

**Michigan Commission of Agriculture Meeting
Michigan Department of Agriculture
Amway Grand Plaza
187 Monroe NW
Grand Rapids, MI**

**MEETING MINUTES
January 9, 2003**

PRESENT:

Douglas Darling, Chair, Commission of Agriculture
Nora Viau, Vice-Chair, Commission of Agriculture
Bill Pridgeon, Secretary, Commission of Agriculture
James Maitland, Commission of Agriculture
Jordan Tatter, Commission of Agriculture
Dan Wyant, Director, Michigan Department of Agriculture

OTHERS PRESENT: *(all or part of the meeting)*

Michigan Department of Agriculture Staff
Jim Riley, Assistant Attorney General
Sam Danou, Tripple Creek Downs
Alex Draper, Michigan Deer and Elk Farmers Association
Sally Griffis, Michigan Association of Fairs and Exhibitions
Ken Keeley, Michigan Deer and Elk Farmers Association
Charles Kline, Midland
Tonia Koppenaal, Michigan Farm Bureau
Dan Marsh, Michigan Deer and Elk Farmers Association
Lori Petersen, MI Biz West
Larry Reed, Michigan Horse Pulling Association
Bill Sies, Mt. Morris
Karen Sies, Mt. Morris
Craig Stefanko, Davison
Naomi VandenBosch, Kent City
Sam Washington, Michigan United Conservation Clubs
Barbara Wieland, Grand Rapids Press

CALL TO ORDER AND ROLL CALL

Chair Darling called the meeting of the Commission of Agriculture to order at 1:00 p.m. on Thursday, January 9, 2003. Secretary Pridgeon called the roll with Director Wyant, Commissioners Darling, Maitland, Pridgeon, Tatter, and Viau present.

APPROVAL OF AGENDA

MOTION: COMMISSONER TATTER MOVED APPROVAL OF THE JANUARY 9, 2003 AGENDA AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF DECEMBER 5, 2002 MEETING MINUTES

MOTION: COMMISSIONER VIAU MOVED APPROVAL OF THE DECEMBER 5, 2002 MEETING MINUTES. SECONDED. MOTION CARRIED UNANIMOUSLY.

NEXT MEETING

The next meeting of the Commission of Agriculture is scheduled for February 11, 2003 in Lansing, Michigan, Constitution Hall.

APPROVAL OF COMMISSIONERS' PER DIEM AND TRAVEL

MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE PER DIEM FOR COMMISSIONER DOUG DARLING FOR THE FOLLOWING: DECEMBER 10, 2002 MDA EMPLOYEE AWARDS CEREMONY AND DECEMBER 12, 2002 ZONING BOARD OF APPEALS MEETING IN LEXINGTON TOWNSHIP REGARDING GAME BIRD PRESERVES. SUPPORT. CARRIED UNANIMOUSLY.

APPROVAL OF DIRECTOR'S OUT OF STATE TRAVEL

MOTION: COMMISSIONER PRIDGEON MOVED TO APPROVE OUT OF STATE TRAVEL FOR DIRECTOR WYANT FOR JANUARY 31 – FEBRUARY 4, 2003 TO WASHINGTON, DC FOR NASDA MID-YEAR MEETING. SUPPORT. CARRIED UNANIMOUSLY.

Director Wyant stated that this meeting consists of 50 state departments of agriculture, 20 of these states will have new directors due to new governors in those states, or some who may be elected

officials.

COMMISSIONERS' COMMENTS

Commissioner Maitland reported that the Fruit Growers Annual meeting is January 21 and 22 in Traverse City.

Commissioner Tatter said that the pruning of apples and grapes has had excellent progress in the Southwest area. Many fresh packers of apples are winding up several months ahead of normal. Less than one-half of the apple storage capacity of the state was used this fall.

Since the December Commission meeting Commissioner Tatter participated in the following ag-related functions:

- accompanied the Director on a visit to the editor/publisher of "*The North Wood's Call*" to discuss farm-raised deer and elk issues and aquaculture oversight by the Department.
- acted as Master of Ceremonies for the Michigan Food Processors Association Annual Scholarship and Awards Banquet and spoke about the role of the Department, its priorities, programs and issues.
- toured a closed food processing plant in Sodus, Michigan that has come on the market. It is a massive facility that will probably not be put back to work for its historical purpose.
- attended the Van Buren County, Michigan State University Extension Council meeting.
- attended the Michigan Economic and Environmental Roundtable Members meeting at which land use and efforts in support of the land use discussion will again be a focus of the roundtable in the near future.

