

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Milk Marketing Board

MINUTES

SUNSHINE MEETING

February 3, 2020
1:00 P.M. – Room 309 – Ag Building
Harrisburg, PA

1. CALL OF MEETING TO ORDER/ROLL CALL:

Chairman Robert Barley called the regular Sunshine Meeting of the Pennsylvania Milk Marketing Board to order at 1:00 P.M. in Room 309 of the Agriculture Building in Harrisburg, PA.

Chairman Barley opened the meeting with the Pledge of Allegiance followed by a moment of reflection.

Steven Zalman called the roll. Those in attendance and constituting a quorum were:

Board Members:

Present: Chairman Robert Barley, Consumer Member Carol Hardbarger, Member James Van Blarcom.

Absent: None

Others Present: Doug Eberly, Esq., Steven Zalman, Joseph Wilson, Jay Howes (PADC), Jason Statler, Esq. (PADC), John Bell, Esq. (PA Farm Bureau), Ed Schneider (Valley Farms Dairy), Zach Myers (CDE) John Pierce (PAMD)

2. ACCEPTANCE OF MINUTES:

A. Acceptance of Minutes of the January 2, 2020 Sunshine Meeting.

PRESENTED by: Chairman Barley

MOTION by: Member Van Blarcom

Moved to accept the minutes for the January 2, 2020 Sunshine Meeting. (*Note:* Minutes were prepared and distributed to the Board members for their review prior to the February 3, 2020 Sunshine Meeting). **Seconded by Consumer Member Hardbarger. Motion carried without dissent.**

Assenting: Chairman Barley, Consumer Member Hardbarger, Member Van Blarcom

Dissenting: None

3. PUBLIC INPUT (PERTAINING TO GENERAL ISSUES):

N/A

4. OLD BUSINESS:

N/A

5. NEW BUSINESS:

1. Official General Order No. A-993 CRO 4 Amended - Cost Replacement for Southeastern Milk Marketing Area No. 1

PRESENTED by: Chairman Barley

MOTION by: Consumer Member Hardbarger

Moved to approve OGO No. A-993 (CRO 4) Amended as presented. **Seconded by Member Van Blarcom. Motion carried without dissent.**

Assenting: Chairman Barley, Consumer Member Hardbarger, Member Van Blarcom

Dissenting: None

2. Legal Docket No. CE-19-011 – William Shaffer bond claim

PRESENTED by: Attorney Eberly

DISCUSSION: Attorney Eberly stated that the Board held a bond claim hearing on December 4, 2019. This is a bond claim against the subdealer licensing year 2018-2019 for milk received and unpaid to Valley Farms. The bond is for \$35,000.00, which unfortunately does not entirely cover payment owed. There will be an additional bond claim that will have to be made against the 2019-2020 licensing year, for the money owed to Galliker's and Valley Farms. This will be handled by the new Board Legal Staff coming on board in late February.

MOTION by: Member Van Blarcom

Moved to approve Legal Docket No CE-19-011 as presented. **Seconded by Consumer Member Hardbarger. Motion carried without dissent.**

Assenting: Chairman Barley, Consumer Member Hardbarger, Member Van Blarcom

Dissenting: None

6. REPORT OF CHIEF COUNSEL:

DISCUSSION: Attorney Eberly stated that a quorum of the Board was together on few occasions, on which none were for executive sessions. On January 6th Chairman Barley and Consumer Member Hardbarger worked the Farm show booth exhibit. On January 8th the Board was part of a Lancaster Farming panel at the Farm Show. January 13th and 16th and today February 3, the Board interviewed candidates for the Secretary position. No deliberations nor official actions were taken.

7. LEGAL CASE DISPOSITIONS

N/A

8. LICENSE APPLICATIONS:

- 1. Hockenberry Dairy Subdealer
 Williamsport, PA

PRESENTED by Steven Zalman

DISCUSSION: Mr. Zalman presented that Hockenberry Dairy has submitted an application for a subdealer license for 2019-2020. Applicant will purchase packaged milk/cream products from a dealer. Applicant will sell packaged milk/cream products to restaurants, schools, stores, prisons, and camps in Area 3. A bond has been provided. 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. A Provisional license was granted on January 28, 2020, and with Board approval of this application, a subdealer license will be issued.

MOTION by: Consumer Member Hardbarger

Moved to approve a subdealer license to Hockenberry Dairy as presented. **Seconded by Member Van Blarcom. Motion carried without dissent.**

Assenting: Chairman Barley, Consumer Member Hardbarger

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. Mar. 4, 2020	1:00 P.M.	309 – Ag Bldg.

<u>HEARING (s)</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Over-Order Premium For All Areas	Wed. Mar. 4, 2020	10:00 AM	309 – Ag Bldg

10. ADJOURNMENT:

Chairman Barley, hearing no further matters to come before the Board, adjourned the meeting at 1:07 P.M.