that second  
8 one. So I can mention that to Lynn and see that, talk  
9 to Anna about if she needs additional staff.

10 We're also trying to do some upgrade with  
11 technology. So looking at a different method for folks  
12 to go, to be able to go online to register and pay their  
13 fees. So we've got some projects that aren't ready to  
14 go right this second, but are coming along.

15 MR. COLLIER: Maybe, maybe we call that  
16 person something else.

17 MS. BARTON: We can try. And I'm learning  
18 that trick. But we can try.

19 MR. COLLIER: When I was writing grants, we  
20 had a lot of clever ways of doing things.

21 MS. BARTON: I hear you. I hear you. So we  
22 can work on that. But I do know that we have, we have,  
23 going back to the electronic, trying to have things more  
24 available on the web for the farmers. As well as in the  
25 dairy lab we need to set up a scanning system so that

1 when we're running those lab tests, that we've got a  
2 system in place so when we go back for that FDA  
3 certification it's going to make it easy for them to see  
4 all of our documentation. So I know we're looking at a  
5 scanning system as well. I've not heard a price tag on  
6 that, on those kind of things.

7 MR. COLLIER: And possibly there might be  
8 the opportunity to have some intern programs.

9 MS. BARTON: We do have an intern. Did you  
10 get a chance to introduce her?

11 MS. EASLY: Not yet.

12 MS. BARTON: Okay. So we are working on  
13 that.

14 MR. COLLIER: Okay. I'm just throwing those  
15 little ideas out.

16 MS. BARTON: I appreciate that, yes.

17 MR. COLLIER: Because I think that would be  
18 something that would be very appropriate, here.  
19 Particularly someone that could be trained to administer  
20 this bird program out in Fallon, and in other parts.

21 MS. BARTON: Sure.

22 MR. COLLIER: For other things.

23 MS. BARTON: Okay. Yeah. That sounds like  
24 a good idea.

25 MR. COLLIER: Okay.

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 MS. BARTON: Okay. Well, with that, do you  
2 want to go and ahead and introduce Trudy?

3 MS. EASLY: We do have a new intern, she  
4 started on the 14th and she's been helping me, Trudy  
5 Myers. And I'm very grateful that she's here. And my  
6 understanding is I have her indefinitely, so --

7 MR. COLLIER: Whoa.

8 MS. EASLY: Eventually down the road we will  
9 be sharing her with food and, and nutrition, but right  
10 now she's all mine.

11 MR. COLLIER: Cool.

12 CHAIRMAN COOK: Well, train her properly.

13 MS. EASLY: I will. I want some time off.

14 CHAIRMAN COOK: Okay.

15 MR. COLLIER: Maybe Anna needs an assistant.

16 CHAIRMAN COOK: Anything else for --

17 MS. BARTON: So, so the next, our next  
18 agenda item is consideration of any other matters  
19 relating to the dairy industry.

20 CHAIRMAN COOK: Okay.

21 MS. BARTON: So any, besides the Starlicide?

22 CHAIRMAN COOK: Al, anything you want to  
23 throw out there for --

24 MR. TRACE: I really have nothing of  
25 substance to say. Unless there's any questions. Seems



1 like it was just a couple of weeks ago I was here, and  
2 nothing really in my world has changed to report on.

3 CHAIRMAN COOK: How are things going at the  
4 powder plant?

5 MR. TRACE: Things are going well at the  
6 powder plant. You know, we're at half production, about  
7 a million pounds. It's a two million-pound a day plant.  
8 We're, we're running a million through there.

9 CHAIRMAN COOK: Is it all local milk, or is  
10 it --

11 MR. TRACE: It's all local milk. It's all  
12 Nevada milk. And a little bit of that is by design,  
13 because the powder market is in the tank. So I think we  
14 talked about that last month. So it's been a good  
15 opportunity for us just to get the kinks out of the  
16 plant. It's running on all eight cylinders. The plant  
17 is doing well. So we're just kind of waiting for the  
18 price to get back up.

