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Upcoming Dates

- Private Applicator Training
Feb. 15th
- Generation Next: Setting
up a New Agriculture
Business Feb. 18th
- Generation Next: Under-
standing Business Taxes
101 Feb. 25th
- Spring Forage Program— 3
CEU's Mar. 3rd
- Generation Next: Business
Insurance Needs Mar. 4th
- Generation Next: Finances:
Loans and Record Keeping
Mar 11th
- Generation Next: How to
set up grazing & wildlife
lease agreements Mar.
18th
- 2018 TLAER— Hazmat/
Decontamination & Behav-
ior Class Apr. 26th
- TX Technical Lg Animal
Emergency Rescue Class
Apr. 27-28th
- Lone Star Healthy Streams
— 3CEU's June 8
(tentatively)
- Rookie Rancher June 9
(tentatively)



Ag

Newsletter

February 2018

What are the Stray Livestock Rules?

By: Tiffany Dowell-Lashmet, Assistant Professor & Extension Specialist Agriculture Law

Question: *What are the rules if stray livestock shows up on my property? Can I keep them?*

Answer: *The popular adage “finders keepers, losers weepers” may apply on the playground, but it does not apply when it comes to stray livestock.*

The Texas Agriculture Code, Chapter 142 deals with procedures regarding stray livestock, exotic livestock, bison, and fowl. The rules apply not only to the owner of the land on which the strays have wandered, but also to a lessee, occupant, or caretaker of such land.

Reporting Stray Livestock

The first step if stray livestock appear is a call to the sheriff's office in the county where the stray is discovered. See Tex. Agric. Code Section 142.003. This call should be made “as soon as reasonably possible.” In order to be eligible for redemption payment from the owner of the stray livestock, a reporting landowner must do so within five days. See Tex. Agric. Code Section 142.004(b).

Once stray livestock are reported, the sheriff will attempt to contact the owner. If the owner is found, he or she may redeem the livestock in accordance with the procedures set forth below. If an owner is not found or if the owner fails to redeem the livestock within five days, the sheriff will impound the animal. If the animal is not recovered from impound, the sheriff will sell the animal at public auction as described below.

Redemption of Stray Livestock Before Impoundment

An owner of stray livestock may redeem the animals upon making a “redemption payment.” See Tex. Agric. Code Section 142.004. This payment shall be a “reasonable amount for maintenance and damages.” The amount of this payment may either be agreed upon by the parties or, if no agreement can be reached, an action may be filed in the justice court and the justice of the peace will set the payment amount. The requirements for the petition to the justice of the peace are listed by statute and include the name of the owner of the estray, description of the estray, a number of days the estray was trespassing, the name of the owner or occupant of the property, the purpose for which the land is currently used, and a statement that the estray owner and the owner or occupant of the property are unable to agree on the payment. See Tex. Agric. Code Section 142.007. If the parties disagree with the decision on the justice of the peace, then the justice will appoint three special commissioners (disinterested persons familiar with livestock and agriculture who live in the county) to render a decision on the proper redemption amount. The special commissioner's decision is final. See Tex. Agric. Code Section 142.008.

Again, as noted above, in order to receive a redemption payment, a landowner must report the stray animals within five days of discovery. See Tex. Agric. Code Section 142.004(b).

Additionally, if the sheriff is present at the time of redemption, he or she may require payment of a collection fee not to exceed \$25. See Tex. Agric. Code Section 142.005.

A livestock owner must redeem the stray animal no later than five days after notification (or be making a good faith effort to make the redemption payment), or the sheriff is required to proceed with the impoundment process set forth below. See Tex. Agric. Code Section 142.009(a)(5).



Master Gardeners: News

The Waller County Master Gardeners held their annual “Fruit Tree and More” fundraiser January 28, 2018, from 10:00 to 2:00 at the Waller County Fair Grounds. Thanks to the fundraiser chair, Kathy Marrack, fruit trees, berries, grapes, and more were put online for the first time for early convenient shopping through the months of November and December.

