

Ravalli County Right to Farm and Ranch Board

Meeting Minutes for December 1st, 2014 for a meeting held in the Hamilton House meeting room in Victor, Montana

Call to Order

The meeting was called to order by Chairman Jay Meyer at 7:03 PM.

Roll call

Members Present:

Jay Meyer (chair)

Joann Hosko

Dan Huls

Al Pernichele

Theresa Manzella

Brian Rouse

Phil Tummarello

Howard Lyons

Jim Ellingson

Katrina Mendrey (ex-officio)

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Ravalli County Commissioners

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Members Absent: none

Also present: Colleen Meyer, Bruce Babcock, Caroline Davis, Beau McLean, Joe Tifer, Teresa Tifer, and Celestine Duncan

Additions to the agenda: Al requested a discussion regarding the role of this board.

Public Comment – Items Not on Agenda: none

- a. He views the changes as helpful and not endangering the agricultural scoring of perspective projects.
 - b. The subcommittee making the proposed changes will be having a final meeting on December 10th at the Hamilton NRCS office at 4 p.m. and he encouraged attendance by anyone that is interested.
 - c. The OLB vote on the proposed changes is scheduled for their meeting that is being held December 18th at 7 p.m. in the commissioners' meeting room.
2. Al reported that the OLB is in the process of coming up with a logo and signs to be placed on the conserved properties. They are also in the process of updating other charts and signage and determining where they should be best displayed or published.

Back to Old Business:

1. Ag Gag:
 - a. Theresa presented her unofficial draft of the proposed changes to our current ag gag law. She proposes that rather than eliminate the last sentence the following wording should be added to it: "who are carrying out their duties under the direct supervision of a law enforcement agency."
2. **Forest Service Grazing Permits:**
 - a. Brian made a report that indicated not much progress on this issue.
 - b. He also said that the forest service generally charges \$6 to \$9 per cow/calf per month.
 - c. The state generally charges around \$17 per month.
 - d. He figures that forest service grazing also carries about \$10 per cow/calf per month in associated costs to the rancher. This makes the total costs similar to the cost of renting grazing on private property.

Off Agenda Items:

1. The yearly county employee and board member appreciation potluck is December 11th at the fairground at 5:15 p.m.. RSVP to Suzy Foss by December 4th.
2. Katrina reported on an upcoming "Hey, Save Your Hay Workshop" event

Approval of the Minutes of November 3rd, 2014:

1. Katrina explained her concerns regarding her comments recorded in the October minutes and wanted to make sure that everyone was made aware of the changes to those minutes that were noted in the November minutes.
2. October minutes were approved with Katrina's requested change and November minutes were approved as written.

Old Business:

1. Supplemental labelling:

- a. Celestine Duncan, who is a private tester (independent contractor) of herbicides, gave us a report on Aminopyralid.
 - i. She was involved in the first Montana tests of Milestone in the late 1990s
 - ii. Those tests were done at the Missoula Gun Club
 - iii. After approved testing, Milestone was first sold in Montana in 2006
 - iv. The first garden damage complaints came in 2009 and have generally declined in number every year since then.
 - v. She feels that Aminopyralid is a very safe herbicide because it doesn't stay in animals and doesn't travel in water.
 - vi. Potatoes, tomatoes, and beans are the garden plants most likely to be affected by carryover from it.
 - vii. Milestone made label changes in 2011 due to the garden damage that was showing up.
 - viii. Most of the states where it is sold utilize a supplemental label so that hay treated with it can leave the farm where it was raised.
 - ix. Montana does not allow for a supplemental label.
- b. Brian and Jay voiced their belief that the owners of smaller weed patches are probably the biggest problem when it comes to violations of the label restrictions.

- c. Jay believes the consumers of hay, manure, and compost need to be responsible and question if Milestone has been used in the product they are purchasing.
- d. Dan Huls thinks that most of the problems are self-inflicted and Jay offered that a supplemental label would be of no help in those instances.
- e. Katrina asked Celestine if she thinks Milestone might be sold as restricted in the future.
- f. Celestine said she did not think that would happen and believes that DOW Chemicals would be more likely to remove it from the market than to label it restricted.
- g. Katrina gave us a report on how she advises her clients regarding Milestone and she then asked how we should proceed if we want Montana to accept a supplemental label for it.
- h. Al asked why we don' allow one but many other states do.
- i. Celestine said that it was due to a joint decision made between the Montana Department of Agriculture and DOW Chemicals.
- j. Dan asked how we should proceed if we want Montana to accept a supplemental label for it.
- k. Celestine gave her suggestions.
- l. Al asked who would be the best person or group to make first contact with DOW regarding supplemental labelling.
- m. Celestine said that the chair of the Right to Farm and Ranch Board would be the best person to make initial contact and she said that she will give Jay that contact information.
- n. Jim asked if removing treated hay/manure/compost from the farm is actually illegal and, if so, how did the state highway department get by with spreading contaminated compost in the highway right-of-way near Deer Lodge.
- o. Celestine said it is a label violation which carries a potential fine and liability. She went on to say that Ravalli County seems to be the hotspot for label violations in the state. Concerning the Deer Lodge incident, the composter *is* being held liable even though he had no knowledge that his product was

contaminated, but the state will not be fined nor held liable even though they accepted the compost knowing that it was contaminated.

