

## COMMISSION MEETING HELD MAY 18, 2004

Minutes of the meeting of the Commission held at the Department of Agriculture and Consumer Services, Richmond, Virginia.

### **THE COMMISSION:**

PRESENT: Ms. Kimberly Bridges, Commissioner; Mr. James Townsend, Chairperson; Ms. Lorna Daniels, Commissioner; Lowell Fulk, Commissioner; Ms. Judy Barnard, Commissioner; Mr. Rodney L. Phillips, Administrator; Edward C. Wilson, Deputy Administrator; Carolyn Wells, Administrative & Office Specialist III; Michael Myatt, Cooperative Milk Producers Association; Mike Todd, Dairy Farmers of America; Allen O'Hara, Maryland Virginia Milk Producers; Ralph Bagley, Matt Marker & David Barnes.

James Townsend, Chairperson called the meeting to order at 10:30 a.m.

Mr. Townsend asked for a motion to accept the minutes from the previous meeting. Lorna Daniels made a motion and Lowell Fulk 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 reviewed three base hardship request. David Barnes, a producer appeared before the commission and made a request to recover base lost because of stray electricity that killed 75 cows; and Marshall Dairy who did not ship their base pounds due to a sale of milk production to a cheese plant. Kettle Wind Dairy, Paul House made a request to transfer base in escrow from one farm to the other due to consolidation of herds. Upon a motion by Lorna Daniels and seconded by Kimberly Bridges the Commission acted to table the request for Kettle Wind Dairy so he could appear before the Commission at the August meeting. Lorna Daniels made a motion to deny the request of Barnes Dairy and Marshall Dairy and was seconded by Judy Barnard. The motion carried.

Lisa Wallmeyer from the Virginia Freedom of Information Advisory Council gave the commissioners an overview of the Freedom of Information Act.

The Administrator advised the Commission that certain amendments to the provision of Federal Order 1 might necessitate a regulatory change. He will give an update at the next meeting.

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. Lorna Daniels made a motion to accept all the following changes, seconded by Judy Barnard, effective June 1, 2004. Motion carried.

### **Licenses Issue/Cancel/Re-Issue/Amend:**

#### **Issue:**

<b><u>License No.</u></b>	<b><u>Type of License</u></b>	<b><u>Distributor</u></b>	<b><u>Company Rep</u></b>	<b><u>Markets</u></b>
308.000.1	PGD	Country Delite Farms, LLC 1401 Church St. Nashville, TN 37202	Charles Hilton	All
291.009.2	SD	Quality Foods Cooperative P.O. Box 10007 Lynchburg, VA 24506 Under: Morningstar/Dean Foods Mt. Crawford, VA	Van Marks	All
309.000.1	PGD	Velda Farms, LLC 402 S. Kentucky Avenue Suite 500 Lakeland, FL 33801	Tim Long	All
291.007.3	NPGD	Vistar Corporation 12650 E. Arapahoe Road Centennial, CO 80112 Under: Morningstar/Dean Foods Mt. Crawford, VA	Pat Marr	All

**Amend:**

<b><u>License No.</u></b>	<b><u>Type of License</u></b>	<b><u>Distributor</u></b>	<b><u>Company Rep</u></b>	<b><u>Markets</u></b>
255.000.1	PGD	From: Kohler Mix Specialties, Inc. 4041 Highway 61 White Bear Lake, MN 55110	Hope Pederson	All
		To: Kohler Mix Specialties LLC of MN 4041 Highway 61 White Bear Lake, MN 55110		
251.000.1	PGD	From: R. Fike's Dairy, Inc. 47 West Craig Street Uniontown, PA 15401	William Novak	All
		To: United Dairy, Fike's Division T/a Fike's Dairy 47 West Craig Street Uniontown, PA 15401		

**Cancel:**

<b><u>License No.</u></b>	<b><u>Type of License</u></b>	<b><u>Distributor</u></b>	<b><u>Company Rep</u></b>	<b><u>Markets</u></b>
294.000.4	PGD	Shenville Creamery 16094 Evergreen Valley Road Timberville, VA 22853	Leon M. Heatwole	All

**Cancel/Re-Issue**

<b><u>License No.</u></b>	<b><u>Type of License</u></b>	<b><u>Distributor</u></b>	<b><u>Company Rep</u></b>	<b><u>Markets</u></b>
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**Cancel**

231.008.2	SD	J.L. Culpeper & Co., Inc. t/a Richmond Restaurant Service 201 Haley Road Ashland, VA 23005 Under: Milkco, Inc. Asheville, N.C.	David L. Walker	All
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**Re-Issue:**

259.003.2	SD	J.L. Culpeper & Co. Inc. t/a Richmond Restaurant Service 201 Haley Road Ashland, VA 23005 Under: Superior Dairy Canton, Ohio		
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**Cancel**

294.001.3	NPGD	Wholesome Foods, Inc. 986 South Ox Road Edinburg, VA 22824 Under: Shenville Creamery Timberville, Va.	Cheryl Delinger	All
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**Re-Issue**

295.001.3	NPGD	Wholesome Foods, Inc. 986 South Ox Road		
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Edinburg, VA 22824  
Under: Homestead Creamery  
Edinburg, Va.

The next meeting will be held August 25, 2004 at the Department of Forestry, Charlottesville, Virginia, starting at 10:30 a.m.

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Chairperson

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Administrator