

COMMONWEALTH OF PENNSYLVANIA  
Pennsylvania Milk Marketing Board

MINUTES

SUNSHINE MEETING

April 7, 2021

1:00 P.M.

Via Telephone Conference

Dial In: +1 (267) 332-8737, ID: 387 758 391#

**1. CALL OF MEETING TO ORDER/ROLL CALL:**

**Chairman Rob Barley** called the regular Sunshine Meeting of the Pennsylvania Milk Marketing Board to order at 1:00 P.M. via Telephone Conference. Chairman Barley opened with a moment of silence and reflection.

**Secretary Hardbarger** called the roll. Those in attendance and constituting a quorum were:

**Board Members:**

**Present:** Chairman Robert Barley, Member James Van Blarcom.

**Absent:** None

**2. ACCEPTANCE OF MINUTES:**

A. Acceptance of Minutes of the March 3, 2021 Sunshine Meeting.

**PRESENTED by:** Chairman Barley

**MOTION by:** Member Van Blarcom

Moved to accept the minutes for the March 3, 2021 Sunshine Meeting. *Note:* Minutes were prepared and distributed to the Board members for their review prior to the April 7, 2021 Sunshine Meeting). **Seconded by Chairman Barley. Motion carried without dissent.**

**Assenting:** Chairman Barley, Member Van Blarcom

**Dissenting:** None

B. Acceptance of Minutes of the March 16, 2021 Special Sunshine Meeting.

**PRESENTED by:** Chairman Barley

**MOTION by:** Member Van Blarcom

Moved to accept the minutes for the March 16, 2021 Sunshine Meeting. *Note:* Minutes were prepared and distributed to the Board members for their review prior to the April 7, 2021 Sunshine Meeting). **Seconded by Chairman Barley. Motion carried without dissent.**

**Assenting:** Chairman Barley, Member Van Blarcom

**Dissenting:** None

**3. PUBLIC INPUT (PERTAINING TO GENERAL ISSUES):**

N/A

**4.. OLD BUSINESS:**

N/A

**5. NEW BUSINESS:**

1. William Shaffer bond claim order CE-19-013

**DISCUSSION:** Attorney Eberly recalled to all, that we had an approved bond claim order against Mr. Shaffer, at the last Sunshine Meeting. There was an invoice that was going to be paid out between two dealers, and upon one more review to make certain we had the correct distribution, in which it was discovered there was 1 more invoice not accounted for originally for Galliker. (Mr. Zalman can confirm this) It did not change the bond claim amount but did change the distribution, the amount owed is still more than the amount of the bond. This is discussed within the Finding of Facts, # 12 and #13. A new order had to be issued for approval. This order must be submitted to Secretary Hardbarger, and to the Comptroller's office.

**MOTION by:** Member Van Blarcom

Moved to approve the William Shaffer bond claim order CE-19-013 as presented. **Seconded by Chairman Barley. Motion carried without dissent.**

**Assenting:** Chairman Barley, Member Van Blarcom

**Dissenting:** None

**6. REPORT OF CHIEF COUNSEL:**

**DISCUSSION:** Attorney Eberly stated no report for this month except for the William Shaffer bond claim.

**7. LEGAL CASE DISPOSITIONS**

1. Amos G. Miller DBA Misty Creek Goat Dairy Dealer

**PRESENTED by:** Attorney Petrascu

**DISCUSSION:** Attorney Petrascu presented **1. Legal Docket No. CA-20-011 Amos G. Miller DBA Misty Creek Goat Dairy**, a milk dealer who failed to file its Milk Dealer's monthly report for September 2020, on or before the date the report was due. A consent order was signed and a penalty of \$225.00 was paid.

**MOTION by:** Member Van Blarcom

Moved to accept the consent order as presented. **(1. Legal Docket CA-20-011 – Amos G. Miller DBA Misty Creek Goat Dairy ) Seconded by Chairman Barley. Motion carried without dissent.**

**Assenting:** Chairman Barley, Member Van Blarcom

**Dissenting:** None

2. Julius Silvert, Inc. SubDealer

**PRESENTED by:** Attorney Petrascu

**DISCUSSION:** Attorney Petrascu presented **1. Legal Docket No. CA- 21-001 Julius Silvert, Inc.**, a licensed milk subdealer who failed to file its Milk Subdealer’s license renewal application for the July 1, 2020 through June 30, 2021 licensing period, on or before June 15, 2020. A consent order was signed and a penalty of \$150.00 was paid.

**MOTION by:** Member Van Blarcom

Moved to accept the consent order as presented. **(1. Legal Docket CA-21-001 Julius Silvert, Inc. ) Seconded by Chairman Barley. Motion carried without dissent.**

**Assenting:** Chairman Barley, Member Van Blarcom

**Dissenting:** None

3. Harrisburg Dairies, Inc. Dealer

**PRESENTED by:** Attorney Petrascu

**DISCUSSION:** Attorney Petrascu presented **1. Legal Docket No. CE- 21-001 Harrisburg Dairies, Inc.**, a licensed milk dealer who violated section 143.44 of the Board’s regulations by rejecting, without cause, milk made available to it by its producers. Dealer executed a Consent Order agreeing not to avail itself of the relaxed enforcement provisions within the Board Bulletins 1575 and 1576. Dealer did admit to the violation.

**MOTION by:** Member Van Blarcom

Moved to accept the consent order as presented. **(1. Legal Docket CE-21-001 Harrisburg Dairies, Inc.) Seconded by Chairman Barley. Motion carried without dissent.**

**Assenting:** Chairman Barley, Member Van Blarcom

**Dissenting:** None

## **8. LICENSE APPLICATIONS:**

1. Tanner Brothers And Sons Inc. Dealer

**PRESENTED by:** Attorney Petrascu

**DISCUSSION:** Attorney Petrascu presented that Tanner Brothers And Sons, Inc. has submitted an application for a dealer license for 2020-2021. Applicant will process milk/cream produced on its own

farm. Applicant will process/package milk/cream products for resale to other farm stands and stores in Area 1. No bond is required. Appropriate staff has reviewed the application to ensure that adequate forms and fees have been received and are in order, and that the applicant has met the requirements of the Milk Marketing Law. Board Staff recommends approval, and with Board approval of this application, a dealer license will be issued.

**MOTION by:** Member Van Blarcom

Moved to approve a dealer license to Tanner Brothers And Sons, Inc., as presented. **Seconded by Chairman Barley. Motion carried without dissent.**

**Assenting:** Chairman Barley, Member Van Blarcom

**Dissenting:** None

**9. REMINDERS:**

**PRESENTED by:** Chairman Barley

<u>MEETING (s)</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Regular Sunshine meeting	Wed. May 5, 2021	1:00 P.M.	Telephone Conf.

**10. ADJOURNMENT:**

Chairman Barley hearing no further matters to come before the Board, adjourned the meeting 1:13 P.M.