

FINAL MINUTES

Board of Agriculture and Consumer Services
Eastern Shore Agricultural Research and Extension Center (AREC)
33446 Research Drive
Painter, Virginia
July 20, 2015

The meeting of the Board of Agriculture and Consumer Services (Board) convened at approximately 2:00 p.m. on Monday, July 20, 2015, at the Eastern Shore AREC in Painter, Virginia. President Sturgis called the meeting to order. He introduced Dr. Steve Rideout, Director of the Eastern Shore AREC, and thanked him for hosting the Board. Dr. Rideout welcomed the Board members to the AREC. At the President's request, Mr. Mills gave the invocation.

ROLL CALL

The Board Secretary called the roll:

PRESENT

O. Bryan Taliaferro, Jr.
Steve Sturgis
Shelley Barlow
Robert J. Mills, Jr.
Rosalea R. Potter
L. Wayne Kirby
Kay Johnson Smith
Elizabeth L. White
Kevin J. Kordek
Dr. Ray McKinnie
Lonnie Johnson

DISTRICT

1st
2nd
3rd
5th
6th
7th
8th
Pesticides – Commercial Agricultural
Pesticides – Commercial Structural
Representing Virginia State University
Representing Virginia Tech

ABSENT

Dr. Mark A. McCann 9th
John R. Marker 10th
L. Kirk Wiles, III 11th

VACANT

Position Not Filled 4th

STAFF PRESENT

Sandra J. Adams, Commissioner
Kevin E. Schmidt, Board Secretary

APPROVAL OF MINUTES

Mr. Mills moved that the draft minutes of the meeting on May 21, 2015, be approved. Mr. Kirby seconded the motion, and it was passed by a unanimous vote.

REPORT FROM BOARD MEMBERS

L. Wayne Kirby

Mr. Kirby stated that it is always feast or famine when it comes to the weather and his region has been experiencing a feast. He shared a report from an area close to Mr. Taliaferro's region that received 18 inches of rain in 28 days. He reported that the corn and soybeans loved all the rain.

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He stated that all the moisture has resulted in a tremendous struggle to get the wheat crop out and that the quality of the wheat crop deteriorated rapidly as a consequence. He mentioned hearing of test weights as low as 40 to 42 pounds, which takes the milling quality out of a crop and turns it into feed wheat. Mr. Kirby shared that the reports he received about the wheat crop as a whole are that the wheat is okay but nothing to write home about. He stated that some people just finished their wheat last week, which will result in double-crop beans going in late. Because of the late planting, early frost could be a hindrance for the double-crop beans. He will follow up with a report on that at the December meeting.

O. Bryan Taliaferro, Jr.

Mr. Taliaferro echoed Mr. Kirby's report and mentioned that his district basically has the same mix of agricultural production. He shared a personal anecdote about his mother, who died a few years prior. He said that his mother and father were in the business of raising watermelons with a very thick rind in the 1950s and 1960s that were used just to make watermelon rind pickles, which they shipped and sold up north. When his mother died, she left a jar of watermelon seeds that he tried to germinate, but they were all dead. Recently he ran into an old friend who stated that Mr. Taliaferro's mother had also given him seeds before her death. Mr. Taliaferro reported that he was able to obtain seeds from the friend, and has since been able to successfully grow watermelons from the seeds. This has resulted in the revival of a legacy variety of thick rinded watermelon that is unique to Virginia's Rappahannock Valley and that has not grown for 60 years.

Kay Johnson Smith

Ms. Smith reported that the farmers' markets in her district are still very robust. She announced that the Arlington County Fair will open on August 5. She stated that it is nice because the fair still includes agricultural exhibits and brings in animals such as chickens, goats, and sheep. She said that although most people attend the fair for the rides, it is a good opportunity for people to learn more about agriculture.

Robert Mills

Mr. Mills reported that the wheat crop in Southside was average at best. He said his region also had an issue with too much rain, which is very unusual in Southside. He stated that the bean crop is beautiful and the silage crops are unbelievably good. Mr. Mills shared that three of the top five dairies in the state are located in Pittsylvania County and the strong silage crop will mean that they will have plenty of feed. He reported that the beef industry is still booming and live grass is looking good. Producers are marketing fall calves, and the prices are unbelievable at the market. He said they just keep waiting for the shoe to fall and hope that the nothing will come up to cause it to do so. He shared that the tobacco harvest started a couple of weeks ago and that the contract markets will start up around August 10. Mr. Mills stated that the tobacco crop in Southside is up and down depending on which producers received rain. He also reported that a lot of acreage was lost to hail, especially during a tremendous hail storm that started in Franklin County and went down to the Carolinas. The storm wiped out everything in its path, including corn, beans, and tobacco. There was nothing left. He stated that he had never seen destruction like that caused by hail before. He finished by stating that, other than the hail storm, things are really good in Southside.

