

Commission Meeting Held May 21, 2009

Minutes of the meeting of the Commission, held at the Virginia Department of Agriculture and Consumer Services, Oliver Hill Building, in room 220, Richmond, Virginia.

THE COMMISSION:

PRESENT: Susan Stanley, Commissioner; Commissioner; Carol Jones, Commissioner; Fred Calvert, Commissioner; John Culter Commissioner; Edward Titmus, Chairperson; Rodney L. Phillips, Administrator; Shella Tillery, Administrative Assistant; Michael Myatt, Cooperative Milk Producers Association; Allen O'Hara, Maryland & VA M.P.A. ; Dr. Peter Vitaliano, Vice President, National Milk Producers Federation; Stephen Versen, Project Manger; Sharon Seymore; Dairy Auditor II; Dirk Holcomb; Dairy Auditor II

Absent:

Judy Barnard
Yolanda Macklin Crewe

Edward Titmus called the meeting to order at 10:00 a.m.

Edward Titmus asked if there were additions or corrections to the previously distributed February minutes. The minutes were accepted.

The Administrator gave a review of Class I sales summary and adjacent market prices.

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 Culter made a motion to accept all the following changes, seconded by Carol Jones effective June 1, 2009. Motion carried.

Licenses Issue/Cancel/Re-issue:

Issue:

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company</u>	<u>Markets</u>
323.001.3	NPGD	Loveland Distributing Company, Inc. 2290 Dabney Road Richmond, VA 23230	P. Neil McFarlane	All
323.002.3	NPGD	Hoffman Beverage Company, Inc T/A Hoffman Beverage Company 5464 Greenwich Rd. Virginia Beach, VA 23462	Kirk Baldwin	All
326.000.1	NPGD	Reinhart Food Service T/A IJ, a division of Reinhart Food Service L.L.C. Austell, GA 30168	Sharon Karlman	All

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company</u>	<u>Markets</u>
326.000.1	PGD	Suiza Dairy Group LLC D/B/A Dairy Fresh 1350 W. Fairfield Rd. High Point, NC 27263	Marty Cook	All

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company</u>	<u>Markets</u>
327.000.1	PGD	Schroeder Milk Company 2080 Rice Street Maplewood, MN 55113	Terry Johnson	All

Cancel/Re-issue:

Cancel

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company</u>	<u>Markets</u>
259.001.3	NPGD	Let Us Produce 620 East Olney Road Norfolk, VA 23510	Peter Lucchesi	All

Re-Issue

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company</u>	<u>Markets</u>
225.001.3	NPGD	Let Us Produce 620 East Olney Road Norfolk, VA 23510	Peter Lucchesi	All

Amend:
From:

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company</u>	<u>Markets</u>
280.000.1	PGD	Tuscan/Lehigh Dairies LP 750 Union Avenue Union, NJ 07512	Robert Nelcoski	All

Amend
To:

<u>License No.</u>	<u>Type of License</u>	<u>Distributor</u>	<u>Company</u>	<u>Markets</u>
280.000.1	PGD	Garelick Farms LLC T/A Tuscan Dairy Farms 117 Cumberland Blvd. Burlington, NJ 08016	Robert Nelcoski	All

The Administrator reviewed the request by Maryland & Virginia Producers to implement §VAC15-20-81 pertaining to redistribution of producer losses due to the bankruptcy of Yoder Dairy. Carol Jones made a motion to approve instituting the producer loss redistribution process once the default judgment documentation is received. Motion was second by Susan Stanley. There was discussion regarding the period of time to recover the funds. In the end the Commission agreed to collect the funds in accordance to the maximum allowed by regulation.

Discussion was held regarding a letter all Commission members received from Wendy Heights Dairy. The Commission requested the Administrator to draft a response to Mr. Terrell on behalf of the Commission.

Dr. Peter Vitaliano made a presentation regarding the recent price situation.

The next Commission meeting will be held at the Virginia Department of Agriculture and Consumer Services, Oliver Hill Building, 102 Governor Street Richmond, Virginia in room 220, September 17, 2009, starting at 10:00 a.m.

Chairperson

Administrator