

SUMMARY MINUTES OF THE 391st COMMISSION MEETING
Texas Animal Health Commission
January 27, 2015

The TAHC Commissioners met in the agency's headquarters in Austin on Tuesday, January 27, 2015. Chairman Ernie Morales began the meeting at 8:30 a.m.

Item 1 – Welcome and Call to order by Chairman Morales

All Commissioners were present.

Item 2 – Approval of the minutes of the 390th Meeting

A motion to APPROVE the minutes of the 390th Commission meeting held on September 16, 2015, was made by Commissioner Locke and seconded by Commissioner Jordan. The motion carried.

Item 3 – Report of the Executive Director, Field Animal Health Program Activities and Approval of Waiver Requests for the Period 9/17/2014 to 1/27/2015

Dr. Ellis presented the agency overview:

- **Agency Business**
 - Prepare for upcoming Legislative Session
 - Budget
 - Supplemental Bill request - \$1.1 million for FY '15 (\$100k @ mo on Ticks and \$50k @ mo on TB)
 - LAR enhancement request – meeting with LBB soon
 - Enhance FY 2016-17 Border Security exceptional item request from \$600k to \$4,000,000. Additional request for \$840K – 13 vehicles over 200,000 miles. 23 more FTE's.
 - Simply returns money lost in 2011 – need more vets!
 - Succession Planning is critical
 - Watching bills closely – Mary will report later in meeting
 - Continue to rebuild agency - 3 temps in short run - FTE's close to cap
- **Rules for Passage**
 - CWD zone consolidation – nomenclature only
 - EL Paso zone – shrink and relate to cattle only, no more annual test
 - LT – prohibit entry of birds exposed to LT vaccine or from area where vaccine strain is circulating
 - Equine Piroplasmiasis – require piro test at unsanctioned tracks through definition change on racing facility
 - Swine – ADT – accept ear notches and registration tattoos for registered swine entering Texas
- **Rules for Proposal**
 - Authorized Personnel - CWD collection
 - Feral swine – change feral swine holding facility requirement from double fence to one good fence

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- Equine – Change interstate cvi validity from 45 to 30 days
- **Trichomoniasis**
 - Spring meeting will be planned soon
 - Harmonization of interstate entry rules
 - Adjacent testing in future?
- **Equine Piroplasmiasis**
 - Brooks county test – Thanks to Dr. Vickers for housing command trailer – Dr. Schwartz will have more info
 - Executive waiver for thoroughbreds to follow
- **Vesicular Stomatitis**
 - Largest outbreak in modern history for Texas
 - Colorado, Nebraska, and Arizona also affected
 - National meeting last week in Denver – future revision of response protocols – cvi validity change recommended from group to be 14 days in counties affected – possible TAHC rule/policy revision?
- **Texas Authorized Personnel Program**
 - Dr. Susan Culp will give report - Thanks to her and assistant Laura Guerra for hard work in last few months
- **Cattle Fever Ticks**
 - Implementation of new rules after 1 year - good cooperation – less than 10 in compliance for mandatory ID and inspection, vaccine trial over in about 6 weeks – final approval after that –possible initial application of vaccine in the fall – continue to partner with USDA
 - Cameron County Temporary Quarantine Zone – New Temporary Quarantine (Blanket) effective October 6, 2015 (223,000 acres)
 - Visited Laredo once and Cameron county 3 times since last meeting including 9 days as incident commander in Los Fresnos
 - Thanks to USDA VS for support and commitment
 - Thanks to US Fish & Wildlife for cooperation to date
 - Thanks to Brownsville Navigation District for cooperation
 - Thanks to Cameron County and citizens for cooperation
 - Held stakeholder meeting with S. Texas ranches in Kingsville
 - Outstanding issues;
 - Cost - \$100,000 per month
 - Weather/topography
 - Many small premises (689 total - 1500 cattle/884 horses)
 - Wildlife refuges – 1/3 of total acreage – 3 different sites – Boca Chica, Bahia Grande, & Laguna Atascosa
 - Business continuity – stock shows, rodeos, normal movement (horse spray stations(2) and vats)
 - Continued education to public and outreach