Rosalea Potter

Ms. Potter echoed what Mr. Mills reported except for the tobacco information. She reported that the season has been really good in the Valley as well so far. They have been very fortunate to have lots of rain this season. She said that a lot of hay has been made and there is a lot of hay

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still to be made. The corn is looking excellent. Small grains are mostly harvested, with only a few fields still standing. She stated that, overall, the summer has been really excellent. She said it will be interesting to see how the yields turn out in the fall, and she hopes that the rain does not stop in mid-August and leave them high and dry. She reported that the livestock market is still booming and prices are still high, so it is good to be in that business.

Kevin Kordek

Mr. Kordek reported that he was at a meeting of the Board of Directors of the National Pest Management Association the previous week and they are about to release a new Pollinator Protection statement for the industry. It should be ready in the next 30 days and will be very comprehensive. He said that the information released will reflect that, contrary to popular belief, the pollinator issue is not caused by pesticides. The real cause is Varroa mites. He added that fungicides are more of an issue than insecticides and that the Varroa mite is the primary cause. He also reported that the other notable issue is that stink bugs are hitting Northern Virginia very hard this year. He has heard reports of people losing entire tomato gardens to the pest and stink bugs stacking up on the sides of houses, so it could be a very interesting fall.

Elizabeth White

Ms. White reported that, as of July 10, there are 21,484 certified applicators in Virginia. Of those, 7,311 are commercial applicators, 6,657 are private applicators, and 7,516 are registered technicians. She stated that there are 2,902 licensed pesticide businesses operating in Virginia and 15,130 pesticide products registered in Virginia. She reminded the Board that the Pesticide Disposal Program will begin soon and that details can be found online. She added that the Pesticide Container Recycling Program was currently in progress, with another wave scheduled to begin in November.

Shelley Barlow

Ms. Barlow reported that, like many of her fellow Board members, there has been a lot of variability in the crops in her district. Some fields look beautiful, while others don't look as good. She said that the fields that do not look as good are the wet ones, which is unusual. In normal years, the drier fields are the ones that do not look as good. She reported an increase in the number of preventative planting claims on full season and double-crop beans because of the field conditions. She spoke to her local insurance agents the day of the meeting, and they shared that there have been an unusual number of the preventative planting claims on the soybeans. She said that it is their third wet year in a row but that they are not complaining because it is easier than if it was too dry. Other than the drowned out spots, things look pretty good. She stated that the wheat harvest is really average and that they lost a lot on the crop quality because of waiting caused by all the rain. She said that pest populations are booming despite the cold winter and they are already spraying for pests on the cotton crop. She also stated that the wet weather has made it a challenge to get the work done but that things are looking pretty good overall. She shared that on Saturday, she was as far west in Virginia as the Kentucky line and today she is as far east as the Atlantic Ocean, and the whole state looks beautiful, with great crops and lots of positive things going on in agriculture.

Lonnie Johnson

Mr. Johnson reported that it is the time of year when it is easy to find a Crop Production field day put on by Cooperative Extension agents or an AREC field day around the state. He suggested that the audience check the Cooperative Extension's website if they are looking for something to do and that they should be able to find one in their area. He stated that more than

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700 undergraduates and 100 graduate students graduated from the School of Agriculture and Life Sciences in May. He wished the graduates luck and said that those were good numbers and that the school hopes that they continue to rise over the next few years. He added that in May, Virginia Tech had an “Old Guard” reunion on campus for alumni who graduated at least 50 years ago. He said that there were 27 attendees at this year’s reunion who had graduated from the School of Agriculture and Life Sciences. He reported that Virginia Tech recently had its 4-H State Congress on campus, with more than 500 youth and adult volunteers attending. They focused on life skills, citizenship, and leadership. He shared that on June 25 in Dinwiddie, they had a dedication for the S-86 state historic marker that commemorated the first Boy’s Corn Club that was started in 1909 and was the origin of the 4-H Club in Virginia. He also reported that Virginia Tech held the grand opening for its new dairy facility at Kentland Farm on the previous Friday. He stated that it has a milking parlor with a double-12 parallel milking system, a 232 freestall barn and all new facilities for heifer and calf management as well as waste management. He said it is a state-of-the-art facility that will be very beneficial to their dairymen through the research that will be done there.

