

COMMONWEALTH OF PENNSYLVANIA  
Pennsylvania Milk Marketing Board

MINUTES

SUNSHINE MEETING

March 19, 2018  
11:00 A.M. – Room 110 – Ag Building  
Harrisburg, PA

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

**Chairman Luke Brubaker** called the regular Sunshine Meeting of the Pennsylvania Milk Marketing Board to order at 11:00 A.M. in Room 110 of the Agriculture Building in Harrisburg, PA. **Secretary Tim Moyor** called the roll. Those in attendance and constituting a quorum were:

**Board Members:**

**Present:** Chairman Luke Brubaker, Consumer Member Lynda Bowman,  
Member James Van Blarcom (present via telephone conference)

**Absent:** None

**Others Present:** Doug Eberly, Esq., Andrew Saylor, Esq., Gary Gojsovich (*PMMB*), Earl Fink (*PAMD*), Wendy Yovienne, Esq. (Baker, Donelson), John Howard, Esq. (PDA), Allen Warshaw, Esq. (PFMA), Jay Howes (PDAC), John Pierce (Lehigh), John Bell, Esq. (PAFB), Ron Mong, CPA (Herbein & Co)

**2. ACCEPTANCE OF MINUTES:**

A. Acceptance of Minutes of the February 6, 2018 Sunshine Meeting.

**PRESENTED by:** Chairman Brubaker

**MOTION by:** Consumer Member Bowman

Moved to accept the minutes as attached of the February 6, 2018 Sunshine Meeting. (*Note:* Minutes were prepared and distributed to the Board members for their review prior to the March 19, 2018 Sunshine Meeting). **Seconded by Member Van Blarcom. Motion carried without dissent.**

**Assenting:** Chairman Luke Brubaker, Consumer Member Bowman, Member Van Blarcom

**Dissenting:** None

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

**DISCUSSION:** Attorney Bell commented on the recent round of dairy farmers losing their market. He hopes that farm families who have been displaced will find a home for their milk. He encouraged all to be very aware and mindful that it is people's lives being turned upside down. He asked all to try to understand the anxiety they are feeling. These families are emotionally hurting and need support. He encouraged all to have empathy.

4. **OLD BUSINESS:**

N/A

5. **NEW BUSINESS:**

A. OGO No. A-953 (CRO 9) Cost Replacement Order for East Central Milk Marketing Area 2

**MOTION:** Consumer Member Bowman

Moved to approve OGO No. A-953 (CRO 9) as presented. **Seconded by Member Van Blarcom. Motion carried without dissent.**

**Assenting:** Chairman Luke Brubaker, Consumer Member Bowman, Member Van Blarcom

**Dissenting:** None

B. OGO No. A-962 (CRO 8) Cost Replacement Order for Northeastern Milk Marketing Area 3

**MOTION:** Member Van Blarcom

Moved to approve OGO No. A-962 (CRO 8) as presented. **Seconded by Consumer Member Bowman. Motion carried without dissent.**

**Assenting:** Chairman Luke Brubaker, Consumer Member Bowman, Member Van Blarcom

**Dissenting:** None

C. OGO No. A-963 (CRO 8) Cost Replacement Order for South Central Milk Marketing Area 4

**MOTION:** Consumer Member Bowman

Moved to approve OGO No. A-963 (CRO 8) as presented. **Seconded by Member Van Blarcom. Motion carried without dissent.**

**Assenting:** Chairman Luke Brubaker, Consumer Member Bowman, Member Van Blarcom

**Dissenting:** None

D. Petition for a Hearing to Update the Container Efficiency Adjustment

**MOTION:** Consumer Member Bowman

Moved to accept the Petition for a Hearing to Update the Container Efficiency Adjustment. **Seconded by Member Van Blarcom. Motion carried without dissent.**

**Assenting:** Chairman Luke Brubaker, Consumer Member Bowman, Member Van Blarcom

**Dissenting:** None

E. Ag Progress Days contract for booth rental for August 14, 15, 16, 2018

**MOTION:** Consumer Member Bowman

Moved to accept the contract for Ag Progress Days for booth rental for August 14, 15, 16, 2018 as presented. **Seconded by Member Van Blarcom. Motion carried without dissent.**

**Assenting:** Chairman Luke Brubaker, Consumer Member Bowman, Member Van Blarcom  
**Dissenting:** None

**6. REPORT OF CHIEF COUNSEL:**

**PRESENTED by:** Attorney Eberly

**DISCUSSION:** Attorney Eberly stated that the Board did not meet at all this month.

**7. LEGAL CASE DISPOSITIONS**

1. Niemeyer Milk Transfer Inc. Late filing of monthly hauler reports

**PRESENTED by:** Attorney Saylor

**DISCUSSION:** Attorney Saylor presented **1. Legal Docket CA-17-055 for Niemeyer Milk Transfer Inc.** for late filing of monthly hauler reports. A consent order was signed and a penalty of \$100.00 was paid.

**MOTION by:** Consumer Member Bowman

Moved to accept the consent order as presented. (**1. Legal Docket CA-17-055 for Niemeyer Milk Transfer Inc.**) **Seconded by Member Van Blarcom.**

**DISCUSSION:** Chairman Brubaker inquired on their location. Attorney Saylor stated it is in Indiana.

**Motion carried without dissent.**

**Assenting:** Chairman Luke Brubaker, Consumer Member Bowman, Member Van Blarcom  
**Dissenting:** None

**8. LICENSE APPLICATIONS:**

N/A

**9. REMINDERS:**

**PRESENTED by:** Chairman Brubaker

<b>Sunshine Meeting</b>	<b>Date</b>	<b>Time</b>	<b>Room</b>
Regular Sunshine Meeting	Wed. April 4, 2018	1:00 P.M.	202 Ag Bldg

**10. ADJOURNMENT:**

Chairman Brubaker, hearing no further matters to come before the Board, adjourned the meeting at 1:14 P.M.