- Policy for exotic hoof stock
- Compliance with a few individuals
- Treatment for white tail deer and nilgai
- Future research needed on wildlife
- Enhanced surveillance on nilgai
- Future cooperation between agriculture, academia, hunting and wildlife interests
- Trace-outs – Dr. Schwartz will have more info
- Willacy county expansion (87,000 acres quarantined)
 - Resource issues – people/vats
 - Wildlife inspections
 - Proximity to large ranches
 - 2nd ICP office?
 - Farther from the historic CFT assignments
- **Tuberculosis**
 - 2 infected dairies in Castro county
 - Impacting budget – largest in US history – 20,000 + total
 - Business continuity is priority and source identification second
 - 1st use of recently passed TAHC rule for calf ranch/heifer raiser
 - Dr. Schwartz will have more info
- **Chronic Wasting Disease**
 - Hosted recent wildlife health stakeholder meeting – Commissioner Oates and Morales attended
 - Future elk meeting planned to discuss progress in program to date related to surveillance – including possible rule or legislative needs
- **Waiver Report**
 - 5 waivers requested and 5 approved;
 - Tuberculosis - **Approved** - waiver to allow heifers that were grazed in New Mexico to be tested upon arrival at Texas facility – better pens. No co-mingling prior to test. All negative.
 - Brucellosis - **Approved** - allowed import of gazelle with 40 day negative test due to shipping delay. No risk to Texas livestock
 - Trichomoniasis - **Approved** – allow bulls to enter for sale with test results pending. Test results final before sale ended.
 - Brucellosis - **Approved** - allowed import of gazelle with 33 day negative test due to shipping delay.
 - Brucellosis - **Approved** - allowed import of two Oryx to a zoo to be tested upon arrival.

Dr. Culp gave the Authorized Personnel Update:

Veterinary Authorized Personnel

1280 of the 1700 letters sent August 2014 to TAHC Brucellosis Approved Personnel to transition them into the new TAHC Authorized Personnel Program have been returned. Veterinarians must sign and return the letters to be considered TAHC Authorized Personnel. Another letter will be

mailed to the remaining 420 veterinarians in February 2015 after which further contact will be turned over to TAHC Region Management.

123 of the 1100 letters sent October 2014 to USDA Category II Accredited Veterinarians not previously in the TAHC Brucellosis Approved Personnel program have been returned. These are **new veterinarians to the program**. This letter was to inform veterinarians of the new TAHC program and to advise them that they need to apply if they will be performing regulatory work in Texas.

TAHC Authorized Personnel Training (4 hour basic course) will be offered in the Austin TAHC office on March 4th 2015 and again in April 2015.

TAHC Authorized Personnel Training (4 hour basic course), CWD Training (1.5 hours) and Trichomoniasis Certification (1.5 hours) will be offered at Southwest Veterinary Symposium in September 2015 in Fort Worth.

TAMU CVM vet student third year regulatory training is complete for the Class of 2016. This training will begin again in August 2015 for the TAMU CVM Class of 2017. Each class is trained in three groups in both classroom and wet lab settings. This will allow students to be TAHC Authorized Personnel upon graduation.

Cervid Authorized Personnel

Supervision of the Certified CWD Sample Collector Program was handed over to Ms. Laura Guerra, TAHC Authorized Personnel Program Specialist on November 1, 2014.

To date we have offered 9 Certified CWD Sample Collector Training opportunities (**total of 185 attendees trained**):

- July 10, 2014 – 7 trained at in TAHC Region 2
- August 20, 2014 – 21 USDA/TAHC personnel trained
- September 4, 2014 – 20 trained in TAHC Region 5
- October 9, 2014 - 25 trained in TAHC Region 3
- October 14, 2014 - 12 trained in TAHC Region 4
- October 23, 2014 - 39 trained in TAHC Region 7
- October 28, 2014 - 15 trained in TAHC Region 3
- October 30, 2014 - 30 trained in TAHC Region 7
- January 22, 2015 - 16 trained in TAHC Region 5

Additional Training Programs

TAMU CVM 3VM 2-4 week extern inquiry from Sarah Genzer, TAMU CVM Class of 2016

TAMU CVM 2VM 2015 summer intern request from Laura Perez, TAMU CVM Class of 2017

Other Authorized Personnel Department Updates

TAHC policy change for disapproved Certificates of Veterinary Inspection (CVI's) from other states. Effective February 1, 2015, Texas veterinarians will receive one letter from the Authorized Personnel department in Austin with a copy of all disapproved Certificates of Veterinary Inspection from the prior month. Notification of this TAHC policy change will be sent to Texas veterinarians in our Authorized Personnel program the first week of February, 2015.

Beginning January 1, 2015, a general agency reorganization began allowing for consolidation of all veterinary interactions (veterinary continuing education efforts, Austin State Federal Lab issues, disapproved CVI's, USDA Accreditation issues, agency compliance and field issues) into one clearinghouse (Authorized Personnel).

Authorized Personnel actively assisted in the drafting of the Chapter 47, Subchapter C, Authorized Personnel, CWD Rule.

A motion to APPROVE the actions of the Executive Director for the period from September 17, 2014 through January 27, 2015 was made by Commissioner Jordan and seconded by Commissioner Simmons. The motion carried.

