

**MICHIGAN COMMISSION OF AGRICULTURE**  
**Constitution Hall**  
**Con-Con Room**  
**525 W. Allegan**  
**Lansing, Michigan**

**MEETING MINUTES**  
**NOVEMBER 7, 2007**

**PRESENT:**

James Byrum, Chairperson  
Dale Norton, Vice Chairperson  
Ann Jousma-Miller, Secretary  
Don Coe, Commission of Agriculture  
Todd Regis, Commission of Agriculture  
Don Koivisto, Director, Michigan Department of Agriculture

**CALL TO ORDER AND ROLL CALL**

Chairperson Byrum called the meeting of the Commission of Agriculture to order at 9:57 a.m. on Wednesday, November 7, 2007. Commissioner Jousma-Miller called the roll with Commissioners Byrum, Norton, Coe, Regis, Jousma-Miller and Director Koivisto present.

**APPROVAL OF AGENDA**

**MOTION: COMMISSIONER COE MOVED APPROVAL OF THE NOVEMBER 7, 2007 AGENDA AS PRESENTED. SECONDED BY COMMISSIONER NORTON. MOTION CARRIED.**

**APPROVAL OF SEPTEMBER 11, 2007 MEETING MINUTES**

The Commissioners noted several spelling and grammatical corrections. Commissioner Jousma-Miller noted that during her comments, an event discussed was called "Balloons on the Bay" not "Blues on the Bay". Commissioner Coe asked that the figure of 27,000 distribution points for food banks be verified. (After verification, was corrected to 2,700.)

**MOTION: COMMISSIONER NORTON MOVED TO APPROVE THE SEPTEMBER 11, 2007 MEETING MINUTES WITH NOTED CHANGES. SECONDED BY COMMISSIONER JOUSMA-MILLER. MOTION CARRIED.**

**NEXT SCHEDULED MEETING**

Commissioner Norton asked to reconsider the date of the December meeting to coincide with the Industry Outlook Luncheon during the Fruit and Vegetable Expo in Grand Rapids. A brief discussion ensued.

**MOTION: COMMISSION COE MOVED TO CHANGE THE DECEMBER 2007 MEEETING DATE TO TUESDAY, DECEMBER 4, 2007 TO BE HELD IN GRAND RAPIDS IN CONJUNCTION WIT THE FRUIT AND VEGETABLE EXPO. SECONDED BY COMMISSIONER NORTON. VOTING YES: COMMISSIONERS COE, JOUSMA-MILLER, NORTON AND REGIS. VOTING NO: COMMISSIONER BYRUM AS HE WILL BE OUT OF TOWN. MOTION CARRIED.**

(Note: the December meeting was subsequently cancelled.)

### **2008 PROPOSED MEETING SCHEDULE**

Commissioner Norton noted the importance of holding meetings to coincide with other industry activities so that individuals may have access to the Commission. A discussion ensued regarding events throughout the year, across the state and staff considerations for out-state meetings. Commissioner Byrum noted that in the recently approved budget, the funding for the Commissioner was zeroed out.

Deputy Director Phyllis Mellon joined the discussion and shared that Commission expenses would be funded through normal operational expenses. She encouraged the use of Constitutional Hall as the meeting rooms are free and staff is readily available. Commissioner Regis agreed that Constitution Hall should be used for the majority of meetings in Lansing. Commissioner Coe commented that burden on the Department should be minimized.

A discussion ensued regarding the legality of some Commissioners attending via tele-conferencing and video-conferencing. Tele-conferencing and video-conferencing is allowable and those attendees do count as attending for quorum requirements.

Director Koivisto noted he would be investigating the events that led to the elimination of the Commission budget.

The following dates were proposed for the 2008 meeting dates: January 14 (Lansing Center); February 13 (Constitution Hall); March 19 (Constitution Hall); April 16 (Constitution Hall); July 15 (Geagley Lab); August 20 (Constitution Hall); September 10 (TBD); November 12 (Constitutional Hall); and December 9 (Grand Rapids). Commissioner Norton offered to host the meeting in Branch County with a tour in September.

