

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Milk Marketing Board

MINUTES

SUNSHINE MEETING

July 7, 2021

1:00 P.M.

Via Telephone Conference

Dial In: +1 (267) 332-8737, ID: 665-556-390#

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

DISCUSSION: Chairman Barley introduced Kristi Rooker Kassimer who will soon be joining the Board, as Consumer Member. She is from Smock, PA., She is currently self-employed as owner/operator of Kascom Media Marketing Agency. Previously, she was the Director of Marketing & Communications for PA Beef Council. Prior to that she was the Outreach Coordinator and Marketing Specialist with PA Department of Agriculture. Chairman Barley expressed his appreciation in having someone with a marketing background on board.

Ms. Kassimer thanked the Chairman, and she stated that she indeed has a learning curve ahead, but she is looking forward to it, and is ready to take on the challenge. She hopes to be ready to go by the August Sunshine meeting, she stated that her confirmation was on June 15th. She is looking forward to the opportunity and working with everyone.

2. ACCEPTANCE OF MINUTES:

A. Acceptance of Minutes of the June 2, 2021, Sunshine Meeting.

PRESENTED by: Chairman Barley

MOTION by: Member Van Blarcom

Moved to accept the minutes for the June 2, 2021, Sunshine Meeting. *Note:* Minutes were prepared and distributed to the Board members for their review prior to the July 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. Petition from Pennsylvania Association of Milk Dealers to amend sections 149.22 and 149.42 of the Board's regulations.

DISCUSSION: Chairman Barley stated that after some discussion the Board is excited to look at the entire 149 sections, which has not been looked at for a long time. They are open to the petition, and bring about any necessary updates.

MOTION by: Member Van Blarcom

Moved to approve the Petition from Pennsylvania Association of Milk Dealers to amend sections 149.22 and 149.42 of the Board's regulations. **Seconded by Chairman Barley.**

DISCUSSION: Chairman Barley asked for an amended motion that the Board include a review of all sections of 149 to determine any necessary updates to regulations.

MOTION by: Member Van Blarcom

Moved to amend the broadening review, to include all of 149 if necessary, for updates to regulations. **Seconded by Chairman Barley. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom

Dissenting: None

2. Petition from Pennsylvania Farm Bureau to hold an over-order premium hearing.

DISCUSSION: Chairman Barley stated there is a petition from Pennsylvania Farm Bureau to hold an over-order premium hearing.

MOTION by: Member Van Blarcom

Moved to approve the Petition from Pennsylvania Farm Bureau to hold an over-order premium hearing. **Seconded by Chairman Barley. Motion carried without dissent.**

DISCUSSION: Chairman Barley mentioned that over-order premium hearing will most likely be held on September 1st.

3. Request from Pennsylvania Association of Dairy Cooperatives to indefinitely postpone the Cooperative procurement costs update hearing.

DISCUSSION: Chairman Barley stated that it is important that a Cooperative procurement costs update hearing take place, but at the present time the Board does not have a scheduled date, so there is no need to postpone, and the Board has consensus to continue the dialogue.

6. REPORT OF CHIEF COUNSEL:

DISCUSSION: Attorney Eberly stated that he will contact the milk dealers and staff, to work with them to set a date for a regulatory hearing on the chapter 149 amendments. It will proceed in the regulatory review process, with a public hearing for people to present their ideas, and followed by a draft amendment, which will be circulated for public, and the parties for comments. Eventually there will be a formal proposed amendment as long Board agrees.

Also, on June 17, the independent regulatory review commission approved the amendments to section 143.31. That has been submitted to the Attorney General, for review for final form and legality and the Attorney General has until July 22 to respond. The Board hopes to have that on the August agenda for publication approval.

7. LEGAL CASE DISPOSITIONS

1. Jason D. Rice Dealer

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented **1. Legal Docket No. CA-21-002** for **Jason D. Rice** a dealer failed to file its monthly reports for May, June, July, August, September, and October 2020, on or before their respective due dates. 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-21-002 Jason D. Rice)
Seconded by Chairman Barley. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom

Dissenting: None

8. LICENSE APPLICATIONS:

1. Horningford Creamery LLC. Dealer

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented that Horningford Creamery LLC. has submitted an application for a dealer license for 2021-2022. Applicant will process milk/cream produced on its own farm. Applicant will manufacture/package milk/cream products for resale to restaurants, and stores in Area 6. 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 Horningford Creamery LLC., as presented. **Seconded by Chairman Barley. Motion carried without dissent.**

Assenting: Chairman Barley, Member Van Blarcom

Dissenting: None

2. Kolb’s Farm Store Dealer

PRESENTED by: Attorney Petrascu

DISCUSSION: Attorney Petrascu presented that Kolb’s Farm Store has submitted an application for a dealer license for 2021-2022. Applicant will process milk/cream produced on its own farm. Applicant will manufacture/package milk/cream products for resale to restaurants, schools, stores, and subdealers 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. A Provisional license was granted on July 2, 2021. 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 Kolb’s Farm Store, 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. Aug 11, 2021	1:00 P.M.	Room 202 Ag Bldg and virtual call in

10. ADJOURNMENT:

Chairman Barley hearing no further matters to come before the Board, adjourned the meeting 1:17 P.M.