Item 4 – Consideration of Temporary Waiver of the Requirement to Test Specific Equine for Piroplasmiasis:

The Executive Director temporarily waived compliance of the requirement that thoroughbred horses be tested for Piroplasmiasis prior to entering a sanctioned racetrack facility in Texas. The requirement is found in Title 4 of the Texas Administrative Code, Chapter 49, entitled “Equine.”

A motion to APPROVE the request for a temporary waiver of the requirements to test specific equine for Piroplasmiasis was made by Commissioner Edmiston and seconded by Commissioner Kezar. The motion carried.

Item 5 – Presentation of Animal Health Program, Epidemiology, and Animal Disease Traceability (ADT) Activities:

Dr. Andy Schwartz, Assistant Executive Director/State Epidemiologist, presented the following report:

Cattle

- **Tuberculosis**

During Calendar Year (CY) 2013, a total of 15 cases of Bovine Tuberculosis (TB) were disclosed in Texas, all through slaughter surveillance. Of these cases, 13 were determined to be Mexico origin feeder animals. Extensive investigations were conducted on the remaining two cases, a steer and a U.S. origin domestic cow. The source of TB in these cases was not discovered due to lack of identification and records.

On October 9, 2014, the TAHC received word of PCR positive results on a dairy cow with lesions detected through regular slaughter surveillance. The trace led back to a large dairy in the Texas panhandle. The source dairy (Herd 1) and another dairy under the same ownership (Herd 2) were TB tested in November. Of 10,316 animals tested in Herd 1, there were 520 positive on the Caudal Fold Test (CFT). All CFT responders were removed to rendering or slaughter with federal indemnity, with TB confirmed in 154 head. On the test of Herd 1, consisting of 11,767 animals, there were 51 CFT responders.

These animals were removed from the herd with federal indemnity, and TB was confirmed in 1 animal.

The epidemiological investigation as well as tracing of TB exposed animals leaving both herds is being conducted.

- **Brucellosis**

In Calendar Year 2014 a total of 45 investigations for brucellosis in cattle have been initiated. The bulk of these investigations were initiated through slaughter surveillance (L&H Packing, Lone Star Beef, and Caviness), though two were initiated as a result of voluntary testing at livestock markets. While no *B. abortus* infected cattle herds have been detected in Texas since 2011, cases of *B. suis* in cattle (from feral swine exposure) are found with some regularity. Also, in recent months, two *B. abortus* affected cattle herds were found in the Designated Surveillance Area (DSA) of Montana. TAHC personnel continue to enforce post-entry test requirements for cattle imported from the DSAs of Montana, Wyoming, and Idaho.

- **Trichomoniasis:** In CY 2014 there were 714 positive bulls found in 29,093 tests (2.45% test positive). In CY 2013 the test positive percentage was approximately 2.2%.

- **Cattle Fever Tick:** There are currently 17 premises under quarantine for fever ticks in Cameron and Willacy counties, outside the permanent quarantine zone. Three of these premises are wildlife only, with infested nilgai antelope or white-tailed deer, or both. The remaining 14 premises have or have had cattle, and were found infested through self-reporting or through surveillance efforts of the TAHC and USDA. Animals that might be carrying fever ticks when they left the herd are traced. Since the summer of 2014, traces have been conducted on cattle shipped to TAHC Regions 1, 3, 5, and 7, as well as New Mexico and Kansas. Additional infested or exposed premises quarantines were issued in three counties in Texas (all in Region 5) as a result of these traces.

Swine

- **Brucellosis:** Three infected herds were disclosed in CY 2014.
- **Pseudorabies (PRV):** Three infected herds were disclosed in CY 2014, including one under active investigation.
- **Porcine Epidemic Diarrhea virus (PEDv):** Federal Order on reporting, herd monitoring, and management of Novel Swine Enteric Coronavirus Diseases was published in June 2015. Since then, a total of 64 positive PEDv tests have been reported on 11 premises in Texas. Ten premises are commercial operations and one is a show pig operation.

Equine

- **Equine Piroplasmosis (EP):** A total of six new infected horses were detected in CY 2014. All were *T. equi*, and all were Quarter Horse racehorses found through required testing to enter tracks. Since 2009, a total of 118 positive horses have been found in Texas unrelated to the initial ranch investigation. Of this total, 36 were found through high-risk testing (all horses in Kenedy and Kleberg counties), and 82 were found through movement testing and subsequent investigation. Testing of horses in Brooks county, deemed a high risk population for EP, is currently underway. To date, 286 horses on 96 premises have been tested, all with negative results.
- **Equine Infectious Anemia (EIA):** In CY 2014, three positive equine were disclosed in 162,645 animals tested in Texas.
- **Vesicular Stomatitis Virus (VSV) outbreak:** The initial VSV case was diagnosed in Texas in May 2014, and the last quarantine was released in October 2014. Animals on a total of 62 premises were quarantined, three with cattle and the remainder with horses. Other states reporting VSV were Colorado (370 cases), Nebraska (1 case), and Arizona (1 case). Breakdown of the combined total in all states of 434 cases was: equine – 404 cases, bovine – 27 cases (including 1 dairy), and both equine and bovine – 3 cases.

