

**MICHIGAN COMMISSION OF AGRICULTURE
Constitution Hall
Atrium Level, Con-Con Conference Room
525 West Allegan Street
Lansing, Michigan 48933**

**MEETING MINUTES
NOVEMBER 10, 2010**

PRESENT:

Todd Regis, Chairperson, Michigan Commission of Agriculture
Don Coe, Vice Chairperson, Michigan Commission of Agriculture
Velmar Green, Secretary, Michigan Commission of Agriculture
Jennifer Fike, Michigan Commission of Agriculture
Audrey Herioux, Michigan Commission of Agriculture
Don Koivisto, Director, Michigan Department of Agriculture

CALL TO ORDER AND ROLL CALL

Chairperson Regis called the meeting of the Commission of Agriculture to order at 9:01 a.m. on November 10, 2010. Commissioner Green called the roll with Commissioners Coe, Fike, Green, Herioux, Regis, and Director Koivisto present.

APPROVAL OF AGENDA

MOTION: COMMISSIONER COE MOVED TO APPROVE THE MEETING AGENDA FOR NOVEMBER 10, 2010. SECONDED BY COMMISSIONER HERIOUX. MOTION CARRIED.

APPROVAL OF SEPTEMBER 15, 2010, MEETING MINUTES

MOTION: COMMISSIONER HERIOUX MOVED TO APPROVE THE SEPTEMBER 15, 2010, MEETING MINUTES. SECONDED BY COMMISSIONER FIKE. MOTION CARRIED.

NEXT SCHEDULED MEETING and PROPOSED 2010 and 2011 MEETING SCHEDULES

Commissioner Regis proposed a change in location for the December 15, 2010, meeting to GreenStone Farm Credit Services Corporate Offices. The Proposed 2011 Meeting Schedule was also reviewed. The Commission had previously recommended holding a meeting in Battle Creek to provide an opportunity to tour the International Food Protection Training Institute and that was proposed for April 13, 2011. Other agriculture tours may be considered for later in the year.

MOTION: COMMISSIONER FIKE MOVED TO APPROVE THE CHANGE TO THE PROPOSED 2010 MEETING SCHEDULE AND TO APPROVE THE PROPOSED 2011 MEETING SCHEDULE. SECONDED BY COMMISSIONER GREEN. MOTION CARRIED.

The next scheduled meeting will be held on December 15, 2010, at GreenStone Farm Credit Services Corporate Offices, 3515 West Road, East Lansing, Michigan.

COMMISSIONERS' TRAVEL

Commissioners Coe, Fike, and Herioux traveled to attend today's meeting. In addition, Commissioners Fike and Coe traveled for the recent Commission tours in southeast Michigan. Also, Commissioner Fike traveled to attend a meeting with the Michigan Economic Development Corporation and for the Michigan Food Policy Council meeting. Commissioner Herioux also traveled to an Extension Council meeting and reception, the Bovine Tuberculosis meeting in Hillman, the Upper Peninsula (UP) Growers Show, and a Planned Use/Growing UP Agriculture Association meeting. There was no other travel submitted for approval.

MOTION: COMMISSIONER COE MOVED TO APPROVE THE COMMISSIONERS' TRAVEL. SECONDED BY COMMISSIONER FIKE. MOTION CARRIED.

COMMISSIONER COMMENTS:

Commissioner Green reported an excellent fall season for production agriculture in his area, with prices continuing to rise. He will be attending the United States (U.S.) Animal Health Association meeting in Minneapolis, for which Michigan's State Veterinarian Dr. Halstead will become the new president.

The deer continue to take many of the crops in his area, more than ever. An interesting article recently noted that in Ohio, landowners are able to hunt year round and this is something that should be considered in Michigan. The deer population in Michigan, particularly in the southern part of the state, is definitely a problem.

In response to question from Commissioner Green, Director Koivisto confirmed the Michigan Department of Agriculture (MDA) is losing six dairy inspectors and exactly how many can be replaced is unknown at this time, although an attempt is being made to replace each of them. In the meantime, MDA has entered into Memorandums of Understanding with Michigan Milk Producers Association (MMPA), Dairy Farmers of America, and Foremost Farms to assist with inspections for the next six months.

Commissioner Green questioned the need for inspection by both the member representatives and the state inspectors. Director Koivisto advised the in-house group working with MMPA has examined this issue and it was mutually concluded that it is preferable to maintain the current inspection process to ensure third party verification.

Commissioner Green suggested the department examine their dairy inspection regulations and harmonize them with the federal regulations. He advised he is selling milk from his farm to the State of New York, but because of a 72-hour requirement, that milk could not be accepted at the Ovid Processing Plant.

