

FINAL MINUTES
BOARD OF AGRICULTURE AND CONSUMER SERVICES

Oliver W. Hill Building,
102 Governor Street, 2nd Floor Board Room
Richmond, Virginia
December 8, 2005

The meeting convened at 9:00 a.m. in 2nd Floor Board Room, Oliver W. Hill Building, Richmond, Virginia. President requested a moment of silence and then called the meeting to order. The Board Secretary called the roll:

PRESENT

L. Bruce Holland
Paul W. Rogers, Jr.
T. M. Hardison
Andrea Lohr
Edward S. Fleming
C. C. Clark, Jr.
John D. Hardesty, Jr.
Melvin E. Murphy
Dr. Mark A. McCann

DISTRICT

2nd
3rd
4th
6th
7th
9th
10th
11th
Representing Dr. Charles W. Steger,
President, Virginia Tech

ABSENT

Stephen Wolfe
Wanda G. McDowell
Gregory J. Galligan
Eddie N. Moore, Jr.,

1st
5th
8th
President, Virginia State University

STAFF PRESENT

J. Carlton Courter, III, Commissioner
Donald G. Blankenship, Deputy Commissioner
Roy E. Seward, Board Secretary

APPROVAL OF MINUTES

The minutes of the September 23, 2005 meeting were approved as distributed.

REPORT FROM BOARD MEMBERS

President Holland welcomed the Board members to their new meeting headquarters and congratulated Ms. Lohr on the recent addition to her family--a baby boy.

Dr. McCann, who represented Virginia Tech President Charles Steger, reported on the new Agriculture and Forestry Building at the University that will soon be ready for occupancy. In his comments he also reported that Virginia Cooperative Extension has added a new faculty member at the Eastern Shore Extension Office at Painter, Virginia.

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During his report Mr. Hardesty briefed the Board on corn, soybean and apple yields and barley and wheat plantings in his district.

Mr. Clark advised that farmers in his area, in general, have had a good year, especially with cattle prices. However, he noted that he has not had an opportunity to talk with farmers who sold their tobacco crops about how well they did. He also noted that the recent snow helped improve soil moisture.

Mr. Fleming reported that farmers in his district had mixed success with their crops because of the differences in rainfall in the different counties. He noted that late crops were cut significantly because of unfavorable weather. He reported that farmers in his district benefited from beef cattle prices.

Mr. Rogers reported that, overall, farmers in his district have had a good crop year. In his report he indicated that 2005 provided one of the best cotton crops and that the peanut crop was good. He noted that the soybean crop was very short due to dry weather.

Mr. Hardison, referring to the minutes of the September Board meeting, emphasized that he does not oppose the holding of a horse referendum per se, but that he does oppose the proposed amount of the assessment that would be charged if the horse referendum were passed. He also encouraged those who are certified pesticide applicators to attend refresher training provided and get re-certified. In his report on crop yields, he indicated that corn and soybean yields were below average in his district.

Mr. Murphy reported on consumer issues and activities in northern Virginia. He also asked for the Commissioner's help in obtaining a letter or certificate of recognition signed by the Governor that could be presented to Larry Fowler as an expression of appreciation for his 40+ years of service as a member of the Fairfax County Consumer Protection Commission.

President Holland reported that Commissioner Courter had appointed Mr. Murphy to the VDACS Consumer Affairs Advisory Committee at Mr. Holland's recommendation.

Ms. Lohr reported that her area has been a little dry but that farmers have had a productive fall. She noted that the apple crop was good and that corn and soybean yields in the valley were well above average. Concerning the pumpkin crop, she stated that farmers had a very good year. She reported that the Lohr farm hosted 2500 students who came to learn about agriculture. She talked about agri-tourism and the benefits of providing families and children an opportunity visit farms and learn more about the importance of farming. She also reported on bio-security efforts to protect poultry farms from avian influenza.

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On a personal note, Ms. Lohr reported that in September her new son Carson was born. She also reported her husband Matt Lohr has been elected to the Virginia House of Delegates.

President Holland reported that the Eastern Shore's crops in 2005 were pretty good—but not quite as good as in 2004. He noted that bad weather conditions did affect soybean yields. He indicated that tomato production went on longer this year than normal because of a late frost and that, all in all, the Shore had a really good tomato crop.

Mr. Holland commented on a proposed new state regulation that would establish a general permit for withdrawing water and expressed concerns about the restrictions this proposal will place on farmers and the industry of agriculture. He asked staff to send Board members a copy of the proposed regulation and the notice of the proposed regulation which invited public comment. Regarding agri-tourism, he reiterated Ms. Lohr's comments about the importance of educating parents and their children on the benefits farmers and agriculture provide through the production of food and other necessary products. He added that as farmers and Board members we have a responsibility to educate the public and to continue to get out the message about the important contributions of farmers and agriculture. He added that he and his family have hosted third-graders from Accomack County on his farm and that they are considering doing it again .