Poultry

- **Infectious Laryngotracheitis (ILT):** In CY 2014, a total of 18 commercial broiler operations, 4 backyard flocks, and one commercial laying operation were diagnosed with ILT. The broiler operations have all been released, and four backyard flocks were depopulated. The commercial laying operation remains under quarantine.
- **Highly Pathogenic Avian Influenza (HPAI):** No cases of HPAI have been detected in Texas – producers have been put on alert to step up biosecurity due to the current outbreak in northwestern US and Canada. Officials in California announced confirmation of HPAI (H5N8) in a commercial turkey flock this past weekend. In addition to California, the states of Washington, Oregon, and Idaho have all reported HPAI in either backyard flocks, falconries, or migratory waterfowl. At least three different avian influenza viruses are circulating in in the migratory waterfowl population in the Pacific Flyway. These viruses originated in Asia and spread along migratory pathways, mixing with North American viruses to create new mixed-origin viruses. No human illness has been associated with the current outbreak.

Animal Disease Traceability Activities

Electronic Certificate of Veterinary Inspection (eCVI): The TAHC eCVI is now available on the agency's home page. Veterinarians log in, pay the standard \$7.00 plus a convenience fee, and

complete the certificate online. The TAHC also has agreements with two private enterprise providers of eCVI's in Texas.

Approved Tagging Facilities:

TAHC and USDA-APHIS-VS field continue meeting with livestock market, feed yard and slaughter plant owners to discuss ADT requirements and voluntarily becoming approved tagging facilities. To date 79 markets and 13 feed yard or buying station facilities have signed agreements. In CY 2014, a total of 657,367 tags were distributed through agency staff and industry partners (204 AgriLife Extension Offices and 61 veterinarians).

Item 6 – Presentation of USDA Veterinary Services Update:

Dr. Kevin Varner introduced Dr. Hallie Hasel, who presented the USDA, Veterinary Services report. Dr. Hasel provided an overview of current USDA activities pertaining to fever ticks and tuberculosis.

Item 7 – Audit Subcommittee report:

Commissioner Ralph Simmons gave the report from the Audit Subcommittee meeting that was held earlier that morning:

1. The committee approved the Fiscal Year 2014 Annual Audit Report for the agency.
2. The committee approved the internal audit plan for Fiscal Years 2015-2016.

A motion to APPROVE the actions of the Audit Subcommittee Meeting was made by Commissioner Jordan and seconded by Commissioner Kezar. The motion carried.

Item 8 – Presentation of Communication Initiatives:

Bonnie Ramirez, Director of Communication and Public Relations, presented the following report:

News Releases

- Array of news releases distributed since last commission meeting
- Included in Commission Book

Exhibits

- September: Southwest Veterinary Symposium in Fort Worth
- Upcoming exhibits (NCBA, TSCRA, Local ICA, regional EM)

Media Interviews

- Several media interviews (print, radio and TV)
 - Dr. Ellis' Texas Veterinary Medical Association article
 - Cameron County Fever Tick Response
 - Drs. Culp and Lansford - Pork
 - Amanda Bernhard – Texas Farm Bureau

- Miscellaneous – see included list of media interviews

Social Media Platforms

- New social media platform: Instagram
- Facebook, Twitter, LinkedIn, YouTube
- Examples of interaction included in Commission Book

Item 9 – Presentation of Laboratory Update

Dr. Hughes-Garza Staff Veterinarian and Lab Director presented the following:

- The tuberculosis section has been busier than normal due to dairy testing activities in the Panhandle.
- Partnering with Qiagen to test their QuantiFERON-TB Gold test for bovine tuberculosis, in parallel with our existing test methods. The test uses our existing lab equipment and training, but has the advantage of less strict requirements for shipping times because the first part of the test occurs inside the blood collection tube rather than at the lab.
- Brucellosis Slaughter Surveillance Program – testing underway at Caviness in Hereford to replace sampling lost with closure of L&H.
- Two lab employees will attend bacteriology training in Ames, IA in February.
- Quality Manager Ms. Amy Ramage is retiring January 31st with over 28 years of service. We wish her the best!

Item 10 - Presentation of Emergency Management Program Activities:

The Emergency Management Update was presented by Mr. Jeff Turner, Emergency Management Coordinator:

Emergency Response Plans Update

Planning continues on important response plans related to both disease and non-disease events. The FEAD (Foreign and Emerging Animal Disease) plan is currently being reviewed by stakeholder groups as well as assisting state and federal agencies. This plan should be released in Early February.