A big thank you goes out to all the customers who purchased trees, picked up their orders on time and were inconvenienced by a late delivery. A thank you also goes out to all the volunteers who spent hours and hours unloading and taking care of trees before the Saturday event.

Each year the Master Gardeners provide new varieties of fruit trees and other garden items for the residences of Waller County. This year was no exception with new varieties of peach, jujubes, pears, citrus, muscadine grapes, blackberries, and more. The Master Gardeners of Waller County take great pride in providing the best as well as educating the public in taking care of their new purchases.



Name that Plant? Macartney Rose

Description

Macartney rose is an introduced, warm-season perennial of the Rose family. It is an evergreen shrub that can grow to almost 10 feet tall. This plant is commonly considered an invasive species or pest. Historically, Macartney rose was planted on Texas landscapes as a living fence.

The stems have paired, very broad-based prickles. Each leaf is made up of five to nine tough, thick leaflets. The leaflets are lustrous above and a duller green beneath.

The flowers occur singly or in groups of one to three on short stalks. The flower petals are white. The fruit is

round or spherical like that of other members of the Rose family.

Macartney



rose has no grazing value for livestock or wildlife but may serve as escape cover for rodents and other small mammals.

Habitat

This shrub grows in disturbed areas, rangeland, pastureland, drainage ditches and river bottoms, and along roadsides and fence lines.



Continued from front page.....**Impoundment of Livestock**

If the animals are not immediately redeemed by their owner (or if an owner is not found), the sheriff may impound the animals or, if a perilous condition exists (condition in which capture and impoundment of an estray presents an immediate threat to law enforcement personnel or the health of the estray), the sheriff may dispose of the animal in any manner necessary without prior notice to the owner. See Tex. Agric. Code Section 142.009; 142.003(d)(2).

After the animal is impounded, the sheriff must prepare a "notice of estray" that contains details including the name and address of the reporting party, location where the animal was found, location of where the estray will be held until disposition, and a description of the animal. See Tex. Agric. Code Section 142.009(b). The notice shall be filed in the county clerk's estray records. See Tex. Agric. Code Section 142.009(c). Further, if no owner is ascertainable, the sheriff will conduct a "diligent search" to find the owner, including searching the county register of recorded brands if the animal is branded. If the search does not reveal the owner, then the notice of estray is posted on the public

notice board at the county courthouse, and either in a local newspaper of general circulation or on the county internet website for at least 15 days. See Tex. Agric. Code Section 142.009(d).

Redemption of Stray Livestock from Impound

An animal owner may redeem his livestock from impound at anytime prior to sale. In order to do so, he or she must file an ownership affidavit with the sheriff and file the affidavit in the estray records. See Tex. Agric. Code Section 142.010. The affidavit must contain the following information: name and address of owner, date the owner discovered the animal was an estray, property from which the animal strayed, a description of the animal, and a sworn statement that the affiant is the owner or caretaker of the animal. See Tex. Agric. Code Section 142.010. Additionally, the owner must pay all estray handling expenses, which include all expenses incurred by the party who discovered the estray and by the sheriff. See Tex. Agric. Code Section 142.010. This amount will be determined by the sheriff. If the owner disagrees, then he or she may proceed with filing a justice court petition through the procedures explained above.

Disposition or Sale of Impounded Strays

If a stray animal is not redeemed within three days after the final advertisement in the paper or county internet website, or is not redeemed before the 18th day after the date of impoundment, title to the animal is deemed to pass to the county. See Tex. Agric. Code Section 142.013. At that point, the sheriff will sell the animal at a sheriff sale or at a public auction licensed by the USDA. The sheriff receives proceeds from the sale, which are applied in the following order: payment of sale expenses, payment of impoundment fee and other fees due to sheriff, payment to reporting landowner for maintenance or damages.

If the sheriff determines the sale is unlikely to generate sufficient proceeds to cover sale expenses, the sheriff may donate the estray to a non-profit organization or retain the animal to use for county purposes. See Tex. Agric. Code Section 142.013.