Ray McKinnie

Dr. McKinnie introduced himself to the Board given that it was his first meeting. He joined Virginia State University (VSU) on June 25 as the Assistant Administrator for Cooperative Extension. He shared greetings on behalf of President Hammond and Dr. Hairston and said that VSU closed the academic year on a very positive note and in good standing. He stated that Dr. Hairston will be leaving the University to become the Virginia State Director of the Farm Service Agency, effective July 27. He discussed the recent Berry and Vegetable Crop Field Day at Virginia State. He said that, despite extreme heat, between 485 and 490 of the 600 registered participants attended the event. Dr. McKinnie announced that VSU will have its Sheep and Goat Field Day at Randolph Farm on September 18 and asked the Board members to mark their calendars. He stated that VSU, along with the other 1890s universities, recently were part of a very successful 125th anniversary celebration of the 2nd Morrill Act in Washington, D.C., at the Hyatt Regency. He said it was very well attended and that some of the highlights included a Grand Opening Reception and an USDA 1890 Task Force Meeting. Six of the presidents of 1890s universities gave testimony in front of the House Agriculture Committee, and there were some Capitol Hill visits and a reception. He said that the closing convocation was at the Jefferson Building in the Library of Congress and it was very well attended, with presentations given by members of Congress, corporate individuals, students, and some graduates of the 1890s universities. He closed by stating that it was a grand event.

Steve Sturgis

Mr. Sturgis reported that crops look pretty good in his district. He said that the region stretching from five miles south of the location of the meeting (in Painter, Virginia) up into Maryland received more rain than the southern portion of the Eastern Shore. He said that on his farm, last week they had the first rain storm that totaled more than an inch of rain in one event since April, although they have had many smaller rain storms during that time. The lower part of the Shore received 2.5 inches of rain in the previous week’s storm, and because they grow potatoes in that region, all the moisture will not mix well with the 95-degree temperatures. But, they will still manage to get the potatoes out of the ground. He stated that the snap bean crop is fairly good, except for a hot period after they were planted that caused them to drop some of their blossoms. He said that snap beans do not like the heat and that they lost a little bit of the crop during that hot period. However, the market has made up for it. He reported that the wheat crop in his district was very good. He said in fields that experienced water damage during the spring, the wheat did not look good but the crops on the higher ground look very good. He shared that his yield was up overall, so he cannot complain. He

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said that the soybeans are looking good and added that they just need others to buy some more grain.

COMMISSIONER'S REPORT

Commissioner Adams delivered her report to the Board. During the presentation of this report, she thanked President Sturgis for hosting the meeting and briefed the Board on recent and future events and other matters relating to VDACS. A copy of the written report on which her presentation was based was included in the Board's meeting materials. President Sturgis thanked VDACS for its work on the Delmarva food safety issues discussed in the Commissioner's Report.

ANIMAL SHELTER CIVIL PENALTIES CONSENT AGREEMENT

President Sturgis called on Dr. Richard Wilkes, State Veterinarian and Director of the Division of Animal and Food Industry Services. Dr. Wilkes then introduced David McGreevy, Deputy Director of the Division of Animal and Food Industry Services, who explained the Virginia Animal Pound and Shelter Civil Penalty Matrix. Mr. McGreevy presented a consent agreement from a repeat of a non-critical violation of the Comprehensive Animal Care Laws. Mr. McGreevy asked the Board to ratify the finding of the State Veterinarian for the following case:

- City of Richmond Public Animal Shelter

Following Mr. McGreevy's presentation, Mr. Mills moved that the Board approve the proposed consent agreement staff presented concerning the handling of civil penalty assessments for violations of the Comprehensive Animal Care laws regarding the maintenance of required recordkeeping of a public animal shelter by the City of Richmond. Ms. Potter seconded the motion, and it was carried by a unanimous vote of the Board.

REVISIONS TO PROPOSED FAST-TRACK ACTION – 2 VAC 5-30 (RULES AND REGULATIONS PERTAINING TO REPORTING REQUIREMENTS FOR CONTAGIOUS AND INFECTIOUS DISEASES OF LIVESTOCK AND POULTRY IN VIRGINIA)

President Sturgis called again on Dr. Richard Wilkes. Dr. Wilkes then introduced Dr. Charles Broaddus, Program Manager, Office of Veterinary Services. Dr. Broaddus briefed the Board on 2 VAC 5-30, Rules and Regulations Pertaining to Reporting Requirements for Contagious and Infectious Diseases of Livestock and Poultry in Virginia. At a previous meeting on December 11, 2014, the Board adopted 2 VAC 5-30 as presented by staff and authorized staff to take any and all actions necessary for this regulation to become final through fast-track regulatory action.