Another plan with great significance is the Ebola Animal Response Plan. Since the Ebola outbreak in Dallas, efforts across the nation have been ongoing to develop a response plan for animals exposed and potentially carrying the Ebola virus. TAHC has been actively engaged from the onset of planning efforts.

Emergency Management Responses - Cameron County Fever Tick Response – Ebola

TAHC Emergency Management staff along with USDA Emergency Management began working to develop incident action plans (IAPs) for the Cameron County Fever Tick outbreak in September; about the time of the last Commission meeting. Ongoing efforts continue with emergency management staff functioning to assure plans section chiefs position in the incident management team (IMT) is filled. Staffer filling this position are responsible for determining resource needs, documenting incident actions, developing response plans and coordinating and conducting meeting.

The State of Texas was the first state in the nation to experience a confirmed positive of the Ebola virus. With this confirmation of a human patient, other became exposed and subsequently became infected with the virus. Nina Pham was one of the secondary patients to succumb to the virus. Due to her having the virus and having a companion animal, this animal became exposed to Ebola. With the possibility of dogs carrying the virus, Bentley her dog was placed in observation for a twenty one day period. TAHC along with numerous other agencies and organizations responded to a request from the City of Dallas to assist in managing the observations and sampling of this exposed companion animal. TAHC was a driving factor in this response which included coordinating efforts from setting up an expedient shelter to monitoring the animal during the observation period, obtaining samples to be submitted to the United States Army Medical Research Institute of Infectious Diseases (USAMRIID) and the final release back to Ms. Pham. This incident took untold hours of coordination and planning along with actual response activities which TAHC EM supported.

Training and Exercise Participation

Efforts continue for having TAHC response personnel trained to the highest level for whatever need may arise in the future. TAHC EM hosted two advanced incident command system (ICS) trainings this past quarter. Attendees learned aspects of incident management which will benefit overall response activities from on-scene operations and area command to overall statewide response coordination.

Exercise participation also continues within TAHC. Animal health is participating in a multi-state exercise where multiple exercises will finale with a functional exercise this summer. Another exercise where TAHC is a primary player is the panhandle foot and mouth disease exercise. In this exercise our new FEAD plan will be exercised along with local and regional response plans.

Item 11 – Administration/Budget Status Report

Mr. Steven Luna, Director of Finance, gave a report on the agency's budget status:

Appropriations/Budget

- General Revenue (GR) appropriations:
 - These totals are not contingent on revenue generated by fees approved by the Commission
 - The TAHC is appropriated \$8.1M for State FY 2015
 - Approximately \$500K was moved forward from FY 2014 to FY 2015
 - This is per the General Appropriations Act, TAHC Rider 3 – Unexpended Balance Authority
- Federal Funds and Grants (Federal Fiscal Year runs April 1 to March 31)
 - State FY 2015
 - Federal FY 2014 funds to be available to the TAHC total \$2.5M
 - This includes a \$325K Cattle Fever Tick – Cameron County cooperative recently entered into

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- The TAHC does not anticipate Federal FY 2015 funds to be available in a timely manner for the current State FY 2015
- Capital Budget Funding
 - Out of the \$8.1M appropriated in GR for State FY 2015, \$300K is set aside for Capital Budget Purchases. The agency is restricted to the following Capital Budget Purchases:
 - State FY 2015
 - \$150K towards Fleet Vehicles, will be completely allocated towards the acquisition of trucks
 - \$150K towards the Acquisition of Information Resource Technologies, will be completely allocated towards the acquisition of hardware/software and towards annual licensing renewals
- Supplemental GR Funding
 - Cameron County Cattle Fever Tick estimate - \$1.18M
 - Monthly Avg. - \$99K
 - USDA Coop - \$325K
 - TAHC GR - \$860K
 - Panhandle TB Dairy herds estimate - \$291K
 - Monthly Avg. - \$29K (10 months)
 - USDA Coop – unknown and not factored at this time
 - Total Request - \$1.15M

Revenues

- State FY 2015 Fee Revenue is estimated to be approximately \$722K.
 - TAHC Portion - \$457K
 - YTD - \$299K
 - State Portion - \$265K

Full Time Equivalent Employees (FTEs):

- The TAHC is appropriated 161 FTE's for FY 2015
 - The TAHC for FY 2014 started out with 123.5 filled FTEs and ended with 148 FTEs – 19.8% Increase
 - The TAHC currently has 150.5 FTE's
 - The TAHC is currently in the process of filling or has filled 4.5 additional FTEs as it strives to fill positions vacated due to mandated legislative reductions leading to reductions in force, attrition, two laboratory closures, and consolidation of two regional offices