19 CHAIRMAN COOK: Are you stockpiling  
20 inventory, or pushing it out --

21 MR. TRACE: We're pushing it out. Actually,  
22 starting in January, we got some domestic customers now,  
23 Nestle, Hershey's -- I can't think of who the third one  
24 is. You know, the good thing is it's forced us to get  
25 out of the box a little bit and get all our eggs out of

1 China's basket.

2 MR. COLLIER: Is there a problem out there  
3 with the odor that comes from that plant?

4 MR. TRACE: I've heard that there is.

5 MR. COLLIER: I've heard this from a couple  
6 of people.

7 MR. TRACE: I've heard that we've got it  
8 under control now. I don't live out there. But, you  
9 know, there was. I know, in good faith, I know we take  
10 that serious, the plants are, the people are that are  
11 working on it, in conjunction with Kendrick Engineering  
12 and Churchill County --

13 MR. COLLIER: Yes. Yes. There's, it's  
14 built near another facility that -- and so the two of  
15 them combined --

16 MR. TRACE: Well, it's built beside the City  
17 facility.

18 MR. COLLIER: Yes. The sewage plant, or  
19 something?

20 MR. TRACE: Uh-huh. It's just across the  
21 street.

22 MR. COLLIER: Oh, yeah. I got an earful  
23 about that.

24 MR. TRACE: So did we. I hope that wasn't  
25 recently. I don't know.

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 MR. COLLIER: It's been within the last  
2 month.

3 MR. TRACE: Okay. Okay. Well, then --

4 MR. COLLIER: I'm just -- I bring it up. I  
5 mean, I'm just wondering if --

6 MR. TRACE: Yeah.

7 MR. COLLIER: For an FYI.

8 MR. TRACE: Right. We're very much aware of  
9 it. We take it serious. We want to be good neighbors.  
10 The people who work at the plant all live in the  
11 community, too, so we need to take care of it. I'm not  
12 sure, I'm not enough of a plant person, John, to know  
13 what, what the process is to be causing the odor.

14 MR. COLLIER: Yeah. I wasn't aware of that  
15 until this guy just really unloaded on me.

16 MR. TRACE: Yeah.

17 CHAIRMAN COOK: Did you say, "Call the DFA"?

18 MR. COLLIER: Yeah. That's what happens  
19 when you -- that's progress.

20 MR. TRACE: Yeah.

21 CHAIRMAN COOK: Doesn't come without a  
22 price.

23 MR. COLLIER: That's right.

24 CHAIRMAN COOK: Any more dairymen voicing  
25 any interest in --

1 MR. TRACE: We have a couple, a couple that  
2 are voicing interest. You know, I don't feel at liberty  
3 to share their names now. But they're pretty serious.  
4 They've been here three or four times looking at an  
5 empty facility. There's still one empty facility in  
6 Fallon. It's old, it's small.

7 We have another person that's quite serious  
8 about building a dairy. We're trying to find him some  
9 property. That's been our struggle right now, trying to  
10 put large enough parcels of property together.

11 And other than that, no, everybody's -- the  
12 price of milk to dairymen, as you see, it's kind of  
13 down. You know, it all follows the whole chain. So a  
14 lot of dairymen don't have a real appetite to think  
15 about relocating right now. They're just trying to, my  
16 term is hunker down, in survival mode.

17 But to your, to your question, yeah, we have  
18 a couple people on the, not the front burner, but  
19 they're not the back burner. Okay? We're in contact  
20 with them.

21 CHAIRMAN COOK: Any progress, I guess -- I  
22 don't know if that's the proper word -- on the whole  
23 federal order issue down in California --

24 MR. TRACE: The hearings are over. I can't  
25 remember where we were the last month when I was here.

1 But the hearings went ten weeks. All of that now is in  
2 what they call the briefing periods back in USDA, in  
3 Washington D.C. And, you know, they're mulling it over  
4 there, digesting it, and taking the good, the bad, and  
5 the ugly, and then they'll send out their briefings.  
6 And there will probably be another short hearing,  
7 probably two- to three-week period, and then if it's, if  
8 USDA passes it, then it's voted on by the dairymen in  
9 California.