- p. Dan said that Ravalli County is probably a big problem partly because we have so much state and federal land that requires weed-free straw and hay.
- q. Brian asked Celestine what she sees as the pros and cons of supplemental labelling.
- r. Celestine said that she sees pros but really no cons.
- s. Katrina asked if the 18 month restriction was really long enough. Celestine said that it is.
- t. Katrina asked what if the sprayed area was immediately harvested for hay. Celestine answered that, in that scenario, the herbicide would stay in the hay indefinitely.
- u. Celestine said that gardeners should all test their compost before using it. She actually forgot and spread contaminated compost on her own garden. Grass clippings are a major concern. Commercial composters are now required by law to test their compost before selling it and they are held liable for any carryover damage. A lab test costs \$400-500, but it can be done by doing a bio-assay.
- v. **Al moved that we table further discussion of this supplemental labelling until our January meeting.**
- w. **Dan seconded.**
- x. **No discussion.**
- y. **Passed unanimously.**

New Business:

1. Role of the Right to Farm and Ranch Board

- a. Dan said that it is an advocate for agriculture in Ravalli County and an advisory board to the board of county commissioners (BCC).
- b. Jay said we have influence that we should be utilizing more and we should be working closer with the BCC.

- c. Howard said that during his recent interview with the BCC he was asked if he could recommend any improvements to what is being done. He said that JR is supposed to be our BCC contact person but he doesn't come to any of our meetings.
- d. Phil said how he was once sent to the BCC to request money for stationary supplies but JR questioned our need for those supplies. Phil said that he thinks we need to regularly get on the BCC agenda and keep them updated on what we are doing.
- e. Dan said that we do that when we have big issues.
- f. Jay said that he would like to see us run our meetings in a more formal manner, first making a motion, then following up with a second, and then opening it up for discussion followed by a vote. He thinks we should then send someone to the BCC to make reports on what we voted upon.
- g. Dan said that any such reports should only be on important decisions.
- h. Jay said that he wants to see that whomever of us carried the torch on an issue be the one to make a face to face report to the BCC.
- i. Phil asked how we have the most clout with the BCC. Dan and Theresa concluded that the best way is for someone to carry a formal letter signed by each of our board members while making a formal presentation to the BCC.
- j. Dan said that we do not need the BCC to write letters for us but we should get the BCC's approval before sending out any letters in support or opposition to any issues.

2. Yearly election of officers:

- a. **Al moved to retain Jay Meyer as chair and Brian Rouse as vice-chair.**
- b. **Phil seconded.**
- c. **There was no discussion and the candidates were railroaded through by an unanimous vote.**

3. Our Representation on the Open Lands Board:

- a. Brian stated that his interest in being one of our representative on that board should wait for at least another year because he is currently moving forward with an Open Lands application for some of his own property and he felt that

also having a seat on that board might be construed as a conflict of interest.

No one seemed to agree with him, but all decided to honor his choice.

- b. There seemed to be no interest in removing Jim as one of our representatives on the OLB. He is the current chair of the OLB.
- c. Al's term is up on the OLB.
 - i. **Dan moved that Al be retained in that position.**
 - ii. **Howard seconded.**
 - iii. **There was no discussion.**
 - iv. **The vote carried unanimously.**

Back to Old Business:

1. Land As Your Legacy:

- a. Dan reported that three dates have been set for the presentation of the program. They will be held in conjunction with the three annual meetings of the Mountain West Co-operatives.
 - i. February 3, 2015 in Drummond,
 - ii. February 4, 2015 in Ronan and,
 - iii. February 5, 2015 in Stevensville.
 - iv. Land as Your Legacy will be promoted at those meetings
- b. Dan will get something regarding Land as Your Legacy in the upcoming Agricultural insert in the Ravalli Republic newspaper.
- c. Brian said that Dan Pratt will be doing a four hour "Farming for Profit" presentation at the Bitterroot Stock Growers' annual meeting on January 17th in Stevensville and a short Land as Your Legacy can probably be given at that.
- d. Dan said that the follow-up workshops for individual families will be scheduled for some time after the February meetings.

Open Lands Board report:

1. Jim reported that the board is scheduled to make some modifications to the scoring criteria.

- a. Being presented by Jim Gerrish author of “Kick the Hay Habit”
- b. Sponsored by the NRCS
- c. being held January 15th
- d. in Missoula at Ruby’s Inn
- e. from 9 a.m. until 4 p.m.
- f. cost is \$15
- g. includes lunch
- h. RSVP by January 12th

The next regularly scheduled meeting will be Monday, January 5th, 2015 at 7 p.m. in the Hamilton House meeting room in Victor, Montana.

Adjournment: The meeting was adjourned at 9:14 p.m.