If the original owner comes forward within 180 days after the animal is sold, he or she may recover net proceeds from the sale upon filing an ownership affidavit. See Tex. Agric. Code Section 142.014.

Generation Next Webinars

The 2018 Generation Next: Our Turn to Ranch Webinar School is now open for registration!

Generation Next is open to all landowners, but may be especially interesting to those who are new or recently have inherited land. The weekly topics only take 1 hour and can be done on your own time! Classes start the week of Feb. 18th and run until May 12th. During early May, an optional, in-person 2 day session will be held for all participants to gain hands-on experiences. A detailed schedule with topics is attached for , in the back of the newsletter.

Registration is \$120. Texas. <https://agriliferegister.tamu.edu/ESSM>

**Estray Livestock Signs— Sold by Beef & Forage Committee**

These signs are available to the residents of Waller County for \$12.00 each and are about 5"x20" in size. They can be attached to gates or fences where they are visible from the road. The signs are durable and individualized for each producer with an assessing number and a place for a phone number, Ranch name, or Owners Name.

Please call Waller County Extension Office at 979-826-7651 or visit the Extension office at 846 6th Street in Hempstead, TX for further information or to purchase yours today .





Training-\$10

Books - \$40
(2 manuals)

**Please RSVP to
reserve your
spot, space is
limited.**

**Please mail
checks or bring
money by before
the Training.**

**Checks payable:
Extension
Program Council
Nonrefundable**

Texas A&M AgriLife Extension
Service

Waller County Office &
Cooperative Extension Program

846 6th Street
Hempstead, TX 77445

Phone: 979-826-7651
Fax: 979-826-7654

<http://waller.agrilife.org>

TEXAS A&M
AGRILIFE
EXTENSION

Private Applicators Licenses Training

When: Thursday, February 15, 2018

Thursday, May 10, 2018

Thursday, August 23, 2018

Thursday, November 8, 2018

Trainings are from 1pm to 5pm

Check in/Registration starts 30 mins before

Dates & Times are subject to change

Where: Waller County Extension Office,

846 6th Street, Hempstead, TX 77445

The purpose of this training is to obtain a Private Applicator License from Texas Department of Agriculture. This license will enable the applicator to purchase and apply state limited use and federally restricted chemicals on his land or land he has control of for the purpose of production of agricultural commodities. All farm and ranch operators who do not have a Private Applicator's License to purchase "restricted use" pesticides (such as 2, 4-D, Grazon P+D, Tordon 22K, etc.) will need to attend this training.

If you are interested in obtaining a Private Applicator license, please contact the Waller County office at (979) 826-7651 to RSVP and to purchase the manuals.

Texas A&M AgriLife Extension provides equal opportunities in its programs and employment to all persons, regardless of race, color, sex, religion, national origin, disability, age, genetic information, veteran status, sexual orientation, or gender identity. The Texas A&M University System, U.S. Department of Agriculture, and the County Commissioners Courts of Texas Cooperating

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2018 TLAER - Hazmat / Decontamination & Behavior Class

Sponsored by:

Montgomery County Adult Horse Committee

This class is designed for: Veterinarians, First Responders, animal incident managers and responders, and those who own or manage animals/livestock.

Date: April 26, 2018

Location: Texas A&M AgriLife Extension—Montgomery County

9020 Airport Rd Conroe, TX 77303

Cost: \$50 (includes lunch) Checks payable to Montgomery County Ag Committee

Dr. Rebecca Gimenez of Technical Large Animal Emergency Rescue will present lectures and hands-on demonstrations.

A few of the topics include:

- Awareness of HAZMAT issues in TLAER scenarios
- Laws & regulations governing HAZMAT and DECON of animals
- Commonly encountered substances, contaminants, toxics, non-chemical exposures, agricultural contaminants, and spills
- Behavior, approach, basic handling, restraint, and leading of live animals for DECON
- Intro to large animal behavior and senses in normal, stress, and panic situations

Space is limited! Register early!