10 And if it would pass -- which if it gets to  
11 the dairymen, it will pass, because they're all thinking  
12 that it's going to be the savior -- the soonest it would  
13 be in place and applicable would be spring, the summer  
14 of 2017. That's a long process. I was over in  
15 California earlier in the week and there's a lot of  
16 dairymen just saying we can't hang on that long. You  
17 know? That's the kind of doom and gloom. But it's  
18 really, the whole dynamics is changing in the industry.  
19 And they're still the number one dairy state in the  
20 country, but it's, it's hanging on by its teeth right  
21 now.

22 So, so, yeah, it's, you know, it was a  
23 victory for the dairymen and the milk cooperatives just  
24 to have USDA come to California for ten weeks -- well,  
25 they were here a lot longer than that getting things set

1 up, but -- did I -- I, I'm trying to sort through, if it  
2 passes, the way it's written now, it will include our  
3 Fallon plant and Model Dairy here in Reno, but I, I  
4 think it's going to be sort of a moot point for our  
5 dairymen, actually, when you get right down to the  
6 prices. It could increase the dairymen's price here --  
7 I'm just throwing out numbers -- pennies. Maybe five to  
8 ten cents.

9 I think what it will do, it will add a  
10 little stability to the price, it will take -- because  
11 we'll be pooling all four classes into the price now.  
12 So I think we'll take out some of the highs and some of  
13 the lows. So that --

14 CHAIRMAN COOK: That will encompass all of  
15 California?

16 MR. TRACE: Uh-huh.

17 CHAIRMAN COOK: At least part of Northern  
18 Nevada --

19 MR. TRACE: Churchill County.

20 CHAIRMAN COOK: The Amargosa Valley and the  
21 Pahrump areas?

22 MR. TRACE: Uh-huh. Yeah.

23 CHAIRMAN COOK: Okay.

24 MR. WARD: For the record, you're saying  
25 "yes," not "uh-huh."

1 MR. TRACE: Oh. I'm sorry. Yes. Yes.  
2 Yes, ma'am. Thank you.

3 CHAIRMAN COOK: Now, I haven't heard  
4 anything about any herd reduction, herd management  
5 programs lately. Is the, is any of that going on, or is  
6 there no efforts to --

7 MR. TRACE: No. Right now we're, we're on  
8 the opposite end of that spectrum. We don't want  
9 anybody to reduce. We're quite concerned that we're  
10 going to be able to fulfill our obligations to the  
11 marketplace.

12 CHAIRMAN COOK: As low as prices are?

13 MR. TRACE: I mean, people are exiting the  
14 business, yeah. We still have commitments. If you're a  
15 processor, if you're Model Dairy, you want five loads of  
16 milk a day, and people aren't staying in the business,  
17 we only get four. I'm just -- for example. So it's  
18 such a crazy change of market. I mean, a year and a  
19 half ago we were talking herd reduction. Right now, I  
20 mean, we don't need herds, herds to be reduced.

21 MR. COLLIER: Is the market for replacement  
22 efforts firing up?

23 MR. TRACE: Yeah, some. I mean, there  
24 aren't many replacement -- the price of cows, the price  
25 of a Holstein cow now is still about \$2,200 --

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 MR. COLLIER: Oh, my word.

2 CHAIRMAN COOK: -- per cow. Typically when  
3 the price of milk goes down, the price of cows go down.

4 MR. COLLIER: Goes down.

5 MR. TRACE: That's not happening. It's  
6 pretty, pretty good, hefty price --

7 MR. COLLIER: Where would those replacement  
8 cows come from, out of California?

9 MR. TRACE: Most of them.

10 MR. COLLIER: Most of them? Yeah.

11 MR. TRACE: Yeah. I don't know, did that  
12 answer your question?

13 CHAIRMAN COOK: Yeah.

14 MR. TRACE: We don't want to reduce the  
15 cows.

16 CHAIRMAN COOK: No. But it must be a lag,  
17 obviously, between the falling price of milk and  
18 eventually a guy says, "Hey, no point in continuing to  
19 feed this thing if I can't make money on it."