Non-agricultural environmental groups are raising concerns about MDA's oversight of non-traditional livestock, deer, elk and fish farming activities. This presents an opportunity for us to work with these folks by explaining our programs and responding to their concerns as we have with domestic livestock producers in regard to the Bovine TB eradication program.

Commissioner Viau attended the Michigan Agriculture Environmental Assurance educational seminar held December 18 at Bay College, Escanaba. The attendance was good and information received was educational.

Chair Darling judged the semi-final Young Farmers Discussion Meet at the Michigan Farm Bureau Annual meeting in December.

- along with Commissioners Tatter and Viau attended the Michigan Farm Bureau resolution process meeting regarding Wildlife Policy at the December annual meeting.
- testified at the Lexington Township Zoning Board of Appeals hearing in Sanilac County regarding game bird preserves.

- attended an Ethanol Meeting in Caro regarding farmer ownership and stock.
- attended the Michigan Soybean Association annual meeting with discussion on bio-diesel, the energy bill, trade, the farm bill, transportation and infrastructure.

WELCOME BY THE MICHIGAN ASSOCIATION OF FAIRS AND EXHIBITIONS (MAFE)

Sally Griffis, President of MAFE and E.J. Brown, Acting Executive Director of MAFE welcomed the Commission to the MAFE Convention. Ms. Griffis stated that MAFE appreciates the long-standing partnership they have with the Michigan Department of Agriculture. She stated that the Director's tremendous background and understanding of fairs was a real plus. Ms. Griffis introduced various Fair Board members and Zone Directors in attendance at the Commission meeting. Mr. Brown stated that there were representatives from 82 fairs at the Convention.

DIRECTOR'S REPORT: Director Dan Wyant

The Director reported, that along with the new Governor, we have a new Legislature, which includes 54 new (out of 110) House members and 29 new (out of 38) Senate members. The Senate Ag Committee Chair is Senator Jerry VanWoerkom; with Senators Jud Gilbert, Ron Jelinek, Buzz Thomas, and Liz Brater making up the remainder of the Committee. The Appropriations Sub-Committee on Agriculture is Senator Cameron Brown, Chair, and Senators Ron Jelinek and Jim Barcia.

The House has expanded the number of members on the Committee, but chair and members have not been named.

One-on-one meetings will be held with new legislative members and committee members stressing the role and the significance of agriculture in Michigan. There will also be open forums with MDA Division Directors for all legislators and staff to receive information and ask questions relative to agriculture.

Director Wyant participated in a day-long Cabinet meeting with Governor Granholm and other Cabinet members regarding strategic planning. The Governor shared her vision with the Cabinet and gave each Department Director an opportunity to share their priorities. The theme was about issues that the Cabinet will jointly address. The budget situation will challenge new initiatives. The overall budget will be addressed in future meetings.

The Department is awaiting direction from the Department of Management and Budget as to MDA budget reductions. The Division Directors have been meeting with the Deputy Director

to put criteria together, identify priority programs and prepare for budget reductions that may come.

Director Wyant stated that he received recognition at the Michigan Fruit and Vegetable Farm Market Show, and that this recognition actually goes to the Department employees.

A Food Safety Summit will be held in Washington, D.C. dealing with food safety and integrating of the homeland security aspects. Katherine Fedder, Food and Dairy Division Director will be attending.

Joanne DeVuyst, State Director of USDA Rural Development has resigned effective January 10, 2003. Within the next month a new appointment should be made by the Secretary of Agriculture.

Emerald Ash Borer continues to be a major issue in the Southeast area of the state. The Pesticide and Plant Pest Management Division has put together a plan to deal with the issue. Communication to local governments will increase.

Tim White was announced as the 2002 Employee of the Year at the employee award ceremony in December. Mr. White is with the Weights and Measures unit.

David Bruce has been selected as Director of the MDA Finance and Administrative Services Division. He brings significant education, managerial experience, and skill to the Division.

Legislative Report – Act 232 amendments did pass and signed as 2002 PA 601. The Governor vetoed the supplemental budget (HB 5705). This was funding for the Diagnostic Center for Population and Animal Health, MSU Extension and Michigan Ag Experiment Station. These programs had received support from the legislature, and may receive support in the new legislative session.

UPDATE ON BOVINE TUBERCULOSIS AND CHRONIC WASTING DISEASE: Dr. Joan Arnoldi, Director, Animal Industry Division

Newcastle Disease threatens to wipe out the entire poultry industry in California. The Federal people within Michigan are going to California to lend support, if the problem continues to grow, MDA will be sending staff also. California is the largest egg producing state in the nation.

The disease started in game birds and spread to commercial poultry, is a virus and is easily spread. Mexico and Canada have embargoed California poultry.