Dr. Broaddus mentioned that staff carried out the Board's request, and the proposed regulatory package was filed and then reviewed by the Department of Planning and Budget, the Office of the Secretary of Agriculture and Forestry, and the Governor's Office. During this executive branch review, staff received direction that the proposed regulation needed to be revised so that the list of reportable diseases is included in the text of the regulation as opposed to in a form referenced in the regulation. Dr. Broaddus further mentioned that staff revised the regulation as requested, and he recommended that the Board amend the regulation as shown in the meeting folders.

Following Dr. Broaddus's presentation and an opportunity for Board questions and comments, Mr. Mills moved that the Board of Agriculture and Consumer Services adopt 2 VAC 5-30, Rules and Regulations Pertaining to Reporting Requirements for Contagious and Infectious Diseases

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of Livestock and Poultry in Virginia, in the amended version, as presented by staff, and that the Board authorize staff to take any and all steps necessary to have this regulation become final through fast-track regulatory action. Ms. Smith seconded the motion, and it was carried by a unanimous vote of the Board.

PRESENTATION ON PREPARING FOR HIGH PATHOGENIC AVIAN INFLUENZA IN VIRGINIA – EXPERIENCES GAINED AND LESSONS LEARNED FROM WORK IN MINNESOTA AND IOWA – DR. CHARLES BROADDUS, PROGRAM MANAGER, OFFICE OF VETERINARY SERVICES

President Sturgis called on Dr. Broaddus to deliver the presentation. Dr. Broaddus shared information regarding VDACS's preparations for a possible future outbreak of High Pathogenic Avian Influenza and answered Board members' questions about possible future outbreaks.

PLANS FOR EASTERN SHORE TOURS

President Sturgis reported on the plans for events following the afternoon's Board meeting, including details on the tours that were scheduled for the following day.

NEW BUSINESS

President Sturgis announced that the Virginia Farm Bureau Young Farmers Summer Expo was taking place the weekend following the Board meeting on the Eastern Shore. He encouraged his fellow Board members to share information about the event with others.

President Sturgis also inquired about a recent issue concerning rumors he heard about a possible prohibition on farmers who are receiving cost share money serving on the Soil and Water Conservation District Board. Commissioner Adams stated that she was unaware of the issue but would look into it. Justin Bell, one of VDACS's representatives at the Attorney General's office who was also in attendance at the meeting, stated that he thought it might be related to a larger nationwide issue and would follow up as well. President Sturgis thanked them and stated the importance of having farmers on the Soil and Water Conservation District Board.

FUTURE BOARD MEETINGS

President Sturgis announced that the last meeting for 2015 is scheduled for December 10 at the Virginia State Capitol in Richmond. He proposed the following dates for meetings of the Board in 2016: March 24, May 26, and December 8. All of those meetings will take place in Richmond. President Sturgis asked Board members to look at the dates for 2016 and let staff know if they have any conflicts. The 2016 summer Board meeting and tour will be scheduled once a host is identified.

PUBLIC COMMENT PERIOD

Mr. Kirby thanked the Board for its support last year when his son Grayson was in a serious car accident. He stated that he was pleased to report that his son was in attendance. He then introduced his son, who expressed his sincere thanks to the group for its support and shared reflections on his experience.

Katie Hellebush of the Virginia Grain Producers Association invited the group to attend the Virginia Ag Expo on August 6 in Locust Grove. She also stated that she has been working with Senators in Congress on the Waters of the United States rule. On the behalf of the Virginia Grain Producers Association and the Virginia Agribusiness Council, she announced that she

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was collecting signatures on postcards to send to Senator Warner, who she said could be a key 60th vote on the issue. She asked those in attendance who were interested to sign a postcard or take postcards with them to distribute to their friends and neighbors. She said that she will be collecting signed postcard over the next two to three weeks and will also have them for signature at the Ag Expo.

ADJOURNMENT

There being no further business, the Board adjourned at approximately 3:51 p.m. Mr. Mills motioned for the Board to adjourn, and Mr. Taliaferro seconded the motion. The motion to adjourn was passed unanimously by the Board.

Respectfully submitted,

Steve Sturgis
Board President

Kevin Schmidt
Board Secretary