**MOTION: COMMISSIONER COE MOVED TO APPROVE THE 2008 PROPOSED MEETING DATES. SECONDED BY COMMISSIONER NORTON. MOTION CARRIED.**

### **COMMISSIONERS' TRAVEL**

No Commissioner travel submitted for reimbursement.

Commissioner Norton noted he attended the TB Review Meeting on October 17, 2008. He also attended three county fairs and the Branch County Farm Bureau Annual Meeting.

**AGRICULTURE CENSUS: David Kleweno, Director, Agricultural Statistics Service**

Director Kleweno referenced a packet of information previously sent to the Commissioners. He noted his presentation earlier in the day and entertained questions from the Commissioners.

He stated that the Ag Census is a major responsibility. Many benefits are derived from it. It is important to be able to continue to provide the service. He appreciates the past support by the Commission and the Department.

For the first time this year, participants will be able to report electronically instead of filling out the paper form and sending it in. The response deadline is February 4, 2008. A farm constitutes \$1,000 in sales and of potential sales during the census year, which is 2007.

**COMMISSION COMMENTS:**

**Commissioner Norton** noted that after the dry summer, soybeans in his area responded to the August rains and averaged 44 bushels. Corn is around 110, the estimated state average. Green beans averaged about six ton, less than in the past. It was a good year for seed corn.

He briefly discussed Farm Bill issues noting three good years of hog prices. Part of the discussion is minimizing the amount of contracting you can do with the packing industry. It is a good risk management tool but Sen. Harkin and Sen. Grassley have determined that the packing industry should only be able to own hogs a certain time period prior to delivery. It is a contentious issue in the pork industry. It reduces the ability to manage risk. In addition, because the industry has done a good job in managing disease, production number are higher.

**Commissioner Jousma-Miller** noted that she spent 10 days in Italy. She spent a few days visiting vineyards, olive groves and a cattle farm.

She was also involved with the ceremony surrounding the cutting of this year's State Christmas Tree. The tree was cut in Delta County, just north of Escanaba. There was a large turnout for the event.

She was pleased to see that staff had met with the Agriculture Commission from Sweden. She was honored to host Lennart Johansson, the Consul General from Detroit, in the Upper Peninsula for two days with technicians as part of the

feasibility study with NewPage Paper Mill. NewPage is in negotiations to purchase eight paper mills from Stora Enso. That should be completed by Spring 2008.

She thanked the Commission for any support they may have given for Vickie Micheau being reappointed to the UP State Fair Board. She currently serves as the Chair. She noted that current Board has good leadership and is doing a good job.

**Commissioner Coe** on October 2 attended a "Get Farming Initiative" that is being formed in the northwest Michigan area under the auspices of the Michigan Land Use Institute. It is an initiative to match available farm land to young farm families and to reach out to people who are not farming who might be willing to lease the land and get it into agricultural production.

On October 23 and 24 he attended a meeting of the Michigan State University (MSU) Agriculture Experiment Station and Extension Council. Commissioner Coe serves as an honorary member. Much of the agenda was directed at alternative energy. He suggested that at a future meeting, Steve Pueppke be invited to give a strategic overview on alternative energies and where MSU's research is with alternative energy.

He had his annual visit to the Culinary Institute of America (as a board member). He visited wine regions in both Ontario and New York. He returned to a wonderful grape harvest. After the dry summer, the fruit was small with a smaller yield, but the sugar content is high. It should be a wonderful year for the wine industry.

**Commissioner Regis** noted we are at the peak of the agri-tourism season and he has done his part to visit many corn mazes and cider mills. He encouraged everyone to visit these establishments and farm markets while they are still available.

He also commented on the recent MDA Employee Awards Ceremony, congratulated the award winners and noted the outstanding staff at MDA.

**Commissioner Byrum** noted a busy time with the legislature. He has become involved with Concentrated Animal Feeding Operations (CAFO) negotiations.

Harvest is progressing well with some crops completed. Yields are better than expected, but overall Michigan production is down because of the drought. However, wheat yields will probably be up 25-30%.

## **DIRECTOR'S REPORT**

Director Koivisto discussed his activities over the two months, meeting with industry representatives and getting to know staff and program issues.

