

**FINAL MINUTES**

Thursday, May 21, 2020

The meeting of the Board of Agriculture and Consumer Services (Board) convened at approximately 9:00 a.m. on Thursday, May 21, 2020. The meeting was held by electronic communications means due to the state of emergency issued by Governor Northam as a result of the novel coronavirus (COVID-19). The meeting was held using Cisco Webex Events. President Barlow called the meeting to order.

**ROLL CALL**

The Board Secretary called the roll:

**PRESENT**

O. Bryan Taliaferro, Jr.  
Donald Horsley  
Clifton A. Slade  
Shelley Barlow  
Cecil Shell  
Margaret Ann Smith  
L. Wayne Kirby  
Kay Johnson Smith  
James S. Huffard, III  
John R. Marker  
Richard Sellers  
Neil Houff  
Kevin J. Kordek  
Dr. Alan Grant

Dr. M. Ray McKinnie

**CONGRESSIONAL DISTRICT**

1<sup>st</sup>  
2<sup>nd</sup>  
3<sup>rd</sup>  
4<sup>th</sup>  
5<sup>th</sup>  
6<sup>th</sup>  
7<sup>th</sup>  
8<sup>th</sup>  
9<sup>th</sup>  
10<sup>th</sup>  
11<sup>th</sup>  
Pesticides – Commercial Agricultural  
Pesticides – Commercial Structural  
Representing Dr. Timothy D. Sands, President,  
Virginia Tech  
Representing Dr. Makola Abdullah, President,  
Virginia State University

**STAFF PRESENT**

Jewel Bronaugh, Commissioner, Virginia Department of Agriculture and Consumer Services  
Kevin Schmidt, Secretary, Board of Agriculture and Consumer Services  
Katherine Coates, Virginia Department of Agriculture and Consumer Services

**APPROVAL OF MINUTES**

Mr. Sellers moved that the draft minutes of the meeting on December 12, 2019, be approved as distributed. Mr. Kordek seconded the motion. The motion was approved by a unanimous roll call vote.

**APPROVE:** Taliaferro, Horsley, Slade, Barlow, Shell, M. Smith, Kirby, K. Johnson Smith, Huffard, Marker, Sellers, Houff, Kordek, Grant, McKinnie

**OPPOSE:** None

**ELECTION OF OFFICERS**

Commissioner Bronaugh opened the floor for nominations for Board President. Mr. Kordek nominated Ms. Barlow for President, and Mr. Sellers seconded the motion. There being no other

## **Board of Agriculture and Consumer Services**

**May 21, 2020**

**Page 2**

nominations, Commissioner Bronaugh closed the nomination and called for a vote on the nominee. The Board elected Ms. Barlow as President by a unanimous roll call vote.

**APPROVE:** Taliaferro, Horsley, Slade, Barlow, Shell, M. Smith, Kirby, K. Johnson Smith, Huffard, Marker, Sellers, Houff, Kordek, Grant, McKinnie

**OPPOSE:** None

President Barlow opened the floor for nominations for Vice President. Mr. Horsley nominated Mr. Houff for Vice President, and Mr. Shell seconded the motion. There being no other nominations, Ms. Barlow closed the nomination and called for a vote on the nominee. The Board elected Mr. Houff as Vice President by a unanimous roll call vote.

**APPROVE:** Taliaferro, Horsley, Slade, Barlow, Shell, M. Smith, Kirby, K. Johnson Smith, Huffard, Marker, Sellers, Houff, Kordek, Grant, McKinnie

**OPPOSE:** None

President Barlow then called for nominations for Secretary. Mr. Sellers nominated Mr. Schmidt for Secretary, and Mr. Kordek seconded the motion. There being no other nominations, President Barlow closed the nomination and called for a vote on the nominee. The Board elected Mr. Schmidt as Board Secretary by a unanimous roll call vote.

**APPROVE:** Taliaferro, Horsley, Slade, Barlow, Shell, M. Smith, Kirby, K. Johnson Smith, Huffard, Marker, Sellers, Houff, Kordek, Grant, McKinnie

**OPPOSE:** None

All three officer positions become effective July 1, 2020, and run through June 30, 2021.

### **REPORT FROM BOARD MEMBERS**

A full recording of Board Member reports can be found at the following link:

<http://www.vdacs.virginia.gov/mp3/maybacsrecording.mp4>

#### **O. Bryan Taliaferro**

Mr. Taliaferro reported on the weather patterns, corn crop, and soybean crop in his district. He reported those in his area are optimistic. They need to get trade going again and make it through the coronavirus. He concluded his report by noting that a state prison facility and nursing facility in Richmond County have been heavily impacted by COVID-19.

#### **Clifton Slade**

Mr. Slade reported on the status of the grain, fruit, and vegetable crops in his district. He noted that this is the coldest spring his district has ever seen.

#### **Cecil Shell**

## **Board of Agriculture and Consumer Services**

**May 21, 2020**

**Page 3**

Mr. Shell reported on the corn, soybean, tobacco, and hay crops in his district. He stated that the timber harvest was going well and that the status of industrial hemp in his district is uncertain.

### **Margaret Ann Smith**

Ms. Smith reported on the rainfall in her district. She noted a change in the volume at livestock markets and is unsure if it is related to COVID-19 or hay shortages. She reported on the hay, corn, and soybean crops in her district and the impact of the May frost.