In light of the current Pure Michigan campaign, Commissioner Green inquired if there were a means for combining that effort with MDA's Select Michigan program. Director

Koivisto advised the issue has been addressed over the last several months by a Commission Subcommittee who has been working with the Governor's Office, MDA, and Michigan Economic Development Corporation (MEDC) staff. The underlying problem is that MDA has no funding for the Select Michigan Program. Commissioner Coe reported Commissioner Regis initiated discussions with the Governor's Office who subsequently requested that he lead a workgroup to integrate Michigan agriculture into the Pure Michigan campaign. Commissioner Fike has joined that workgroup, which has held two meetings with the Michigan Grocers Association, other interested groups, and MEDC, with whom the Pure Michigan campaign funds reside. Progress to date appears positive for blending Michigan products and places. Commissioner Regis advised that promoting Michigan agriculture was a commitment he received from the Governor's Office.

Commissioner Herioux advised the Michigan State University (MSU) Extension restructuring now provides for regional extension agents in lieu of county agents, which appears to be working well for the UP.

She attended the Bovine Tuberculosis (TB) meeting held recently at Hillman, which was very informative. However, she was frustrated by the attitude displayed by the Michigan Department of Natural Resources and Environment (MDNRE) that livestock producers must protect the wildlife from their farms – MDNRE appears only interested in protecting the wildlife population, not in working for agriculture.

Commissioner Fike reported she attended the Ann Arbor/Ypsilanti Impact 2010 Conference that included a post-conference candidate mixer, during which she shared with the Lt. Governor candidates information about the Michigan Good Food Charter. She also attended the Michigan Food Policy Committee (MFPC), which included information about new and expanding food businesses in Michigan. MFPC also passed a resolution in support of the Michigan Good Food Charter.

Commissioner Coe and she, along with Director Koivisto, Chief Deputy Director Wenk, and Mr. DiBernardo, participated in Commission events in the Detroit area on October 14, which included a tour of the Eastern Market led by Dan Carmody, President of Eastern Market Corporation. Renovation of the facilities and plans for continued expansion were indicative of how they are leading efforts in revitalization of the City of Detroit. Next, Mr. Devon Foote led them on a tour of one of the Greening of Detroit gardening sites. It was interesting to experience how food is being grown within the city, adjacent to the MGM casino, who donated land for the effort. The group then participated with the Michigan Culinary Tourism Alliance in a tour of Greenfield Village, which focused on agriculture exhibits. The Commission group also met with Mike Score, President of Hantz Farms, who is planning some rather large scale agriculture projects within the City of Detroit, and with Rick Foster, who is leading one of the institutes at MSU Extension.

Later in October, she attended the Bioneers Conference in Detroit that focused on sustainability. Various conference sites nationwide simultaneously hosted similar sessions.

She attended the Engineering Society of Detroit Conference that focused on urban farming. It offered an interesting intersection between engineers and urban farming. MDA representatives spoke about the department's perspective on Right to Farm within the city setting and how they can plan for future farming in Detroit.

She was invited to attend a visit by U.S. Agriculture Department (USDA) Under Secretary Kathleen Merrigan, who was in the area to recognize organizations that had received the USDA Farmers Market Promotion Program grants.

Recently, she was interviewed by Comcast Newsmakers. Also, she will be attending the December Great Lakes Fruit and Vegetable and Farm Market EXPO in Grand Rapids.

Commissioner Coe advised he chairs a committee in the Traverse City area for incubator kitchens, which was delighted to receive from Rotary charities a grant to hire a full-time development director. A mobile harvest house to help develop their local food network is one of their planned projects. Also, on October 15, Traverse City held a Bioneers Conference, which enjoyed over 700 attendees.

The October 14 Commission event was a very successful, fact-finding meeting. Clearly, the community-based groups in Detroit are organizing a successful coalition of people that we see replicated in the food networks that are developing across the state.

At Black Star Farms on October 24, Dr. Halstead and he had the opportunity to participate in a fundraising event for the Michigan Equine Foundation. Many equine operations are particularly concerned about what will be happening over the winter season with horses being abandoned. Because Michigan has no support system or rescue system for horses in distress, it is a growing problem.

On October 31 through November 3, Traverse City held the Mangalista Pigstock event. It drew a great crowd and featured chefs and food enthusiasts from around the nation.

He attended the November 8 Traverse City Commission meeting during which a proposal for a Monday Meatout Days proclamation was presented for consideration at the full City Commission meeting to be held November 15. Discussion ensued regarding a similar circumstance earlier this year with the Governor's Meatout Day Proclamation. Commissioner Coe emphasized it is not the role of elected bodies to support any particular group at the expense of another, and we as a Commission support all forms of agriculture. He encouraged any of the organizations present today to forward their comments on this issue directly to him at dco@blackstarfarms.com and he will pass them on to the Traverse City Commission.