Dr. Arnoldi distributed the 2003 health requirements for livestock exhibited in Michigan.

Dr. Arnoldi gave an update on privately owned cervid operations and how the industry is regulated. In 1994 privately owned cervids were recognized as livestock with amendments to the Animal Industry Act. In June 2001 the Michigan Privately Owned Cervidae Producers Marketing Act, Act 190 became effective. Producers are required to register with MDA. Handouts detailing history/background, general requirements for privately owned cervid operations, animal health/testing requirements for privately owned cervid operations, and ensuring that privately owned cervid operations are fulfilling state requirements, were provided. Specific CWD prevention activities were reviewed.

Dr. Arnoldi also reviewed the mandatory cervid chronic wasting disease surveillance program and how to collect samples.

Commissioner Tatter proposed the following:

MOTION: DUE TO THE LACK OF COMPREHENSIVE DATA DETERMINING THE SCOPE, TRANSMISSION AND RANGE OF CHRONIC WASTING DISEASE AND THE POTENTIAL SERIOUS IMPACT OF THE DISEASE ON BOTH FREE RANGING AND PRIVATELY-OWNED CERVIDS, THE COMMISSION SUPPORTS THE CONTINUATION OF THE MORATORIUM ON THE IMPORTATION OF CERVIDS INTO THE STATE OF MICHIGAN. SUPPORT. CARRIED UNANIMOUSLY.

CHRONIC WASTING DISEASE DISCUSSION

Dan Marsh expressed his appreciation to the Commission and the Department for their work on Chronic Wasting Disease (CWD). He reported that he felt Michigan was quite restrictive as we have a monitoring program and an import ban in place. He would like to suggest that if Michigan is CWD free, importation of cervids be allowed with a three year surveillance monitoring clean bill of health.

Sam Washington stated that his position is to do everything possible to keep CWD out of Michigan. He would like to see more cooperation between MDA and the Department of Natural Resources and to have other agencies, state and local, involved in monitoring movement of cervids into the state. The Michigan United Conservation Clubs (MUCC) are against any new captive cervid facilities being allowed in Michigan. Mr. Washington said that MUCC would like to host a group meeting on CWD within the next month.

Alex Draper, Ken Keeley and Craig Stefanko all spoke and expressed their appreciation to the Commission for their ongoing efforts on CWD.

Director Wyant encouraged the Deer and Elk Farmers Association to be pro-active with MUCC and to educate them on the work currently being done to prevent CWD in Michigan.

PUBLIC COMMENT

Sam Danou of World Trade Center, Chairman and CEO addressed the Commission regarding his request to develop a horse race track (for quarter horses, thoroughbreds and standards), convention facilities, offices, and parking structure in Van Buren Township (one and one-half miles west of the Metropolitan Airport, at I-94 and 275). He has applied to the Office of Racing Commissioner for a license. Mr. Danou was encouraged to come back to the Commission with a presentation on the location, type of track, and investment and employment opportunities.

At this time, Director Wyant introduced a colleague of his, Jamie Clover Adams, Secretary of the Kansas Department of Agriculture.

FENCING OF FEEDLOTS: Pete Butchko, USDA, State Director of Wildlife Services

Mr. Butchko gave a power point presentation regarding the Michigan fencing pilot project to reduce the spread of Bovine TB by fencing feedlots in the TB area. Wildlife Services provides services and assistance in situations where wild animals cause problems.

FINAL APPROVAL OF REG. 564, GAS PURITY, ADDITIVES AND GRADING: Celeste Bennett, Motor Fuels Quality Enforcement Unit

Ms. Bennett reviewed the changes made to Regulation 564 after the November 21, 2002 public hearing and requested Commission approval to proceed with the regulation by submitting it to the Legislative Service Bureau for formal certification.

MOTION: COMMISSIONER MAITLAND MOVED THAT THE COMMISSION APPROVE THE CHANGES TO REGULATION 564 AND PROCEED TO THE LEGISLATIVE SERVICE BUREAU FOR FORMAL CERTIFICATION. SUPPORT. CARRIED UNANIMOUSLY.

APPROVAL TO PROCEED WITH REG. 813, HARNESS HORSE RACE AND PULLING TEAM STIMULANTS AND DEPRESSANTS AND UPDATE ON REG. 811 PREMIUM ALLOCATIONS TO FAIRS AND EXPOSITIONS: Barb Hensinger, Director, Fairs, Exhibitions

and Racing Division

Ms. Hensinger requested Commission approval to proceed with revisions to Regulation 813.

MOTION: COMMISSIONER VIAU MOVED THAT THE COMMISSION APPROVE THE REQUEST FOR RULEMAKING FOR REGULATION 813. SUPPORT. CARRIED UNANIMOUSLY.

