

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Milk Marketing Board

MINUTES

SUNSHINE MEETING

May 1, 2019
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.

Secretary Tim Moyer 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., Andrew Saylor, Esq., Steven Zalman (PMMB), Gary Gojsovich (PMMB), Allen Warshaw, Esq. (PFMA), Marvin Beshore, Esq. (PADC), Wendy Yovienne, Esq. (PAMD), John Howard, Esq. (PDA), Ron Mong, CPA (Herbein & Co), John Pierce (PAMD), Vickie Baker (Naturally Golden Family Farm), Doug Granitz (AGA), Arden Tewskbury (Pro-Ag), Carol Sullivan (Pro-Ag), Jay Howes (PADC), Phil Gruber (Lancaster Farming), Ed Schneider (Valley Farms Dairy), Bernie Morrissey, Nelson Troutman, Betsy Albright (Harrisburg Dairies), Mike Eby (National Dairy Producers Org),

2. ACCEPTANCE OF MINUTES:

A. Acceptance of Minutes of the April 3, 2019 Sunshine Meeting.

PRESENTED by: Chairman Barley

MOTION by: Member Van Blarcom

Moved to accept the minutes as attached of the April 3, 2019 Sunshine Meeting. (*Note:* Minutes were prepared and distributed to the Board members for their review prior to the May 1, 2019 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 Orders No. A-963 (CRO 9) Cost Replacement Order for the South Central Milk Marketing Area 4.

PRESENTED by: Chairman Barley

MOTION by: Consumer Member Hardbarger

Moved to approve OGO No. A-963 (CRO 9) Cost Replacement Order for the South Central Milk Marketing Area 4. **Seconded by Member Van Blarcom. Motion carried without dissent.**

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

Dissenting: None

2. Request for a Special Sunshine Meeting in May to take official action regarding OGO A-953 (CRO 10)

PRESENTED by: Chairman Barley

MOTION by: Member Van Blarcom

Moved to approve the Special Sunshine Meeting in May to take official action regarding OGO A-953 (CRO 10). **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:

PRESENTED by: Attorney Eberly

DISCUSSION: Attorney Eberly stated that the Board met first thing on April 24, for a hearing conference for Area 2, and met briefly just prior to that conference, and then the Board then further met to discuss that litigation matter in an executive session, immediately following the hearing conference. No deliberations nor official actions were taken.

7. LEGAL CASE DISPOSITIONS

N/A

8. LICENSE APPLICATIONS:

1. **Pioneer Milk Producers Cooperative** Dealer

PRESENTED by: Attorney Saylor

DISCUSSION: Attorney Saylor presented that Pioneer Milk Producers Cooperative has submitted an application for a dealer license for 2018-2019. Applicant will purchase bulk milk from its

own members. Applicant will sell bulk milk to various dealers in Areas 3 and 4. A bond is not required. Appropriate staff has reviewed the application to ensure that all forms 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 April 5, 2019, 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 Pioneer Milk Producers Cooperative as presented.

Seconded by Consumer Member Hardbarger. Motion carried without dissent.

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

Dissenting: None

2. **Hazou Premium Dairy LLC** Dealer

PRESENTED by: Attorney Saylor

DISCUSSION: Attorney Saylor presented that Hazou Premium Dairy LLC has submitted an application for a dealer license for 2018-2019. Applicant will purchase bulk milk from a PA dealer. Applicant will manufacture cheese and yogurt and will sell to distributors in Area 1. A COD Certification has been provided in lieu of a bond. Applicant has provided a Stipulation that applicant will only buy milk from a producer who provides a COD certification or will provide a bond. Appropriate staff has reviewed the application to ensure that all forms 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 April 25, 2019, and with Board approval of this application, a dealer license will be issued.

MOTION by: Consumer Member Hardbarger

Moved to approve a dealer license to Hazou Premium Dairy LLC as presented. **Seconded by Member Van Blarcom. Motion carried without dissent.**

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

Dissenting: None

3. **Charles Farms, Inc. D/B/A Pine View Dairy** Dealer

PRESENTED by: Attorney Saylor

DISCUSSION: Attorney Saylor presented that Charles Farms, Inc. D/B/A Pine View Dairy has submitted an application for a dealer license for 2018-2019. Applicant will process and sell milk/cream products produced on own farm. Applicant will sell to cafes, restaurants, markets, schools, daycares, and subdealers in Area 4. A bond is not required. Appropriate staff has reviewed the application to ensure that all forms 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: Member Van Blarcom

Moved to approve a dealer license to Charles Farms, Inc. D/B/A Pine View Dairy as presented.

Seconded by Consumer Member Hardbarger. Motion carried without dissent.

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

Dissenting: None

9. REMINDERS:

PRESENTED by: Chairman Barley

<u>MEETING (s)</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Special Sunshine Meeting	May 23, 2019	10:00 A.M.	Farm Show complex Monongahela Room E
Regular Sunshine Meeting	June 5, 2019	1:00 P.M.	202 – Ag Bldg
<u>HEARING (s)</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Amendment to 7 PA. Code Chapter 150 – Milk Marketing Fees	May 23, 2019	10:15 P.M.	Farm Show complex Monongahela Room E

10. ADJOURNMENT:

Chairman Barley, hearing no further matters to come before the Board, adjourned the meeting at 1:12 P.M.