Last evening, he joined Commissioner Fike at a Slow Food event in Ann Arbor. He spent the day touring hoop houses and noted the unique food support system in and around Ann Arbor. Charitable events provide funding for hoop houses on individual farms so they may begin production of fruits and vegetables for the local farm markets. This effort ties into a new \$850,000 grant just received for hoop house construction and indicates that much can be accomplished for small farmers in semi-urban areas for growing fresh foods.

Last week, he received a call from Senator Stabenow's office asking for a letter of support for her as chair of the U.S. Senate Agriculture Committee. Since a new Farm Bill is being negotiated, it would be significant for Michigan to have Senator Stabenow in that position and he encouraged other organizations to send letters of support as well.

Commissioner Regis attended the recent Food Policy Council Meeting, during which it was reported the Detroit School System processes over 40,000 pieces of fruit and vegetables every week for school lunches which is coordinated through Indianapolis. Taking note of that, they are working with Michigan retailers in an attempt to bring that business in state.

Recently, he joined a group of co-workers for a wine tour in northern Michigan, which showcased that wonderful industry in our state. He also has attended meetings at the International Food Protection Training Institute (IFPTI). And while in D.C. recently, he spoke with Senator Stabenow about the importance of funding for IFPTI programs – programs that ensure the safety of food for consumers.

He thanked the Commissioners for submitting their information for the Director's Performance Evaluation.

The Governor-elect Transition Team contacted him and will be meeting with him next week as Chair of the Commission of Agriculture. He welcomed the other Commissioners to submit information they would like shared with the Transition Team about the roles of the Commission and the department.

As indicated at the Lansing Agriculture Club breakfast this morning, it is time for the agriculture industry – because it is such a diverse industry and the state's second largest, it is time to not only be proud of all the things we do in agriculture, but time for us to be loud, and time for us to be united. There is no reason why the second largest industry in the state doesn't have an agricultural caucus within the 148 bodies that vote under our Capitol. That caucus could ensure legislators are aware of the affect agriculture has in this state and promote the actions needed to secure its future. Commissioner Coe added his comments regarding the critical importance of an agriculture caucus in bringing agriculture issues to the attention of the legislators.

DIRECTOR'S REPORT

Director Koivisto reported the Agriculture Club breakfast this morning reflected a very upbeat agriculture industry, recognizing the need to continue to move forward. One of the representatives-elect indicated there were more trying to join the Agriculture Committee than there were slots available, which is very impressive. One of the things accomplished collectively over the last two years is the elevation of agriculture to the status it currently enjoys and there is very positive discussion ongoing about its future and making it a core part of what is going on in the state. The department will be working toward implementation of an agriculture caucus.

The department will communicate to the Traverse City Commission regarding the proposed Meatout Mondays issue and the reaction they would receive if such a proclamation were to be approved.

The MDA Employee Awards Ceremony held last month was a wonderful opportunity to recognize department employees – those who make the department what it is.

An excellent Food Processors Summit was held on October 20 in Mt. Pleasant, which was a collaborative effort between MDA, MSU, USDA, and MEDC to expand food processing in the state. A substantive 155 processors interested in expanding processing operations in Michigan attended the summit. Additional meetings will be planned in the future.

Bovine TB events were held in Hillman and Petoskey recently, during which Bovine TB issues were discussed and producers had an opportunity to comment.

He advised that Senator Stabenow is seeking letters of support as chair of the U.S. Agriculture Committee because opponents are attempting to make it seem that Michigan does not have a diverse agriculture base. To counter that effort, they are seeking letters from various agriculture interests quoting Michigan's agriculture statistics to confirm that Michigan indeed can provide a very broad-based agricultural foundation for the Senator.

The food and vegetable inspection and grading fee increase that was scheduled to be effective January 1, 2011, is being rescinded. The department advised a review would be conducted and because some of the crops were hit very hard this year, the decision was made to not implement the fee increase. It will be reviewed again for 2012.

He encouraged Commissioners to share with him any information they have on the deer herd issue and he will be glad to forward to the appropriate MDNRE staff.

Some of the big-box stores have supported and expanded their use of the Select Michigan and locally grown programs. Their support will continue to help in this effort.

He commended the Commission on the amount of their own time and their individual efforts spent with various groups across the state. This is why the Commission is very valuable to agriculture and it is greatly appreciated by the department.

DIRECTOR'S TRAVEL

Director Koivisto has no out-of-state travel planned in the near future.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

Sam Hines, Executive Vice President, Michigan Pork Producers Association (MPPA), reported his organization represents Michigan's 2100 pork producers. MPPA is financing a feral swine trapping program, being conducted by the USDA Wildlife Services and the Michigan Wildlife Conservancy. He shared several photos of feral pigs in those traps, as well as feral pigs in a corn field. A report was received last week that a dairy farmer in Sanilac County has killed 30 feral swine around his silage stack in the last few months. The issue is still paramount and continues to be an ongoing problem.