Legislative Appropriation Request (LAR) FY 2016 & 2017

- Exceptional Items
 - Submitted
 - General Revenue – To replace expiring Ag Code Section 161.060 fee revenue collection (lab fees, herd status, CWD); \$246K (Biennium)

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- Feral Swine – 4 FTE’s; approximately \$600K (Biennium)
- Border Animal Health – 5 FTE’s; approximately \$600K (Biennium)
- Executive Director Salary Equity – To bring Salary Group from 4 to 5 and request GR for increase to \$180,000; approximately \$113K (Biennium)
- Digital Records Management & Archival System – estimate \$275K first year and \$60K each additional year.
- ProjectONE/CAPPS – 1 FTE; approximately \$82K (Biennium)
- Total – 10 FTE’s and approximately \$1.98M (Biennium)
- Revised
 - Border Security Animal Health
 - Two Border Offices – One new region
 - 23 FTE’s
 - And all associated equipment for the personnel to carry out their job duties (Computers, printers, supplies, etc.)
 - Equipment
 - Trucks
 - Trailers
 - Chutes
 - Spray Box
 - Panels
 - \$4M (Biennium)
 - FY 2016 \$2.4M
 - FY 2017 \$1.6M
- Riders
 - Rider 9 – asking for all revenue from Health Certificates and Fowl Registration; estimate \$512K
 - Contingency Riders – pending passage of legislation similar to or renewal of Ag Code 161.060. If passed, asking for all.
- Capital Budget Authority
 - Submitted
 - Fleet Vehicles - \$300K (Biennium)
 - Acquisition of Information Resource Technologies - \$300K (Biennium)
 - Revised
 - Fleet Vehicles -
 - 34 Trucks
 - \$1.14 (Biennium)

A motion to APPROVE the Administration/Budget Status Report was made by Commissioner Leathers and seconded by Commissioner Locke. The motion carried.

Item 12 – Consideration of and Possible Action on Agency Contracts and Purchases:

Ms. Larissa Schmidt, Director of Administration, discussed the following issues:

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- Introduction of new Information Technology Director, Louise Abbott.
- A review of all contracts, purchases, and leases greater than \$5,000 but less than \$25,000 that have occurred since the last commission meeting. These are brought for review only.
- A review of all the purchases, leases and contracts that exceed \$25,000. These were up for review and approval.

A motion to APPROVE the contracts and purchases request was made by Commissioner Vickers and seconded by Commissioner E. White. The motion carried.

Item 13 – Consideration of and Possible Action Regarding Executive Director Salary Rate

Discussion of proposed range increase for the Executive Director:

- The executive director's salary has not been significantly raised since September 2007.
- The agency is experiencing salary compression, which means that subordinate managers' salaries have increased while the executive director's has stayed stagnant. Therefore, subordinate salaries are bumping up against the executive director's salary. Standard compensation studies recommend a 15% difference between the chief executive officer and subordinate staff. Both the Assistant Executive Directors' salaries are within 7 percent the ED and one AED is 3% below.
- Agency has lost key executive staff to other state agencies who pay well above the TAHC's executive director's salary.
- Raising the salary cap will ensure that the Texas Animal Health Commission will continue to be able to recruit and retain knowledgeable, talented staff, both at the Executive Director level and for subordinate positions.

A motion to approve the Executive Director salary rate was made by Commissioner Locke and seconded by Commissioner Leathers. The motion carried.

Item 14 – Presentation of Legal & Compliance Activities:

Gene Snelson, General Counsel, started with a presentation of Legal and Compliance activities:

- 64 Compliance Action Requests from September 1st through December 31st
- 40 warning letters were issued for:
 - No dairy ID
 - No scrapie tags
 - No TB test/CVI on out of state cattle
 - No EIA test
 - No Trich test
 - Incomplete health papers

- 73 investigations conducted

Item 15 – Consideration of and Possible Action on REGULATION PROPOSALS

Regarding:

Gene Snelson then discussed the following REGULATION PROPOSALS:

Each Regulation Proposal was reviewed and voted on individually.

- (a) Chapter 47, Authorized Personnel ,CWD
 - (b) Chapter 51, Entry Requirements, Equine Health Certificates
 - (c) Chapter 55, Feral Swine, Holding Facilities Requirements
- (a) The Texas Animal Health Commission (commission) proposes new §47.21, concerning Definitions, §47.22, concerning General Requirements and Application Procedures, §47.23, concerning Duration and Additional Training Requirements, and §47.24, concerning Grounds for Suspension or Revocation, in Chapter 47, which is entitled “Authorized Personnel.” The purpose of the new rules is to create requirements for persons authorized to perform certain activities related to Chronic Wasting Disease (CWD).