He noted several activities including initiatives with Kellogg, Packerland Meat Packing and Gerber. He also discussed the meeting with the Swedish Agriculture Minister and thought that went very well.

He spoke briefly about the recently passed budget and his interest in the reduction of the Commission funding. He will report back to the Commission with his findings.

## **PUBLIC COMMENT**

Linda Jones, Program Manager, Michigan Grape & Wine Industry Council (GWIC), presented each Commissioner with a new book *From the Vine: Exploring Michigan Wineries*. While there are wineries, distilleries or hard cider producers emerging in each region, it is wonderful to share the success of the book. It is a source of great pride for all of agriculture.

There is a forward by Governor Granholm in the book and the two authors, Lorri Hathaway and Sharon Keqerreis will attend the Grape & Wine Industry Council Meeting later in the month to be recognized by the Council for their efforts.

Ms. Jones introduced GWIC staff members David Creighton and Karel Bush who both provided support and assistance to the authors in developing the book.

## **DIRECTOR'S TRAVEL**

- No new out of state travel planned.

## **REQUEST FOR RULEMAKING AND FOOD LAW UPDATE, FOOD & DAIRY DIVISION: Gerald Wojtala, Deputy Director, Food & Dairy Division and Kevin Besey, Food Program Manager, Food & Dairy Division**

Mr. Wojtala distributed a chart and briefly reviewed recent changes in the 2005 Michigan Food Law. The amendments were signed into law on October 16, 2007. The primary change sought was to adopt the most current version of the Federal Food Code. This applies to retail and food service establishments.

There was broad support through the entire process including the Michigan Grocers Association, Michigan Restaurant Association, local health departments and their associations.

He noted changes related to time & temperature; date marking; consumer advisory, bare hand contact, employee health, manger certification, inspections, ice cream, licensing and meat.

The law now requires that by January 1, 2009, the Michigan Department of Agriculture promulgate rules dealing with the Manager Certification for food safety. Several counties in the state already have similar program and that will also be addressed through this process. The requirement takes effect in June 1, 2009.

Commissioner Coe asked that the Michigan Farm Market Association be included in the process and ensure that the provisions be communicated very clearly to the farm community in relation to farm markets and farmers markets.

Additionally, he recommended that it be considered that it is the employee's responsibility to become certified, that it does not fall entirely upon the restaurant operator.

In response to a question from Commissioner Coe about information availability, Mr. Wojtala stated that they plan to work closely with Michigan Grocers and the Michigan Restaurant Association to develop industry guidance. The MDA website will also be used.

In response to a question from Commission Norton, Mr. Wojtala stated there are several other states that have statewide requirement for manager certification. The Federal Drug Administration has done work to find there is a correlation between establishments that have a certified manager and the incidents of those risk factors the create food borne illness.

Commissioner Jousma-Miller suggested that Michigan Works! be notified of these changes. Mr. Wojtala noted they would make that contact.

The Food & Dairy Division respectfully requested that the Commission consent to the request to begin the rulemaking process for food establishment manager certification.

**MOTION: COMMISSIONER COE MOVED TO APPROVE THE REQUEST TO BEGIN THE RULEMAKING PROCESS FOR FOOD ESTABLISHMENT MANAGER CERTIFICATION. COMMISSIONER NORTON SECONDED. MOTION CARRIED.**

**REQUEST FOR RULEMAKING REGULATION 811 PREMIUM ALLOCATIONS TO FAIRS AND EXPOSITIONS AND UPPER PENINSULA STATE FAIR YEAR END REPORT: Barbara Hensinger, Director, Fairs, Exhibitions & Racing Division**

Ms. Hensinger reviewed a memorandum previously sent to the Commission requesting permission to begin the rulemaking process to amend Regulation 811 Premium Allocations to Fairs and Expositions. This rule was last revised in 2004.

Since that time, working with the new regulations has demonstrated some definitions and rules need to be more clearly defined.

With a greater emphasis on electronic transactions, several rules need to be amended to allow for electronic publications of information and electronic transmission of data to the department.

Several fairs are exploring the need to merge or reorganize resulting in a new legal entity. The rule needs to be amended to allow these new entities to be eligible for premiums.