20 MR. TRACE: Yeah. The biggest thing we  
21 compete with in California is trees. That market has  
22 been pretty stable. You know, children see their  
23 parents going through the anguish and they don't want to  
24 do that. There's a better way to make a living, or to  
25 make a living, period, you know, without --



Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 MR. COLLIER: Has the organic almond milk  
2 and soy milk and those kind of products, have they cut  
3 into your market?

4 MR. TRACE: Yeah. Yeah. I mean, not just  
5 organic milk. Everything in the market's cut into the  
6 dairy -- you know, fluid consumption has gone down, I  
7 think, over the last five years or more. I mean, so  
8 it's not just the organic milk, it's the drinks, the  
9 energy drinks, it's the beers, it's, you know, just  
10 everything.

11 MR. COLLIER: Yeah.

12 MR. TRACE: So I really wouldn't blame it on  
13 the organic milk, per se.

14 MR. COLLIER: Okay.

15 CHAIRMAN COOK: Okay. All right. Well, is  
16 there any other comments from anybody?

17 MS. BARTON: Just that we have the 2016  
18 Commission meeting schedule --

19 MS. EASLY: It's an updated version. We  
20 changed the October date.

21 MR. CROWTHER: I saw that. Thank you.

22 MS. EASLY: Is that acceptable?

23 MR. CROWTHER: Yeah, that works. Thank you.

24 MS. EASLY: Then this will be our finalized  
25 schedule, and I will get this out.

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 CHAIRMAN COOK: Okay. And we're still on  
2 the quarterly meetings in --

3 MS. EASLY: Fallon, yes.

4 CHAIRMAN COOK: -- Fallon. Okay. And Troy,  
5 you're more than welcome to consider coming up and  
6 joining us. Any of those --

7 MR. CROWTHER: Okay. January, for the  
8 January meeting?

9 MS. EASLY: January, April --

10 CHAIRMAN COOK: Sure.

11 MS. EASLY: -- July, and October are the  
12 Fallon meetings.

13 CHAIRMAN COOK: Especially if Al's able to  
14 turn out all of the dairymen in Fallon for the meeting.

15 MR. TRACE: Yeah.

16 MR. CROWTHER: All right. I'll let you know  
17 if that works out.

18 CHAIRMAN COOK: Probably arrange for the  
19 weather to be bad for you too.

20 MR. CROWTHER: Well, that's, that's the best  
21 time, that's the best time of year here.

22 CHAIRMAN COOK: Okay. Well, is everybody  
23 satisfied with that schedule? I don't think that's an  
24 action item.

25 MS. EASLY: No.

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 CHAIRMAN COOK: Okay. Anything else for the  
2 good of the industry?

3 MS. BARTON: No. We're good. This is ready  
4 for public comments.

5 CHAIRMAN COOK: Okay. All right. Last  
6 chance, public comments.

7 No more comments, no more public.

8 MS. WHITFIELD: Happy holidays.

9 CHAIRMAN COOK: Yes. Merry Christmas, and  
10 Happy New Year to everybody. And eat lots of peppermint  
11 ice cream over the holidays, and drink lots of eggnog  
12 and keep the dairy industry afloat.

13 MR. TRACE: Exactly.

14 CHAIRMAN COOK: No pun intended.

15 Well, okay. Well, then we are done.

16 (Meeting adjourns at 2:08 p.m.)

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BOARD SIGNATURE PAGE

CHRISTOPHER COOK, CHAIRMAN

JOHN COLLIER, MEMBER

TROY CROWTHER, MEMBER

Public Meeting - 12/17/2015  
Nevada Dairy Commission

1 STATE OF NEVADA )  
COUNTY OF WASHOE ) ss.

2

3

4 I, SUSAN E. BELINGHERI, a Certified Court  
5 Reporter and Notary Public for the County of Washoe,  
6 State of Nevada, do hereby certify that on Thursday, the  
7 17th day of December, 2015, I reported the Nevada Dairy  
8 Commission meeting;

9 That the foregoing transcript is a true and  
10 correct transcript of the stenographic notes of  
11 testimony taken by me in the above-captioned matter to  
12 the best of my knowledge, skill and ability.

13

14

Susan E. Belingheri, CCR #655

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