

COMMISSION MEETING HELD DECEMBER 11, 2002

Minutes of the meeting of the Commission held in RichmondOffice ,10th Floor Conference Room, Richmond, Virginia.

THE COMMISSION:

PRESENT: Ms. Lorna Daniels, Commissioner; Ms. Ursula Edmonds, Commissioner; Mr. James Townsend, Commissioner; Mr. John Gillam, Commissioner; Mr. Edward C. Wilson, Jr., Deputy Administrator; Mr. Rodney L. Phillips, Administrator, Carolyn Wells, Agency Administrative Assistant; Michael Myatt, Cooperative Milk Producers Association; Doug Greenway, Dairy Farmers of America.

James Townsend was voted to be the new chairperson for this coming year. Ursula Edmonds made a motion to accept James Townsend as chairperson; Lorna Daniels seconded the motion. The motion carried.

James Townsend, Chairperson called the meeting to order at 10:10 a.m.

Mr. Townsend asked for a motion to accept the minutes from the previous meeting. Lorna Daniels moved and Ursula Edmonds seconded the motion. The minutes were accepted as written.

The Deputy Administrator gave a review of Class I sales summary and adjacent market prices. (see pages

The Administrator gave an update on the Ad Hoc Committee. The committee has been studying a request to amend regulation 2VAC15-20-81, Class prices for producer's milk, time and method of payment and butterfat testing to allow for the creation of a commission calculated and operated base value equalization pool. Cooperative Milk Producers Association has made a written request rescinding their request for regulatory action and the members of the Ad Hoc Committee are recommending the same. The Administrator made a recommendation to cease regulatory action, John Gillam made a motion and Ursula Edmonds seconded the motion. Motion carried.

The Administrator informed the commission on the Governor's Commission on Efficiency and Effectiveness concerning the consolidation of the Milk Commission with the Department of Agriculture.

The Deputy Administrator reviewed regulation 2VAC15-20-100 3g(2) on the Presumed Delivery Cost Percentage. Lorna Daniels made a motion to approve cost percentage; Ursula Edmonds seconded the motion. The motion passed. (Letter attached)

The Deputy Administrator reminded the commission that by the first of the year the agency would begin another regulatory review.

Commission staff held technical hearings and/or tele-conference interviews with various firms applying for distributor licenses on all Virginia markets. The applicants all agreed to comply with the Rules and Regulations of the Commission and there being no other evidence to the contrary the Administrator recommended the granting, canceling &/or issuing of licenses as indicated below. John Gillam made a motion to accept all the following changes, seconded by Ursula Edmonds, effective January 1, 2003. Motion carried.

Licenses Issue/Cancel/Re-issue/Amend:

Issue:

| <u>License No.</u> | <u>Type of License</u> | <u>Distributor</u> | <u>Company</u> |
|-------------------------|------------------------|------------------------------|----------------|
| <u>Rep</u> 306.000.1 | <u>Markets</u> PGD | Guida-Seibert | Michael Young |
| All | | Dairy Company 435 Park St | |

| | | | | |
|-----------|------|--|-----------------------|--|
| | | | New Britain, CT 06050 | |
| 306.001.3 | NPGD | Dunkin' Donuts | Daniel T. Pelligrine | |
| All | | Mid Atlantic Dist Ctr 501 Arlington Blvd. Swedesboro NJ 08085 Under: Guida-Seibert Dairy Company New Britain, CT | | |
| 291.006.3 | NPGD | Frederick Produce Co | Linda Dadd | |
| All | | 321 E. 5 th Street Frederick, MD 21701 Under: Morningstar Foods Mt. Crawford, Va. | | |
| 237.001.3 | NPGD | Willow Run Foods Inc. | Brenda M. Morrisey | |
| All | | 1006 US Route 11 Kirkwood NY 13795 Under: Ready Foods Prods. Inc. Philadelphia, Pa | | |

Cancel/Re-Issue

Cancel Correction

| <u>License No.</u> | <u>Type of License</u> | <u>Distributor</u> | <u>Company</u> | <u>Rep</u> |
|------------------------|------------------------|--|----------------|------------|
| 213.002.3 | NPGD | Mid-Mountain Foods, Inc. | Mr. Donovan | |
| All | | P O Box 129 Abingdon, VA 24212 Under: F-O-R Bristol | | |
| <u>Re-Issue</u> | | | | |
| 298.002.3 | NPGD | Mid-Mountain Foods, Inc. | Mr. Donovan | |
| All | | P O Box 129 Abingdon, VA 24212 Under: F-O-R, Inc. London Division | | |

The Administrator informed the commission that the auditor in Roanoke, Robert Williams will be retiring as of March 1, 2003. The Administrator suggested the agency prepare a resolution for Mr. Williams. Lorna Daniels made a motion to prepare a resolution, Ursula Edmonds seconded the motion, the motion carried.

There was no public comment.