Also, the Michigan Veterinarian Medical Association has requested the fair industry establish livestock exhibition standards. This is an area that will be explored with the industry and may be addressed in the amended regulations.

Commissioner Jousma-Miller asked if The Michigan Association of Fairs and Exhibitions was involved. E.J. Brown (from the audience) indicated they were.

**MOTION: COMMISSIONER COE MOVED TO APPROVE THE REQUEST TO BEGIN THE RULEMAKING PROCESS FOR REGULATION 811 PREMIUM ALLOCATIONS TO FAIRS AND EXPOSITIONS. COMMISSIONER NORTON SECONDED. MOTION CARRIED.**

Ms. Hensinger distributed a document with the Year End Highlights for the Upper Peninsula State Fair (UPSF). She reviewed fair results and non-fair activities and revenue. For the fair, expenditures were down 11% and revenue was down 3%. The budget deficit was covered through program savings by Lansing staff. Non-fair rentals saw an increase of 28% and revenue increased by 12%. Winter storage increased 7%.

Structural repairs and the ongoing maintenance of the fairgrounds is an on-going concern. Major needs include grandstand erosion causing rusting which will lead to structural problems, the annual ice melt damage and a new roof for the Butler Building. Funding continues to be a struggle.

Staff have partnered on several projects to make improvements to the fairgrounds including pulling in the track fence and grading the track bank, installing ticket "cabins" and this winter, rewiring the Butler Building and replacing the stairs in the grandstands.

Non-fair related activities are providing services to the community and builds great working relationships.

In response to a question from Commissioner Norton, Ms. Hensinger stated that staff participation in non-fair events depend on the type of event occurring. In events that MDA is involved with, there is staff participation. If a building is simply being rented out, staff involvement is minimal.

In response to a question from Commissioner Coe about the Michigan State Fair (MSF), Commissioner Byrum noted that no financial report has been released for this year's fair.

There was a discussion about Michigan Farm Bureau's decision to eliminate future support for the Miracle of Life exhibit at MSF and the "downplaying" of agriculture at this year's fair.

Ms. Hensinger stated that she has spoken with the State Fair Manager in Detroit and that he is looking for a more appropriate location for the agriculture commodity area next year. For the Upper Peninsula State Fair, Michigan Farm Bureau will work closely with the local county Farm Bureaus to support the Miracle of Life exhibit at the UPSF.

Commissioner Jousma-Miller noted that the Department of Management and Budget (DMB) is responsible for the Michigan State Fair and they should be pulling together meetings regarding that fair. If there is a problem with the UPSF, then MDA should step up.

Commissioner Coe stated that MDA should be at the table for determining the future of the agriculture exhibits and participation at the MSF. It is up to DMB to hold that meeting, but MDA should be represented.

Commissioner Byrum noted a diminishing interest with agricultural groups being involved at the fair for a variety of reasons.

Director Koivisto added that industry partners are reviewing their future role at the MSF as well. He noted that MDA can contact DMB to indicate interest in being involved in the dialog.

There was a discussion regarding MDA staff participation, promotion of agriculture, the consumer experience and MDA resources spent toward the MSF.

Commissioner Byrum shared budget deficit history of MSF and why the oversight responsibility was moved to DMB.

Commissioner Byrum asked for a report of resources dedicated to MSF, the impact on MDA's budget and how DMB plans to proceed.

**MOTION: COMMISSIONER COE MOVED THAT THE MDA DIRECTOR COMMUNICATE TO THE DEPARTMENT OF MANAGEMENT AND BUDGET, THE MICHIGAN STATE FAIR AND THE MICHIGAN STATE FAIR BOARD THAT THE MICHIGAN DEPARTMENT OF AGRICULTURE IS REVIEWING THEIR CONTINUING PARTICIPATION IN THE MICHIGAN STATE FAIR. ALSO THE FAIRS, EXHIBITIONS AND RACING DIVISION WILL PROVIDE AN INTERIM FINANCIAL REPORT AT THE DECEMBER 4, 2007 COMMISSION MEETING AND PROVIDE A FINAL REPORT AND RECOMMENDATION AT THE JANUARY 14, 2008 MEETING WHETHER MDA SHOULD CONTINUE TO MAINTAIN SUPPORT FOR THE MICHIGAN STATE FAIR. SECONDED BY COMMISSIONER NORTON. MOTION CARRIED.**

**BUDGET UPDATE: Amy Epkey, Budget Officer, Michigan Department of Agriculture**

Ms. Epkey reviewed the 2008 budget (2007 PA 128) with a handout that highlights the funding sources included and changes from the prior year.