Ms. Hensinger also informed the Commission that Regulation 811 revisions would be the subject of many workshops at the Convention this week. A request for rulemaking has not been submitted as of this time.

BUY MICHIGAN FOOD PRODUCTS UPDATE: Bob Craig, Director, Ag Development Division; Christine Lietzau, Organic and Sustainable Ag Coordinator; Melinda Curtis, Buy Michigan Program Manager; Kristine Fedewa and Dan Jansen, MIFFS; and Ann Woods, Organic Alliance Meetings with growers and retailers, market research, testing of themes and slogans have taken place in the last few months. The program is to be launched March 28 in Grand Rapids. Seventy stores in the Grand Rapids area have agreed to participate in the Buy Michigan program.

PUBLIC COMMENT

Sally Griffis, President, Michigan Association of Fairs and Exhibitions - The MAFE is concerned that if the Michigan State Fair expands days of operation to 18 days, it will be detrimental to several county fairs. Director Wyant stated that expansion of fair dates has been proposed, but the State Fair Board has not voted or approved as of this date. Director Wyant suggested that MAFE make their concerns known to the State Fair Board and Governor Granholm.

Naomi VandenBosch, Kent City – Addressed the Commission regarding a letter she received from the MDA relative to a policy on nuisance orchards. She states that they cannot afford to remove the orchard or maintain it. She is asking for help from the Commission to come to a solution that would be satisfactory to the Department, the complainant and herself. The Commission asked that MDA staff review the VandenBosch case and report to the Commission at the February 11 Commission meeting. Director Wyant asked Ms. VandenBosch if the complainant proved that the abandoned orchard was a haven for pests, that were having a negative impact on his orchard, and demonstrated added costs and hardship, would she be willing to work to come to an acceptable solution. Ms. VandenBosch indicated that she would.

Tonia Koppenaal, Michigan Farm Bureau – Ms. Koppenaal expressed concern with comments from the public on Chronic Wasting Disease and the precedence that might be set for dealing with plant or animal diseases with regards to private property rights. She also was concerned with public

comments that no new cervid facilities should be allowed in the state. Another area of concern was involving other state agencies and/or local enforcement agencies in monitoring movement of livestock.

Ms. Koppenaar stated that Michigan Farm Bureau is concerned with funding for the MDA. She read the following from the MFB 2003 Policy book.

The recent budget cuts and the state's early retirement program has left the department that supports agriculture, Michigan's number two industry, without adequate funding or personnel to carry out its mission during a time when more plant and animal diseases are being identified and diagnosed. We strongly support the restoration of adequate funding to MDA to allow more than the one to four replacement of employees, so MDA can continue to provide the necessary regulation oversight and support to Michigan agriculture. We support the continued individual existence of the MDA within state government. We oppose any attempt to dilute the effectiveness of MDA by merging it with any other government agency or department.

ELECTION OF OFFICERS FOR 2003

MOTION: COMMISSIONER TATTER MOVED TO ELECT THE 2003 COMMISSION OF AGRICULTURE OFFICERS AS FOLLOWS:

- **NORA VIAU, CHAIR**
- **BILL PRIDGEON, VICE-CHAIR**
- **JIM MAITLAND, SECRETARY**

SECONDED. CARRIED UNANIMOUSLY.

Commissioner Viau expressed appreciation on behalf of the Commission, the Director and department staff, by presenting Commissioner Darling with an honorary gavel to thank him for his year of service as chair.

ADJOURNMENT

MOTION: COMMISSIONER TATTER MOVED TO ADJOURN THE MEETING. SECONDED. CARRIED UNANIMOUSLY.

Meeting was adjourned at 5:38 p.m.

ATTACHMENTS

A - Agenda

B - December 5, 2002 minutes

C – Director’s Report – January 2003
D – Legislative Report – January 2003
E –2003 Health Requirements for Livestock Exhibited in Michigan
F – Regulatory Programs for Privately Owned Cervid Operations
G – Mandatory Cervid Chronic Wasting Disease Surveillance Program
H – Michigan Surveillance and Response Plan for Chronic Wasting Disease
I – Venison Processing brochure
J – - Michigan Wildlife Services, Fencing of Feedlots Program
K –Public Hearing Report for Reg. 564, Automotive Gasoline Purity, Additives, and Grading
L – Request for Rule Promulgation for Reg. 813, Harness Horse Race and Pulling Team Stimulants and Depressants
M – Draft language for Reg. 811, Premium Allocations to Fairs and Expositions
N – Logos for the Buy Michigan program
O – Naomi VandenBosch, abandoned orchard information