

LOUISIANA BOARD OF ANIMAL HEALTH MEETING

January 28, 2021

10:00 AM

Veterans Memorial Auditorium
5825 Florida Boulevard, 1st Floor
Baton Rouge, Louisiana 70806

Minutes

CALL TO ORDER

The meeting held both virtually and in person was called to order by John Walther at 10:00 a.m.

PLEDGE

John Walther led the Pledge of Allegiance.

ROLL CALL

Roll call was taken by John Walther.

Members present: Craig Fontenot DVM, Anna Chapman DVM, Bill Holdman, Dale Cambre, Giles Brown, Lennie Crawford, Law Ponder, Dan Cason, Vendal Fairchild, David Mains, Kurt Cazayoux, Clark Cooper DVM, Rayburn Smith

Members absent: Danny Hebert, Tom Early, Nickey Smith, Cyd Collins

Guests Present:

Craig Waguespack, LDAF Field Personnel Director, Jesse Scott Perry, Brand Enforcement officer LDAF, Tyne Bankester, LDAF Animal Health Specialist, Carnie Burcham, LDAF Livestock Brand Commission Agent, Baleigh Olah, Attorney for Louisiana Department of Agriculture, Jeffrey Wales, Representative the State's Attorney General's Office

PUBLIC COMMENT

Mike Strain, DVM Commissioner of Louisiana Department of Agriculture & Forestry began his report by thanking the Board for its work for the state and its people. Dr. Strain spoke about the public's concerns over the possibility that the COVID-19 variant could potentially become mutated and reach domesticated livestock. He clarified that the US Government and private pharmaceutical companies are having open discussions and are working diligently to ensure the safety and security of the US livestock industry and the overall public health. Dr. Fontenot thanked Dr. Strain for his participation and for his continued work for the people of the state of Louisiana.

APPROVAL OF MINUTES

Dr. Fontenot motioned to approve the minutes from the previous Board of Animal Health Meeting. Motion was seconded by Dale Cambre. Motion was carried and minutes were approved.

OLD BUSINESS

John Walther spoke concerning the collection of fines stemming from the adjudicatory hearings for Jacob and Gary Thompson. Baleigh Olah, attorney for LDAF, reports that the LDAF legal office has received

signed stipulations for the injunction/ cease and desist order for both Jacob and Gary Thompson and are awaiting final signatures by the judge in the case. Once signed, the Louisiana Board of Animal Health will have a permanent injunction against either Jacob or Gary Thompson from participating in the buying or selling of livestock in the state of Louisiana.

NEW BUSINESS

A. Motion is made by Dr. Fontenot to create a new portion for public comment at the beginning of every board meeting. Motion is seconded by Dale Cambre. Motion is passed unanimously.

1. Dr. Fontenot brought up the new delegation for mandatory sexual harassment training and opened the floor to Baleigh Olah from the LDAF legal department. Ms. Olah informed the board of the newly amended procedure that would delegate the authority to the Department of Agriculture to handle any cases against board members concerning any charges of sexual harassment against them. Vendal Fairchild made motion to accept the newly amended procedure, Dan Cason seconded the motion. The motion passed unanimously.

B. Baleigh Olah was then tasked with bringing before the board the cases against both Jacob Thompson and Tara Sanders.

1. Case *AH 20-01* Jacob Thompson is charged with 23 violations of Louisiana's Board of Animal Health Rules and Regulations. Specifically:

1. Eleven (11) violations of LA R.S 3: 563 - All market agencies and dealers shall secure an annual permit from Louisiana Board of Animal Health for the privilege to conduct business.

2. Eleven (11) violations of LA RS 3:565.B - All market agencies and dealer shall on or before the date of commencement of operation shall execute and thereafter maintain, or cause to execute and thereafter maintain a surety instrument payable to the executive secretary of the Louisiana Board of Animal Health.

3. One (1) violation of the cease-and-desist order pursuant to LA R.S 3:2093 Section 7- The Louisiana Board of Animal Health shall have the following powers and duties: to issue a cease-and-desist order when a violation is endangering or causing significant damage to animal health and/or commerce is occurring or is about to occur.

Jacob Thompson neither admits nor denies these charges and has stipulated to plead no contest and has agreed to pay the proposed fine of twenty-three thousand dollars, \$23,000, payable in full by certified funds within 30 days of receipt of the Commissioner's signature to the executive secretary of the Louisiana Board of Animal Health.

Baleigh Olah then offered and introduced into evidence **LDAF 1**: the charge letter dated December 17th, 2020, as well as the return of service of hand delivery indicating proper service was made on December 21st 2020. Together with **LDAF 2**: the signed and fully executed stipulation in this case. Jeffery Wales is present on behalf of the Attorney General's office and serving as hearing officer. Mr. Wales verified that Ms. Olah was speaking of LDAF case AH- 20-01. Mr. Wales asked if anyone objected to the introduction of the evidence, there was not, and so the evidence was entered.

Motion was made by Vendal Fairchild to accept the stipulation; motion is seconded by Craig Fontenot, DVM. Giles Brown recused from the vote. Motion carried unanimously with one recusal.

Baleigh Olah then brought the matter and stipulation of **AH 20-02**, against Tara Sanders. Tara Sanders is charged with 13 violations of Louisiana Board of Animal Health laws and regulations. Specifically, Tara Sanders is charged with the following:

1. Twelve (12) violations of LA R.S 3:563: *That all market agencies and dealers shall secure an annual permit from Louisiana Board of Animal Health for the privilege to conduct business.*
2. One (1) charge of violation of the cease-and-desist order pursuant to LA R.S 3:2093 Section 7 *The Louisiana Board of Animal Health shall have the following powers and duties: to issue a cease-and-desist order when a violation that is endangering or causing significant damage to animal health and/or commerce is occurring or is about to occur.*

Tara Sanders neither admits to nor denies the factual allegations but agrees to accept and pay the penalty of thirteen thousand dollars (\$13,000) in full by certified funds within 30 days of notice of the Commissioner's acceptance of the stipulation. Payment is to be made within 30 days of receipt of the Commissioner's signature to the executive secretary of the Louisiana Board of Animal Health. Ms. Olah then offered into file and introduced into evidence LDAF 1: the charge letter dated December 17th, 2020 as well as the return of service of hand delivery indicating proper service was made on December 21st 2020. LDAF 2: Signed and properly executed stipulation signed by all parties.

**(Note) It will be considered as a conditional acceptance as Tara Sanders has signed the stipulation but as it was mailed, our office has not received the original copy.*

Mr. Wales then asked for a motion to conditionally accept the stipulation for **AH 20-02** against Tara Sanders.

Vendal Fairchild motioned to conditionally accept the stipulation against Tara Sanders and to approve the penalty amount of thirteen thousand dollars (\$13,000). Motion is seconded by Craig Fontenot, DVM. Giles Brown and Rayburn Smith recuse from the vote. Vote is passed with all in favor and 2 recusals.

Mr. Jeffery Wales with the Attorney General's office completes the adjudicatory portion of the meeting and returns the meeting back to the chairman, Dr. Fontenot.

Date of next meeting: TBD

Public Comment

None

ADJOURNMENT

Motion: Craig Fontenot, DVM then moved to adjourn the meeting. Giles Brown seconded the motion to adjourn.

All agreed. The meeting adjourned at 11:40 pm.