Most notable changes were increases in General Fund/General Purpose (GF/GP) for Bovine Tuberculosis, Technical Assistance Match (For Local Conservation Districts) and Conservation District Base Funding (compared to '07 reduced funding.)

There were decreases in GF/GP in the Pesticide and Plant Pest Management Division, Environmental Stewardship (Intercounty Drains and Right to Farm), Management Services and Agricultural Statistics (compared to '07 reduced funding), a decrease in restricted funding for the Agriculture Equine Industry Development Fund, a federal decrease for Emerald Ash Borer, and a decrease in interdepartmental grants for the Cooperative Resources Management Initiative (CRMI).

In response to a question from Commissioner Byrum, Ms. Epkey stated that in relation to the cut of \$553,400 in funding to the Pesticide and Plant Pest Management Division, there was boilerplate language that the cuts should be offset by fee increases by MDA. She stated that MDA does have concerns about that. If it was the intent of the legislature to raise fees, MDA would have hoped that they actually raised the fees rather than insert "intent" language. While MDA provided options related to fee increases, MDA did not propose the fee increases, the legislature did.

**LEGISLATIVE UPDATE: Nancy Nyquist, Acting Legislative Liaison**

Ms. Nyquist spoke briefly about the following issues: the food law, sunset fee bills that were signed, SB 682 licensing for agricultural pesticides, dairy law

rewrite, CAFO workgroups, HB 1534 and HB 1535 local fertilizer pre-emption and SB 350 tax checkoff for animal welfare.

**BOVINE TUBERCULOSIS ISSUES UPDATE: Dr. Steve Halstead, DVM, State Veterinarian and Director, Animal Industry Division and Dr. John Tilden, Project Manager, TB Eradication Review Response**

Dr. Halstead announced that the United States Department of Agriculture (USDA) TB Review Team is in the state. He also noted a suspect animal with a lesion found through routine annual testing. The herd is an 80 animal beef herd in Montmorency County in the Modified Accredited Zone. More details to follow as they become available.

He also distributed a final report on Chronic Wasting Disease by Dr. Julie Ducrocq to the Commission members as promised from a previous meeting.

Dr. Tilden discussed the USDA TB Review Team. They interviewed Lansing staff, field staff, visited the Atlanta office and major markets. They will write their report and conduct an exit interview prior to their departure. The written report will probably arrive in about a month. Early indications are that they sense an increased sense of urgency in Michigan. They will document areas where we have made progress and highlight that much remains to be done. They will continue to highlight the political and financial issues that need to be addressed if Michigan is to maintain current status and to advance status.

In response to a question from Commissioner Norton, Dr. Tilden noted that the USDA Veterinary Services Review Team includes seven or eight people that include epidemiologists and animal identification administrators. They are looking at all aspects of the program, not just the "79 points of light".

Commissioner Byrum asked what could be done to those selling deer feed. A discussion ensued regarding the practice and options available. Commissioner Byrum asked the Director to look at what, if any, MDA has to interject regulatory ability on those entities selling deer feed. If there is legislation needed, MDA should take an aggressive approach to limiting that activity and make sure they are in compliance with the statute.

A brief discussion ensued regarding the working relationship with the Michigan State Police (MSP). Dr. Tilden stated they are working well together. While we have MDA staff riding with MSP, the only mechanism MSP has for pulling over an agricultural vehicle over is a traffic violation. They must make a complete vehicle check. Then the MDA employee can do MDA checks. MDA is paying MSP through a contract.

Dr. Halstead stated we must review that more aggressively and have a proposal that is being developed internally to increase MDA's enforcement ability.