### **L. Wayne Kirby**

Mr. Kirby reported on the status of the corn, soybean, vegetable, and small grain crops in his district. He shared information about the Virginia Grain Producers Association virtual Small Grains Field Day.

### **Kay Johnson Smith**

Ms. Johnson Smith reported on the virtual Animal Agricultural Alliance's Annual Stakeholder Summit. She provided information on the ways farmers' markets and restaurants in her district are adapting to the COVID-19 restrictions.

### **James Huffard**

Mr. Huffard provided information on the recent weather conditions in his district and reported on the status of the dairy industry in his district. He stated that his bottling business, Duchess Dairy, has been doing very well with increased demand from local stores.

### **John Marker**

Mr. Marker reported on the corn, soybean, fruit, and hay crops in his district and how the crops have been impacted by weather conditions. He stated that cattle prices are not looking good and noted that local slaughter houses are backed up for months due to supply chain issues. Nurseries and farmers' markets have been doing very well. He concluded his report by talking about how COVID-19 has impacted his district related to H2-A workers and closures.

### **Richard Sellers**

Mr. Sellers reported on the impact of COVID-19 on unemployment and the scarcity of certain foods and other impacts on grocery stores in his area. He noted increases in home gardens in his district. He stated that when restrictions are lifted, he would like to have the Commissioner and VDACS staff come to his district to discuss urban agriculture.

### **Neil Houff**

Mr. Houff reported on the weather patterns and corn and soybean crops in his district. He stated there have been some obstacles for the pesticide industry due to the COVID-19 pandemic and the related restrictions.

### **Kevin Kordek**

Mr. Kordek reported on the weather and the impact of COVID-19 in his district and on the pest control industry. This will be his last meeting as a member of the Board, and he concluded his report with remarks and thanks to the Board.

### **Donald Horsley**

## **Board of Agriculture and Consumer Services**

**May 21, 2020**

**Page 4**

Mr. Horsley reported on the weather and soybean and corn crops in his district. He provided information on the impact of COVID-19 on events and poultry processing facilities in his district.

### **Dr. M. Ray McKinnie**

Dr. McKinnie reported that Virginia State University (VSU) is working through several scenarios for its fall semester due to COVID-19 and discussed enrollment. He reported on the virtual programs the College of Agriculture has held to keep the public active and engaged. VSU is beginning to look at a phased re-opening of Randolph Farms, which has been operating on essential operations only status. He also discussed the U.S. Department of Agriculture (USDA) 1890 National Scholars Program.

### **Dr. Alan Grant**

Dr. Grant reported that Virginia Tech (VT) is operating on essential operations only status and classes have been all online since Spring Break. Summer activities will be conducted virtually. VT will make a decision about the fall semester in early June. He stated that VT agricultural programs are continuing to the extent possible, including the animal agriculture programs. He also provided information on the annual events that will be conducted virtually or have been cancelled due to COVID-19.

### **Shelley Butler Barlow**

President Barlow reported on the cotton crop in her district. She stated that commodity prices and businesses are being threatened by COVID-19. She noted that three Virginia farmers were present at the official roll out of the new USDA Coronavirus Food Assistance Program. She commended VDACS, Virginia State, Virginia Tech, and Virginia Cooperative Extension for their flexibility in moving to digital outreach. She provided information on her work with Healthy Suffolk. She concluded her report by discussing the uncertainty of plans for the July meeting of the Board.

### **COMMISSIONER'S REPORT**

Commissioner Bronaugh delivered her report to the Board. During the presentation of this report, she briefed the Board on personnel changes, recent events, and other matters relating to VDACS and the COVID-19 state of emergency. A copy of the written report on which her presentation was based was included in the Board meeting agenda.

### **PROPOSED FAST-TRACK ACTION TO AMEND 2 VAC 5-585 (RETAIL FOOD ESTABLISHMENT REGULATIONS)**

President Barlow called on Ryan Davis, Program Manager, Office of Dairy and Foods. Mr. Davis presented the Board with a brief overview of the proposed fast-track action to amend 2 VAC 5-585.

Following Mr. Davis' presentation, Mr. Sellers moved that the Board of Agriculture and Consumer Services adopt 2 VAC 5-585, Retail Food Establishment Regulations, as presented by staff, and that the Board authorize staff to take any and all steps necessary to amend this regulation through a fast-track regulatory action. Mr. Kirby seconded the motion. The Board voted unanimously to approve the motion.

**APPROVE:** Taliaferro, Horsley, Slade, Barlow, Shell, M. Smith, Kirby, K. Johnson Smith, Huffard, Marker, Sellers, Houff, Kordek, Grant, McKinnie

**Board of Agriculture and Consumer Services**

**May 21, 2020**

**Page 5**

**OPPOSE:** None

**NEW BUSINESS**

Mr. Kordek expressed his appreciation to the Office of Pesticide Services on behalf of the Virginia Pest Management Association for its support of the Virginia pesticide industry.

Mr. Slade provided an update on his experience growing, harvesting, and attempting to sell his industrial hemp crop.

**PUBLIC COMMENT PERIOD**

There was no public comment.

**FUTURE BOARD MEETINGS**

Mr. Schmidt informed the Board that the summer Board meeting will be held on July 21 either electronically or at President Barlow's farm. The December Board meeting will be held either on December 4 or 11 in Richmond.

**ADJOURNMENT**


There being no further business, the Board adjourned at approximately 10:54 a.m.

Respectfully submitted,



---

Shelley Barlow  
Board President



---

Kevin Schmidt  
Board Secretary