Since July, MPPA has looked long and hard at all of the issues and believes the regulatory approach is probably ill advised. They believe Director Humphries may be obligated under verbiage of the act to declare feral swine an invasive species and MPPA is very supportive of that. The order would curtail the supply. However, there still are an estimated 3,000-7,000 feral swine around the state and the trapping program is focusing on that part of the problem.

If the Invasive Species Order is declared, MPPA feels it would be very appropriate for the Commission of Agriculture to issue a resolution in support of that as well.

Commissioner Coe inquired if there were a way to identify the breed or the origin of the trapped feral swine, perhaps by DNA testing? Dr. Halstead advised that because of cross-breeding, creating a clear definition of feral swine vs. domestic swine is difficult and has been a topic of discussion in light of the pending Invasive Species Order.

**MICHIGAN ASPARAGUS ADVISORY BOARD PROPOSAL FOR REAPPORTIONMENT:
John Bakker, Executive Director, Michigan Asparagus Advisory Board, and Jeff Haarer,
Producer Security Services Manager**

Mr. Haarer advised the Michigan Asparagus Advisory Board (MAAB) is requesting the Commission approve a district reapportionment. Currently, Section 7(4) of the statute states that "A Committee, with the advice and consent of the Director and the Commission of Agriculture, may reapportion either the number of committee members or member districts, or both." The current required composition of MAAB includes three representatives from the northern-central area, three from the southwest Michigan area, and three at-large positions. The recent acreage survey, conducted by the Michigan Field Office of the U.S. Department of Agriculture Statistics Service, indicates that 81 percent of Michigan's asparagus acreage is contained in the northern-central region and 19 percent in southwest Michigan and other areas. That fact, coupled with the difficulty experienced finding nominees from southwest Michigan to present for appointment, caused MAAB to petition for redistricting.

Mr. Bakker reported that on December 7, 2009, MAAB, by unanimous ballot, moved to request that one of the three southwest positions be changed to an at-large position. MAAB requests approval by the Michigan Commission of Agriculture for district reapportionment of MAAB in accordance with the Agricultural Commodity Marketing Act, PA 232 of 1965 as amended.

Mr. Haarer advised that MDA Director Koivisto concurs with the September 10, 2010, MAAB reapportionment request based upon an agency review of the information provided.

MOTION: COMMISSIONER GREEN MOVED TO APPROVE THE MICHIGAN ASPARAGUS ADVISORY BOARD REQUEST FOR DISTRICT REAPPORTIONMENT. SECONDED BY COMMISSIONER FIKE. MOTION CARRIED.

**SWINE REGULATORY PROGRAM REPORT: Russ Mason, Wildlife Division Chief,
Michigan Department of Natural Resources and Environment**

Mr. Mason reported the Feral Swine Invasive Species Order remains open. Whether MDNRE Director Humphries should sign the order was discussed during the November 4, 2010, Natural Resources Commission (NRC) meeting. It is up for the Director's potential action at any time. He emphasized that in order to implement the proposed Swine Regulatory Program, legislative change is required.

On August 12, 2010, during the joint meeting of NRC and the Commission of Agriculture, MDNRE Wildlife Division presented for information the proposed Invasive Species Order Amendment 1 of 2010. The Wildlife Division concluded that on the basis of the best available science, feral swine are an invasive species in Michigan; and therefore, recommended that the possession or introduction of wild boar, wild hog, wild swine, feral pig, feral hog, feral swine, old world swine, razorback, Eurasian wild boar, Russian wild boar, including any hybrids or genetic variants of the species should be prohibited, as a matter of law, by an Order signed by the Director of MDNRE.

As a result of discussion following that presentation, NRC directed the Wildlife Division to convene a workgroup to determine whether a regulatory framework could be established as an alternative to the Invasive Species Order Amendment 1 of 2010. A workgroup was convened with representatives from the Wildlife Division, MDA, Michigan Pork Producers Association, Michigan Animal Farmers Association, Michigan Farm Bureau, the Nature Conservancy, Michigan Audubon Society, and Michigan United Conservation Clubs.

The mission of the workgroup was to "develop recommendations for the regulation of sporting swine facilities to prevent disease transmission, natural resource degradation, and to protect the health of the commercial swine industry." The goal was to return recommendations to both NRC and the Commission of Agriculture no later than November 2010.

The group agreed that 1) there should be a moratorium on the establishment of any new breeding or shooting facilities; 2) breeding and shooting swine facilities must be licensed/registered as such with the state; 3) licenses/registrations should include mandatory requirements for disease sample collection and submission; 4) existing facilities can transfer licenses with the approval of the state; 5) a license cannot be transferred to a convicted felon or to an individual or corporation that has had a breeding or shooting swine license/registration revoked; and 6) an existing facility must be in compliance at the time that a license/registration is transferred.