In response to a question from Commissioner Jousma-Miller, the herd that the current suspect animal is from was infected in the past, was depopulated about five years ago and repopulated from tested animals. The trace-backs are currently being conducted, however, the animal was young and most likely born on the farm. It is possible that it is a wildlife transmission.

There was a discussion regarding risk mitigation and the contract that producers sign for indemnity. Dr. Halstead stated that if a farm is re-infected and the producer has not taken all the recommended steps to prevent re-infection, then according to their contract they would not receive full indemnification. Commissioner Byrum asked that Commissioners receive a copy of a contract to review. He also asked how many farms that had repopulated have had a second infection.

Dr. Tilden noted that Michigan State University Extension, Michigan Milk Producers Association, Michigan Farm Bureau and others are working with MDA to get a series of winter meetings going to share information about risk mitigation.

Commissioner Byrum asked if the Department of Natural Resources (DNR) was issuing permits as they indicated they were going to. He asked if they doing it rapidly and over the phone. Dr. Tilden said that DNR can document that when they receive a request that they are giving them out and they can show that they are doing their part. There is still frustration across the state that producers are not getting all the permits they want.

Commissioner Byrum asked that a DNR representative come to a future Agriculture Commission meeting to ask questions regarding the permitting process.

Dr. Phyllis Mellon commended staff on their preparation for the USDA review and that it was noticed by USDA. She wanted the Commission to know that Dr. Tilden and staff were making a huge effort to respond to the review.

Commissioner Jousma-Miller asked for an update on the Feral Swine Working Group. Dr. Nancy Frank came forward from the audience and stated that there have now been sightings in 52 counties. Bigger herds and herds with varying ages are being seen and the population is starting to grow. The Working Group had a consensus agreement on proposed legislation and that will be moving ahead. They are proposed changes to the Animals Running at Large law. Swine would not be exempt from being shot if they are loose. Currently, livestock has to be caught, held and auctioned off.

DNR is again encouraging licensed hunters to shoot feral swine while they are out hunting for other game. Also MDA will be sending out a press release to help get the word out. MDA has been in contact with the prosecuting attorneys in the state. Most are on board and a list of those counties are on the MDA website and will be included in the press release. Those hunters that do shoot feral swine are being asked to provide samples for testing of psudorabies and brucellosis.

**EMERALD ASH BORER UPDATE AND REGULATION 637 PUBLIC HEARING REPORT: Kenneth Rauscher, Director, Pesticide and Plant Pest Management Division and Jim Bowes, Enforcement Office, Pesticide and Plant Pest Management Division**

Mr. Rauscher distributed a packet of information regarding the Emerald Ash Borer. He reviewed the current quarantine and discussed new infestations in the Upper Peninsula and the delimiting survey status.

He reviewed MDA's current approach to the pest that includes survey, enforcement and outreach. Management options depend on funding and USDA's philosophy. Funding has declined and EAB has spread into Pennsylvania and West Virginia (single sites). Currently, USDA is looking at a slow spread approach and to try to contain the outbreaks in as small an area as possible and allow research to provide some solutions in treatments or biological controls.

The Bridge site continues to be important and decisions will be made with USDA as to how to proceed with quarantines. Traps will continue to be used.

The cooperative agreement with USDA runs through January 2008. It is difficult to tell what the 2008 federal budget will contain for EAB.

Compliance assistance continues throughout the rest of the state. Southeast Michigan continues to see huge mortality and that is moving into the Kalamazoo and Lansing area.

In August and September USDA introduced three biological control organisms. They are three tiny wasps. One is an egg parasite, two are larval parasites. They have been released in Ingham, Genesee and Shiawassee Counties and over time expect to see some results. These wasps were brought over from China.

There was a brief discussion about budget and staff commitment.

Commissioner Byrum recused himself from the following discussion regarding Regulation 637 as he was a participant on the workgroup for the changes to Regulation 637. He passed the gavel to Vice Chairperson Norton.

Mr. Rauscher updated the Commission on the progress of the amendment process for Regulation 637. Recent passage of HB 5154 relative to Integrated Pest Management in schools and public buildings, created conflicts between the enabling legislation and the regulation. The amendments are intended to address these conflicts. In addition, the process will address issues such as confusing verbiage, regulatory requirement details, and clarification for enforceability. No new rules were development as part of this process, only amendments to existing rules were considered.