COMMISSIONER'S REPORT

The Commissioner reported on the following matters:

- Consumer Affairs Advisory Committee
- Personnel Changes
- Agribusiness Development
- Drought Disaster Requests
- Economic Disclosure Forms
- Cuban Trade
- Direct Marketing Position
- Risk Management Agency Funded
- Virginia Grown, Fall Promotion
- Surge in Grain Exports
- Assistance to Family Displaced by Hurricane Katrina
- Motor Fuel Related Complaints
- Sudden Oak Death
- Soybean Rust
- Pesticide Training
- Consumer Case Settlement
- VDACS-Virginia Department of Health MOU
- National Animal ID System
- Pound/Shelters Inspections
- Proposed Surface Water Withdrawal General Permit

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Virginia Agricultural Statistics Bulletin
Virginia Agricultural Council
NASDA 2006 (September 15-20, 2006 in Norfolk)

Following the Commissioner's report, President Holland asked that staff send the Board members a copy of the final regulation 4 VAC 15-10 pertaining to Nutrient Management Training and Certification which was adopted by the Director of the Virginia Department of Conservation and Recreation.

NEW VDACS HEADQUARTERS

Sandy Adams, Director of the Office of Administrative and Financial Services, briefed the Board on the Department's move to its new offices in the Oliver W. Hill Building.

TOUR OF BUILDING & BRIEFINGS BY DIRECTORS

President Holland told the Commissioner that he wanted staff to arrange a tour of the new building in conjunction with the March Board meeting and that agency directors brief the Board members on their program during the tour.

STUDIES UPDATE

Deputy Commissioner Don Blankenship briefed the Board on study reports prepared by VDACS staff during the year including some reports assigned to the Secretary of Agriculture and Forestry by the Virginia General Assembly.

REQUEST FOR COTTON INDUSTRY REFERENDUM

Mr. Seward reviewed with the Board a petition signed by 62 cotton growers requesting that the Board authorize the holding of a referendum on the question of increasing the current assessment on cotton produced in Virginia by up to 15 cents. He explained that Spencer Neale, Secretary of the Virginia Cotton Growers Association, Incorporated, had submitted the petition on behalf of the Association. Mr. Seward noted that state law required that a minimum of ten percent of cotton growers in the state would need to sign such a petition and that VDACS had determined that the minimum number of signatures to meet the requirement of law would be 41.

After a review of the petition and further discussion, Mr. Clark moved that the Board of Agriculture and Consumer Services (1) accept the petition submitted by the Virginia Cotton Growers Association, Incorporated; (2) find that sufficient interest exists among producers in this Commonwealth to justify a referendum; and (3) authorize the holding of a referendum on the question of whether the Cotton Board should be authorized to increase the assessment on cotton by a maximum of fifteen cents per bale of cotton ginned in the Commonwealth to support research, education, and promotion of the growth and use of cotton. Mr. Hardison seconded this motion and it was carried by a unanimous vote.

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Mr. Hardison moved that the Board of Agriculture and Consumer Services adopt the Rules for Conducting a Referendum Authorizing an Increase on the Assessment of Cotton. Mr. Murphy seconded the motion and it was carried by a unanimous vote.

DIVISION OF MARKETING REPORT

Don Ayers, Director of Commodity Services, Division of Marketing, presented a briefing on the AGRI-LITE income insurance program being offered through USDA's Risk

Management Agency in Virginia. President Holland suggested that a presentation on the new program be included on the agenda of Eastern Shore's ag conference in January.

PLANS FOR FUTURE BOARD MEETINGS

Mr. Seward asked the Board to reserve March 16, May 18, July 27 and December 7, for future meetings of the Board in 2006. He added that Mr. Hardesty has offered to host the July Board meeting in his home district. He told the Board that the March, May and December meetings would be held in the Board Room in the Oliver W. Hill Building.

POUND INSPECTION FUNCTION AND PRACTICES & PROPOSALS FOR IMPROVEMENT

Following Donald Marro's brief presentation relating to the State Veterinarian's pound inspection function and practices and proposals for improvement and a discussion of options for the Board to receive a more comprehensive report on the subject, Mr. Rogers made the motion that fifteen minutes be set aside at the March meeting of the Board for Mr. Marro to make his presentation. Mr. Murphy seconded the motion and it was passed by a unanimous vote. It was agreed that Board members will be sent a copy of Mr. Marro's full report prior to the March meeting.

PROPOSED SURFACE WATER WITHDRAWAL GENERAL PERMIT REGULATION

President Holland gave the Board members a copy of an analysis by the Virginia Agribusiness Council staff concerning the proposed water withdrawal general permit regulation which identifies concerns with this proposed regulation and pointed out that the deadline for the public to submit comments to the Department of Environmental Quality is January 13, 2006.

PLANS FOR NASDA 2006 MEETING IN NORFOLK

Commissioner Courter advised the Board that he had been elected President of the National Association of State Departments of Agriculture (NASDA) and that, as NASDA president, he would be hosting the NASDA 2006 meeting in Norfolk. The Commissioner asked to put on their calendar September 15-20 as the dates of the NASDA meeting and indicated that the Board members would be invited to attend.

PUBLIC COMMENT PERIOD

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No one came forward to speak during the public comment period.

ADJOURNMENT

The meeting adjourned at approximately 11:50 a.m.

Respectfully submitted,

L. Bruce Holland, President

Roy E. Seward, Board Secretary