The new Subchapter C, which is entitled “Chronic Wasting Disease” includes standards and requirements for persons authorized by the commission to perform work as a Certified CWD Sample Collector. The provisions also establish application, training and recordkeeping requirements. A Certified CWD Sample Collector is an individual who has completed commission provided or approved training on the collection and preservation of samples for CWD testing and on proper recordkeeping, and who has been authorized to perform these activities by the commission.

Commissioner Locke moved and Commissioner Oates seconded a motion to PROPOSE the amendments to Chapter 47, Authorized Personnel, located in Title 4 of the Texas Administrative Code. The motion to approve the proposed amendment and to publish it in the Texas Register with a 30 day comment period passed.

- (b) The Texas Animal Health Commission (commission) proposes amendments to §51.1, concerning Definitions, and §51.2, concerning General Requirements, in Chapter 51, which is entitled “Entry Requirements”. The purpose of the amendments is to shorten the length of time that Certificates of Veterinary Inspection (CVI) are valid from 45 days to 30 days maximum for equine entering the state and to correct language regarding exceptions to entry permits and CVI requirements.

A CVI is a document signed by an accredited veterinarian that shows the equine were inspected and subjected to tests, immunizations, and treatment as required by the commission. The change of equine CVI length of validity for entry into Texas will bring commission rules into compliance with Title 9, Code of Federal Regulations §161.4(b). The results of a recent 2014 poll of other state animal health agencies showed that no other state has a CVI length of validity for equine greater than 30 days.

Commissioner Leathers moved and Commissioner Locke seconded a motion to PROPOSE the amendments to Chapter 51, Entry Requirements, located in Title 4 of the Texas Administrative Code. The motion to approve the proposed amendment and to publish it in the Texas Register with a 30 day comment period passed.

- (c) The Texas Animal Health Commission (commission) proposes amendments to §55.9, concerning Feral Swine, in Chapter 55, which is entitled “Swine”. The purpose of the amendments is to change the fence and movement requirements for feral swine authorized holding facilities.

An authorized feral swine holding facility has historically required two fences with four feet of separation. The primary purpose was to prevent contact with other livestock and wildlife species. With the overall prevalence of feral swine and limited contact opportunities for domestic swine in this situation, the requirement is no longer pragmatic. A proper holding facility for feral swine capable of preventing any feral swine from escaping can be constructed using one fence. This standard allows for facilities to be authorized with the purpose of trying to control the feral swine population in the state. Also, the commission is adding an additional authorized movement of feral swine as being from an approved holding facility to another approved holding facility. This is to recognize movements that may commonly take place between authorized holding facilities before feral swine are shipped to slaughter.

Commissioner Jordan moved and Commissioner B. White seconded a motion to PROPOSE the amendments to Chapter 55, Swine, located in Title 4 of the Texas Administrative Code. The motion to approve the proposed amendment and to publish it in the Texas Register with a 30 day comment period passed.

Item 16 – Consideration of and Possible Action on REGULATION ADOPTIONS:

Mr. Snelson then discussed the following REGULATION ADOPTIONS:

Each Regulation Adoption was reviewed and voted on individually.

- (a) Chapter 40, Chronic Wasting Disease, Movement Restriction Zone
 - (b) Chapter 43, Tuberculosis, Movement Restriction Zone
 - (c) Chapter 49, Equine, Piroplasmosis Testing Racetrack Facilities
 - (d) Chapter 51, Entry Requirements, Swine
 - (e) Chapter 57, Poultry, Laryngotracheitis Vaccine Virus
- (a) The Texas Animal Health Commission adopted amendments to §40.6, concerning CWD Movement Restriction Zone, in Chapter 40, which is entitled “Chronic Wasting Disease”. The purpose of the amendments is to redefine the boundary of the containment zone.

The Texas Parks and Wildlife Department has established different requirements for deer breeders located in the different zones. The commission’s two zones do not make a

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distinction between the need to achieve five years of CWD monitored status. As such, the commission is now proposing to redefine the existing containment zone in order to minimize confusion regarding the commission's requirements.

A motion to ADOPT the amendment to Chapter 40, Chronic Wasting Disease, located in Title 4 of the Texas Administrative Code was made by Commissioner Bouma and seconded by Commissioner Oates. The motion carried.

- (b) The Texas Animal Health Commission adopted amendments to §43.30, concerning Special Requirements for Movement Restriction Zone (MRZ), and §43.31, concerning Testing Requirements in Movement Restriction Zone (MRZ), in Chapter 43, which is entitled "Tuberculosis".

The purpose of the amendments to §43.30 is to redefine the MRZ, establish geographic boundaries and testing requirements based on the "Bovine Tuberculosis Risk Assessment-El Paso and Hudspeth Counties" report. The proposed amendments will remove the Affected and Surveillance Areas from the MRZ definition and specify that the El Paso and Hudspeth County MRZ is limited to bovine.