Specific details were reviewed regarding recommendations made by the group relative to 1) containment, including that fencing must be part of an agency approved required business plan, that no live swine can leave shooting facilities, breeder and shooting facilities would be physically separated and registered separately, and fencing standards would be established; 2) other biosecurity measures, including biological testing and inspections; 3) methods of inventory; 4) liability for escaped animals; 4) indemnity for depopulation; 5) fees to support regulation, using existing records as a guide, developing a fee structure to support the full regulatory costs, and in the absence of licensure,

providing that the General Fund support the full regulatory cost of \$693,400; and 5) penalties for violation, including both misdemeanor and felony penalties.

In response to inquiry by Commissioner Regis, Mr. Mason advised the report has been shared with NRC members and attendees of their November 4 meeting, and various members of the Legislature.

Commissioner Coe complimented the workgroup on the excellent work accomplished in this effort and noted it satisfies many of the issues. He emphasized that hunting facilities, just as any business, are a privilege, not a right, and must operate under appropriate regulations and bear the cost of doing business.

As noted by Commissioner Green, the Swine Regulatory Program must first be enacted by the Legislature. Mr. Mason reported that one option NRC discussed was to sign the Invasive Species Order with a forward date, which would set a timeframe for implementation of the regulations and provide encouragement to move forward expeditiously.

Director Koivisto agreed the Swine Regulatory Program is an excellent step and recognized Nancy Frank from MDA for her efforts on that workgroup. MDA's concern remains that once declared, the Invasive Species Order will most likely go to court. Not having regulation during that time of litigation, which could be a multi-year case, could be disastrous if there were a disease outbreak in the meantime.

LEGISLATIVE UPDATE: Nancy Nyquist, Legislative Liaison

Ms. Nyquist reported the election last week resulted in 29 new senators joining the Legislature in January, all of whom do have House experience. There are 61 new House members. The majority in the Senate is a super majority, giving them veto override power. The balance of the House shifted from a 67/43 democratic majority to a 63/47 republican majority. In the Senate, Randy Richardville will be the new Senate Majority Leader, with Arlan Meekhof as the Majority Floor Leader. Gretchen Whitmer will serve as the Minority Leader and Tupac Hunter as the Minority Floor Leader. James Bolger was elected as Speaker of the House and Jim Stamas was elected as Majority Floor Leader. Rick Hammel and Kate Segal will serve as the minority leadership in the House.

The Senate has publically indicated their last day of business will be December 2. After today, that leaves them three business days to conduct Senate business. The House has indicated they will go until December 8 or 9. There are numerous pieces of legislation currently being considered.

The Senate indicated they will be moving the amendments to the Grain Dealers Act and Farm Produce Insurance Act today, which are Senate Bills 1396 and 1397. This legislation is a great example of MDA, stakeholders, and legislators coming together to address funding issues for those programs.

Other bills that are moving include Senate Bill 715, an amendment to the Drain Code that will expand the information that must be included in notices of public meetings; and,

House Bill 5368, which would prohibit use of fertilizer containing phosphates, with exceptions for agriculture, golf courses, and the establishment of new turf.

An important issue with the House Appropriations Committee today is Senate Bill 1267, which extends the sunset for the Refined Petroleum Fund. This provides over \$3 million for the department's Motor Fuel Quality Program and is part of the budget agreement. It is anticipated the bill will pass before it is set to expire on December 31, 2010.

Ms. Nyquist agreed an agriculture caucus is an excellent idea and has heard from several other sources that there are a large number of new legislative members interested in agriculture.

Commissioner Green inquired about the provision in Executive Order 2009-54 which designates that a member of the Commission of Agriculture shall be a member of NRC and visa versa. Director Koivisto advised that implementing legislation is required to initiate that action and none has passed to date.

Commissioner Coe noted the Commission passed a resolution in July supporting the Small Distillers legislation, Senate Bill 427, yet there was no report today, nor is it included in the Legislative Status Report. Ms. Nyquist advised the Commission's support of the bill was communicated to the Liquor Control Commission, who is the lead agency on the bill. Although it is not on the legislative agenda for today, they could possibly consider the bill yet this year. She will ensure the bill is included in future status reports.

Any bills not enacted before December 31 must be assigned new numbers and reintroduced during the new legislative session after the first of the year.

BUDGET UPDATE: Amy Epkey, Budget Officer

Ms. Epkey reported work has begun on the 2012 budget development. The department is compiling various submissions including current services baseline requests, program descriptions, and program enhancements. Unlike other years, at this point we have not been asked to submit any reduction plans, which obviously has much to do with transition of the new Governor, what his priorities will be, and how he plans to proceed in terms of filling the overall State of Michigan's budget shortfall.

