

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Milk Marketing Board

MINUTES

SUNSHINE MEETING

March 21, 2017
11:10 A.M. – Room 309 – 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 11:10 A.M. in Room 309 of the Agriculture Building in Harrisburg, PA. **Secretary Tim Moyer** called the roll. Those in attendance and constituting a quorum were:

Board Members:

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

Absent: None

Others Present: Secretary Tim Moyer, Doug Eberly, Esq., Andrew Saylor, Esq., Gary Gojsovich (PMMB), Earl Fink (PAMD), Jay Howes (PDAC), Carl Herbein, CPA (PAMD), Marvin Beshore, Esq. (PADC - via telephone conference), John Bell, Esq. (PA Farm Bureau), John Howard, Esq. (PDA), Allen Warshaw, Esq. (PFMA), Arden Tewksbury (Progressive Ag Organization), Mike Ebby (National Dairy Producer Organization)

2. ACCEPTANCE OF MINUTES:

A. Acceptance of Minutes of the February 3, 2017 Sunshine Meeting.

PRESENTED by: Chairman Brubaker

MOTION by: Consumer Member Bowman

Moved to accept the minutes as attached of the February 3, 2017 Sunshine Meeting. (*Note:* Minutes were prepared and distributed to the Board members for their review prior to the March 21, 2017 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):

N/A

4. OLD BUSINESS:

N/A

5. NEW BUSINESS:

Over-Order Premium OGO-A996

MOTION: Member Van Blarcom

Moved to approve the Over-Order Premium OGO-A996. **Seconded by Consumer Member Bowman. Motion carried without dissent.**

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

Dissenting: None

A. Classification and Marketing of Milk Purchased from Producers OGO-A997

DISCUSSION: Attorney Eberly stated that during the Pre-Order Conference for the Classification and Marketing of Milk Purchased from Producers OGO-A997, Attorney Beshore pointed out a wording error in the Discussion session of OGO-A997. On the 6th paragraph of Discussion, which begins with “Under ordinary circumstances,” in the third line, it reads “minimum price that is equal to the federal order *blend* price, which should read “*class*” price. The Board will make that change and the Order approved by the Board today will reflect this change.

MOTION: Consumer Member Bowman

Moved to approve the Classification and Marketing of Milk Purchased from Producers OGO-A997 as presented and with correction in place, to be in effect as of April 1. **Seconded by Member Van Blarcom.**

DISCUSSION: Consumer Member Bowman stated that she believes that the Order will make the cost of the oversupply of milk, more fair to all the farmers that go through DMS & DFA.

Member Van Blarcom thanked everyone who commented on the Order. It comes down to basically the fairness of everyone involved to share the cost and balance of things. Prior to getting this position with the Board he thought it would not carry much weight upon his shoulders, but it does bring on a large weight for all three Board members, to make some very tough decisions. The Board feels the weight and always hopes to do the best.

Motion carried without dissent.

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

Dissenting: None

B. Ag Progress Days contract for booth rental for August 15-17, 2017

PRESENTED BY: Chairman Brubaker

MOTION: Member Van Blarcom

Moved to approve the Ag Progress Days contract for booth rental for August 15-17, 2017. **Seconded by Consumer Member Bowman. 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 he met with Secretary Moyer and the Board Members, just prior to today's meeting in a brief executive session, to discuss the two pending Orders, and to review the Agenda. Consumer Member Bowman was present via telephone conference. No official actions or deliberations took place. No further meeting will follow today.

7. LEGAL CASE DISPOSITIONS

N/A

8. LICENSE APPLICATIONS:

1. Edward C. Brechbill Dealer

PRESENTED by: Attorney Saylor

DISCUSSION: Attorney Saylor presented that Edward C. Brechbill has submitted an application for a dealer license, for 2016-2017. Applicant will purchase products directly from an individual producer. Applicant will use milk to manufacture cheese, and sell in his own store and to subdealers in Area 4. A Producer COD letter has been provided. Appropriate staff has reviewed the application to ensure that all forms and fees have been received and are in order, and that the applicant has met the requirements of the Milk Marketing Law. With Board approval of this application, a dealer license will be issued.

MOTION by: Consumer Member Bowman

Moved to approve a dealer license to Edward C. Brechbill as presented. **Seconded by Member Van Blarcom. Motion carried without dissent.**

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

Dissenting: None

9. REMINDERS:

PRESENTED by: Chairman Brubaker

Sunshine Meeting	Date	Time	Room
Regular Sunshine Meeting	April 5, 2017	1:00 PM.	202 Ag Bldg

DISCUSSION: Chairman Brubaker stated his appreciation for everyone's input into both hearings, and believed the Board came to a right decision. There have been several inquiries on the situation and it seems at times people just do not understand what we do as a Board, and why we do it. Perhaps some folks present today can shed light to others on the matter. As was said earlier the Board does not take the matter lightly. I will now be able to share with others the outcome, and that we believe we are making a good decision overall. Thank you all for coming.

10. ADJOURNMENT:

Chairman Brubaker, hearing no further matters to come before the Board, adjourned the meeting at 11:25 A.M.