The purpose of the amendments to §43.31 is to remove the annual Tuberculosis testing requirement for cattle, bison, captive cervid, exotic bovid, and camelid herds within the MRZ. Annual testing will be replaced with a requirement to test susceptible species as epidemiologically determined by the commission.

A motion to ADOPT the amendment to Chapter 43, Tuberculosis, located in Title 4 of the Texas Administrative Code was made by Commissioner Jordan and seconded by Commissioner Vickers. The motion carried.

- (c) The Texas Animal Health Commission adopted an amendment to §49.5, concerning Piroplasmiasis, in Chapter 49, which is entitled "Equine". The purpose of the amendment is to broaden the definition of a racetrack facility to include facilities that are not licensed by the Texas Racing Commission.

Testing conducted to date has shown that there is a distinct population of positive horses that are utilized in some way as race horses. In 2011, the commission adopted a requirement that equine entering a sanctioned racetrack facility must have a negative Piroplasmiasis test within the past 12 months. This was intended to protect participating equine by ensuring disclosure of any unknown positive animal entering such an event. However, there is a much larger class of equine that are used for racing which are not being addressed by the current racing facility entry requirements.

A motion to ADOPT the amendment to Chapter 49, Equine, located in Title 4 of the Texas Administrative Code was made by Commissioner Vickers and seconded by Commissioner Locke. The motion carried.

- (d) The Texas Animal Health Commission adopted amendments to §51.1, concerning Definitions, and §51.14, concerning Swine, in Chapter 51, which is entitled “Entry Requirements”.

The purpose of the amendments is to make swine entry requirements and identification more consistent with the current federal interstate movement requirements. The United States Department of Agriculture (USDA) amended its regulations and established minimum national official identification and documentation requirements for the traceability of livestock moving interstate. Under USDA’s rulemaking, unless specifically exempted, livestock belonging to species covered by the regulations must be officially identified and accompanied by an interstate certificate of veterinary inspection or other documentation. These regulations specify approved forms of official identification for each species, but allow the livestock covered under this rulemaking to be moved interstate with another form of identification, as agreed upon by animal health officials in the shipping and receiving States or Tribes. The effective date of the USDA rule was March 11, 2013, and it is found in 9 CFR part 86.

A motion to ADOPT the amendment to Chapter 51, Entry Requirements, located in Title 4 of the Texas Administrative Code was made by Commissioner Vickers and seconded by Commissioner Leathers. The motion carried.

- (e) The Texas Animal Health Commission adopted an amendment to §57.11, concerning General Requirements, in Chapter 57, which is entitled “Poultry”. The purpose of the amendment is to ensure that poultry shipped into Texas have not originated from an area that has had active infection with chicken embryo origin Laryngotracheitis vaccine virus within the last 30 days.

There are several types of vaccines available to prevent Laryngotracheitis. Certain recombinant/vectored or modified live/tissue culture vaccines are approved for use in Texas without restriction; however, domestic poultry broilers from states affected with Laryngotracheitis and vaccinated with chick embryo vaccine (CEO) may enter Texas only for immediate slaughter and processing only under specific conditions. CEO-vaccinated birds can shed the Laryngotracheitis virus even though they do not appear sick, which can then cause illness in unvaccinated chickens. For poultry entering Texas, the proposed amendment will add a requirement that the health certificate state the poultry have not originated from an area that has had active chicken embryo origin Laryngotracheitis vaccine virus within the last 30 days.

A motion to ADOPT the amendment to Chapter 57, Poultry, located in Title 4 of the Texas Administrative Code was made by Commissioner Simmons and seconded by Commissioner Locke. The motion carried.

Item 17 – Public Comment

There was no additional public comment heard at this time.

Item 18 – Recognition of Awards

There were three TAHC employees honored at this commission meeting.

- Dexter Nunn of the State Laboratory was recognized for 35 years of service.
- Amy Ramage Quality Assurance Manager at the State Laboratory was recognized for 28 years of service and her upcoming retirement.
- Dr. Greg Hawkins, Region 4 Director was recognized for 26 years of service and his upcoming retirement.

Item 19 – Closed Executive Session to Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of Specific Commission Employees as Permitted by Section 551.074 of the Texas Government Code

The closed session was not required at this meeting of the Commissioners.

Item 20 – Consideration of any Action Needed Following Closed Executive Session

No action needed.

Item 21 – Set Date for 392nd Meeting

The date for the next Commission meeting was not set at the time of the meeting, but is tentatively scheduled for late May or June. Notice will be posted on the agency's website when the next Commission meeting date has been set.

Item 22 – Adjournment

Meeting adjourned at 12:20 p.m.