The department is working on some significant issues with the 2011 budget. The Refined Petroleum Fund, pending Senate Bill 1267, brings in \$55 million to the State of Michigan and is set to sunset at the end of this year. It provides \$3.9 million of funding for MDA and supports the Motor Fuel Quality Program, which is a critical program for Michigan's citizens in ensuring proper quality and quantity of motor fuels. Over 1,700 motor fuel complaints are received each year and MDA's inspectors find that about 25 percent of those are valid complaints.

The other significant concern for 2011 is the impact on the department as a result of the current Incentive Retirement Program.

IMPACTS OF INCENTIVE RETIREMENT PROGRAM: Amy Epkey, Budget Officer, and Tami Eyer, Director, Human Resources Division

Ms. Epkey reported there are 50 employees who plan to retire from the department by January 1, 2011. In the last three years, MDA has lost 15 percent of its workforce, now the department will be losing another 12 percent due to retirements. Statewide, over 4,700 employees will be retiring. The State Budget Office has yet to determine what each agency's negative supplemental amount will be and that reduction to MDA's budget will determine the level of funding available for replacement hiring.

Ms. Eyer reviewed a summary of the department's retirements. Initially, there were 120 individuals department-wide that could have chosen to retire. As of last Friday, there were a total of 50 employees retiring, with the majority having chosen the January 1, 2011, retirement date. She noted those choices are irrevocable. Most heavily impacted is the Laboratory Division with 19 percent of its staff retiring, which is a combination of management and scientific positions. The Food and Dairy Division will have 15 percent of its employees retiring, the majority of which are field inspectors. And, the Pesticide and Plant Pest Management Division will see 13 percent of its staff leaving under the retirement, which is a combination of management, field inspectors, and administrative support. The retirements will be a challenge for the department. As mentioned, the department still does not know what its replacement rate will be, but plans are moving forward to determine priority positions. Once notice is received from the State Budget Office, the department is ready to move forward to fill critical positions.

Because there obviously are other departments losing employees to retirement, MDA may very well have more than just the 50 people leaving; some staff may choose to fill vacancies in other agencies. In response to inquiry from Commissioner Regis, Ms. Eyer advised timelines for filling vacancies will be determined as each department determines their critical needs. Ms. Epkey advised the anticipated replacement rate is 1 new hire for every 2 retired employees.

In response to question by Commissioner Green, Ms. Eyer advised some critical positions are already being filled, but the majority must wait until we know what our replacement rate will be. Commissioner Regis noted we are losing two of our three skilled trade positions which require specific certification and are difficult to find. Ms. Epkey noted this is a critical area for which a retirement extension has been requested. Overall, the department has requested three extensions to provide time for overlap until the new employees are hired and trained. Also, a skilled trades position has already been posted, as well as others that are very high priority.

Commissioner Regis noted the other area of concern is with the Food and Dairy Division inspections. Ms. Epkey advised those positions are primarily on the dairy side. The department is moving forward with positing some of those positions to allow for overlap before the current employees leave and reduce the impact as much as possible. Director Koivisto noted, as was previously mentioned, MDA has also entered into Memorandums of Understanding with Michigan Milk Producers Association, Dairy Farmers of America, and Foremost Farms to assist with inspections for the next six months.

In response to inquiry from Commissioner Green, Ms. Epkey advised the department is in regular contact with the State Budget Office to communicate the department's needs and to ensure the amount removed from MDA's budget for retirements is as minimal and as fair as possible.

Commissioner Coe noted because MDA services so many in the agriculture business community, this is the time for the business community to come forward and relate the ramifications that would result if they were unable to obtain these services. Director Koivisto noted that commerce has already been affected by MDA's shortage of personnel, and after the first of the year, the department plans to submit a request to provide for an adequate manpower supply.

Commissioner Regis advised the staffing issue is a key topic that could be addressed by an agriculture caucus. It is very important that each and every person that is able lets government know how critical the personnel issue is for the department. He also plans to relay these facts to the Transition Team when he meets with them next week.

FOOD ASSISTANCE DISTRIBUTION UPDATE: Kirsten Simmons, Executive Director, Michigan Food Policy Council (MPFC)

Commissioner Regis asked Kirsten Simmons to provide an update on the changes forthcoming in the food assistance distribution system.

Ms. Simmons reported a change has been implemented to expand the number of days that food assistance is distributed. Currently, it occurs over the first ten days of each month. Working with the Department of Human Services, MDA, retail partners, and MPFC members, a method was developed to expand the number of days food benefits are distributed. This will not only help retailers, but will provide clients with better access to fresh food. This should be a win-win change for everyone involved, including farm markets.