The public hearing on this rule set was held on September 21, 2007. Seventeen attendees participated, representing many of the industry and public interests that participated in the development of the proposed amendments. MDA will make five changes as a result of the public hearing: amend and clarify the definition of "space"; amend the definition of "spot treatment"; clarify the dimension of lawn posting signage; allow for electronic transfer of customer service information with the written consent of the customer; and non-substantive change to numbering Rule 15, subrule (5).

In response to a question from Commissioner Coe, Gordon Wenk (from the audience) responded that those farms that are Michigan Agriculture Environmental Assurance Program (MAEAP) certified will not have to make any changes until the next recertification. These changes will be built into the existing education program.

**MOTION: COMMISSIONER COE MOVED TO PROCEED TO THE FINAL STAGES OF RULEMAKING FOR REGULATION 637. SECONDED BY COMMISSIONER REGIS. MOTION CARRIED.**

Commissioner Norton returned the gavel to Commissioner Byrum.

### **COMMISSIONERS' ISSUES**

Commissioner Byrum noted a retirement resolution for Debbie R. Perron Rodebaugh from the Pesticide and Plant Pest Management Division and one for Gwendolyn Durning from the Food & Dairy Division.

**MOTION: COMMISSIONER REGIS MOVED THAT THE RETIREMENT RESOLUTIONS FOR DEBBIE R. PERRON RODEBAUGH AND FOR GWENDOLYN DURNING BE ADOPTED WITH BEST WISHES. COMMISSIONER NORTON SECONDED. MOTION CARRIED.**

Commissioner Coe distributed a publication by Congressman Pete Hoekstra entitled "Agriculture Helping to Drive the West Michigan Economy".

**PUBLIC COMMENT**

**George Papadelis**, Telly's Greenhouse & Garden Center from Troy, presented the Commission with a letter outlining a lawsuit that he is currently involved in that related to the Michigan Right to Farm Act. The suit highlights conflict between Mr. Papadelis and the City of Troy related to the Michigan Right to Farm Act and the State Construction code.

Mr. Papadelis requested that a Generally Accepted Agriculture Practice (GAAMP) be developed specific to the siting of facilities necessary for a greenhouse business.

A discussion ensued related to this request.

Commissioner Byrum asked Gordon Wenk, Director, Environmental Stewardship Division, to review this issue and provide back to the Commission: a review of the Right to Farm Act and what protections it offers; any recommendations related to Telly's Greenhouse; and what is happening with Right to Farm Acts around the country and what Michigan might face in the future.

**ADJOURN**

**MOTION: COMMISSIONER NORTON MOVED TO ADJOURN THE MEETING. COMMISSIONER REGIS SECONDED. MOTION CARRIED.**

The meeting was adjourned at 1:00 p.m..

Attachments:

- A – Agenda*
- B – Agriculture Commission Meeting Minutes September 11, 2007*
- C – 2008 Proposed Meeting Dates*
- D – Agriculture Census*
- E – Don Koivisto Upcoming Event Schedule and Issues of Interest*
- F – Memo dated October 19, 2007 to Members of the Michigan Commission of Agriculture and Director Koivisto from Katherine Fedder regarding Request for Rule Addition and a document entitled Michigan Food Law Changes*
- G – Fairs, Exhibitions and Racing Division Request for Rule Changes for Regulation 811 Premium Allocations to Fairs and Expositions and a document entitled Upper Peninsula State Fair Year End Highlights*
- H – 2008 Budget Update*
- I – Legislative Status November 2007*
- J – Emerald Ash Borer Legislative Status November 2007 and memo dated November 2, 2007 to Director Don Koivisto and the Agriculture Commission from Kenneth J. Rauscher regarding Regulation 637 – Report on Public Hearing*

*K – Retirement Resolutions for: Debbie R. Perron Rodebaugh and Gwendolyn Durning; a publication by Congressman Pete Hoekstra entitled “Agriculture Helping to Drive the West Michigan Economy”.*  
*L – Public Comment – Letter (with attachments) from George Papadelis, Telly’s Greenhouse & Garden Center*