For more information and registration information, contact Texas A&M AgriLife Extension:

Phone: 936-539-7822 Web: <https://montgomery.agrilife.org/agriculture-natural-resources/>

Registration is limited. Register by Tuesday, April 10th



The members of Texas A&M AgriLife will provide equal opportunities in programs and activities, education, and employment to all persons regardless of race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation or gender identity and will strive to achieve full and equal employment opportunity throughout Texas A&M AgriLife.

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2018 Texas Technical Large Animal Emergency Rescue Class

Sponsored by:

Montgomery County Adult Horse Committee

This class is designed for: Veterinarians, First Responders, animal incident managers and responders, and those who own or manage animals/livestock.

Date: April 27-28, 2018

Location: Texas A&M AgriLife Extension—Montgomery County

9020 Airport Rd Conroe, TX 77303

Cost: \$100 (includes lunch) Checks payable to Montgomery County Ag Committee



Dr. Rebecca Gimenez of Technical Large Animal Emergency Rescue will cover two days of lectures and hands-on demonstrations that will include:

- Incident Prevention
- Emergency Scene Management
- Large Animal Restraint
- Basics of Mud, Water, Ice Rescues
- Confined Space Rescue
- Livestock Trailer Incidents
- Barn Fires and Wildfires
- Integration of Veterinarians into Emergency Response
- CE Approved—ACO, LVT, DVM
- CE Pending—TCOLE, DSHS, Fire Service

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Generation Next

Our Turn to Ranch

Join us for an Agricultural Business Start-Up School

February 18 - May 12th
Participate from your computer on
your own time schedule!

We will cover 1 Topic per Week that
takes 1 hour to complete

- ✓ Discuss business types, tax info, & insurance needs
- ✓ Learn about financing programs and options
- ✓ Gain ideas for operations you can add to an existing ranch
- ✓ Learn options for setting up grazing & wildlife leases
- ✓ Exposure to all the latest land management tools & techniques
- ✓ Taught by professionals in each field and topic

Course Includes: 12 webinar classes of Expert Instruction, Optional in-person training opportunity in early May, Generation Next t-shirt, and a Generation Next School Completion Certificate

Registration Fee: \$120

To Register: <https://agriferegister.tamu.edu/ESSM>

Or call 979-845-2604

For more information contact: Megan.Clayton@ag.tamu.edu or 361.265.9203





2018 Generation Next: Our Turn to Ranch Webinar School

Week of February 18

- Setting up a New Agriculture Business

Week of February 25

- Understanding Business Taxes 101

Week of March 4

- Business Insurance Needs

Week of March 11

- Finances: Loans and Record Keeping

Week of March 18

- How to set up Grazing and Wildlife Lease Agreements

Week of March 25

- Ecotourism Opportunities

Week of April 1

- Planning Land Use and Surveying Your Resources

Week of April 8

- Understanding Market Fluctuations

Week of April 15

- Alternative Ranching Operations

Week of April 22

- Agricultural Apps for Smartphones and Tablets

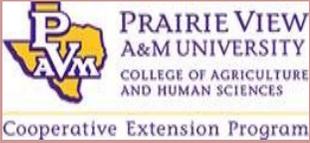
Week of April 29

- Land Management Toolbox

Week of May 6

- Targeted Wrap-Up Session

Optional, in-person training May 3-4, 2018: Location to be decided



Texas A&M AgriLife Extension Service
Waller County Office & Cooperative Extension Program

846 6th Street
Hempstead, TX 77445

Phone: 979-826-7651
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Like us on Facebook
Waller County Extension Office

We're on the web
<http://waller.agrilife.org/>

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Help stray livestock get home safely

Property Gate Signs

OWNER/AGENT: _____
Waller County
Sheriff's Office 979-826-8282 #XXXX

\$12 each

Signs are available for Waller County residents signs are about 5"x20" in size. Attaches to gates or fences where they are visible from the road. Individualized for each producer with an assessing number and a place for a phone number, Ranch name, or Owners Name.

Sponsored by the Waller County Beef & Forage Committee
Signs are available at Waller County Texas A&M AgriLife Extension Office
846 6th St., Hempstead, TX 77445; 979-826-7651