In the last month, the Associated Food and Petroleum Dealers raised approximately \$250,000 from their membership to fill a funding gap that existed in order to implement the change. Those funds will be used to educate those who receive food assistance and provide a schedule of how their distribution day will change throughout the rollout period. In order to minimize cost and impact on clients, the rollout begins in January, shifting distribution by one day each month through next November. At that time, the set schedule will provide for food being distributed across 21 days every month. Continual communication and support will be available as the change and expansion is implemented. Overall, it will be a good change for citizens, growers, and retailers throughout the state.

Commissioner Regis requested Ms. Simmons share with the Commission further details and information regarding the revised distribution plan as it becomes available.

COMMISSIONER ISSUES

Commissioner Regis reviewed retirement resolutions before the Commission recognizing Kenneth Armock, Celeste Suzanne Bennett, Susan Gaskill, Darlene Juliet Mayers, Robert N. Patterson, Julieann Primley, James L. Rivest, and Sharon N. Rivest.

MOTION: COMMISSIONER COE MOVED THE RESOLUTIONS FOR KENNETH ARMOCK, CELESTE SUZANNE BENNETT, SUSAN GASKILL, DARLENE JULIET MAYERS, ROBERT N. PATTERSON, JULIEANN PRIMLEY, JAMES L. RIVEST, AND SHARON N. RIVEST BE ADOPTED WITH BEST WISHES FOR THEIR LONG AND HEALTHY RETIREMENTS. COMMISSIONER FIKE SECONDED. MOTION CARRIED.

Commissioner Regis advised there is an open issue discussed earlier regarding the proposed Meatout Mondays proclamation being considered by the Traverse City Commission. Discussion ensued regarding how best to communicate the Commission's message in response to this proposed proclamation.

MOTION: COMMISSIONER COE MOVED TO APPROVE A COMMISSION RESOLUTION IN SUPPORT OF THE ENTIRE MICHIGAN FOOD AND AGRICULTURE INDUSTRY AND RESPECTFULLY REQUESTING THE TRAVERSE CITY COMMISSION NOT APPROVE THE PROPOSED MEATOUT MONDAYS PROCLAMATION. FURTHER, THAT A COVER LETTER TO THE TRAVERSE CITY COMMISSION BE INCLUDED, AND COPIES OF THE COMMISSION OF AGRICULTURE RESOLUTIONS APPROVED IN MARCH 2010 IN SUPPORT OF MICHIGAN'S FOOD AND AGRICULTURE INDUSTRY AND REQUESTING THE GOVERNOR RETRACT HER MEATOUT DAY PROCLAMATION BE ATTACHED. COMMISSIONER GREEN SECONDED. MOTION CARRIED.

The resolution package will be sent to the Traverse City Commissioners and the Director's letter regarding the same will also be included. Commissioner Coe will personally deliver a copy to the Traverse City Commission during their November 15 meeting.

PUBLIC COMMENT

Amy (Spray) Trotter, Michigan United Conservation Clubs (MUCC), shared a letter which MUCC prepared for the November 4 NRC meeting regarding the Invasive Species Order. Consistent with MUCC's policy, they believe there should be prevention and eradication of feral swine and therefore, offered support for the Invasive Species Order. When asked, however, MUCC did gladly serve on the workgroup that prepared the recommendations for regulating the swine shooting industry.

The workgroup's recommendations outline an appropriate alternative to the Invasive Species Order. However, MUCC cautions that the set of recommendations should be moved as a complete package to provide for a successful, comprehensive program. These recommendations will allow the existing swine shooting and breeding facilities to stay in business, while also preventing feral swine from impacting our native wildlife, our natural resources, and our agriculture industry.

MUCC believes the primary consideration critical to the success of the regulation program is the funding source. According to the House Fiscal Agency's report, no additional revenue is currently available to cover costs of a new program. In the event

that the Michigan Legislature fails to act on these recommendations, MUCC would again express their support for an Invasive Species Order.

Commissioner Coe advised the people operating those activities should be prepared to pay their share of the costs to operate the regulation program. In contrast, he noted the deer industry currently does not pay for its costs in Michigan when considering the damage wild deer cause to the agricultural crops, problems with maintaining health programs for wild deer, and protecting cattle from the wild deer population. Whether it be a fee added to hunting licenses and dedicated to pay those costs, or some other mechanism, we must find a way to ensure that not one group of animals receives special protection while other groups of animals get none.

Ms. Trotter advised the average taxpayer pays about 33 cents per year for wildlife management. Legislative action is required to increase hunting and fishing fees and MUCC has supported that action. The Natural Resource Conservation Service and USDA Michigan Technical Committee meets today and they have a proposal before them that gives priority points for Environmental Quality Incentives Program (EQIP) proposals in the Bovine TB Zone for activities that would fund wildlife risk mitigation plans.

Commissioner Herioux pointed out that deer hunters do not contribute to the EQIP cost share programs. Hunters want the deer population and do not want the herd controlled; yet, they do not pay anything toward the damages caused by the over population of the deer herd. Commissioner Coe advised farmers take care of their animals and pay the costs, yet someone has determined that wild deer escape that obligation; it should not be the farmers' responsibility to fund deer containment and deer mitigation programs. Commissioner Green agreed the deer population is out of control and MDNRE should implement controls. Ms. Trotter advised there are an unlimited number of antlerless permits available throughout southern Michigan and the Bovine TB Zone and a hunter can take five deer per day as many times as they wish throughout the entire season, which begins September 15 and continues through January 1. Crop damage permits are free to agriculture producers, as well as disease control permits. Commissioner Green emphasized that because of insufficient numbers of hunters, some type of population control of the deer herd is needed.

Commissioner Regis acknowledged that, although there may not be agreement on the means of resolution, over population of the deer herd in Michigan is an issue agreed upon from many factions. He thanked Ms. Trotter for her comments and advised the Commission appreciates her listening to their concerns.

ANNUAL PERFORMANCE EVALUATION AND SALARY RECOMMENDATION FOR THE MICHIGAN DEPARTMENT OF AGRICULTURE DIRECTOR

Commissioner Regis advised that pursuant to Commission policy and as designated by Executive Order 2009-54, the Director is subject to an annual performance review by the Commission. The Commission shall also make a recommendation each year, not later than December 15, on an annual salary level for the Director for the subsequent year. The performance review shall be transmitted to the Governor, and the salary

recommendation transmitted to the Governor and to the State Budget Office. This year is the first for this process as directed by the recent order.

MOTION: COMMISSIONER COE MOVED TO ADJOURN TO CLOSED SESSION UNDER SECTION 8(A) OF THE OPEN MEETINGS ACT, FOR THE PURPOSE OF DISCUSSING THE PERFORMANCE EVALUATION OF THE DIRECTOR AND A SALARY CONSIDERATION, PURSUANT TO EXECUTIVE ORDER 2009-54. COMMISSIONER FIKE SECONDED.

**COMMISSIONER GREEN CONDUCTED A ROLL-CALL VOTE:
COMMISSIONER COE: YEA
COMMISSIONER GREEN: YEA
COMMISSIONER FIKE: YEA
COMMISSIONER HERIOUX: YEA
COMMISSIONER REGIS: YEA**

MOTION CARRIED UNANIMOUSLY.

The Commission adjourned to a Closed Session at 11:12 a.m.

MEETING RECONVENED

Commissioner Regis reconvened the meeting of the Michigan Commission of Agriculture at 11:28 a.m.

ANNUAL PERFORMANCE EVALUATION AND SALARY RECOMMENDATION FOR THE MICHIGAN DEPARTMENT OF AGRICULTURE DIRECTOR, CONTINUED

Commissioner Regis advised the Commission had completed their annual evaluation of the Michigan Department of Agriculture Director Koivisto's performance and agreed upon a salary recommendation.

MOTION: COMMISSIONER COE MOVED THAT, IN ACCORDANCE WITH COMMISSION POLICY AND EXECUTIVE ORDER 2009-54, THE COMMISSION APPROVE THE ANNUAL PERFORMANCE EVALUATION AND SALARY RECOMMENDATION FOR THE MICHIGAN DEPARTMENT OF AGRICULTURE DIRECTOR, DON KOIVISTO. FURTHER, THAT THE EVALUATION AND SALARY RECOMMENDATION BE SUBMITTED TO THE GOVERNOR, THE STATE BUDGET OFFICE, AND THE GOVERNOR-ELECT TRANSITION TEAM. COMMISSIONER REGIS SECONDED. MOTION CARRIED UNANIMOUSLY.

ADJOURN

MOTION: COMMISSIONER HERIOUX MOVED TO ADJOURN THE MEETING. COMMISSIONER COE SECONDED. MOTION CARRIED.

The meeting was adjourned at 12:01.

Attachments:

- A) *Agenda*
- B) *Agriculture Commission Meeting Minutes September 15, 2010*
- C) *Michigan Asparagus Advisory Board Proposal for Reapportionment*
- D) *2010 and 2011 Proposed Michigan Commission of Agriculture Meeting Schedules*
- E) *Feral swine photographs provided by Michigan Pork Producers Association*
- F) *Swine Workgroup Recommendations*
- G) *Legislative Status – November 2010*
- H) *Incentive Retirement Summary*
- I) *Retirement Resolutions for:*
 - *Kenneth Armock*
 - *Celeste Suzanne Bennett*
 - *Darlene Juliet Mayers*
 - *Susan Gaskill*
 - *Robert N. Patterson*
 - *Julieann Primley*
 - *James Rivest*
 - *Sharon Rivest*
- J) *Michigan United Conservation Clubs Letter Re: Feral Swine*